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SEVENTY-EIGHTH SESSION
OF THE
LEGISLATURE
STATE OF MINNESOTA

1993

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 5, 1993

In accordance with the Constitution and the Laws of the State of Minnesota, the members-elect of the House of Representatives assembled in the Chamber of the House of Representatives in the Capitol in Saint Paul on Tuesday, the fifth day of January, 1993.

At the hour of twelve o'clock noon and pursuant to Minnesota Statutes 1992, Section 3.05, the Honorable Joan Anderson Growe, Secretary of State, called the members-elect to order and appointed the Honorable Alice M. Johnson from District 48B as Clerk pro tempore.

Prayer was offered by the Reverend Dr. Donald M. Meisel, Chaplain, Macalester College, Saint Paul, Minnesota.

The Clerk pro tempore called the roll by legislative district in numerical order, and the following members-elect presented proof of their eligibility to be sworn in and seated as members of the House of Representatives:

District 1A	.....	Jim Tunheim	District 15B	.....	Roger Cooper
District 1B	.....	Wally Sparby	District 16A	.....	Joe Opatz
District 2A	.....	Bernie Lieder	District 16B	.....	Dave Gruenes
District 2B	.....	Edgar Olson	District 17A	.....	LeRoy Koppendrayner
District 3A	.....	Irv Anderson	District 17B	.....	Gerald J. Jerry Bauerly
District 3B	.....	Loren A. Solberg	District 18A	.....	Harold Lasley
District 4A	.....	Bob Johnson	District 18B	.....	Loren Geo Jennings
District 4B	.....	Anthony G. (Tony) Kinkel	District 19A	.....	Mark Olson
District 5A	.....	Tom Rukavina	District 19B	.....	Stephanie Klinzing
District 5B	.....	David J. Tomassoni	District 20A	.....	Robert Ness
District 6A	.....	David P. Battaglia	District 20B	.....	Tony Onnen
District 6B	.....	Thomas Huntley	District 21A	.....	Jim Girard
District 7A	.....	Willard Munger	District 21B	.....	Andy Steensma
District 7B	.....	Mike Jaros	District 22A	.....	Ted Winter
District 8A	.....	Mary Murphy	District 22B	.....	Katy Olson
District 8B	.....	Becky Lourey	District 23A	.....	Barb Vickerman
District 9A	.....	Kevin Goodno	District 23B	.....	Darrel Mosel
District 9B	.....	Marvin K. Dauner	District 24A	.....	John Dorn
District 10A	.....	Bob Anderson	District 24B	.....	Don Ostrom
District 10B	.....	Hilda Bettermann	District 25A	.....	Kay Brown
District 11A	.....	Sydney G. Nelson	District 25B	.....	Peter Rodosovich
District 11B	.....	Richard "Rick" Krueger	District 26A	.....	Gene Hugoson
District 12A	.....	Kris Hasskamp	District 26B	.....	Henry J. Kalis
District 12B	.....	Stephen G. Wenzel	District 27A	.....	Bob Haukoos
District 13A	.....	Chuck Brown	District 27B	.....	Leo Reding
District 13B	.....	Doug Peterson	District 28A	.....	Gary D. Worke
District 14A	.....	Steve Dehler	District 28B	.....	Steven A. Sviggum
District 14B	.....	Jeff Bertram	District 29A	.....	Jerry Dempsey
District 15A	.....	Alan W. Welle	District 29B	.....	Bob Waltman

District 30A	Gil Gutknecht	District 49A	Charlie Weaver
District 30B	Dave Bishop	District 49B	Joel Jacobs
District 31A	Don L. Frerichs	District 50A	Kathleen Sekhon
District 31B	Gregory M. Davids	District 50B	Teresa Lynch
District 32A	Gene Pelowski, Jr.	District 51A	Mike Delmont
District 32B	Virgil J. Johnson	District 51B	Doug Swenson
District 33A	Arlon Lindner	District 52A	Wayne Simoneau
District 33B	Warren Limmer	District 52B	Geri Evans
District 34A	Steve Smith	District 53A	Phil Krinkie
District 34B	Todd Van Dellen	District 53B	Marc Asch
District 35A	Carol Molnau	District 54A	Mary Jo McGuire
District 35B	Becky Kelso	District 54B	Mindy Greiling
District 36A	Eileen Tompkins	District 55A	Brad Stanius
District 36B	Connie Morrison	District 55B	Betty McCollum
District 37A	Dennis Ozment	District 56A	Mark Holsten
District 37B	Bill Macklin	District 56B	Pamela Neary
District 38A	Tim Cummers	District 57A	Walter E. Perlt
District 38B	Tim Pawlenty	District 57B	Pat Beard
District 39A	Thomas W. Pugh	District 58A	James I. Rice
District 39B	Bob Milbert	District 58B	Richard Jefferson
District 40A	Mark P. Mahon	District 59A	John J. Sarna
District 40B	Kathleen A. Blatz	District 59B	Phyllis Kahn
District 41A	Alice Seagren	District 60A	Dee Long
District 41B	Ken Wolf	District 60B	Myron Orfield
District 42A	Ron Erhardt	District 61A	Karen Clark
District 42B	Sidney Pauly	District 61B	Linda Wejcman
District 43A	Tom Workman	District 62A	Lee Greenfield
District 43B	Jerry Knickerbocker	District 62B	Wesley J. Skoglund
District 44A	Steve Kelley	District 63A	Jean Wagenius
District 44B		District 63B	Edwina Garcia
District 45A	Ron Abrams	District 64A	
District 45B	Peggy Leppik	District 64B	Howard Orenstein
District 46A	Ann H. Rest	District 65A	Andy Dawkins
District 46B	Lyndon R. Carlson	District 65B	Carlos Mariani
District 47A	Darlene Luther	District 66A	Tom Osthoff
District 47B	Phil Carruthers	District 66B	Alice Hausman
District 48A	Brian Bergson	District 67A	Jim Farrell
District 48B	Alice M. Johnson	District 67B	Steve Trimble

132 eligible persons answered to the call by legislative district.

No one answered to the call by legislative district from District 44B due to the announcement by Gloria Segal that she will not exercise her right to take the oath of office because of health reasons.

The arrival of the Honorable Rosalie E. Wahl, Associate Justice, Minnesota Supreme Court, and the Honorable Alan C. Page, Associate Justice, Minnesota Supreme Court, was announced and they were escorted to the front of the Chamber.

OATH OF OFFICE

The members-elect subscribed to the oath of office as administered to them by the Honorable Associate Justice Rosalie E. Wahl.

The oath of office for Representative in the Minnesota Legislature was administered in Minneapolis on Friday, January 1, 1993, to James I. Rice by his son, Minnesota District Court Judge Sean Jerome Rice.

The members took their seats in the Chamber of the House of Representatives.

The Clerk pro tempore called the roll in alphabetical order and the following members answered to their names:

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

A quorum was present.

ELECTION OF OFFICERS

The Secretary of State announced the next order of business to be the election of the Speaker.

The name of Dee Long was placed in nomination by Jefferson. The nomination was seconded by Munger, Greiling, Garcia and Steensma.

The name of Tony Onnen was placed in nomination by Sviggum. The nomination was seconded by Gruenes and Blatz.

There being no further nominations, the Secretary of State declared the nominations closed.

The Clerk pro tempore called the roll on the election of a Speaker.

The following members of the House voted for Long:

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

Long received 84 votes.

The following members of the House voted for Onnen:

Abrams	Blatz	Dehler	Frerichs	Gruenes	Holsten	Knickerbocker
Bettermann	Commers	Dempsey	Girard	Gutknecht	Hugoson	Koppendraye
Bishop	Davids	Erhardt	Goodno	Haukoos	Johnson, V.	Krinkie

Leppik	Macklin	Olson, M.	Pawlenty	Sviggum	Vickerman	Worke
Limmer	Molnau	Onnen	Seagren	Swenson	Waltman	Workman
Lindner	Morrison	Ozment	Smith	Tompkins	Weaver	
Lynch	Ness	Pauly	Stanis	Van Dellen	Wolf	

Onnen received 47 votes.

Dee Long, having received a majority of the votes cast, was declared duly elected Speaker of the House.

Rice; Kahn; Kalis; Jacobs; Anderson, R.; Blatz and Pauly were appointed to escort the Speaker-elect to the rostrum.

OATH OF OFFICE

The oath of office was administered to Speaker-elect Dee Long by the Honorable Associate Justice Alan C. Page. The Speaker expressed her appreciation for the honor bestowed upon her.

The Speaker announced the next order of business to be the election of the Chief Clerk.

The name of Edward A. Burdick was placed in nomination by Welle. The nomination was seconded by Sviggum and Bishop.

There being no further nominations, the Speaker declared the nominations closed.

The Clerk pro tempore called the roll on the election of the Chief Clerk and the following voted for Burdick:

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

Edward A. Burdick, having received a majority of the votes cast, was declared elected Chief Clerk of the House of Representatives.

OATH OF OFFICE

The oath of office was administered to the Chief Clerk-elect by the Speaker.

The Speaker announced the next order of business to be the election of other elected officers of the House of Representatives.

Welle offered the following resolution and moved its adoption:

Resolved, That the election of other officers be made on one roll call unless there should be more than one nomination for any one office.

The motion prevailed and the resolution was adopted.

The following names were placed in nomination:

The name of Albin A. Mathiowetz was placed in nomination for First Assistant Chief Clerk by McGuire.

The name of Teresa B. Kittridge was placed in nomination for Second Assistant Chief Clerk by Olson, K.

The name of Ronald G. Lawrence was placed in nomination for Postmaster by Jacobs.

The name of Soliving K. Kong was placed in nomination for Assistant Postmaster by Trimble.

The name of Margaret M. Olsen was placed in nomination for Assistant Sergeant at Arms by Osthoff.

The name of LeClair G. Lambert was placed in nomination for Assistant Sergeant at Arms by Rodosovich.

The name of Frank J. Strohmayer was placed in nomination for Index Clerk by Hausman.

The name of the Reverend Dr. Donald M. Meisel was placed in nomination for House Chaplain by Rest.

There being no further nominations, the Speaker declared the nominations closed.

The Chief Clerk called the roll on the election of the other officers and the following members voted for the other officers:

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

The nominees, having received a majority of the votes cast, were declared duly elected to their respective offices.

OATH OF OFFICE

The oath of office was administered to those elected to the above offices by the Speaker.

Welle offered the following resolution and moved its adoption:

Be It Resolved, That the Temporary Rules of the House for this session, the 78th Regular Session, shall be the same as the Permanent Rules of the House for the last session, the 77th Regular Session, as they existed on Thursday, April 16, 1992, with the following exceptions:

Rule 1.10 is amended to read:

1.10 TAX AND APPROPRIATION BILLS GIVEN PRECEDENCE. Any bill relating to taxes or raising revenue shall be acted upon whenever requested by the Chair of the Committee on Taxes, and any appropriation bill, which has

had its second reading, shall be acted upon whenever requested by the Chair of the Committee on Appropriations Ways and Means or a designee of the Chair.

Rule 1.16 is amended to read:

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee or division (other than a bill in Appropriations the Committee on Ways and Means, a finance committee, or the finance division of a standing committee) no report has been made upon it by the committee or division, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee or division shall have ten calendar days thereafter in which to vote upon the bill requested. If the committee or division fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written demand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the end of General Orders.

Such bill is subject to re-reference by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

In regular session in the odd-numbered year after Friday, May 10, 1991, and in the even-numbered year after, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate or from the Governor.

Rule 5.07 is amended to read:

5.07 FINANCE BILLS CARRYING AN APPROPRIATION. Any finance bill, whether originating in the House or Senate, ~~carrying an appropriation~~, or which may involve any present or future financial obligation on the part of the State, after being reported to the House, shall be referred, or re-referred, as the case may be, to the appropriate finance committee on Appropriations or standing committee with a finance division for action ~~by that, and shall be thereafter re-referred to the Committee on Ways and Means~~. Any committee, other than ~~the a finance committee on Appropriations or standing committee with a finance division~~, to which such bill has been referred shall note in its report that the bill carries an appropriation.

Rule 5.08 is amended to read:

5.08 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE. Any bill, whether originating in the House or the Senate, which creates or reestablishes any new department, agency, commission, board, task force, advisory committee or council, or bureau, or any other such entity, or which substantially changes or alters the organization of or delegates emergency rulemaking authority to or exempts from rulemaking any department or agency thereof of state government, or substantially changes, alters, vests or divests official rights, powers, or duties of any official, department or agency of the state government or any institution under its control, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Governmental Operations and Gaming for action by that committee. Prior to the deadline set by Rule 9.03, any committee other than the Committee on Governmental Operations and Gaming to which such bill is referred shall, in its report, recommend re-referral to the Committee on Governmental Operations and Gaming. After the deadline set by Rule 9.03, a report shall recommend re-referral to the Committee on Rules and Legislative Administration.

This rule does not apply to the omnibus bill on taxation, ~~the education finance bill~~, or the omnibus appropriations finance bills for: capital investment; state government; health and human resources services; K-12 education; higher education; economic development, infrastructure and regulation; judiciary; or environment and natural resources. But, if those bills contain provisions that would create or reestablish a commission, board, task force, advisory committee or council, or other such entity, then the chair of the Committee on Taxes, ~~the chair of the Committee on Education, or the chair of a division of the Committee on Appropriations~~, as the appropriate finance committee or standing committee with a finance division, must communicate the inclusion of the provision to the chair of the Committee on Rules and Legislative Administration prior to consideration of the matter on the floor.

All other bills in the ~~House Committees on Appropriations~~ finance committees and standing committees with finance divisions and the Committee on Taxes are also exempt from this rule except for bills to create or reestablish a commission, board, task force, advisory committee or council, or other such entity. Prior to the deadline set by Rule

9.03, those bills shall be re-referred to the Committee on Governmental Operations and Gaming. After that deadline, the bills shall be re-referred to the Committee on Rules and Legislative Administration.

Rule 5.10 is amended to read:

5.10 WAYS AND MEANS COMMITTEE; RESOLUTION; EFFECT ON EXPENDITURES AND TAX BILLS. The Committee on Ways and Means shall hold hearings as necessary to determine state expenditures and taxes for the coming fiscal biennium. In regular session, not later than ten days following the last available state general fund revenue and expenditure forecast for the coming fiscal biennium prepared during the session, the Committee on Ways and Means shall report a budget resolution to the House for consideration. The budget resolution shall take the form of a House resolution that sets the maximum limitation on expenditures and taxes for the coming fiscal biennium for the general fund and an amount to be set aside as a budget reserve. The limitation is effective, if adopted, unless the House adopts a different limitation in a subsequent budget resolution that accounts for increases or decreases in general fund revenues and expenditures anticipated for the current fiscal biennium.

No bill described in Rule 5.07 or 5.09 shall be given its second reading until the House has received a statement from the Committee on Ways and Means certifying that the major expenditure and tax bills are reconciled and do not exceed the limitation specified in the budget resolution for the general fund. Major expenditure and tax bills are: the higher education appropriation finance bill; the K-12 education finance bill; the environment and natural resources appropriation finance bill; the health and human resources appropriation services finance bill; the state government appropriation finance bill; the economic development, infrastructure and regulation appropriation finance bill; the education judiciary finance bill; the omnibus capital investment bill; and the omnibus tax bill. However, a bill may be given its second reading by special authorization of the Committee on Ways and Means or by majority vote of the whole House. A special authorization may be reported by an oral notice to the House from the Chair of the Committee on Ways and Means or a designee of the Chair stating that the fiscal impact of a bill will be accounted for in the reconciliation statement.

~~The Committee on Appropriations~~ Each finance committee, and finance division of a standing committee, and the Committee on Taxes, upon recommending passage of any bill described in Rule 5.07 or 5.09, shall provide to the Committee on Ways and Means a fiscal statement on the bill.

After the House has received a reconciliation statement from the Committee on Ways and Means, the House shall not give a second reading to any bill described in Rule 5.07 or 5.09 other than the major expenditure and tax bills. However, a bill may be given its second reading after the House has received from the Committee on Ways and Means a statement certifying that the fiscal impact of the bill is within the guidelines of the budget resolution, or after authorization by majority vote of the whole House. The statement of the Committee on Ways and Means may be reported orally by the Chair of the Committee on Ways and Means or a designee of the Chair.

Rule 6.01 is amended to read:

6.01 COMMITTEES. Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Appropriations

~~Divisions: Economic Development, Infrastructure and Regulation
Education
Environment and Natural Resources
Human Resources
State Government~~

Capital Investment

Commerce and Economic Development

Divisions: International Trade, Technology and Economic Development
Tourism and Small Business

Economic Development, Infrastructure and Regulation Finance

~~Division: International Trade and Technology~~

Education

Divisions: K-12 Education Finance
Higher Education Finance

~~Energy~~

Environment and Natural Resources

Environment and Natural Resources Finance

Ethics

Financial Institutions and Insurance

Division: ~~Banking~~

General Legislation, Veterans Affairs and ~~Gaming~~ Elections

Divisions: ~~Elections~~
~~Veterans Affairs~~

Governmental Operations ~~and Gaming~~

Division: State Government Structures Finance

Health and Human Services

Divisions: Health and Housing Finance
Human Services Finance

Housing

Judiciary

Division: ~~Criminal Justice~~ Judiciary Finance

Labor-Management Relations

Local Government and Metropolitan Affairs

Redistricting

Regulated Industries and Energy

Rules and Legislative Administration

Taxes

Transportation and Public Transit

Ways and Means

Rule 6.03 is amended to read:

6.03 COMMITTEE MEETING SCHEDULE. The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chair of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chair of each committee, division, or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting.

Rule 6.05 is amended to read:

6.05 SUBCOMMITTEES. The chair of a committee shall appoint the chair and members of each subcommittee with the advice and consent of the Speaker. The chair or the committee may refer bills to subcommittee. Any subcommittee may make such investigation or exercise such authority as is delegated to it by the chair or the committee.

Rule 7.05 is amended to read:

7.05 BUDGET AND PURCHASING. The Director of House administrative services shall prepare a biennial budget for the House which must be approved by the Committee on Rules and Legislative Administration before it is submitted to the Committee on ~~Appropriations~~ Governmental Operations and Gaming for consideration by the State Government Finance Division.

The Director shall be the agent of the House of Representatives for the purchase of supplies. The Director shall seek the lowest possible prices and shall file timely reports of expenditures made with the Committee on Rules and Legislative Administration.

Rule 9.03 is amended to read:

9.03 DEADLINES. In regular session in odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after ~~Friday, April 12, 1991~~, 1993, and committee reports on bills originating in the other house favorably acted upon by a committee after ~~Wednesday, April 24, 1991~~, 1993, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. In even-numbered years, committee reports on bills favorably acted upon by a committee of the house of origin after, and committee reports on bills originating in the other house favorably acted upon by a committee after, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. However, referral is not required after the first deadline when, by the second deadline, a committee acts on a bill that is a companion to a bill that has then been acted upon by the first deadline in the Senate.

Bills in the House finance committees on Appropriations and standing committees with finance divisions and the Committee on Taxes, and the education finance bill in the Committee on Education, are exempt from this rule and need not be re-referred, except as follows: a bill other than an omnibus tax or appropriation finance bill that includes provisions that create or reestablish a commission, board, task force, advisory committee or council, or other entity, shall be re-referred to the Committee on Rules and Legislative Administration if it remains in committee after the deadlines set by this rule.

All deadlines referred to in Rules 1.16, 3.04, 5.08, 5.10, 6.11, 9.03, and 10.1 shall not apply until new Permanent Rules have been adopted.

The Temporary Rules of the House for the 78th Session shall apply to the order of business of parliamentary practice until the Committee on Rules and Legislative Administration to be appointed by the Speaker shall have made its report and new Permanent Rules have been adopted.

The question was taken on the adoption of the temporary rules and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the Temporary Rules of the House for the 78th Session were adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of Andrew R. Remke as Chief Sergeant at Arms.

OATH OF OFFICE

The oath of office was administered to the Chief Sergeant at Arms by the Speaker.

Welle offered the following resolution and moved its adoption:

Resolved, That the Chief Clerk be instructed to inform the Senate that the House is duly organized pursuant to law and to invite the Senate to meet with the House in Joint Convention at 6:45 p.m., Thursday, January 14, 1993, to receive the message of the Governor which will be delivered at 7:00 p.m.

The motion prevailed and the resolution was adopted.

Welle offered the following resolution and moved its adoption:

Resolved, That an invitation be extended to the Governor to address a Joint Convention of the House and Senate to be held in the House Chamber on Thursday, January 14, 1993, said Joint Convention to convene at 6:45 p.m. and said message to be delivered at 7:00 p.m.; and that the Speaker appoint a committee of seven members of the House to act with a similar committee of the Senate to extend the invitation to the Governor and to notify him that the House of Representatives is now duly organized pursuant to law.

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to invite the Governor to address the Joint Convention and to notify him that the House is now organized:

Kelso, Chair; Hausman; Mariani; Bergson; Klinzing; Commers and Waltman.

Welle offered the following resolution and moved its adoption:

Resolved, That the Speaker be and she is hereby directed to appoint a committee of seven members on the part of the House to act with a similar committee on the part of the Senate to escort the Governor to the Joint Convention to be held in the House Chamber on Thursday evening, January 14, 1993.

The motion prevailed and the resolution was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the House Chamber on Thursday evening, January 14, 1993:

Dawkins, Chair; Pugh; Brown, K.; Tomassoni; Wejcman; Lynch and Pawlenty.

Welle offered the following resolution and moved its adoption:

Resolved, That necessary employees as directed by the Committee on Rules and Legislative Administration be authorized by the House effective today, Tuesday, January 5, 1993, to better expedite the business of the House.

The question was taken on the adoption of the Welle resolution relating to employees and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the resolution relating to employees was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Committee on Rules and Legislative Administration:

Welle, Chair; Bauerly; Carlson; Greenfield; Jacobs; Long; McGuire; Munger; Olson, K.; Rest; Rice; Simoneau; Solberg; Trimble; Vellenga; Abrams; Blatz; Gutknecht; Hugoson; Knickerbocker; Lynch and Sviggum.

ANNOUNCEMENT BY THE SPEAKER

In accordance with House Rule 7.02, the Speaker announced the appointment of Gerald J. Jerry Bauerly, District 17B, as Speaker pro tempore.

Welle offered the following resolution and moved its adoption:

Resolved, That the selection of permanent desks shall be as directed by the Speaker as follows:

(1) that the majority caucus shall occupy section 3, seats 50 to 69; section 4, seats 70 to 97; section 5, seats 99 and 101 to 119; and section 6, seats 120 to 138. All members of the majority caucus shall be seated in the manner prescribed by the majority caucus.

(2) that the minority caucus shall occupy section 1, seats 1 to 19; section 2, seats 22 to 41; and section 3, seats 42 to 49. All members of the minority caucus shall be seated in the manner prescribed by the minority caucus.

The motion prevailed and the resolution was adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I have the honor to announce that the Senate of the State of Minnesota is now duly organized pursuant to law with the election of the following officers:

Allan H. Spear, President

Patrick E. Flahaven, Secretary of the Senate

Janine Mattson, First Assistant Secretary of the Senate

Patrice Dworak, Second Assistant Secretary of the Senate

Catherine Morrison, Engrossing Secretary

Sven Lindquist, Sergeant at Arms

Ralph Graham, Assistant Sergeant at Arms

Bishop David W. Preus, Chaplain

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I have the honor to announce that the Senate has appointed a committee of five to notify the House of Representatives that the Senate is now duly organized pursuant to law.

Messrs. Dille and Janezich; Ms. Pappas; Mr. Price and Ms. Runbeck have been appointed to such committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

ANNOUNCEMENT BY THE SPEAKER

In the interest of maintaining order and decorum in the House Chamber and providing an atmosphere of respect and courtesy for members who have the floor, and in accordance with House Rule 7.01, paragraph 2, the following policies will be in effect for the 1993-94 legislative session:

(1) In accordance with House Rule 4.07, any excessive noise in the House Chamber when the House is in session will not be tolerated, and this policy will apply to House members and any other persons admitted to the House floor when the House is in session. The Sergeant at Arms is instructed to enforce this policy.

(2) In accordance with House Rule 4.09, legislative staff should not be on the House floor or in the House Retiring Room unless they have specific business with a House member. Any specific business of any significant length shall be conducted in the House office suites on the second floor of the Capitol (Rooms 216-218) or somewhere other than the House Retiring Room. The Sergeant at Arms is instructed to enforce this policy.

(3) House members may consume coffee, tea and soft drinks at their desks when the House is in session, but no food or snacks will be allowed in the House Chamber when the House is in session. House members wishing to eat or have a snack may do so in the Retiring Room or elsewhere outside the House Chamber.

This policy shall also apply for all meetings of House standing committees, subcommittees and divisions.

(4) In reference to House Rule 3.09 relating to germaneness it is the intent of the Speaker to adhere to a strict interpretation of this rule.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, January 7, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, January 7, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JANUARY 6, 1993

The Senate met on Wednesday, January 6, 1993, which was the Second Legislative Day of the Seventy-eighth Session of the Minnesota State Legislature. The House of Representatives did not meet on this date.

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 7, 1993

The House of Representatives convened at 12:00 noon and was called to order by Dee Long, Speaker of the House.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that Representative Kathleen Vellenga, District 64A, was administered the oath of office on Wednesday, January 6, 1993. Her certificate of election and a signed and sworn statement of the oath are on file.

The roll was called and the following members were present:

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

A quorum was present.

Milbert and Tompkins were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. Skoglund 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.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Solberg, Long, Welle and Sviggum introduced:

H. F. No. 1, A bill for an act relating to the legislature; providing for the designation of successor legislative committees; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Dawkins, Blatz, Simoneau, Cooper and Orenstein introduced:

H. F. No. 2, A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivision 5; 124A.29, subdivision 1; 124C.46, subdivision 1; and 126.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; and 121.

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

Bertram introduced:

H. F. No. 3, A bill for an act relating to insurance; establishing and regulating the life and health guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

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

McGuire, Delmont, Wejcman, Beard and Limmer introduced:

H. F. No. 4, A bill for an act relating to crime; clarifying and expanding the scope of harassment and stalking crimes; requiring that convicted harassers be assessed as to their need for mental health treatment; improving the enforcement mechanism for civil harassment restraining orders; clarifying the application of enhanced penalties for repeat domestic assaults; amending Minnesota Statutes 1992, sections 609.224, subdivision 2; 609.605, subdivision 1; 609.748, subdivision 6; 609.79, subdivision 1; and 609.795, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

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

Lieder, Osthoff, Kalis, Kelso and Johnson, V., introduced:

H. F. No. 5, A bill for an act relating to transportation; authorizing the issuance of state transportation bonds; appropriating the proceeds for grants to political subdivisions for bridge construction and reconstruction.

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

Osthoff; Anderson, I.; Lieder; Orenstein and Johnson, A., introduced:

H. F. No. 6, A resolution expressing the legislature's opposition to federal legislation requiring suspension of licenses for individuals convicted of violations of the federal Controlled Substances Act.

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

Cooper; Kalis; Battaglia; Brown, C., and Gruenes introduced:

H. F. No. 7, A bill for an act relating to ambulance service personnel; establishing an ambulance service personnel longevity award and incentive program; imposing a driver's license surcharge; appropriating money; amending Minnesota Statutes 1992, section 171.06, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 144C.

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

Skoglund and Winter introduced:

H. F. No. 8, A bill for an act relating to insurance; establishing and regulating the life and health insurance guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

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

Skoglund, Carruthers and Winter introduced:

H. F. No. 9, A bill for an act relating to insurance; health; requiring coverage for elimination of port-wine stains; 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.

Bauerly, Ozment, Lourey and Krueger introduced:

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

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

Vellenga introduced:

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

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

Anderson, I., introduced:

H. F. No. 12, A bill for an act relating to economic development; requiring the commissioner of trade and economic development to designate Koochiching county as an enterprise zone.

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

Cooper, Welle and Ness introduced:

H. F. No. 13, A bill for an act relating to education; appropriating money for a cooperative secondary facilities grant to a certain group of districts.

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

Anderson, I., introduced:

H. F. No. 14, A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing for a unicameral legislature of 102 to 135 representatives.

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

Sviggum, Leppik, Tompkins, Girard and Gutknecht introduced:

H. F. No. 15, A bill for an act relating to the compensation of state officers; providing for legislative salary recommendations; setting 1993 salaries for legislators, justices, judges, constitutional officers, and heads of executive departments; amending Minnesota Statutes 1992, section 15A.082, subdivision 3.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Sviggum moved that the rule therein be suspended and an urgency be declared so that H. F. No. 15 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the Sviggum motion and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Haukoos	Koppendraye	McCollum	Pauly	Vickerman
Asch	Dempsey	Holsten	Krinkie	Molnau	Pawlenty	Waltman
Bergson	Erhardt	Hugoson	Leppik	Morrison	Perlt	Weaver
Bettermann	Evans	Jennings	Limmer	Mosel	Seagren	Wolf
Bishop	Frerichs	Johnson, V.	Lindner	Ness	Smith	Worke
Blatz	Girard	Kelley	Luther	Olson, M.	Stanius	Workman
Brown, C.	Goodno	Kelso	Lynch	Ornen	Sviggum	
Commers	Gruenes	Klinzing	Macklin	Opatz	Swenson	
Dauner	Gutknecht	Krickerbocker	Mahon	Ozment	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Cooper	Hausman	Krueger	Olson, K.	Rice	Tomassoni
Anderson, R.	Davids	Huntley	Lasley	Orenstein	Rodosovich	Trimble
Battaglia	Dawkins	Jacobs	Lieder	Orfield	Rukavina	Tunheim
Bauerly	Delmont	Jaros	Lourey	Osthoff	Sarna	Vellenga
Beard	Dorn	Jefferson	Mariani	Ostrom	Sekhon	Wagenius
Bertram	Farrell	Johnson, A.	McGuire	Pelowski	Simoneau	Wejcmán
Brown, K.	Garcia	Johnson, R.	Munger	Peterson	Skoglund	Welle
Carlson	Greenfield	Kahn	Murphy	Pugh	Solberg	Wenzel
Carruthers	Greiling	Kalis	Nelson	Reding	Sparby	Winter
Clark	Hasskamp	Kinkel	Olson, E.	Rest	Steensma	Spk. Long

The motion did not prevail.

H. F. No. 15 was referred to the Committee on Governmental Operations and Gaming.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

Onnen introduced:

H. F. No. 16, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 1; providing that state spending may not increase at a greater rate than increases in the consumer price index.

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

Onnen introduced:

H. F. No. 17, A bill for an act proposing an amendment to the Minnesota Constitution to provide for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing by law for a unicameral legislature of 135 members; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

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

Carruthers, Rest, Weaver and Kelley introduced:

H. F. No. 18, A bill for an act relating to government data practices; providing that criminal history data is public; providing that a record of conviction of certain crimes prevents an individual from obtaining a foster care license; amending Minnesota Statutes 1992, sections 13.87, subdivision 2; and 245A.04, subdivision 3.

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

Carruthers introduced:

H. F. No. 19, A bill for an act relating to local government; requiring that zoning and subdivisions be coordinated with comprehensive plans; regulating reports, budgets, personnel, and planning of metropolitan government bodies; amending Minnesota Statutes 1992, sections 462.357, subdivision 2; 473.122; 473.1623, subdivisions 3, 5, and 6; 473.163, subdivision 2; 473.175, subdivision 1; 473.181, subdivision 5; 473.38, subdivision 1; 473.661, by adding a subdivision; 473.858, subdivision 1; and 473.865, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 473.1623, subdivision 4; and 473.621, subdivisions 6 and 7.

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

Kalis; Brown, C.; Mosel; Peterson and Wenzel introduced:

H. F. No. 20, A resolution memorializing the United States Secretary of Agriculture to establish higher contract prices for grain commodities.

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

Anderson, I., introduced:

H. F. No. 21, A bill for an act relating to taxation; income; allowing federal annuitants to designate state income tax withholding; amending Minnesota Statutes 1992, section 289A.09, by adding a subdivision.

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

Skoglund, Reding, Greenfield, Winter and Gruenes introduced:

H. F. No. 22, A bill for an act relating to insurance; Medicare supplement; permitting phased-in compliance with community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1.

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

Milbert and Pugh introduced:

H. F. No. 23, A bill for an act relating to appropriations; appropriating money to reimburse Dakota county and the city of Inver Grove Heights for certain kidnapping investigation costs.

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

Pawlenty, Commers, Seagren, Molnau and Workman introduced:

H. F. No. 24, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

Holsten, Van Dellen and Worke introduced:

H. F. No. 25, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

Dempsey, Dehler, Vickerman, Lindner and Wolf introduced:

H. F. No. 26, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

Sviggum, Ness, Leppik, Erhardt and Girard introduced:

H. F. No. 27, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 1, A senate concurrent resolution relating to the adoption of temporary joint rules.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Welle moved that the rules be so far suspended that Senate Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 1

A senate concurrent resolution relating to the adoption of temporary joint rules.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

The Joint Rules of the Senate and the House of Representatives for the 76th session are adopted as the temporary joint rules of the 78th session, to be effective until the adoption of Permanent Joint Rules by the Senate and the House of Representatives, subject to the following amendments:

APPROPRIATING MONEY

Rule 2.02. The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions. All resolutions authorizing the issuing of abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

In odd-numbered years, at least ~~twenty~~ eighteen calendar days prior to the last day the Legislature can meet in regular session [Thursday, April 29, 1993], the Committee on Finance of the Senate and the Committee on ~~Appropriations~~ Ways and Means of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, ~~five separate~~ for the two succeeding fiscal years appropriation bills as follows:

(a) A bill appropriating money for the general administrative and judicial expenses of the State government ~~for the succeeding two fiscal years~~, including salaries, office expenses and supplies and other necessary expenses connected therewith;

(b) A bill covering ~~all appropriations relating to public welfare, health and corrections for the support and maintenance of all State penal and charitable institutions, and other institutions of the State except educational for the two succeeding fiscal years~~ human services;

(c) A bill appropriating money for the support and maintenance of ~~all State educational institutions for the two succeeding fiscal years~~;

(d) A bill appropriating money for aid to school districts;

(e) A bill appropriating money for the protection and improvement of the State's environment and natural resources;

(f) A bill appropriating money for the department of transportation and other agencies;

(g) A bill appropriating money for criminal justice;

(h) A bill appropriating money for community development;

(i) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the Finance Committee of the Senate or the ~~Appropriations~~ Ways and Means Committee of the House;

(e) ~~A bill covering all appropriations made for agriculture, transportation, and semi-state activities.~~

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

DEADLINES

Rule 2.03. (a) Except as provided in paragraph (b), in odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after April 14, 1989 the sixth Friday before the last Friday the Legislature can meet in regular session [April 2, 1993], and committee reports on bills originating in the other house favorably acted upon by a committee after April 26, 1989 the fourth Friday before the last Friday the Legislature can meet in regular session [April 16, 1993], shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after the earlier date and by the later date set by this paragraph acts on a bill that is a companion to a bill that has met the earlier deadline in the other house.

(b) Committee reports on bills containing an appropriation that are favorably acted upon by a committee in either house after the third Friday before the last Friday the Legislature can meet in regular session [April 23, 1993], shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. This rule does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on ~~Appropriations~~ Ways and Means and on Taxes.

(c) Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by the last Thursday on which the Legislature can meet in regular session [May 13, 1993]. After the last Friday on which the Legislature can meet in regular session [May 14, 1993], neither house shall act on bills other than those contained in:

(1) Reports of Conference Committees;

(2) Messages from the other house;

(3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or

(4) Messages from the Governor.

(b) (d) In even-numbered years the Legislature shall establish by concurrent resolution deadlines based on the date intended to be the date of adjournment sine die.

ARTICLE IV: ELECTION OF REGENTS

JOINT COMMITTEE

Rule 4.01. By May 7 of each odd-numbered year, or at a date agreed to by concurrent resolution, a joint committee shall meet to recommend nominees for regent of the University of Minnesota to be presented to a Joint Convention of the legislature. The members of the joint committee are the members of the senate and house committees on education ~~and the members of the education division of the senate committee on finance and the education division of the house committee on appropriations~~. A majority of the members from each house is a quorum of the joint committee.

The joint committee shall determine the number of persons, and the person or persons to be recommended for each open seat.

Each person recommended by the regent candidate advisory council is considered to be nominated. Other persons may be nominated by a member of the committee at the meeting. Nominations may be made by committee members only. Nominations must be made for a specified congressional or student seat, or for any at-large seat.

The roll shall be called viva voce on the recommendation of regents. A majority vote of the members of the joint committee is required for a candidate to be recommended.

Welle moved that Senate Concurrent Resolution No. 1 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 1 was adopted.

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 2, A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Welle moved that the rules be so far suspended that Senate Concurrent Resolution No. 2 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 2

A senate concurrent resolution relating to parking space on the Capitol grounds, Capitol Approach and Aurora Avenue for members of the Legislature and staff.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

The custodian of the Capitol shall reserve all parking space necessary on the Capitol grounds, Capitol Approach and Aurora Avenue for the use of the members and staff of the Legislature for the 78th session of the Legislature, allowing reasonable space for parking to the general public having business at the Capitol. The Committee on Rules and Administration of the Senate and the Committee on Rules and Legislative Administration of the House of Representatives may designate necessary personnel to assist the custodian of the Capitol in this matter.

The Secretary of the Senate and the Chief Clerk of the House of Representatives may deduct from the check of any legislator or legislative employee in each year of the 78th session of the Legislature a sum adequate to cover the

exercise of the parking privilege defined in this resolution in conformity with the practice of the Department of Administration.

Welle moved that Senate Concurrent Resolution No. 2 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 2 was adopted.

MOTIONS AND RESOLUTIONS

Carruthers moved that the names of Anderson, I; Wagenius; Orfield and Weaver be added as authors on H. F. No. 19. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, January 11, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, January 11, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 11, 1993

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

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

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Greenfield, Koppendrayner and Weaver were excused.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 22, A bill for an act relating to insurance; Medicare supplement; permitting phased-in compliance with community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1.

Reported the same back with the following amendments:

Page 11, line 13, after "portion" insert "of"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 22 was read for the second time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Skoglund and Gruenes moved that the rule therein be suspended and an urgency be declared so that H. F. No. 22 be given its third reading and be placed upon its final passage. The motion prevailed.

Skoglund and Gruenes moved that the Rules of the House be so far suspended that H. F. No. 22 be given its third reading and be placed upon its final passage. The motion prevailed.

H. F. No. 22, A bill for an act relating to insurance; Medicare supplement; permitting phased-in compliance with community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Asch	Krinkie	Onnen	Van Dellen
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The bill was passed and its title agreed to.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bertram introduced:

H. F. No. 28, A bill for an act relating to intoxicating liquor; authorizing the county board to issue a combination off-sale and on-sale intoxicating liquor license to a certain establishment.

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

Greenfield introduced:

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

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

Morrison, Reding, Worke, Jennings and Farrell introduced:

H. F. No. 30, A bill for an act relating to insurance; no-fault auto; regulating the elimination or reduction of wage loss reimbursement coverage; amending Minnesota Statutes 1992, section 65B.491.

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

Kahn, Long, Welle, Leppik and Rice introduced:

H. F. No. 31, A bill for an act relating to state government; providing for gender balance in multimember agencies; amending Minnesota Statutes 1992, section 15.0597, by adding subdivisions.

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

Bettermann, Goodno, Haukoos and Waltman introduced:

H. F. No. 32, A bill for an act proposing an amendment to the Minnesota Constitution, article X, by adding a section; dedicating part of the sales tax to a local government trust fund.

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

Davids introduced:

H. F. No. 33, A bill for an act relating to game and fish; extending the permissible period for the open season on raccoon; amending Minnesota Statutes 1992, section 97B.621, subdivision 1.

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

Simoneau, Kahn, Reding, Solberg and Pauly introduced:

H. F. No. 34, A bill for an act relating to horse racing; proposing an amendment to the Minnesota Constitution, article X, section 8; permitting the legislature to authorize pari-mutuel betting on horse racing without limitation; directing the Minnesota racing commission to prepare and submit legislation to implement televised off-site betting.

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

Olson, E., and Brown, C., introduced:

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

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

Anderson, I., introduced:

H. F. No. 36, A bill for an act relating to taxation; sales and use; changing the computation of taxes on solid waste collection services provided by a political subdivision; amending Minnesota Statutes 1992, section 297A.45, subdivision 2.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I have the honor to announce that the President of the Senate has appointed a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Arne H. Carlson, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Thursday, January 14, 1993, at 7:00 p.m.

Mrs. Adkins; Ms. Krentz; Messrs. Larson and Oliver and Ms. Ranum have been appointed to such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 3, A senate concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

SUSPENSION OF RULES

Welle moved that the rules be so far suspended that Senate Concurrent Resolution No. 3 be now considered and be placed upon its adoption. The motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 3

A senate concurrent resolution relating to adjournment for more than three days.

Be It Resolved, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon its adjournment on Thursday, January 14, 1993, the Senate may set its next day of meeting for Tuesday, January 19, 1993.
2. Upon its adjournment on Thursday, January 14, 1993, the House of Representatives may set its next day of meeting for Tuesday, January 19, 1993.
3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consents to the adjournment of the other for more than three days.

Welle moved that Senate Concurrent Resolution No. 3 be now adopted. The motion prevailed and Senate Concurrent Resolution No. 3 was adopted.

MOTIONS AND RESOLUTIONS

Bauerly moved that the name of Carlson be added as second author on H. F. No. 10. The motion prevailed.

Anderson, I., moved that the name of Murphy be added as an author on H. F. No. 14. The motion prevailed.

Onnen moved that the name of Haukoos be added as an author on H. F. No. 16. The motion prevailed.

Onnen moved that the name of Smith be added as an author on H. F. No. 16. The motion prevailed.

Onnen moved that the name of Haukoos be added as an author on H. F. No. 17. The motion prevailed.

Carruthers moved that the name of Skoglund be added as second author on H. F. No. 18. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following House committee assignments for the 1993-94 session:

1993-94 HOUSE COMMITTEE ASSIGNMENTS

Agriculture--

Mondays, 10:00 A.M., Room 5

Wenzel, Chair	Bettermann
Steensma, Vice Chair	Dehler
Bauerly	Girard
Bertram	Hugoson
Cooper	Koppendrayner
Dauner	Molnau
Mosel	Ness
Nelson	
Olson, K.	
Peterson	
Sparby	
Trimble	
Winter	

Capital Investment--

Tuesdays and Thursdays, 12:30 P.M., Room 500N

Kalis, Chair	Bishop
Trimble, Vice Chair	Dempsey
Beard	Girard
Jefferson	Stanius
Kelso	Waltman
Krueger	
Lieder	
Reding	
Rodosovich	
Simoneau	
Solberg, ex officio	
Steensma	

Commerce and Economic Development--

Tuesdays and Thursdays, 12:30 P.M., Room 5

Sarna, Chair	Bishop
Kinkel, Vice Chair	Commers
Anderson, R.	Erhardt
Asch	Haukoos
Clark	Holsten
Delmont	Knickerbocker
Evans	Lindner
Farrell	Olson, M.
Hasskamp	Smith
Jaros	
Johnson, R.	
Lourey	
Luther	
Milbert	
Murphy	
Opatz	
Perlt	
Rice	
Turheim	

International Trade, Technology and Economic Development Division/
Commerce and Economic Development
Wednesdays, 12:30 P.M., Room 500S

Jaros, Chair	Bishop
Milbert, Vice Chair	Commers
Asch	Erhardt
Clark	Haukoos
Delmont	Smith
Lourey	
Luther	
Rice	
Sarna	

Tourism and Small Business Division/Commerce and Economic Development
Wednesdays, 12:30 P.M., Room 300N

Tunheim, Chair	Holsten
Hasskamp, Vice Chair	Knickerbocker
Anderson, R.	Lindner
Evans	Olson, M.
Farrell	
Johnson, R.	
Kinkel	
Murphy	
Perlt	
Sarna	

Economic Development, Infrastructure and Regulation Finance--
Mondays through Thursdays, 8:00 A.M., Room 300N

Rice, Chair	Dempsey
Mariani, Vice Chair	Frerichs
Farrell	Molnau
Kalis	Waltman
Lieder	Wolf
Mahon	
Mosel	
Sarna	
Solberg, ex officio	
Steensma	

Education--

Tuesdays and Thursdays, 8:00 A.M., Room 200

Carlson, Chair	Bettermann
Olson, K., Vice Chair	Dehler
Bauerly	Koppendrayer
Bertram	Leppik
Brown, C.	Limmer
Dorn	Morrison
Greiling	Ness
Hausman	Ozment
Johnson, A.	Pawlenty
Kahn	Seagren
Kelley	Weaver
Kelso	

Education--(Continued)

Kinkel
 Lasley
 McCollum
 Orenstein
 Pelowski
 Rodosovich
 Skoglund
 Tomassoni
 Tunheim
 Vellenga

Higher Education Finance Division/Education
 Mondays, Wednesdays and Fridays, 8:00 A.M., Room 400S

Rodosovich, Chair	Bettermann
Brown, C., Vice Chair	Dehler
Bertram	Limmer
Carlson	Morrison
Dorn	Pawlenty
Kahn	
Kalis, ex officio	
Kelley	
Kinkel	
McCollum	
Orenstein	
Pelowski	
Solberg, ex officio	

K-12 Education Finance Division/Education
 Mondays, Wednesdays and Fridays, 8:00 A.M., Room 200

Vellenga, Chair	Koppendrayner
Bauerly, Vice Chair	Leppik
Carlson	Ness
Greiling	Ozment
Hausman	Seagren
Johnson, A.	Weaver
Kalis, ex officio	
Kelso	
Lasley	
Olson, K.	
Skoglund	
Solberg, ex officio	
Tomassoni	
Tunheim	

Environment and Natural Resources--

Tuesdays and Thursdays, 10:00 A.M., Room 200

Munger, Chair	Frerichs
Hausman, Vice Chair	Johnson, V.
Battaglia	Leppik
Dawkins	Limmer
Dorn	Morrison

Environment and Natural Resources--(Continued)

Hasskamp	Ozment
McCollum	Pauly
Milbert	Waltman
Orfield	Weaver
Peterson	Wolf
Rukavina	
Sekhon	
Sparby	
Trimble	
Wagenius	
Winter	

Environment and Natural Resources Finance--

Mondays through Thursdays, 8:00 A.M., Basement

Battaglia, Chair	Commers
McGuire, Vice Chair	Johnson, V.
Hasskamp	Lynch
Kalis, ex officio	Pauly
Munger	Swenson
Pugh	
Sekhon	
Solberg, ex officio	
Sparby	
Trimble	
Wenzel	

Financial Institutions and Insurance--

Wednesdays, 10:00 A.M., Room 5

Reding, Chair	Abrams
Bertram, Vice Chair	Dauids
Asch	Girard
Carlson	Gruenes
Farrell	Onnen
Greenfield	Stanius
Huntley	Worke
Jennings	
Lourey	
Osthoff	
Peterson	
Wenzel	
Winter	

General Legislation, Veterans Affairs and Elections--

Mondays, 12:30 P.M., Room 300N

Sparby, Chair	Abrams
Pelowski, Vice Chair	Blatz
Bergson	Commers
Bertram	Gutknecht
Cooper	Haukoos
Delmont	Seagren
Hasskamp	Waltman
Johnson, R.	
Lasley	
McCollum	
Opatz	
Orfield	
Ostrom	

Governmental Operations and Gaming--

Tuesdays and Thursdays, 10:00 A.M., Room 10

Kahn, Chair	Dehler
Johnson, R., Vice Chair	Dempsey
Beard	Haukoos
Bergson	Knickerbocker
Evans	Krinkie
Greiling	Olson, M.
Jefferson	Seagren
Kinkel	Van Dellen
Krueger	
Mosel	
Opatz	
Osthoff	
Reding	
Tomassoni	

State Government Finance Division/Governmental Operations and Gaming
Mondays and Wednesdays, 10:00 A.M., Room 300N

Krueger, Chair	Haukoos
Jefferson, Vice Chair	Knickerbocker
Beard	Krinkie
Bergson	Olson, M.
Evans	Van Dellen
Johnson, R.	
Kahn	
Kalis, ex officio	
Opatz	
Solberg, ex officio	

Health and Human Services--

Tuesdays and Thursdays, 10:00 A.M., Room 5

Simoneau, Chair	Davids
Cooper, Vice Chair	Gruenes
Anderson, R.	Gutknecht
Asch	Lindner
Brown, K.	Onnen
Clark	Stanius
Garcia	Tompkins
Greenfield	Vickerman
Huntley	Worke
Jennings	
Klinzing	
Lourey	
Luther	
Neary	
Nelson	

Health and Housing Finance Division/Health and Human Services
Tuesdays and Thursdays, 8:00 A.M., Room 400S

Anderson, R., Chair	Lindner
Lourey, Vice Chair	Onnen
Asch	Tompkins

Health and Housing Finance Division/Health and Human Services (Continued)

Brown, K.	Worke
Clark	
Greenfield	
Kalis, ex officio	
Klinzing	
Nelson	
Simoneau	
Solberg, ex officio	

Human Services Finance Division/Health and Human Services
Mondays, Wednesdays and Fridays, 8:00 A.M., Room 10

Greenfield, Chair	Davids
Jennings, Vice Chair	Gruenes
Anderson, R.	Gutknecht
Cooper	Stanisus
Garcia	Vickerman
Huntley	
Kalis, ex officio	
Luther	
Neary	
Simoneau	
Solberg, ex officio	

Housing--
Mondays, 12:30 P.M., Room 500S

Clark, Chair	Davids
Dawkins, Vice Chair	Koppendrayner
Brown, K.	Olson, M.
Dauner	Pawlenty
Evans	Smith
Garcia	Workman
Klinzing	
Luther	
Mariani	
Olson, K.	
Rest	
Tomassoni	
Wejcman	

Judiciary--
Mondays and Wednesdays, 10:00 A.M., Basement

Skoglund, Chair	Bishop
Orenstein, Vice Chair	Blatz
Brown, C.	Holsten
Carruthers	Limmer
Dawkins	Lynch
Delmont	Macklin
Mariani	Smith
McGuire	Swenson
Murphy	
Perlt	
Pugh	
Solberg	
Wejcman	

Judiciary Finance Division/Judiciary

Tuesdays and Thursdays, 10:00 A.M., Room 300S

Murphy, Chair	Bishop
Carruthers, Vice Chair	Holsten
Delmont	Macklin
Kalis, ex officio	Smith
McGuire	Swenson
Orenstein	
Perlt	
Pugh	
Skoglund	
Solberg	
Wejcman	

Labor-Management Relations--

Mondays, 12:30 P.M., Room 200

Beard, Chair	Bettermann
Rukavina, Vice Chair	Goodno
Anderson, I.	Leppik
Battaglia	Ness
Farrell	Vickerman
Huntley	Wolf
Johnson, A.	
Murphy	
Perlt	
Rice	
Sarna	
Sekhon	
Wenzel	

Local Government and Metropolitan Affairs--

Tuesdays and Thursdays, 12:30 P.M., Room 200

Anderson, I., Chair	Johnson, V.
Pugh, Vice Chair	Krinkie
Bergson	Lynch
Brown, C.	Macklin
Carruthers	Molnau
Cooper	Pawlenty
Dorn	Swenson
Greiling	Tompkins
Kelley	Weaver
Klinzing	
Mahon	
Mariani	
Nelson	
Orenstein	
Orfield	
Wagenius	
Wejcman	

Regulated Industries and Energy--
Mondays, 10:00 A.M., Room 10

Jacobs, Chair	Dempsey
Kelso, Vice Chair	Erhardt
Anderson, I.	Goodno
Anderson, R.	Gruenes
Hausman	Lindner
Jennings	Onnen
Kelley	Ozment
Mahon	Vickerman
Neary	Worke
Olson, E.	
Osthoff	
Pelowski	
Sarna	
Tunheim	

Rules and Legislative Administration--
Call of the Chair

Welle, Chair	Abrams
Greenfield, Vice Chair	Blatz
Bauerly	Gutknecht
Carlson	Hugoson
Jacobs	Knickerbocker
Long	Lynch
McGuire	Sviggum
Munger	
Olson, K.	
Rest	
Rice	
Simoneau	
Solberg	
Trimble	
Vellenga	

Taxes--

Tuesdays, Thursdays and Fridays, 8:00 A.M., Room 5

Rest, Chair	Abrams
Winter, Vice Chair	Blatz
Anderson, I.	Erhardt
Carruthers	Girard
Dauner	Goodno
Dawkins	Hugoson
Jacobs	Macklin
Jaros	Sviggum
Long	Van Dellen
Milbert	Workman
Olson, E.	
Orfield	
Osthoff	
Ostrom	
Peterson	
Rukavina	
Solberg, ex officio	
Wagenius	
Welle	

Transportation and Public Transit--

Wednesdays, 12:30 P.M., Room 10

Fridays, 10:00 A.M., Room 10

Osthoff, Chair
 Lasley, Vice Chair
 Brown, K.
 Dauner
 Garcia
 Jefferson
 Johnson, A.
 Kelso
 Lieder
 Mariani
 Neary
 Olson, E.
 Olson, K.
 Ostrom
 Steensma
 Wagenius

Frerichs
 Hugoson
 Johnson, V.
 Krinkie
 Morrison
 Pauly
 Tompkins
 Workman

Ways and Means--
Call of the Chair

Solberg, Chair
 Jacobs, Vice Chair
 Anderson, I.
 Anderson, R.
 Battaglia
 Carlson
 Greenfield
 Kahn
 Kalis
 Krueger
 Long
 Murphy
 Rest
 Rice
 Rodosovich
 Simoneau
 Skoglund
 Vellenga
 Welle

Abrams
 Bishop
 Frerichs
 Gutknecht
 Pauly
 Stanius
 Sviggum
 Weaver

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following schedule of committee meetings for the 1993-94 regular session:

1993-94 HOUSE COMMITTEE SCHEDULE

<i>Committee</i>	<i>Meeting Room</i>	<i>Hour</i>
MONDAY		
Economic Development, Infrastructure and Regulation Finance	300N	8:00- 9:45 a.m.
Environment and Natural Resources Finance	Bsmt.	8:00- 9:45 a.m.
Education (K-12 Education Finance Division)	200	8:00- 9:45 a.m.
Education (Higher Education Finance Division)	400S	8:00- 9:45 a.m.
Health and Human Services (Human Services Finance Division)	10	8:00- 9:45 a.m.
Agriculture	5	10:00-11:45 a.m.
Judiciary	Bsmt.	10:00-11:45 a.m.
Regulated Industries and Energy	10	10:00-11:45 a.m.
Governmental Operations and Gaming (State Government Finance Division)	300N	10:00-11:45 a.m.
Housing	500S	12:30- 2:15 p.m.
Labor-Management Relations	200	12:30- 2:15 p.m.
General Legislation, Veterans Affairs and Elections	300N	12:30- 2:15 p.m.
TUESDAY		
Economic Development, Infrastructure and Regulation Finance	300N	8:00- 9:45 a.m.
Education	200	8:00- 9:45 a.m.
Environment and Natural Resources Finance	Bsmt.	8:00- 9:45 a.m.
Health and Human Services (Health and Housing Finance Division)	400S	8:00- 9:45 a.m.
Taxes	5	8:00- 9:45 a.m.
Environment and Natural Resources	200	10:00-11:45 a.m.
Governmental Operations and Gaming	10	10:00-11:45 a.m.
Health and Human Services	5	10:00-11:45 a.m.
Judiciary (Judiciary Finance Division)	300S	10:00-11:45 a.m.
Capital Investment	500N	12:30- 2:15 p.m.
Commerce and Economic Development	5	12:30- 2:15 p.m.
Local Government and Metropolitan Affairs	200	12:30- 2:15 p.m.
WEDNESDAY		
Economic Development, Infrastructure and Regulation Finance	300N	8:00- 9:45 a.m.
Environment and Natural Resources Finance	Bsmt.	8:00- 9:45 a.m.
Education (K-12 Education Finance Division)	200	8:00- 9:45 a.m.
Education (Higher Education Finance Division)	400S	8:00- 9:45 a.m.
Health and Human Services (Human Services Finance Division)	10	8:00- 9:45 a.m.
Financial Institutions and Insurance	5	10:00-11:45 a.m.
Judiciary	Bsmt.	10:00-11:45 a.m.
Governmental Operations and Gaming (State Government Finance Division)	300N	10:00-11:45 a.m.
Commerce and Economic Development (International Trade, Technology, and Economic Development Division)	500S	12:30- 2:15 p.m.
Commerce and Economic Development (Tourism and Small Business Division)	300N	12:30- 2:15 p.m.
Transportation and Public Transit	10	12:30- 2:15 p.m.

THURSDAY

Economic Development, Infrastructure and Regulation Finance	300N	8:00- 9:45 a.m.
Education	200	8:00- 9:45 a.m.
Environment and Natural Resources Finance	Bsmt.	8:00- 9:45 a.m.
Health and Human Services (Health and Housing Finance Division)	400S	8:00- 9:45 a.m.
Taxes	5	8:00- 9:45 a.m.
Environment and Natural Resources	200	10:00-11:45 a.m.
Governmental Operations and Gaming	10	10:00-11:45 a.m.
Health and Human Services	5	10:00-11:45 a.m.
Judiciary (Judiciary Finance Division)	300S	10:00-11:45 a.m.
Capital Investment	500N	12:30- 2:15 p.m.
Commerce and Economic Development	5	12:30- 2:15 p.m.
Local Government and Metropolitan Affairs	200	12:30- 2:15 p.m.

FRIDAY

Education (K-12 Education Finance Division)	200	8:00- 9:45 a.m.
Education (Higher Education Finance Division)	400S	8:00- 9:45 a.m.
Health and Human Services (Human Services Finance Division)	10	8:00- 9:45 a.m.
Taxes	5	8:00- 9:45 a.m.
Transportation and Public Transit	10	10:00-11:45 a.m.

CALL OF THE CHAIR

Ethics	
Rules and Legislative Administration	400N
Ways and Means	

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following additional House Committee assignments for the 1993-94 session:

Ethics--
Call of the Chair

Lieder, Chair
Pauly, Vice Chair
Solberg
Turheim
Bishop
Leppik

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, January 14, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, January 14, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 14, 1993

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

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

The roll was called and the following members were present:

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

A quorum was present.

Greenfield was excused.

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

REPORTS OF STANDING COMMITTEES

Carlson from the Committee on Education to which was referred:

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

Reported the same back with the following amendments:

Page 1, line 10, before "school" insert "independent"

Page 1, after line 16, insert:

"Homestead and agricultural credit aid to be certified to and paid by the commissioner of education for taxes payable in 1993 and homestead and agricultural credit aid to be certified to the county auditor for taxes payable in 1994 in accordance with Minnesota Statutes, section 273.1398, subdivision 6, for independent school district No. 408, Verdi, shall be apportioned between independent school district No. 404, Lake Benton, and independent school district No. 583, Pipestone, based upon the ratio of the payable 1993 net tax capacity of the portion of independent school district No. 408, Verdi, contained in the school district after July 1, 1993, to the total payable 1993 net tax capacity of independent school district No. 408, Verdi.

For those unique taxing jurisdictions where disparity reduction aid is certified in accordance with Minnesota Statutes, section 273.1398, subdivision 6, and which are located within the former boundaries of independent school district No. 408, Verdi, the disparity reduction aid certified to and paid by the commissioner of education for taxes payable in 1993 and the disparity reduction aid certified to the county auditor for taxes payable in 1994 that would have been certified for independent school district No. 408, Verdi, shall be certified for the school district now located within that unique taxing jurisdiction."

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

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Beard; Johnson, A.; Lasley; Morrison and Pauly introduced:

H. F. No. 37, A bill for an act relating to children; requiring background checks on foreign exchange host families; amending Minnesota Statutes 1992, section 245A.03, subdivision 2.

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

Reding; Johnson, R.; Bertram and Knickerbocker introduced:

H. F. No. 38, A bill for an act relating to retirement; providing an open appropriation for payment of state reimbursement for supplemental retirement benefits paid to volunteer firefighters; amending Minnesota Statutes 1992, section 424A.10, subdivision 3.

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

Bergson, Carruthers, Delmont, Luther and Bauerly introduced:

H. F. No. 39, A bill for an act relating to crime; clarifying the application of the tolling provision in the law governing criminal statutes of limitations; amending Minnesota Statutes 1992, section 628.26.

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

Waltman, Bettermann, Jennings, Bertram and Sviggum introduced:

H. F. No. 40, A bill for an act relating to crime; increasing penalties for intentionally mutilating a flag; clarifying the purpose of the law; amending Minnesota Statutes 1992, section 609.40, subdivision 2, and by adding a subdivision.

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

Cooper, Mosel, Kalis, Bauerly and Ness introduced:

H. F. No. 41, A bill for an act relating to state and local fiscal relations; changing the property tax classification rates for certain agricultural property; modifying the sales ratio; creating a capital bonding program for school building accessibility projects; modifying the capital expenditure disabled access and health and safety levy; appropriating money; amending Minnesota Statutes 1992, sections 124.2131, subdivision 1; 124.243, subdivision 1; 124.83, subdivision 4, and by adding a subdivision; 124.84, subdivisions 1 and 3; 270.12, by adding a subdivision; 273.11, by adding a subdivision; 273.13, subdivision 23; and 273.1398, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124C.

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

Kelso and Rodosovich introduced:

H. F. No. 42, A bill for an act relating to education; authorizing a student activity account for the Faribault academies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 128A.

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

Kinkel introduced:

H. F. No. 43, A bill for an act relating to transportation; allocating funding for town bridges replaced by culverts when replacement does not exceed \$20,000; amending Minnesota Statutes 1992, section 161.082, subdivision 2a.

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

Kinkel introduced:

H. F. No. 44, A bill for an act relating to crimes; excepting the sale of tobacco to Indian children from the prohibition of sale of tobacco to children under certain circumstances; amending Minnesota Statutes 1992, section 609.685, by adding a subdivision.

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

Bishop, Skoglund and Simoneau introduced:

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

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

Olson, K.; Nelson; Olson, E.; Winter and Hugoson introduced:

H. F. No. 46, A bill for an act relating to traffic regulations; authorizing operation of recreational vehicle combinations with certain restrictions; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; and 169.81, by adding a subdivision.

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

Dawkins, Pugh, Macklin and Skoglund introduced:

H. F. No. 47, A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

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

Ostrom; Jacobs; Goodno; Anderson, I., and Orfield introduced:

H. F. No. 48, A bill for an act relating to local government aids; providing for calculation and distribution of state aids to cities; amending Minnesota Statutes 1992, sections 273.1398, by adding a subdivision; 477A.011, subdivisions 1a, 20, and by adding subdivisions; 477A.013, by adding subdivisions; and 477A.03, subdivision 1; repealing Minnesota Statutes 1992, sections 477A.011, subdivisions 1b, 3a, 15, 16, 17, 18, 22, 23, 25, and 26; and 477A.013, subdivisions 2, 3, and 5.

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

Blatz introduced:

H. F. No. 49, A bill for an act relating to crime; providing criminal penalties for a parent, guardian, or caretaker who abandons a child under ten years of age; amending Minnesota Statutes 1992, section 609.38; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Cooper introduced:

H. F. No. 50, A bill for an act relating to apiary law; removing state regulation of honey bees; amending Minnesota Statutes 1992, sections 18.022, subdivision 1; and 18.0228, subdivision 3; repealing Minnesota Statutes 1992, sections 19.50; 19.51; 19.52; 19.53; 19.54; 19.55; 19.56; 19.57; 19.58; 19.59; 19.60; 19.61; 19.62; 19.63; 19.64; and 19.65.

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

Evans, Long, Sarna, Farrell and Bishop introduced:

H. F. No. 51, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

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

Johnson, A.; Vellenga; Tomassoni and Dawkins introduced:

H. F. No. 52, A bill for an act relating to education; providing grants for community-based program development; appropriating money.

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

MOTIONS AND RESOLUTIONS

Vellenga moved that the name of Winter be added as an author on H. F. No. 11. The motion prevailed.

Cooper moved that the name of Kelso be added as an author on H. F. No. 13. The motion prevailed.

Greenfield moved that the names of Evans and Garcia be added as authors on H. F. No. 29. The motion prevailed.

Bettermann moved that the name of Kalis be added as an author on H. F. No. 32. The motion prevailed.

Davids moved that the name of Lynch be added as an author on H. F. No. 33. The motion prevailed.

Olson, E., moved that the name of Solberg be added as an author on H. F. No. 35. The motion prevailed.

Cooper moved that H. F. No. 7 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Governmental Operations and Gaming. The motion prevailed.

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Tuesday, January 19, 1993. The motion prevailed.

Welle moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

RECESS

RECONVENED

The Speaker called the House to order at 6:30 p.m.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

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

The roll being called the following Senators answered to their names: Adkins, Anderson and Beckman.

Senator Moe, R. D., moved that further proceedings of the roll call be dispensed with. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable A. M. Sandy Keith, Chief Justice of the Supreme Court and the Associate Justices of the Supreme Court. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Mark Dayton, State Auditor; Michael A. McGrath, State Treasurer and Hubert H. Humphrey III, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of former Governor Elmer L. Andersen and his wife; Iantha LeVander, the wife of the late former Governor Harold LeVander, and former Governor Wendell R. Anderson. The distinguished guests were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Joanel M. Dyrstad, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Arne H. Carlson, Governor of the State of Minnesota and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Arne H. Carlson was presented by the President of the Joint Convention, the Honorable Dee Long, and the Governor delivered his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Senator Moe, R. D., moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Tuesday, January 19, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

SIXTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 19, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Gerald J. Jerry Bauerly, Speaker pro tempore.

Prayer was offered by Bob Thomas, Rainbow Productions, Bloomington, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

ANNOUNCEMENT BY THE SPEAKER

Speaker pro tempore Bauerly introduced the new House member, Jim Rhodes, from District 44B and announced that he had previously been administered the oath of office and that his election certificate was on file. He was elected in a special election held on January 12, 1993, to replace Gloria Segal who did not exercise her right to take the oath of office because of health reasons.

The roll was called and the following members were present:

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

A quorum was present.

Greenfield; Johnson, A.; Macklin; McGuire; Rice and Long were excused.

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

REPORTS OF STANDING COMMITTEES

Welle from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1, A bill for an act relating to the legislature; providing for the designation of successor legislative committees; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Page 1, line 9, after the second "committee" insert "has been renamed or"

Page 1, line 12, after "law" insert "as follows" and after the period insert "If the committee has been renamed but retains jurisdiction of the subject of the power or duty, the speaker or senate committee shall designate the renamed committee as successor. If the committee has been renamed and jurisdiction of the subject of the power or duty has been transferred to another committee, the speaker or senate committee shall designate the committee with current jurisdiction as the successor. If the named committee no longer exists, the speaker or senate committee shall designate as successor the committee with the jurisdiction that most closely corresponds with the former jurisdiction of the named committee." and delete "Upon notification of the"

Page 1, delete lines 13 and 14

With the recommendation that when so amended the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

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.

SECOND READING OF HOUSE BILLS

H. F. No. 1 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bettermann, Erhardt and Goodno introduced:

H. F. No. 53, A bill for an act relating to workers' compensation; defining "suitable job"; modifying permanent total disability benefits; eliminating supplementary benefits in certain circumstances; abolishing the workers' compensation court of appeals; amending Minnesota Statutes 1992, sections 176.101, subdivisions 3e, 4, and 5; 176.66, subdivision 11;

480A.06, subdivisions 3 and 4; repealing Minnesota Statutes 1992, sections 175A.01; 175A.02; 175A.03; 175A.04; 175A.05; 175A.06; 175A.07; 175A.08; 175A.09; 175A.10; and 176.132, subdivisions 1 and 2.

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

Asch, Peterson, Luther, Osthoff and Perlt introduced:

H. F. No. 54, A bill for an act relating to crime; clarifying and expanding the scope of harassment and stalking crimes; requiring that convicted harassers be assessed as to their need for mental health treatment; improving the enforcement mechanism for civil harassment restraining orders; clarifying the application of enhanced penalties for repeat domestic assaults; amending Minnesota Statutes 1992, sections 609.224, subdivision 2; 609.605, subdivision 1; 609.748, subdivision 6; 609.79, subdivision 1; and 609.795, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

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

Rukavina and Johnson, R., introduced:

H. F. No. 55, A bill for an act relating to retirement; authorizing a benefit increase for certain retired police officers, firefighters, and surviving spouses in the city of Eveleth.

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

Bertram introduced:

H. F. No. 56, A bill for an act relating to education; providing for a tuition free technical college program for certain Persian Gulf war era veterans; amending Minnesota Statutes 1992, section 136C.13, subdivision 4.

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

Murphy, Waltman, Vellenga, Morrison and Osthoff introduced:

H. F. No. 57, A bill for an act relating to traffic regulations; making technical corrections; clarifying situations when certain school bus signals should not be used; providing evidentiary presumption regarding school buses; clarifying definition of special transportation as not including transportation of children by school bus; limiting weight of vehicles that may be towed by holder of class B driver's license; providing for revocation of school bus driver endorsement; amending Minnesota Statutes 1992, sections 169.443, subdivision 3; 169.444, subdivision 7; 171.01, subdivision 24; 171.02, subdivision 2; and 171.17, subdivision 1.

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

Pugh; Johnson, R., and Murphy introduced:

H. F. No. 58, A bill for an act relating to lawful gambling; modifying the definition of lawful purpose to include expenditures on certain activities and facilities intended primarily for persons over age 54; amending Minnesota Statutes 1992, section 349.12, subdivision 25.

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

McGuire, Luther, Blatz, Delmont and Weaver introduced:

H. F. No. 59, A bill for an act relating to crime prevention; providing that the home address of a driver's license or motor vehicle registration applicant is private data; clarifying and expanding the scope of harassment and stalking

crimes; increasing to a gross misdemeanor the penalty for harassment and stalking; increasing to a felony the penalty for subsequent offenses; increasing to a gross misdemeanor the penalty for subsequent violations of orders for protection issued because of harassment; requiring training for judges and peace officers concerning harassment and stalking; amending Minnesota Statutes 1992, sections 13.69, by adding a subdivision; 480.30; 609.605; 609.748, subdivisions 6 and 8; 611A.0311; 626.8451, subdivision 1a; 629.342; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 168.346; 171.12, subdivision 7; 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

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

Opatz, Pelowski, Dorn and McCollum introduced:

H. F. No. 60, A bill for an act relating to education; directing a study of the feasibility of implementing a common semester system.

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

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

H. F. No. 61, A bill for an act relating to education; changing the formula for general education revenue reduction for large fund balances; amending Minnesota Statutes 1992, section 124A.26, subdivision 1.

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

Bauerly, Pugh, Pawlenty, Opatz and Brown, C., introduced:

H. F. No. 62, A bill for an act relating to crime; clarifying certain law enforcement powers; providing for administrative forfeiture of firearms; creating a permissive inference of possession with respect to a firearm in an automobile; making technical corrections to the eligibility criteria and transfer process applicable to permits to possess a pistol; amending Minnesota Statutes 1992, sections 169.98, subdivision 1a; 299D.06; 609.5314, subdivision 1; 624.713, subdivision 1; 624.7131, subdivision 10; and 624.7132, subdivisions 4 and 8; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Holsten introduced:

H. F. No. 63, A bill for an act relating to taxation; transient lodging; allowing the city of Stillwater to exempt certain property.

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

Jacobs; Beard; Sarna; Anderson, I., and Murphy introduced:

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

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

Munger, Trimble, Ozment, Kahn and Pauly introduced:

H. F. No. 65, A bill for an act relating to the environment; regulating packaging; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; imposing a waste management fee on discardable packaging; requiring use of reusable packaging for certain percentages of beverages sold or, in the alternative, refundable recycling deposits on nonreusable beverage packaging; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 18B.135, by adding a subdivision; and 115A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 115A and 116F; repealing Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

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

H. F. No. 22, A bill for an act relating to insurance; Medicare supplement; permitting phased-in compliance with community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

MOTIONS AND RESOLUTIONS

Vellenga moved that the name of Rest be added as an author on H. F. No. 11. The motion prevailed.

Onnen moved that the name of Ness be added as an author on H. F. No. 16. The motion prevailed.

Olson, E., moved that the name of Murphy be added as an author on H. F. No. 35. The motion prevailed.

Reding moved that the name of Sparby be added as an author on H. F. No. 38. The motion prevailed.

Bishop moved that the name of Long be added as an author on H. F. No. 45. The motion prevailed.

Blatz moved that the names of Skoglund, Weaver, Carruthers and McGuire be added as authors on H. F. No. 49. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Judiciary: Add the name of Rhodes.

Judiciary/Judiciary Finance Division: Add the name of Rhodes.

Labor-Management Relations: Add the name of Rhodes.

Transportation and Public Transit: Add the names of McCollum and Rhodes.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, January 21, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and Speaker pro tempore Bauerly declared the House stands adjourned until 2:30 p.m., Thursday, January 21, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

SEVENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 21, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Gerald J. Jerry Bauerly, Speaker pro tempore.

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

The roll was called and the following members were present:

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

A quorum was present.

Bertram; Bishop; Greenfield; Johnson, A.; Kahn; Macklin; McCollum; McGuire; Rice; Rodosovich; Simoneau; Smith; Wejzman and Long were excused.

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

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

December 28, 1992

President-elect of the Senate
The State of Minnesota

Speaker of the House of Representatives
The State of Minnesota

Dear President-elect Spear and Speaker Long:

I respectfully request the opportunity of addressing a joint session of the House and Senate of the 78th Session of the Minnesota Legislature on Tuesday, January 26, 1993, at 7:00 P.M. for the purpose of presenting my Budget address to the Legislature.

Warmest regards,

ARNE H. CARLSON
Governor

Welle moved that the House accede to the request of the Governor for a Joint Convention to hear the budget message of the Governor at 7:00 p.m., Tuesday, January 26, 1993; that the Chief Clerk be instructed to invite the Senate to meet in Joint Convention at 6:45 p.m. and advise the Governor regarding the Joint Convention; and that the Speaker appoint a committee of five members to act with a similar committee to be appointed by the Senate to escort the Governor to the Joint Convention. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 6, A resolution expressing the legislature's opposition to federal legislation requiring suspension of licenses for individuals convicted of violations of the federal Controlled Substances Act.

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

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

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

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

Reported the same back with the following amendments:

Page 1, line 14, after "section 124A.03," insert "subdivision 2b,"

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. 6 and 11 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Weaver, Bettermann, McCollum, Hasskamp and Olson, M., introduced:

H. F. No. 66, A bill for an act relating to the state lottery; abolishing the authority of the state lottery board to authorize additional compensation for the director of the state lottery; repealing Minnesota Statutes 1992, section 349A.03, subdivision 3.

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

Weaver; Seagren; Olson, M.; Van Dellen and Rhodes introduced:

H. F. No. 67, A bill for an act relating to the compensation of state officers; providing for legislative salary recommendations; setting 1993 salaries for legislators, constitutional officers, and heads of executive departments; amending Minnesota Statutes 1992, section 15A.082, subdivision 3.

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

Morrison, Battaglia, Sarna, Lasley and Rhodes introduced:

H. F. No. 68, A bill for an act relating to data practices; requiring a responsible authority on the request of an individual to remove the individual's name from a list of licensing data that is for sale; amending Minnesota Statutes 1992, section 13.04, by adding a subdivision.

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

Asch, Opatz, McCollum, Huntley and Delmont introduced:

H. F. No. 69, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

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

Opatz, Gruenes, Bauerly, Bertram and Dehler introduced:

H. F. No. 70, A bill for an act relating to state lands; authorizing a conveyance to the city of St. Cloud of certain land owned by the state as a part of St. Cloud State University.

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

Brown, C.; Bettermann; Kelso; Bauerly and Vellenga introduced:

H. F. No. 71, A bill for an act relating to education; appropriating money for a cooperative secondary education facility grant for the Grant county project.

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

Jefferson and Clark introduced:

H. F. No. 72, A bill for an act relating to forfeiture; authorizing cities to enact certain forfeiture ordinances; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Jefferson introduced:

H. F. No. 73, A bill for an act relating to local governments; permitting local governments to require the payment of legal fees incurred by peace officers who are the subject of investigation by a civilian review authority; amending Minnesota Statutes 1992, section 471.44.

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

Jefferson, Sarna, Clark and Wagenius introduced:

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

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

Sviggum, Abrams and Holsten introduced:

H. F. No. 75, A bill for an act relating to elections; campaign finance; prohibiting certain caucus fundraisers during legislative sessions; prohibiting the transfer of funds from one candidate's principal campaign committee to another candidate's principal campaign committee; prohibiting the formation of more than one campaign committee by a candidate; prohibiting certain contributions by political funds; requiring reports of contributions and expenditures; requiring that recipients of public subsidies agree to raise at least one-half of private contributions from individual constituents; amending Minnesota Statutes 1992, sections 10A.065, subdivisions 1 and 5; 10A.13; 10A.14, subdivision 2; 10A.15, subdivisions 1 and 2; 10A.17, subdivision 2; 10A.19, subdivision 1; 10A.20, subdivisions 3, 5, and 6; 10A.27, subdivision 9; 10A.322, by adding a subdivision; 10A.323; and 10A.324, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, section 10A.17, subdivision 3.

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

Johnson, R.; Kinkel; Rest; Nelson and Dauner introduced:

H. F. No. 76, A bill for an act relating to taxation; exempting sales of homemaking and chore services to local governments from the sales tax; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

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

Peterson, Kahn, Munger and Sparby introduced:

H. F. No. 77, A bill for an act relating to the environment and natural resources; excluding red deer and elk from the definition of ecologically harmful exotic species; amending Minnesota Statutes 1992, section 84.967.

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

Blatz, Carruthers, Commers, Orenstein and Weaver introduced:

H. F. No. 78, A bill for an act relating to crime; expanding the crime of solicitation of juveniles to include the solicitation of mentally impaired persons to commit a criminal act; amending Minnesota Statutes 1992, section 609.494.

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

Peterson, Vellenga, Smith and Skoglund introduced:

H. F. No. 79, A bill for an act relating to courts; grandparent visitation; clarifying that visitation may be sought after completion of proceedings for dissolution, custody, legal separation, annulment, or parentage; amending Minnesota Statutes 1992, sections 257.022, subdivision 2; and 518.175, subdivision 7.

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

Peterson; Steensma; Brown, K.; Nelson and Kalis introduced:

H. F. No. 80, A bill for an act relating to state government; freezing salaries of legislators and constitutional officers; proposing coding for new law in Minnesota Statutes, chapter 15A.

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

Olson, K.; Pelowski; Vellenga and Carlson introduced:

H. F. No. 81, A bill for an act relating to education; providing funding for full day kindergarten; changing the kindergarten pupil weight; requiring a school district to offer full day kindergarten; amending Minnesota Statutes 1992, section 124.17, subdivision 1.

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

Olson, K.; Asch; McCollum; Luther and Delmont introduced:

H. F. No. 82, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

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

Erhardt, Knickerbocker, Smith, Haukoos and Bettermann introduced:

H. F. No. 83, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

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

Delmont, Dawkins, Jacobs, Swenson and Perlz introduced:

H. F. No. 84, A bill for an act relating to public safety; removing the exemption of amateur radio operators which allows them to equip motor vehicles with radio equipment capable of receiving police radio signals; amending Minnesota Statutes 1992, section 299C.37, subdivision 1.

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

Bishop introduced:

H. F. No. 85, A bill for an act relating to crime; expanding the crime of trespass to include entry onto locked or posted construction sites without consent; amending Minnesota Statutes 1992, section 609.605, subdivision 1.

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

Vellenga; Brown, C.; Asch; Onnen and Swenson introduced:

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

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

Perlt, Lieder, Farrell, Mariani and Holsten introduced:

H. F. No. 87, A bill for an act relating to transportation; defining personal transportation service; allowing provision of telephone caller identification service for certain commercial carriers of passengers; amending Minnesota Statutes 1992, section 221.011, subdivision 34; proposing coding for new law in Minnesota Statutes, chapter 237.

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

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Bauerly 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

Speaker pro tempore Bauerly resumed the Chair, whereupon the following recommendation of the Committee was reported to the House:

H. F. No. 1 was recommended to pass.

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

MOTIONS AND RESOLUTIONS

Bishop moved that the name of Hasskamp be added as an author on H. F. No. 45. The motion prevailed.

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

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

Pugh moved that the name of Hasskamp be added as an author on H. F. No. 58. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, January 25, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and Speaker pro tempore Bauerly declared the House stands adjourned until 2:30 p.m., Monday, January 25, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 25, 1993

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

Prayer was offered by Senator Pat Piper, District 27, Austin, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Beard; Jennings; Olson, E., and Smith were excused.

Munger was excused until 2:40 p.m.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

McGuire; Johnson, A.; Pelowski; Orenstein and Vellenga introduced:

H. F. No. 88, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

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

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

H. F. No. 89, A bill for an act relating to appropriations; appropriating money for a cold weather resource center.

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

Hausman, Reding, Asch and Gruenes introduced:

H. F. No. 90, A bill for an act relating to insurance; accident and health; regulating coverage for the use of off-label drugs; amending Minnesota Statutes 1992, sections 43A.23, subdivision 1; and 62A.011, subdivision 3; 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.

Winter, Sparby, Steensma and Johnson, R., introduced:

H. F. No. 91, A bill for an act relating to solid waste; requiring the state to pay solid waste management fees imposed by counties; amending Minnesota Statutes 1992, section 400.08, by adding a subdivision.

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

Van Dellen, Molnau, Holsten, Hugoson and Pawlenty introduced:

H. F. No. 92, A bill for an act relating to workers' compensation; defining "suitable job"; modifying permanent total disability benefits; eliminating supplementary benefits in certain circumstances; abolishing the workers' compensation court of appeals; amending Minnesota Statutes 1992, sections 176.101, subdivisions 3e, 4, and 5; 176.66, subdivision 11; 480A.06, subdivisions 3 and 4; repealing Minnesota Statutes 1992, sections 175A.01; 175A.02; 175A.03; 175A.04; 175A.05; 175A.06; 175A.07; 175A.08; 175A.09; 175A.10; and 176.132, subdivisions 1 and 2.

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

Jaros, Osthoff, Lourey, Lieder and Pauly introduced:

H. F. No. 93, A bill for an act relating to elections; raising the public campaign financing checkoff amount; prohibiting acceptance by certain candidates of contributions from political funds and political committees; requiring media to provide equal access to all major political party candidates; amending Minnesota Statutes 1992, sections

10A.31, subdivisions 1 and 3; 10A.322, by adding a subdivision; and 10A.335; 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.

Lourey introduced:

H. F. No. 94, A bill for an act relating to motor vehicles; exempting certain manufacturers of snowmobile trailers from being required to have a dealer's license to transport the trailers; amending Minnesota Statutes 1992, section 168.27, subdivision 22.

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

Lourey introduced:

H. F. No. 95, A bill for an act relating to public lands; authorizing independent school district No. 577 of Willow River to sell certain lands to correct an erroneous boundary assumption.

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

Tunheim; Goodno; Sparby; Johnson, R., and Opatz introduced:

H. F. No. 96, A bill for an act relating to watercraft; mirror requirements for watercraft towing persons on various devices; amending Minnesota Statutes 1992, section 86B.313, subdivision 1.

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

Rukavina; Beard; Farrell; Johnson, R., and Bergson introduced:

H. F. No. 97, A bill for an act relating to labor relations; regulating public employment labor relations; modifying the definition of a confidential employee; amending Minnesota Statutes 1992, section 179A.03, subdivision 4.

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

Leppik, Rest and Swenson introduced:

H. F. No. 98, A bill for an act relating to driving while intoxicated; increasing driver's license revocation periods and restricting issuance of limited licenses to persons convicted of DWI, to comply with federal standards; lowering the statutory alcohol concentration limit from 0.10 to 0.08; amending Minnesota Statutes 1992, sections 169.121, subdivisions 1, 2, 4, 8, 10a, and by adding a subdivision; 169.123, subdivisions 2, 4, 5a, 6, 10, and by adding a subdivision; 171.30, subdivision 2a; and 609.21.

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

Lasley; Anderson, I.; Rest; Bauerly and Koppendrayner introduced:

H. F. No. 99, A bill for an act relating to local government; permitting the creation of regional public library districts; amending Minnesota Statutes 1992, sections 134.001, by adding a subdivision; and 134.351, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 134.

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

Blatz, Weaver and Murphy introduced:

H. F. No. 100, A bill for an act relating to crime; creating the crimes of stalking and aggravated stalking; authorizing warrantless arrests of alleged stalkers; requiring arrest and detention of alleged stalkers in lieu of release on citation; providing for conditions of pretrial release; providing penalties; amending Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 629.34, subdivision 1; and 629.72; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Goodno, Dauner, Davids, Leppik and Jennings introduced:

H. F. No. 101, A bill for an act relating to general assistance; requiring social security numbers as a condition of eligibility; requiring the county agency to verify the alien status of noncitizens; proposing coding for new law in Minnesota Statutes, chapter 256D.

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

Murphy, Huntley and Battaglia introduced:

H. F. No. 102, A bill for an act relating to appropriations; appropriating money for construction on the Superior Vista trail.

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

Skoglund, Munger, Kahn, Garcia and Blatz introduced:

H. F. No. 103, A bill for an act relating to appropriations; appropriating money for a visitor center at Fort Snelling state park.

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

Anderson, R.; Nelson and Dauner introduced:

H. F. No. 104, A bill for an act relating to Otter Tail county; allowing use of certain land in Otter Tail county.

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

Tunheim introduced:

H. F. No. 105, A bill for an act relating to education; allowing the Badger school district an excess fund balance for five years in certain circumstances; amending Laws 1991, chapter 265, article 1, section 30.

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

Krueger, Hugoson, Jacobs, Hasskamp and Sarna introduced:

H. F. No. 106, A bill for an act relating to telecommunications; prohibiting cellular telephone companies from charging customer for making emergency call; proposing coding for new law in Minnesota Statutes, chapter 403.

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

Kelso, Skoglund and Vellenga introduced:

H. F. No. 107, A bill for an act relating to education; replacing the levy funding program with a grant program for the early childhood family education home visiting program; requiring ongoing training; appropriating money; amending Minnesota Statutes 1992, section 121.882, subdivision 2b; and Laws 1992, chapter 571, article 10, section 29.

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

Jacobs introduced:

H. F. No. 108, A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands by prior owners; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; 282.012; and 282.241.

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

Murphy, Lourey, Battaglia and Olson, K., introduced:

H. F. No. 109, A bill for an act relating to natural resources; directing establishment of a visitor center at the Moose Lake state recreation area; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 85.

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

Hasskamp, Wenzel and Kinkel introduced:

H. F. No. 110, A bill for an act relating to retirement; authorizing an increase in lump sum benefits payable by the Brainerd fire department relief association.

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

Olson, K., introduced:

H. F. No. 111, A bill for an act relating to highways; designating the B. E. Grottum memorial highway in Jackson county; 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 Public Transit.

Anderson, R., introduced:

H. F. No. 112, A bill for an act relating to day care licensing; authorizing the commissioner of human services to grant special variances for care of school age children; amending Minnesota Statutes 1992, section 245A.14, by adding a subdivision.

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

Orenstein introduced:

H. F. No. 113, A bill for an act relating to traffic regulations; specifying that a pedestrian lawfully in a crosswalk with pedestrian control signals must be given the right-of-way by all vehicles; amending Minnesota Statutes 1992, section 169.06, subdivision 6.

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

Steensma and Winter introduced:

H. F. No. 114, A bill for an act relating to education; specifying fiscal year 1993 as the first year of cooperation for two school districts.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I have the honor to announce that the Senate has appointed a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Arne H. Carlson, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Tuesday, January 26, 1993, at 7:00 p.m.

Ms. Hanson; Messrs. Hottinger and Laidig; Ms. Lesewski and Mr. Murphy have been appointed as members of such committee on the part of the Senate.

PATRICK E. FLAHAVEN, Secretary of the Senate

CALENDAR

H. F. No. 1, A bill for an act relating to the legislature; providing for the designation of successor legislative committees; proposing coding for new law in Minnesota Statutes, chapter 3.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 11.

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

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

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

GENERAL ORDERS

Welle moved that the bill on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Anderson, I., moved that the name of Nelson be added as an author on H. F. No. 14. The motion prevailed.

Greenfield moved that the name of Asch be added as an author on H. F. No. 29. The motion prevailed.

Jefferson moved that the name of Skoglund be added as an author on H. F. No. 74. The motion prevailed.

Peterson moved that the name of Morrison be added as an author on H. F. No. 79. The motion prevailed.

Long, Welle, Jefferson, Sviggum, Mariani and Rodosovich introduced:

House Resolution No. 1, A house resolution commemorating the life and work of Justice Thurgood Marshall.

SUSPENSION OF RULES

Jefferson moved that the rules be so far suspended that House Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 1

A house resolution commemorating the life and work of Justice Thurgood Marshall.

Whereas, Thurgood Marshall, the great-grandson of slaves, was born in Baltimore, Maryland, on July 2, 1908; and

Whereas, he graduated from Howard University Law School in 1933, ranking first in his class; and

Whereas, he practiced law in Baltimore, specializing in civil rights litigation; and

Whereas, from 1936, he worked for the National Association for the Advancement of Colored People, and in 1940 became the chief of its legal staff; and

Whereas, he argued 32 cases before the United States Supreme Court and won 29 of those cases; and

Whereas, among these cases were:

--Smith v. Allwright (1944), in which the court declared unconstitutional a state's exclusion of African-American voters from primary elections,

--Shelley v. Kraemer (1948), which ended state judicial enforcement of racial "restrictive covenants" in housing,

--Sweatt v. Painter and McLaurin v. Oklahoma State Regents (both 1950), in which the court declared unconstitutional "separate but equal" facilities for African-American professionals and graduate students in state universities,

--Brown v. Board of Education of Topeka (1954), in which racial segregation in public schools was declared unconstitutional; and

Whereas, in 1961 he was nominated to the United States Court of Appeals for the Second Circuit by President John F. Kennedy; and

Whereas, he was named United States Solicitor General in 1965 by President Lyndon B. Johnson and nominated to the United States Supreme Court in 1967, becoming the first African-American to hold the office of Supreme Court Justice; and

Whereas, throughout his career on the court, in majority opinions and in dissents, he defended not only the cause of civil rights for people of color, but the broader cause of the rights of the individual, in particular the right of privacy and the rights of criminal defendants; and

Whereas, Thurgood Marshall died on January 24, 1993; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it holds in honor the memory of Justice Thurgood Marshall, and extends condolences to his family and his fellow justices of the United States Supreme Court.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to the family of Justice Thurgood Marshall.

Jefferson moved that House Resolution No. 1 be now adopted. The motion prevailed and House Resolution No. 1 was adopted.

Welle introduced:

House Concurrent Resolution No. 1, A house concurrent resolution relating to adjournment for more than three days.

SUSPENSION OF RULES

Welle moved that the rules be so far suspended that House Concurrent Resolution No. 1 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 1

A house concurrent resolution relating to adjournment for more than three days.

Be It Resolved by the House of Representatives of the State of Minnesota, the Senate concurring:

1. Upon its adjournment on February 1, 1993, the House of Representatives may set its next day of meeting more than three days after the day of adjournment.

2. Upon its adjournment on February 1, 1993, the Senate may set its next day of meeting more than three days after the day of adjournment.

3. Pursuant to the Minnesota Constitution, Article IV, Section 12, the Senate and House of Representatives each consents to the adjournment of the other for more than three days.

Welle moved that House Concurrent Resolution No. 1 be now adopted. The motion prevailed and House Concurrent Resolution No. 1 was adopted.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the House Chamber for the Joint Convention on Tuesday, January 26, 1993:

Asch, Mosel, Lourey, Kinkel and Seagren.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 6:30 p.m., Tuesday, January 26, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 6:30 p.m., Tuesday, January 26, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

NINTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 26, 1993

The House of Representatives convened at 6:30 p.m. and was called to order by Dee Long, 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	Dauner	Haukoos	Krinkle	Murphy	Reding	Tompkins
Anderson, I.	Davids	Hausman	Krueger	Neary	Rest	Trimble
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rhodes	Tunheim
Asch	Dehler	Hugoson	Lieder	Ness	Rice	Van Dellen
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vellenga
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Vickerman
Beard	Dorn	Jaros	Lourey	Olson, M.	Sarna	Wagenius
Bergson	Erhardt	Jefferson	Luther	Opatz	Seagren	Waltman
Bertram	Evans	Jennings	Lynch	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, A.	Macklin	Orfield	Simoneau	Wejcman
Bishop	Frerichs	Johnson, R.	Mahon	Osthoff	Skoglund	Welle
Blatz	Garcia	Johnson, V.	Mariani	Ostrom	Smith	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ozment	Solberg	Winter
Brown, K.	Goodno	Kalis	McGuire	Pauly	Sparby	Wolf
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Stanius	Worke
Carruthers	Greiling	Kinkel	Molnau	Pelowski	Steensma	Workman
Clark	Gruenes	Klinzing	Morrison	Perlt	Sviggum	Spk. Long
Commers	Gutknecht	Krickerbocker	Mosel	Peterson	Swenson	
Cooper	Hasskamp	Koppendraye	Munger	Pugh	Tomassoni	

A quorum was present.

Kelso, Lasley and Onnen were excused.

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

REPORTS OF STANDING COMMITTEES

Rest from the Committee on Taxes to which was referred:

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

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.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Rest and Carlson introduced:

H. F. No. 115, A bill for an act relating to natural resources; imposing liability for certain damages caused by beaver dams; amending Minnesota Statutes 1992, section 97B.665, subdivision 2, and by adding a subdivision.

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

Kinkel; Anderson, I.; Carlson and Solberg introduced:

H. F. No. 116, A bill for an act relating to education; authorizing a special levy for alternative program pupils; amending Minnesota Statutes 1992, section 124A.23, by adding a subdivision.

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

Kinkel, Rukavina, Tomassoni, Peterson and McGuire introduced:

H. F. No. 117, A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

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

Kinkel; Kelso; Johnson, R.; Olson, K., and Ness introduced:

H. F. No. 118, A bill for an act relating to education; authorizing certain fund transfers under certain conditions; amending Minnesota Statutes 1992, section 124.243, subdivision 8.

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

Kinkel and Clark introduced:

H. F. No. 119, A bill for an act relating to health; clean indoor air; providing for an exemption from the prohibition on the use of tobacco products in public schools to permit use for religious or cultural purposes; amending Minnesota Statutes 1992, sections 144.4165; and 609.685, by adding a subdivision.

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

Ness, Kelso, Dorn, Pelowski and Morrison introduced:

H. F. No. 120, A bill for an act relating to education; changing the prohibition against starting the school year from before Labor day to before September 1; amending Minnesota Statutes 1992, section 126.12, subdivision 1.

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

Battaglia and Murphy introduced:

H. F. No. 121, A bill for an act relating to education; permitting an operating debt levy for the Babbitt school district.

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

Bertram, Osthoff, Reding, Frerichs and Sarna introduced:

H. F. No. 122, A bill for an act relating to the lottery; authorizing and regulating the use of video lottery machines; regulating video lottery manufacturers, retailers, operators, and establishments; prescribing penalties; amending Minnesota Statutes 1992, sections 349A.01, by adding subdivisions; 349A.05; 349A.06, subdivision 4; 349A.12, subdivision 4; 349A.13; 609.75, subdivision 4; and 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A.

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

Ness, Pelowski, Kalis, Cooper and Ozment introduced:

H. F. No. 123, A bill for an act relating to education; authorizing an additional day on which a referendum may be conducted; amending Minnesota Statutes 1992, section 124A.03, subdivision 2.

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

Luther, McGuire, Skoglund, Blatz and Bishop introduced:

H. F. No. 124, A bill for an act relating to crime; revising and simplifying the harassment crimes; expanding the definition of "harassment"; increasing penalties; amending Minnesota Statutes 1992, sections 609.605, subdivision 1; 609.79, subdivision 1; and 609.795, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 609.02, subdivision 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

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

Luther, Bergson, Carlson, Carruthers and Limmer introduced:

H. F. No. 125, A bill for an act relating to education; permitting independent school district No. 279, Osseo, to adopt an alternating eight-period schedule; exempting the district from certain statutory instructional time requirements through the 1995-1996 school year.

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

Waltman and Gruenes introduced:

H. F. No. 126, A bill for an act relating to education; providing that school districts need not comply with mandates unless revenue to comply is identified; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Bishop; Long; Anderson, I.; Molnau and Luther introduced:

H. F. No. 127, A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

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

Jefferson, Welle, McGuire, Rukavina and Weaver introduced:

H. F. No. 128, A bill for an act relating to education; establishing a youth apprenticeship program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

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

Carruthers, Wagenius, Blatz and Skoglund introduced:

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

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

Weaver, Carruthers, McGuire, Blatz and Orenstein introduced:

H. F. No. 130, A bill for an act relating to sentencing; regulating the awarding of jail credit to certain offenders; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Ostrom, Dawkins, Rest, Girard and McCollum introduced:

H. F. No. 131, A bill for an act relating to taxation; increasing the rate of the earned income credit; amending Minnesota Statutes 1992, section 290.0671, subdivision 1.

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

Mariani, Vellenga, Jefferson, Garcia and Bishop introduced:

H. F. No. 132, A bill for an act relating to the legislature; permitting the legislative coordinating commission to accept grants and gifts for public purposes; appropriating the grants and gifts; amending Minnesota Statutes 1992, section 3.305, by adding a subdivision.

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

Jefferson and Clark introduced:

H. F. No. 133, A bill for an act relating to corrections; allowing chiropractors to practice in institutions under the control of the commissioner of corrections; amending Minnesota Statutes 1992, section 241.021, subdivision 4.

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

Vellenga, Simoneau, Onnen, Huntley and Garcia introduced:

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

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

Hausman, Vellenga and Ness introduced:

H. F. No. 135, A bill for an act relating to education; giving school boards discretion to begin the school year before or after Labor Day; repealing Minnesota Statutes 1992, section 126.12, subdivision 1.

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

Bergson, Delmont, Perl, Mariari and Opatz introduced:

H. F. No. 136, A bill for an act relating to the state lottery; abolishing the authority of the state lottery board to authorize additional compensation for the director of the state lottery; repealing Minnesota Statutes 1992, section 349A.03, subdivision 3.

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

Tunheim; Johnson, R.; Sparby and Anderson, I., introduced:

H. F. No. 137, A bill for an act relating to taxation; motor fuel taxes; providing for refunds of fuel taxes paid on fuel used to operate passenger snowmobiles as part of the operations of a resort; amending Minnesota Statutes 1992, sections 296.01, by adding a subdivision; and 296.18, subdivision 1.

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

Cooper, Welle, Huntley, Luther and Gruenes introduced:

H. F. No. 138, A bill for an act relating to family services; expanding state support for programs for the elderly; appropriating money.

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

Bauerly introduced:

H. F. No. 139, A bill for an act relating to the town of Santiago; authorizing the establishment of a detached banking facility.

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

GENERAL ORDERS

Welle moved that the bill on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Bishop moved that the name of Ness be added as an author on H. F. No. 85. The motion prevailed.

Anderson, I., moved that the name of Tomassoni be added as an author on H. F. No. 89. The motion prevailed.

Leppik moved that the name of Rhodes be added as an author on H. F. No. 98. The motion prevailed.

Blatz moved that the name of McGuire be added as second author and the name of Bishop be added as third author on H. F. No. 100. The motion prevailed.

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, January 28, 1993. The motion prevailed.

Welle moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

RECESS

RECONVENED

The Speaker called the House to order at 6:50 p.m.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

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

The roll being called, the following Senators answered to their names: Adkins, Anderson and Beckman.

Senator Moe, R. D., moved that further proceedings of the roll call be dispensed with. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Joan Anderson Grove, Secretary of State; Mark Dayton, State Auditor; Michael A. McGrath, State Treasurer, and Hubert H. Humphrey III, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Joannell M. Dyrstad, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Arne H. Carlson, Governor of the State of Minnesota and his official party. The Governor was escorted to the rostrum by the appointed committees.

ADDRESS BY THE GOVERNOR

Governor Arne H. Carlson was presented by the President of the Joint Convention, the Honorable Dee Long, and the Governor delivered his biennial budget message to the members of the Joint Convention and their guests.

Following the address, Senator Moe, R. D., moved that the Joint Convention arise. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

ADJOURNMENT

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, January 28, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 28, 1993

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

Prayer was offered by Don Priebe, Richfield, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Beard, Simoneau and Weaver were excused.

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

REPORTS OF STANDING COMMITTEES

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 20, A resolution memorializing the United States Secretary of Agriculture to establish higher contract prices for grain commodities.

Reported the same back with the following amendments:

Page 1, line 3, delete "contract prices" and insert "price supports"

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 20 and 35 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Murphy introduced:

H. F. No. 140, A bill for an act relating to property tax aids; modifying disparity reduction aid to counties; extending the taconite homestead credit to certain property; amending Minnesota Statutes 1992, sections 273.134; 273.135, subdivisions 1, 3, and by adding a subdivision; 273.136, subdivision 2; 273.1398, subdivision 3; and 275.07, subdivision 3.

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

Simoneau and Greenfield introduced:

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

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

Anderson, R.; Cooper and Greenfield introduced:

H. F. No. 142, A bill for an act relating to health; modifying requirements for the nursing assistant competency evaluation program; amending Minnesota Statutes 1992, section 144A.61, subdivision 3a.

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

Orenstein introduced:

H. F. No. 143, A bill for an act relating to crime; prohibiting the reckless discharge of firearms; amending Minnesota Statutes 1992, section 609.66, subdivision 1a.

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

Carruthers, Bergson and Weaver introduced:

H. F. No. 144, A bill for an act relating to finance; repealing authorization for the commissioner of finance to issue obligations to finance construction of aircraft maintenance and repair facilities; repealing Minnesota Statutes 1992, sections 116R.01; 116R.02; 116R.03; 116R.04; 116R.05; 116R.06; 116R.07; 116R.08; 116R.09; 116R.10; 116R.11; 116R.12; 116R.13; 116R.14; 116R.15; and 116R.16.

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

Steensma, Greenfield, Simoneau, Gruenes and Anderson, R., introduced:

H. F. No. 145, A bill for an act relating to occupations and professions; modifying board of medical practice requirements for licensure by reciprocity; amending Minnesota Statutes 1992, section 147.03, subdivision 2.

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

Reding, Lourey, Peterson, Stanius and Winter introduced:

H. F. No. 146, A bill for an act relating to financial institutions; state banks; regulating the acquisition of a bank or savings association for operation as a detached facility; amending Minnesota Statutes 1992, section 49.34, subdivision 2.

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

Reding; Johnson, R.; Dorn; Pelowski and Gruenes introduced:

H. F. No. 147, A bill for an act relating to retirement; increasing the individual retirement account plans employer contribution rate; permitting certain persons to have employer contributions transferred from the teachers retirement association to the individual retirement account plan; amending Minnesota Statutes 1992, sections 354B.04, subdivisions 1 and 2; and 354B.05, subdivision 1; and Laws 1990, chapter 570, article 3, section 11; proposing coding for new law in Minnesota Statutes, chapter 354B.

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

Johnson, A., and Cooper introduced:

H. F. No. 148, A bill for an act relating to motor carriers; restricting authority of regular route common carriers of passengers to depart from their authorized routes; amending Minnesota Statutes 1992, section 221.051.

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

Bauerly, Vellenga, Kelso, Weaver and Huntley introduced:

H. F. No. 149, A bill for an act relating to education; modifying the referendum revenue program; creating a discretionary revenue program; increasing equalization aid; eliminating supplemental revenue; amending Minnesota Statutes 1992, sections 124A.03; and 124A.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124A; repealing Minnesota Statutes 1992, sections 124A.03, subdivision 1f; and 124A.22, subdivisions 8, 8a, 8b, and 9.

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

Winter; Olson, E.; Dauner; Sviggum and Hugoson introduced:

H. F. No. 150, A bill for an act relating to taxation; property; providing for distribution of penalties and interest; amending Minnesota Statutes 1992, section 276.131.

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

Cooper; Johnson, V.; Dorn; Klinzing and Molnau introduced:

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

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

Cooper; Johnson, V.; Dorn; Molnau and Klinzing introduced:

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

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

Pawlenty, Carruthers, Lynch, Solberg and Orenstein introduced:

H. F. No. 153, A bill for an act relating to criminal procedure; venue of actions for illegal consumption of alcoholic beverages by minors; amending Minnesota Statutes 1992, section 340A.503, subdivision 1.

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

Skoglund, Farrell, Perlt, Vellenga and Wagenius introduced:

H. F. No. 154, A bill for an act relating to crime; repealing authority of conference of chief judges to establish a schedule of misdemeanors to be treated as petty misdemeanors; repealing Laws 1992, chapter 513, article 4, section 48.

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

Skoglund, Winter, Farrell, Reding and Knickerbocker introduced:

H. F. No. 155, A bill for an act relating to insurance; automobile; regulating medical expense benefits; authorizing reparation obligors to offer medical expense benefits through certified managed care plans; authorizing the commissioner of commerce to certify these plans; requiring appropriate premium reductions; prohibiting discrimination in automobile policies; amending Minnesota Statutes 1992, sections 65B.49, subdivision 2; and 72A.20, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 65B.

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

Anderson, R.; Lourey; Simoneau; Brown, K., and Lindner introduced:

H. F. No. 156, A bill for an act relating to human services; requiring a minimum funding level for each grantee under the Head Start program which is no less than that of fiscal year 1993; appropriating money; amending

Minnesota Statutes 1992, section 268.914, subdivision 1; repealing Minnesota Statutes 1992, section 268.914, subdivision 2.

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

Carlson and Carruthers introduced:

H. F. No. 157, A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees police and fire fund by two employees of the city of Minneapolis.

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

Vickerman and Olson, K., introduced:

H. F. No. 158, A bill for an act relating to education; authorizing fund transfers for the Springfield school district.

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

Tunheim introduced:

H. F. No. 159, A bill for an act relating to education; extending the time for the Roseau school district to enter into construction contracts.

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

Reding, Sparby and Johnson, V., introduced:

H. F. No. 160, A bill for an act relating to taxation; sales and use; imposing an additional ten percent tax on sales of artificial furs; amending Minnesota Statutes 1992, sections 297A.02, by adding a subdivision; 297A.25, subdivision 8; and 297A.44, subdivision 1.

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

Trimble, Pugh, Jefferson and Huntley introduced:

H. F. No. 161, A bill for an act relating to community development; providing for targeted neighborhoods revitalization and financing; appropriating money.

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

Osthoff and Anderson, I., introduced:

H. F. No. 162, A bill for an act relating to metropolitan government; providing for the organization and membership of the metropolitan sports facilities commission; amending Minnesota Statutes 1992, section 473.553, subdivision 1; repealing Minnesota Statutes 1992, section 473.553, subdivisions 2, 3, 4, 4a, and 5.

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

Sparby, Long, Welle, Greiling and Pawlenty introduced:

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

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 1, A house concurrent resolution relating to adjournment for more than three days.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

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

H. F. No. 11, A bill for an act relating to education; directing the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vellenga moved that the House concur in the Senate amendments to H. F. No. 11 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 11, A bill for an act relating to education; authorizing the Lake Benton and Pipestone school districts to direct the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

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

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Welle moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

GENERAL ORDERS

Welle moved that the bill on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Waltman moved that the names of Dempsey, Van Dellen and Frerichs be added as authors on H. F. No. 126. The motion prevailed.

Sviggum, Gutknecht, Dehler, Vickerman and Holsten introduced:

House Resolution No. 2, A house resolution stating the House of Representatives policy against tax increases.

SUSPENSION OF RULES

Sviggum moved that the rules be so far suspended that House Resolution No. 2 be now considered and be placed upon its adoption.

A roll call was requested and properly seconded.

The question was taken on the Sviggum motion and the roll was called. There were 49 yeas and 82 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

House Resolution No. 2 was referred to the Committee on Taxes.

Kahn moved that H. F. No. 122 be recalled from the Committee on General Legislation, Veterans Affairs and Elections and be re-referred to the Committee on Governmental Operations and Gaming. The motion prevailed.

Kahn moved that H. F. No. 136 be recalled from the Committee on General Legislation, Veterans Affairs and Elections and be re-referred to the Committee on Governmental Operations and Gaming. The motion prevailed.

Sarna moved that H. F. No. 82 be recalled from the Committee on Transportation and Public Transit and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

Sarna moved that H. F. No. 83 be recalled from the Committee on Transportation and Public Transit and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

Sarna moved that H. F. No. 88 be recalled from the Committee on Transportation and Public Transit and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following change in committee assignment:

Commerce and Economic Development/Tourism and Small Business Division: Remove the name of Murphy.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 1, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 1, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-EIGHTH SESSION -- 1993

ELEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 1, 1993

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

Prayer was offered by Joanne Tromiczak-Neid, Justice Coordinator for the Sisters of St. Joseph, St. Paul, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Beard, Bishop, Simoneau, Sparby, Stanius and Van Dellen were excused.

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

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

January 21, 1993

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

Dear Speaker Long:

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

H. F. No. 22, relating to insurance; Medicare supplement; permitting phased-in compliance with community rating.

Warmest regards,

ARNE H. CARLSON
Governor

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

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1993	Date Filed 1993
	22	1	2:47 p.m. January 21	January 21

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

January 29, 1993

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

Dear Speaker Long:

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

H. F. No. 11, relating to education; authorizing the Lake Benton and Pipestone school districts to direct the Lincoln county auditor to certify certain 1993 levies for the Verdi school district.

Warmest regards,

ARNE H. CARLSON
Governor

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

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1993	Date Filed 1993
	11	2	2:35 p.m. January 29	January 29

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 51, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 168A.01, is amended by adding a subdivision to read:

Subd. 8b. [JUNKING CERTIFICATE.] "Junking certificate" means a receipt issued by the department's driver and vehicle services division when a vehicle is declared unrepairable under section 168A.151.

Sec. 2. Minnesota Statutes 1992, section 168A.01, subdivision 17a, is amended to read:

Subd. 17a. [SALVAGE TITLE.] "Salvage title" means a certificate of title that is issued to a vehicle graded and stamped as declared a "class C" repairable total loss vehicle under section 168A.151 and includes an existing certificate of title that has been stamped with the legend "salvage certificate of title" in accordance with section 168A.151.

Sec. 3. Minnesota Statutes 1992, section 168A.01, subdivision 17b, is amended to read:

Subd. 17b. [SALVAGE VEHICLE.] "Salvage vehicle" means a vehicle that has been graded and stamped under section 168A.151 a salvage certificate of title.

Sec. 4. Minnesota Statutes 1992, section 168A.04, subdivision 1, is amended to read:

Subdivision 1. [CONTENTS.] The application for the first certificate of title of a vehicle in this state shall be made by the owner to the department on the form prescribed by the department and shall contain:

(1) the first, middle, and last names, the dates of birth, and addresses of all owners who are natural persons, the full names and addresses of all other owners;

(2) a description of the vehicle including, so far as the following data exists, its make, model, year, identifying number, type of body, and whether new or used;

(3) the date of purchase by applicant, the name and address of the person from whom the vehicle was acquired, the names and addresses of any secured parties in the order of their priority, and the dates of their respective security agreements;

(4) with respect to motor vehicles subject to the provisions of section 325E.15, the true cumulative mileage registered on the odometer or that the actual mileage is unknown if the odometer reading is known by the owner to be different from the true mileage;

(5) with respect to vehicles subject to sections section 325F.6641 and 325F.6642, whether the vehicle sustained damage by collision or other occurrence which exceeded 70 percent of the actual cash value; and

(6) any further information the department reasonably requires to identify the vehicle and to enable it to determine whether the owner is entitled to a certificate of title, and the existence or nonexistence and priority of any security interest in the vehicle.

Sec. 5. Minnesota Statutes 1992, section 168A.04, subdivision 4, is amended to read:

Subd. 4. [VEHICLE LAST REGISTERED OUT OF STATE.] If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:

- (1) any certificate of title issued by the other state or country;
- (2) any other information and documents the department reasonably requires to establish the ownership of the vehicle and the existence or nonexistence and priority of any security interest in it;
- (3) the certificate of a person authorized by the department that the identifying number of the vehicle has been inspected and found to conform to the description given in the application, or any other proof of the identity of the vehicle the department reasonably requires; and
- (4) with respect to vehicles subject to ~~sections~~ section 325F.6641 and ~~325F.6642~~, whether the vehicle sustained damage by collision or other occurrence which exceeded 70 percent of actual cash value.

Sec. 6. Minnesota Statutes 1992, section 168A.05, subdivision 3, is amended to read:

Subd. 3. [CONTENT OF CERTIFICATE.] Each certificate of title issued by the department shall contain:

- (1) the date issued;
- (2) the first, middle, and last names, the dates of birth, and addresses of all owners who are natural persons, the full names and addresses of all other owners;
- (3) the names and addresses of any secured parties in the order of priority as shown on the application, or if the application is based on a certificate of title, as shown on the certificate, or as otherwise determined by the department;
- (4) the title number assigned to the vehicle;
- (5) a description of the vehicle including, so far as the following data exists, its make, model, year, identifying number, type of body, whether new or used, and if a new vehicle, the date of the first sale of the vehicle for use;
- (6) with respect to motor vehicles subject to the provisions of section 325E.15, the true cumulative mileage registered on the odometer or that the actual mileage is unknown if the odometer reading is known by the owner to be different from the true mileage;
- (7) with respect to vehicles subject to sections 325F.6641 and 325F.6642, the appropriate term "flood damaged," "rebuilt," "prior salvage," or "reconstructed"; and
- (8) any other data the department prescribes.

Sec. 7. Minnesota Statutes 1992, section 168A.05, subdivision 5, is amended to read:

Subd. 5. [ASSIGNMENT AND WARRANTY OF TITLE FORMS.] The certificate of title shall contain forms for assignment and warranty of title by the owner, and for assignment and warranty of title by a dealer, and shall contain forms for applications for a certificate of title by a transferee, and the naming of a secured party, and shall include language necessary to implement ~~sections~~ section 325F.6641 and ~~325F.6642~~.

Sec. 8. Minnesota Statutes 1992, section 168A.15, is amended to read:

168A.15 [RECONSTRUCTED, SCRAPPED, DISMANTLED, OR DESTROYED VEHICLES.]

Subd. 2. [REQUIREMENTS TO OBTAIN CERTIFICATE FOR RECONSTRUCTED VEHICLE.] If a vehicle is altered so as to become a reconstructed vehicle, the owner shall apply for a certificate of title to the reconstructed vehicle in the manner provided in section 168A.04, and any existing certificate of title to the vehicle shall be surrendered for cancellation.

Subd. 3. [SCRAPPED, DISMANTLED, OR DESTROYED VEHICLE.] An owner who scraps, dismantles, or destroys a vehicle, or a person who purchases a vehicle as scrap or to be dismantled or destroyed, shall immediately have the certificate of title mailed or delivered to the department for cancellation. A certificate of title for the vehicle shall not again be issued.

Sec. 9. Minnesota Statutes 1992, section 168A.151, subdivision 1, is amended to read:

Subdivision 1. [INSURERS SALVAGE TITLES.] When an insurer, licensed to conduct business in Minnesota, acquires ownership of a late model or high value vehicle through payment of damages, the insurer shall stamp and grade the assigned immediately apply for a salvage certificate of title as required under subdivision 3 and comply with all requirements of this chapter. or shall stamp the existing certificate of title with the legend "SALVAGE CERTIFICATE OF TITLE" in a manner prescribed by the department. Within 48 hours of taking possession of a vehicle through payment of damages, an insurer must notify the department in a manner prescribed by the department.

Any person who acquires a damaged motor vehicle with an out-of-state title and the cost of repairs exceeds the value of the damaged vehicle or a motor vehicle with an out-of-state salvage title or certificate, as proof of ownership, shall immediately apply for a salvage certificate of title. A self insured owner of a late model or high value vehicle who sustains a loss to the vehicle through collision or other occurrence which is not economical to repair shall immediately apply for a salvage certificate of title.

Sec. 10. Minnesota Statutes 1992, section 168A.151, subdivision 4, is amended to read:

Subd. 4. [OTHER OWNERS JUNKING CERTIFICATE REQUIRED.] When a person other than a dealer or insurer acquires ownership of a late model or high value vehicle that is a "class C" an unrepairable total loss vehicle, the person shall surrender the assigned certificate of title to the department and apply for a salvage junking certificate of title.

Sec. 11. Minnesota Statutes 1992, section 168A.151, is amended by adding a subdivision to read:

Subd. 6. [AUTHORITY UNDER JUNKING CERTIFICATE.] A junking certificate authorizes the holder only to possess and transport the vehicle, except that a salvage pool or insurance company, or its agent, may sell an unrepairable total loss vehicle with a junking certificate to a licensed used parts dealer.

Sec. 12. Minnesota Statutes 1992, section 168A.152, is amended by adding a subdivision to read:

Subd. 1a. [DUTIES OF SALVAGE VEHICLE PURCHASER.] No salvage vehicle purchaser shall possess or retain a salvage vehicle which does not have a salvage certificate of title. The salvage vehicle purchaser shall display the salvage certificate of title upon the request of any appropriate public authority.

Sec. 13. Minnesota Statutes 1992, section 325F.6641, subdivision 1, is amended to read:

Subdivision 1. [DAMAGE.] (a) If a motor vehicle has sustained damage by collision or other occurrence which exceeds 70 percent of its actual cash value so that the vehicle becomes a class C total loss vehicle immediately prior to sustaining damage, the seller must disclose that fact to the buyer, if the seller has actual knowledge of the damage. The amount of damage is determined by the retail cost of repairing the vehicle based on a complete written retail repair estimate or invoice.

(b) The disclosure required under this subdivision must be made in writing on the application for title and registration or other transfer document, in a manner prescribed by the registrar of motor vehicles. The registrar shall revise the certificate of title form, including the assignment by seller (transferor) and reassignment by licensed dealer sections of the form, the separate application for title forms, and other transfer documents to accommodate this disclosure. If the seller is a motor vehicle dealer licensed pursuant to section 168.27, the disclosure required by this section must be made orally by the dealer to the prospective buyer in the course of the sales presentation.

(c) Upon transfer and application for title to a vehicle covered by this subdivision, the registrar shall record the term "rebuilt" on the first Minnesota certificate of title and all subsequent Minnesota certificates of title used for that vehicle.

Sec. 14. Minnesota Statutes 1992, section 325F.6642, subdivision 1, is amended to read:

Subdivision 1. [FLOOD DAMAGE.] If the application for title and registration indicates that the vehicle has been classified as a ~~class B or C~~ total loss vehicle because of water or flood damage, the registrar of motor vehicles shall record the term "flood damaged" on the certificate of title and all subsequent certificates of title issued for that vehicle.

Sec. 15. Minnesota Statutes 1992, section 325F.6642, subdivision 2, is amended to read:

Subd. 2. [~~CLASS C TOTAL LOSS VEHICLES.~~] Upon transfer and application for title to all ~~class C~~ total loss vehicles, the registrar of motor vehicles shall record the term "rebuilt prior salvage" on the first Minnesota certificate of title and all subsequent Minnesota certificates of title used for that vehicle.

Sec. 16. Minnesota Statutes 1992, section 325F.6642, subdivision 3, is amended to read:

Subd. 3. [OUT-OF-STATE VEHICLES.] (a) Upon transfer and application for title of all repaired vehicles with out-of-state titles that bear the term "damaged," "salvage," "rebuilt," "reconditioned," or any similar term, the registrar of motor vehicles shall record the term "rebuilt prior salvage" on the first Minnesota certificate of title and all subsequent Minnesota certificates of title used for that vehicle.

(b) The registrar shall mark "rebuilt prior salvage" on the first Minnesota certificate of title and all subsequent certificates of title issued for any vehicle which came into the state unrepaired and for which a salvage certificate of title was issued ~~unless the person applying for the Minnesota title offers proof satisfactory to the registrar that the vehicle did not sustain damage equivalent to the 70 percent standard set forth in this section. The proof shall include photographs of the vehicle and either an insurance adjuster's written report or a written repair estimate which details the parts and labor required to repair the vehicle. The photographs and other documents submitted as proof under this subdivision must be filed and retained by the registrar so as to permit verification of the proof offered.~~

(c) For vehicles with out-of-state titles which bear the term "flood damaged," the registrar of motor vehicles shall record the term "flood damaged" on the first Minnesota certificate of title and all subsequent Minnesota certificates of title issued for that vehicle.

(d) The registrar shall mark "prior salvage" on the first Minnesota certificate of title and all subsequent certificates of title issued for any vehicle that had a salvage certificate of title issued at any time in the vehicle's history by any other jurisdiction.

Sec. 17. Minnesota Statutes 1992, section 325F.6642, subdivision 5, is amended to read:

Subd. 5. [MANNER OF BRANDING.] The designation of "flood damaged," "rebuilt," "prior salvage," or "reconstructed" on a certificate of title shall be made by the registrar of motor vehicles in a clear and conspicuous manner, in a color different from all other writing on the certificate of title.

Sec. 18. Minnesota Statutes 1992, section 325F.6642, subdivision 6, is amended to read:

Subd. 6. [~~CLASS C TOTAL LOSS VEHICLE; DEFINITION.~~] For the purposes of this section, a ~~class C~~ "total loss vehicle" means a vehicle, damaged by collision or other occurrence, for which a salvage certificate of title has been issued and vehicles with damage of at least 70 percent of the vehicle's actual cash value immediately prior to sustaining the damage based on a written retail repair estimate or invoice, as determined by an insurer or dealer pursuant to section 168A.151 or by comparing an insurer's written retail repair estimate of damage or actual loss payout to the average trade-in value of the vehicle according to the National Automobile Dealers Association's Official Used Car Guide or other similar publication approved by the registrar. Total loss vehicle does not include a stolen and recovered vehicle verified by the insurer who declared the vehicle to be a total loss vehicle unless there is more than minimal damage to the vehicle as determined by the registrar.

Sec. 19. Minnesota Statutes 1992, section 325F.6644, is amended to read:

325F.6644 [APPLICATION.]

Sections 325F.6641 and 325F.6642 do not apply to vehicles that are six years old or older as calculated from the first day of January of the designated model year or to commercial motor vehicles with a gross vehicle rating of 26,000 16,000 pounds or more.

Sec. 20. [REPEALER.]

Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5, are repealed."

Delete the title and insert:

"A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 168A.152, by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 1, 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 51 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Macklin, Pugh, McGuire, Wolf and Blatz introduced:

H. F. No. 164, A bill for an act relating to crime; authorizing warrantless arrests for assaults committed against a person with whom the offender has a child or unborn child in common; amending Minnesota Statutes 1992, section 629.341, subdivision 1.

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

Jennings, Solberg, Sviggum, Neary and Rukavina introduced:

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

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

Jennings, Rest, Macklin, Dauner and Olson, E., introduced:

H. F. No. 166, A bill for an act relating to taxation; sales; exempting sales to political subdivisions of repair parts for fire trucks and emergency rescue vehicles; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

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

Bauerly, Welle, Hasskamp, Mosel and Goodno introduced:

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

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

Krueger, Winter, Solberg and Kinkel introduced:

H. F. No. 168, A bill for an act relating to state government; authorizing state agencies to enter into contracts with regional organizations; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Blatz introduced:

H. F. No. 169, A bill for an act relating to workers' compensation; requiring appointment of guardians and conservators for minors and incapacitated persons; amending Minnesota Statutes 1992, sections 176.091; 176.111, subdivision 5; and 176.521, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 176; and 525.

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

Garcia, Trimble, Krueger, Mahon and Sparby introduced:

H. F. No. 170, A bill for an act relating to veterans affairs; establishing a grant program to enhance the effectiveness of county veterans service offices; increasing the complement of the department of veterans affairs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

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

Winter; Steensma; Brown, C., and Wenzel introduced:

H. F. No. 171, A bill for an act relating to agriculture; providing for the prevention of economic waste in the marketing of certain agricultural crops produced in Minnesota by establishing minimum prices; providing for supply management and orderly marketing, administration, and enforcement; appropriating money; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Morrison, Macklin, Pugh, Solberg and McGuire introduced:

H. F. No. 172, A bill for an act relating to obscenity; extending prohibitions of dissemination of display of sexually explicit material which is harmful to minors to noncommercial situations; inserting reference to videotapes; prescribing penalties; amending Minnesota Statutes 1992, sections 617.291; 617.293; 617.294; 617.295; 617.296; and 617.297; repealing Minnesota Statutes 1992, section 617.296, subdivision 1a.

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

Sparby; Johnson, V.; Wenzel; Battaglia and Lieder introduced:

H. F. No. 173, A bill for an act relating to town roads; authorizing limited regulation by towns of water encroaching on town road rights-of-way from whatever source; providing exemption from wetland replacement and other restrictive provisions; amending Minnesota Statutes 1992, sections 164.36; and 103G.2241, subdivision 1.

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

Nelson; Milbert; Commers; Anderson, R., and Sarna introduced:

H. F. No. 174, A bill for an act relating to occupations and professions; exempting manufactured home dealers and installers from license requirement; amending Minnesota Statutes 1992, section 326.84, subdivision 3.

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

Anderson, R., introduced:

H. F. No. 175, A bill for an act relating to taxation; exempting the sale of used motor vehicles from the motor vehicle excise tax; amending Minnesota Statutes 1992, section 297B.03; repealing Minnesota Statutes 1992, sections 297B.02, subdivisions 2 and 3; and 297B.025.

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

Clark, Sarna, Osthoff, Delmont and Perlit introduced:

H. F. No. 176, A bill for an act relating to crime; revising and simplifying the harassment crimes; expanding the definition of "harassment"; increasing penalties; amending Minnesota Statutes 1992, sections 609.605, subdivision 1; 609.79, subdivision 1; and 609.795, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

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

Wejcman, Skoglund, Swenson, Jefferson and Blatz introduced:

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

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

Carruthers, Skoglund, Dawkins, Mariani and Lynch introduced:

H. F. No. 178, A bill for an act relating to crime; imposing a felony penalty for recklessly discharging a firearm from a passenger vehicle; providing for forfeiture of vehicle used in drive-by shooting; amending Minnesota Statutes 1992, sections 609.531, subdivision 1; 609.5314, subdivision 1; and 609.66, by adding a subdivision.

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

Wagenius, Milbert, Hugoson, Clark and Olson, E., introduced:

H. F. No. 179, A bill for an act relating to property taxation; excluding the value of improvements to certain homestead properties from assessment; amending Minnesota Statutes 1992, section 273.11, by adding a subdivision.

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

Anderson, I.; Kinkel and Sparby introduced:

H. F. No. 180, A bill for an act relating to education; increasing secondary sparsity revenue; amending Minnesota Statutes 1992, section 124A.22, subdivision 6.

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

Rest, Pugh, Abrams and Blatz introduced:

H. F. No. 181, A bill for an act relating to limited liability companies; clarifying the application of financial institution, workers' compensation, unemployment compensation, taxation, and usury laws; modifying certain powers of, and rules applicable to, limited liability companies and their members and affiliates; amending Minnesota Statutes 1992, sections 48.24, subdivisions 1, 7, and 8; 51A.02, subdivision 43; 176.011, subdivision 10; 176.041, subdivisions

1 and 1a; 268.04, subdivisions 7, 9, and by adding a subdivision; 268.161, subdivision 9; 290.92, subdivision 1; 297A.01, subdivision 2; 302A.011, subdivision 25; 302A.161, subdivision 12; 302A.501, subdivision 1; 302A.521, subdivision 1; 302A.551, subdivision 3; 302A.673, subdivision 1; 319A.02, subdivision 7; 322B.03, subdivision 41, and by adding subdivisions; 322B.115, subdivisions 1 and 2; 322B.20, subdivisions 5, 7, 12, 14, and 21; 322B.30, subdivisions 2 and 3; 322B.306, subdivisions 3 and 4; 322B.31, subdivision 3; 322B.313; 322B.316; 322B.373, subdivision 1; 322B.54, subdivision 3; 322B.693, subdivision 1; 322B.696; 322B.699, subdivision 1; 322B.77, subdivisions 1 and 3; 322B.80, subdivision 1, and by adding a subdivision; 322B.873; 322B.91, subdivision 1; 322B.92; 322B.93; 322B.935, subdivisions 2 and 3; and 334.021.

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

Vellenga introduced:

H. F. No. 182, A bill for an act relating to taxation; providing a property tax exemption for federal land used for cottage and camp purposes; amending Minnesota Statutes 1992, section 272.02, subdivision 1.

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

Clark, Simoneau, Luther and Lourey introduced:

H. F. No. 183, A bill for an act relating to housing; providing for an emergency mortgage and rental assistance program administered by the housing finance agency; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Reding introduced:

H. F. No. 184, A bill for an act relating to the state lottery; prohibiting lottery retailers from paying prizes to persons under 18 years of age; amending Minnesota Statutes 1992, section 349A.12, subdivision 2.

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

Reding, Munger and Waltman introduced:

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

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

Jennings, Trimble, Sparby, Lieder and Stanius introduced:

H. F. No. 186, A bill for an act relating to the environment; storage of highway salt; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Cooper, Long, Welle, Sviggum and Gruenes introduced:

H. F. No. 187, A bill for an act relating to insurance; workers' compensation; regulating refunds made by the Workers' Compensation Reinsurance Association; amending Minnesota Statutes 1992, section 79.34, by adding a subdivision.

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

Winter; Olson, K.; Steensma and Nelson introduced:

H. F. No. 188, A bill for an act relating to ambulance service personnel; establishing an ambulance service personnel longevity award and incentive program; imposing a driver's license surcharge; appropriating money; amending Minnesota Statutes 1992, section 171.06, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 144C.

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

Ostrom and Mosel introduced:

H. F. No. 189, A bill for an act relating to state lands; directing release of a reversionary interest in certain state lands conveyed to the city of St. Peter.

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

Haukoos introduced:

H. F. No. 190, A bill for an act relating to game and fish; allowing importation of minnows for raising and export; amending Minnesota Statutes 1992, section 97C.515, subdivision 4.

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

Ostrom, Cooper, Girard, Winter and Mosel introduced:

H. F. No. 191, A bill for an act relating to taxation; clarifying credit on tax of certain fuel for vehicles used for school-related activities; amending Minnesota Statutes 1992, section 296.02, subdivision 8.

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

Reding and Anderson, I., introduced:

H. F. No. 192, A bill for an act relating to retirement; providing continued coverage in the Minnesota state retirement system for certain employees; amending Minnesota Statutes 1992, sections 352.01, subdivision 2a; and 352.04, subdivision 6.

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

Kinkel introduced:

H. F. No. 193, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 118, Remer-Longville.

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

Carruthers introduced:

H. F. No. 194, A bill for an act relating to courts; providing that the county law library fee may be collected in petty misdemeanor cases; amending Minnesota Statutes 1992, sections 134A.09, subdivision 2a; and 134A.10, subdivisions 3 and 4.

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

Smith and Dawkins introduced:

H. F. No. 195, A bill for an act relating to insurance; requiring insurers to pay an annual assessment based on total subrogation and indemnification claims paid each year; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

Smith and Dawkins introduced:

H. F. No. 196, A bill for an act relating to courts; requiring a plaintiff in a civil action to pay an assessed judicial administrative cost before a judgment will be docketed; proposing coding for new law in Minnesota Statutes, chapter 548.

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

Jaros, Krueger, Bishop, Welle and Haukoos introduced:

H. F. No. 197, A bill for an act relating to economic development; requiring the commissioner of trade and economic development to establish regional service offices; amending Minnesota Statutes 1992, section 116J.01, by adding a subdivision.

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

Macklin, Pugh and Morrison introduced:

H. F. No. 198, A bill for an act relating to probation; extending jurisdiction for probation violations occurring during a term of probation but not presented in court until after the probation term expires; amending Minnesota Statutes 1992, sections 609.135, subdivisions 1a and 2; and 609.14, subdivision 1.

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

Winter, Long, Welle, Sviggum and Commers introduced:

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

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

Orenstein introduced:

H. F. No. 200, A bill for an act relating to civil liability; raising the tort liability limits for claims against the metropolitan transit commission; amending Minnesota Statutes 1992, sections 466.01, by adding a subdivision; and 466.04, subdivisions 1 and 3.

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

Tunheim, Davids and Nelson introduced:

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

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

Vellenga; Johnson, A.; Tunheim; Carlson and Ozment introduced:

H. F. No. 202, A bill for an act relating to the Minnesota Humanities Commission; appropriating money for the Institute for the Advancement of Teaching.

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

Kelley, Asch, Onnen, Worke and Greenfield introduced:

H. F. No. 203, A bill for an act relating to occupations and professions; board of medical practice; modifying requirements for licensing United States, Canadian, and foreign medical school graduates; providing for temporary permits; providing for residency permits; adding a requirement for students exempt from penalties for practicing without a license; adding to licensed professionals subject to reporting obligations; indemnifying board members, consultants, and persons employed by the board; amending Minnesota Statutes 1992, sections 62A.46, subdivision 7; 147.02, subdivision 1, and by adding a subdivision; 147.03; 147.037, subdivision 1, and by adding a subdivision; 147.09; 147.111, subdivision 4; 147.121, subdivision 2; and 148.91, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 147.

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

Gruenes, Bertram, Bettermann, Dehler and Opatz introduced:

H. F. No. 204, A bill for an act relating to corrections; appropriating money to provide subsidy funds for Stearns county under the community corrections subsidy program.

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

Molnau, Seagren, Workman, Davids and Bettermann introduced:

H. F. No. 205, A bill for an act relating to elections; campaign finance; prohibiting certain caucus fundraisers during legislative sessions; prohibiting the formation of more than one campaign committee by a candidate; prohibiting certain contributions by political funds; requiring reports of contributions and expenditures; requiring that recipients of public subsidies agree to raise at least one-half of private contributions from individual constituents; amending Minnesota Statutes 1992, sections 10A.065, subdivisions 1 and 5; 10A.13; 10A.14, subdivision 2; 10A.15, subdivisions 1 and 2; 10A.17, subdivision 2; 10A.19, subdivision 1; 10A.20, subdivisions 3, 5, and 6; 10A.322, by adding a subdivision; and 10A.323; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, section 10A.17, subdivision 3.

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

Pugh, Carruthers, Skoglund, Macklin and Swenson introduced:

H. F. No. 206, A bill for an act relating to data practices; comprehensive law enforcement data; classifying photographs of certain incarcerated persons as public; amending Minnesota Statutes 1992, section 13.82, subdivision 2.

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

Pugh, Pawlenty, Carruthers, Skoglund and Tompkins introduced:

H. F. No. 207, A bill for an act relating to crime; controlled substances; increasing penalties for sale or possession of lysergic acid diethylamide in a school, park, or public housing zone; amending Minnesota Statutes 1992, 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.

Bishop introduced:

H. F. No. 208, A bill for an act relating to human rights; prohibiting discrimination against certain persons who have physical or sensory disabilities and who use service animals; clarifying certain language governing transportation of disabled persons; clarifying the commissioner's acceptance of charges; providing for office of administrative hearings costs to be charged in human rights cases; amending Minnesota Statutes 1992, sections 363.01, subdivisions 30a, 35, 41b, and by adding a subdivision; 363.03, subdivisions 2, 4, and 10; 363.06, subdivisions 1 and 4; and 363.071, subdivision 1a.

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Osthoff moved that the name of Anderson, I, be stricken and the name of Morrison be added as an author on H. F. No. 6. The motion prevailed.

Jefferson moved that the name of Pugh be added as an author on H. F. No. 73. The motion prevailed.

Rest moved that the name of Kalis be added as an author on H. F. No. 115. The motion prevailed.

Kinkel moved that the name of Wejcman be added as an author on H. F. No. 119. The motion prevailed.

Carruthers moved that the name of Leppik be added as an author on H. F. No. 129. The motion prevailed.

Jefferson moved that the name of Wejcman be added as an author on H. F. No. 133. The motion prevailed.

Hausman moved that the names of Leppik and Bishop be added as authors on H. F. No. 135. The motion prevailed.

Carruthers moved that the name of Erhardt be added as an author on H. F. No. 144. The motion prevailed.

Reding moved that the names of Stanius and Peterson be added as authors on H. F. No. 160. The motion prevailed.

Trimble moved that the name of Clark be added as an author on H. F. No. 161. The motion prevailed.

Osthoff moved that the name of Stanius be added as an author on H. F. No. 162. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Tuesday, February 9, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Tuesday, February 9, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWELFTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 9, 1993

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

Prayer was offered by the Reverend Howard Skulstad, Epiphany Lutheran Church, Eagle Lake, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Lasley, Mahon, Murphy, Rice, Sparby, Turheim and Waltman were excused.

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

REPORTS OF STANDING COMMITTEES

Carlson from the Committee on Education to which was referred:

H. F. No. 125, A bill for an act relating to education; permitting independent school district No. 279, Osseo, to adopt an alternating eight-period schedule; exempting the district from certain statutory instructional time requirements through the 1995-1996 school year.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 125 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Wenzel, Sarna, Limmer, Garcia and Anderson, I., introduced:

H. F. No. 209, A bill for an act relating to crime; providing for life imprisonment without parole for persons convicted of first degree murder involving the death of a peace officer or correctional facility guard; providing mandatory minimum sentences for persons convicted of first degree assault, or promoting or profiting from the prostitution of a minor under the age of 16; providing mandatory minimum felony penalties for intentionally discharging a firearm at a dwelling or at a motor vehicle that is on a public road; eliminating juvenile court jurisdiction over juveniles who are 16 years old or older and accused of first degree murder; expanding the prima facie juvenile court reference law to include juveniles who are 14 years old or older; expanding the sex offender registration law; appropriating money; amending Minnesota Statutes 1992, sections 243.166, subdivisions 1, 3, and 6; 244.05, subdivisions 4 and 5; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3, and by adding a subdivision; 609.055, subdivision 2; 609.184, subdivision 2; 609.185; 609.221; 609.322, subdivision 1; 609.323, subdivision 1; and 609.66, by adding a subdivision.

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

Nelson; Mosel; Johnson, V.; Steensma and Wenzel introduced:

H. F. No. 210, A bill for an act relating to agriculture; extending the farmer-lender mediation program; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

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

Cooper; Johnson, R., and Murphy introduced:

H. F. No. 211, A bill for an act relating to compulsive gambling; specifying grantees; appropriating money; amending Minnesota Statutes 1992, section 245.98, subdivision 2.

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

Pugh and Blatz introduced:

H. F. No. 212, A bill for an act relating to family law; joint physical custody; providing a standard for reviewing requests to move a child's residence out of state; amending Minnesota Statutes 1992, section 518.18.

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

Sparby, Bauerly and Bertram introduced:

H. F. No. 213, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; reducing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees,

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

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

Sparby, Bergson, Mosel and McCollum introduced:

H. F. No. 214, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; reducing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, by adding a subdivision; 10A.25, subdivision 2, and by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A and 211A.

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

Sparby, Sekhon, Neary, Huntley and Perlt introduced:

H. F. No. 215, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; reducing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, by adding a subdivision; 10A.25, subdivision 2, and by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a

subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A and 211A.

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

Wejcman and Neary introduced:

H. F. No. 216, A bill for an act relating to human rights; lengthening the statute of limitations for human rights act violations; amending Minnesota Statutes 1992, sections 363.06, subdivision 3; and 363.116.

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

Wejcman introduced:

H. F. No. 217, A bill for an act relating to family law; modifying provisions for establishment of third-party visitation rights; amending Minnesota Statutes 1992, section 257.022, by adding a subdivision.

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

Stanisus, Dempsey and Seagren introduced:

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

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

Olson, K.; Pelowski; Tunheim and Mosel introduced:

H. F. No. 219, A bill for an act relating to education; changing the formula for general education revenue reduction for large fund balances; allocating the reduction among operating funds; amending Minnesota Statutes 1992, section 124A.26, subdivision 1, and by adding a subdivision.

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

Perlt, Commers, Delmont, McCollum and Battaglia introduced:

H. F. No. 220, A bill for an act relating to the city of Oakdale; authorizing the city to annex certain properties acquired by the Minnesota department of transportation in Washington county for right-of-way purposes.

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

Tunheim introduced:

H. F. No. 221, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 437, Argyle.

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

Weaver, Skoglund and Blatz introduced:

H. F. No. 222, A bill for an act relating to crime; authorizing school officials to use reasonable force to prevent the official, a student, or other school officials from suffering substantial or great bodily harm or death; providing criminal

and civil immunity for the use of such reasonable force; providing felony penalties for unlawfully possessing a firearm or dangerous weapon on school property or in certain school buses; amending Minnesota Statutes 1992, sections 609.06; 609.066, subdivision 3; and 609.66, by adding a subdivision.

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

Smith introduced:

H. F. No. 223, A bill for an act relating to taxation; property; excepting property subject to probate from accrual of penalties and tax delinquency; amending Minnesota Statutes 1992, section 279.01, by adding a subdivision.

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

Swenson, Skoglund, Smith, Solberg and Perlth introduced:

H. F. No. 224, A bill for an act relating to crime; authorizing collection of fines from inmates' wages; providing that a parent of a victim of harassment who is a minor may seek a restraining order in district court; amending Minnesota Statutes 1992, sections 241.26, subdivision 5; and 609.748, subdivision 2.

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

Greenfield introduced:

H. F. No. 225, A bill for an act relating to health; modifying and providing funding for the moratorium exception approval process; modifying procedures for resident appeals; classifying certain expenditures as allowable costs; requiring a study of income divestiture; appropriating money; amending Minnesota Statutes 1992, sections 144A.073, subdivision 2; 144A.135; and 256B.431, subdivision 2L, and by adding a subdivision.

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

Cooper; Anderson, R., and Solberg introduced:

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

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

Bauerly, Opatz and Gruenes introduced:

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

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

Brown, C.; Johnson, V.; Sviggum; Olson, E., and Nelson introduced:

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 first time and referred to the Committee on Local Government and Metropolitan Affairs.

Cooper; Brown, K.; Wejcman; Dawkins and Clark introduced:

H. F. No. 229, A bill for an act relating to human services; modifying reimbursement procedures for group residential housing; amending Minnesota Statutes 1992, section 256I.05, by adding a subdivision.

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

Delmont, Perlt, Mariani, Evans and Luther introduced:

H. F. No. 230, A bill for an act relating to crimes; repealing the law that authorizes the conference of chief judges to establish a schedule of misdemeanors that will be treated as petty misdemeanors; repealing Minnesota Statutes 1992, section 609.131, subdivision 1a.

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

Skoglund introduced:

H. F. No. 231, A bill for an act relating to the metropolitan airports commission; authorizing the commission to enter into agreements with local governmental units regarding the exercise of certain police powers; amending Minnesota Statutes 1992, section 473.608, by adding a subdivision.

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

Skoglund introduced:

H. F. No. 232, A bill for an act relating to the military; entering into the National Guard mutual assistance counterdrug activities compact; proposing coding for new law in Minnesota Statutes, chapter 192.

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

Skoglund introduced:

H. F. No. 233, A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

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

Sviggum introduced:

H. F. No. 234, A bill for an act relating to the financing of government in this state; providing procedures for voter ratification of proposed increased employee costs of local governments; changing certain aids to local governments; limiting appropriations; appropriating money; amending Minnesota Statutes 1992, sections 16A.711, subdivision 5; 16A.712; 69.031, subdivision 3; 256E.06, subdivision 12; 273.1398, subdivision 2; 275.065, subdivision 5a, and by adding a subdivision; 477A.013, subdivisions 1, 3, and 5; 477A.03, subdivision 1; and 611.27, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 275; repealing Minnesota Statutes 1992, section 477A.0121.

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

Tunheim, Reding, Bertram and Ness introduced:

H. F. No. 235, A bill for an act relating to gambling; permitting organizations to conduct contests involving certain card games for senior citizens; amending Minnesota Statutes 1992, sections 349.151, subdivision 4; and 609.761, by adding a subdivision.

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

Welle introduced:

H. F. No. 236, A bill for an act relating to human services; allowing certain intra-family sales of nursing facilities upon the death, disability, or retirement of the owner; amending Minnesota Statutes 1992, section 256B.431, subdivision 14.

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

Anderson, I., and Dorn introduced:

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

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

Molnau; Anderson, I.; Dehler; Hugoson and Kelso introduced:

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

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

Pawlenty and Commers introduced:

H. F. No. 239, A bill for an act relating to retirement; Eagan volunteer firefighters' relief association; increasing flexible service pension maximums.

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

Greenfield and Anderson, R., introduced:

H. F. No. 240, A bill for an act relating to human services; changing nursing home license surcharges; amending Minnesota Statutes 1992, section 256.9657, subdivisions 1 and 1a.

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

Greenfield introduced:

H. F. No. 241, A bill for an act relating to human services; authorizing the Minnesota housing finance agency to finance residential care facilities for elderly or physically infirm or impaired persons; appropriating money; amending Minnesota Statutes 1992, sections 462A.02, by adding a subdivision; 462A.03, subdivisions 7 and 19; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; and 462A.22, subdivision 1.

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

Greenfield and Anderson, R., introduced:

H. F. No. 242, A bill for an act relating to human services; authorizing reimbursement to nursing homes for money reserves required by the department of commerce for self-insured workers' compensation programs; amending Minnesota Statutes 1992, section 256B.421, subdivision 14.

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

Pugh, Skoglund, Macklin, Swenson and Carruthers introduced:

H. F. No. 243, A bill for an act relating to uniform acts; enacting Minnesota Common Interest Ownership Act; amending Minnesota Statutes 1992, sections 308A.011, subdivision 1; 500.20, subdivision 2a; 508.71, by adding a subdivision; and 541.023, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 515B.

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

Pugh, Milbert, Blatz and Vellenga introduced:

H. F. No. 244, A bill for an act relating to children; clarifying the venue for certain actions under the parentage act; amending Minnesota Statutes 1992, section 257.59, subdivision 3.

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

Leppik, Macklin, McGuire, Mariani and Blatz introduced:

H. F. No. 245, A bill for an act relating to family law; child visitation; providing procedures for dealing with allegations of child abuse; requiring certain training for guardians ad litem in family court; providing for appointment of experts and court evaluation of evidence of abuse; appropriating money; amending Minnesota Statutes 1992, sections 518.165, by adding a subdivision; and 518.175, subdivision 5.

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

Brown, K.; Olson, K., and Rodosovich introduced:

H. F. No. 246, A bill for an act relating to education; removing a restriction on which districts may levy for late activity transportation; providing for a makeup late activity transportation levy; amending Minnesota Statutes 1992, section 124.226, subdivision 9.

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

Klinzing, Bauerly, Koppendrayner, Rest and Anderson, I., introduced:

H. F. No. 247, A bill for an act relating to levy limits; canceling any uncollected penalties imposed under previous levy limits.

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

Welle introduced:

H. F. No. 248, A bill for an act relating to local improvements; setting limits for certain contract requirements; amending Minnesota Statutes 1992, section 429.041, subdivisions 1 and 2.

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

Seagren, Vellenga, Morrison, Ness and Bauerly introduced:

H. F. No. 249, A bill for an act relating to education; authorizing a school district to levy for certain interest paid on abatement refunds; amending Minnesota Statutes 1992, section 275.48.

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

Pauly introduced:

H. F. No. 250, A bill for an act relating to wild animals; prohibiting certain equipment in taking; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Skoglund, Mosel, Bauerly, Kelso and Vellenga introduced:

H. F. No. 251, A bill for an act relating to child abuse reporting; expanding the definition of "neglect" to include failure to provide a child with necessary education; amending Minnesota Statutes 1992, section 626.556, subdivision 2.

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

Murphy, Skoglund, Lourey, Rodosovich and Gutknecht introduced:

H. F. No. 252, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

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

Lasley, Long, Osthoff, Bergson and Abrams introduced:

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

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

Bauerly and Opatz introduced:

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

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

Johnson, A.; Goodno; Bergson and Sekhon introduced:

H. F. No. 255, A bill for an act relating to employees; providing for a wage protection program; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Steensma, Sviggum, Cooper, Dehler and Swenson introduced:

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

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

Anderson, R.; Olson, K.; Anderson, I.; Cooper and Brown, C., introduced:

H. F. No. 257, A bill for an act relating to taxation; individual income; corporate franchise; sales tax; allowing investment tax credits; exempting replacement capital equipment from sales tax; amending Minnesota Statutes 1992, section 297A.01, subdivision 16; 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.

Perlt, McCollum, Farrell, Sekhon and Delmont introduced:

H. F. No. 258, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited land that borders public water in Washington county to the city of Oakdale.

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

Dauner; Tomassoni; Nelson; Anderson, I., and Tompkins introduced:

H. F. No. 259, A bill for an act relating to local government; providing for the publication of certain accounts and delinquent property tax information; amending Minnesota Statutes 1992, sections 279.09; 281.13; 281.23, subdivision 3; and 375.17.

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

Lasley; Olson, K.; Vellenga and Klinzing introduced:

H. F. No. 260, A bill for an act relating to education; excluding commercial and industrial property from the tax base referendum levies are spread against; creating a statewide equalization property tax on commercial and industrial property; funding equalization aid; increasing the formula allowance; requiring existing referendum levies to be reauthorized; eliminating certain caps on referendum revenue; expanding the number of dates on which a referendum levy may be held; appropriating money; amending Minnesota Statutes 1992, sections 124.961; 124A.02, by adding a subdivision; 124A.03, subdivisions 1c, 1g, 2, and 2a; and by adding a subdivision; and 124A.22, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 124D.

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

Cooper, Bauerly and Mosel introduced:

H. F. No. 261, A bill for an act relating to capital improvements; creating a capital bonding program for school building accessibility projects; modifying the capital expenditure disabled access levy; authorizing the issuance and sale of state bonds; appropriating money; amending Minnesota Statutes 1992, section 124.84, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 124C.

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

Pugh; Johnson, R., and Milbert introduced:

H. F. No. 262, A bill for an act relating to civil actions; providing for procedures and remedies in actions involving public petition and participation; regulating S.L.A.P.P. lawsuits; proposing coding for new law in Minnesota Statutes, chapter 604.

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

Rukavina, Solberg, Vellenga and Carlson introduced:

H. F. No. 263, A bill for an act relating to education; providing for special consolidation aid; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Johnson, R.; Skoglund; Mosel; Carruthers and Macklin introduced:

H. F. No. 264, A bill for an act relating to juvenile justice; defining "child in need of protection services" and "child abuse"; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

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

Cooper, Kalis, Mosel, Bauerly and Ness introduced:

H. F. No. 265, A bill for an act relating to taxes; changing the property tax classification rates for certain agricultural property; modifying the sales ratio; amending Minnesota Statutes 1992, sections 124.2131, subdivision 1; 270.12, by adding a subdivision; 273.11, by adding a subdivision; 273.13, subdivision 23; and 273.1398, subdivision 1.

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

Cooper, Kalis, Mosel, Bauerly and Ness introduced:

H. F. No. 266, A bill for an act relating to education; modifying the capital expenditure health and safety levy; amending Minnesota Statutes 1992, sections 124.243, subdivision 1; and 124.83, subdivision 4, and by adding a subdivision.

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

Macklin, Molnau, Worke and Olson, M., introduced:

H. F. No. 267, A bill for an act relating to taxation; providing for state and local tax incentives for certified small businesses; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 290A; 297A; and 469.

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

Smith, Limmer, Lindner, Workman and Olson, M., introduced:

H. F. No. 268, A bill for an act relating to general assistance; requiring social security numbers as a condition of eligibility; requiring the county agency to verify the alien status of noncitizens; proposing coding for new law in Minnesota Statutes, chapter 256D.

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

Hasskamp, Munger, Wenzel, McGuire and Weaver introduced:

H. F. No. 269, A bill for an act relating to recreation; establishing a Cuyuna country state recreation area; establishing a new unit in the outdoor recreation system; appropriating money; amending Minnesota Statutes 1992, sections 85.045, subdivision 2; 86A.04; 86A.05, subdivisions 2 and 3; and 86A.08, subdivision 1.

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

Sarna introduced:

H. F. No. 270, A bill for an act relating to the city of St. Paul; authorizing payment of a refund to the estate of a certain deceased firefighter.

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

Lasley, Opatz, Hasskamp, McCollum and Seagren introduced:

H. F. No. 271, A bill for an act relating to elections; providing for a voter information program; appropriating money; amending Minnesota Statutes 1992, sections 204B.27, by adding subdivisions; and 211B.06, subdivision 2.

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

Solberg, Welle, Osthoff, Kahn and Bishop introduced:

H. F. No. 272, A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.03, subdivision 1; 297C.10, subdivisions 1 and 2; 297C.12; 297C.13, subdivision 1; 299A.02; 299A.30, subdivision 1; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01, subdivisions 2 and 4; 299C.06; 299C.13; 299C.50; 299F.01, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; 299A.01; 299C.01, subdivision 1; and 299F.01, subdivisions 1 and 3; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7.

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

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 35.

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

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 116 yeas and 7 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Holsten	Krinkie	Lindner	Osthoff	Wolf	Worke	Workman
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The bill was passed and its title agreed to.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Skoglund moved that the name of Pugh be added as an author on H. F. No. 9. The motion prevailed.

Pugh moved that the name of Milbert be added as an author on H. F. No. 58. The motion prevailed.

Anderson, I., moved that the names of Solberg and Johnson, R., be added as authors on H. F. No. 180. The motion prevailed.

Cooper moved that the name of Welle be shown as chief author and the name of Cooper be shown as second author on H. F. No. 187. The motion prevailed.

Kinkel moved that H. F. No. 44 be returned to its author. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, February 11, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, February 11, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

THIRTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 11, 1993

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

Prayer was offered by Representative Mary Murphy, District 8A, Hermantown, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Bishop, Dehler and Johnson, R., were excused.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 9, A bill for an act relating to insurance; health; requiring coverage for elimination of port-wine stains; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the following amendments:

Page 1, line 11, after "elimination" insert "or maximum feasible treatment"

Page 1, line 12, delete "under the age of 18 years"

Amend the title as follows:

Page 1, line 3, after "elimination" insert "or treatment"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 9 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Olson, E.; Peterson; Girard; Dauner and Mosel introduced:

H. F. No. 273, A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

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

Onnen, Gutknecht, Wenzel and Bertram introduced:

H. F. No. 274, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; providing for initiative and referendum.

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

Dauner; Winter; Anderson, I.; Onnen and Johnson, V., introduced:

H. F. No. 275, A bill for an act relating to taxation; providing for payment of certain in-lieu taxes; amending Minnesota Statutes 1992, sections 97A.061; and 477A.14.

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

Peterson, Hausman, Solberg, Carlson and Vellenga introduced:

H. F. No. 276, A bill for an act relating to education; changing certain cooperation and combination revenue restrictions for school districts that belong to joint powers district No. 6011, Lac qui Parle Valley.

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

Peterson, Kahn, Munger and Steensma introduced:

H. F. No. 277, A bill for an act relating to agriculture; directing the commissioner of agriculture to promote farming of cervidae and maintain a data base on research and information; declaring farmed cervidae to be livestock and raising farmed cervidae to be an agricultural pursuit; prohibiting owners from allowing farmed cervidae to run at large; prescribing conditions for slaughter and sale of farmed cervidae as meat, fencing requirements, disease inspection, importation, and transportation requirements; requiring identification; prescribing conditions for farming cervidae; defining cervidae farming as agricultural production for purposes of sales tax; defining fencing for purposes of sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; 35.821, subdivision 4; and 297A.01, subdivisions 13 and 15; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Rukavina, Tomassoni and Clark introduced:

H. F. No. 278, A bill for an act relating to housing; limiting payment of loan balances by heirs and devisees of deceased borrowers; amending Minnesota Statutes 1992, section 462A.05, subdivision 14a.

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

Smith, Workman and Lindner introduced:

H. F. No. 279, A bill for an act relating to crime; increasing penalties for intentionally mutilating a flag; clarifying the purpose of the law; amending Minnesota Statutes 1992, section 609.40, subdivision 2, and by adding a subdivision.

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

Rukavina, Jaros and Hausman introduced:

H. F. No. 280, A bill for an act relating to economic development; establishing the affirmative enterprise program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Mosel; Olson, K.; Johnson, V.; Steensma and Wenzel introduced:

H. F. No. 281, A bill for an act relating to agriculture; board of animal health; regulating the imposition and collection of civil penalties; appropriating money; amending Minnesota Statutes 1992, section 35.95, subdivisions 1 and 5.

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

Nelson, Dehler, Krueger, Winter and Wenzel introduced:

H. F. No. 282, A bill for an act relating to agriculture; extending the farmer-lender mediation program; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

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

Krueger, Opatz, Bergson, Hasskamp and Luther introduced:

H. F. No. 283, A bill for an act relating to state employees; providing that additional compensation may not be paid to employees of the state or quasi-state agencies based on their performances; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Hausman and Kahn introduced:

H. F. No. 284, A bill for an act relating to highways; prohibiting improvement, expansion, or reconstruction of highway 280 until the environmental review process is complete; requiring the metropolitan council to complete the environmental impact statement for reconstruction of highway 280; providing for allocation of costs; prohibiting variances from state noise standards.

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

McGuire introduced:

H. F. No. 285, A bill for an act relating to domestic abuse; clarifying requirements for law enforcement domestic abuse arrest policies; amending Minnesota Statutes 1992, section 629.342, subdivision 2.

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

Welle introduced:

H. F. No. 286, A bill for an act relating to education; extending the time for the New London-Spicer school district to enter into construction contracts.

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

Wagenius; Anderson, R.; Ozment; Munger and Pauly introduced:

H. F. No. 287, A bill for an act relating to waste management; encouraging local government units to use purchasing techniques to reduce waste and develop markets for recycled products; prohibiting burning and burial of harmful materials on farms; defining packaging; prohibiting disposal of unprocessed mixed municipal solid waste; authorizing counties to count waste reduction toward 1996 recycling goals; requiring local government units to separately account for all revenue and spending related to waste management; requiring collectors of commercial waste to disclose where the waste is deposited; prohibiting fluorescent and high intensity discharge lamps in solid waste; clarifying that organized waste collection is one of several tools for cities and counties to use to collect waste; requiring labeling of hazardous household products; requiring reporting of tipping fee schedules at all waste facilities; requiring owners or operators of waste facilities that are publicly financed to account for charges and expenditures related to the facilities; requiring electric utilities to encourage use of fluorescent and high intensity discharge lamps and to collect spent lamps; extending by one year the solid waste field citation pilot program; clarifying the effects of the repeal of the metropolitan landfill siting process; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 17.135; 115.071, subdivision 1; 115A.03, by adding a subdivision; 115A.034; 115A.5501, subdivision 3; 115A.551, subdivision 2a; 115A.552, subdivision 2; 115A.56; 115A.916; 115A.929; 115A.932, subdivision 1; 115A.94, subdivisions 5 and 6; 115A.941; 115A.9651; 115A.981; 116.78, by adding a subdivision; 116.92, subdivision 7; 216B.241, by adding a subdivision; 325E.12; 325E.125, subdivision 1; 325E.1251; 325E.32; 400.08, subdivision 3; Laws 1991, chapter 347, article 1, sections 15, subdivisions 1 and 6; and 20; Laws 1992, chapter 593, article 1, section 55; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Kalis, Nelson, Bauerly, Vickerman and Johnson, V., introduced:

H. F. No. 288, A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

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

Wenzel, Davids, Bertram, Bettermann and Steensma introduced:

H. F. No. 289, A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

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

Klinzing, Murphy, Lynch, Rodosovich and Blatz introduced:

H. F. No. 290, A bill for an act relating to health; providing a woman considering abortion the right to certain information before giving consent; 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.

Onnen, Sekhon, Lynch and Weaver introduced:

H. F. No. 291, A bill for an act relating to education; authorizing a second day on which a referendum may be conducted in certain school districts.

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

Dorn, Ostrom, Rodosovich, Worke and Kalis introduced:

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

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

Beard, Rest, Perit, Knickerbocker and Haukoos introduced:

H. F. No. 293, A bill for an act relating to taxation; property; authorizing counties to accept tax payments by credit card; amending Minnesota Statutes 1992, section 276.02.

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

Simoneau, Jacobs, Sekhon, Delmont and Johnson, A., introduced:

H. F. No. 294, A bill for an act relating to human services; adding an exception to the moratorium on the development of group residential housing beds; amending Minnesota Statutes 1992, section 256I.04, subdivision 3.

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

Jacobs; Osthoff; Anderson, I.; Kelso and Onnen introduced:

H. F. No. 295, A bill for an act relating to utilities; authorizing utilities to make automatic annual rate adjustments for costs of conservation improvements; amending Minnesota Statutes 1992, section 216B.16, subdivision 7.

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

Bertram, Reding, Simoneau, Abrams and Worke introduced:

H. F. No. 296, A bill for an act relating to financial institutions; credit unions; regulating investments in share certificates; authorizing credit unions to make reverse mortgage loans; regulating credit unions as depositories of various funds; amending Minnesota Statutes 1992, sections 11A.24, subdivision 4; 41B.19, subdivision 6; 47.58, subdivision 1; 48.64; 48.86; 50.14, subdivision 13; 52.04, subdivision 1; 80A.14, subdivisions 4 and 9; 116J.8765, subdivision 4; 118.01, subdivision 1; 118.10; 136.31, subdivision 6; 427.01; 446A.11, subdivision 9; 475.67, subdivision 5; and 520.01, subdivision 2.

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

Delmont, Mariani, Wagenius, Limmer and Rukavina introduced:

H. F. No. 297, A bill for an act relating to firearms; defining the term "convicted" for purposes of the law designating certain persons ineligible to possess pistols; amending Minnesota Statutes 1992, section 62A.713, subdivision 1.

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

Jacobs; Lynch; Delmont; Johnson, A., and Weaver introduced:

H. F. No. 298, A bill for an act relating to local government; creating the office of Anoka county coroner; appointing a physician as county coroner; appointing assistant coroners; designating deputy coroners; establishing the duties of the coroner.

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

Rodosovich and Knickerbocker introduced:

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

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

Delmont, Carruthers, Pugh, Rukavina and Macklin introduced:

H. F. No. 300, A bill for an act relating to crimes; imposing a penalty of life imprisonment for kidnapping when the victim has not been found at the time of sentencing; amending Minnesota Statutes 1992, sections 244.05, subdivisions 4 and 5; and 609.25, subdivision 2.

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

Tompkins, Pawlenty, Pugh, Macklin and Milbert introduced:

H. F. No. 301, A bill for an act relating to highways; changing description of legislative Route No. 279 in state trunk highway system after agreement to transfer part of old route to Dakota county.

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

Lasley introduced:

H. F. No. 302, A bill for an act relating to education; correcting an erroneous debt service equalization aid calculation; appropriating money.

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

Lasley introduced:

H. F. No. 303, A bill for an act relating to campaign finance; changing the manner of allocating party account money to legislative candidates; prohibiting a public subsidy to unopposed candidates; changing the tax credit for political contributions; amending Minnesota Statutes 1992, sections 10A.31, subdivision 5; and 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Greenfield, Lasley, Rodosovich, Welle and Simoneau introduced:

H. F. No. 304, A bill for an act relating to human services; requiring the commissioner of health to cooperate with the commissioner of human services in securing federally qualified health center designation for two clinics; delegating leasing authority to the commissioner of human services; authorizing use of enhanced waived services funds to lease and operate state-operated, community-based programs; requiring expansion of state-operated, community-based programs; requiring designated staff for crisis services; appropriating money; amending Minnesota Statutes 1992, sections 144.05; 245.036; and 252.50, subdivisions 1, 7, and by adding subdivisions.

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

Wolf, Seagren and Lynch introduced:

H. F. No. 305, A bill for an act relating to crime; providing criminal penalties for a parent, guardian, or caretaker who abandons a child under ten years of age; amending Minnesota Statutes 1992, section 609.38; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Tompkins and Munger introduced:

H. F. No. 306, A bill for an act relating to human services; providing that child care centers may not prohibit the use of reusable diapers and must notify parents that they have a choice; amending Minnesota Statutes 1992, section 245A.14, by adding a subdivision.

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

McCollum, Bergson, Munger, Sparby and Commers introduced:

H. F. No. 307, A bill for an act relating to liquor; proof of age for purchase or consumption; amending Minnesota Statutes 1992, section 340A.503, subdivision 6.

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

Bergson, Long, Clark, Girard and Milbert introduced:

H. F. No. 308, A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivision 5; 124A.29, subdivision 1; 124C.46, subdivision 1; and 126.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; and 121.

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

Osthoff introduced:

H. F. No. 309, A bill for an act relating to taxation; increasing the allowable income tax earned income credit; imposing the sales tax on sales of new clothing; changing the rate of sales and use and motor vehicle excise tax; changing the percentage of tax deposited in the local government trust fund; amending Minnesota Statutes 1992, sections 290.0671, subdivision 1; 297A.02, subdivision 1; 297A.25, subdivision 8, and by adding a subdivision; 297A.44, subdivision 4; and 297B.09, subdivision 3.

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

Osthoff introduced:

H. F. No. 310, A bill for an act relating to highways; prohibiting acquisitions of real property for certain trunk highway projects.

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

Onnen, Leppik, Lynch, Vellenga and Greenfield introduced:

H. F. No. 311, 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.

Jacobs and Anderson, I., introduced:

H. F. No. 312, A bill for an act relating to taxation; changing income tax rates and providing for deposit of revenues; repealing the hospital and health care provider gross revenues taxes; amending Minnesota Statutes 1992, sections 214.16, subdivision 3; 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, and 6; and 290.62; repealing Minnesota Statutes 1992, sections 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.57; 295.58; and 295.59.

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

Kinkel; Johnson, R.; Kalis; Jennings and Nelson introduced:

H. F. No. 313, A bill for an act relating to alcoholic beverages; increasing the sales tax rate on alcoholic beverages to ten percent; providing for the dedication of a portion of the revenues from the sales tax on alcoholic beverages to the chemical dependency treatment account; eliminating requirements for a sliding fee schedule for persons eligible for chemical dependency fund services; amending Minnesota Statutes 1992, sections 254B.02, subdivision 1; 254B.04, subdivision 1; 297A.02, subdivision 3; and 297A.44, subdivision 1; repealing Minnesota Statutes 1992, section 254B.04, subdivision 3.

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

Mariani, Wagenius, Jacobs and Orfield introduced:

H. F. No. 314, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01, subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

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

Seagren, Greiling, Weaver, Tomassoni and Carlson introduced:

H. F. No. 315, A bill for an act relating to education; allowing school districts to provide varying hours of instruction during a school day; amending Minnesota Statutes 1992, section 124.19, subdivision 4.

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

Rukavina, Battaglia, Solberg, Tomassoni and Anderson, L., introduced:

H. F. No. 316, A bill for an act relating to natural resources; requiring that iron mines and production facilities be maintained in salable operating condition; proposing coding for new law in Minnesota Statutes, chapter 93.

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

Luther, Winter and Rukavina introduced:

H. F. No. 317, A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivision 5; 124A.29, subdivision 1; 124C.46, subdivision 1; and 126.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; and 121.

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

Bishop, Krueger, Kahn, Pugh and Macklin introduced:

H. F. No. 318, A bill for an act relating to public administration; providing that government records may be stored on optical disk and retained in that format only; amending Minnesota Statutes 1992, section 15.17, subdivision 1; and 138.17, by adding a subdivision.

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

Bishop; Skoglund; Osthoff; Olson, K., and Greenfield introduced:

H. F. No. 319, A bill for an act relating to traffic regulations; requiring all motorcycle operators and passengers under the age of 21 to wear protective helmets; amending Minnesota Statutes 1992, section 169.974, subdivision 4.

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

Bishop, Solberg, Skoglund and Delmont introduced:

H. F. No. 320, A bill for an act relating to crime; clarifying that persons convicted of certain crimes may also be punished for committing certain separate underlying crimes; amending Minnesota Statutes 1992, sections 609.035; 609.251; 609.585; and 609.856, subdivision 1.

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

Kahn, Abrams, Evans and Osthoff introduced:

H. F. No. 321, A bill for an act relating to lawful gambling; regulating the conduct of lawful gambling; prescribing the powers and duties of licensees and the board; giving the gambling control board director cease and desist authority for violations of board rules; adding restrictions for bingo halls, distributors, and manufacturers; providing more flexibility in denying a license application to ensure the integrity of the lawful gambling industry; strengthening the gambling control board's enforcement ability by increasing licensing requirements; establishing the combined receipts tax as a lawful purpose expenditure; expanding definition of lawful purpose to include senior citizen activities under certain circumstances; clarifying and strengthening the regulation of the conduct of bingo; prescribing penalties; amending Minnesota Statutes 1992, sections 349.12, subdivisions 1, 4, 8, 11, 18, 19, 21, 23, 25, 30, 32, 34, and by adding a subdivision; 349.151, subdivision 4; 349.152, subdivisions 2 and 3; 349.153; 349.154, subdivision 2; 349.16, subdivision 8; 349.161, subdivisions 1, 3, and 5; 349.162, subdivisions 1, 2, 4, and 5; 349.163, subdivisions 1, 1a, 3, 5, and 6; 349.164, subdivisions 1, 3, and 6; 349.1641; 349.166, subdivisions 1, 2, and 3; 349.167, subdivisions 1 and 4; 349.168, subdivisions 3 and 6; 349.169, subdivision 1; 349.17, subdivisions 2, 4, 5, and by adding a subdivision; 349.174; 349.18, subdivisions 1, 1a, and 2; 349.19, subdivisions 2, 6, and 8; 349.191, subdivisions 1 and 4; 349.211, subdivisions 1 and 2; 349.2122; 349.2125, subdivisions 1 and 3; 349.2127, subdivisions 2 and 4; and 349.213, subdivision 1.

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

Ness, Carlson, Morrison, Rodosovich and Vellenga introduced:

H. F. No. 322, A bill for an act relating to education; requiring post-secondary systems to develop and implement plans for career counseling; requiring employment potential placement tracking and reports; 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.

Osthoff, McCollum, Kelso, Abrams and Gutknecht introduced:

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

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

Garcia, Lasley, Mariani and Morrison introduced:

H. F. No. 324, A bill for an act relating to transportation; creating a Minnesota mobility trust fund and a surface transportation fund; imposing a tax on motor fuel sales at retail and requiring all proceeds to be deposited in the Minnesota mobility trust fund; amending Minnesota Statutes 1992, sections 174.32, subdivision 2; 297A.25, subdivision 7; and 297A.44, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 174.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

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

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Olson, E., moved that the House concur in the Senate amendments to H. F. No. 35 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 35, A bill for an act relating to education; authorizing a qualifying school district to recertify a levy; providing for school board elections in the St. Louis county, Babbitt, Tower-Soudan district consolidation; permitting an operating debt levy for the Babbitt school district; repealing Laws 1977, chapter 92.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Osthoff

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

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Kinkel moved that the name of McGuire be stricken and the name of Girard be added as an author on H. F. No. 117. The motion prevailed.

Anderson, R., moved that the name of Brown, C., be added as an author on H. F. No. 142. The motion prevailed.

Orenstein moved that the name of Wejcman be added as an author on H. F. No. 143. The motion prevailed.

Cooper moved that the names of Greiling and Olson, M., be added as authors on H. F. No. 211. The motion prevailed.

Weaver moved that the names of Vellenga and Carruthers be added as authors on H. F. No. 222. The motion prevailed.

Anderson, I., moved that the name of Bishop be added as an author on H. F. No. 237. The motion prevailed.

Cooper moved that the names of Kalis and Peterson be added as authors on H. F. No. 261. The motion prevailed.

Beard moved that H. F. No. 37 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Education. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following change in committee assignment:

Governmental Operations and Gaming/State Government Finance Division: Add the name of Kinkel.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 15, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 15, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FOURTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 15, 1993

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

Prayer was offered by Pastor Ken Klaus, St. John's Lutheran Church, Chaska, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Rice was excused.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sviggum introduced:

H. F. No. 325, A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resources, and agricultural purposes; regulating the amounts, impositions, and processing of various fees prescribed for various licenses issued and activities regulated by the departments of agriculture and natural resources; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; 85.22, subdivision 2a; 90.031,

subdivision 4; 90.101, subdivision 1; 90.121; 92.46, subdivision 1; 94.165; 115C.07, subdivision 2; 168.013, by adding a subdivision; and 473.351, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 97A; repealing Minnesota Statutes 1992, section 41A.09, subdivision 1.

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

Haukoos and Knickerbocker introduced:

H. F. No. 326, A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; consolidating certain funds and accounts and making conforming changes; changing the organization, operation, financing, and management of certain courts and related offices; amending Minnesota Statutes 1992, sections 3.30, subdivision 2; 7.09, subdivision 1; 298.2211, subdivision 3; 298.2213, subdivision 4; 298.223, subdivision 2; 298.28, subdivision 7; and 298.296, subdivision 1; 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 Gaming.

Hasskamp, Sparby, Lieder, Kelso and Frerichs introduced:

H. F. No. 327, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

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

Sviggum introduced:

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

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

Ozment, Weaver, Leppik, Koppendrayner and Morrison introduced:

H. F. No. 329, A bill for an act relating to education; establishing the department of children and education services; creating youth apprenticeship programs; realigning responsibilities for education; financing education; appropriating money; amending Minnesota Statutes 1992, sections 15.01; 15.06, subdivision 1; 120.02, subdivisions 2, 8, and 12; 120.05, subdivision 2; 120.06, subdivision 3; 120.062, subdivisions 4, 5, and 8a; 120.0621; 120.064, subdivisions 3, 4, 6,

8, 9, 10, 14, 17, 18, 21, and 24; 120.0751; 120.095, subdivisions 3 and 5; 120.101, subdivisions 7 and 8; 120.102, subdivisions 3 and 4; 120.103, subdivision 4; 120.105; 120.17, subdivisions 3b, 7, 7a, 11a, 11b, 12, 14, 15, 16, and by adding subdivisions; 120.172, subdivision 2; 120.173, subdivisions 1 and 6; 120.181; 120.60; 120.61; 120.65; 120.66; 120.67; 120.75; 121.148, subdivision 3; 121.15, subdivisions 1, 3, 4, and 5; 121.155; 121.166; 121.201, subdivisions 1 and 2; 121.203, subdivision 1; 121.585, subdivisions 2, 7, and 8; 121.611, subdivision 1; 121.88, subdivision 7; 121.882, subdivisions 2b and 9; 121.901, subdivisions 1 and 2; 121.902; 121.904, subdivisions 4c, 4d, and 14; 121.911, subdivisions 1 and 5; 121.912, subdivision 6; 121.9121; 121.914, subdivisions 3, 5, and 6; 121.917, subdivision 4; 121.935, subdivisions 1, 1a, 2, 4, and 5; 121.936; 121.937; 122.21, subdivision 4; 122.22, subdivision 7; 122.23, subdivisions 3, 6, 8, and 10; 122.241, subdivision 3; 122.242, subdivisions 1 and 2; 122.243, subdivision 1; 122.247, subdivision 3; 122.91, subdivision 3; 122.93, subdivision 6; 122.94, subdivision 4; 122.945, subdivisions 1, 2, 3, 4, and 5; 123.34, subdivision 10; 123.35, subdivisions 7 and 17; 123.351, subdivisions 6, 8, and 9; 123.3513; 123.3514, subdivisions 4, 4a, 5, 6, 6b, 6c, and 8; 123.38, subdivision 3; 123.39, subdivisions 1, 8a, and by adding a subdivision; 123.58, subdivisions 6, 7, 8, and 9; 123.702, subdivisions 1, 1a, 1b, 3, and 5; 123.71, subdivision 1; 123.80, subdivision 1; 123.932, subdivision 7; 123.933, subdivision 1; 123.935, subdivision 1; 123.9361; 123.947; 124.08; 124.09; 124.10, subdivision 1; 124.14, subdivisions 1, 4, 6, and 7; 124.15, subdivisions 2a, 4, 5, and 7; 124.17, subdivisions 1, 2c, and by adding a subdivision; 124.19, subdivisions 4, 6, and 7; 124.223, subdivision 3; 124.225, subdivisions 1, 3a, 7b, 7d, 7e, and 8a; 124.226, subdivisions 3, 5, 9, and by adding a subdivision; 124.243, subdivision 6; 124.244, subdivision 1; 124.26, subdivision 2; 124.2601, subdivision 6; 124.261, subdivision 1; 124.2711, by adding a subdivision; 124.2713, subdivision 6, and by adding subdivisions; 124.2714; 124.2716; 124.2721, subdivisions 1 and 3; 124.2725, subdivisions 1, 2, 6, 10, and 13; 124.273, by adding subdivisions; 124.276, subdivision 3; 124.278, subdivision 1; 124.322, subdivisions 2, 3, 4, and by adding a subdivision; 124.332, subdivision 2; 124.38, by adding a subdivision; 124.41, subdivision 2; 124.431, subdivisions 6 and 7; 124.48, subdivisions 1 and 3; 124.481; 124.493, subdivision 3; 124.494, subdivisions 3 and 7; 124.573, subdivisions 2b, 3, 3a, and by adding subdivisions; 124.574, subdivisions 4 and 5; 124.575, subdivisions 1 and 3; 124.615, subdivisions 1 and 2; 124.62, subdivisions 1, 2, and 3; 124.625; 124.64; 124.645, subdivisions 1, 2, and 3; 124.69, subdivision 1; 124.79; 124.83, subdivisions 1, 2, 4, 6, and by adding a subdivision; 124.86, subdivision 3; 124.91, subdivision 3; 124.95, subdivision 1; 124.961; 124A.02, subdivisions 8 and 15; 124A.03, subdivisions 1e, 1f, 1i, and by adding subdivisions; 124A.22, subdivisions 2, 2a, 4, 8a, 8b, 9, and by adding subdivisions; 124A.23, subdivisions 1, 2, and by adding a subdivision; 124A.26, subdivision 1; 124A.27, subdivision 2; 124A.70, subdivision 1; 124C.12, subdivision 1; 124C.41, subdivision 4; 124C.46, subdivision 3; 124C.49; 125.05, subdivisions 1, 1c, 2, and 4; 125.06; 125.08; 125.09, subdivisions 1 and 4; 125.121, subdivision 1; 125.185, subdivisions 4a and 6; 125.1885, subdivisions 1, 3, 4, and 5; 125.62, subdivisions 2, 7, and 8; 125.702, subdivision 2; 126.12, subdivision 2; 126.151, subdivision 2; 126.21, subdivision 5; 126.22, subdivisions 2, 3, 3a, 4, and 6; 126.239, subdivision 3; 126.267; 126.268, subdivision 2; 126.36, subdivision 4; 126.49, subdivision 4; 126.52, subdivisions 5, 8, and 9; 126.531, subdivisions 1, 2, and 3; 126.54, subdivision 1; 126.56, subdivisions 4a, 6, and 7; 126.663, subdivisions 2 and 3; 126.664; 126.665; 126.67, subdivision 8; 126A.07, subdivision 1; 127.25, subdivision 1; 127.44; 128A.02; 128A.022; 128A.023; 128A.024, subdivision 2; 128A.025, subdivision 2; 128A.026, subdivisions 1 and 3; 128A.05, subdivisions 3 and 4; 128A.07, subdivision 2; 128A.09, subdivision 3; 128B.05, subdivision 4; 129C.10, subdivision 3; 135A.03, subdivisions 1 and 3a; 136A.08; 136A.101, subdivisions 2, 3, 4, and 5; 136A.121, subdivisions 2, 3, 5, 6, 7, 9, 13, 17, and by adding subdivisions; 136A.125; 136A.131; 136A.1311; 136A.134; 136A.1352; 136A.1353; 136A.1354; 136A.1355; 136A.1356; 136A.1357; 136A.15, subdivisions 3 and 4; 136A.16; 136A.162; 136A.17; 136A.1701; 136A.1702; 136A.171; 136A.172; 136A.173; 136A.174; 136A.175; 136A.177; 136A.179; 136A.23; 136A.232; 136A.233; 136A.234; 136A.26; 136A.29, subdivisions 3 and 4; 136A.42; 136A.62, subdivisions 2, 4, and 5; 136A.63; 136A.64; 136A.65; 136A.653, subdivision 1; 136A.657, subdivision 3; 136A.66; 136A.67; 136A.68; 136A.69; 136A.70; 136A.85; 136A.86; 136A.87; 136C.042, subdivision 1; 141.25, subdivision 8; 141.26, subdivision 5; 289A.08, by adding a subdivision; and 289A.50, by adding a subdivision; Laws 1991, chapter 356, article 9, section 8, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 124; 126; and 136A; proposing coding for new law as Minnesota Statutes, chapters 119A; and 122A; repealing Minnesota Statutes 1992, sections 120.0621, subdivision 5; 120.17, subdivision 11a; 120.183; 121.02, subdivisions 1, 2a, 3, and 4; 121.03; 121.04; 121.05; 121.06; 121.11, subdivisions 5, 6, 7, 8, 9, 11, 12, 13, 14, and 15; 121.14; 121.1502; 121.16, subdivision 1; 121.161; 121.162; 121.165; 121.17; 121.19; 121.48; 121.49, subdivision 1; 121.496, subdivisions 2 and 3; 121.608; 121.609; 121.612, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10; 121.87, subdivisions 1, 1a, and 3; 121.883; 121.918; 121.93; 121.931; 121.932, subdivisions 2, 3, 4, and 5; 121.933, subdivision 1; 121.934; 121.94; 121.941; 121.942; 121.943; 124.197; 124.2601, subdivisions 4 and 5; 124.2721, subdivisions 2 and 4; 124.32, subdivision 5; 124.573, subdivisions 2c and 2d; 124.575, subdivisions 2 and 4; 124.62; 124A.26, subdivision 1a; 126.22, subdivision 2a; 136A.01; 136A.02; 136A.03; 136A.04; 136A.041; 136A.0411; 136A.043; 136A.05; 136A.06; and 136A.07; Laws 1988, chapter 486, section 59.

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

Kelso, Vellenga, Skoglund and Long introduced:

H. F. No. 330, A bill for an act relating to education; modifying the referendum revenue program; requiring all referendum to be spread and equalized on market value; increasing homestead and agricultural credit aid to phase-in the shift to market value; amending Minnesota Statutes 1992, sections 124A.03, subdivisions 1g and 2a; and 273.1398, subdivisions 1 and 2.

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

Evans, Orenstein, Vickerman, Kalis and Haukoos introduced:

H. F. No. 331, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

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

Clark, Hausman, Greenfield and Simoneau introduced:

H. F. No. 332, A bill for an act relating to controlled substances; medical care; allowing physicians to prescribe marijuana and Tetrahydrocannabinols for the treatment of any medical conditions; amending Minnesota Statutes 1992, sections 152.02, subdivisions 2 and 3; and 152.21, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1992, sections 152.21, subdivisions 1, 2, 3, 4, 5, and 7.

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

Steensma; Winter; Olson, K., and Girard introduced:

H. F. No. 333, A bill for an act relating to economic development; authorizing planning and final system design for connecting rural southwest Minnesota water systems to a federal water system; appropriating money.

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

Clark, Koppendraye, Evans and Luther introduced:

H. F. No. 334, A bill for an act relating to housing; establishing a mortgage foreclosure prevention program; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Simoneau, Koppendraye, Clark and Brown, K., introduced:

H. F. No. 335, A bill for an act relating to housing; establishing a family homeless prevention and assistance program; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Tompkins, Simoneau, Dawkins, Molnau and Worke introduced:

H. F. No. 336, A bill for an act relating to human services; authorizing intensive family preservation services and child welfare targeted case management services; amending Minnesota Statutes 1992, sections 256B.0625, by adding

a subdivision; 256F.06, subdivision 2; 257.3573, by adding a subdivision; and 626.559, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 256; 256B; and 256F.

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

Wenzel, Steensma, Winter, Swenson and Pugh introduced:

H. F. No. 337, A bill for an act relating to crime; providing for life imprisonment without parole for persons convicted of first degree murder involving the death of a peace officer or correctional facility guard; providing mandatory minimum sentences for persons convicted of first degree assault, or promoting or profiting from the prostitution of a minor under the age of 16; providing mandatory minimum felony penalties for intentionally discharging a firearm at a dwelling or at a motor vehicle that is on a public road; eliminating juvenile court jurisdiction over juveniles who are 16 years old or older and accused of first degree murder; expanding the prima facie juvenile court reference law to include juveniles who are 14 years old or older; expanding the sex offender registration law; appropriating money; amending Minnesota Statutes 1992, sections 243.166, subdivisions 1, 3, and 6; 244.05, subdivisions 4 and 5; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3, and by adding a subdivision; 609.055, subdivision 2; 609.184, subdivision 2; 609.185; 609.221; 609.322, subdivision 1; 609.323, subdivision 1; and 609.66, by adding a subdivision.

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

Jefferson, Klinzing, Worke, Lindner and Luther introduced:

H. F. No. 338, A bill for an act relating to health occupations; requiring the board of chiropractic examiners to adopt rules governing the taking of X-rays by chiropractic assistants; amending Minnesota Statutes 1992, section 148.08, subdivision 3.

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

Skoglund, Mosel, Kelso, Murphy and Abrams introduced:

H. F. No. 339, A bill for an act relating to corrections; establishing a juvenile paid work crew program to assist victim restitution; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 242.

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

Ozment, Seagren, Bauerly and Ness introduced:

H. F. No. 340, A bill for an act relating to education; creating youth apprenticeship programs; proposing coding for new law as Minnesota Statutes, chapter 122A.

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

Pugh, Skoglund, Bishop, Orenstein and Abrams introduced:

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

subdivisions 2 and 3; 302A.621, subdivision 6; 302A.641, subdivision 1; 302A.671, subdivision 3; 302A.673, subdivisions 1 and 3; 302A.711, subdivisions 1 and 2; and 302A.901, by adding a subdivision.

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

Ozment introduced:

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

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

Sekhon; Johnson, A.; Clark; Vickerman and Rukavina introduced:

H. F. No. 343, A bill for an act relating to unemployment compensation; allowing benefits to certain individuals separated from employment to avoid domestic abuse; amending Minnesota Statutes 1992, section 268.09, subdivision 1.

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

Johnson, A.; Limmer; Kelso and Morrison introduced:

H. F. No. 344, A bill for an act relating to drivers' licenses; raising fee for two-wheeled vehicle endorsement; amending Minnesota Statutes 1992, section 171.06, subdivision 2a.

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

Luther introduced:

H. F. No. 345, A bill for an act relating to juveniles; providing that previously certified juveniles who are convicted of a felony in adult court shall be prosecuted for any future criminal offenses in adult court; amending Minnesota Statutes 1992, sections 260.125, subdivision 3a; and 609.055, subdivision 2.

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

Erhardt, Workman, Onnen, Pauly and Waltman introduced:

H. F. No. 346, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

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

Krueger, Farrell and Nelson introduced:

H. F. No. 347, A bill for an act relating to the judiciary; eliminating the requirement that judges be elected; proposing an amendment to the Minnesota Constitution, article VI, section 7; amending Minnesota Statutes 1992, sections 204B.06, subdivision 4; 204B.08, subdivision 3; 204B.11; 204C.31, subdivision 2; 204C.35; 204D.02, subdivision 1; 204D.11, subdivisions 5 and 6; 204D.14, subdivision 2; 209.01, subdivision 2; 211A.01, subdivision 3; 211B.01, subdivision 3; 480A.02, subdivision 3; 487.03, subdivisions 1, 5, and 6; and 487.191; repealing Minnesota Statutes 1992, sections 204B.06, subdivision 6; 204B.34, subdivision 3; 204B.36, subdivisions 4 and 5; 480A.02, subdivisions 2 and 4; and 487.03, subdivision 2.

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

Krueger, Kahn and Bauerly introduced:

H. F. No. 348, A bill for an act relating to agriculture; providing a "Minnesota extra" category of dairy products; proposing coding for new law in Minnesota Statutes, chapter 32.

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

Rukavina, Beard, Perl, Rice and Sekhon introduced:

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

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

Vellenga, Bauerly, Kelso, Weaver and Carlson introduced:

H. F. No. 350, A bill for an act relating to education; clarifying the early childhood family education formula; modifying the pupil transportation levy for late activities; amending Minnesota Statutes 1992, sections 124.226, subdivision 9; and 124.2711, subdivision 1.

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

Johnson, A.; Ozment; Olson, K.; Lasley and Skoglund introduced:

H. F. No. 351, A bill for an act relating to education; providing students with school breakfast and school lunch programs; appropriating money; amending Minnesota Statutes 1992, section 124.646, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124.

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

Krueger, Neary, Kinkel, Solberg and Welle introduced:

H. F. No. 352, A bill for an act relating to state employees; directing the commissioner of administration to establish a program to encourage employees to suggest ways to save money in the operation of state government; appropriating money; amending Minnesota Statutes 1992, section 16B.39, by adding a subdivision.

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

Erhardt, Macklin, Blatz and Carruthers introduced:

H. F. No. 353, A bill for an act relating to crime; providing mandatory minimum prison sentences for robberies involving an occupied motor vehicle; amending Minnesota Statutes 1992, sections 609.24; and 609.245.

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

Weaver, Skoglund, Carruthers, Lynch and Morrison introduced:

H. F. No. 354, A bill for an act relating to crime; exempting bicycles operated by peace officers while performing their duties; permitting certain flashing lights on bicycles; permitting the admission of evidence in criminal proceedings of failure to use a child passenger restraint system; authorizing the mailing of citations to drivers who fail to yield to an emergency vehicle; authorizing deduction of fines from inmate prison wages; providing for criminal prosecution of certain juveniles who are alleged to have committed a crime while possessing or using a firearm;

broadening the administrative subpoena power of county attorneys; clarifying the admissibility of statistical probability evidence; clarifying provisions relating to the pretrial detention of alleged violators of domestic abuse protection orders; applying certain mandatory minimum sentences to the terroristic threats crime and clarifying the elements of that crime; allowing the extension of probation to collect unpaid fines; clarifying the elements of certain criminal sexual conduct crimes; authorizing warrantless arrests for violation of any restraining order or no contact order; amending Minnesota Statutes 1992, sections 169.20, subdivision 5; 169.222, subdivisions 1 and 6; 169.64, subdivision 3; 169.685, subdivision 4; 243.23, subdivision 3; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3, and by adding a subdivision; 388.23, subdivision 1; 480.0591, subdivision 6; 518B.01, subdivision 14; 609.055, subdivision 2; 609.11, subdivision 9; 609.135, subdivisions 1a and 2; 609.344, subdivision 1; 609.345, subdivision 1; 609.713, subdivision 1; and 629.34, subdivision 1.

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

Girard, Cooper, Hugoson, Vickerman and Bertram introduced:

H. F. No. 355, A bill for an act relating to drainage; defining as "repair" certain incidental straightening of tiles and use of larger tile sizes under certain circumstances; amending Minnesota Statutes 1992, section 103E.701, subdivision 1.

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

Skoglund introduced:

H. F. No. 356, A bill for an act relating to human services; changing the definition of mentally ill person and mentally retarded person; adding a definition for supervised environment; amending Minnesota Statutes 1992, sections 253B.02, subdivisions 13, 14, and by adding a subdivision; 253B.08, subdivision 7; 253B.09, subdivision 5; 253B.12, subdivision 2, and by adding subdivisions.

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

Pugh, Carruthers, Perl and Ozment introduced:

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

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

Milbert introduced:

H. F. No. 358, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 3.9741; 10A.01, subdivision 18; 10A.49, subdivisions 2 and 3; 11A.23, subdivision 1; 13.32, subdivisions 3 and 5; 13.791; 13.99, subdivision 82; 16B.06, subdivision 2a; 18C.551, subdivision 3; 43A.317, subdivision 9; 60A.74, subdivision 6; 62A.44, subdivision 2; 62J.21; 65B.09, subdivision 1; 79.251, subdivision 6; 79A.01, subdivision 1; 80C.18, subdivision 1; 80E.09, subdivision 2; 86B.321, subdivision 1; 103G.293; 116R.01, subdivision 6; 120.064, subdivision 6; 123.39, subdivision 8d; 144.878, subdivision 2; 148B.06, subdivision 2; 148C.11, subdivision 4; 168.187, subdivision 26; 169.797, subdivision 1; 240.011; 245A.18; 256B.0644; 256B.19, subdivision 1a; 268.071, subdivision 3; 289A.20, subdivision 4; 290.9201, subdivision 7; 290A.03, subdivision 13; 325E.0681, subdivision 9; 326.43; 349.151, subdivision 2; 349.19, subdivision 6; 349.31, subdivision 1; 352.03, subdivision 16; 352C.021, subdivision 6; 357.11; 471.617, subdivision 1; 473.516, subdivision 1; 473.704, subdivision 17; 473.811, subdivisions 6, 7, 8, and 9; 475.66, subdivision 3; 477A.13; 480.15, subdivision 9; 480.059, subdivision 7; 525.9221; 551.04, subdivision 14; 600.02; 609.3471; 626.556, subdivision 10; and

626.861, subdivision 3; repealing Minnesota Statutes 1992, sections 61A.011, subdivision 8; 240.01, subdivision 14; 240.011, subdivision 1; 334.011, subdivision 4; and 480.0591, subdivision 3.

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

Olson, E.; Milbert; Anderson, I.; Pugh and Winter introduced:

H. F. No. 359, A bill for an act relating to taxation; property; authorizing counties to accept tax payments by credit card; amending Minnesota Statutes 1992, section 276.02.

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

Gutknecht and Abrams introduced:

H. F. No. 360, A bill for an act relating to health; allowing the continuation of limited balance billing under Medicare; amending Minnesota Statutes 1992, section 62J.25.

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

Davids introduced:

H. F. No. 361, A bill for an act relating to municipal contracting; contracting for planning services; requiring that contracts entered into by municipalities for planning services provide that the plans produced under the contracts become the property of the municipalities; 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.

Davids introduced:

H. F. No. 362, A bill for an act relating to education; specifying an alternative method for two consolidating school districts to combine referendum authority.

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

Cooper and Skoglund introduced:

H. F. No. 363, A bill for an act relating to insurance; prohibiting denial of eligibility due to jury duty; amending Minnesota Statutes 1992, section 593.50; 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.

Rhodes; Olson, M., and Vickerman introduced:

H. F. No. 364, A bill for an act relating to crime; providing criminal penalties for a parent, guardian, or caretaker who abandons a child under ten years of age; amending Minnesota Statutes 1992, section 609.38; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Lieder; Brown, C.; Frerichs; Johnson, V., and Olson, E., introduced:

H. F. No. 365, A bill for an act relating to state lands; roads established, upgraded, or improved to serve state leased or platted lands; expenditures by counties or towns; commissioner of natural resources' duties; amending Minnesota Statutes 1992, section 92.46, subdivision 4.

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

Rukavina introduced:

H. F. No. 366, A bill for an act relating to state lands; authorizing the private sale of state land in St. Louis county.

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

Garcia, Kalis, Bergson, Mahon and Johnson, R., introduced:

H. F. No. 367, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

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

Pelowski and Dorn introduced:

H. F. No. 368, A bill for an act relating to education; updating the name of the umbrella student association for technical colleges; amending Minnesota Statutes 1992, section 136C.15.

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

Wagenius introduced:

H. F. No. 369, A bill for an act relating to taxation; sales and use; exempting sales to certain libraries; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

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

Bauerly; Lasley; Seagren; Olson, K., and Brown, C., introduced:

H. F. No. 370, A bill for an act relating to education; increasing the basic revenue allowance; appropriating money; amending Minnesota Statutes 1992, section 124A.22, subdivision 2.

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

Orenstein, Skoglund, Vellenga, Simoneau and Jefferson introduced:

H. F. No. 371, A bill for an act relating to crimes; increasing penalties for felonies committed with an illegal weapon; creating a permissive inference of possession with respect to a firearm in an automobile; prohibiting the ownership, possession, or operation of military assault weapons except under certain circumstances; requiring the issuance of permits to existing owners of military assault weapons; defining terms; providing penalties; amending Minnesota Statutes 1992, sections 609.11, by adding a subdivision; and 609.67; proposing coding for new law in Minnesota Statutes, chapters 609 and 624.

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

Carruthers introduced:

H. F. No. 372, A bill for an act relating to driving while intoxicated; providing felony penalties for certain repeat DWI violators; amending Minnesota Statutes 1992, sections 169.121, subdivision 3; and 169.129.

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

Murphy; Anderson, I.; Beard; Hausman and Perlit introduced:

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

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

Sparby, Steensma and Dauner introduced:

H. F. No. 374, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; reducing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, by adding a subdivision; 10A.25, subdivision 2, and by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A and 211A.

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

Pugh, Solberg, Bishop, Macklin and Farrell introduced:

H. F. No. 375, A bill for an act relating to privacy of communications; pen registers, trap and trace devices, and mobile tracking devices; providing for the admissibility of evidence obtained through or resulting from installation or use of these devices in violation of law; amending Minnesota Statutes 1992, section 626A.35, by adding a subdivision.

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

Simoneau, Asch, Greiling, Long and Bishop introduced:

H. F. No. 376, A bill for an act relating to health; codifying case law regarding abortion; amending Minnesota Statutes 1992, section 609.269; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 1992, section 145.412.

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

Bergson, Osthoff, Hasskamp, Knickerbocker and McCollum introduced:

H. F. No. 377, A bill for an act relating to elections; changing certain requirements and procedures for absentee and mail voting; amending Minnesota Statutes 1992, sections 203B.02, subdivisions 1 and 1a; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.07, subdivision 2; 203B.11, by adding a subdivision; 203B.12, subdivision 2, and by adding a subdivision; 203B.13, subdivisions 1 and 2; 203B.16, by adding a subdivision; 203B.19; 204B.45; proposing coding for new law in Minnesota Statutes, chapter 203B.

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

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

H. F. No. 378, A bill for an act relating to the state board of investment; management of funds under board control; amending Minnesota Statutes 1992, sections 11A.08, subdivision 4; 11A.14, subdivisions 1, 2, 4, and 5; 11A.24, subdivisions 1 and 4; 69.77, subdivision 2g; 69.775; 116P.11; 352.96, subdivision 3; 356.24, subdivision 1; and 424A.06, subdivision 4.

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

Bauerly, Vellenga, Hausman and Greiling introduced:

H. F. No. 379, A bill for an act relating to education; requiring a school breakfast program to be operated in certain schools; appropriating money; amending Minnesota Statutes 1992, section 124.6472, subdivision 1.

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

Rukavina, Beard, Hausman, Farrell and Johnson, A., introduced:

H. F. No. 380, A bill for an act relating to employment; increasing the minimum wage; 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.

Bauerly; Seagren; Lasley; Olson, K., and Brown, C., introduced:

H. F. No. 381, A bill for an act relating to education; revising the mailing requirement for notices of referendum revenue authorization elections; amending Minnesota Statutes 1992, section 124A.03, subdivision 2.

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

Macklin, Leppik, Rest, Pugh and Swenson introduced:

H. F. No. 382, A bill for an act relating to drivers' licenses; providing for pilot program for use of ignition interlock device to be conducted for two years beginning January 1, 1994; amending Minnesota Statutes 1992, section 171.305, subdivision 2.

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

Pugh, Macklin, Morrison, Tompkins and Pawlenty introduced:

H. F. No. 383, A bill for an act relating to Dakota county; providing for the composition and powers of the county housing and redevelopment authority and the county extension committee; amending Minnesota Statutes 1992, section

383D.41, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383D.

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

Mariani, Clark, Dawkins and Smith introduced:

H. F. No. 384, A bill for an act relating to housing; changing program review requirements; increasing deferred loan limits; expanding the types of eligible users of the homesharing program; expanding the project eligibility of the housing trust fund; authorizing cities to sell single-family residential housing under the neighborhood land trust program; expanding the types of eligible service providers and changing the authorized payment structure of the rental assistance for family stabilization program; increasing the income limits for rental housing assistance; establishing the community rehabilitation fund account; consolidating the blighted residential property and capital reserve programs; authorizing tribal Indian housing demonstration projects; amending Minnesota Statutes 1992, sections 462A.05, subdivisions 14a and 24; 462A.07, subdivision 15; 462A.201, subdivision 2; 462A.202, subdivision 7; 462A.205, subdivisions 2, 3, 4, 5, 6, 7, and by adding subdivisions; 462A.21, subdivisions 4c, 8c, and by adding a subdivision; and 462C.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 462A; repealing Minnesota Statutes 1992, sections 462A.05, subdivision 37; and 462A.32.

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

Steensma, Bauerly, Bertram, Hugoson and Sparby introduced:

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

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

Johnson, A.; Kelso; Blatz and Simoneau introduced:

H. F. No. 386, A bill for an act relating to the legislative commission on children, youth, and their families; authorizing the commission to hire staff; prescribing duties of other state officers; changing certain reporting requirements; appropriating money; amending Minnesota Statutes 1992, section 3.873, subdivisions 4, 5, and 6.

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

Kahn, Hasskamp, Bergson, Vellenga and Seagren introduced:

H. F. No. 387, A bill for an act relating to health; clean indoor air act; regulating smoking in places of employment; amending Minnesota Statutes 1992, sections 144.413, subdivision 2, and by adding subdivisions; 144.414, by adding a subdivision; 144.415; and 144.416.

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

Sarna; Kahn; Delmont; Brown, K., and Knickerbocker introduced:

H. F. No. 388, A bill for an act relating to retirement; giving employing units an option on the rule of 85; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1992, section 356.70.

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

Jennings, Lasley, Bauerly, Kelso and Ozment introduced:

H. F. No. 389, A bill for an act relating to education; changing the number of years over which school districts may certify reorganization operating debt; amending Minnesota Statutes 1992, section 122.531, subdivision 4a.

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

Jennings; Johnson, R.; Stanius; Nelson and Munger introduced:

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

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

Vickerman and Koppendrayner introduced:

H. F. No. 391, A bill for an act relating to human services; allocating money to the child care basic sliding fee program; amending Minnesota Statutes 1992, section 256H.03, subdivision 4.

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

Johnson, R.; Ozment; Long and Haukoos introduced:

H. F. No. 392, A bill for an act relating to public safety; requiring installation of automatic sprinkler systems in certain existing high-rise buildings; excluding the market value of these systems for purposes of property taxation; amending Minnesota Statutes 1992, section 273.11, subdivision 6a; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Welle moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Welle, for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

Resolved, that the Permanent Rules of the House of Representatives for the 78th Session shall read as follows:

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES.

ARTICLE I - DAILY BUSINESS

1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, regular sessions of the House shall convene at two-thirty p.m. The Speaker shall take the chair at the hour at which the House convenes and the House shall then be called to order. A prayer shall be said by the Chaplain or time allowed for a brief meditation. Then, on the first legislative day in any calendar week, it shall be followed by the pledge of allegiance to the flag of the United States of America. Then a roll of members shall be called and the names of members present and members excused shall be entered in the Journal of the House.

1.02 READING OF THE JOURNAL. A quorum being present, the Journal of the preceding day shall be read by the Chief Clerk unless otherwise ordered. The House may correct any errors in the Journal of the preceding day.

1.03 ORDER OF BUSINESS. After the reading of the Journal, the order of business of the day shall be:

- (1) Presentation of petitions or other communications.
- (2) Reports of standing committees.
- (3) Second reading of House bills.
- (4) Second reading of Senate bills.
- (5) Reports of select committees.
- (6) Introduction and first reading of House bills.
- (7) Consideration of messages from the Senate.
- (8) First reading of Senate bills.
- (9) Consent Calendar.
- (10) Calendar for the day.
- (11) General Orders.
- (12) Motions and resolutions.

Conference committees on House bills and the Committee on Rules and Legislative Administration may report at any time except when the House is in the Committee of the Whole.

1.04 SECOND READING OF BILLS. Every bill shall require a second reading.

Except as otherwise ordered, every bill requiring the approval of the Governor shall, after a second reading, be considered in a Committee of the Whole before it shall be finally acted upon by the House.

1.05 COMMITTEE OF THE WHOLE. The Committee of the Whole is a committee of the entire membership of the House. The Speaker may appoint another member as chair to preside over the Committee of the Whole.

When the House arrives at the General Orders of the Day, it shall resolve itself into a Committee of the Whole to consider bills on General Orders.

A bill considered in the Committee of the Whole shall be reported and then debated by sections, with the title considered last. All amendments shall be typewritten and five copies shall be submitted to the Chair who shall report them to the House.

1.06 RULES TO APPLY TO COMMITTEE OF THE WHOLE. The Rules of the House shall be observed in the Committee of the Whole so far as may be applicable except that the previous question shall not be forced or speaking limited.

Upon demand of 15 members, the yeas and nays shall be called, the question voted on, and the yeas and nays recorded in the Journal of the House.

In the Committee of the Whole no amendment increasing the amount of any appropriation shall be passed without the yeas and nays recorded in the Journal of the House.

A motion that the Committee arise shall always be in order and shall be decided without debate.

1.07 GENERAL ORDERS OF THE DAY. The Chief Clerk at the direction of the Speaker shall prepare the General Orders of the Day, which is a list of all bills which have not been made Special Orders or placed on the Consent Calendar, numbered according to their order at second reading. Unless otherwise ordered by a majority of the Committee, items on General Orders shall be taken up in numerical order.

The Chief Clerk shall see that a copy of each bill printed under the Rules or Orders of the House is placed in each member's file, which is to be kept at the member's desk in the chamber, at least 24 hours before the bill shall be considered in the Committee of the Whole.

If a bill is progressed three times it shall be placed at the end of General Orders.

Except during the last five days in any year on which a bill may be passed, a bill amended in the Committee of the Whole shall not be given its third reading until it is engrossed and reproduced as amended.

1.08 THIRD READING OF BILLS. No amendment shall be received after the third reading without the unanimous consent of the House, except to fill blanks or to amend titles.

At any time prior to its passage any bill or resolution may be referred or re-referred by a majority vote of the whole House. If the committee, other than the Committee of the Whole, to which it was referred or re-referred reports an amendment on it, it shall again be given its second reading, considered in Committee of the Whole, given its third reading and placed upon its final passage.

1.09 SPECIAL ORDERS. A bill may be made the Order of the Day for a special time and be placed upon a separate list known as "Special Orders."

The Committee on Rules and Legislative Administration may by committee report designate as a Special Order any bill which has had its second reading.

Any member may move to make a bill a Special Order by giving notice at least two legislative days in advance of and specifying the day on which the member will so move. The notice shall include the number and title of the bill and the day and time certain for the Special Order. Only the member giving such notice, or another member designated in writing by the member who originally gave notice of the Special Order to the Speaker, may make the motion for the Special Order. A two-thirds vote of the whole House on such motion is required to make a bill a Special Order.

The time set for the motion may not be extended, and failure to make the motion on the specified day forfeits the right to make the motion.

A motion to make a bill a Special Order, when made according to the procedures herein prescribed, shall be a privileged motion, shall take precedence over all other motions except a motion to adjourn or to set the time to adjourn and questions of personal privilege, and may be made at any time on the day designated in the notice. A three-fourths vote of the whole House is required to suspend the motion.

Any Special Order, or any part of it, may be continued or postponed by two-thirds vote of the whole House at the time of such Special Order; however, a Special Order designated by the Committee on Rules and Legislative Administration may be continued or postponed by a majority vote of the whole House at the time of such Special Order. If a bill on Special Orders has been continued three times by the author or coauthor a motion for continuance shall not be in order and the bill shall be returned to General Orders.

When the time arrives for the consideration of any Special Order, the House shall consider each bill upon the Special Order in the order in which it is listed. After consideration it shall immediately be read the third time and placed upon final passage.

1.10 ~~TAX AND APPROPRIATION~~ FINANCE AND REVENUE ~~BILLS GIVEN PRECEDENCE~~. Any bill relating to taxes or raising revenue ~~shall be acted upon whenever requested by the Chair of the Committee on Taxes~~, and any ~~appropriation finance bill, which has had its second reading~~, shall be acted upon whenever requested by the Chair of the Committee on ~~Appropriations~~ Ways and Means or a designee of the Chair.

1.11 CONSENT CALENDAR. Any bill of a non-controversial nature for which the committee report recommends placement upon the Consent Calendar shall be given its second reading after the report is adopted and placed upon the Consent Calendar. The bill shall be printed and placed in the members' files at least one day before it can be considered. The bill shall be placed upon the Consent Calendar in the order in which it is given its second reading.

The Consent Calendar shall immediately precede the order of business known as "Calendar for the Day." Every bill on the Consent Calendar shall be debated, given its third reading and voted upon, provided, however, that at any time prior to third reading, ten members may object to any bill as being controversial. Any bill so objected to shall be stricken from the Consent Calendar and be immediately placed upon General Orders, taking its place in the usual order.

1.12 SUSPENSION OF RULES TO ADVANCE A BILL. Every bill shall be reported on three different days, except that in case of urgency, a two-thirds majority of the whole House may suspend this Rule. A motion for suspension of the Rules to advance a bill for consideration out of its regular order is in order under the order of business "Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must state the present position of the bill.

1.13 MINORITY REPORTS. Any minority report shall be made separately from the majority report and shall be considered before the majority report. If the minority report is adopted the majority report shall not be considered. If the minority report is not adopted the majority report shall then be considered.

1.14 COMMITTEE REPORT LAID OVER. The report of any committee may be laid over one day and printed in the Journal, if so ordered by the House.

1.15 RECALLING BILL FROM COMMITTEE OR DIVISION. In regular session, except after the deadline for committee reports on bills originating in the House, any bill or resolution may be recalled from any committee or division at any time by majority vote of the whole House, be given a second reading and be advanced to General Orders. A motion to recall a bill or resolution shall be in order only under the order of business "Motions and Resolutions."

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee or division (other than a bill in ~~Appropriations~~ the Committee on Ways and Means, the Committee on Taxes, a finance committee, or a finance division of a standing committee) no report has been made upon it by the committee or division, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee or division shall have ten calendar days thereafter in which to vote upon the bill requested. If the committee or division fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written demand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the end of General Orders.

Such bill is subject to re-reference by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

In regular session in the odd-numbered year ~~1993~~ after Friday, ~~May 10, 1991~~ May 7, and in the even-numbered year ~~1994~~ after, the House shall not act on bills other than those recommended by conference committee reports or, the Committee on Rules and Legislative Administration, or the Committee on Ways and Means, and those bills contained in messages from the Senate or from the Governor.

1.17 DISPOSITION OF SENATE BILLS. Any Senate File received by the House, accompanied by a message announcing its passage by the Senate, shall be referred to the appropriate standing committee in accordance with Rule 5-04 5.05. However, if a Senate File is received which is stated by a member to be identical to a House File already reported by a standing committee of the House and placed on General Orders, Calendar, Consent Calendar, or Special Orders, the Senate File shall be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical with the House File, the Senate File may by majority vote be substituted for the House File and take its place. The fact that the bills are identical shall be entered in the Journal and the House File is then considered withdrawn.

Any Senate File which has been amended on the floor of the House, except at time of final passage, and any Senate File which has been reported to the House with amendments by a House standing committee, shall be unofficially engrossed and reprinted by the Chief Clerk. Amendments to unofficial engrossments of a Senate File may be offered by members on the floor of the House but shall not be offered in standing committees.

1.18 RECORDED FLOOR PROCEEDINGS. All proceedings on the floor of the House shall be recorded on magnetic tape or similar recording device under the direction of the Chief Clerk. All taped proceedings of the House floor sessions shall be delivered to the Director of the Legislative Reference Library and there maintained on file for use by any member of the public in accordance with the rules of the Legislative Reference Library. Tapes delivered to the Legislative Reference Library shall be kept by the library for eight years after which they shall be delivered to the Director of the Minnesota Historical Society.

Any person may obtain a copy of any such tape during the biennium in which it is recorded upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

ARTICLE II - VOTING

2.01 AUTHORIZING ELECTRIC VOTING SYSTEM. Except for a vote upon elections, any vote may be taken by means of the electric voting system which shall be under the control of the Speaker of the House.

2.02 CALL OF THE HOUSE. Ten members may demand a call of the House at any time except after voting has commenced. When such call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave until the roll call is suspended or completed. During the roll call, no motion shall be in order except a motion pertaining to matters incidental to the call. Proceedings under the roll call may be suspended by a majority vote of the whole House. After the roll call is suspended or completed the Sergeant at Arms shall not permit any member to leave the Chamber unless excused by the Speaker. A call of the House may be lifted by a majority vote of the whole House.

2.03 DEMANDING YEAS AND NAYS. Yeas and nays shall be ordered without demand upon final passage of bills and upon adoption of resolutions or motions directing the payment of money. In all other cases the yeas and nays shall be ordered only upon demand of 15 members.

2.04 EXPLAINING OR CHANGING VOTE. No member shall be allowed to explain a vote or discuss the question while the yeas and nays are being taken, nor be allowed to change a vote after the yeas and nays have been announced from the chair by the Speaker.

2.05 EVERY UNEXCUSED MEMBER TO VOTE. Any member who is immediately interested in the question being voted on shall not vote.

Every other member present before a vote is declared from the chair shall vote for or against the matter before the House, unless the House excuses the member from voting. However, no member is required to vote on any matter concerning a resolution except for a resolution relating to the internal business of the House or the Legislature.

A member who declines to vote on a call of the member's name shall be required to state reasons for so declining. After the vote has been taken but before the chair has announced the vote, the chair shall submit to the House the question, "Shall the member, for the reasons stated, be excused from voting?" which shall be decided without debate. Any other proceedings in reference thereto shall take place after announcement of the vote.

ARTICLE III - MOTIONS AND AMENDMENTS

3.01 AMENDMENTS AND OTHER MOTIONS. No amendment shall have more than five authors. No amendment or other motion shall be debated until after it is stated by the Speaker.

After an amendment or other motion has been stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before amendment or decision. Unless a motion, resolution or amendment is withdrawn on the day it is made, it shall be entered in the Journal, together with the name of the member offering it.

The Speaker may require any amendment or other motion be typewritten and that five copies be given to the Chief Clerk.

3.02 PRECEDENCE OF MOTIONS. When a question is under consideration, no motion shall be received except the following, the first four of which shall be decided without debate:

- (1) To fix the time of adjournment.
- (2) To adjourn.
- (3) To lay on the table.
- (4) For the previous question.
- (5) To refer.
- (6) To postpone to a day certain.
- (7) To amend.
- (8) To postpone indefinitely.
- (9) To pass.

The motions shall have precedence in the order listed. However, if the motion for the previous question has been seconded and the main question ordered, the motion to lay on the table shall not be in order.

3.03 MOTION TO ADJOURN. A motion to adjourn shall always be in order except during roll call.

When a motion to adjourn is made it shall be in order for the Speaker, before putting the question, to permit any member to state reasons which would seem to render adjournment improper at that time. Such a statement shall not be debatable and shall be limited to not over two minutes.

3.04 MOTION FOR RECONSIDERATION. When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days of actual session of the House. A motion for reconsideration can be made at any time in the Order of Business and shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

In regular session in ~~an odd-numbered year 1993~~, notice of intention to move reconsideration shall not be in order after Monday, ~~April 22, 1991~~ April 19.

In regular session in ~~an even-numbered year 1994~~, notice of intention to move reconsideration shall not be in order after

3.05 ORDER OF PUTTING QUESTION. Except in the case of privileged questions, all questions, whether in committee or in the House, shall be put in the order in which they are moved. When filling blanks, a motion for the largest sum or the longest time shall be put first.

3.06 DIVISION OF A QUESTION. Any member may request the division of a question which contains several separate and distinct points. A motion to strike out and insert shall not be divisible. If a motion to strike out is lost it shall not preclude another motion to amend or to strike out and insert.

3.07 THE PREVIOUS QUESTION. The motion calling for the previous question must be seconded by 15 members. If the motion for the previous question is ordered by a majority of members present, it shall have the effect of cutting off all debate and bringing the House to direct vote upon the question or questions.

The previous question may be moved and ordered upon a single motion, a series of motions allowable under the Rules, or an amendment or amendments; or it may include all authorized motions or amendments, including a vote on final passage of a bill.

On a motion for the previous question, but prior to its being ordered, a call of the House shall be in order. After a majority has ordered the previous question, no call shall be in order prior to the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until disposed of by taking a vote either on the question or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and prior to the vote on the main question shall be decided without debate.

3.08 AMENDMENTS TO AMENDMENTS. An amendment may be amended, but an amendment to an amendment may not be amended.

3.09 MOTIONS AND PROPOSITIONS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under guise of its being an amendment.

3.10 AMENDMENT NOT TO ANNEX ANOTHER BILL. Except in a standing committee no bill or resolution shall at any time be amended by annexing or incorporating any other bill or resolution.

3.11 RESOLUTIONS AND MOTIONS INVOLVING EXPENDITURE OF MONEY. Any resolution or motion involving the expenditure of money out of the legislative expense fund shall be referred to the Committee on Rules and Legislative Administration before being acted upon by the House. A majority vote of the whole House, determined by a roll call, is required to pass any such resolution or motion.

3.12 AMENDMENTS TO APPROPRIATION AND TAX BILLS. No amendment increasing an appropriation and no amendment increasing a tax shall be declared passed until voted for by a majority of the whole House determined by a roll call vote.

3.13 MOTION TO LAY ON THE TABLE. A motion to lay on the table shall not be in order on a motion to amend, except that a motion to amend the Rules may be tabled.

3.14 MOTION TO RESCIND. The motion to rescind shall not be in order at any time in any proceeding in the House or in any committee of the House.

3.15 SUSPENSION OR AMENDMENT OF THE RULES. The concurrence of two-thirds of the whole House is required to suspend, alter, or amend any Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 1.12, a motion to suspend, alter, or amend any Rule of the House must be made under the order of business "Motions and Resolutions." If the motion is made at any other time, unanimous consent is required before the Speaker can entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion.

ARTICLE IV - DEBATE AND DECORUM

4.01 ABSENCE OF MEMBERS AND OFFICERS. Unless illness or other sufficient cause prevents attendance, no member or officer of the House shall be absent from any session of the House without first having obtained from the Speaker permission to be absent.

4.02 DUTIES OF MEMBERS. Members shall keep their seats until the Speaker announces adjournment.

Every member, before speaking, shall rise and respectfully address the Speaker and shall not speak further until recognized by the Speaker. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

4.03 QUESTIONS OF ORDER. If any member of the House transgresses the Rules, either in speaking or in any other way, the Speaker shall, or any member may, call the member to order. A member so called to order shall immediately sit down unless another member moves to permit the member who was called to order to explain. In either case, the House, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall that member be at liberty to proceed. A member called to order shall be liable to censure or such other punishment as the House may deem proper.

4.04 ORDER IN DEBATE. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every other member wishing to speak on the pending question has had an opportunity to do so.

4.05 NOTICE OF INTENTION TO DEBATE A RESOLUTION. Any member may give notice of intention to debate a resolution. Such notice may be given at any time before the vote is taken on the resolution. If such notice is given, the resolution shall be laid over one day without debate or any other action.

4.06 OFFENSIVE WORDS IN DEBATE. If any member is called to order for offensive words in debate, the member calling for order shall report the words to which exception is taken and the Clerk shall record them. No member shall be held to answer or be subject to censure of the House for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place.

4.07 ORDER DURING SESSION. No member shall walk out of or across the Chamber when the Speaker is putting the question. No member shall engage in private conversation while another member is speaking or pass between the speaking member and the Chair.

4.08 NO ONE TO REMAIN BY THE CHIEF CLERK'S DESK. No member or other person shall remain by the Chief Clerk's desk while the yeas and nays are being called.

4.09 WHO MAY BE ADMITTED TO THE FLOOR. No person shall be admitted within the House Chamber, except members themselves, properly authorized employees, the Chief Executive and ex-governors of the State of Minnesota, members of the Senate, heads of departments of the state government, judges of the Supreme Court, Court of Appeals, and District Courts, members of Congress, properly accredited representatives of radio and television stations, newspapers and press associations, as herein provided for, and none other. When a former member of Congress or the Minnesota Legislature or any other person is issued a permit by the Speaker good for the day, that person shall be provided with a seat near the Speaker's rostrum, and at no time shall a conversation be carried on so as to disturb the business of the House. Before issuing the permit, the Speaker shall make certain that the person does not seek the floor of the House for the purpose of influencing decisions of the House.

The alcoves shall be kept for the use of members only, and the Sergeant at Arms shall keep them cleared.

It shall not be in order for the Speaker to entertain a request for the suspension of this Rule, or to present from the Chair the request of any member for unanimous consent unless an extraordinary condition exists, in which event the Speaker may consent to entertain a motion for its suspension.

During the period extending from one hour prior to the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room shall be reserved for the exclusive use of the members and employees of the House ~~or Senators specifically authorized to be present by a House member~~. No committee meetings shall be held therein except for emergency meetings authorized by the Speaker of the House. The Sergeant at Arms is charged with the duty of strict enforcement of this provision.

4.10 PRESENTATION OF PETITIONS. Any petition, memorial or other paper presented to the House shall include the name of the member introducing it and a brief description of its contents and shall be presented by the Speaker, who shall state briefly its contents.

4.11 NO SMOKING IN HOUSE CAPITOL AREA. Smoking is prohibited in areas of the Capitol and State Office Building under the jurisdiction of the House of Representatives, including the House Chamber and Retiring Room and galleries, hearing rooms, minor corridors and offices, except private offices. After May 31, 1993, smoking is prohibited in private offices.

ARTICLE V - BILLS

5.01 BILL AND RESOLUTION FORM. No bill or resolution shall be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with the Joint Rules of the House and Senate and the Rules of the House. Approval as to form shall be endorsed on the bill or resolution by the Revisor of Statutes. A bill that is divided into articles may include or be accompanied by a table of contents.

5.02 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill, advisory bill or resolution offered for introduction shall be placed in the hands of the Speaker at least 24 hours prior to the convening of the daily session. Every bill, advisory bill and resolution shall be introduced in quadruplicate and each copy shall contain the signature of the member or name of the committee introducing it. No bill, advisory bill, memorial or resolution shall have more than five authors. A statement of facts being forwarded for action to a governmental official, agency, or body or other similar proposal is a memorial and shall be introduced in the same form as a bill and take the same course as a bill. No resolution shall authorize the expenditure of monies from any source other than the legislative expense fund.

5.03 TIME LIMIT FOR INTRODUCTION OF BILLS. In regular session in 1994, a bill, advisory bill, or resolution shall not be offered for introduction after This rule does not apply to committee bills or to resolutions offered by the Committee on Rules and Legislative Administration.

In 1993, a bill prepared by a department or agency of state government shall be introduced and given its first reading before March 15. In 1994, a bill prepared by a department or agency of state government shall be introduced and given its first reading before

5.04 5.04 ADVISORY BILLS. An advisory bill may be introduced by any member in the same manner as a bill except that the requirements of Rule 5.01 shall not apply.

Each advisory bill shall be typewritten on a form provided by the Chief Clerk. It shall have a title not exceeding 12 words in length and shall contain a specific proposal for the initiation, termination or alteration of a law or program of the state or any of its subdivisions. It need not be drafted in a form appropriate for enactment into law.

An advisory bill may be considered only in committee and shall not be given a second reading or be otherwise considered by the House, except that the committee may report its recommendation for re-referral to another committee.

~~5.04~~ 5.05 FIRST READING AND REFERENCE OF BILLS. Each bill, advisory bill and resolution shall be reported and given its first reading upon its introduction. No bill, advisory bill or resolution shall be objected to upon its introduction.

Except as provided in Rule 1.17 and Rule ~~5.05~~ 5.06 each bill, advisory bill or resolution shall, after first reading, be referred by the Speaker to the appropriate standing committee or division thereof.

Congratulatory resolutions are exempt from this rule and may be adopted by the Committee on Rules and Legislative Administration without further consideration by the House.

Except as otherwise provided in these Rules, after a bill, advisory bill or resolution has been referred by the Speaker, a majority vote of the whole House shall be required for a re-referral of the bill, advisory bill or resolution by the House.

~~5.05~~ 5.06 COMMITTEE BILLS. A committee bill shall be read for the first time and may be referred by the Speaker to any standing committee. If it is not so referred, it shall be laid over one day. It shall then be read for the second time and placed upon General Orders, or, if recommended by the Committee, upon the Consent Calendar.

~~5.06~~ 5.07 PRINTING OF BILLS. Every bill shall be printed after it has been given its second reading. A bill may be printed at any other time a majority of the House so orders.

~~5.07~~ 5.08 FINANCE AND REVENUE BILLS CARRYING AN APPROPRIATION. Any bill, whether originating in the House or Senate, ~~carrying an appropriation, or which may involve any present or future financial obligation on the part of the State or which affects state revenues, after being reported to the House, shall be referred, or re-referred, as the case may be, to the appropriate finance committee on Appropriations, standing committee with a finance division for consideration by the finance division, or the Committee on Taxes, for action by that. Once action has been taken by that committee, the bill shall be thereafter re-referred to the Committee on Ways and Means. Any committee, other than the committee on Appropriations, to which such bill has been referred shall note in its report that the bill carries an appropriation. A bill, other than a major revenue or finance bill referred to in Rule 5.12, which carries an appropriation shall include an appropriation section. This rule does not apply to a bill recommended for passage by the Committee on Capital Investment under Rule 5.09.~~

5.09 BILLS AFFECTING DEBT. The Committee on Capital Investment shall have jurisdiction over debt obligations issued by the State and units of metropolitan government. A bill which authorizes the issuance of debt of the State or a unit of metropolitan government shall be referred or re-referred to the Committee on Capital Investment.

The Chair of the Committee on Capital Investment shall assign to each finance committee or finance division of a standing committee the responsibility to develop a bill on state and metropolitan public debt within its jurisdiction. The bill shall be referred to the Committee on Capital Investment by Tuesday, April 6, 1993, for further disposition.

A bill recommended for passage by the Committee on Capital Investment shall be accompanied by a statement of its fiscal impact and shall be referred to the Committee on Ways and Means for review and action by that committee.

~~5.08~~ 5.10 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE. Any bill, whether originating in the House or the Senate, which creates or reestablishes any new department, agency, commission, board, task force, advisory committee or council, or bureau, or any other such entity, or which substantially changes or alters the organization of or delegates emergency rulemaking authority to or exempts from rulemaking any department or agency thereof of state government, or substantially changes, alters, vests or divests official rights, powers, or duties of any official, department or agency of the state government or any institution under its control, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Governmental Operations and Gambling for action by that committee. Prior to the deadline set by Rule 9.03, any committee other than the Committee on Governmental Operations and Gambling to which such bill is referred shall, in its report, recommend re-referral to the Committee on Governmental Operations and Gambling. After the deadline set by Rule 9.03, a report shall recommend re-referral to the Committee on Rules and Legislative Administration.

This rule does not apply to the omnibus bill on taxation, ~~the education finance bill, or the omnibus appropriations~~ finance bills for: capital investment; state government; health and human resources services; K-12 education; higher education; economic development, infrastructure and regulation; judiciary; or environment and natural resources. But, if those bills contain provisions that would create, abolish, or reestablish a department, agency, commission, board, task force, advisory committee or council, or other such entity, then the chair of the Committee on Taxes, the chair of the Committee on Education, or the chair of a division of the Committee on Appropriations, as the appropriate finance committee or standing committee with a finance division, must communicate the inclusion of the provision to the chair of the Committee on Rules and Legislative Administration prior to consideration of the matter on the floor.

All other bills in ~~the House~~ Committees on Appropriations finance committees or referred out of finance divisions of standing committees and bills in the Committee on Taxes are also exempt from this rule except for bills to create,

abolish, or reestablish a department, agency, commission, board, task force, advisory committee or council, or other such entity. Prior to the deadline set by Rule 9.03, those bills shall be re-referred to the Committee on Governmental Operations and Gambling. After that deadline, the bills shall be re-referred to the Committee on Rules and Legislative Administration.

~~5.09~~ 5.11 BILLS AFFECTING TAXES. Any bill whether originating in the House or Senate, which substantially affects state tax policy or the administration of state tax policy, after being reported to the House, shall be referred, or re-referred, ~~as the case may be~~, to the Committee on Taxes for action by that committee. Any standing committee other than the Committee on Taxes to which such a bill is referred shall, in its report, recommend re-referral to the Committee on Taxes.

~~5.10~~ 5.12 WAYS AND MEANS COMMITTEE; RESOLUTION; EFFECT ON EXPENDITURES AND TAX REVENUE BILLS. The Committee on Ways and Means shall hold hearings as necessary to determine state expenditures and taxes revenues for the coming fiscal biennium. In regular session, not later than ~~ten~~ 15 days following the last available state general fund revenue and expenditure forecast for the coming fiscal biennium prepared during the session, the Committee on Ways and Means shall ~~report~~ adopt a budget resolution to ~~the House for consideration~~. The budget resolution shall ~~take the form of a House resolution that sets~~ set the maximum limitation on expenditures and taxes revenues for the coming fiscal biennium for the general fund and an amount to be set aside as a budget reserve. The limitation is effective, if adopted, unless the House Committee on Ways and Means adopts a different limitation in a subsequent budget resolution that accounts for increases or decreases in general fund revenues and expenditures anticipated for the current fiscal biennium.

Upon adoption of the budget resolution, the Committee on Ways and Means shall reconcile finance and revenue bills and upon request shall certify to the House that such bills do not exceed the limitation specified in the budget resolution.

~~No~~ A bill described in ~~Rule 5.07 or 5.09~~ 5.08 other than a major revenue or finance bill shall not be given its second reading until the ~~House has received a statement from the Committee on Ways and Means certifying that the each major expenditure finance and tax bills are reconciled and do not exceed the limitation specified in the budget resolution for the general fund.~~ revenue bill has received its second reading. However, a bill other than a major finance or revenue bill may be given its second reading after the House has received from the Committee on Ways and Means a statement certifying that the fiscal impact of the bill is or will be reconciled and within the guidelines of the budget resolution. All statements and certifications required by this rule may be reported orally by the Chair of the Committee on Ways and Means or a designee of the Chair. Major expenditure finance and tax revenue bills are: the higher education appropriation finance bill; the K-12 education finance bill; the environment and natural resources appropriation finance bill; the health and human resources appropriation services finance bill; the state government appropriation finance bill; the economic development, infrastructure and regulation appropriation finance bill; the education judiciary finance bill; the omnibus capital investment bill; and the omnibus tax bill. ~~However, a bill may be given its second reading by special authorization of the Committee on Ways and Means or by majority vote of the whole House. A special authorization may be reported by an oral notice to the House from the Chair of the Committee on Ways and Means or a designee of the Chair stating that the fiscal impact of a bill will be accounted for in the reconciliation statement.~~

~~The Committee on Appropriations and Each~~ finance committee, finance division of a standing committee, the Committee on Capital Investment, or the Committee on Taxes, upon recommending passage of any bill described in ~~Rule 5.07 or 5.09~~ 5.08, shall provide to the Committee on Ways and Means a fiscal statement on the bill.

~~After the House has received a reconciliation statement from the Committee on Ways and Means, the House shall not give a second reading to any bill described in Rule 5.07 or 5.09 other than the major expenditure and tax bills. However, a bill may be given its second reading after the House has received from the Committee on Ways and Means a statement certifying that the fiscal impact of the bill is within the guidelines of the budget resolution, or after authorization by majority vote of the whole House. The statement of the Committee on Ways and Means may be reported orally by the Chair of the Committee on Ways and Means or a designee of the Chair.~~

5.13 BILLS PROPOSING MEMORIALS. Any bill or amendment that proposes to have a memorial erected in the Capitol area shall be referred to the Committee on Rules and Legislative Administration.

5.14 5.14 RECESS BILL INTRODUCTIONS. During the period between the last day of the session in any odd numbered year 1993 and the first day of the session in the following year 1994, any bill filed with the Speaker

for introduction shall be given a file number and may be unofficially referred to an appropriate standing committee of the House of Representatives.

~~5.12~~ 5.15 BILLS PROPOSING CONSTITUTIONAL AMENDMENTS. Any bill, whether originating in the House or Senate, which proposes a constitutional amendment, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Rules and Legislative Administration for action by that committee. Any committee, other than the Committee on Rules and Legislative Administration, to which such bill has been referred, shall, in its report, recommend re-referral to the Committee on Rules and Legislative Administration.

ARTICLE VI - COMMITTEES - POWERS AND DUTIES

6.01 COMMITTEES. Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Appropriations

~~Divisions: Economic Development, Infrastructure and Regulation
Education
Environment and Natural Resources
Human Resources
State Government~~

Capital Investment

Commerce and Economic Development

Divisions: International Trade, Technology and Economic Development
Tourism and Small Business

Economic Development, Infrastructure and Regulation Finance

~~Division: International Trade and Technology~~

Education

~~Divisions: K-12 Education Finance
Higher Education Finance~~

Energy

Environment and Natural Resources

Environment and Natural Resources Finance

Ethics

Financial Institutions and Insurance

~~Division: Banking~~

General Legislation, Veterans Affairs and Gaming Elections

~~Divisions: Elections
Veterans Affairs~~

Governmental Operations and Gambling

~~Division: State Government Structures Finance~~

Health and Human Services

Divisions: Health and Housing Finance
Human Services Finance

Housing

Judiciary

Division: ~~Criminal Justice~~ Judiciary Finance

Labor-Management Relations

Local Government and Metropolitan Affairs

~~Redistricting~~

Regulated Industries and Energy

Rules and Legislative Administration

Taxes

Transportation and Transit

Ways and Means

6.02 COMMITTEE MEMBERSHIP. No less than 30 days prior to the opening of a regular session of the Legislature, the Speaker-designate shall provide the minority group with a list of the standing committees proposed for the session. The Speaker-designate shall also designate the number of minority members to be appointed to each committee and may require general membership guidelines to be followed in the selection of committee members.

If the minority leader submits to the Speaker-designate, at least 15 days prior to the opening of the session, a list of proposed committee assignments for the minority group, which complies with the numbers and guidelines provided, the Speaker shall make such proposed assignments with the purpose of attaining proportionate representation on the committees for the minority group.

No committee of the House shall have exclusive membership from any one profession, occupation or vocation.

6.03 COMMITTEE MEETING SCHEDULE. The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chair of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chair of each committee, division, or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting.

6.04 COMMITTEE PROCEDURES. Meetings of all committees of the House shall be open to the public except for any executive sessions which the committee on ethics deems necessary.

A majority of members of any committee shall constitute a quorum.

The Rules of the House shall be observed in all committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution, report, motion or amendment before the committee. Only upon such demand being made shall the roll be called and the vote of each member on the bill, resolution, report, motion or amendment be recorded in the committee minutes, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

6.05 SUBCOMMITTEES. The chair of a committee shall appoint the chair and members of each subcommittee with the advice and consent of the Speaker. The chair or the committee may refer bills to subcommittee. Any subcommittee may make such investigation or exercise such authority as is delegated to it by the chair or the committee.

6.06 COMMITTEE RECORDS. The chair ~~or acting chair~~ of each a standing committee shall cause a record to be kept, in the form prescribed by the Committee on Rules and Legislative Administration, which shall include the record of each bill referred to the committee and the minutes of the committee. The minutes shall include:

- a. The time and place of each hearing or meeting of the committee;
- b. Committee members present;
- c. The name and address of each person appearing before the committee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;
- d. The language of each motion, the name of the committee member making the motion, and the result of any vote taken upon the motion, including the yeas and nays whenever a roll call is demanded;
- e. The date on which any subcommittee is created, the names of its members and the bills referred to it;
- f. The record of each subcommittee meeting, including the time and place of the meeting; members present; the name of each person appearing before the subcommittee, together with the name of the person, association, firm or corporation in whose behalf the appearance is made; and the language of each motion, together with the name of the member making the motion, and the result of any vote taken upon the motion, including the yeas and nays whenever a roll call is demanded;
- g. Other important matters related to the work of the committee.

The minutes shall be approved at the next regular meeting of the committee.

Copies of the minutes, after approval by the committee, shall be filed with the Chief Clerk and shall be open to public inspection in the Chief Clerk's office. At the end of the biennium they shall be delivered, together with the other committee records, to the Director of the Legislative Reference Library, where they shall remain open for public inspection during regular office hours. A copy of any page of any committee minutes may be obtained upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

The magnetic tape recording of any committee meetings shall be retained by the chair until the minutes of that meeting have been approved by the committee. The recording shall then be filed with the Director of the Legislative Reference Library. Tapes filed with the Legislative Reference Library shall be kept by the library for eight years after which they shall be delivered to the Director of the Minnesota Historical Society.

Any person may obtain a copy of such tape during the period in which it is maintained in the Legislative Reference Library upon payment of a fee determined by the Chief Clerk to be sufficient to cover the cost of the copy. Testimony and discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

6.07 COMMITTEE REPORTS. The chair of a standing committee reporting to the House the action taken by the committee upon any bill or resolution referred to it shall do so upon the form provided for such reports. Each bill or resolution shall be reported separately and the report shall be adopted or rejected without amendment.

The report shall contain the action taken by the committee and the date of such action and shall be authenticated by the signature of the chair.

Before a committee reports favorably upon a bill or resolution, the chair shall see that the form of the bill or resolution conforms to the Joint Rules of the House and Senate and these Rules.

Except during the last seven legislative days in any year, the committee report and any minority report shall be placed in the hands of the Chief Clerk at least four hours prior to the convening of the daily session.

The Committee on Rules and Legislative Administration may report at any time.

If a majority of the members of a standing committee finds a bill referred to the committee to be of a non-controversial nature, the report to the House may recommend that the bill be placed upon a separate calendar to be known as the Consent Calendar.

6.08 COMMITTEE BILLS. Any standing or special committee of the House may introduce a bill as a committee bill on any subject within its purview.

6.09 SUBSTITUTION OF BILLS. No standing or special committee nor any of its members shall report a substitute for any bill referred to the committee if the substitute relates to a different subject, is intended to accomplish a different purpose, or would require a title essentially different from that of the original bill. Whenever the House is advised that a substitute bill reported to the House is in violation of this rule, the report shall not be adopted.

6.10 COMMITTEE ON ETHICS. The Speaker shall appoint a Committee on Ethics. An equal number of members from the majority group and the minority group and one alternate from each group shall be appointed. The committee shall adopt written procedures, which shall include due process requirements, for handling complaints and issuing guidelines.

Complaints regarding a member's conduct must be submitted in writing to the Speaker verified and signed by two or more members of the House and shall be referred to the committee within 15 days for processing by the committee according to its rules of procedure. Prior to referring the matter to the committee, the Speaker shall inform the member against whom a question of conduct has been raised of the complaint and the complainant's identity. The Speaker, the members making the complaint, the members of the Committee on Ethics, and employees of the House shall hold the complaint in confidence until the committee or the member subject of the complaint cause a public hearing to be scheduled. A complaint of a breach of the confidentiality requirement by a member or employee of the House shall be immediately referred by the Speaker to the Ethics Committee for disciplinary action. The committee shall act in an investigatory capacity and may make recommendations regarding questions of ethical conduct received prior to adjournment sine die.

Ethics committee recommendations for disciplinary action shall be referred to the Committee on Rules and Legislative Administration, which committee may adopt, amend, or reject the recommendations of the Ethics committee. Recommendations adopted by the Committee on Rules and Legislative Administration to expel, censure, or reprimand shall be reported to the House for final disposition.

6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

A conference committee report shall include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House or Senate. The member presenting the conference committee report to the House shall disclose all substantive changes from the House version of the bill.

In regular session in an ~~odd-numbered year~~ 1993 except after Monday, ~~May 13, 1991~~ May 10, and in an ~~even-numbered year~~ 1994 except after, a written copy of a report of a conference committee shall be placed on the desk of each member of the House 24 hours before action on the report by the House. If the report has been reprinted in the Journal of the House for a preceding day and is available to the members, the Journal copy shall serve as the written report.

6.12 COMMITTEE BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration shall establish a budget for each standing committee of the House for expenses incurred by the committee, its members, or its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker shall not be charged against the budget. No committee shall incur expenses in excess of its authorized budget.

Employees shall be reimbursed for actual expenses in the same manner as state employees.

During sessions, for travel away from the Capitol, members shall be reimbursed for actual expenses in the same manner as state employees in addition to per diem expense allowances.

All charges against the committee budget must be approved by the chair before payment is made.

6.13 PUBLIC TESTIMONY. Public testimony from proponents and opponents shall be allowed on every bill or resolution before either a standing committee, division or subcommittee of the House.

ARTICLE VII - OFFICERS OF THE HOUSE

7.01 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker shall preside over the House and shall have all the powers and be charged with all the duties of the presiding officer.

The Speaker shall preserve order and decorum. The Speaker or the chair of the Committee of the Whole may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as provided by rule or law, the Speaker shall have general control of the Chamber of the House and of the corridors, passages and rooms assigned to the use of the House.

The Speaker shall sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. The Speaker shall sign all abstracts for the payment of money out of the legislative expense fund of the House; but no money shall be paid out of said fund unless the abstract is also signed by the Chief Clerk of the House.

The Speaker shall appoint the Chief Sergeant at Arms or shall designate that officer from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

7.02 SPEAKER PRO TEMPORE. The Speaker shall appoint a member to preside, whenever the Speaker is absent, as Speaker pro tempore. In the absence of the Speaker and Speaker pro tempore, a member selected by the Speaker shall preside until the return of the Speaker or Speaker pro tempore.

7.03 DUTIES OF CHIEF CLERK. The Chief Clerk shall have general supervision of all clerical duties pertaining to the business of the House. The Chief Clerk shall perform under the direction of the Speaker all the duties pertaining to the office of Chief Clerk and shall keep records showing the status and progress of all bills, memorials and resolutions.

~~Neither the Chief Clerk nor any of the Chief Clerk's assistants or employees shall permit any records or papers belonging to the House to be removed from their custody other than in the regular course of business. The Chief Clerk shall report any missing records or papers to the Speaker.~~

During a temporary absence of the Chief Clerk, the First Assistant Chief Clerk shall be delegated all the usual responsibilities of the Chief Clerk and is authorized to sign the daily journal, enrollments, abstracts and other legislative documents.

7.04 ENGROSSMENT AND ENROLLMENT. The Chief Clerk of the House shall have supervision over the engrossment and enrollment of bills. The Chief Clerk shall cause to be kept a record by file number of the bills introduced in the House which have passed both houses and been enrolled.

7.05 BUDGET AND PURCHASING. The Director of House administrative services shall prepare a biennial budget for the House which must be approved by the Committee on Rules and Legislative Administration before it is submitted to the Committee on Appropriations Governmental Operations and Gambling for consideration by the State Government Finance Division.

The Director shall be the agent of the House of Representatives for the purchase of supplies. The Director shall seek the lowest possible prices and shall file timely reports of expenditures made with the Committee on Rules and Legislative Administration.

7.06 BULLETIN BOARD. The Chief Clerk shall prepare a bulletin board upon which shall be posted a list of committee and subcommittee meetings and any other announcements or notices the House may require.

7.07 INDEX. The Index Clerk, under the supervision of the Chief Clerk, shall prepare an index in which bills may be indexed by topic, number, author, subject, section of the code amended, committees, and any other subject that will make it a complete and comprehensive index. The index shall be open for public inspection at all times during the session and shall be printed in the permanent Journal of the House.

7.08 DUTIES OF THE SERGEANT AT ARMS. It shall be the duty of the Sergeant at Arms to carry out all orders of the House or the Speaker and to perform all other services pertaining to the office of Sergeant at Arms, including

maintaining order in the Chamber and supervising entering and exiting from the Chamber and the prompt delivery of messages.

ARTICLE VIII - EMPLOYEES OF THE HOUSE

8.01 APPOINTMENT OF EMPLOYEES. The Committee on Rules and Legislative Administration shall designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of all such appointments, including positions and compensation, shall be kept in the office of the Chief Clerk and shall be open for inspection by the public.

The Committee on Rules and Legislative Administration, by resolution, shall establish the procedure for filling vacancies when the Legislature is not in session.

Any employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

~~No employee of the House shall receive any pay, compensation, gratuity or reward over and above the salary named for the position except upon approval of a three-fourths vote of the whole House.~~

8.02 DUTIES OF EMPLOYEES. ~~No employee shall make or permit to be made any copy or copies of any journal, bill, paper, file, record, or document in that employee's possession or custody or to which the employee has access except on request of a member of the House. No person other than a member of the House shall furnish or deliver any journal, bill, paper, file, record, document, or copy thereof to any person other than a member of the House except by or through the Chief Clerk with the approval or under the direction of the Committee on Rules and Legislative Administration, in accordance with these Rules, and upon such terms as such committee shall prescribe.~~

~~Any violation of this rule shall be cause for removal or discharge of the offender.~~

ARTICLE IX - GENERAL PROVISIONS

9.01 RULE AS TO CONSTRUCTION. As used in these Rules the terms "majority vote" and "vote of the House" shall mean a majority of members present at the particular time. The term "vote of the whole House" shall mean a majority vote of all the members elected to the House for that particular session of the Legislature.

Singular words used in these Rules shall include the plural, unless the context indicates a contrary intention.

9.02 MEDIA NEWS REPORTERS. Accredited representatives of the press, press associations, and radio and television stations shall be accorded equal press privileges by the House. Any person wishing to report proceedings of the House may apply to the Committee on Rules and Legislative Administration for a press pass and assignment to suitable available space.

Television stations shall be permitted to televise sessions of the House.

9.03 DEADLINES. In regular session in ~~odd-numbered years 1993~~, committee reports on bills favorably acted upon by a committee in the house of origin after ~~Friday, April 12, 1991~~ Friday, April 2, and committee reports on bills originating in the other house favorably acted upon by a committee after ~~Wednesday, April 24, 1991~~ Friday, April 16, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. In ~~even-numbered years 1994~~, committee reports on bills favorably acted upon by a committee of the house of origin after, and committee reports on bills originating in the other house favorably acted upon by a committee after, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. However, referral is not required after the first deadline when, by the second deadline, a committee acts on a bill that is a companion to a bill that has then been acted upon by the first deadline in the Senate. A finance or revenue bill referred to in Rule 5.08 is exempt from the first and second deadlines.

~~Bills A finance bill other than a major finance or revenue bill referred to in Rule 5.12 in the House finance committees on Appropriations and standing committees with finance divisions and the Committee on Taxes, and the education finance bill in the Committee on Education, are exempt from this rule and need not be re-referred, except as follows: a bill other than an omnibus tax or appropriation bill that includes provisions that create or reestablish~~

a commission, board, task force, advisory committee or council, or other entity, shall be re-referred to the Committee on Rules and Legislative Administration if it remains in committee after the deadlines set by this rule.

Committee reports on finance bills that are favorably acted upon by a committee after Friday, April 23, 1993, shall be referred to the Committee on Rules and Legislative Administration for disposition. This deadline does not apply to the House Committees on Taxes and Ways and Means.

9.04 DISPOSITION OF BILLS. Adjournment of the regular session in ~~any odd-numbered year 1993~~ to a day certain in ~~the following year 1994~~ shall be equivalent to daily adjournment except that any bill on the Consent Calendar, Calendar, Special Orders or General Orders shall be returned to the standing committee last acting on the bill.

9.05 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE. The rules of parliamentary procedure contained in "Mason's Manual of Legislative Procedure" shall govern the House in all applicable cases in which they are not inconsistent with these Rules, the Joint Rules of the Senate and House of Representatives, or established custom and usage.

ARTICLE X - ETHICS

10.01 SOLICITATIONS DURING LEGISLATIVE SESSION. No member of the House, nor the member's principal campaign committee, nor any other political committee with the member's name or title, nor any committee authorized by the member which would benefit the member, shall solicit or accept a contribution on behalf of the member's principal campaign committee, any other political committee with the member's name or title, or any political committee authorized by the member which would benefit the member, from a registered lobbyist, political committee, or political fund during the regular session of the House.

10.02 ACCEPTANCE OF AN HONORARIUM BY A MEMBER. No member may accept an honorarium for any service performed for an individual or organization which has a direct interest in the business of the House, including, but not limited to, registered lobbyists or any organizations they represent. The term "honorarium" does not include reimbursement for expenses incurred and actually paid by a member in performing any service.

Alleged violations of this rule shall be referred to the Committee on Ethics under Rule 6.10. Upon finding that an honorarium was accepted in violation of this rule, the Committee on Ethics shall direct the return of the funds. If the funds are not returned, the committee may recommend disciplinary action under Rule 6.10.

Welle moved to amend the proposed Permanent Rules of the House for the 78th Session as follows:

Page 15, line 28, before the period, insert "and a designated lounge"

Page 15, line 29, before the period, insert "and the designated lounge"

The motion prevailed and the amendment was adopted.

Hasskamp moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 8, line 19, after the period, insert "No member may vote on a question except at the member's own seat in the Chamber."

A roll call was requested and properly seconded.

The question was taken on the Hasskamp amendment to the proposed rules, as amended, and the roll was called. There were 113 yeas and 19 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Jaros	Mariani	Murphy	Osthoff	Rukavina	Tomassoni
Battaglia	Kahn	Morrison	Olson, E.	Pauly	Simoneau	
Bishop	Kalis	Munger	Olson, K.	Reding	Solberg	

The motion prevailed and the amendment was adopted.

Welle moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 35, after line 13, insert:

"10.03 ACCEPTANCE OF TRAVEL OR LODGING BY A MEMBER OR EMPLOYEE. A member or employee of the House shall not accept travel or lodging from any foreign government, private for-profit business, labor union, registered lobbyist, or any association thereof, except for expenses that relate to the member's or employee's participation as a legislator or legislative employee in a meeting or conference. This rule does not apply to travel or lodging provided to a member in the regular course of the member's employment or business."

A roll call was requested and properly seconded.

Jacobs moved to amend the Welle amendment to the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 1, line 4, delete the first "OR" and insert "AND"

Page 1, line 6, delete "or" and insert "and"

Page 1, line 11, delete "or" and insert "and"

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

The question recurred on the Welle amendment, as amended, to the proposed rules, as amended, and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Bishop moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 9, lines 24 and 25, delete the new language

The motion prevailed and the amendment was adopted.

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

Sviggum moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 20, lines 17 to 19, delete the new language and restore the stricken language

Page 20, line 20, restore the stricken "sets" and delete "set"

Page 20, after line 31, insert:

"Any amendment raising appropriations or taxes must be balanced with an equal amendment of appropriation or tax increase or decrease to keep the bill within the budget resolution. Amendments may provide for the appropriation decrease or increase from other bills that are being considered by the House."

A roll call was requested and properly seconded.

POINT OF ORDER

Sviggum raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure" relating to personalities not permitted in debate. The Speaker ruled the point of order not well taken.

The question recurred on the Sviggum amendment to the proposed rules, as amended, and the roll was called. There were 52 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Holsten	Krueger	Mosel	Seagren	Waltman
Bergson	Erhardt	Hugoson	Leppik	Ness	Smith	Weaver
Bettermann	Frerichs	Jennings	Limmer	Olson, M.	Stanisus	Worke
Bishop	Girard	Johnson, V.	Lindner	Onnen	Sviggum	Workman
Blatz	Goodno	Klinzing	Lynch	Ozment	Swenson	
Commers	Gruenes	Knickerbocker	Macklin	Pauly	Tompkins	
Dauids	Gutknecht	Koppendrayner	Molnau	Pawienty	Van Dellen	
Dehler	Haukoos	Krinkie	Morrison	Rhodes	Vickerman	

Those who voted in the negative were:

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

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

Sviggum moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Amend Rule 3.10 to read:

"3.10 AMENDMENT NOT TO ANNEX ANOTHER BILL. Except in a standing committee no bill or resolution shall at any time be amended by annexing or incorporating any ~~other~~ bill or resolution introduced before April 16 in 1993 or in 1994."

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

Pauly; Olson, M.; Workman and Smith offered an amendment to the proposed Permanent Rules of the House for the 78th Session, as amended.

Bishop requested a division of the Pauly et al amendment to the proposed Permanent Rules of the House for the 78th Session, as amended.

The first portion of the Pauly et al amendment to the proposed Permanent Rules of the House for the 78th Session, as amended, reads as follows:

Amend Rule 1.01 to read:

"1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, regular sessions of the House shall convene at two-thirty p.m. The Speaker shall take the chair at the hour at which the House convenes and the House shall then be called to order. A prayer shall be said by the Chaplain or time allowed for a brief meditation. Then, on the first legislative day in any calendar week, it shall be followed by the pledge of allegiance to the flag of the United States of America. Then a roll of members shall be called and the names of members present and members excused shall be entered in the Journal of the House. The house may not meet after 11:00 p.m."

A roll call was requested and properly seconded.

The question was taken on the first portion of the Pauly et al amendment to the proposed rules, as amended, and the roll was called. There were 57 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Hugoson	Leppik	Ness	Smith	Wolf
Anderson, R.	Frerichs	Jaros	Limmer	Olson, M.	Stanius	Worke
Bettermann	Girard	Jennings	Lindner	Onnen	Sviggum	Workman
Bishop	Goodno	Johnson, A.	Luther	Ostrom	Swenson	
Blatz	Greiling	Johnson, R.	Lynch	Ozment	Tompkins	
Commers	Gruenes	Johnson, V.	Macklin	Pauly	Van Dellen	
Davids	Gutknecht	Knickerbocker	Molnau	Pawlenty	Vickerman	
Dehler	Haukoos	Koppendrayner	Morrison	Rhodes	Waltman	
Dempsey	Holsten	Krinkie	Nelson	Seagren	Weaver	

Those who voted in the negative were:

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

The motion did not prevail and the first portion of the Pauly et al amendment was not adopted.

The second portion of the Pauly et al amendment to the proposed Permanent Rules of the House for the 78th Session, as amended, reads as follows:

Amend Rule 6.03 to read:

"6.03 COMMITTEE MEETING SCHEDULE. The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chair of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chair of each committee, division, or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting. No committee, division, or subcommittee may meet after 11:00 p.m."

A roll call was requested and properly seconded.

The question was taken on the second portion of the Pauly et al amendment to the proposed rules, as amended, and the roll was called. There were 45 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Holsten	Krinkie	Olson, M.	Stanius	Weaver
Bettermann	Frerichs	Hugoson	Leppik	Ostrom	Sviggum	Worke
Blatz	Girard	Jaros	Limmer	Ozment	Swenson	Workman
Commers	Goodno	Johnson, R.	Lynch	Pauly	Tompkins	
Davids	Gruenes	Johnson, V.	Macklin	Pawlenty	Van Dellen	
Dehler	Gutknecht	Knickerbocker	Molnau	Seagren	Vickerman	
Dempsey	Haukoos	Koppendraye	Nelson	Smith	Waltman	

Those who voted in the negative were:

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

The motion did not prevail and the second portion of the Pauly et al amendment was not adopted.

Abrams, Holsten, Worke, Dempsey and Olson, M., moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

"10.01 SOLICITATIONS DURING LEGISLATIVE SESSION. No member of the House, nor the member's principal campaign committee, nor any other political committee with the member's name or title, nor any committee authorized by the member which would benefit the member, shall solicit or accept a contribution on behalf of the member's principal campaign committee, any other political committee with the member's name or title, or any political committee authorized by the member which would benefit the member, from a registered lobbyist, political committee, or political fund during the regular session of the House.

No party caucus of the House shall solicit or accept a political contribution from a registered lobbyist, political committee, or political fund during the regular session of the House."

A roll call was requested and properly seconded.

The question was taken on the Abrams et al amendment to the proposed rules, as amended, and the roll was called. There were 55 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Abrams	Bishop	Davids	Erhardt	Goodno	Hasskamp	Holsten
Bertram	Blatz	Dehler	Frerichs	Gruenes	Haukoos	Hugoson
Bettermann	Commers	Dempsey	Girard	Gutknecht	Hausman	Jennings

Johnson, V.	Limmer	Morrison	Orfield	Rhodes	Swenson	Weaver
Knickerbocker	Lindner	Nelson	Ozment	Seagren	Tompkins	Wolf
Koppendrayer	Lynch	Ness	Pauly	Smith	Van Dellen	Worke
Krinkie	Macklin	Olson, M.	Pawlenty	Stanius	Vickerman	Workman
Leppik	Molnau	Onnen	Rest	Sviggum	Waltman	

Those who voted in the negative were:

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

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

Vickerman; Olson, M., and Frerichs moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Amend Rule 10.01 to read:

"10.01 SOLICITATIONS DURING LEGISLATIVE SESSION. No member of the House, nor the member's principal campaign committee, nor any other political committee with the member's name or title, nor any committee authorized by the member which would benefit the member, shall solicit or accept a contribution on behalf of the member's principal campaign committee, any other political committee with the member's name or title, or any political committee authorized by the member which would benefit the member, from a registered lobbyist, political committee, or political fund during the regular session of the House.

A member may not form or authorize any political committees other than principal campaign committees bearing the member's name. Any other political committees must be abolished within ten days of adoption of this rule.

A member may not accept a transfer or contribution to a personal campaign committee from another member's personal campaign committee."

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

Haukoos, Wolf, Smith and Onnen moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Amend Rule 6.11 to read:

"6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

A conference committee report shall include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House or Senate. The member presenting the conference committee report to the House shall disclose all substantive changes from the House version of the bill. The conference committee report must include all the provisions that are identical

in the bill and amendment in dispute and all the other provisions that are not in dispute between the house and senate."

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

Beard and Vellenga were excused for the remainder of today's session.

Molnau moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Add a paragraph to Rule 10.01 to read:

"No member may accept compensation for lobbying."

A roll call was requested and properly seconded.

The question was taken on the Molnau amendment to the proposed rules, as amended, and the roll was called. There were 109 yeas and 20 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, I.	Clark	Kahn	Olson, K.	Sekhon	Solberg	Wejcman
Battaglia	Greenfield	Krinkie	Reding	Simoneau	Tomassoni	Spk. Long
Brown, C.	Jaros	McGuire	Rukavina	Skoglund	Tunheim	

The motion prevailed and the amendment was adopted.

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

Weaver, Morrison and Wolf moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Rule 6.11, after the last paragraph insert:

"The conferees on behalf of the house shall include at least one member of the majority caucus and one member of the minority caucus."

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

Frerichs and Morrison moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Add a paragraph to Rule 6.02 to read:

"No member may serve as the chair of the same committee during more than three consecutive legislative sessions."

A roll call was requested and properly seconded.

The question was taken on the Frerichs and Morrison amendment to the proposed rules, as amended, and the roll was called. There were 43 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Haukoos	Lindner	Olson, M.	Swenson	Workman
Bettermann	Frerichs	Holsten	Lynch	Onnen	Van Dellen	
Blatz	Girard	Hugoson	Macklin	Pawlenty	Vickerman	
Commers	Goodno	Knickerbocker	Molnau	Rhodes	Waltman	
Davids	Greiling	Koppendrayner	Neary	Seagren	Weaver	
Dehler	Gruenes	Leppik	Nelson	Smith	Wolf	
Dempsey	Gutknecht	Limmer	Ness	Swiggum	Worke	

Those who voted in the negative were:

Anderson, I.	Cooper	Jacobs	Krinkie	Murphy	Peterson	Steensma
Anderson, R.	Dauner	Jaros	Krueger	Olson, E.	Pugh	Tomassoni
Asch	Dawkins	Jefferson	Lieder	Olson, K.	Reding	Tompkins
Battaglia	Delmont	Jennings	Lourey	Opatz	Rest	Trimble
Bauerly	Dorn	Johnson, R.	Luther	Orenstein	Rodosovich	Tunheim
Bergson	Evans	Johnson, V.	Mahon	Orfield	Rukavina	Wagenius
Bertram	Farrell	Kahn	Mariani	Osthoff	Sekhon	Wejcman
Brown, C.	Garcia	Kalis	McCollum	Ostrom	Simoneau	Welle
Brown, K.	Greenfield	Kelley	McGuire	Ozment	Skoglund	Wenzel
Carlson	Hasskamp	Kelso	Milbert	Pauly	Solberg	Winter
Carruthers	Hausman	Kinkel	Mosel	Pelowski	Sparby	Spk. Long
Clark	Huntley	Klinzing	Munger	Perit	Stanius	

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

Hugoson and Workman moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Add a rule to read:

"5.16 TAX BILLS. A bill that increases state taxes may be passed on second reading only with the concurrence of three-fifths of the members."

A roll call was requested and properly seconded.

The question was taken on the Hugoson and Workman amendment to the proposed rules, as amended, and the roll was called. There were 45 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams	Girard	Johnson, V.	Lynch	Ozment	Sviggum	Wolf
Bettermann	Goodno	Knickerbocker	Macklin	Pauly	Swenson	Worke
Blatz	Gruenes	Koppendrayer	Molnau	Pawlenty	Van Dellen	Workman
Commers	Gutknecht	Krinkie	Morrison	Rhodes	Vickerman	
Dauids	Haukoos	Leppik	Ness	Seagren	Waltman	
Dehler	Hoisten	Limmer	Olson, M.	Smith	Weaver	
Frerichs	Hugoson	Lindner	Onnen	Stanisus	Wenzel	

Those who voted in the negative were:

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

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

Knickerbocker moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 18, line 13, delete "and units of metropolitan government"

Page 18, lines 14 and 15, delete "or a unit of metropolitan government"

Page 18, line 20, delete "and metropolitan"

The motion prevailed and the amendment was adopted.

Erhardt moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Add a sentence to rule 5.01 to read: "A member may introduce as chief author no more than five bills in 1993 and five bills in 1994."

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

Jacobs moved to amend the proposed Permanent Rules of the House for the 78th Session, as amended, as follows:

Page 1, line 5, of the second Welle amendment, after "accept" insert "both"

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

The question recurred on the Welle motion that the Report of the Committee on Rules and Legislative Administration and the proposed Permanent Rules of the House for the 78th Session, as amended, be now adopted and the roll was called. There were 92 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dauner	Jacobs	Limmer	Olson, E.	Rhodes	Tunheim
Anderson, R.	Dawkins	Jefferson	Lourey	Olson, K.	Rodosovich	Vickerman
Asch	Delmont	Jennings	Luther	Opatz	Rukavina	Wagenius
Battaglia	Dorn	Johnson, A.	Mahon	Orenstein	Seagren	Wejcman
Bauerly	Evans	Johnson, R.	Mariani	Orfield	Sekhon	Welle
Bertram	Farrell	Johnson, V.	McCollum	Osthoff	Simoneau	Wenzel
Bishop	Garcia	Kahn	McGuire	Ostrom	Skoglund	Winter
Blatz	Goodno	Kalis	Milbert	Pawlenty	Solberg	Spk. Long
Brown, C.	Greenfield	Kelley	Morrison	Pelowski	Sparby	
Brown, K.	Greiling	Kelso	Mosel	Perlt	Stanis	
Carlson	Gruenes	Kinkel	Munger	Peterson	Steensma	
Carruthers	Hasskamp	Klinzing	Murphy	Pugh	Tomassoni	
Clark	Hausman	Krueger	Neary	Reding	Tompkins	
Cooper	Huntley	Lieder	Nelson	Rest	Trimble	

Those who voted in the negative were:

Abrams	Dempsey	Holsten	Leppik	Olson, M.	Swenson	Workman
Bergson	Erhardt	Hugoson	Lindner	Onnen	Van Dellen	
Bettermann	Frerichs	Jaros	Lynch	Ozment	Waltman	
Commers	Girard	Knickerbocker	Macklin	Pauly	Weaver	
Dauids	Gutknecht	Koppendrayner	Molnau	Smith	Wolf	
Dehler	Haukoos	Krinkie	Ness	Svigum	Wörke	

The motion prevailed and the Permanent Rules of the House for the 78th Session, as amended, were adopted.

So the Report of the Committee on Rules and Legislative Administration and the Permanent Rules of the House for the 78th Session were adopted as follows:

PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES.

ARTICLE I - DAILY BUSINESS

1.01 CONVENING OF THE HOUSE. Unless otherwise ordered, regular sessions of the House shall convene at two-thirty p.m. The Speaker shall take the chair at the hour at which the House convenes and the House shall then be called to order. A prayer shall be said by the Chaplain or time allowed for a brief meditation. Then, on the first legislative day in any calendar week, it shall be followed by the pledge of allegiance to the flag of the United States of America. Then a roll of members shall be called and the names of members present and members excused shall be entered in the Journal of the House.

1.02 READING OF THE JOURNAL. A quorum being present, the Journal of the preceding day shall be read by the Chief Clerk unless otherwise ordered. The House may correct any errors in the Journal of the preceding day.

1.03 ORDER OF BUSINESS. After the reading of the Journal, the order of business of the day shall be:

(1) Presentation of petitions or other communications.

(2) Reports of standing committees.

- (3) Second reading of House bills.
- (4) Second reading of Senate bills.
- (5) Reports of select committees.
- (6) Introduction and first reading of House bills.
- (7) Consideration of messages from the Senate.
- (8) First reading of Senate bills.
- (9) Consent Calendar.
- (10) Calendar for the day.
- (11) General Orders.
- (12) Motions and resolutions.

Conference committees on House bills and the Committee on Rules and Legislative Administration may report at any time except when the House is in the Committee of the Whole.

1.04 SECOND READING OF BILLS. Every bill shall require a second reading.

Except as otherwise ordered, every bill requiring the approval of the Governor shall, after a second reading, be considered in a Committee of the Whole before it shall be finally acted upon by the House.

1.05 COMMITTEE OF THE WHOLE. The Committee of the Whole is a committee of the entire membership of the House. The Speaker may appoint another member as chair to preside over the Committee of the Whole.

When the House arrives at the General Orders of the Day, it shall resolve itself into a Committee of the Whole to consider bills on General Orders.

A bill considered in the Committee of the Whole shall be reported and then debated by sections, with the title considered last. All amendments shall be typewritten and five copies shall be submitted to the Chair who shall report them to the House.

1.06 RULES TO APPLY TO COMMITTEE OF THE WHOLE. The Rules of the House shall be observed in the Committee of the Whole so far as may be applicable except that the previous question shall not be forced or speaking limited.

Upon demand of 15 members, the yeas and nays shall be called, the question voted on, and the yeas and nays recorded in the Journal of the House.

In the Committee of the Whole no amendment increasing the amount of any appropriation shall be passed without the yeas and nays recorded in the Journal of the House.

A motion that the Committee arise shall always be in order and shall be decided without debate.

1.07 GENERAL ORDERS OF THE DAY. The Chief Clerk at the direction of the Speaker shall prepare the General Orders of the Day, which is a list of all bills which have not been made Special Orders or placed on the Consent Calendar, numbered according to their order at second reading. Unless otherwise ordered by a majority of the Committee, items on General Orders shall be taken up in numerical order.

The Chief Clerk shall see that a copy of each bill printed under the Rules or Orders of the House is placed in each member's file, which is to be kept at the member's desk in the chamber, at least 24 hours before the bill shall be considered in the Committee of the Whole.

If a bill is progressed three times it shall be placed at the end of General Orders.

Except during the last five days in any year on which a bill may be passed, a bill amended in the Committee of the Whole shall not be given its third reading until it is engrossed and reproduced as amended.

1.08 THIRD READING OF BILLS. No amendment shall be received after the third reading without the unanimous consent of the House, except to fill blanks or to amend titles.

At any time prior to its passage any bill or resolution may be referred or re-referred by a majority vote of the whole House. If the committee, other than the Committee of the Whole, to which it was referred or re-referred reports an amendment on it, it shall again be given its second reading, considered in Committee of the Whole, given its third reading and placed upon its final passage.

1.09 SPECIAL ORDERS. A bill may be made the Order of the Day for a special time and be placed upon a separate list known as "Special Orders."

The Committee on Rules and Legislative Administration may by committee report designate as a Special Order any bill which has had its second reading.

Any member may move to make a bill a Special Order by giving notice at least two legislative days in advance of and specifying the day on which the member will so move. The notice shall include the number and title of the bill and the day and time certain for the Special Order. Only the member giving such notice, or another member designated in writing by the member who originally gave notice of the Special Order to the Speaker, may make the motion for the Special Order. A two-thirds vote of the whole House on such motion is required to make a bill a Special Order.

The time set for the motion may not be extended, and failure to make the motion on the specified day forfeits the right to make the motion.

A motion to make a bill a Special Order, when made according to the procedures herein prescribed, shall be a privileged motion, shall take precedence over all other motions except a motion to adjourn or to set the time to adjourn and questions of personal privilege, and may be made at any time on the day designated in the notice. A three-fourths vote of the whole House is required to suspend the motion.

Any Special Order, or any part of it, may be continued or postponed by two-thirds vote of the whole House at the time of such Special Order; however, a Special Order designated by the Committee on Rules and Legislative Administration may be continued or postponed by a majority vote of the whole House at the time of such Special Order. If a bill on Special Orders has been continued three times by the author or coauthor a motion for continuance shall not be in order and the bill shall be returned to General Orders.

When the time arrives for the consideration of any Special Order, the House shall consider each bill upon the Special Order in the order in which it is listed. After consideration it shall immediately be read the third time and placed upon final passage.

1.10 FINANCE AND REVENUE BILLS GIVEN PRECEDENCE. Any bill relating to taxes or raising revenue and any finance bill, which has had its second reading, shall be acted upon whenever requested by the Chair of the Committee on Ways and Means or a designee of the Chair.

1.11 CONSENT CALENDAR. Any bill of a non-controversial nature for which the committee report recommends placement upon the Consent Calendar shall be given its second reading after the report is adopted and placed upon the Consent Calendar. The bill shall be printed and placed in the members' files at least one day before it can be considered. The bill shall be placed upon the Consent Calendar in the order in which it is given its second reading.

The Consent Calendar shall immediately precede the order of business known as "Calendar for the Day." Every bill on the Consent Calendar shall be debated, given its third reading and voted upon, provided, however, that at any time prior to third reading, ten members may object to any bill as being controversial. Any bill so objected to shall be stricken from the Consent Calendar and be immediately placed upon General Orders, taking its place in the usual order.

1.12 SUSPENSION OF RULES TO ADVANCE A BILL. Every bill shall be reported on three different days, except that in case of urgency, a two-thirds majority of the whole House may suspend this Rule. A motion for suspension of the Rules to advance a bill for consideration out of its regular order is in order under the order of business

"Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must state the present position of the bill.

1.13 MINORITY REPORTS. Any minority report shall be made separately from the majority report and shall be considered before the majority report. If the minority report is adopted the majority report shall not be considered. If the minority report is not adopted the majority report shall then be considered.

1.14 COMMITTEE REPORT LAID OVER. The report of any committee may be laid over one day and printed in the Journal, if so ordered by the House.

1.15 RECALLING BILL FROM COMMITTEE OR DIVISION. In regular session, except after the deadline for committee reports on bills originating in the House, any bill or resolution may be recalled from any committee or division at any time by majority vote of the whole House, be given a second reading and be advanced to General Orders. A motion to recall a bill or resolution shall be in order only under the order of business "Motions and Resolutions."

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee or division (other than a bill in the Committee on Ways and Means, the Committee on Taxes, a finance committee, or a finance division of a standing committee) no report has been made upon it by the committee or division, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee or division shall have ten calendar days thereafter in which to vote upon the bill requested. If the committee or division fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written demand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the end of General Orders.

Such bill is subject to re-reference by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

In regular session in 1993 after Friday, May 7, and in 1994 after, the House shall not act on bills other than those recommended by conference committee reports, the Committee on Rules and Legislative Administration, or the Committee on Ways and Means, and those bills contained in messages from the Senate or from the Governor.

1.17 DISPOSITION OF SENATE BILLS. Any Senate File received by the House, accompanied by a message announcing its passage by the Senate, shall be referred to the appropriate standing committee in accordance with Rule 5.05. However, if a Senate File is received which is stated by a member to be identical to a House File already reported by a standing committee of the House and placed on General Orders, Calendar, Consent Calendar, or Special Orders, the Senate File shall be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical with the House File, the Senate File may by majority vote be substituted for the House File and take its place. The fact that the bills are identical shall be entered in the Journal and the House File is then considered withdrawn.

Any Senate File which has been amended on the floor of the House, except at time of final passage, and any Senate File which has been reported to the House with amendments by a House standing committee, shall be unofficially engrossed and reprinted by the Chief Clerk. Amendments to unofficial engrossments of a Senate File may be offered.

1.18 RECORDED FLOOR PROCEEDINGS. All proceedings on the floor of the House shall be recorded on magnetic tape or similar recording device under the direction of the Chief Clerk. All taped proceedings of the House floor sessions shall be delivered to the Director of the Legislative Reference Library and there maintained on file for use by any member of the public in accordance with the rules of the Legislative Reference Library. Tapes delivered to the Legislative Reference Library shall be kept by the library for eight years after which they shall be delivered to the Director of the Minnesota Historical Society.

Any person may obtain a copy of any such tape during the biennium in which it is recorded upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

ARTICLE II - VOTING

2.01 AUTHORIZING ELECTRIC VOTING SYSTEM. Except for a vote upon elections, any vote may be taken by means of the electric voting system which shall be under the control of the Speaker of the House. No member may vote on a question except at the member's own seat in the chamber.

2.02 CALL OF THE HOUSE. Ten members may demand a call of the House at any time except after voting has commenced. When such call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave until the roll call is suspended or completed. During the roll call, no motion shall be in order except a motion pertaining to matters incidental to the call. Proceedings under the roll call may be suspended by a majority vote of the whole House. After the roll call is suspended or completed the Sergeant at Arms shall not permit any member to leave the Chamber unless excused by the Speaker. A call of the House may be lifted by a majority vote of the whole House.

2.03 DEMANDING YEAS AND NAYS. Yeas and nays shall be ordered without demand upon final passage of bills and upon adoption of resolutions or motions directing the payment of money. In all other cases the yeas and nays shall be ordered only upon demand of 15 members.

2.04 EXPLAINING OR CHANGING VOTE. No member shall be allowed to explain a vote or discuss the question while the yeas and nays are being taken, nor be allowed to change a vote after the yeas and nays have been announced from the chair by the Speaker.

2.05 EVERY UNEXCUSED MEMBER TO VOTE. Any member who is immediately interested in the question being voted on shall not vote.

Every other member present before a vote is declared from the chair shall vote for or against the matter before the House, unless the House excuses the member from voting. However, no member is required to vote on any matter concerning a resolution except for a resolution relating to the internal business of the House or the Legislature.

A member who declines to vote on a call of the member's name shall be required to state reasons for so declining. After the vote has been taken but before the chair has announced the vote, the chair shall submit to the House the question, "Shall the member, for the reasons stated, be excused from voting?" which shall be decided without debate. Any other proceedings in reference thereto shall take place after announcement of the vote.

ARTICLE III - MOTIONS AND AMENDMENTS

3.01 AMENDMENTS AND OTHER MOTIONS. No amendment or other motion shall be debated until after it is stated by the Speaker.

After an amendment or other motion has been stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before amendment or decision. Unless a motion, resolution or amendment is withdrawn on the day it is made, it shall be entered in the Journal, together with the name of the member offering it.

The Speaker may require any amendment or other motion be typewritten and that five copies be given to the Chief Clerk.

3.02 PRECEDENCE OF MOTIONS. When a question is under consideration, no motion shall be received except the following, the first four of which shall be decided without debate:

- (1) To fix the time of adjournment.
- (2) To adjourn.
- (3) To lay on the table.
- (4) For the previous question.
- (5) To refer.
- (6) To postpone to a day certain.

- (7) To amend.
- (8) To postpone indefinitely.
- (9) To pass.

The motions shall have precedence in the order listed. However, if the motion for the previous question has been seconded and the main question ordered, the motion to lay on the table shall not be in order.

3.03 MOTION TO ADJOURN. A motion to adjourn shall always be in order except during roll call.

When a motion to adjourn is made it shall be in order for the Speaker, before putting the question, to permit any member to state reasons which would seem to render adjournment improper at that time. Such a statement shall not be debatable and shall be limited to not over two minutes.

3.04 MOTION FOR RECONSIDERATION. When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days of actual session of the House. A motion for reconsideration can be made at any time in the Order of Business and shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

In regular session in 1993, notice of intention to move reconsideration shall not be in order after Monday, April 19.

In regular session in 1994, notice of intention to move reconsideration shall not be in order after

3.05 ORDER OF PUTTING QUESTION. Except in the case of privileged questions, all questions, whether in committee or in the House, shall be put in the order in which they are moved. When filling blanks, a motion for the largest sum or the longest time shall be put first.

3.06 DIVISION OF A QUESTION. Any member may request the division of a question which contains several separate and distinct points. A motion to strike out and insert shall not be divisible. If a motion to strike out is lost it shall not preclude another motion to amend or to strike out and insert.

3.07 THE PREVIOUS QUESTION. The motion calling for the previous question must be seconded by 15 members. If the motion for the previous question is ordered by a majority of members present, it shall have the effect of cutting off all debate and bringing the House to direct vote upon the question or questions.

The previous question may be moved and ordered upon a single motion, a series of motions allowable under the Rules, or an amendment or amendments; or it may include all authorized motions or amendments, including a vote on final passage of a bill.

On a motion for the previous question, but prior to its being ordered, a call of the House shall be in order. After a majority has ordered the previous question, no call shall be in order prior to the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until disposed of by taking a vote either on the question or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and prior to the vote on the main question shall be decided without debate.

3.08 AMENDMENTS TO AMENDMENTS. An amendment may be amended, but an amendment to an amendment may not be amended.

3.09 MOTIONS AND PROPOSITIONS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under guise of its being an amendment.

3.10 AMENDMENT NOT TO ANNEX ANOTHER BILL. Except in a standing committee no bill or resolution shall at any time be amended by annexing or incorporating any other bill or resolution.

3.11 RESOLUTIONS AND MOTIONS INVOLVING EXPENDITURE OF MONEY. Any resolution or motion involving the expenditure of money out of the legislative expense fund shall be referred to the Committee on Rules and Legislative Administration before being acted upon by the House. A majority vote of the whole House, determined by a roll call, is required to pass any such resolution or motion.

3.12 AMENDMENTS TO APPROPRIATION AND TAX BILLS. No amendment increasing an appropriation and no amendment increasing a tax shall be declared passed until voted for by a majority of the whole House determined by a roll call vote.

3.13 MOTION TO LAY ON THE TABLE. A motion to lay on the table shall not be in order on a motion to amend, except that a motion to amend the Rules may be tabled.

3.14 MOTION TO RESCIND. The motion to rescind shall not be in order at any time in any proceeding in the House or in any committee of the House.

3.15 SUSPENSION OR AMENDMENT OF THE RULES. The concurrence of two-thirds of the whole House is required to suspend, alter, or amend any Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 1.12, a motion to suspend, alter, or amend any Rule of the House must be made under the order of business "Motions and Resolutions." If the motion is made at any other time, unanimous consent is required before the Speaker can entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion.

ARTICLE IV - DEBATE AND DECORUM

4.01 ABSENCE OF MEMBERS AND OFFICERS. Unless illness or other sufficient cause prevents attendance, no member or officer of the House shall be absent from any session of the House without first having obtained from the Speaker permission to be absent.

4.02 DUTIES OF MEMBERS. Members shall keep their seats until the Speaker announces adjournment.

Every member, before speaking, shall rise and respectfully address the Speaker and shall not speak further until recognized by the Speaker. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

4.03 QUESTIONS OF ORDER. If any member of the House transgresses the Rules, either in speaking or in any other way, the Speaker shall, or any member may, call the member to order. A member so called to order shall immediately sit down unless another member moves to permit the member who was called to order to explain. In either case, the House, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall that member be at liberty to proceed. A member called to order shall be liable to censure or such other punishment as the House may deem proper.

4.04 ORDER IN DEBATE. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every other member wishing to speak on the pending question has had an opportunity to do so.

4.05 NOTICE OF INTENTION TO DEBATE A RESOLUTION. Any member may give notice of intention to debate a resolution. Such notice may be given at any time before the vote is taken on the resolution. If such notice is given, the resolution shall be laid over one day without debate or any other action.

4.06 OFFENSIVE WORDS IN DEBATE. If any member is called to order for offensive words in debate, the member calling for order shall report the words to which exception is taken and the Clerk shall record them. No member shall be held to answer or be subject to censure of the House for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place.

4.07 ORDER DURING SESSION. No member shall walk out of or across the Chamber when the Speaker is putting the question. No member shall engage in private conversation while another member is speaking or pass between the speaking member and the Chair.

4.08 NO ONE TO REMAIN BY THE CHIEF CLERK'S DESK. No member or other person shall remain by the Chief Clerk's desk while the yeas and nays are being called.

4.09 WHO MAY BE ADMITTED TO THE FLOOR. No person shall be admitted within the House Chamber, except members themselves, properly authorized employees, the Chief Executive and ex-governors of the State of Minnesota, members of the Senate, heads of departments of the state government, judges of the Supreme Court, Court of Appeals, and District Courts, members of Congress, properly accredited representatives of radio and television stations, newspapers and press associations, as herein provided for, and none other. When a former member of Congress or the Minnesota Legislature or any other person is issued a permit by the Speaker good for the day, that person shall be provided with a seat near the Speaker's rostrum, and at no time shall a conversation be carried on so as to disturb the business of the House. Before issuing the permit, the Speaker shall make certain that the person does not seek the floor of the House for the purpose of influencing decisions of the House.

The alcoves shall be kept for the use of members only, and the Sergeant at Arms shall keep them cleared.

It shall not be in order for the Speaker to entertain a request for the suspension of this Rule, or to present from the Chair the request of any member for unanimous consent unless an extraordinary condition exists, in which event the Speaker may consent to entertain a motion for its suspension.

During the period extending from one hour prior to the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room shall be reserved for the exclusive use of the members and employees of the House. No committee meetings shall be held therein except for emergency meetings authorized by the Speaker of the House. The Sergeant at Arms is charged with the duty of strict enforcement of this provision.

4.10 PRESENTATION OF PETITIONS. Any petition, memorial or other paper presented to the House shall include the name of the member introducing it and a brief description of its contents and shall be presented by the Speaker, who shall state briefly its contents.

4.11 NO SMOKING IN HOUSE CAPITOL AREA. Smoking is prohibited in areas of the Capitol and State Office Building under the jurisdiction of the House of Representatives, including the House Chamber and Retiring Room and galleries, hearing rooms, minor corridors and offices, except private offices and a designated lounge. After May 31, 1993, smoking is prohibited in private offices and the designated lounge.

ARTICLE V - BILLS

5.01 BILL AND RESOLUTION FORM. No bill or resolution shall be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with the Joint Rules of the House and Senate and the Rules of the House. Approval as to form shall be endorsed on the bill or resolution by the Revisor of Statutes. A bill that is divided into articles may include or be accompanied by a table of contents.

5.02 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill, advisory bill or resolution offered for introduction shall be placed in the hands of the Speaker at least 24 hours prior to the convening of the daily session. Every bill, advisory bill and resolution shall be introduced in quadruplicate and each copy shall contain the signature of the member or name of the committee introducing it. No bill, advisory bill, memorial or resolution shall have more than five authors. A statement of facts being forwarded for action to a governmental official, agency, or body or other similar proposal is a memorial and shall be introduced in the same form as a bill and take the same course as a bill. No resolution shall authorize the expenditure of monies from any source other than the legislative expense fund.

5.03 TIME LIMIT FOR INTRODUCTION OF BILLS. In regular session in 1994, a bill, advisory bill, or resolution shall not be offered for introduction after This rule does not apply to committee bills or to resolutions offered by the Committee on Rules and Legislative Administration.

In 1993, a bill prepared by a department or agency of state government shall be introduced and given its first reading before March 15. In 1994, a bill prepared by a department or agency of state government shall be introduced and given its first reading before

5.04 ADVISORY BILLS. An advisory bill may be introduced by any member in the same manner as a bill except that the requirements of Rule 5.01 shall not apply.

Each advisory bill shall be typewritten on a form provided by the Chief Clerk. It shall have a title not exceeding 12 words in length and shall contain a specific proposal for the initiation, termination or alteration of a law or program of the state or any of its subdivisions. It need not be drafted in a form appropriate for enactment into law.

An advisory bill may be considered only in committee and shall not be given a second reading or be otherwise considered by the House, except that the committee may report its recommendation for re-referral to another committee.

5.05 FIRST READING AND REFERENCE OF BILLS. Each bill, advisory bill and resolution shall be reported and given its first reading upon its introduction. No bill, advisory bill or resolution shall be objected to upon its introduction.

Except as provided in Rule 1.17 and Rule 5.06 each bill, advisory bill or resolution shall, after first reading, be referred by the Speaker to the appropriate standing committee or division thereof.

Congratulatory resolutions are exempt from this rule and may be adopted by the Committee on Rules and Legislative Administration without further consideration by the House.

Except as otherwise provided in these Rules, after a bill, advisory bill or resolution has been referred by the Speaker, a majority vote of the whole House shall be required for a re-referral of the bill, advisory bill or resolution by the House.

5.06 COMMITTEE BILLS. A committee bill shall be read for the first time and may be referred by the Speaker to any standing committee. If it is not so referred, it shall be laid over one day. It shall then be read for the second time and placed upon General Orders, or, if recommended by the Committee, upon the Consent Calendar.

5.07 PRINTING OF BILLS. Every bill shall be printed after it has been given its second reading. A bill may be printed at any other time a majority of the House so orders.

5.08 FINANCE AND REVENUE BILLS. Any bill, whether originating in the House or Senate which may involve any present or future financial obligation on the part of the State or which affects state revenues, after being reported to the House, shall be referred, or re-referred to the appropriate finance committee, standing committee with a finance division for consideration by the finance division, or the Committee on Taxes, for action. Once action has been taken by that committee, the bill shall be thereafter re-referred to the Committee on Ways and Means. A bill, other than a major revenue or finance bill referred to in Rule 5.12, which carries an appropriation shall include an appropriation section. This rule does not apply to a bill recommended for passage by the Committee on Capital Investment under Rule 5.09.

5.09 BILLS AFFECTING DEBT. The Committee on Capital Investment shall have jurisdiction over debt obligations issued by the State. A bill which authorizes the issuance of debt of the State shall be referred or re-referred to the Committee on Capital Investment.

The Chair of the Committee on Capital Investment shall assign to each finance committee or finance division of a standing committee the responsibility to develop a bill on state public debt within its jurisdiction. The bill shall be referred to the Committee on Capital Investment by Tuesday, April 6, 1993, for further disposition.

A bill recommended for passage by the Committee on Capital Investment shall be accompanied by a statement of its fiscal impact and shall be referred to the Committee on Ways and Means for review and action by that committee.

5.10 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE. Any bill, whether originating in the House or the Senate, which creates or reestablishes any new department, agency, commission, board, task force, advisory committee or council, or bureau, or any other such entity, or which substantially changes or alters the organization of or delegates emergency rulemaking authority to or exempts from rulemaking any department or agency thereof of state government, or substantially changes, alters, vests or divests official rights, powers, or duties of any official, department or agency of the state government or any institution under its control, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Governmental Operations and Gambling for action by that committee. Prior to the deadline set by Rule 9.03, any committee other than the Committee on Governmental Operations and Gambling to which such bill is referred shall, in its report, recommend re-referral to the Committee on Governmental Operations and Gambling. After the deadline set by Rule 9.03, a report shall recommend re-referral to the Committee on Rules and Legislative Administration.

This rule does not apply to the omnibus bill on taxation or the omnibus finance bills for: capital investment; state government; health and human services; K-12 education; higher education; economic development, infrastructure and regulation; judiciary; or environment and natural resources. But, if those bills contain provisions that would create, abolish, or reestablish a department, agency, commission, board, task force, advisory committee or council, or other such entity, then the chair of the Committee on Taxes or the chair of the appropriate finance committee or standing committee with a finance division, must communicate the inclusion of the provision to the chair of the Committee on Rules and Legislative Administration prior to consideration of the matter on the floor.

All other bills in finance committees or referred out of finance divisions of standing committees and bills in the Committee on Taxes are also exempt from this rule except for bills to create, abolish, or reestablish a department, agency, commission, board, task force, advisory committee or council, or other such entity. Prior to the deadline set by Rule 9.03, those bills shall be re-referred to the Committee on Governmental Operations and Gambling. After that deadline, the bills shall be re-referred to the Committee on Rules and Legislative Administration.

5.11 BILLS AFFECTING TAXES. Any bill whether originating in the House or Senate, which substantially affects state tax policy or the administration of state tax policy, after being reported to the House, shall be referred, or re-referred to the Committee on Taxes for action by that committee. Any standing committee other than the Committee on Taxes to which such a bill is referred shall, in its report, recommend re-referral to the Committee on Taxes.

5.12 WAYS AND MEANS COMMITTEE; RESOLUTION; EFFECT ON EXPENDITURES AND REVENUE BILLS. The Committee on Ways and Means shall hold hearings as necessary to determine state expenditures and revenues for the coming fiscal biennium. In regular session, not later than 15 days following the last available state general fund revenue and expenditure forecast for the coming fiscal biennium prepared during the session, the Committee on Ways and Means shall adopt a budget resolution. The budget resolution shall set the maximum limitation on expenditures and revenues for the coming fiscal biennium for the general fund and an amount to be set aside as a budget reserve. The limitation is effective, if adopted, unless the Committee on Ways and Means adopts a different limitation in a subsequent budget resolution that accounts for increases or decreases in general fund revenues and expenditures anticipated for the current fiscal biennium.

Upon adoption of the budget resolution, the Committee on Ways and Means shall reconcile finance and revenue bills and upon request shall certify to the House that such bills do not exceed the limitation specified in the budget resolution.

A bill described in Rule 5.08 other than a major revenue or finance bill shall not be given its second reading until each major finance and revenue bill has received its second reading. However, a bill other than a major finance or revenue bill may be given its second reading after the House has received from the Committee on Ways and Means a statement certifying that the fiscal impact of the bill is or will be reconciled and within the guidelines of the budget resolution. All statements and certifications required by this rule may be reported orally by the Chair of the Committee on Ways and Means or a designee of the Chair. Major finance and revenue bills are: the higher education finance bill; the K-12 education finance bill; the environment and natural resources finance bill; the health and human services finance bill; the state government finance bill; the economic development, infrastructure and regulation finance bill; the judiciary finance bill; the omnibus capital investment bill; and the omnibus tax bill.

Each finance committee, finance division of a standing committee, the Committee on Capital Investment, or the Committee on Taxes, upon recommending passage of any bill described in Rule 5.08, shall provide to the Committee on Ways and Means a fiscal statement on the bill.

5.13 **BILLS PROPOSING MEMORIALS.** Any bill or amendment that proposes to have a memorial erected in the Capitol area shall be referred to the Committee on Rules and Legislative Administration.

5.14 **RECESS BILL INTRODUCTIONS.** During the period between the last day of the session in 1993 and the first day of the session in 1994, any bill filed with the Speaker for introduction shall be given a file number and may be unofficially referred to an appropriate standing committee of the House of Representatives.

5.15 **BILLS PROPOSING CONSTITUTIONAL AMENDMENTS.** Any bill, whether originating in the House or Senate, which proposes a constitutional amendment, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Rules and Legislative Administration for action by that committee. Any committee, other than the Committee on Rules and Legislative Administration, to which such bill has been referred, shall, in its report, recommend re-referral to the Committee on Rules and Legislative Administration.

ARTICLE VI - COMMITTEES - POWERS AND DUTIES

6.01 **COMMITTEES.** Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Capital Investment

Commerce and Economic Development

Divisions: International Trade, Technology and Economic Development
Tourism and Small Business

Economic Development, Infrastructure and Regulation Finance

Education

Divisions: K-12 Education Finance
Higher Education Finance

Environment and Natural Resources

Environment and Natural Resources Finance

Ethics

Financial Institutions and Insurance

General Legislation, Veterans Affairs and Elections

Governmental Operations and Gambling

Division: State Government Finance

Health and Human Services

Divisions: Health and Housing Finance
Human Services Finance

Housing

Judiciary

Division: Judiciary Finance

Labor-Management Relations

Local Government and Metropolitan Affairs

Regulated Industries and Energy

Rules and Legislative Administration

Taxes

Transportation and Transit

Ways and Means

6.02 COMMITTEE MEMBERSHIP. No less than 30 days prior to the opening of a regular session of the Legislature, the Speaker-designate shall provide the minority group with a list of the standing committees proposed for the session. The Speaker-designate shall also designate the number of minority members to be appointed to each committee and may require general membership guidelines to be followed in the selection of committee members.

If the minority leader submits to the Speaker-designate, at least 15 days prior to the opening of the session, a list of proposed committee assignments for the minority group, which complies with the numbers and guidelines provided, the Speaker shall make such proposed assignments with the purpose of attaining proportionate representation on the committees for the minority group.

No committee of the House shall have exclusive membership from any one profession, occupation or vocation.

6.03 COMMITTEE MEETING SCHEDULE. The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chair of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chair of each committee, division, or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting.

6.04 COMMITTEE PROCEDURES. Meetings of all committees of the House shall be open to the public except for any executive sessions which the committee on ethics deems necessary.

A majority of members of any committee shall constitute a quorum.

The Rules of the House shall be observed in all committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution, report, motion or amendment before the committee. Only upon such demand being made shall the roll be called and the vote of each member on the bill, resolution, report, motion or amendment be recorded in the committee minutes, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

6.05 SUBCOMMITTEES. The chair of a committee shall appoint the chair and members of each subcommittee with the advice and consent of the Speaker. The chair or the committee may refer bills to subcommittee. Any subcommittee may make such investigation or exercise such authority as is delegated to it by the chair or the committee.

6.06 COMMITTEE RECORDS. The chair of a standing committee shall cause a record to be kept, in the form prescribed by the Committee on Rules and Legislative Administration, which shall include the record of each bill referred to the committee and the minutes of the committee. The minutes shall include:

- a. The time and place of each hearing or meeting of the committee;
- b. Committee members present;
- c. The name and address of each person appearing before the committee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;

d. The language of each motion, the name of the committee member making the motion, and the result of any vote taken upon the motion, including the yeas and nays whenever a roll call is demanded;

e. The date on which any subcommittee is created, the names of its members and the bills referred to it;

f. The record of each subcommittee meeting, including the time and place of the meeting; members present; the name of each person appearing before the subcommittee, together with the name of the person, association, firm or corporation in whose behalf the appearance is made; and the language of each motion, together with the name of the member making the motion, and the result of any vote taken upon the motion, including the yeas and nays whenever a roll call is demanded;

g. Other important matters related to the work of the committee.

The minutes shall be approved at the next regular meeting of the committee.

Copies of the minutes, after approval by the committee, shall be filed with the Chief Clerk and shall be open to public inspection in the Chief Clerk's office. At the end of the biennium they shall be delivered, together with the other committee records, to the Director of the Legislative Reference Library, where they shall remain open for public inspection during regular office hours. A copy of any page of any committee minutes may be obtained upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

The magnetic tape recording of any committee meetings shall be retained by the chair until the minutes of that meeting have been approved by the committee. The recording shall then be filed with the Director of the Legislative Reference Library. Tapes filed with the Legislative Reference Library shall be kept by the library for eight years after which they shall be delivered to the Director of the Minnesota Historical Society.

Any person may obtain a copy of such tape during the period in which it is maintained in the Legislative Reference Library upon payment of a fee determined by the Chief Clerk to be sufficient to cover the cost of the copy. Testimony and discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

6.07 COMMITTEE REPORTS. The chair of a standing committee reporting to the House the action taken by the committee upon any bill or resolution referred to it shall do so upon the form provided for such reports. Each bill or resolution shall be reported separately and the report shall be adopted or rejected without amendment.

The report shall contain the action taken by the committee and the date of such action and shall be authenticated by the signature of the chair.

Before a committee reports favorably upon a bill or resolution, the chair shall see that the form of the bill or resolution conforms to the Joint Rules of the House and Senate and these Rules.

Except during the last seven legislative days in any year, the committee report and any minority report shall be placed in the hands of the Chief Clerk at least four hours prior to the convening of the daily session.

The Committee on Rules and Legislative Administration may report at any time.

If a majority of the members of a standing committee finds a bill referred to the committee to be of a non-controversial nature, the report to the House may recommend that the bill be placed upon a separate calendar to be known as the Consent Calendar.

6.08 COMMITTEE BILLS. Any standing or special committee of the House may introduce a bill as a committee bill on any subject within its purview.

6.09 SUBSTITUTION OF BILLS. No standing or special committee nor any of its members shall report a substitute for any bill referred to the committee if the substitute relates to a different subject, is intended to accomplish a different purpose, or would require a title essentially different from that of the original bill. Whenever the House is advised that a substitute bill reported to the House is in violation of this rule, the report shall not be adopted.

6.10 COMMITTEE ON ETHICS. The Speaker shall appoint a Committee on Ethics. An equal number of members from the majority group and the minority group and one alternate from each group shall be appointed. The

committee shall adopt written procedures, which shall include due process requirements, for handling complaints and issuing guidelines.

Complaints regarding a member's conduct must be submitted in writing to the Speaker verified and signed by two or more members of the House and shall be referred to the committee within 15 days for processing by the committee according to its rules of procedure. Prior to referring the matter to the committee, the Speaker shall inform the member against whom a question of conduct has been raised of the complaint and the complainant's identity. The Speaker, the members making the complaint, the members of the Committee on Ethics, and employees of the House shall hold the complaint in confidence until the committee or the member subject of the complaint cause a public hearing to be scheduled. A complaint of a breach of the confidentiality requirement by a member or employee of the House shall be immediately referred by the Speaker to the Ethics Committee for disciplinary action. The committee shall act in an investigatory capacity and may make recommendations regarding questions of ethical conduct received prior to adjournment sine die.

Ethics committee recommendations for disciplinary action shall be referred to the Committee on Rules and Legislative Administration, which committee may adopt, amend, or reject the recommendations of the Ethics committee. Recommendations adopted by the Committee on Rules and Legislative Administration to expel, censure, or reprimand shall be reported to the House for final disposition.

6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

A conference committee report shall include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House or Senate. The member presenting the conference committee report to the House shall disclose all substantive changes from the House version of the bill.

In regular session in 1993 except after Monday, May 10, and in 1994 except after, a written copy of a report of a conference committee shall be placed on the desk of each member of the House 24 hours before action on the report by the House. If the report has been reprinted in the Journal of the House for a preceding day and is available to the members, the Journal copy shall serve as the written report.

6.12 COMMITTEE BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration shall establish a budget for each standing committee of the House for expenses incurred by the committee, its members, or its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker shall not be charged against the budget. No committee shall incur expenses in excess of its authorized budget.

Employees shall be reimbursed for actual expenses in the same manner as state employees.

During sessions, for travel away from the Capitol, members shall be reimbursed for actual expenses in the same manner as state employees in addition to per diem expense allowances.

All charges against the committee budget must be approved by the chair before payment is made.

6.13 PUBLIC TESTIMONY. Public testimony from proponents and opponents shall be allowed on every bill or resolution before either a standing committee, division or subcommittee of the House.

ARTICLE VII - OFFICERS OF THE HOUSE

7.01 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker shall preside over the House and shall have all the powers and be charged with all the duties of the presiding officer.

The Speaker shall preserve order and decorum. The Speaker or the chair of the Committee of the Whole may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as provided by rule or law, the Speaker shall have general control of the Chamber of the House and of the corridors, passages and rooms assigned to the use of the House.

The Speaker shall sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. The Speaker shall sign all abstracts for the payment of money out of the legislative expense fund of the House; but no money shall be paid out of said fund unless the abstract is also signed by the Chief Clerk of the House.

The Speaker shall appoint the Chief Sergeant at Arms or shall designate that officer from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

7.02 SPEAKER PRO TEMPORE. The Speaker shall appoint a member to preside, whenever the Speaker is absent, as Speaker pro tempore. In the absence of the Speaker and Speaker pro tempore, a member selected by the Speaker shall preside until the return of the Speaker or Speaker pro tempore.

7.03 DUTIES OF CHIEF CLERK. The Chief Clerk shall have general supervision of all clerical duties pertaining to the business of the House. The Chief Clerk shall perform under the direction of the Speaker all the duties pertaining to the office of Chief Clerk and shall keep records showing the status and progress of all bills, memorials and resolutions.

During a temporary absence of the Chief Clerk, the First Assistant Chief Clerk shall be delegated all the usual responsibilities of the Chief Clerk and is authorized to sign the daily journal, enrollments, abstracts and other legislative documents.

7.04 ENGROSSMENT AND ENROLLMENT. The Chief Clerk of the House shall have supervision over the engrossment and enrollment of bills. The Chief Clerk shall cause to be kept a record by file number of the bills introduced in the House which have passed both houses and been enrolled.

7.05 BUDGET AND PURCHASING. The Director of House administrative services shall prepare a biennial budget for the House which must be approved by the Committee on Rules and Legislative Administration before it is submitted to the Committee on Governmental Operations and Gambling for consideration by the State Government Finance Division.

The Director shall be the agent of the House of Representatives for the purchase of supplies. The Director shall seek the lowest possible prices and shall file timely reports of expenditures made with the Committee on Rules and Legislative Administration.

7.06 BULLETIN BOARD. The Chief Clerk shall prepare a bulletin board upon which shall be posted a list of committee and subcommittee meetings and any other announcements or notices the House may require.

7.07 INDEX. The Index Clerk, under the supervision of the Chief Clerk, shall prepare an index in which bills may be indexed by topic, number, author, subject, section of the code amended, committees, and any other subject that will make it a complete and comprehensive index. The index shall be open for public inspection at all times during the session and shall be printed in the permanent Journal of the House.

7.08 DUTIES OF THE SERGEANT AT ARMS. It shall be the duty of the Sergeant at Arms to carry out all orders of the House or the Speaker and to perform all other services pertaining to the office of Sergeant at Arms, including maintaining order in the Chamber and supervising entering and exiting from the Chamber and the prompt delivery of messages.

ARTICLE VIII - EMPLOYEES OF THE HOUSE

8.01 APPOINTMENT OF EMPLOYEES. The Committee on Rules and Legislative Administration shall designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of all such appointments, including positions and compensation, shall be kept in the office of the Chief Clerk and shall be open for inspection by the public.

The Committee on Rules and Legislative Administration, by resolution, shall establish the procedure for filling vacancies when the Legislature is not in session.

Any employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

ARTICLE IX - GENERAL PROVISIONS

9.01 RULE AS TO CONSTRUCTION. As used in these Rules the terms "majority vote" and "vote of the House" shall mean a majority of members present at the particular time. The term "vote of the whole House" shall mean a majority vote of all the members elected to the House for that particular session of the Legislature.

Singular words used in these Rules shall include the plural, unless the context indicates a contrary intention.

9.02 MEDIA NEWS REPORTERS. Accredited representatives of the press, press associations, and radio and television stations shall be accorded equal press privileges by the House. Any person wishing to report proceedings of the House may apply to the Committee on Rules and Legislative Administration for a press pass and assignment to suitable available space.

Television stations shall be permitted to televise sessions of the House.

9.03 DEADLINES. In regular session in 1993, committee reports on bills favorably acted upon by a committee in the house of origin after Friday, April 2, and committee reports on bills originating in the other house favorably acted upon by a committee after Friday, April 16, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. In 1994, committee reports on bills favorably acted upon by a committee of the house of origin after, and committee reports on bills originating in the other house favorably acted upon by a committee after, shall be referred in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. However, referral is not required after the first deadline when, by the second deadline, a committee acts on a bill that is a companion to a bill that has then been acted upon by the first deadline in the Senate. A finance or revenue bill referred to in Rule 5.08 is exempt from the first and second deadlines.

A finance bill other than a major finance or revenue bill referred to in Rule 5.12 in finance committees and standing committees with finance divisions and the Committee on Taxes, that includes provisions that create or reestablish a commission, board, task force, advisory committee or council, or other entity, shall be re-referred to the Committee on Rules and Legislative Administration if it remains in committee after the deadlines set by this rule.

Committee reports on finance bills that are favorably acted upon by a committee after Friday, April 23, 1993, shall be referred to the Committee on Rules and Legislative Administration for disposition. This deadline does not apply to the House Committees on Taxes and Ways and Means.

9.04 DISPOSITION OF BILLS. Adjournment of the regular session in 1993 to a day certain in 1994 shall be equivalent to daily adjournment except that any bill on the Consent Calendar, Calendar, Special Orders or General Orders shall be returned to the standing committee last acting on the bill.

9.05 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE. The rules of parliamentary procedure contained in "Mason's Manual of Legislative Procedure" shall govern the House in all applicable cases in which they are not inconsistent with these Rules, the Joint Rules of the Senate and House of Representatives, or established custom and usage.

ARTICLE X - ETHICS

10.01 SOLICITATIONS DURING LEGISLATIVE SESSION. No member of the House, nor the member's principal campaign committee, nor any other political committee with the member's name or title, nor any committee authorized by the member which would benefit the member, shall solicit or accept a contribution on behalf of the member's principal campaign committee, any other political committee with the member's name or title, or any political committee authorized by the member which would benefit the member, from a registered lobbyist, political committee, or political fund during the regular session of the House.

No member may accept compensation for lobbying.

10.02 ACCEPTANCE OF AN HONORARIUM BY A MEMBER. No member may accept an honorarium for any service performed for an individual or organization which has a direct interest in the business of the House, including, but not limited to, registered lobbyists or any organizations they represent. The term "honorarium" does not include reimbursement for expenses incurred and actually paid by a member in performing any service.

Alleged violations of this rule shall be referred to the Committee on Ethics under Rule 6.10. Upon finding that an honorarium was accepted in violation of this rule, the Committee on Ethics shall direct the return of the funds. If the funds are not returned, the committee may recommend disciplinary action under Rule 6.10.

10.03 ACCEPTANCE OF TRAVEL AND LODGING BY A MEMBER OR EMPLOYEE. A member or employee of the House shall not accept travel and lodging from any foreign government, private for-profit business, labor union, registered lobbyist, or any association thereof, except for expenses that relate to the member's or employee's participation as a legislator or legislative employee in a meeting or conference. This rule does not apply to travel and lodging provided to a member in the regular course of the member's employment or business.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Sparby moved that the name of Peterson be added as an author on H. F. No. 214. The motion prevailed.

Weaver moved that the name of Carruthers be stricken and the name of Dawkins be added as an author on H. F. No. 222. The motion prevailed.

Pugh moved that the name of Sekhon be added as an author on H. F. No. 262. The motion prevailed.

Onnen moved that the name of Haukoos be added as an author on H. F. No. 274. The motion prevailed.

Onnen moved that the name of Lasley be added as an author on H. F. No. 291. The motion prevailed.

Delmont moved that the name of Rukavina be stricken and the name of Milbert be added as second author on H. F. No. 300. The motion prevailed.

Lasley moved that the name of Rest be added as an author on H. F. No. 303. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, February 18, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, February 18, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

FIFTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 18, 1993

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

Prayer was offered by the Reverend Nancy L. H. Brown, Associate Pastor, St. Olaf College, Northfield, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Greiling, Jaros and Rice were excused.

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

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

February 17, 1993

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

Dear Speaker Long:

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

H. F. No. 35, relating to education; authorizing a qualifying school district to recertify a levy; providing for school board elections in the St. Louis county, Babbitt, Tower-Soudan district consolidation.

Warmest regards,

ARNE H. CARLSON
Governor

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

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1993</i>	<i>Date Filed 1993</i>
	35	3	3:25 p.m. February 17	February 17

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 97, A bill for an act relating to labor relations; regulating public employment labor relations; modifying the definition of a confidential employee; amending Minnesota Statutes 1992, section 179A.03, subdivision 4.

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

The report was adopted.

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

H. F. No. 139, A bill for an act relating to the town of Santiago; authorizing the establishment of a detached banking facility.

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

The report was adopted.

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

H. F. No. 146, A bill for an act relating to financial institutions; state banks; regulating the acquisition of a bank or savings association for operation as a detached facility; amending Minnesota Statutes 1992, section 49.34, subdivision 2.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 139 and 146 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Dauner, Nelson, Jefferson, Reding and Tunheim introduced:

H. F. No. 393, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Cooper introduced:

H. F. No. 394, A bill for an act relating to taxation; sales and use tax; exempting purchases made by nonprofit groups for the purpose of maintaining a church cemetery; amending Minnesota Statutes 1992, section 297A.25, subdivision 16.

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

Johnson, R.; Reding; Greiling; Gruenes and Cooper introduced:

H. F. No. 395, A bill for an act relating to retirement; extending coverage of the correctional employees retirement plan to certain teachers employed by the departments of corrections and human services; amending Minnesota Statutes 1992, section 352.91, by adding a subdivision.

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

Stanius, Swenson, Krinkie and Holsten introduced:

H. F. No. 396, A bill for an act relating to crime; creating the crimes of stalking and aggravated stalking; authorizing warrantless arrests of alleged stalkers; requiring arrest and detention of alleged stalkers in lieu of release on citation; providing for conditions of pretrial release; providing penalties; amending Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 629.34, subdivision 1; and 629.72; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Cooper, Mosel, Stanius, Asch and Gruenes introduced:

H. F. No. 397, A bill for an act relating to insurance; the comprehensive health association; changing the determination of premium rates; clarifying the authority of the commissioner of commerce; changing the composition of the association's board; amending Minnesota Statutes 1992, sections 62E.08; 62E.09; 62E.10, subdivision 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 62E.

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

Delmont, Krinkie, Evans, Mosel and Mariani introduced:

H. F. No. 398, A bill for an act relating to lawful gambling; modifying the definition of lawful purpose to include certain expenditures for persons over age 54; amending Minnesota Statutes 1992, section 349.12, subdivision 25.

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

Opatz, Asch, Perlt, Evans and Olson, M., introduced:

H. F. No. 399, A bill for an act relating to commerce; unclaimed property; regulating certain notices; amending Minnesota Statutes 1992, section 345.42, subdivisions 2 and 3.

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

Farrell, Milbert, Kinkel, Knickerbocker and Lourey introduced:

H. F. No. 400, A bill for an act relating to commerce; granting motor fuel retailers the option to purchase from wholesalers other than the refiner; proposing coding for new law in Minnesota Statutes, chapter 80C.

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

Greenfield, Simoneau and Trimble introduced:

H. F. No. 401, A bill for an act relating to human services; establishing a property-related rate for a nursing facility relocated from a separate nursing home to a building formerly used as a hospital; appropriating money; amending Minnesota Statutes 1992, section 256B.431, subdivision 13.

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

Jefferson, Garcia, Simoneau and Greenfield introduced:

H. F. No. 402, A bill for an act relating to human services; determining the number of eligible children to be served in child care fund programs in the 1994-1995 biennium and the 1996-1997 biennium; appropriating money; amending Minnesota Statutes 1992, section 256H.03, by adding a subdivision.

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

Simoneau, Ozment and Swenson introduced:

H. F. No. 403, A bill for an act relating to transportation; providing procedures for design, approval, and construction of light rail transit; establishing corridor management committee; providing for resolution of disputes; changing membership and responsibilities of the light rail transit joint powers board; amending Minnesota Statutes 1992, sections 174.32, subdivision 2; 473.167, subdivision 1; 473.373, subdivision 4a; 473.399, subdivision 1; 473.3993; 473.3994, subdivisions 2, 3, 4, 5, 7, and by adding subdivisions; 473.3996; 473.3997; 473.3998; 473.4051; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 1992, sections 473.399, subdivisions 2 and 3; 473.3991; 473.3994, subdivision 6; Laws 1991, chapter 291, article 4, section 20.

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

Brown, C.; Pelowski; Limmer; Bettermann and Carlson introduced:

H. F. No. 404, A bill for an act relating to education; changing the structure of the higher education merger by removing the technical colleges from the merger; amending Minnesota Statutes 1992, sections 136E.03; 136E.04, subdivisions 1 and 4; and 179A.10, subdivision 2; Laws 1991, chapter 356, article 9, sections 8, subdivisions 1 and 4; 9; and 14; repealing Minnesota Statutes 1992, section 136E.04, subdivision 4; and Laws 1991, chapter 356, article 9, sections 8, subdivision 6; and 11.

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

Macklin, Worke, Haukoos, Swenson and Koppendrayner introduced:

H. F. No. 405, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Vellenga, Skoglund, Dorn, Weaver and Reding introduced:

H. F. No. 406, A bill for an act relating to crime; prohibiting storing a firearm so that a child may gain access; requiring firearms dealers to post certain notices; proposing coding for new law in Minnesota Statutes, chapters 609 and 624.

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

Brown, K.; Rodosovich and Greenfield introduced:

H. F. No. 407, A bill for an act relating to human services; providing an exception to the moratorium on the development of group residential housing beds; amending Minnesota Statutes 1992, section 2561.04, subdivision 3.

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

Van Dellen, Wejcman, Simoneau, Skoglund and Smith introduced:

H. F. No. 408, A bill for an act relating to human services; requiring parent's social security numbers on birth certificates; modifying various child support provisions; amending Minnesota Statutes 1992, sections 144.215, by adding a subdivision; 518.551, subdivision 5; 518.611, subdivisions 1, 2, 6, and by adding a subdivision; and 518.613, subdivisions 2, 3, and 4.

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

Greenfield introduced:

H. F. No. 409, A bill for an act relating to health; modifying definitions related to residential care homes; amending Minnesota Statutes 1992, section 144B.01, subdivisions 2, 5, and by adding a subdivision.

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

Milbert, Smith, Vellenga, Pugh and Wejcman introduced:

H. F. No. 410, A bill for an act relating to civil actions; adopting the discovery rule for medical malpractice statutes of limitation; amending Minnesota Statutes 1992, section 541.07.

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

Kelley, Kelso, Ozment, Neary and Kahn introduced:

H. F. No. 411, A bill for an act relating to telecommunications; setting goals for implementing advanced telecommunications technology and services; requiring implementation of the goals; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Rest; Jacobs; Olson, E.; Wagenius and Winter introduced:

H. F. No. 412, A bill for an act relating to taxation; real property; providing additional information with the proposed notices; amending Minnesota Statutes 1992, section 275.065, subdivision 3.

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

Onnen, Greenfield, Simoneau, Koppendrayer and Seagren introduced:

H. F. No. 413, A bill for an act relating to human services; defining MSA equivalent rate and medical assistance room and board rate; determining an individual eligible for group residential housing payment; establishing guidelines for county approval of group residential housing payment for an individual; changing the date of eligibility for a group residential housing payment; providing for licensure of group residential housing; defining agreements between county agencies and providers of group residential housing; eliminating battered women's shelters as group residential housing; creating service payments to group residences; creating exceptions to rates negotiated for group residential housing; amending Minnesota Statutes 1992, sections 256I.01; 256I.02; 256I.03, subdivisions 2 and 3, and by adding subdivisions; 256I.04, subdivisions 1, 2, and 3, and by adding subdivisions; 256I.05, subdivisions 1, 1a, 4, and 8, and by adding a subdivision; and 256I.06.

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

Simoneau and Johnson, R., introduced:

H. F. No. 414, A bill for an act relating to public administration; providing that attorney general opinions given to public pension fund attorneys are decisive; amending Minnesota Statutes 1992, section 8.07.

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

Kelso, Hausman, Lasley, Ness and Waltman introduced:

H. F. No. 415, A bill for an act relating to education; authorizing certain lower grades and certain programs to be located on any level of a school building if the building contains certain protections; amending Minnesota Statutes 1992, section 123.36, by adding a subdivision.

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

Pugh, McGuire and Macklin introduced:

H. F. No. 416, A bill for an act relating to government data practices; providing for the issuance of commissioner's opinions under the data practices act; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Jaros, Perlt and Osthoff introduced:

H. F. No. 417, A bill for an act relating to liquor; penalties for importation of excess quantities; amending Minnesota Statutes 1992, section 297C.09.

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

Sparby; Lieders; Olson, E., and Tunheim introduced:

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

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

Dawkins and Tomassoni introduced:

H. F. No. 419, A bill for an act relating to housing; providing for the financing of blighted residential property acquisition and rehabilitation, rental assistance, youth training and education on housing projects, the home ownership assistance program, and the housing trust fund; appropriating money.

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

Dawkins, Bergson, Simoneau, Sviggum and Kahn introduced:

H. F. No. 420, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 6, allowing eligible voters 18 years old to hold elective office in a political subdivision.

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

Wenzel and Dehler introduced:

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

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

Sviggum introduced:

H. F. No. 422, A bill for an act relating to the legislature; redefining "legislative day" as any calendar day except a Saturday, Sunday, or holiday; amending Minnesota Statutes 1992, sections 3.011 and 3.012.

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

Huntley, Garcia, Neary, Koppendrayner and Pauly introduced:

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.

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

McGuire, Neary, Carlson, Kahn and Koppendrayner introduced:

H. F. No. 424, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

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

Ness, Wolf, Rhodes, Limmer and Dempsey introduced:

H. F. No. 425, A bill for an act relating to elections; campaign finance; prohibiting certain caucus fundraisers during legislative sessions; prohibiting the formation of more than one campaign committee by a candidate; prohibiting certain contributions by political funds; requiring reports of contributions and expenditures; requiring that recipients of public subsidies agree to raise at least one-half of private contributions from individual constituents; amending Minnesota Statutes 1992, sections 10A.065, subdivisions 1 and 5; 10A.13; 10A.14, subdivision 2; 10A.15, subdivisions 1 and 2; 10A.17, subdivision 2; 10A.19, subdivision 1; 10A.20, subdivisions 3, 5, and 6; 10A.322, by adding a

subdivision; and 10A.323; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, section 10A.17, subdivision 3.

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

Simoneau, Vickerman, Cooper, Lourey and Nelson introduced:

H. F. No. 426, A bill for an act relating to human services; providing a salary increase for development achievement center employees; amending Minnesota Statutes 1992, section 252.24, subdivision 5.

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

Winter; Rest; Wagenius; Olson, E., and Abrams introduced:

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

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

Gruenes, Opatz, Bauerly, Bertram and Dehler introduced:

H. F. No. 428, A bill for an act relating to capital improvements; authorizing bonds and appropriating money to acquire land adjacent to St. Cloud State University campus.

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

Gruenes, Opatz, Bauerly, Bertram and Dehler introduced:

H. F. No. 429, A bill for an act relating to capital improvements; authorizing bonds and appropriating money to complete certain capital planning at St. Cloud State University.

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

Kinkel; Anderson, R.; Stanius; Greenfield and Cooper introduced:

H. F. No. 430, A bill for an act relating to human services; requiring the department of health and human services to develop plans to reduce duplication and paperwork in reviews conducted.

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

Garcia, Mahon, Blatz and Anderson, I., introduced:

H. F. No. 431, A bill for an act relating to metropolitan airports commission; providing for additional commissioners; amending Minnesota Statutes 1992, section 473.604, subdivision 1.

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

Bishop, Solberg, Long, Stanius and Kahn introduced:

H. F. No. 432, A bill for an act relating to the legislature; establishing a legislative budget office; appropriating money; amending Minnesota Statutes 1992, section 3.98, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Tompkins, Seagren, Dehler and Krinkie introduced:

H. F. No. 433, A bill for an act relating to the environment; exempting newer motor vehicles from annual air pollution emissions inspections; amending Minnesota Statutes 1992, section 116.61, subdivision 2.

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

Ness, Molnau, Dehler, Bauerly and Cooper introduced:

H. F. No. 434, A bill for an act relating to agriculture; extending the farmer-lender mediation program; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

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

Ness, Molnau, Dempsey, Seagren and Bertram introduced:

H. F. No. 435, A bill for an act relating to crime; authorizing school officials to use reasonable force to prevent the official, a student, or other school officials from suffering substantial or great bodily harm or death; providing criminal and civil immunity for the use of such reasonable force; providing felony penalties for unlawfully possessing a firearm or dangerous weapon on school property or in certain school buses; amending Minnesota Statutes 1992, sections 609.06; 609.066, subdivision 3; and 609.66, by adding a subdivision.

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

Greenfield introduced:

H. F. No. 436, A bill for an act relating to medical assistance; modifying hospital reimbursement rates; amending Minnesota Statutes 1992, section 256.969, subdivisions 9, 20, and by adding subdivisions.

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

Skoglund, Greenfield and Wagenius introduced:

H. F. No. 437, A bill for an act relating to chemical abuse; transferring responsibility for creation of a chemical health index model from the department of public safety to the department of human services; appropriating money for research concerning chemical abuse and for its treatment; proposing coding for new law in Minnesota Statutes, chapter 254A; repealing Minnesota Statutes 1992, section 299A.325.

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

Farrell, Ozment, Rukavina, Sekhon and Jaros introduced:

H. F. No. 438, A bill for an act relating to education; making educational policies negotiable terms and conditions of employment for professional employees; amending Minnesota Statutes 1992, sections 179A.03, subdivision 19; and 179A.07, subdivision 1.

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

Farrell, Trimble, McCollum and Osthoff introduced:

H. F. No. 439, A bill for an act relating to the city of Saint Paul; authorizing the city by ordinance to prepare, adopt, and amend design districts and design framework, to establish a design advisory committee, and to establish design review procedures to preserve and enhance the city's appearance and environmental quality.

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

Kahn, Hausman, Asch and Limmer introduced:

H. F. No. 440, A bill for an act relating to finance; repealing authorization for the commissioner of finance to issue obligations to finance construction of aircraft maintenance and repair facilities; repealing Minnesota Statutes 1992, sections 116R.01; 116R.02; 116R.03; 116R.04; 116R.05; 116R.06; 116R.07; 116R.08; 116R.09; 116R.10; 116R.11; 116R.12; 116R.13; 116R.14; 116R.15; and 116R.16.

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

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

H. F. No. 441, A bill for an act relating to retirement; Minneapolis employees retirement fund; amending Minnesota Statutes 1992, sections 422A.05, subdivisions 1 and 2a; 422A.08, subdivision 5; and 422A.101, subdivision 1.

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

Rodosovich, Morrison, Dorn, Orenstein and Bettermann introduced:

H. F. No. 442, A bill for an act relating to education; appropriating money for a deficiency in HECB appropriations.

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

Olson, E.; Rest; Winter; Wagenius and Goodno introduced:

H. F. No. 443, A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103G.625, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 373.40, subdivision 6; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.218; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 449.09; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivisions 6 and 7; 469.107, subdivision 1; 469.188; 471.191, subdivision 2; 471.1921; 471.24; 471.57, subdivision 1; 471.571, subdivision 2; 471.61, subdivisions 1 and 2a; 473.711, subdivision 2; 641.23; and Laws 1915, chapter 316, section 1, as amended; Laws 1933, chapter 423, section 2; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1943, chapter 196, section 6, as amended; chapter 367, section 1, as amended; chapter 510, section 1; Laws 1947, chapter 224, section 1; chapter 340, section 4; Laws 1949, chapter 215, section 2; chapter 252, section 1; chapter 668, section 1; Laws 1953, chapter 154, section 3; chapter 545, section 2; Laws 1957, chapter 213, section 1; chapter 629, section 1; Laws 1959, chapter 298, section 2; chapter 520, section 1; chapter 556, section 1, as amended; Laws 1961, chapter 30, section 1; chapter 80, section 1; chapter 81, section 1; chapter 82, section 1; chapter 119, section 1; chapter 151, section 1; chapter 209, section

4; chapter 276, section 1; chapter 317, section 1; chapter 352, section 1, as amended; chapter 439, section 1; chapter 616, section 1, subdivision 1; chapter 643, section 1; Laws 1961, Extra Session chapter 33, section 3; Laws 1963, chapter 29, section 1; chapter 56, section 1; chapter 103, section 1; chapter 228, section 1; chapter 603, section 1; Laws 1965, chapter 6, section 2, as amended; chapter 442, section 1; chapter 451, section 2; chapter 512, section 1, subdivision 1; chapter 527, section 1; chapter 617, section 1; Laws 1967, chapter 501, section 1; chapter 526, section 1, subdivision 3; chapter 542, section 1, subdivision 3; chapter 611, section 1; chapter 660, section 2, subdivision 2; chapter 758, section 1; Laws 1967, extra session chapter 47, sections 1, as amended, and 3, as amended; Laws 1969, chapter 192, section 1, as amended; chapter 534, section 2; chapter 538, section 6, as amended; chapter 602, section 1, subdivision 2; chapter 652, section 1; chapter 659, section 3; chapter 730, section 1; Laws 1971, chapter 168, section 1; chapter 326, section 17, subdivisions 1 and 2; chapter 356, section 2; chapter 404, section 1; chapter 424, section 1; chapter 443, section 4; chapter 515, section 1; chapter 573, sections 1, and 2, as amended; chapter 876, section 3; Laws 1973, chapter 81, section 1; chapter 445, section 1; Laws 1977, chapter 61, section 8; chapter 246, section 1, subdivision 1; Laws 1979, chapter 1, section 3; chapter 253, section 3; chapter 303, article 10, section 15, subdivision 2, as amended; Laws 1981, chapter 281, section 1; Laws 1984, chapter 380, section 1; chapter 502, article 13, section 8; Laws 1985, chapter 181, section 1; chapter 289, sections 1; 3; 5, subdivision 1; and 6; Laws 1986, chapter 392, section 1; chapter 399, article 1, section 1, as amended; Laws 1988, chapter 517, section 1; chapter 640, section 3; Laws 1989, chapter 245, section 1, as amended; Laws 1990, chapter 604, article 3, sections 59, subdivision 1; and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 4; 469.053, subdivision 4; 471.63, subdivision 2; and Laws 1971, chapter 168, section 2; and chapter 770; Laws 1974, chapter 209; Laws 1977, chapter 246, section 1, subdivision 2; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990, chapter 604, article 3, sections 50 and 55; Laws 1991, chapter 3, section 2, subdivision 3; chapter 291, article 4, section 21.

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

Huntley, Jaros, Rukavina, Munger and Murphy introduced:

H. F. No. 444, A bill for an act relating to local government; authorizing a local unit of government which self-insures health benefits for employees to enroll employees of the exclusive representative of its employees in those plans; amending Minnesota Statutes 1992, section 471.617, by adding a subdivision.

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

Dawkins and Jefferson introduced:

H. F. No. 445, A resolution memorializing Congress to grant statehood to the District of Columbia.

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

Orenstein, Carlson, Morrison and Rodosovich introduced:

H. F. No. 446, A bill for an act relating to education; adding conditions for institutional eligibility for child care grants; appropriating money; amending Minnesota Statutes 1992, section 136A.125, subdivision 3; repealing Laws 1991, chapter 356, article 8, section 23.

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

Kinkel and Johnson, R., introduced:

H. F. No. 447, A bill for an act relating to education; extending the time for the Cass Lake school district to enter into construction contracts.

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

Van Dellen, Commers and Workman introduced:

H. F. No. 448, A bill for an act relating to elections; campaign finance; prohibiting certain caucus fund raisers during legislative sessions; prohibiting the transfer of funds from one candidate's principal campaign committee to another candidate's principal campaign committee; prohibiting the formation of more than one campaign committee by a candidate; prohibiting certain contributions by political funds; requiring reports of contributions and expenditures; requiring that recipients of public subsidies agree to raise at least one-half of private contributions from individual constituents; eliminating the political contribution income tax refund; amending Minnesota Statutes 1992, sections 10A.065, subdivisions 1 and 5; 10A.14, subdivision 2; 10A.19, subdivision 1; 10A.20, subdivisions 5 and 6; 10A.27, subdivision 9; 10A.322, by adding a subdivision; 10A.323; and 10A.324, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, sections 10A.322, subdivision 4; 10A.43, subdivision 5; and 290.06, subdivision 23.

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

Bettermann, Krueger and Carlson introduced:

H. F. No. 449, A bill for an act relating to education; independent school district No. 206, Alexandria; providing for the beginning of board terms.

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

Farrell, Hausman, Trimble, Asch and Osthoff introduced:

H. F. No. 450, A bill for an act relating to the metropolitan sports facilities commission; clarifying the authority of the commission over certain facilities; amending Minnesota Statutes 1992, section 473.556, subdivision 5.

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

Mahon, Skoglund, Hausman, Pugh and Weaver introduced:

H. F. No. 451, A bill for an act relating to the metropolitan transit commission; authorizing the commission to appoint peace officers and establish a law enforcement agency; amending Minnesota Statutes 1992, sections 473.405, by adding subdivisions; and 626.84, subdivision 1; repealing Minnesota Statutes 1992, section 629.40, subdivision 5.

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

Clark, Welle, Kahn, Lourey and Stanius introduced:

H. F. No. 452, A bill for an act relating to insurance; mandating coverage for osteoporosis bone mass measurement testing; 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.

Bauerly, Kelso, Vellenga, Welle and Weaver introduced:

H. F. No. 453, A bill for an act relating to education; appropriating money to the department of trade and economic development for a youth entrepreneurship education program.

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

Clark, Krueger, Sarna, Knickerbocker and Delmont introduced:

H. F. No. 454, A bill for an act relating to economic development; requiring a report from the department of trade and economic development; amending Minnesota Statutes 1992, section 116J.58, subdivision 1.

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

Clark; Johnson, R.; Kelso; Vellenga and Weaver introduced:

H. F. No. 455, A bill for an act relating to housing; modifying the youth employment and housing for the homeless program; expanding eligible projects; appropriating money; amending Minnesota Statutes 1992, sections 268.361, subdivisions 6 and 7; 268.362; 268.363; 268.364, subdivisions 1, 3, and by adding a subdivision; and 268.365, subdivision 2; repealing Minnesota Statutes 1992, section 268.365, subdivision 1.

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

Bauerly, Lasley, Wenzel, Koppendrayner and Sekhon introduced:

H. F. No. 456, A bill for an act relating to education; increasing the general education formula allowance; increasing training and experience revenue; lowering the referendum allowance limit; creating a discretionary aid and levy program; limiting total general education revenue; repealing supplemental revenue; amending Minnesota Statutes 1992, sections 124A.03, subdivisions 1c and 1g; 124A.22, subdivisions 1, 2, and 4; and 124A.24; proposing coding for new law in Minnesota Statutes, chapter 124A; repealing Minnesota Statutes 1992, sections 122.531, subdivision 5a; and 124A.22, subdivisions 8, 8a, 8b, and 9.

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

Gruenes, Bauerly, Gutknecht, Dorn and Osthoff introduced:

H. F. No. 457, A bill for an act relating to education; extending shared time aid to cover pupils enrolling at eligible institutions under the post-secondary enrollment options act; amending Minnesota Statutes 1992, section 124A.034, subdivisions 1 and 2.

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

Farrell, Trimble, McGuire, Vellenga and Osthoff introduced:

H. F. No. 458, A bill for an act relating to prosecution of crime; consolidating the criminal divisions of the offices of municipal attorneys in Ramsey county with the criminal division of the office of Ramsey county attorney; authorizing the Ramsey county attorney to prosecute all criminal actions; proposing coding for new law in Minnesota Statutes, chapter 388.

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

Greenfield, Neary, Vellenga and Gruenes introduced:

H. F. No. 459, A bill for an act relating to human services; providing for a community-based mental health system for children and adults.

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

Frerichs; Olson, E.; Davids and Sviggum introduced:

H. F. No. 460, A bill for an act relating to taxation; property; modifying the method of determining certain adjusted net tax capacity; modifying the method of determining agricultural market value for property tax purposes; amending Minnesota Statutes 1992, sections 124.2131, subdivision 1; and 273.11, subdivision 10.

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

Jefferson introduced:

H. F. No. 461, A bill for an act relating to local government; authorizing cities to offer rewards for information leading to the apprehension, arrest, or conviction of alleged felons; 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.

Orfield, Munger, Pawlenty and Battaglia introduced:

H. F. No. 462, A bill for an act relating to the environment; authorizing the awarding of reasonable attorney fees and costs to prevailing parties in actions under the Minnesota environmental rights act; proposing coding for new law in Minnesota Statutes, chapter 116B.

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

Perlt, Bergson, Osthoff, Pugh and Rhodes introduced:

H. F. No. 463, A bill for an act relating to alcoholic beverages; legalizing the possession, consumption, sale, and furnishing of alcoholic beverages in limousines and chartered buses; imposing restrictions and liability; amending Minnesota Statutes 1992, sections 169.122, by adding a subdivision; and 340A.801, subdivision 1; 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.

Anderson, I., introduced:

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

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

Delmont; Johnson, R.; Orfield; Rhodes and Perlt introduced:

H. F. No. 465, A bill for an act proposing an amendment to the Minnesota Constitution; article XI, section 5; providing for bonuses to veterans serving during the period of the Persian Gulf conflict.

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

Rest introduced:

H. F. No. 466, A bill for an act relating to occupations and professions; changing education requirements for certification and licensure as a certified public accountant; authorizing rulemaking; amending Minnesota Statutes 1992, sections 326.19; and 326.20, by adding a subdivision.

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

Simoneau introduced:

H. F. No. 467, A bill for an act relating to local government; establishing a county option for sales of tax-forfeited lands; requiring reimbursement to county for administrative expenses of special assessments; modifying date for submission of rental statements by housing and redevelopment authority; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; 429.061, by adding a subdivision; and 469.040, subdivision 3.

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

Clark, Greenfield, Wejcman and Anderson, R., introduced:

H. F. No. 468, A bill for an act relating to aid to families with dependent children; requiring the commissioner of human services to seek a federal waiver to provide housing assistance to eligible families; 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.

Gruenes; Bauerly; Johnson, V.; Kalis and Osthoff introduced:

H. F. No. 469, A bill for an act relating to drivers' licenses; providing that physical requirements to obtain school bus endorsement for driver's license are satisfied by possession of medical examiner's certificate required for commercial vehicle drivers; amending Minnesota Statutes 1992, section 171.321, subdivision 2.

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

Gruenes introduced:

H. F. No. 470, A bill for an act relating to lawful gambling; bingo; providing an exception to licensing and regulation for certain organizations; amending Minnesota Statutes 1992, section 349.166, subdivision 1.

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

Neary, Wagenius, Huntley, Lourey and Greenfield introduced:

H. F. No. 471, A bill for an act relating to human services; aid to families with dependent children; medical assistance; excluding child support payments from countable income; amending Minnesota Statutes 1992, sections 256.74, subdivision 1; and 256B.056, subdivision 1a.

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

Krueger, Hugoson, Bertram and Wenzel introduced:

H. F. No. 472, A bill for an act relating to game and fish; authorizing free deer permits for certain landowners or tenants; amending Minnesota Statutes 1992, section 97A.441, by adding a subdivision.

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

Weaver, Leppik and Bettermann introduced:

H. F. No. 473, A bill for an act relating to education; establishing the department of children and education services; giving it responsibilities; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 119A; repealing Minnesota Statutes 1992, sections 121.02; 121.03; 121.04; 121.05; 121.06; 121.11; 121.14; 121.16; 124.62; 136A.01; 136A.02, subdivisions 1, 3, 5, and 5a; 136A.03; and 256H.195.

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

Kelso, Kinkel, Hasskamp, Wenzel and Lourey introduced:

H. F. No. 474, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Welle moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

During the recess the members of the House honored Gloria Segal, former House member from District 44B.

RECONVENED

The House reconvened and was called to order by the Speaker.

Dawkins was excused at 3:50 p.m.

GENERAL ORDERS

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

REPORT OF THE COMMITTEE OF THE WHOLE

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

H. F. Nos. 20 and 125 were recommended to pass.

H. F. No. 6 was recommended for progress.

H. F. No. 51, the first engrossment, which it recommended to pass with the following amendment offered by Evans:

Page 9, after line 7, insert:

"Sec. 21. [EFFECTIVE DATE.]

This act is effective 30 days after final enactment."

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

OTHER ACTIONS IN COMMITTEE OF THE WHOLE

Molnau, Ness, Bettermann, Koppendrayner, Girard and Dehler offered an amendment to H. F. No. 20, the first engrossment.

POINT OF ORDER

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

Sviggum offered an amendment to H. F. No. 20, the first engrossment.

POINT OF ORDER

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

MOTIONS AND RESOLUTIONS

Skoglund moved that the name of Peterson be added as an author on H. F. No. 9. The motion prevailed.

Orenstein moved that the name of Dawkins be added as an author on H. F. No. 143. The motion prevailed.

Krueger moved that the name of Girard be added as an author on H. F. No. 168. The motion prevailed.

Clark moved that the name of Pawlenty be added as an author on H. F. No. 183. The motion prevailed.

Greenfield moved that the name of Ness be added as an author on H. F. No. 240. The motion prevailed.

Greenfield moved that the name of Ness be added as an author on H. F. No. 242. The motion prevailed.

Brown, K., moved that the names of Ness and Ozment be added as authors on H. F. No. 246. The motion prevailed.

Smith moved that the name of Ness be added as an author on H. F. No. 279. The motion prevailed.

Tompkins moved that the name of Dempsey be added as an author on H. F. No. 306. The motion prevailed.

Sviggum moved that his name be stricken and the name of Frerichs be added as chief author on H. F. No. 328. The motion prevailed.

Johnson, A., moved that the name of Lasley be added as an author on H. F. No. 344. The motion prevailed.

Luther moved that the name of Bertram be added as an author on H. F. No. 345. The motion prevailed.

Krueger moved that the name of Bertram be added as an author on H. F. No. 347. The motion prevailed.

Krueger moved that the name of Wenzel be added as an author on H. F. No. 348. The motion prevailed.

Erhardt moved that the name of Limmer be added as an author on H. F. No. 353. The motion prevailed.

Wagenius moved that the name of Pugh be added as an author on H. F. No. 369. The motion prevailed.

Sparby moved that the names of Wenzel and Osthoff be added as authors on H. F. No. 374. The motion prevailed.

Bauerly moved that the name of Wenzel be added as an author on H. F. No. 379. The motion prevailed.

Johnson, R., moved that the name of Simoneau be added as an author on H. F. No. 392. The motion prevailed.

Pursuant to House Rule 1.15, Kahn moved that H. F. No. 97 be recalled from the Committee on Governmental Operations and Gambling, be given its second reading and be advanced to General Orders. The motion prevailed.

SECOND READING OF HOUSE BILLS

H. F. No. 97 was read for the second time.

MOTIONS AND RESOLUTIONS, Continued

Long, Munger, Kahn, Pauly and Anderson, R., introduced:

House Resolution No. 3, A house resolution honoring the accomplishments and public service career of Robert G. Dunn.

SUSPENSION OF RULES

Anderson, R., moved that the rules be so far suspended that House Resolution No. 3 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 3

A house resolution honoring the accomplishments and public service career of Robert G. Dunn.

Whereas, Robert G. (Bob) Dunn has an almost 30-year distinguished record of public service for the state; and

Whereas, Bob Dunn honorably served his country during World War II and the Korean War in two separate terms with the United States Marine Corps; and

Whereas, Bob Dunn was an effective and respected member of both the House of Representatives and the state Senate for 16 years; and

Whereas, Bob Dunn championed many pieces of innovative legislation, especially in the environmental arena, in authoring the environmental policy act, the waste management act, water resources law, and the original snowmobile legislation; and

Whereas, Bob Dunn served as the first chair of the Waste Management Board, serves as the present chair of the Environmental Quality Board, and has served on many other state commissions and committees; and

Whereas, Bob Dunn has served faithfully and loyally three different Governors representing both political parties; and

Whereas, Bob Dunn is widely known for his wisdom, his judgment, his common sense, his integrity, his statesmanship, and his dedication to making Minnesota a better place for present and future generations; *Now, Therefore,*

Be It Resolved by the House of Representatives of the State of Minnesota that it honors Bob Dunn for his outstanding years of public service, and that this resolution be read tonight at a dinner held for Mr. Dunn.

Be It Further Resolved that the House of Representatives wishes Bob Dunn continued years of state public service on behalf of all Minnesotans.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Speaker, and transmit it to Robert G. Dunn.

Anderson, R., moved that House Resolution No. 3 be now adopted. The motion prevailed and House Resolution No. 3 was adopted.

Simoneau moved that H. F. No. 356 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Jacobs moved that H. F. No. 411 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.

PROTEST AND DISSENT

In light of the deliberate abuse of power by the leadership of the majority caucus in abridging the rights of the minority by eliminating the requirement that a budget resolution be brought before the entire House of Representatives for consideration, we, the undersigned members of the Minnesota House of Representatives, have an obligation to the people of Minnesota and to the spirit of fair and representative democracy to register our protest of this action and to express herewith, pursuant to Article IV, Section 11, of the Minnesota Constitution, our dissent.

As a result of changes to the Permanent Rules of the House, the budget resolution is now to be adopted by the Ways and Means Committee, instead of the full House of Representatives. Consequently, only 27, instead of 134, members of the House will have the opportunity to consider, debate, and cast a vote on the spending priorities which will bind our activities throughout the session.

Each of us was elected to serve the people of Minnesota and one of the most important tasks is the prudent appropriation of public dollars. Eliminating the consideration of the budget resolution by the full membership of the House severely limits our right to set forth the spending priorities of the Minnesotans we represent.

The amendment to House Rule 5.12 is an unfortunate step toward consolidation of power and serves to unfairly limit the role of the full House in setting spending priorities.

We are disappointed by the actions of the DFL leadership in this matter and we are confident that the people of Minnesota will not long tolerate this arrogant abuse of power.

Signed: February 18, 1993

Steve Sviggum	Jerry Knickerbocker	Gary Worke	Tom Workman
Gil Gutknecht	Arlon W. Lindner	LeRoy Koppendrayner	David B. Gruenes
Gene Hugoson	Ken Wolf	Eileen Tompkins	Philip Krinkie
Teresa Lynch	Bill Macklin	Steve Smith	Sid Pauly
Steve Dehler	Kevin Goodno	Greg Davids	Warren Limmer
Ron Abrams	Jim Girard	Tim Pawlenty	Charlie Weaver
Tim Commers	Tony Onnen	Dennis Ozment	Carol Molnau
Bob Waltman	Jim Rhodes	Jerry Dempsey	Kathleen Blatz
Ron Erhardt	H. Todd Van Dellen	Peggy Leppik	Dave Bishop
Don Frerichs	Alice Seagren	Bob Ness	Loren Jennings
Mark Holsten	Barb Vickerman	Bob Haukoos	
Doug Swenson	Connie Morrison	Brad Stanius	
Hilda Bettermann	Mark Olson	Virgil Johnson	

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 22, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 22, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

SIXTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 22, 1993

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

Prayer was offered by the Reverend Harvey Pedersen, Battle Lake Lutheran Parish, Battle Lake, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

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

A quorum was present.

Bishop; Olson, E., and Rice were excused.

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

REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 79, A bill for an act relating to courts; grandparent visitation; clarifying that visitation may be sought after completion of proceedings for dissolution, custody, legal separation, annulment, or parentage; amending Minnesota Statutes 1992, sections 257.022, subdivision 2; and 518.175, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 13, strike "subsequent to" and insert "after"

Page 2, line 2, delete "subsequent to" and insert "after"

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. 358, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 3.9741; 10A.01, subdivision 18; 10A.49, subdivisions 2 and 3; 11A.23, subdivision 1; 13.32, subdivisions 3 and 5; 13.791; 13.99, subdivision 82; 16B.06, subdivision 2a; 18C.551, subdivision 3; 43A.317, subdivision 9; 60A.74, subdivision 6; 62A.44, subdivision 2; 62J.21; 65B.09, subdivision 1; 79.251, subdivision 6; 79A.01, subdivision 1; 80C.18, subdivision 1; 80E.09, subdivision 2; 86B.321, subdivision 1; 103G.293; 116R.01, subdivision 6; 120.064, subdivision 6; 123.39, subdivision 8d; 144.878, subdivision 2; 148B.06, subdivision 2; 148C.11, subdivision 4; 168.187, subdivision 26; 169.797, subdivision 1; 240.011; 245A.18; 256B.0644; 256B.19, subdivision 1a; 268.071, subdivision 3; 289A.20, subdivision 4; 290.9201, subdivision 7; 290A.03, subdivision 13; 325E.0681, subdivision 9; 326.43; 349.151, subdivision 2; 349.19, subdivision 6; 349.31, subdivision 1; 352.03, subdivision 16; 352C.021, subdivision 6; 357.11; 471.617, subdivision 1; 473.516, subdivision 1; 473.704, subdivision 17; 473.811, subdivisions 6, 7, 8, and 9; 475.66, subdivision 3; 477A.13; 480.15, subdivision 9; 480.059, subdivision 7; 525.9221; 551.04, subdivision 14; 600.02; 609.3471; 626.556, subdivision 10; and 626.861, subdivision 3; repealing Minnesota Statutes 1992, sections 61A.011, subdivision 8; 240.01, subdivision 14; 240.011, subdivision 1; 334.011, subdivision 4; and 480.0591, subdivision 3.

Reported the same back with the following amendments:

Page 32, after line 17, insert:

"Sec. 52. [REPEALER.]

Laws 1991, chapter 254, article 3, section 21, is repealed."

Page 6, after line 24, the memorandum of explanation (93-0141MEM), insert:

"Sec. 52. Explanation. Section 41A.09, subdivision 3, relating to payments to producers of ethanol, was amended by Laws 1991, chapter 254, article 3, section 21, and by Laws 1991, chapter 302, section 1. The chapter 302 amendment, which is later in date of final enactment, was carried as text, and the chapter 254 amendment was carried as a note. Laws 1992, chapter 513, article 2, section 18, amended section 41A.09, subdivision 3, adopting the chapter 302 amendment by implication. The proposed repeal resolves a conflict and allows removal of a note from Minnesota Statutes."

Amend the title as follows:

Page 1, line 34, before the period insert "; Laws 1991, chapter 254, article 3, section 21"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 79 and 358 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Carruthers, Pauly, Orfield and Lourey introduced:

H. F. No. 475; A bill for an act relating to taxation; increasing certain tax rates for support of nonprofit arts organizations; providing for distribution of tax proceeds; amending Minnesota Statutes 1992, sections 129D.01; 297A.02, by adding subdivisions; 297A.44, subdivision 1; 349A.10, subdivision 5; and Laws 1986, chapter 396, section 5; proposing coding for new law in Minnesota Statutes, chapter 129D.

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

Carruthers introduced:

H. F. No. 476, A bill for an act relating to taxation; property; expanding the definition of relative for purpose of homestead classification; amending Minnesota Statutes 1992, section 273.124, subdivision 1.

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

Carlson; Skoglund; Pauly; Johnson, A., and Osthoff introduced:

H. F. No. 477, A bill for an act relating to traffic regulations; increasing the fine for child passenger restraint system violations; amending Minnesota Statutes 1992, section 169.685, subdivision 5.

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

Stanis, Wolf, Smith and McCollum introduced:

H. F. No. 478, A bill for an act relating to state government; reducing the size of the legislature; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

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

Morrison, Ozment, Tompkins, Pugh and Osthoff introduced:

H. F. No. 479, A bill for an act relating to metropolitan government; repealing the authority for dual track airport development planning; repealing Minnesota Statutes 1992, sections 473.155, subdivisions 3 and 4; 473.616; 473.618; and 473.619.

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

Swenson, Vellenga, Gutknecht, Haukoos and Wagenius introduced:

H. F. No. 480, A bill for an act relating to the state lottery; reducing the maximum percentage of gross revenues which may be expended for advertising; amending Minnesota Statutes 1992, section 349A.10, subdivision 3.

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

Rest, Luther, Weaver, Carruthers and Carlson introduced:

H. F. No. 481, A bill for an act relating to housing; establishing a human services enterprise zone demonstration project; appropriating money.

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

Swenson, Vellenga, Rest, Gutknecht and Haukoos introduced:

H. F. No. 482, A bill for an act relating to the state lottery; regulating advertising; amending Minnesota Statutes 1992, section 349A.09, subdivision 2.

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

Greenfield and Clark introduced:

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

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

Greenfield, Gruenes, Cooper, Lourey and Leppik introduced:

H. F. No. 484, A bill for an act relating to health care; modifying and making corrections to the health right act; amending Minnesota Statutes 1992, sections 43A.317, subdivisions 2, 7, and 10; 62A.011, subdivision 3; 62A.021, subdivision 1; 62A.65, subdivision 5; 62J.04, subdivisions 2, 3, 4, 5, 6, and 7; 62J.09, subdivisions 1, 2, and 6; 62J.15, subdivision 2; 62J.17, subdivisions 2, 4, 5, and 6; 62J.19; 62J.23; 62J.29, subdivisions 1 and 4; 62J.30, subdivisions 4, 7, 8, and 10; 62J.31, subdivisions 2 and 3; 62J.32, subdivisions 1 and 4; 62J.34, subdivisions 2 and 3; 62L.02, subdivisions 8, 11, 15, and 16, and by adding a subdivision; 62L.03, subdivisions 2 and 5; 62L.05, subdivisions 1, 4, and 10; 62L.09, subdivision 2; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.17, subdivisions 1 and 4; 62L.19; 62L.20, subdivisions 1 and 2; 144.147, subdivision 4; 144.1481, subdivision 1; 256.045, subdivision 10; 256.9353, subdivisions 2, 6, and by adding a subdivision; 256.9354; 256.9355, subdivision 3; 256.9356, subdivision 2; 256.9357; 256B.0644; Laws 1992, chapter 549, articles 1, section 15; 2, sections 24 and 25; 3, section 24; and 4, section 18; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1992, sections 62J.05, subdivision 5; 62J.09, subdivisions 3 and 8; and 62J.21.

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

Goodno, Simoneau, Dauner, Jennings and Van Dellen introduced:

H. F. No. 485, A bill for an act relating to human services; changing persons ineligible for general assistance medical care and work readiness and general assistance benefits; defining nonimmigrant; expanding conditions for work registration and work readiness requirements; requiring counties to operate a work experience component for recipients required to participate in work readiness employment and training services; amending Minnesota Statutes

1992, sections 256D.03, subdivision 3; 256D.05, by adding a subdivision; 256D.051, subdivisions 1, 1a, 2, 6, and by adding a subdivision; 256D.091, subdivision 3; repealing Minnesota Statutes 1992, section 256D.113.

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

Bauerly, Kelso, Kalis, Lasley and Vellenga introduced:

H. F. No. 486, A bill for an act relating to education; approving a maximum effort school loan program capital loan; authorizing state bonds; appropriating money.

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

Opatz; Wenzel; Dauner; Brown, K., and Seagren introduced:

H. F. No. 487, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

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

Lourey, Sparby, Neary, Vellenga and McGuire introduced:

H. F. No. 488, A bill for an act relating to taxation; increasing the rate of the earned income credit; amending Minnesota Statutes 1992, section 290.0671, subdivision 1.

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

Lourey, Greenfield, Dawkins, Orenstein and Blatz introduced:

H. F. No. 489, A bill for an act relating to occupations and professions; boards of social work and marriage and family therapy; clarifying data classifications and providing certain immunities for supervisors and persons reporting violations; changing board membership; adding certain licensing requirements to the board of social work; amending Minnesota Statutes 1992, sections 13.99, subdivision 49; 148B.04, by adding subdivisions; 148B.08, subdivision 1, and by adding a subdivision; 148B.18, subdivisions 8 and 10; 148B.19, subdivisions 1 and 2; 148B.21, subdivisions 3, 4, 5, 6, and by adding a subdivision; 148B.26, subdivision 1; 148B.27, by adding a subdivision; and 148B.28, subdivision 2.

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

Johnson, R.; Reding; Knickerbocker; Opatz and Brown, K., introduced:

H. F. No. 490, A bill for an act relating to retirement; removing the requirement for periodic review of the rule of 90; repealing Minnesota Statutes 1992, section 356.85.

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

Bertram introduced:

H. F. No. 491, A bill for an act relating to family services; requiring adoption agencies to place the child in foster care for the ten working days when a birth parent's consent to the adoption can be withdrawn; requiring the birth parent to pay for costs of foster care if consent is withdrawn, and adoptive parent to pay if the adoption is successful; amending Minnesota Statutes 1992, section 259.24, subdivision 6a.

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

Bertram and Krueger introduced:

H. F. No. 492, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

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

Kalis, Worke and Wenzel introduced:

H. F. No. 493, A bill for an act relating to agriculture; appropriating funds for the operation of FarmAmerica.

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

Kelso; Workman; Johnson, A., and Jefferson introduced:

H. F. No. 494, A bill for an act relating to human services; prohibiting restrictions on the right to provide licensed day care; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

Kelso, Workman, Munger and Battaglia introduced:

H. F. No. 495, A bill for an act relating to mosquito abatement; requiring the commissioner of agriculture to adopt rules to provide potentially affected persons notice of spraying; amending Minnesota Statutes 1992, sections 18.091; 18.121, subdivision 1; 473.704, subdivision 17.

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

Tomassoni; Anderson, I.; Huntley and Murphy introduced:

H. F. No. 496, A bill for an act relating to counties; permitting counties to fund broadcast facilities; amending Minnesota Statutes 1992, section 375.164; repealing Minnesota Statutes 1992, section 383C.808.

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

Rukavina, Battaglia, Munger, Tomassoni and Huntley introduced:

H. F. No. 497, A bill for an act relating to the environment; solid waste management; extending the time for a proposed resource recovery facility to be established and operating; amending Minnesota Statutes 1992, section 115A.54, subdivision 2a.

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

Rukavina, Battaglia, Munger, Tomassoni and Murphy introduced:

H. F. No. 498, A bill for an act relating to St. Louis county; solid waste management; clarifying St. Louis county contracting authority to include management operations; modifying contracting procedure; amending Minnesota Statutes 1992, section 383C.807, subdivision 1.

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

Wejcman, Pugh, Solberg, Blatz and Greenfield introduced:

H. F. No. 499, A bill for an act relating to creditors remedies; regulating executions and garnishments; providing that executions and garnishments on child support judgments are effective until the judgments are satisfied; amending Minnesota Statutes 1992, sections 550.135, subdivision 10; 550.136, subdivisions 3, 4, and 5; 551.04, subdivisions 2 and 11; 551.06, subdivisions 3, 4, and 5; 571.72, subdivision 7; 571.73, subdivision 3; 571.922; and 571.923.

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

Wejcman; Pugh; Anderson, I.; Solberg and Blatz introduced:

H. F. No. 500, A bill for an act relating to marriage dissolution; requiring more information on the notice to a public authority; amending Minnesota Statutes 1992, section 518.551, subdivision 5.

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

Garcia, Pugh, Greenfield and Abrams introduced:

H. F. No. 501, A bill for an act relating to human services; requiring the commissioner of human services to investigate child maltreatment in publicly licensed day care facilities; amending Minnesota Statutes 1992, section 626.556, subdivision 10b.

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

Kelso, Bauerly, Vellenga, Tomassoni and Seagren introduced:

H. F. No. 502, A bill for an act relating to education; creating a coherent and efficient capital expenditure policy; encouraging integration and colocation of services; modifying the cooperative secondary facilities grant amount; encouraging establishment of jointly operated library services; authorizing a demonstration grant; authorizing bonds; appropriating money; amending Minnesota Statutes 1992, sections 124.243, subdivisions 1, 2, 2a, and 6; 124.37; 124.431, subdivisions 1 and 2; 124.494, subdivisions 1, 2, and by adding a subdivision; 124.95, subdivision 1; 134.31, subdivisions 1 and 2; and 134.32, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 124 and 124C.

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

Olson, K.; Brown, K.; Mosel and Brown, C., introduced:

H. F. No. 503, A bill for an act relating to education; appropriating money for the operating expense of the Minnesota education in agriculture leadership council.

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

Dawkins, Klinzing and Mariani introduced:

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

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

Krueger; Long; Welle; Olson, E., and Haukoos introduced:

H. F. No. 505, A bill for an act relating to taxation; property; removing the requirement to file a homestead application every four years; amending Minnesota Statutes 1992, section 273.124, subdivision 13.

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

Johnson, R.; Kahn; Opatz; Knickerbocker and Bergson introduced:

H. F. No. 506, A bill for an act relating to employee relations; permitting the commissioner of the department of employee relations to conduct experimental or research projects to improve human resource management practices; providing for the use of facsimile machines in certain circumstances; eliminating the career executive service; amending Minnesota Statutes 1992, sections 13.67; 43A.04, subdivision 9; 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.

Clark and Greenfield introduced:

H. F. No. 507, A bill for an act relating to patient rights; providing patients with the option to disclose their presence in a facility; amending Minnesota Statutes 1992, sections 144.651, subdivisions 21 and 26; and 253B.03, subdivisions 3 and 4.

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

Clark introduced:

H. F. No. 508, A bill for an act relating to taxation; property; expanding certain commercial/industrial confession of judgment eligibility; amending Minnesota Statutes 1992, section 279.37, subdivision 1a.

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

Delmont, Perlt, Lasley, Rhodes and Bergson introduced:

H. F. No. 509, A bill for an act relating to elections; changing registration, filing, boundary change, ballot preparation, canvassing, system testing, and notice requirements and procedures; changing certain duties of election officials; clarifying certain language; adding to reimbursable expenses; amending Minnesota Statutes 1992, sections 201.071, subdivision 1; 201.081; 201.11; 201.13, subdivision 2, and by adding a subdivision; 201.15; 204B.06, subdivisions 4 and 6; 204B.14, subdivision 4; 204B.16, by adding a subdivision; 204B.46; 204C.06, subdivision 1; 204C.31, subdivision 2; 204C.32; 204D.04, subdivision 2; 204D.11, subdivisions 2, 3, and 6; 204D.24, subdivision 2; 204D.27, subdivision 11; 206.83; 206.90, subdivision 6; 207A.02, subdivision 1; 207A.10, subdivision 2; 211B.11, subdivision 1; 211B.14; and 365.51, subdivision 2.

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

Bergson, Perlt, Asch, Delmont and McCollum introduced:

H. F. No. 510, A bill for an act relating to crime; imposing a felony penalty for recklessly discharging a firearm from a passenger vehicle; providing for forfeiture of vehicle used in drive-by shooting; amending Minnesota Statutes 1992, sections 609.531, subdivision 1; 609.5314, subdivision 1; and 609.66, by adding a subdivision.

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

Solberg, Sarna, Tunheim, Holsten and Macklin introduced:

H. F. No. 511, A bill for an act relating to housing and hotels; amending reasons for innkeeper ejection and refusal to admit persons; establishing parent or guardian responsibility for guests who are minors; establishing liability for damage to hotel or personal property or injury to persons; requiring notice; amending Minnesota Statutes 1992, sections 327.70, subdivision 3, and by adding a subdivision; and 327.73, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 327.

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

Ozment and Koppendrayner introduced:

H. F. No. 512, A bill for an act relating to local government; changing conditions permitting annexation by ordinance; amending Minnesota Statutes 1992, section 414.033, subdivision 2; repealing Minnesota Statutes 1992, section 414.033, subdivision 2a.

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

Kahn, Hausman, Munger, Rodosovich and Weaver introduced:

H. F. No. 513, A bill for an act relating to the environment; prohibiting state permits for expansion or enhancement of coal-fired steam heating facilities within a certain portion of the Mississippi river critical area; proposing coding for new law in Minnesota Statutes, chapter 116G.

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

Sparby, Dauner, Jennings, Cooper and Johnson, V., introduced:

H. F. No. 514, A bill for an act relating to the environment; modifying a person's duty to report releases of a petroleum product; establishing an accountability committee; modifying petroleum tank release cleanup fee; modifying reimbursements; modifying consultant and contractor registration requirements; amending Minnesota Statutes 1992, sections 115C.02, subdivisions 10, 14, and by adding a subdivision; 115C.06, subdivision 2; 115C.065; 115C.07, subdivisions 2, 3, and by adding subdivisions; 115C.08, subdivisions 1, 2, 3, and 4; 115C.09, subdivisions 2, 3, 3a, 3c, and 5; and 115C.11, subdivision 1; repealing Minnesota Statutes 1992, sections 115C.01 to 115C.11; and Minnesota Rules, part 2890.0065.

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

Wejzman, Simoneau, Kahn and Pauly introduced:

H. F. No. 515, A bill for an act relating to traffic regulations; requiring helmets to be worn by persons under 18 years of age when operating bicycle on a street or highway, bikeway, or sidewalk; amending Minnesota Statutes 1992, section 169.222, subdivision 4.

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

Opatz, Abrams, Hasskamp, Rhodes and Bergson introduced:

H. F. No. 516, A bill for an act relating to elections; changing certain margins requiring automatic recounts; amending Minnesota Statutes 1992, section 204C.35, subdivision 1.

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

Dawkins and Anderson, I., introduced:

H. F. No. 517, A bill for an act relating to the city of St. Paul; allowing the city to make special assessments against certain benefited property.

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

Leppik, Greenfield, Simoneau and Gruenes introduced:

H. F. No. 518, A bill for an act relating to human services; providing an exemption from medical assistance prior authorization requirements; establishing a disproportionate share payment for therapy services; amending Minnesota Statutes 1992, section 256B.0625, subdivision 25; and Laws 1992, chapter 513, article 7, section 131.

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

Dorn, Jennings, Weaver and Lasley introduced:

H. F. No. 519, A bill for an act relating to recreational vehicles; regulating registration and operation of off-highway motorcycles; setting fees and penalties; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1992, sections 84.91; 84.911; 85.018, subdivisions 2, 3, and 5; 171.03; and 466.03, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Dorn introduced:

H. F. No. 520, A bill for an act relating to retirement; authorizing a second chance Medicare coverage referendum for certain public pension plan members.

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

Farrell, Bishop, Evans, Sarna and Olson, M., introduced:

H. F. No. 521, A bill for an act relating to motor vehicles; requiring certifications of inspection and repair before vehicle sustaining damage exceeding \$2,000 may receive regular certificate of title; requiring disclosure of damage; prescribing standards for repair; amending Minnesota Statutes 1992, sections 168A.152; and 325F.6641.

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

Rukavina, Munger, Murphy and Huntley introduced:

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

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

Rodosovich; Long; Brown, K.; Sviggum and Murphy introduced:

H. F. No. 523, A bill for an act relating to corrections; prohibiting sale or marketing correctional facility products when competitive with local business products; proposing coding for new law in Minnesota Statutes, chapter 243.

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

Steensma; Olson, K., and Winter introduced:

H. F. No. 524, A bill for an act relating to traffic regulations; authorizing rural postal carriers to operate rural mail delivery vehicles equipped with tires having metal studs, with restrictions; requiring permit from commissioner of transportation; providing a penalty; amending Minnesota Statutes 1992, section 169.72, by adding a subdivision.

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

Jacobs, Sarna and Anderson, I., introduced:

H. F. No. 525, A bill for an act relating to cable communications; limiting cable service franchises to a maximum of seven years; establishing a cable communications task force; amending Minnesota Statutes 1992, section 238.084, subdivision 1.

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

Kelso, Perl, Seagren, Bertram and Bauerly introduced:

H. F. No. 526, A bill for an act relating to education; providing for a reimbursement of costs incurred by school districts to comply with required elementary preparation time rules; appropriating money.

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

Lieder introduced:

H. F. No. 527, A bill for an act relating to retirement; permitting benefit accrual after age 60 for certain members of the state patrol retirement plan.

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

Morrison, Osthoff, Lieder, Lasley and Rhodes introduced:

H. F. No. 528, A bill for an act relating to traffic regulations; making technical changes and clarifications; prohibiting buses from following too closely; providing exceptions to restrictions on installing television screens in motor vehicles; providing for auxiliary lights when headlights are obstructed by snowplow blade; requiring use of shoulder belt when motor vehicle is so equipped; providing exception for law enforcement vehicles to restriction on objects hanging between driver and windshield; abolishing authority for designating official stations for adjusting vehicle lights and brakes; amending Minnesota Statutes 1992, sections 169.14, subdivision 10; 169.18, subdivisions 5 and 8; 169.471, subdivision 1; 169.56, subdivisions 3, 4, and by adding a subdivision; 169.60; 169.686, subdivision 1; and 169.71, subdivision 1; repealing Minnesota Statutes 1992, section 169.77.

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

Lourey, Greenfield, Stanius, Luther and Clark introduced:

H. F. No. 529, 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.

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

Battaglia and Tomassoni introduced:

H. F. No. 530, A bill for an act relating to education; approving a maximum effort school loan program capital loan.

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

Dawkins, Clark, Pugh, Pawlenty and Tomassoni introduced:

H. F. No. 531, A bill for an act relating to housing; requiring owner to furnish a tenant with a copy of a written lease; requiring disclosure of inspection and condemnation orders; clarifying a tenant's abandonment of property; modifying procedure for tenant file disclosure by tenant screening services; modifying low-income housing; providing penalties; amending Minnesota Statutes 1992, sections 504.22, subdivision 2; 504.24; 504.29, by adding a subdivision; 504.30, subdivisions 1 and 4; 504.33, subdivision 5; 504.34, subdivisions 1 and 2; 566.17, subdivision 3; and 566.18, subdivisions 2 and 7; 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.

Worke, Jennings, Simoneau, Goodno and Van Dellen introduced:

H. F. No. 532, A bill for an act relating to human services; modifying the STRIDE program; requiring a work component; modifying the aid to families with dependent children program; amending Minnesota Statutes 1992, sections 256.73, subdivisions 2, 3a, and 5; 256.736, subdivisions 10, 10a, 14, and 16; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; and 256.74, subdivision 1.

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

Tunheim; Reding; Sparby; Johnson, V., and Kinkel introduced:

H. F. No. 533, A bill for an act relating to game and fish; authorizing limited use of snowmobiles to transport deer carcasses; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

McCollum, Blatz, Dorn, Sekhon and Bergson introduced:

H. F. No. 534, A bill for an act relating to the environment; wastewater treatment; clarifying rulemaking provisions for pollution control agency adoption of wastewater treatment standards; changing the composition of the technical advisory committee; amending Minnesota Statutes 1992, sections 115.44, subdivisions 4, 6, and 7; and 115.54.

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

McGuire and Swenson introduced:

H. F. No. 535, A bill for an act relating to employment; requiring employers to indemnify employees for liability arising out of the scope of employment; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Steensma, Winter and Girard introduced:

H. F. No. 536, A bill for an act relating to education; changing certain dissolution requirements for independent school district Nos. 408, Verdi, and 404, Lake Benton.

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

Morrison introduced:

H. F. No. 537, A bill for an act relating to education; higher education; appropriating money for education and related purposes to the department of children and education services, higher education division, University of Minnesota, higher education board, state board for community colleges, state university board, state board of technical colleges, and the Mayo medical foundation, with certain conditions; transferring duties of the higher education coordinating board to the department of children and education services; amending Minnesota Statutes 1992, sections 135A.03, by adding a subdivision; 136A.08; 136A.101, subdivisions 2, 3, 4, and 5; 136A.121, subdivisions 2, 3, 6, 7, 9, 13, and 17; 136A.125; 136A.131; 136A.1311; 136A.134; 136A.1352; 136A.1353; 136A.1354; 136A.1355; 136A.1356; 136A.1357; 136A.15, subdivisions 3 and 4; 136A.16; 136A.162; 136A.17; 136A.1701; 136A.1702; 136A.171; 136A.172; 136A.173; 136A.174; 136A.175; 136A.177; 136A.179; 136A.23; 136A.232; 136A.233; 136A.234; 136A.26; 136A.29, subdivisions 3 and 4; 136A.42; 136A.62, subdivisions 2, 4, and 5; 136A.63; 136A.64; 136A.65; 136A.653, subdivision 1; 136A.657, subdivision 3; 136A.66; 136A.67; 136A.68; 136A.69; 136A.70; 136A.85; 136A.86; 136A.87; 136C.042, subdivision 1; 141.25, subdivision 8; and 141.26, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 136A; repealing Minnesota Statutes 1992, sections 136A.01; 136A.02; 136A.03; 136A.04; 136A.041; 136A.0411; 136A.043; 136A.05; 136A.06; and 136A.07.

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

Brown, K.; Mariani; Garcia and Wejcman introduced:

H. F. No. 538, A bill for an act relating to housing; appropriating money for operating costs of transitional housing.

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

Van Dellen, Worke, Commers and Holsten introduced:

H. F. No. 539, A bill for an act relating to general assistance; requiring social security numbers as a condition of eligibility; requiring the county agency to verify the alien status of noncitizens; proposing coding for new law in Minnesota Statutes, chapter 256D.

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

Rukavina, Farrell, Beard and Long introduced:

H. F. No. 540, A bill for an act relating to workers' compensation; regulating rehabilitation services and consultations; amending Minnesota Statutes 1992, section 176.102, subdivision 4.

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

Battaglia and Perlz introduced:

H. F. No. 541, A bill for an act relating to intoxicating liquor; authorizing the town of Schroeder in Cook county to issue an off-sale license to an exclusive liquor store.

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

Battaglia and Rukavina introduced:

H. F. No. 542, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Cook county.

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

Battaglia and Rukavina introduced:

H. F. No. 543, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Cook county.

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

Tunheim; Hasskamp; Johnson, R.; Krueger and Knickerbocker introduced:

H. F. No. 544, A bill for an act relating to tourism; establishing certain tourism loan programs; amending Minnesota Statutes 1992, section 116J.617.

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

Girard and Cooper introduced:

H. F. No. 545, A bill for an act relating to education; providing for a referendum in certain circumstances in independent school district No. 893, Echo.

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

Waltman, Munger and Pauly introduced:

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

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

Tunheim introduced:

H. F. No. 547, A bill for an act relating to taxation; property; allowing homestead classification for certain property owned by a corporation or partnership; amending Minnesota Statutes 1992, section 273.124, by adding a subdivision.

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

Weaver and Pugh introduced:

H. F. No. 548, A bill for an act relating to medical records; clarifying a patient's right of access to medical records; amending Minnesota Statutes 1992, section 144.335, subdivision 1.

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

Ozment, Pugh and Dehler introduced:

H. F. No. 549, A bill for an act relating to domestic child abuse; requiring domestic abuse prosecution plans adopted by prosecuting authorities to include procedures to coordinate the prosecution of domestic child abuse cases with any ongoing dissolution or child custody or visitation proceedings; amending Minnesota Statutes 1992, section 611A.0311, subdivision 2.

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

Osthoff; Luther; Clark; Johnson, V., and Milbert introduced:

H. F. No. 550, A bill for an act relating to economic development; adding the executive director of the higher education coordinating board to the Minnesota job skills partnership board; authorizing the use by the job skills partnership board of funds from any source for grants and dissemination of information; amending Minnesota Statutes 1992, sections 116L.03, subdivisions 1 and 2; and 116L.05, by adding a subdivision.

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

Carruthers introduced:

H. F. No. 551, A bill for an act relating to racketeering; expanding the RICO law to include gambling crimes; authorizing the division of gambling enforcement to seize and forfeit property under the criminal forfeiture law; expanding the definition of criminal racketeering acts and of a pattern of racketeering activity; amending Minnesota Statutes 1992, sections 609.531, subdivision 1; 609.76; and 609.902, subdivisions 4 and 5.

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

Pugh introduced:

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

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

Carruthers, Skoglund, McGuire, Macklin and Solberg introduced:

H. F. No. 553, A bill for an act relating to children; expanding the crime of child neglect and the child abuse reporting act to include children who are neglected due to reliance by a parent, guardian, or other caretaker on spiritual health care; amending Minnesota Statutes 1992, sections 609.378, subdivision 1; and 626.556, subdivisions 2 and 10e.

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

Carruthers introduced:

H. F. No. 554, A bill for an act relating to occupations and professions; requiring roofers to be licensed by the state; amending Minnesota Statutes 1992, sections 326.83, subdivisions 8 and 10; 326.89, subdivision 3, and by adding a subdivision.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

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

S. F. No. 216.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 216, A bill for an act relating to domestic abuse; clarifying requirements for law enforcement domestic abuse arrest policies; amending Minnesota Statutes 1992, section 629.342, subdivision 2.

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

CONSENT CALENDAR

H. F. No. 139, A bill for an act relating to the town of Santiago; authorizing the establishment of a detached banking facility.

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

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 20 was reported to the House and given its third reading.

POINT OF ORDER

Welle raised a point of order pursuant to section 101 of "Mason's Manual of Legislative Procedure" relating to limiting debate to the question before the House. The Speaker ruled the point of order not well taken.

H. F. No. 20, A resolution memorializing the United States Secretary of Agriculture to establish higher price supports for grain commodities.

The bill was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 117 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abrams	Krinkie	Limmer	Morrison	Pauly	Wolf
Erhardt	Leppik	Lindner	Olson, M.	Van Dellen	Workman

The bill was passed and its title agreed to.

H. F. No. 51, A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 168A.152, by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 1, 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 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 123 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abrams	Asch	Beard	Bettermann	Carruthers	Cooper	Dawkins
Anderson, I.	Battaglia	Bergson	Blatz	Clark	Dauner	Dehler
Anderson, R.	Bauerly	Bertram	Carlson	Commers	Davids	Delmont

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

Those who voted in the negative were:

Brown, C.	Brown, K.	Frerichs	Haukoos	Kelso	Lindner	Waltman
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The bill was passed and its title agreed to.

H. F. No. 125, A bill for an act relating to education; permitting independent school district No. 279, Osseo, to adopt an alternating eight-period schedule; exempting the district from certain statutory instructional time requirements through the 1995-1996 school year.

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

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

GENERAL ORDERS

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

MOTIONS AND RESOLUTIONS

Jefferson moved that the names of Blatz and Solberg be added as authors on H. F. No. 133. The motion prevailed.

Bauerly moved that the name of Olson, M., be added as an author on H. F. No. 139. The motion prevailed.

Carruthers moved that the name of Bauerly be added as an author on H. F. No. 194. The motion prevailed.

Peterson moved that the name of Hausman be stricken and the name of Brown, C., be added as an author on H. F. No. 276. The motion prevailed.

Garcia moved that the name of Osthoff be added as an author on H. F. No. 324. The motion prevailed.

Ozment moved that the name of Bettermann be added as an author on H. F. No. 340. The motion prevailed.

Krueger moved that the name of Lynch be added as an author on H. F. No. 347. The motion prevailed.

Vickerman moved that the names of Johnson, R.; Welle and Waltman be added as authors on H. F. No. 391. The motion prevailed.

Sparby moved that the name of Wenzel be added as an author on H. F. No. 418. The motion prevailed.

Sviggum moved that the name of Seagren be added as an author on H. F. No. 422. The motion prevailed.

Jefferson moved that the name of Limmer be added as an author on H. F. No. 461. The motion prevailed.

Sarna moved that H. F. No. 328 be recalled from the Committee on Economic Development, Infrastructure and Regulation Finance and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, February 25, 1993. The motion prevailed.

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

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

SEVENTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 25, 1993

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

Prayer was offered by Professor Wendell Frerichs, Luther Northwestern Seminary, St. Paul, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Beard and Jefferson were excused.

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

REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 47, A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

Reported the same back with the following amendments:

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 1992, section 559.17, subdivision 2, is amended to read:

Subd. 2. A mortgagor may assign, as additional security for the debt secured by the mortgage, the rents and profits from the mortgaged real property, if the mortgage:

- (1) was executed, modified or amended subsequent to August 1, 1977;
- (2) secured an original principal amount of \$100,000 or more or is a lien upon residential real estate containing more than four dwelling units; and
- (3) is not a lien upon property which was:
 - (i) entirely homesteaded; as agricultural property; or
 - (ii) residential real estate containing four or less fewer dwelling units where at least one of the units is homesteaded, or agricultural property. The assignment may be enforced, but only against the nonhomestead portion of the mortgaged property, as follows:

(a) if, by the terms of an assignment, a receiver is to be appointed upon the occurrence of some specified event, and a showing is made that the event has occurred, the court shall, without regard to waste, adequacy of the security, or solvency of the mortgagor, appoint a receiver who shall, with respect to the excess cash remaining after application as provided in section 576.01, subdivision 2, apply it as prescribed by the assignment. If the assignment so provides, the receiver shall apply the excess cash in the manner set out herein from the date of appointment through the entire redemption period from any foreclosure sale. Subject to the terms of the assignment, the receiver shall have the powers and duties as set forth in section 576.01, subdivision 2; or

(b) if no provision is made for the appointment of a receiver in the assignment or if by the terms of the assignment a receiver may be appointed, the assignment shall be binding upon the assignor unless or until a receiver is appointed without regard to waste, adequacy of the security or solvency of the mortgagor, but only in the event of default in the terms and conditions of the mortgage, and only in the event the assignment requires the holder thereof to first apply the rents and profits received as provided in section 576.01, subdivision 2, in which case the same shall operate against and be binding upon the occupiers of the premises from the date of filing by the holder of the assignment in the office of the county recorder or the office of the registrar of titles for the county in which the property is located of a notice of default in the terms and conditions of the mortgage and service of a copy of the notice upon the occupiers of the premises. The holder of the assignment shall apply the rents and profits received in accordance with the terms of the assignment, and, if the assignment so provides, for the entire redemption period from any foreclosure sale. A holder of an assignment who enforces it in accordance with this clause shall not be deemed to be a mortgagee in possession with attendant liability.

Nothing contained herein shall prohibit the right to reinstate the mortgage debt granted pursuant to section 580.30, nor the right to redeem granted pursuant to sections 580.23 and 581.10, and any excess cash, as that term is used herein, collected by the receiver under clause (a), or any rents and profits taken by the holder of the assignment under clause (b), shall be credited to the amount required to be paid to effect a reinstatement or redemption."

Page 4, line 2, after "DATE" insert "; APPLICATION"

Page 4, line 3, after the period insert "Section 2 is effective the day following final enactment. A request for notice under Minnesota Statutes, section 580.032, subdivision 1, filed on or after August 1, 1992, and prior to August 1, 1993, that is not a separate and distinct document, or incorporated in a mechanic's lien statement filed for record pursuant to Minnesota Statutes, section 514.08, ceases to be a request for notice on June 30, 1994, unless a supplemental request for notice that complies with Minnesota Statutes, section 580.032, subdivision 1, and states the recording information, including document number or book and page of the original request for notice, is filed before July 1, 1994."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "allowing enforcement of assignment of rents and profits of certain mortgaged real property, against only nonhomestead portion of that property;"

Page 1, line 11, before "580.032" insert "559.17, subdivision 2;"

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. 142, A bill for an act relating to health; modifying requirements for the nursing assistant competency evaluation program; amending Minnesota Statutes 1992, section 144A.61, subdivision 3a.

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

The report was adopted.

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

H. F. No. 145, A bill for an act relating to occupations and professions; modifying board of medical practice requirements for licensure by reciprocity; amending Minnesota Statutes 1992, section 147.03, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 16, after "(2)," insert "subclause (i) or (ii),"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 170, A bill for an act relating to veterans affairs; establishing a grant program to enhance the effectiveness of county veterans service offices; increasing the complement of the department of veterans affairs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

Reported the same back with the following amendments:

Page 3, delete lines 23 to 32, and insert:

"Sec. 2. [197.609] [EDUCATION PROGRAM.]

Subdivision 1. [ESTABLISHMENT AND ADMINISTRATION.] An education program for county veterans service officers is established to be administered by the commissioner of veterans affairs.

Subd. 2. [ELIGIBILITY.] To be eligible for the program in this section, a person must currently be employed as a county veterans service officer as authorized by sections 197.60 to 197.606, and be certified to serve in that position by the commissioner of veterans affairs or be serving a probationary period as authorized by section 197.60, subdivision 2.

Subd. 3. [PROGRAM CONTENT.] The program in this section must include but is not limited to informing county veteran service officers of the federal, state, and private benefits and services available to veterans, training them in procedures for applying for these benefits, updating them on the changes in these benefits and the eligibility criteria and application procedures, informing them of judicial and regulatory decisions involving veterans programs, training them in the legal procedures for appealing decisions disallowing benefits to veterans, and providing education, information, and training for any other aspects of the veteran service officer position.

Subd. 4. [AGENCY COMPLEMENT.] The approved full-time equivalent of the department of veterans affairs is increased for fiscal year 1994 by ... positions for purposes of conducting this program. These positions are in addition to any other approved complement for the department. Part-time employment of persons is authorized.

Sec. 3. [APPROPRIATION.]

(a) \$..... is appropriated for fiscal year 1994 from the general fund to the department of veterans affairs for the grant program provided under section 1. Of this amount, \$..... may be used by the commissioner to administer the program.

(b) \$..... is appropriated for fiscal year 1994 from the general fund to the department of veterans affairs for the education program provided under section 2.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective July 1, 1993."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "establishing an education program;"

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 1, line 13, after "any" insert "city," and after "county" insert a comma

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 210, A bill for an act relating to agriculture; extending the farmer-lender mediation program; appropriating money; amending Laws 1986, chapter 398, article 1, section 18, as amended.

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

The report was adopted.

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

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

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

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 243, A bill for an act relating to uniform acts; enacting Minnesota Common Interest Ownership Act; amending Minnesota Statutes 1992, sections 308A.011, subdivision 1; 500.20, subdivision 2a; 508.71, by adding a subdivision; and 541.023, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 515B.

Reported the same back with the following amendments:

Page 2, line 8, after the second semicolon insert "515B.1-116 (Recording)."

Page 2, line 12, after the first semicolon insert "515B.3-110 (Voting; Proxies)."

Page 2, line 13, after the second semicolon insert "515B.3-117 (Other Liens)."

Page 2, line 14, after the first semicolon insert "515B.3-121 (Accounting Controls)."

Page 2, line 15, after the semicolon insert "515B.4-116 (Rights of Action; Attorney's Fees)."

Page 4, line 1, before "This" insert "Except as otherwise provided in this subsection."

Page 4, line 12, after "community" insert "or cooperative" and after "where" insert ", at the time of creation of the planned community or cooperative," and before "interests" insert "unit owners"

Page 4, line 23, delete everything after "irrigation"

Page 4, line 24, delete everything before the period

Page 4, after line 24, insert:

"Section 515B.1-106 shall apply to all common interest communities."

Page 6, line 13, after "of" insert a comma

Page 10, line 10, after "the" insert "unit"

Page 10, line 30, after "The" insert "ownership"

Page 18, line 13, after "created" insert ", but not necessarily the units,"

Page 18, line 35, delete "peripheral" and insert "perimeter"

Page 19, line 18, delete "peripheral" and insert "perimeter"

Page 20, lines 4 and 5, delete "common interest community" and insert "unit"

Page 20, line 6, before "a" insert "created under this chapter,"

- Page 20, line 20, before "The" insert "(a)"
- Page 21, line 16, after the semicolon insert "and"
- Page 21, line 21, delete the second "; and" and insert a period
- Page 21, line 22, delete "(13)" and insert "(b) The declaration may contain"
- Page 25, line 33, after "515B.2-102" insert ", subsections"
- Page 27, line 30, after "515B.2-102" insert ", subsections"
- Page 30, line 5, delete "percentage"
- Page 30, line 16, after "If" insert "a unit is" and after "owner" insert "other than a declarant"
- Page 33, lines 24 and 25, delete "holder of an interest as security for an obligation" and insert "secured party"
- Page 34, line 13, delete ", size"
- Page 58, lines 22 and 23, delete "if so stated in the notice and if" and insert ", subject to (i) any prohibition or requirement contained in the articles of incorporation, bylaws, or declaration and (ii)"
- Page 58, line 24, delete "are satisfied"
- Page 58, line 33, after "in" insert "this chapter," and after "or" insert "the"
- Page 72, line 13, delete "and" and insert "or"
- Page 74, line 7, delete the comma
- Page 74, line 9, before the period insert ", and shall not affect the board's authority to cause a review or audit to be made"
- Page 74, lines 24 and 25, delete "and in accordance with generally accepted auditing standards"
- Page 74, lines 31 and 32, delete ": LIABILITY; WAIVER" and insert "; DELIVERY OF DISCLOSURE STATEMENT"
- Page 78, line 33, delete "among" and insert "between"
- Page 86, delete lines 20 and 21
- Page 86, line 22, delete "date of any purchase agreement." and insert "(a)"
- Page 86, line 23, after "information" insert "required to be delivered by section 515B.4-107"
- Page 86, line 25, after "the" insert "purchase"
- Page 93, line 19, after "recover" insert "damages,"
- Page 93, line 21, delete everything after "person"
- Page 93, line 22, delete the first "chapter"
- Page 93, line 26, after "of" insert "the unit owners of" and before the period delete "unit owners" and insert "units"
- Page 96, line 18, after "declaration" insert "or bylaws"
- Page 96, line 19, after "under" insert "or governed by"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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

Reported the same back with the following amendments:

Page 2, delete lines 8 and 9

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. 296, A bill for an act relating to financial institutions; credit unions; regulating investments in share certificates; authorizing credit unions to make reverse mortgage loans; regulating credit unions as depositories of various funds; amending Minnesota Statutes 1992, sections 11A.24, subdivision 4; 41B.19, subdivision 6; 47.58, subdivision 1; 48.64; 48.86; 50.14, subdivision 13; 52.04, subdivision 1; 80A.14, subdivisions 4 and 9; 116J.8765, subdivision 4; 118.01, subdivision 1; 118.10; 136.31, subdivision 6; 427.01; 446A.11, subdivision 9; 475.67, subdivision 5; and 520.01, subdivision 2.

Reported the same back with the following amendments:

Pages 7 and 8, delete sections 4 and 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "48.64; 48.86;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 335, A bill for an act relating to housing; establishing a family homeless prevention and assistance program; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Page 1, lines 17 and 18, delete "that are experiencing significant growth in the number or percentage" and insert "with a significant number or significant growth in the number"

Page 2, line 21, after "prevent" insert "homelessness and"

Page 2, line 35, delete "and"

Page 3, line 2, after "housing" insert ", and other members the grantee considers appropriate"

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

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 442, A bill for an act relating to education; appropriating money for a deficiency in HECB appropriations.

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.

Clark from the Committee on Housing to which was referred:

H. F. No. 455, A bill for an act relating to housing; modifying the youth employment and housing for the homeless program; expanding eligible projects; appropriating money; amending Minnesota Statutes 1992, sections 268.361, subdivisions 6 and 7; 268.362; 268.363; 268.364, subdivisions 1, 3, and by adding a subdivision; and 268.365, subdivision 2; repealing Minnesota Statutes 1992, section 268.365, subdivision 1.

Reported the same back with the following amendments:

Page 3, line 4, after "program" insert "that meets the program purposes under section 268.364"

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 47, 142, 145, 201, 227, 243, 254 and 296 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Carlson, Reding, Farrell, Abrams and Osthoff introduced:

H. F. No. 555, A bill for an act relating to insurance; credit; permitting the sale of credit involuntary unemployment insurance; amending Minnesota Statutes 1992, sections 47.016, subdivision 1; 48.185, subdivision 4; 52.04, subdivision 1; 56.125, subdivision 3; 56.155, subdivision 1; 60K.03, subdivision 7; 60K.19, subdivision 3; 62B.01; 62B.02, by adding

a subdivision; 62B.03; 62B.04, by adding a subdivision; 62B.05; 62B.06, subdivisions 1, 2, and 4; 62B.07, subdivisions 2 and 6; 62B.08, subdivisions 1, 3, and 4; 62B.09, subdivisions 1, 2, and 3; 62B.11; 62B.12; and 72A.20, subdivision 27.

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

Bauerly, Reding, Long, Knickerbocker and Stanius introduced:

H. F. No. 556, A bill for an act relating to financial institutions; permitting contracts between financial institutions to accept deposits and honor withdrawals; proposing coding for new law in Minnesota Statutes, chapter 47.

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

Stanis, Gutknecht, Krueger, Jennings and Johnson, V., introduced:

H. F. No. 557, A bill for an act relating to state government; combining the departments of administration and finance; renaming and combining the departments of jobs and training and labor and industry; transferring functions and duties; appropriating money; amending Minnesota Statutes 1992, sections 3C.12, subdivision 2; 15.01; 15.06, subdivision 1; 15.08; 15A.081, subdivision 1; 16A.01, subdivision 1; 16A.055, subdivision 1; 16A.632, subdivisions 1 and 2; 16B.01, subdivision 3; 16B.05, subdivision 2; 16B.052; 16B.06, subdivisions 1 and 2; 16B.24, subdivision 6a; 16B.28, subdivision 3; 16B.305, subdivision 2; 16B.31, subdivision 6; 16B.37, subdivisions 3 and 4; 16B.40, subdivision 4; 16B.465, subdivision 4; 16B.48, subdivision 4; 16B.51, subdivision 2; 16B.87, subdivision 1; 43A.08, subdivision 1a; 175.001; 176.181, subdivision 8; 192.52; 193.36, subdivision 2; 256.482, subdivision 5; 268.0111, subdivision 2; 268.12, subdivision 12; and 353.03, subdivision 3; repealing Minnesota Statutes 1992, sections 16B.02 and 16B.03.

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

Skoglund introduced:

H. F. No. 558, A bill for an act relating to controlled substances; prescribing penalties for failure to comply with the precursor chemical tracking system; requiring reporting of missing substances and purchases made out of state; clarifying reporting requirements; amending Minnesota Statutes 1992, sections 152.0971, subdivision 1, and by adding subdivisions; 152.0972, subdivision 1; 152.0973, subdivisions 2, 3, and by adding a subdivision; and 152.0974; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1992, section 152.0973, subdivision 4.

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

Bauerly, Carlson, Gruenes, Skoglund and Orenstein introduced:

H. F. No. 559, A bill for an act relating to crime; providing felony penalties for unlawfully possessing a gun or dangerous weapon in a school zone; amending Minnesota Statutes 1992, section 609.66, by adding a subdivision.

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

Asch, Osthoff, Kahn, McGuire and Pauly introduced:

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

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

Solberg; Anderson, I.; Osthoff and Stanius introduced:

H. F. No. 561, A bill for an act relating to traffic regulations; authorizing use of studded tires on authorized emergency vehicles during cold weather season; amending Minnesota Statutes 1992, section 169.72, by adding a subdivision.

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

Gutknecht and Frerichs introduced:

H. F. No. 562, A bill for an act relating to human services; establishing a pilot project to provide community-based short-term alternative services to persons with mental retardation and related conditions in Olmsted county.

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

Stanis, Neary, Hausman, Ozment and Jacobs introduced:

H. F. No. 563, A bill for an act relating to telephones; allowing telephone companies to offer caller identification service to its subscribers; 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.

Stanis, Jennings, Kelso, Goodno and Jacobs introduced:

H. F. No. 564, A bill for an act relating to telephone services; prohibiting collection of charges for information services as if they were charges for telephone services; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Reding, Tompkins, Osthoff and Stanis introduced:

H. F. No. 565, A bill for an act relating to traffic regulations; establishing speed limit on marked interstate highway 35E in St. Paul at 55 miles per hour; authorizing commissioner of transportation to designate lower speed limit based on engineering and traffic investigation; amending Minnesota Statutes 1992, section 169.14, by adding a subdivision.

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

Jacobs, Osthoff, Kelso, Jennings and Vickerman introduced:

H. F. No. 566, A bill for an act relating to telecommunications; extending authority of public utilities commission to approve incentive regulation plans for certain telephone companies; amending Laws 1989, chapter 74, section 27.

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

Kinkel, Solberg, Bettermann, Koppendrayner and Anderson, R., introduced:

H. F. No. 567, A bill for an act relating to tourism; establishing certain tourism loan programs; amending Minnesota Statutes 1992, section 116J.617.

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

Brown, C., and Cooper introduced:

H. F. No. 568, A bill for an act relating to agriculture; prohibiting certain farming operations by corporations and limited partnerships; amending Minnesota Statutes 1992, section 500.24, subdivision 3.

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

Simoneau, McCollum, Ostrom, Frerichs and Kelso introduced:

H. F. No. 569, A bill for an act relating to drivers' licenses; requiring drivers' licenses and identification cards to be less susceptible to alteration; amending Minnesota Statutes 1992, section 171.07, by adding a subdivision.

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

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

H. F. No. 570, A bill for an act relating to retirement; the public employees retirement association; increasing the pension benefit multiplier for the public employees police and fire fund; amending Minnesota Statutes 1992, sections 353.651, subdivision 3; and 353.656, subdivision 1.

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

Greiling, Tunheim, Ostrom, Bettermann and Olson, K., introduced:

H. F. No. 571, A bill for an act relating to education; authorizing certain contracts with school board members; amending Minnesota Statutes 1992, section 471.88, by adding a subdivision.

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

Reding introduced:

H. F. No. 572, A bill for an act relating to retirement; public employees retirement association; removing the five-year limitation on the payment of contributions to receive allowable service for an authorized leave of absence to enter military service; amending Minnesota Statutes 1992, section 353.01, subdivision 16.

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

Stanius; Greenfield; Anderson, R.; Simoneau and Gruenes introduced:

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

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

Reding introduced:

H. F. No. 574, A bill for an act relating to retirement; administrative changes and age discrimination act compliance by the Minnesota state retirement system and the public employees retirement association; coverage of fire inspectors, investigators, or marshals by the public employees police and fire fund; optional annuities and benefits payable by the teachers retirement association; amending Minnesota Statutes 1992, sections 3A.02, subdivision 1, and by adding a subdivision; 352.01, subdivisions 2b, 11, and by adding a subdivision; 352.03, subdivisions 4, 4a, and 6; 352.04, subdivision 9; 352.113, subdivisions 2, 4, 7, 12, and by adding a subdivision; 352.115, subdivision 8; 352.12, subdivisions 1, 3, 4, 7, 10, and 13; 352.15, subdivision 1a, and by adding subdivisions; 352.22, subdivisions 1 and 2; 352.23; 352.85, subdivision 4; 352.93, subdivision 2a; 352.94; 352.95, subdivisions 1, 2, 3, and 5; 352.951; 352.96,

subdivisions 3 and 4; 352B.01, subdivision 3; 352B.08, subdivisions 1 and 2a; 352B.10, subdivisions 1, 2, and 5; 352B.101; 352B.11, subdivision 2; 352C.01; 352C.021; 352C.031; 352C.033; 352C.04; 352C.051; 352C.09; 352D.015, subdivision 4; 352D.02, subdivision 3, and by adding a subdivision; 352D.04, subdivision 1; 352D.05, subdivisions 1, 3, and 4; 352D.09, subdivision 5, and by adding a subdivision; 353.01, subdivisions 2, 2a, 2b, 6, 7, 10, 11a, 12, 16, 28, 31, 32, and by adding subdivisions; 353.017; 353.27, subdivision 7; 353.29, subdivision 1; 353.33, subdivisions 1, 2, 3, 4, 6, 8, 11, and by adding a subdivision; 353.34, subdivisions 1 and 3; 353.35; 353.37; 353.64, subdivisions 1, 3, 5a, and 9; 353.656, subdivisions 1, 1a, 3, 5, and by adding subdivisions; 353.71, subdivision 1; 353A.08, subdivisions 1, 3, and 5; 353A.10, subdivision 4; 353B.11, subdivision 6; 353C.08, subdivisions 1 and 2; 353D.02; 353D.04; 353D.05, subdivision 3; 353D.07, subdivision 2; 354.35; 354.46, subdivision 1; 354.48, subdivisions 3 and 10; 356.302, subdivisions 4 and 6; 356.453; 356.61; and 490.124, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 3A; repealing Minnesota Statutes 1992, sections 3A.06; 352.01, subdivision 7; 352.12, subdivision 5; 352.22, subdivision 9; 352.73; 352.94, subdivision 2; 352B.01, subdivision 2a; 352B.131; 352B.14; 352B.261; 352B.262; 352B.28; 352C.021, subdivision 3; 352D.05, subdivision 5; and 353.656, subdivision 6.

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

Battaglia, Munger, Long, Pauly and Bishop introduced:

H. F. No. 575, A bill for an act relating to natural resources; resolving claims raised by the Mille Lacs band of Chippewa regarding hunting, fishing, and gathering rights under treaty; authorizing sports fishing in treaty fishing zone for non-band members pursuant to band code; non-band harvest under band permit; authority to transfer land; compensation to counties; resort acquisition; condemnation authority; resolving issues through negotiated settlement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Greiling, Kahn, Seagren, Mosel and Evans introduced:

H. F. No. 576, A bill for an act relating to state government; providing for appointments to advisory task forces, councils, and committees, administrative boards, and agencies; clarifying reporting requirements and term limits; amending Minnesota Statutes 1992, sections 15.014, subdivision 2; 15.0575, subdivision 2; 15.059, subdivision 2; 15.0597, subdivisions 2, 4, and 7; and 214.09, subdivision 2.

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

Skoglund introduced:

H. F. No. 577, A bill for an act relating to crime victims; providing priority for payment of restitution obligations under the revenue recapture act; authorizing collection of restitution from inmate wages when the restitution is court ordered as a sanction for the conviction of an offense which is not the offense of commitment; authorizing the use of forfeited bail to pay delinquent restitution obligations; amending Minnesota Statutes 1992, sections 270A.10; 243.23, subdivision 3; 485.018, subdivision 5; and 611A.04, by adding a subdivision.

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

Bergson and Skoglund introduced:

H. F. No. 578, A bill for an act relating to corrections; authorizing arrest and detention of persons who are on pretrial release by peace and probation officers pursuant to written orders issued by the chief executive officer of a community corrections agency; amending Minnesota Statutes 1992, section 401.02, subdivision 4.

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

Skoglund introduced:

H. F. No. 579, A bill for an act relating to public safety; bureau of criminal apprehension; establishing office of information systems; requiring public officials to furnish criminal justice information and statistics; changing buy fund and firearm discharge reporting dates; amending Minnesota Statutes 1992, sections 299C.065, subdivisions 3 and 3a; 299C.18; 299C.21; 299C.46, by adding a subdivision; 626.553, subdivision 2; and 626.5531; proposing coding for new law in Minnesota Statutes, chapter 299C; repealing Minnesota Statutes 1992, sections 299C.05; 299C.06; and 299C.36.

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

Reding, Greenfield, Gruenes, Stanius and Lourey introduced:

H. F. No. 580, A bill for an act relating to insurance; nonprofit health service plan corporations; regulating investments; amending Minnesota Statutes 1992, section 62C.10.

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

Rukavina, Battaglia, Tomassoni and Huntley introduced:

H. F. No. 581, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in St. Louis county.

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

Welle introduced:

H. F. No. 582, A bill for an act relating to capital improvements; authorizing bonds and appropriating money to acquire land in and for Sibley state park.

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

Jefferson, Bauerly, Lieder, Blatz and Lynch introduced:

H. F. No. 583, A bill for an act relating to transportation; establishing Minnesota paratransit commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Jennings; Jacobs; Anderson, I.; Gruenes and Osthoff introduced:

H. F. No. 584, A bill for an act relating to utilities; regulating telephone services to communication-impaired persons; amending Minnesota Statutes 1992, sections 237.49; 237.51, subdivision 2; and 237.52, subdivision 2.

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

Clark, Bishop, Reding, Osthoff and Skoglund introduced:

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

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

Rhodes and Skoglund introduced:

H. F. No. 586, A bill for an act relating to family law; uniform child custody jurisdiction act; giving a court in this state jurisdiction in a case where a child is the subject of a court order issued in another nation and the child may be removed from the United States if the order is given effect; proposing coding for new law in Minnesota Statutes, chapter 518A.

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

Sparby introduced:

H. F. No. 587, A bill for an act relating to education; changing the definition of "high school" for secondary sparsity revenue purposes; amending Minnesota Statutes 1992, section 124A.22, subdivision 5.

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

Pugh, Skoglund and Wejcman introduced:

H. F. No. 588, A bill for an act relating to human rights; providing for protection for disabled persons in employment; clarifying permissible absenteeism under the "reasonable accommodation" clause; extending the time frame from 45 to 90 days for bringing a civil action after a "no probable cause" determination; providing for the right to a jury trial; amending Minnesota Statutes 1992, sections 363.01, subdivision 13; 363.02, subdivision 5; 363.03, subdivision 1; 363.14, subdivision 2; and 363.117.

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

Pugh, McGuire and Macklin introduced:

H. F. No. 589, A bill for an act relating to data privacy; classifying state auditor's data; amending Minnesota Statutes 1992, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 6.

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

Trimble and Brown, C., introduced:

H. F. No. 590, A bill for an act relating to education; modifying eligibility requirements for state post-secondary grant recipients; establishing reporting requirements for eligible institutions; amending Minnesota Statutes 1992, sections 136A.101, by adding a subdivision; 136A.121, subdivisions 2, 5, and by adding a subdivision.

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

Dawkins, Murphy, McGuire, Blatz and Orenstein introduced:

H. F. No. 591, A bill for an act relating to courts; conciliation court; adopting one body of law to govern conciliation courts; proposing coding for new law as Minnesota Statutes, chapter 491A; repealing Minnesota Statutes 1992, sections 487.30; 488A.12; 488A.13; 488A.14; 488A.15; 488A.16; 488A.17; 488A.29; 488A.30; 488A.31; 488A.32; 488A.33; and 488A.34; and Laws 1992, chapter 591, section 21.

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

Pugh, Skoglund, Dawkins, Mariani and Macklin introduced:

H. F. No. 592, A bill for an act relating to creditors' remedies; limiting the value of the homestead exemption; providing for the exemption of homestead insurance proceeds; amending Minnesota Statutes 1992, sections 510.02; and 510.07.

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

Swenson introduced:

H. F. No. 593, A bill for an act relating to motor vehicles; authorizing refunds on motor vehicle license taxes on certain vehicles permanently removed from the state; making technical changes; amending Minnesota Statutes 1992, section 168.16.

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

Stanius, Sviggum, Gutknecht, Jennings and Limmer introduced:

H. F. No. 594, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, by adding two sections; requiring the members of the legislature and the governor to forfeit their salaries and expenses if a budget is not enacted in a timely way; providing for a balanced, emergency state budget if a state budget is not enacted on time.

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

Murphy, Simoneau, Koppendrayner, Lourey and Anderson, I., introduced:

H. F. No. 595, A bill for an act relating to health; establishing a statewide program for the prevention of Lyme disease; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Murphy, Lourey and Olson, K., introduced:

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

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

Tunheim introduced:

H. F. No. 597, A bill for an act relating to game and fish; prohibiting sale or transportation of game fish commercially taken in Canadian boundary waters; amending Minnesota Statutes 1992, section 97A.531.

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

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

H. F. No. 598, A bill for an act relating to retirement; expanding coordinated plan survivor coverage benefits for certain public employees and teachers; amending Minnesota Statutes 1992, sections 352.01, by adding a subdivision; 352.12, subdivision 2, and by adding subdivisions; 353.01, subdivision 15, and by adding a subdivision; 353.32, subdivision 1a, and by adding subdivisions; 354.05, subdivision 8, and by adding a subdivision; 354.46, subdivisions

2, 5, and by adding subdivisions; 354A.011, by adding a subdivision; and 354A.35, subdivision 2, and by adding subdivisions.

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

Greenfield; Simoneau; Anderson, R.; Vickerman and Winter introduced:

H. F. No. 599, A bill for an act relating to health; modifying provisions relating to the nursing home moratorium exception process; providing procedures to replace and lay away nursing home beds; appropriating money; amending Minnesota Statutes 1992, sections 144A.071, subdivisions 1, 2, 3, and by adding subdivisions; 144A.073, subdivisions 2 and 3; and 256B.431, subdivisions 2b, 3d, and 21.

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

Jefferson, Pelowski, Wejcman, Greenfield and Johnson, A., introduced:

H. F. No. 600, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Lourey, Hausman, Orfield, Wagenius and Carlson introduced:

H. F. No. 601, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Rukavina, Munger, Carruthers, Huntley and Luther introduced:

H. F. No. 602, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Dawkins, Evans, Greiling, Trimble and McGuire introduced:

H. F. No. 603, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Orenstein, Mariani, Kahn, Vellenga and Jaros introduced:

H. F. No. 604, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding

a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

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

Pugh, Dempsey, McGuire, Vellenga and Pawlenty introduced:

H. F. No. 605, A bill for an act relating to crimes; creating a felony level offense for repeat fifth-degree assault offenders; amending Minnesota Statutes 1992, section 609.224, subdivision 2, and by adding a subdivision.

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

Pugh, Rukavina and Milbert introduced:

H. F. No. 606, A bill for an act relating to worker's compensation; regulating eligibility for assigned risk plan coverage; amending Minnesota Statutes 1992, section 79.252, subdivision 1.

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

Johnson, A.; McGuire and Stanius introduced:

H. F. No. 607, A bill for an act relating to game and fish; allowing all big game to be taken under a crossbow permit for hunters with disabilities; amending Minnesota Statutes 1992, section 97B.106.

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

Mosel, Dehler, Vellenga, Koppendrayer and Trimble introduced:

H. F. No. 608, A bill for an act relating to agriculture; exempting certain nonprofit organizations from the requirement for a nursery stock dealer certificate; proposing coding for new law in Minnesota Statutes, chapter 18.

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

Reding, Knickerbocker and Kahn introduced:

H. F. No. 609, A bill for an act relating to retirement; legislators and elective state officers retirement plans; establishing a single retirement fund for both plans; establishing a special additional employer contribution for each plan; transferring a portion of an existing appropriation; appropriating money; amending Minnesota Statutes 1992, sections 3A.03; 3A.11, subdivision 1; and 352C.09, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes 1992, chapter 352C; repealing Minnesota Statutes 1992, sections 3A.02, subdivision 3; and 352C.10.

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

Carruthers, McGuire, Pugh and Weaver introduced:

H. F. No. 610, A bill for an act relating to juveniles; providing for criminal prosecution of juveniles 15 years of age or older who are accused of committing certain serious offenses; expanding the definition of juvenile minor traffic offense; providing for adult court jurisdiction over minor traffic offenders who are 14 years old or older; providing for the initiation of certain delinquency proceedings by means of a notice to appear instead of a petition; requiring the juvenile court to retain records on delinquency adjudications until the offender's 26th birthday; extending the continuing jurisdiction of the juvenile court until the juvenile's 23rd birthday; requiring the sentencing guidelines commission to modify the calculation of certain criminal history scores involving prior juvenile offenses; appropriating money for Head Start programs and youth recreational programs; amending Minnesota Statutes 1992, sections 260.015,

subdivision 5; 260.111, by adding a subdivision; 260.125, subdivision 3, and by adding a subdivision; 260.132; 260.161, subdivisions 1 and 1a; 260.181, subdivision 4; 260.193, subdivisions 1 and 3; and 609.055, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Greenfield, Vellenga, Neary and Johnson, A., introduced:

H. F. No. 611, A bill for an act relating to health care; creating the children's mental health integrated fund; establishing an integrated service system for delivering mental health services to children; creating local children's mental health collaboratives; extending the statewide task force; appropriating money; amending Minnesota Statutes 1992, sections 245.4873, subdivision 2, and by adding a subdivision; and 256B.0625, by adding subdivisions; Laws 1991, chapter 292, article 6, section 57, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 245.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Perlt and Wejcman introduced:

H. F. No. 612, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Carruthers, Reding, Kahn, Krueger and Knickerbocker introduced:

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.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Blatz, McGuire, Weaver, Luther and Workman introduced:

H. F. No. 614, A bill for an act relating to public safety; regulating privacy of information relating to registered motor vehicles, driver's licenses, and Minnesota identification cards; amending Minnesota Statutes 1992, sections 168.346; and 171.12, subdivision 7.

The bill was read for the first time and referred to the Committee on Judiciary.

Kahn, Swenson, McGuire, Pugh and Blatz introduced:

H. F. No. 615, A bill for an act relating to metropolitan government; appropriating money for the operation and maintenance of metropolitan area regional parks.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Blatz introduced:

H. F. No. 616, A bill for an act relating to taxation; excluding certain property tax refunds from the revenue recapture act; amending Minnesota Statutes 1992, section 270A.03, subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Clark; Huntley; Anderson, R.; Simoneau and Cooper introduced:

H. F. No. 617, A bill for an act relating to health care; creating the Minnesota health assurance board; requiring peer review for practice parameters; requiring health plans to disclose overheads; designating the commissioner of administration as the sole purchaser of prescription drugs; limiting the promotion of prescription drugs; restricting underwriting and premium rating practices; permitting administrative rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 62A.65, subdivision 5, and by adding a subdivision; 62J.03, by adding subdivisions; 62J.04, subdivision 1, and by adding a subdivision; 62J.09, subdivisions 1, 2, 6, 7, and by adding a subdivision; 62J.15, subdivision 2; 62J.17, subdivisions 5 and 6; 62J.32, subdivision 3; 62J.34, subdivision 2; 62L.03, subdivision 4, and by adding a subdivision; 62L.08, subdivisions 2, 3, 4, and by adding subdivisions; and 256B.0625, subdivision 13; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 72A; and 151; repealing Minnesota Statutes 1992, sections 62J.04, subdivisions 3, 4, 5, and 6; 62J.05; 62J.09, subdivisions 3, 4, and 8; 62J.17, subdivisions 5 and 6; 62J.19; and 62J.21.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kelso, Greiling, Vellenga and Weaver introduced:

H. F. No. 618, A bill for an act relating to education; permitting additional outcome-based schools; permitting applicants to appeal a school board's refusal to sponsor a school to the state board of education; limiting schools' use of nongeneral fund revenue to planning and operational start-up costs; amending Minnesota Statutes 1992, sections 120.064, subdivisions 3 and 4; and 124.248, subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Skoglund, Reding, Winter, Knickerbocker and Farrell introduced:

H. F. No. 619, A bill for an act relating to insurance; automobile; authorizing reparation obligors to offer medical expense benefits through managed care plans; requiring appropriate premium reductions; prohibiting discrimination in automobile policies; amending Minnesota Statutes 1992, sections 65B.49, subdivision 2; and 72A.20, subdivisions 22 and 23; proposing coding for new law in Minnesota Statutes, chapter 65B.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wagenius, Ozment, McCollum, Skoglund and Weaver introduced:

H. F. No. 620, A bill for an act relating to the environment; providing for citizen suits to enforce various environmental laws; amending Minnesota Statutes 1992, section 115.073; 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.

Macklin, Koppendrayer and Simoneau introduced:

H. F. No. 621, A bill for an act relating to human services; establishing a seven-day validity and nine-day replacement period for lost and stolen assistance warrants; authorizing an enhanced recoupment level in AFDC cases involving welfare fraud; integrating a client release as an inclusion in the combined application form; adding the food stamp program to the coverage of the financial transaction card fraud provision; creating and authorizing the use of commissioner's subpoenas; establishing the offense of food stamp trafficking; prescribing penalties; amending Minnesota Statutes 1992, sections 16A.45, by adding a subdivision; 256.73, subdivision 8; 256.983, subdivision 3; 393.07, subdivision 10; and 609.821, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1992, section 256.985.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Orfield; Cooper; Brown, C.; Ozment and Greiling introduced:

H. F. No. 622, A bill for an act relating to metropolitan government; providing long-term protection of agricultural land in the metropolitan area; amending Minnesota Statutes 1992, sections 473H.01, subdivision 2; 473H.02, subdivision 4; 473H.03, subdivisions 1, 4, 5, and 6; 473H.04, subdivisions 1, 2, and 3; 473H.05, subdivision 1; 473H.06, subdivision 5; 473H.07; 473H.08, subdivision 3; 473H.11; and 473H.12; repealing Minnesota Statutes 1992, section 473H.02, subdivision 5.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Orfield, Carruthers, Kalis, Lieder and Osthoff introduced:

H. F. No. 623, A bill for an act relating to transportation; requiring metropolitan area highway projects' environmental impact statements to address economic, social, and demographic efforts; requiring the revision of the state transportation plan to establish objectives and policies for the health of the fully developed part of the metropolitan area; prohibiting federal section 9 money from being used for highways; requiring the metropolitan council's transportation policy plan to require comparison of highways to transit and effects of highways on land use and housing; providing that the transit goals include stabilizing and enhancing the health of the metropolitan area; amending Minnesota Statutes 1992, sections 116D.04, by adding a subdivision; 174.03, subdivision 1a; 473.146, subdivision 3; 473.167, subdivision 1; 473.371; proposing coding for new law in Minnesota Statutes, chapter 174.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Luther, Simoneau, Cooper, Gruenes and Gutknecht introduced:

H. F. No. 624, A bill for an act relating to human services; providing for external accreditation of programs and services to persons with developmental disabilities; developing a competitive bidding system with performance outcomes; increasing consumer choice in the service delivery system; creating a state office to enforce the vulnerable adult act; amending Minnesota Statutes 1992, section 245A.09, subdivision 7, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Weaver, Lynch, Bettermann and Waltman introduced:

H. F. No. 625, A bill for an act relating to elections; campaign finance; prohibiting candidates from authorizing more than one campaign committee; prohibiting transfers between principal campaign committees; changing the allocation of funds from the party accounts for legislative candidates; prohibiting a public subsidy to unopposed candidates; changing the tax credit for political contributions; amending Minnesota Statutes 1992, sections 10A.19, subdivision 1; 10A.27, subdivision 9; 10A.31, subdivision 5; and 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, section 10A.25, subdivision 2a.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Rukavina; Solberg; Anderson, I.; Johnson, V., and Swenson introduced:

H. F. No. 626, A bill for an act relating to game and fish; issuance of antlerless deer permits to certain elderly residents; amending Minnesota Statutes 1992, section 97A.451, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Klinzing introduced:

H. F. No. 627, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 885, St. Michael-Albertville.

The bill was read for the first time and referred to the Committee on Education.

Stanius; Greenfield; Anderson, R.; Gruenes and Simoneau introduced:

H. F. No. 628, A bill for an act relating to civil actions; providing immunity from liability for volunteer athletic physicians and volunteer athletic trainers; proposing coding for new law in Minnesota Statutes, chapter 604.

The bill was read for the first time and referred to the Committee on Judiciary.

Carruthers, Wagenius, Blatz, Rest and Pauly introduced:

H. F. No. 629, A bill for an act relating to taxation; property; providing that certain special taxing districts are subject to the truth in taxation provisions; amending Minnesota Statutes 1992, sections 275.065, subdivisions 3, 5a, and 6; and 276.04, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Lynch and Clark introduced:

H. F. No. 630, A bill for an act relating to utilities; regulating telephone services to communication-impaired persons; amending Minnesota Statutes 1992, sections 237.50, subdivisions 3, 4, 11, and by adding a subdivision; 237.51, subdivisions 1, 2, 4, 5, and 6; 237.52; 237.54; and 237.55; Laws 1987, chapter 308, section 8.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Long and Wagenius introduced:

H. F. No. 631, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Garcia, Huntley, Clark, Greenfield and Hugoson introduced:

H. F. No. 632, A bill for an act relating to health; the dental hygiene act; establishing a board of dental hygiene; regulating the practice of dental hygiene; establishing fees; providing licensing provisions; providing penalties; amending Minnesota Statutes 1992, sections 150A.02; 150A.05, subdivision 2; 150A.06, subdivisions 3, 4, 5, and 6; 150A.08, subdivisions 1 and 5; 150A.09, subdivision 1; and 150A.12; proposing coding for new law as Minnesota Statutes, chapter 150B; repealing Minnesota Statutes 1992, sections 150A.01, subdivision 4; 150A.06, subdivision 2; and 150A.10, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark, Orfield, Greenfield, Jefferson and Kahn introduced:

H. F. No. 633, A bill for an act relating to human services; appropriating money for the New Chance demonstration project.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Tunheim, Huntley, Bauerly, Winter and Waltman introduced:

H. F. No. 634, A bill for an act relating to agriculture; clarifying procedures for the use of certain organisms; amending Minnesota Statutes 1992, sections 116C.91, subdivisions 3, 6, 7, and by adding a subdivision; and 116C.94.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ostrom, Simoneau, Vellenga, Rukavina and Anderson, I., introduced:

H. F. No. 635, A bill for an act relating to taxation; income; changing rates and income brackets; providing a personal credit in lieu of personal exemptions; increasing the working family credit; amending Minnesota Statutes 1992, sections 290.01, subdivision 19a; 290.06, subdivisions 2c and 2d; 290.0671, subdivision 1; 290.091, subdivisions 1, 2, and 6; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Stanius, Simoneau, Swenson, Neary and Lourey introduced:

H. F. No. 636, A bill for an act relating to family day care licensing; providing incentives for counties; amending Minnesota Statutes 1992, section 245A.16, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dawkins introduced:

H. F. No. 637, A bill for an act relating to retirement; teachers retirement association; providing for the consolidation of the St. Paul teachers retirement fund association; making conforming amendments; amending Minnesota Statutes 1992, sections 3.85, subdivisions 11 and 12; 354.05, subdivisions 2 and 13; 354A.011, subdivisions 8 and 15a; 354A.021, subdivision 1; 354A.092; 354A.093; 354A.095; 354A.096; 354A.12, subdivisions 1, 2, 2a, and 2b; 354A.23, subdivision 1; 354A.30; 354A.32, subdivision 1; 354A.39; 354A.40, subdivision 1; 354A.41; 356.20, subdivision 2; 356.215, subdivision 2; 356.30, subdivision 3; 356.302, subdivision 7; 356.303, subdivision 4; 356.32, subdivision 2; 356.35, subdivisions 2 and 5; 356.36, subdivision 1; 356.86, subdivisions 1, 2, and 3; Laws 1965, chapter 705, section 1, subdivision 4; Laws 1989, chapter 319, article 13, section 94; Laws 1990, chapter 570, article 7, section 4; and Laws 1992, chapter 598, articles 5, section 2; and 6, section 18; repealing Minnesota Statutes 1992, sections 354A.23, subdivision 2; 355.201; 355.202; 355.203; 355.204; 355.205; 355.206; 355.207; 355.208; 355.209; Laws 1976, chapter 238, section 14; Laws 1977, chapter 429, sections 60 and 61; Laws 1979, chapter 109; Laws 1981, chapter 157; Laws 1985, chapter 259, section 3; Laws 1987, chapter 372, article 7, section 6; Laws 1988, chapter 709, article 8, section 8; Laws 1990, chapter 570, article 7, section 3; and Laws 1991, chapter 67.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Solberg, Tunheim, Bauerly, Tomassoni and Kelso introduced:

H. F. No. 638, A bill for an act relating to education; revising the date for the commissioner of education to notify school districts of their levy limits; amending Minnesota Statutes 1992, section 124.918, subdivision 1:

The bill was read for the first time and referred to the Committee on Education.

Asch, Lourey, Gruenes, Abrams and Reding introduced:

H. F. No. 639, A bill for an act relating to insurance; Medicare supplement; regulating coverages; conforming state law to federal requirements; making technical changes; amending Minnesota Statutes 1992, sections 62A.31, subdivisions 1, 4, and by adding a subdivision; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62A.39; 62A.436; and 62A.44, subdivision 2; Laws 1992, chapter 554, article 1, section 18.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Huntley, Stanius, Farrell and Peterson introduced:

H. F. No. 640, A bill for an act relating to insurance; property; regulating the FAIR plan; modifying its provisions; making various technical changes; amending Minnesota Statutes 1992, sections 65A.31; 65A.32; 65A.33, subdivisions 4, 5, and 6; 65A.34; 65A.35; 65A.36; 65A.37; 65A.375; 65A.38; 65A.39; 65A.40; 65A.41; and 65A.42; repealing Minnesota Statutes 1992, sections 65A.33, subdivision 8; and 65A.43.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 48 and 119.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 48, A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

The bill was read for the first time.

Dawkins moved that S. F. No. 48 and H. F. No. 47, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 119, A bill for an act relating to health; modifying requirements for the nursing assistant competency evaluation program; amending Minnesota Statutes 1992, section 144A.61, subdivision 3a.

The bill was read for the first time.

Anderson, R., moved that S. F. No. 119 and H. F. No. 142, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 79, A bill for an act relating to courts; grandparent visitation; clarifying that visitation may be sought after completion of proceedings for dissolution, custody, legal separation, annulment, or parentage; amending Minnesota Statutes 1992, sections 257.022, subdivision 2; and 518.175, subdivision 7.

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	Davidson	Hausman	Lasley	Ness	Rhodes	Van Dellen
Anderson, I.	Dawkins	Holsten	Leppik	Olson, E.	Rice	Vellenga
Anderson, R.	Dehler	Hugoson	Lieder	Olson, K.	Rodosovich	Vickerman
Asch	Delmont	Huntley	Limmer	Olson, M.	Rukavina	Wagenius
Battaglia	Dempsey	Jacobs	Lindner	Ornen	Sarna	Waltman
Bauerly	Dorn	Jaros	Luther	Opatz	Seagren	Weaver
Bergson	Erhardt	Jennings	Lynch	Orenstein	Sekhon	Wejman
Bertram	Evans	Johnson, A.	Macklin	Orfield	Simoneau	Welle
Bettermann	Farrell	Johnson, R.	Mahon	Osthoff	Skoglund	Wenzel
Bishop	Frerichs	Johnson, V.	Mariani	Ostrom	Smith	Winter
Blatz	Garcia	Kalis	McCollum	Ozment	Solberg	Wolf
Brown, C.	Girard	Kelley	McGuire	Pauly	Sparby	Worke
Brown, K.	Goodno	Kelso	Milbert	Pawlenty	Stanius	Workman
Carlson	Greenfield	Kinkel	Molnau	Pelowski	Steensma	Spk. Long
Carruthers	Greiling	Klinzing	Morrison	Perlt	Sviggum	
Clark	Gruenes	Knickerbocker	Mosel	Peterson	Swenson	
Commers	Gutknecht	Koppendrayner	Munger	Pugh	Tomassoni	
Cooper	Hasskamp	Krinkie	Murphy	Reding	Trimble	
Dauner	Haukoos	Krueger	Nelson	Rest	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 358, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 3.9741; 10A.01, subdivision 18; 10A.49, subdivisions 2 and 3; 11A.23, subdivision 1; 13.32, subdivisions 3 and 5; 13.791; 13.99, subdivision 82; 16B.06, subdivision 2a; 18C.551, subdivision 3; 43A.317, subdivision 9; 60A.74, subdivision 6; 62A.44, subdivision 2; 62J.21; 65B.09, subdivision 1; 79.251, subdivision 6; 79A.01, subdivision 1; 80C.18, subdivision 1; 80E.09, subdivision 2; 86B.321, subdivision 1; 103G.293; 116R.01, subdivision 6; 120.064, subdivision 6; 123.39, subdivision 8d; 144.878, subdivision 2; 148B.06, subdivision 2; 148C.11, subdivision 4; 168.187, subdivision 26; 169.797, subdivision 1; 240.011; 245A.18; 256B.0644; 256B.19, subdivision 1a; 268.071, subdivision 3; 289A.20, subdivision 4; 290.9201, subdivision 7; 290A.03, subdivision 13; 325E.0681, subdivision 9; 326.43; 349.151, subdivision 2; 349.19, subdivision 6; 349.31, subdivision 1; 352.03, subdivision 16; 352C.021, subdivision 6; 357.11; 471.617, subdivision 1; 473.516, subdivision 1; 473.704, subdivision 17; 473.811, subdivisions 6, 7, 8, and 9; 475.66, subdivision 3; 477A.13; 480.15, subdivision 9; 480.059, subdivision 7; 525.9221; 551.04, subdivision 14; 600.02; 609.3471; 626.556, subdivision 10; and 626.861, subdivision 3; repealing Minnesota Statutes 1992, sections 61A.011, subdivision 8; 240.01, subdivision 14; 240.011, subdivision 1; 334.011, subdivision 4; and 480.0591, subdivision 3; Laws 1991, chapter 254, article 3, section 21.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Hausman	Krueger	Murphy	Pugh	Tompkins
Anderson, I.	Dawkins	Holsten	Lasley	Neary	Reding	Trimble
Anderson, R.	Dehler	Hugoson	Leppik	Nelson	Rest	Tunheim
Asch	Delmont	Huntley	Lieder	Ness	Rhodes	Van Dellen
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rice	Vellenga
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rodosovich	Vickerman
Bergson	Erhardt	Jennings	Lourey	Olson, M.	Rukavina	Wagenius
Bertram	Evans	Johnson, A.	Luther	Onnen	Sarna	Waltman
Bettermann	Farrell	Johnson, R.	Lynch	Opatz	Seagren	Weaver
Bishop	Frerichs	Johnson, V.	Macklin	Orenstein	Sekhon	Wejcman
Blatz	Garcia	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, C.	Girard	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kelley	McCollum	Ostrom	Smith	Winter
Carlson	Greenfield	Kelso	McGuire	Ozment	Solberg	Wolf
Carruthers	Greiling	Kinkel	Milbert	Pauly	Sparby	Worke
Clark	Gruenes	Klinzing	Molnau	Pawlenty	Steensma	Workman
Commers	Gutknecht	Knickerbocker	Morrison	Pelowski	Sviggum	Spk. Long
Cooper	Hasskamp	Koppendrayner	Mosel	Perlt	Swenson	
Dauner	Haukoos	Krinkie	Munger	Peterson	Tomassoni	

Those who voted in the negative were:

Stanius

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. 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. 9, 146 and 97 were recommended to pass.

H. F. No. 6 was recommended for progress until Thursday, March 18, 1993.

On the motion of Welle the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Greenfield moved that the name of Evans be stricken and the names of Bishop and Limmer be added as authors on H. F. No. 29. The motion prevailed.

Bishop moved that the names of Brown, K., and Olson, M., be added as authors on H. F. No. 85. The motion prevailed.

Orenstein moved that the name of Limmer be added as an author on H. F. No. 143. The motion prevailed.

Winter moved that the name of Onnen be added as an author on H. F. No. 171. The motion prevailed.

Wejzman moved that the name of Clark be added as an author on H. F. No. 216. The motion prevailed.

Olson, K., moved that the name of Ness be added as an author on H. F. No. 219. The motion prevailed.

Dawkins moved that the name of Smith be added as an author on H. F. No. 419. The motion prevailed.

Carruthers moved that the name of Anderson, R., be added as an author on H. F. No. 475. The motion prevailed.

Carruthers moved that the name of Lasley be added as an author on H. F. No. 476. The motion prevailed.

Garcia moved that the name of Mahon be added as an author on H. F. No. 501. The motion prevailed.

Dawkins moved that the name of Morrison be added as an author on H. F. No. 504. The motion prevailed.

Wejzman moved that the name of Orfield be added as an author on H. F. No. 515. The motion prevailed.

Dawkins moved that the names of Vellenga, Orenstein and Trimble be added as authors on H. F. No. 517. The motion prevailed.

Carruthers moved that the name of Limmer be added as an author on H. F. No. 551. The motion prevailed.

Commers moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Tuesday, January 5, 1993, when the vote was taken on the Welle resolution relating to employees." The motion prevailed.

Delmont moved that H. F. No. 84 be returned to its author. The motion prevailed.

Kahn moved that H. F. No. 23 be recalled from the Committee on Governmental Operations and Gambling and be re-referred to the Committee on Judiciary. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 1, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 1, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 1, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Vivian Jones, Plymouth Congregational Church, Minneapolis, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perit	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tompkins
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Trimble
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Tunheim
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Van Dellen
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Vellenga
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vickerman
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Wagenius
Bettermann	Farrell	Johnson, A.	Luther	Ornen	Sarna	Waltman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Weaver
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Wejcman
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wenzel
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Winter
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wolf
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Worke
Clark	Gruenes	Kinkel	Milbert	Pauly	Stanius	Workman
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Steensma	Spk. Long
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Sviggum	

A quorum was present.

Sparby and Welle were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Winter moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 48 and H. F. No. 47, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dawkins moved that the rules be so far suspended that S. F. No. 48 be substituted for H. F. No. 47 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 119 and H. F. No. 142, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Anderson, R., moved that S. F. No. 119 be substituted for H. F. No. 142 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 29, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 12, delete everything after the comma and insert "or in a family home or in a group family"

Page 1, line 13, delete "provider" and insert "home"

Page 1, delete line 16, and insert:

"Under section 1, the prohibition on smoking in day care licensed under Minnesota Rules, parts 9503.0005 to 9503.0175, is effective immediately, and the prohibition on smoking in day care licensed under Minnesota Rules, parts 9502.0300 to 9502.0445, is effective March 1, 1994."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 31, A bill for an act relating to state government; providing for gender balance in multimember agencies; amending Minnesota Statutes 1992, section 15.0597, by adding subdivisions.

Reported the same back with the following amendments:

Page 1, line 24, after the comma insert "geographic,"

Page 2, line 19, after "gender" insert "and geographically"

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. 86, A bill for an act relating to state government; extending expiration date of governor's residence council; amending Minnesota Statutes 1992, section 16B.27, subdivision 3.

Reported the same back with the following amendments:

Page 1, line 9, strike "15" and insert "19"

Page 1, line 15, strike "seven" and insert "13"

Page 1, line 22, strike "four" and insert "eight" and after the first "members" insert "with four public members' terms being coterminous with the governor who appoints them"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for four additional public members;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 132, A bill for an act relating to the legislature; permitting the legislative coordinating commission to accept grants and gifts for public purposes; appropriating the grants and gifts; amending Minnesota Statutes 1992, section 3.305, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 159, A bill for an act relating to education; extending the time for the Roseau school district to enter into construction contracts.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 124.431, subdivision 1, is amended to read:

Subdivision 1. [CAPITAL LOAN REQUESTS AND USES.] Capital loans are available only to qualifying districts. Capital loans must not be used for the construction of swimming pools, ice arenas, athletic facilities, auditoriums, day care centers, bus garages, or heating system improvements. Proceeds of the loans may be used only for sites for education facilities and for acquiring, bettering, furnishing, or equipping education facilities. Contracts must be entered into within ~~48~~ 30 months after the date on which each loan is granted.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to education; extending the time for school districts that have received capital loans to enter into construction contracts; amending Minnesota Statutes 1992, section 124.431, subdivision 1."

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. 168, A bill for an act relating to state government; authorizing state agencies to enter into contracts with regional organizations; proposing coding for new law in Minnesota Statutes, chapter 16B.

Reported the same back with the following amendments:

Page 2, line 3, delete "established" and insert "designated"

Page 2, line 7, delete "established" and insert "designated"

Page 2, line 11, delete "the active commissions," and insert "an active commission or other regional entity in the area not served by an active commission, shall,"

Page 2, line 12, delete "or" and insert "in the service delivery area,"

Page 2, delete line 13

Page 2, line 14, delete "shall"

Page 2, line 19, delete "consisting of representatives" and insert "which includes elected officials"

Page 2, after line 20, insert:

"Subd. 5. [AGREEMENTS WITH DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT.] The commissioner of trade and economic development may enter into agreements with regional entities established under subdivision 4 to prepare plans to ensure coordination of the department's business development, community development, trade and tourism functions with programs of local units of government and other public and private development agencies in the regions. The plans will identify regional development priorities and serve as a guide for the implementation of the department's programs in the regions."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 174, A bill for an act relating to occupations and professions; exempting manufactured home dealers and installers from license requirement; amending Minnesota Statutes 1992, section 326.84, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 326.83, subdivision 4, is amended to read:

Subd. 4. [LICENSEE.] "Licensee" means a residential building contractor, remodeler, manufactured home installer, or specialty contractor licensed under sections 326.83 to 326.98.

Sec. 2. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 4a. [MANUFACTURED HOME.] "Manufactured home" has the meaning given it in section 327.31, subdivision 6.

Sec. 3. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 4b. [MANUFACTURED HOME INSTALLER.] "Manufactured home installer" has the meaning given it in section 327.31, subdivision 11.

Sec. 4. [326.841] [MANUFACTURED HOME INSTALLERS.]

Manufactured home installers are subject to all of the requirements of sections 326.83 to 326.98, except for the following:

(1) manufactured home installers are not members of the advisory council under section 326.85;

(2) manufactured home installers are not subject to the continuing education requirements of section 326.87;

(3) the examination requirement of section 326.89, subdivision 3, for manufactured home installers shall be satisfied by successful completion of a written examination designed specifically for manufactured home installers. The examination must be designed by the commissioner in conjunction with the state building code division. The commissioner and state building code division shall seek advice on the grading, monitoring, and updating of examinations from the Minnesota manufactured housing association;

(4) the amount of the bond required by section 326.94 shall be \$2,500 for manufactured home installers;

(5) a local government unit may not place a surcharge on a license fee, and may not charge a separate fee to installers; and

(6) a dealer or distributor who does not install or repair manufactured homes is exempt from licensure under sections 326.83 to 326.98.

Sec. 5. Minnesota Statutes 1992, section 327.31, subdivision 11, is amended to read:

Subd. 11. [MANUFACTURED HOME INSTALLER.] "Manufactured home installer" means any person, firm, or corporation which that installs or repairs a manufactured homes home for others at the site of occupancy, except manufactured homes installed on a foundation system.

Sec. 6. [TEMPORARY LICENSES AND FEES.]

Until March 31, 1994, the licensee fee for manufactured home installers is \$60 per year. Licensees will not be required to satisfy the examination requirement of Minnesota Statutes, section 326.89, subdivision 3, as modified by Minnesota Statutes, section 326.841, until April 1, 1994. Licenses will not be issued or renewed after that date if the examination requirement is not satisfied.

Any person issued a building contractor or remodelers license prior to the effective date of sections 1 to 6 may apply to the commissioner for a manufactured home installers license in lieu of that license. The application must include the appropriate bond in the amount specified in Minnesota Statutes, section 326.841. The commissioner shall issue that applicant a manufactured home installers license on the same basis as any of the amended licenses. The applicant must complete the examination as specified in Minnesota Statutes, section 326.841, by April 1, 1994.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to occupations and professions; requiring manufactured home installers to be licensed by the state; amending Minnesota Statutes 1992, sections 326.83, subdivision 4, and by adding subdivisions; and 327.31, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 326."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 237, A bill for an act relating to counties; providing procedures for the combination of the offices of auditor and treasurer; amending Minnesota Statutes 1992, section 375A.10, subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 334, A bill for an act relating to housing; establishing a mortgage foreclosure prevention program; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [462A.206] [MORTGAGE FORECLOSURE PREVENTION AND EMERGENCY RENTAL ASSISTANCE PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] The agency may establish a mortgage foreclosure prevention and emergency rental assistance program to provide assistance to persons who are facing the loss of their housing due to circumstances beyond their control and have incomes at or below 60 percent of area median income adjusted for family size, as determined by the department of housing and urban development. Income eligibility is based on annualized gross income from three months preceding the application for assistance.

Subd. 2. [ADMINISTRATION.] The agency may contract with community-based, nonprofit organizations that meet the requirements specified in this section to administer the program. Preference must be given to nonprofit organizations that demonstrate the greatest ability to leverage program money with other sources of funding.

Subd. 3. [ORGANIZATION ELIGIBILITY.] A nonprofit organization must be able to demonstrate that it is qualified to deliver program services, has relevant expertise in mortgage foreclosure prevention and landlord and tenant procedures, and is able to perform the duties required under the program. An organization must provide the agency with a detailed description of how the proposed program would be administered, including the qualifications of staff. An organization may not be part of, or affiliated with, a mortgage lender, a rental property management company, or a rental property owner.

Subd. 4. [SELECTION CRITERIA.] The agency shall take the following criteria into consideration when determining whether an organization is qualified to administer the program:

(1) the prior experience of the nonprofit organization in establishing, administering, and maintaining a mortgage foreclosure prevention or a rental assistance program;

(2) the documented familiarity of the organization regarding mortgage foreclosure prevention procedures, landlord and tenant procedures, and other services available to assist with preventing the loss of housing;

(3) the reasonableness of the proposed budget in meeting the program objectives; and

(4) the documented ability of the organization to provide mortgage foreclosure prevention and other financial counseling.

Subd. 5. [DESIGNATED AREAS.] A program administrator must designate specific communities or neighborhoods within which the program is proposed to be operated for the purpose of focusing resources.

Subd. 6. [ASSISTANCE.] (a) Program assistance includes general information, screening, assessment, referral services, case management, advocacy, and financial assistance to borrowers who are delinquent on mortgage, contract for deed, or rent payments.

(b) Not more than one-half of program funding may be used for mortgage or financial counseling services.

(c) Financial assistance in the form of a loan consists of:

(1) payments for delinquent mortgage or contract for deed payments, future mortgage or contract for deed payments for a period of up to six months, property taxes, assessments, utilities, insurance, home improvement repairs, or other costs necessary to prevent foreclosure; or

(2) delinquent rent payments, utility bills, any fees or costs necessary to redeem the property, future rent payments for a period of up to six months, and relocation costs if necessary.

(d) An individual or family may receive the lesser of six months or \$4,500 of financial assistance.

Subd. 7. [REPAYMENT.] The recipient of financial assistance must enter into an agreement with the agency for repayment. The repayment agreement for mortgages or contract for deed buyers must provide that in the event the property is sold, transferred, or otherwise conveyed, or ceases to be the recipient's principal place of residence, the recipient shall repay all or a portion of the financial assistance based on their financial ability to pay. The repayment agreement may be secured by a lien on the property for the benefit of the agency. Persons may be required to repay rental assistance based on their financial ability to pay. The agency shall evaluate a recipient's ability to repay assistance. Any money repaid under this subdivision shall be deposited in the housing development fund for the purposes of this section.

Subd. 8. [REPORT.] By January 10 of every year, each nonprofit organization that delivers services under this section must submit a report to the agency that summarizes the number of people served, the number of applicants who were not served, sources and amounts of nonstate money used to fund the services, and the number and type of referrals to other service providers. The agency shall annually submit a report to the legislature by February 15 that summarizes the service provider reports.

Sec. 2. Minnesota Statutes 1992, section 462A.21, is amended by adding a subdivision to read:

Subd. 17. [MORTGAGE FORECLOSURE PREVENTION AND EMERGENCY RENTAL ASSISTANCE.] The agency may spend money for the purposes of section 462A.206 and may pay the costs and expenses necessary and incidental to the development and operation of the program.

Sec. 3. [APPROPRIATION.]

\$..... is appropriated from the general fund to the commissioner of the Minnesota housing finance agency for the biennium ending June 30, 1995, for the purposes of sections 1 and 2."

Delete the title and insert:

"A bill for an act relating to housing; establishing a mortgage foreclosure prevention and emergency rental assistance program; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 29, 31, 86, 132, 159, 168, 174 and 237 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 48 and 119 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Orfield; Anderson, I.; Garcia and Carruthers introduced:

H. F. No. 641, A bill for an act relating to metropolitan government; making the metropolitan council an elected body; changing the metropolitan transit commission, metropolitan sports facilities commission, metropolitan airports commission, and metropolitan waste control commission to operating divisions in the metropolitan council; assigning duties to the operating divisions; transferring duties of the regional transit board to the metropolitan council; abolishing the metropolitan mosquito control commission; amending Minnesota Statutes 1992, sections 6.76; 10A.01, subdivisions 18, 26, and 27; 12.03, subdivision 9; 13.55, subdivision 1; 15.0597, subdivision 1; 15A.081, subdivision 1; 43A.18, subdivision 5; 138.73, subdivision 13; 161.173; 161.174; 174.02, subdivision 5; 204B.32, subdivision 2; 252.478, subdivision 2; 352.01, subdivisions 2a and 2b; 352D.02, subdivision 1; 353.01, subdivision 2a; 353D.01, subdivision 2; 360.015, subdivision 3; 360.0753, subdivision 1; 422A.01, subdivisions 9, 17, and 18; 422A.101, subdivision 2a; 422A.151; 471.56, subdivision 5; 471A.02, subdivision 8; 473.122; 473.123, subdivisions 1, 2a, 3a, 4, 5, and by adding subdivisions; 473.129, subdivision 6, and by adding subdivisions; 473.13, subdivision 1, and by adding subdivisions; 473.141, subdivisions 1, 2, 3, 3a, 4, 4a, 5, 6, 7, 8, and 10; 473.142; 473.1425; 473.143, subdivisions 1, 2, 3, 4, 5, 6, and 7; 473.144; 473.146, subdivisions 1, 2, 2a, 2b, 2c, and 4; 473.153, subdivisions 1, 4a, and 6; 473.155, subdivision 1; 473.1551, subdivision 2; 473.161, subdivisions 1a, 1b, 2a, and 3; 473.167, subdivision 1; 473.168, subdivision 2; 473.171, subdivisions 1 and 2; 473.223; 473.245; 473.247; 473.371, subdivision 2; 473.373, subdivisions 1a and 5; 473.375, subdivisions 11, 13, and 16; 473.377, subdivisions 1 and 4; 473.384, subdivisions 1, 3, 6, and 7; 473.385, subdivision 2; 473.386, subdivision 2; 473.388, subdivisions 2, 3, and 4; 473.39, subdivisions 1 and 1a; 473.391; 473.392; 473.399, subdivisions 2 and 3; 473.3991, subdivision 2; 473.3994, subdivision 9; 473.3998; 473.404, subdivisions 1, 2, 3, and 5; 473.405, subdivisions 5, 6, and by adding a subdivision; 473.4051; 473.408, subdivision 2a; 473.409; 473.416; 473.417; 473.418; 473.42; 473.436, subdivision 6; 473.445, subdivisions 1 and 3; 473.446, subdivisions 1 and 7; 473.503; 473.504, subdivisions 1, 5, 6, 7, and 9; 473.511, subdivisions 1, 2, and 4; 473.516, subdivision 1; 473.521, subdivision 3; 473.549; 473.553, subdivision 1; 473.556, subdivisions 7 and 9; 473.565, subdivisions 1 and 2; 473.571, subdivision 1; 473.581, subdivisions 1, 2, 4, and 5; 473.595, subdivisions 1, 2, and 6; 473.602; 473.603, subdivision 1; 473.604, subdivisions 1, 2, and 3; 473.606, subdivisions 3, 5, 6, and 7; 473.608, subdivisions 1, 2, 3, 7, 12, 13, 15, 17, 19, 20, and 21; 473.609; 473.616, subdivisions 1 and 4; 473.618; 473.619, subdivisions 3 and 4; 473.621, subdivisions 2, 3, 4, and 5; 473.622; 473.625; 473.627; 473.631; 473.636, subdivision 1; 473.637; 473.638, subdivision 3; 473.64; 473.641, subdivisions 1 and 2; 473.651; 473.652, subdivision 2; 473.655; 473.661, subdivisions 1, 2, 3, and 4; 473.662; 473.665, subdivisions 1, 2, 3, 4, 5, and 6; 473.668; 473.675, subdivision 1; 473.8011; 473.811, subdivision 7; 488A.01, subdivision 6; and 488A.18, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 15A.081, subdivision 7; 174.22, subdivision 4; 473.121, subdivisions 5a, 14a, 15, 21, and 32; 473.123, subdivision 3; 473.141, subdivisions 9, 11, 12, 13, and 14; 473.161, subdivision 2; 473.1623; 473.163; 473.1631; 473.164; 473.181, subdivisions 3 and 5; 473.371, subdivision 1; 473.373, subdivisions 1, 4a, 6, and 8; 473.375, subdivisions 1, 2, 3, 4, 9, 10, 17, and 18; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.404, subdivisions 4, 6, 7, 8, and 9; 473.405, subdivisions 1, 2, 7, 8, and 11; 473.435; 473.436, subdivision 7; 473.501, subdivision 2; 473.504, subdivisions 2 and 3; 473.511, subdivision 3; 473.517, subdivision 9; 473.543, subdivision 5; 473.551, subdivision 3; 473.552; 473.553,

subdivisions 2, 3, 4, 4a, and 5; 473.556, subdivisions 1 and 2; 473.561; 473.571, subdivision 6; 473.572, subdivisions 1 and 2; 473.595, subdivisions 3, 4, and 5; 473.601, subdivisions 2, 4, and 5; 473.603, subdivision 2; 473.604, subdivisions 4, 5, 6, and 7; 473.605; 473.606, subdivisions 1, 2, and 4; 473.608, subdivisions 4 and 5; 473.619, subdivisions 1, 2, and 5; 473.621, subdivisions 6 and 7; 473.701; 473.702; 473.703; 473.704; 473.705; 473.706; 473.711; 473.712; 473.714; 473.715; and 473.716.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Carruthers introduced:

H. F. No. 642, A bill for an act relating to retirement; Brooklyn Center volunteer firefighters service pension maximums.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Luther, Evans, Holsten, Ness and Delmont introduced:

H. F. No. 643, A bill for an act relating to commerce; making technical changes in the department's enforcement powers; regulating cosmetology; prescribing powers and duties; setting fees; amending Minnesota Statutes 1992, sections 45.011, subdivision 1, and by adding a subdivision; 45.027, subdivisions 1, 2, 5, 6, and 8; 155A.03, subdivision 1; 155A.05; 155A.06; 155A.07, subdivisions 2, 4, 7, and 8; 155A.08, subdivisions 2, 3, and 5; 155A.09, subdivisions 2, 5, 6, and 9; 155A.10; 155A.14; 155A.15; and 155A.16; proposing coding for new law in Minnesota Statutes, chapter 155A; repealing Minnesota Statutes 1992, sections 155A.06; 155A.09, subdivision 7; 155A.11; 155A.12; 155A.13; and 155A.18; Minnesota Rules, parts 2642.0310, subparts 3, 4, and 5; 2642.0330, subparts 3 and 4; 2642.0800; 2642.0810; 2644.0310, subparts 2, 3, and 4; 2644.0800; and 2644.0810.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lourey introduced:

H. F. No. 644, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lasley, Bauerly, Kelso, Weaver and Ozment introduced:

H. F. No. 645, A bill for an act relating to education; modifying the maximum effort school loan program maximum tax rate for districts that refund bonds at a lower interest rate; amending Minnesota Statutes 1992, section 124.431, subdivision 14.

The bill was read for the first time and referred to the Committee on Education.

Simoneau and Johnson, A., introduced:

H. F. No. 646, A bill for an act relating to cities; limiting the service of charter commission members; fixing procedures for charter amendments; amending Minnesota Statutes 1992, sections 410.05, subdivision 2; and 410.12, subdivision 3.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Kelso; Greiling; Vellenga; Olson, K., and Seagren introduced:

H. F. No. 647, A bill for an act relating to education; establishing a pilot project for change-oriented schools.

The bill was read for the first time and referred to the Committee on Education.

Anderson, I., and Solberg introduced:

H. F. No. 648, A bill for an act relating to Itasca county; permitting the county to consolidate the offices of auditor and treasurer.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Tomassoni, Huntley, Solberg, Murphy and Rukavina introduced:

H. F. No. 649, A bill for an act relating to the University of Minnesota; authorizing the establishment of an endowed chair in taconite research; amending Minnesota Statutes 1992, section 137.022, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Tomassoni; Johnson, A.; Olson, K., and Vellenga introduced:

H. F. No. 650, A bill for an act relating to education; establishing a coordinated county-school district program; creating a waiver process of rules for new program; appropriating money; amending Minnesota Statutes 1992, sections 124.2615, subdivision 3; 124.2711, subdivision 4; 124.2713, subdivisions 8 and 9; 124.2716; and 124.2721, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 3 and 256E.

The bill was read for the first time and referred to the Committee on Education.

Winter and Wenzel introduced:

H. F. No. 651, A bill for an act relating to labor; providing that certain acts are an unfair labor practice; amending Minnesota Statutes 1992, sections 179.12; and 179A.13, subdivision 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Greenfield, Lourey, Simoneau and Luther introduced:

H. F. No. 652, A bill for an act relating to human services; directing the commissioner of human services to provide equal access to new or existing community programs to all persons with mental retardation or related conditions; proposing coding for new law in Minnesota Statutes, chapter 252.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kelso, Pauly and Lieder introduced:

H. F. No. 653, A bill for an act relating to metropolitan government; removing date restrictions for establishing replacement transit service programs in eligible communities in metropolitan area; amending Minnesota Statutes 1992, section 473.388, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Perlt, McGuire, Delmont, Rhodes and Orenstein introduced:

H. F. No. 654, A bill for an act relating to commerce; regulating corporate registrations and administrative dissolutions; regulating limited partnership registrations; regulating trademarks; regulating various lien filings; making various housekeeping changes relating to the powers and duties of the secretary of state; amending Minnesota Statutes 1992, sections 302A.821, subdivision 6; 303.13, subdivisions 1 and 2; 317A.823, subdivision 1; 317A.827, subdivision 3; 322A.70; 333.20, subdivision 3; 336.9-403; 514.27; 514.661, subdivision 4; 514.945, subdivision 1; 514.956, subdivision 3; and 514.960, subdivision 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Orenstein, Mariani and Farrell introduced:

H. F. No. 655, A bill for an act relating to civil actions; authorizing appeals from the decisions of civil service commissions by both cities and their employees on the same basis and to the same extent; amending Minnesota Statutes 1992, section 480A.06, subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Simoneau, Murphy, Kinkel, Rodosovich and Frerichs introduced:

H. F. No. 656, A bill for an act relating to civil actions; establishing provisions relating to medical malpractice punitive damage awards; proposing coding for new law in Minnesota Statutes, chapter 549.

The bill was read for the first time and referred to the Committee on Judiciary.

Simoneau, Murphy, Pauly, Pugh and McGuire introduced:

H. F. No. 657, A bill for an act relating to juries; requiring the supreme court to simplify jury selection procedures; amending Minnesota Statutes 1992, section 593.51.

The bill was read for the first time and referred to the Committee on Judiciary.

Wejcman introduced:

H. F. No. 658, A bill for an act relating to transportation; requiring handicapped individual desiring to use paratransit services to obtain physician's statement certifying disability; imposing a penalty; amending Minnesota Statutes 1992, sections 174.255, by adding a subdivision; and 473.384, subdivision 8.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Wejcman, Mariani, Wagenius and Osthoff introduced:

H. F. No. 659, A bill for an act relating to traffic regulations; directing commissioner of public safety to issue temporary permit immediately to applicant for special disabled license plates or parking certificate; providing penalty for unauthorized use of temporary permit; amending Minnesota Statutes 1992, sections 168.021, subdivisions 1, 1a, and 3; 169.345, subdivisions 3 and 4; and 169.346, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Brown, C., introduced:

H. F. No. 660, A bill for an act relating to taxation; changing the effective date for applying the sales tax to purchases made by local governments; amending Laws 1992, chapter 511, article 8, section 39.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel; Bauerly; Johnson, V.; Mosel and Long introduced:

H. F. No. 661, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

The bill was read for the first time and referred to the Committee on Agriculture.

Orfield, Knickerbocker, Kahn, Greenfield and Reding introduced:

H. F. No. 662, A bill for an act relating to retirement; the Minneapolis teachers retirement fund association; providing for purchase of allowable service credit for public school employment outside the state of Minnesota; 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.

Reding and Kahn introduced:

H. F. No. 663, A bill for an act relating to retirement; first class city teachers; annuities and administration; St. Paul teachers postretirement adjustments; administrative expenses; amending Minnesota Statutes 1992, sections 354A.011, subdivision 27; 354A.021, subdivision 5, and by adding a subdivision; 354A.12, subdivisions 1, 1a, 2a, 2b, and by adding a subdivision; 354A.23, subdivision 3; and 354A.31, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Greiling introduced:

H. F. No. 664, A bill for an act relating to education; modifying the teacher retirement program to provide an incentive for experienced teachers to participate in job sharing; proposing coding for new law in Minnesota Statutes, chapter 125.

The bill was read for the first time and referred to the Committee on Education.

Greenfield, Simoneau and Gruenes introduced:

H. F. No. 665, A bill for an act relating to the hospital construction moratorium, making the moratorium permanent; amending Minnesota Statutes 1992, section 144.551, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greiling, Vellenga, Seagren and Kelso introduced:

H. F. No. 666, A bill for an act relating to education; fostering professional staff involvement and satisfaction, improving instruction, and minimizing cost increases in school expenditures; proposing coding for new law in Minnesota Statutes 1992, chapter 123.

The bill was read for the first time and referred to the Committee on Education.

Haukoos, Reding, Krueger, Ness and Olson, M., introduced:

H. F. No. 667, A bill for an act relating to volunteer firefighter relief associations; modifying the corporate registration requirement for relief associations complying with fire state aid financial reporting requirements; amending Minnesota Statutes 1992, sections 69.051, by adding a subdivision; and 317A.823, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Greiling, Luther, Sarna, Van Dellen and Workman introduced:

H. F. No. 668, A bill for an act relating to transportation; establishing Minnesota paratransit commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Jennings, Huntley, Davids, Macklin and Hausman introduced:

H. F. No. 669, A bill for an act relating to transportation; establishing Minnesota paratransit commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Lourey, Carlson, Greenfield, Blatz and Farrell introduced:

H. F. No. 670, A bill for an act relating to insurance; health; regulating benefits for outpatient mental or nervous disorder treatment; amending Minnesota Statutes 1992, section 62A.152, subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Orfield, Rest, Garcia and Clark introduced:

H. F. No. 671, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; amending Minnesota Statutes 1992, section 473.167, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

The bill was read for the first time and referred to the Committee on Housing.

Sparby, Kalis and Lieder introduced:

H. F. No. 672, A bill for an act relating to agriculture; clarifying procedures for the use of certain organisms; amending Minnesota Statutes 1992, sections 116C.91, subdivisions 3, 6, 7, and by adding a subdivision; and 116C.94.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Johnson, V.; Stanius; Olson, E.; Battaglia and Wenzel introduced:

H. F. No. 673, A bill for an act relating to animals; prohibiting certain species; imposing a penalty; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 35.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bettermann, Dehler, Krueger, Erhardt and Bertram introduced:

H. F. No. 674, A bill for an act relating to insurance; workers' compensation; regulating certain premium adjustment programs.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Smith introduced:

H. F. No. 675, A bill for an act relating to motor vehicles; allowing value of rebuilt passenger vehicles to be determined by purchase price for taxation purposes; amending Minnesota Statutes 1992, section 168.013, subdivision 1a.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Asch, Opatz, Sekhon, Bergson and Rhodes introduced:

H. F. No. 676, A bill for an act relating to commerce; regulating facsimile transmission of unsolicited advertising materials; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Orfield, Carlson, Carruthers and Farrell introduced:

H. F. No. 677, A bill for an act relating to taxation; providing for an urban enterprise zone program; providing property tax exemptions for certain improvements to property in an enterprise zone; providing franchise tax credits for certain wages of employees employed in an enterprise zone; excepting certain tax-increment projects from certain limitations on the use of revenues; establishing special rules for tax-increment financing districts in the metropolitan area; amending Minnesota Statutes 1992, sections 272.02, by adding a subdivision; 273.11, by adding a subdivision; and 469.1763, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 290; 469; and 473.

The bill was read for the first time and referred to the Committee on Taxes.

Sarna; Murphy; Anderson, I.; Rukavina and Ness introduced:

H. F. No. 678, A bill for an act relating to labor management relations; establishing a grant program to support education in total quality management techniques in the small employer environment; appropriating money; amending Minnesota Statutes 1992, section 179.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Asch and Rest introduced:

H. F. No. 679, A bill for an act relating to levy limits; canceling any uncollected penalties imposed under previous levy limits.

The bill was read for the first time and referred to the Committee on Taxes.

Rice, Sarna and Wejcman introduced:

H. F. No. 680, A bill for an act relating to the St. Anthony Falls heritage board; permitting the chair of the Hennepin board of commissioners to designate a representative to the board; amending Minnesota Statutes 1992, section 138.763, subdivision 1.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Wagenius, Skoglund, Mariani and McGuire introduced:

H. F. No. 681, A bill for an act relating to crime prevention; firearms; authorizing cities in metropolitan counties and the metropolitan airports commission to adopt certain firearms regulations; amending Minnesota Statutes 1992, section 471.633.

The bill was read for the first time and referred to the Committee on Judiciary.

Trimble introduced:

H. F. No. 682, A bill for an act relating to game and fish; raising to 18 years the age for taking fish without a license; amending Minnesota Statutes 1992, sections 97A.445, subdivision 1; 97A.451, subdivision 2; and 97C.305, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings, Gruenes and Osthoff introduced:

H. F. No. 683, A bill for an act relating to insurance; automobile; regulating medical expense benefits; authorizing reparation obligors to offer medical expense benefits through certified managed care plans; authorizing the commissioner of commerce to certify these plans; requiring appropriate premium reductions; amending Minnesota Statutes 1992, section 65B.49, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 65B.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Swenson, Skoglund, Bishop, Murphy and Holsten introduced:

H. F. No. 684, A bill for an act relating to corrections; public safety; authorizing the commissioner of administration to purchase products and services from correctional facilities without competitive bidding; changing the period that unclaimed money and personal property of inmates must be held before disposal; authorizing the commissioner of corrections to certify certain sex offender treatment programs; providing for the payment of fines and other fees assessed by the court from inmate compensation; removing the requirement that a juvenile sex offender assessment must be done by a professional who does not have a shared financial interest with a treatment provider; removing imprisonment as a grounds for suspending the running of the period of limitation for bringing a civil action; including possessing a sawed-off shotgun as a crime of violence disenabling the offender from possession of a pistol for ten years; requiring delivery of transcripts from the court of conviction to the department of corrections; transferring sentencing to service program positions in the department of natural resources positions to the department of corrections; amending Minnesota Statutes 1992, sections 16B.08, subdivision 7; 241.09; 241.67, subdivision 2; 243.23,

subdivision 3; 260.185, subdivision 1; 541.15; 624.712, subdivision 5; and 631.41; repealing Minnesota Statutes 1992, section 241.25.

The bill was read for the first time and referred to the Committee on Judiciary.

Jennings, Stanius, Skoglund, Abrams and Munger introduced:

H. F. No. 685, A bill for an act relating to watercraft; establishing a system of milfoil stamps and boat trailer surcharges to finance research and control of Eurasian water milfoil; directing use of the water recreation account; amending Minnesota Statutes 1992, sections 86B.415, subdivisions 7, 9, and by adding a subdivision; and 296.421, subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Klinzing, Nelson, Munger, Jennings and Onnen introduced:

H. F. No. 686, A bill for an act relating to drainage; requiring drainage authorities to take certain actions; amending Minnesota Statutes 1992, sections 103E.351, subdivision 1, and by adding a subdivision; and 103E.705, subdivision 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Rukavina; Morrison; Kinkel; Brown, C., and Sparby introduced:

H. F. No. 687, A bill for an act relating to agriculture; requiring aquatic pest control applicators to be licensed; proposing coding for new law in Minnesota Statutes, chapter 18B.

The bill was read for the first time and referred to the Committee on Agriculture.

Bishop, Opatz, Vellenga, Carruthers and Rhodes introduced:

H. F. No. 688, A bill for an act relating to firearms; providing that a person convicted of domestic assault with a firearm is not eligible to possess a pistol; amending Minnesota Statutes 1992, section 624.713, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Stanius, Holsten, Krinkie, Limmer and Farrell introduced:

H. F. No. 689, A bill for an act relating to metropolitan government; providing for long-term comprehensive planning and implementation planning for the metropolitan mosquito control commission; providing for membership on the mosquito control commission; amending Minnesota Statutes 1992, sections 473.129, subdivision 6; 473.181, by adding a subdivision; 473.703; 473.704, by adding a subdivision; 473.711, by adding a subdivision; 473.716, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Winter, Farrell and Trimble introduced:

H. F. No. 690, A bill for an act relating to retirement; public employees retirement association; disability benefits; reducing the reduction in benefits to coordinate them with amounts received under workers' compensation law for certain former employees.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Stanius, McGuire, Swenson and Pugh introduced:

H. F. No. 691, A bill for an act relating to juveniles; authorizing child protection workers to take a child into immediate custody when the child is found in dangerous surroundings; amending Minnesota Statutes 1992, section 260.165, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Kinkel; Hasskamp; Johnson, R.; Anderson, I., and Johnson, V., introduced:

H. F. No. 692, A bill for an act relating to the environment; citizen's lake monitoring program; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Krueger, Simoneau, Frerichs and Osthoff introduced:

H. F. No. 693, A bill for an act relating to the legislature; establishing a legislative budget office; appropriating money; amending Minnesota Statutes 1992, section 3.98, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Ozment, Milbert, Morrison, Dawkins and Pawlenty introduced:

H. F. No. 694, A bill for an act relating to the environment; regulating management of industrial waste; amending Minnesota Statutes 1992, section 115A.03, subdivisions 13a and 21; proposing coding for new law in Minnesota Statutes, chapter 115A.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Ozment and Dempsey introduced:

H. F. No. 695, A bill for an act relating to cemeteries; prohibiting relocation of cemeteries without the trustees' or owners' consent; proposing coding for new law in Minnesota Statutes, chapters 306; and 307.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Jennings; Anderson, R.; Davids; Simoneau and Gutknecht introduced:

H. F. No. 696, A bill for an act relating to health; MinnesotaCare; modifying provisions relating to covered services and copayments; amending Minnesota Statutes 1992, section 256.9353, subdivisions 1 and 6.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Steensma, Winter, Girard and Olson, K., introduced:

H. F. No. 697, A bill for an act relating to capital improvements; authorizing a grant to construct a noncommercial television tower; authorizing state bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Capital Investment.

Blatz, Carruthers, McGuire, Lindner and Ness introduced:

H. F. No. 698, A bill for an act relating to crime victims; providing that victims' rights are applicable to juvenile proceedings; providing notice and waiver of towing fees for victims of auto theft; adding restitution as a sentencing option in juvenile traffic cases; waiving fees for docketing an order of restitution as a civil judgment; defining collateral source to include proceeds of a lawsuit brought as result of a crime; making procedural corrections to reduce administrative costs; extending the date of expiration of the Minnesota crime victim and witness advisory council; amending Minnesota Statutes 1992, sections 260.193, subdivision 8; 611A.02, subdivision 2; 611A.04, subdivision 3; 611A.52, subdivisions 5, 8, and 9; 611A.57; 611A.66; and 611A.71, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 169; 260; and 611A; repealing Minnesota Statutes 1992, section 611A.57, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Pauly, Battaglia, Tomassoni, McCollum and Vickerman introduced:

H. F. No. 699, A bill for an act relating to natural resources; mineral leasing; environmental research and protection; exploratory mineral borings and data; lean ore stockpile removal; oil and gas well spacing, pooling, and unitization; amending Minnesota Statutes 1992, sections 92.50, subdivision 1; 93.001; 93.002, subdivisions 1 and 3; 93.25; 93.46, by adding a subdivision; 93.481, subdivisions 1 and 2; 103L.113; 103L.601, subdivision 1; 103L.605, subdivision 4; and 282.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 93.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Farrell, Smith, Peterson, Sparby and Ozment introduced:

H. F. No. 700, A bill for an act relating to labor; protecting interests of employees following railroad acquisitions; imposing a penalty; amending Minnesota Statutes 1992, sections 222.86, subdivision 3; 222.87, by adding a subdivision; and 222.88.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Tompkins, Cooper, Jennings and Stanius introduced:

H. F. No. 701, A bill for an act relating to health care; allowing all providers to participate in health policies, plans, and contracts under certain conditions; requiring the commissioner of health to establish uniform claims forms and uniform billing and record keeping practices; amending Minnesota Statutes 1992, sections 43A.23, subdivision 1; 62C.02, subdivision 10; 62D.02, subdivision 12; and 72A.20, subdivision 15; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Carruthers, McGuire, Skoglund, Wagenius and Swenson introduced:

H. F. No. 702, A bill for an act relating to crime; requiring driver's license revocation for any driver who unlawfully possesses or allows another occupant of the vehicle to unlawfully possess a controlled substance while in a motor vehicle; providing that certain repeat DWI offenders are ineligible to earn good time reductions in their jail sentences; increasing the penalty for certain persons who drive while under license cancellation; asking the conference of chief judges to study certain criminal procedural rules; appropriating money for training law enforcement officers in drug recognition; amending Minnesota Statutes 1992, sections 169.121, subdivision 3a; 171.24; and 260.185, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 152; and 171.

The bill was read for the first time and referred to the Committee on Judiciary.

Rhodes, Leppik, Carruthers, Macklin and McCollum introduced:

H. F. No. 703, A bill for an act relating to crimes; creating the crimes of simple and aggravated carjacking; providing that a person who causes the death of another while committing aggravated carjacking is guilty of first degree murder; prescribing penalties; amending Minnesota Statutes 1992, section 609.185; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary.

Trimble, Lynch, Asch, Solberg and Blatz introduced:

H. F. No. 704, A bill for an act relating to water; requiring criteria for water deficiency declarations; prohibiting the use of groundwater for surface water level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; amending Minnesota Statutes 1992, sections 103G.261; 103G.265, subdivision 3; 103G.271, subdivisions 1, 7, and by adding a subdivision; 103G.291, by adding a subdivision; 103G.301, subdivision 1; 115.03, subdivision 1; 473.156, subdivision 1; 473.175, subdivision 1; 473.851; and 473.859, subdivisions 3, 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Olson, K.; Olson, E.; Tunheim and Vellenga introduced:

H. F. No. 705, A bill for an act relating to state and local government financing; creating a business education tax; increasing the state share of school financing; reducing local commercial-industrial tax base; repealing the fiscal disparities program; modifying school district referendum levies; appropriating money; amending Minnesota Statutes 1992, sections 124.2131, subdivision 1; 124A.03, subdivisions 2 and 2a; 124A.23, subdivision 1; 270.11, subdivisions 2 and 7; 273.061, subdivisions 2, 7, 8, and 9; 273.063; 273.1398, subdivisions 1, 2, and by adding a subdivision; 274.01, subdivision 1; 275.011, subdivision 1; 275.065, subdivision 5a; 276.04, subdivision 2; 415.16, subdivision 2; 428A.03, subdivision 1; 428A.05; 469.059, subdivision 13; 469.175, subdivision 3; 469.177, subdivisions 1a and 3; 469.179; 473.167, subdivision 3; 473.249, subdivision 1; 473.446, subdivision 1; 473.711, subdivision 2; and 473F.08, subdivision 3a; Laws 1974, chapter 175, section 1; proposing coding for new law in Minnesota Statutes, chapter 477A; proposing coding for new law as Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1992, sections 473F.01; 473F.02; 473F.03; 473F.05; 473F.06; 473F.07; 473F.08, subdivisions 1, 2, 3, 4, 5, 5a, 6, 7a, 8a, and 10; 473F.09; 473F.10; 473F.11; and 473F.13.

The bill was read for the first time and referred to the Committee on Education.

Lasley, Bauerly, Pelowski, Hausman and Tunheim introduced:

H. F. No. 706, A bill for an act relating to education; modifying the formula for individualized learning and development aid; modifying the referendum market value tax base; increasing training and experience revenue; creating a state aid for teacher retirement; increasing the general education formula allowance; increasing staff development revenue; appropriating money; amending Minnesota Statutes 1992, sections 124.332, subdivision 2; 124A.03, subdivision 2a; 124A.04, subdivision 2; 124A.22, subdivisions 1, 2, 4, 4a, and 8, and by adding subdivisions; 124A.29, subdivision 1; and 126.70, subdivision 1; Laws 1992, chapter 499, article 7, section 27, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Wejcman introduced:

H. F. No. 707, A bill for an act relating to corrections; appropriating money for construction of additional space at the Hennepin county juvenile detention center.

The bill was read for the first time and referred to the Committee on Judiciary.

Osthoff introduced:

H. F. No. 708, A bill for an act relating to drivers' licenses; allowing agents of court administrators to retain fee for applications for drivers' licenses and identification cards; providing for appointment of these agents; amending Minnesota Statutes 1992, section 171.06, subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Tompkins, Lindner, Worke and Jennings introduced:

H. F. No. 709, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Johnson, R., and Olson, E., introduced:

H. F. No. 710, A bill for an act relating to human services; providing for reimbursement of certain county welfare costs, for services provided to residents of the Red Lake Indian reservation; appropriating money; amending Minnesota Statutes 1992, section 245.765, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bishop, Pelowski, McCollum, Carlson and Frerichs introduced:

H. F. No. 711, A bill for an act relating to education; appropriating money for the upper division programs at Rochester center.

The bill was read for the first time and referred to the Committee on Education.

Dorn, Rodosovich, Bettermann, Welle and Bishop introduced:

H. F. No. 712, A bill for an act relating to higher education; regulating unrequested leaves of absence during the regionalization process of technical colleges; amending Minnesota Statutes 1992, section 136C.64, subdivision 3.

The bill was read for the first time and referred to the Committee on Education.

Orenstein, Osthoff, Vellenga, McCollum and McGuire introduced:

H. F. No. 713, A bill for an act relating to taxation; creating a joint property tax advisory committee; amending Minnesota Statutes 1992, section 275.065, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383A.

The bill was read for the first time and referred to the Committee on Taxes.

Dawkins, Simoneau, Greenfield, Blatz and Gruenes introduced:

H. F. No. 714, A bill for an act relating to human services; directing the commissioner of human services to obtain federal waivers under the AFDC program.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Osthoff introduced:

H. F. No. 715, A bill for an act relating to motor vehicles; providing for appointment of deputy registrars of motor vehicles; amending Minnesota Statutes 1992, sections 168.33, subdivision 2; and 373.35, subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Simoneau; Johnson, R., and Greenfield introduced:

H. F. No. 716, A bill for an act relating to corrections; regulating medical services to prisoners; prohibiting discrimination in auto insurance policies based on the applicant's status as a prisoner; amending Minnesota Statutes 1992, sections 72A.20, subdivision 23; and 641.15, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Winter; Murphy; Rukavina; Olson, K., and Brown, C., introduced:

H. F. No. 717, A bill for an act relating to retirement; providing an open and standing appropriation of funds needed to reimburse relief associations for supplemental benefit payments to volunteer firefighters; amending Minnesota Statutes 1992, section 424A.10, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Winter; Sparby; Olson, K., and Brown, C., introduced:

H. F. No. 718, A bill for an act relating to lawful gambling; making certain expenditures for maintenance and utilities for premises owned or leased by a licensed organization a lawful purpose; repealing the requirement for an annual audit of lawful gambling activities and funds; reducing the rate of tax on the ideal gross from pull-tabs and tipboards; requiring the director of lawful gambling and the commissioner of revenue to jointly adopt a single form for organizations' monthly reporting; amending Minnesota Statutes 1992, sections 349.12, subdivision 25; and 349.212, subdivision 4; repealing Minnesota Statutes 1992, section 349.19, subdivision 9.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Winter, Peterson, Rukavina and Olson, E., introduced:

H. F. No. 719, A bill for an act relating to tax increment financing; modifying the computation of original tax capacity; amending Minnesota Statutes 1992, section 469.177, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Anderson, I., introduced:

H. F. No. 720, A bill for an act relating to town roads; permitting cartways to be established on alternative routes; amending Minnesota Statutes 1992, section 164.08, subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Orfield, Carruthers, Mariani, Greenfield and Farrell introduced:

H. F. No. 721, A bill for an act relating to human services; replacing the work readiness programs in Hennepin and Ramsey counties with a public works training program; amending Minnesota Statutes 1992, section 256D.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256D.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Pelowski, Bishop, Carlson and McCollum introduced:

H. F. No. 722, A bill for an act relating to education; appropriating money for instructional equipment at the Rochester center.

The bill was read for the first time and referred to the Committee on Education.

Simoneau; Anderson, I.; Rukavina and Krueger introduced:

H. F. No. 723, A bill for an act relating to public employment; modifying provisions relating to contracting-out of services; amending Minnesota Statutes 1992, section 179A.23.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Bettermann, Hausman, Steensma, Greiling and Bertram introduced:

H. F. No. 724, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greiling, Hausman, Vickerman, Jacobs and McGuire introduced:

H. F. No. 725, A bill for an act proposing an amendment to the Minnesota Constitution; providing for a unicameral legislature; changing article IV; article VIII, section 1; article IX, sections 1 and 2; and article XI, section 5; providing by statute for a unicameral legislature to consist of 135 members; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Orfield, Greenfield, Clark and Worke introduced:

H. F. No. 726, A bill for an act relating to health; asbestos abatement; modifying provisions relating to asbestos-related work, licenses, and fees; providing penalties; amending Minnesota Statutes 1992, sections 326.71, subdivisions 3, 4, 5, 6, 8, and by adding subdivisions; 326.72; 326.73; 326.74; 326.75; 326.76; 326.78; 326.785; 326.79; 326.80; and 326.81; repealing Minnesota Statutes 1992, sections 326.71, subdivision 7.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey; Anderson, R.; Simoneau; Welle and Onnen introduced:

H. F. No. 727, A bill for an act relating to state government; providing funding for community action agencies and economic opportunity grants; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1, A bill for an act relating to the legislature; providing for the designation of successor legislative committees; proposing coding for new law in Minnesota Statutes, chapter 3.

PATRICK E. FLAHAVER, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Solberg moved that the House concur in the Senate amendments to H. F. No. 1 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1, A bill for an act relating to legislative committees; providing for the designation of successor legislative committees; updating statutory references to names of committees; amending Minnesota Statutes 1992, sections 3.30, subdivision 2; 3.855, subdivision 1; 3.873, subdivision 2; 3.97, subdivision 2; 3.98, subdivision 1; 11A.041; 15.161; 16A.128, subdivision 2a; 16A.69, subdivision 2; 16B.335; 16B.41, subdivision 2; 18E.06; 115B.20, subdivision 6; 116P.05, subdivision 1; 124.078; 135A.05; 136.261, subdivision 1; 136.41, subdivision 8; 137.02, subdivision 3a; 144.878, subdivision 5; 144A.071, subdivision 5; 246.64, subdivision 3; 256.014, subdivision 3; 256.031, subdivision 3; 256.736, subdivisions 3a and 9; 256.9352, subdivision 3; 256B.0629, subdivision 3; 256B.0925, subdivision 3; 268.916; 355.50; and 473.846; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 268.081.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Garcia	Jaros	Krinkie	McGuire	Opatz
Anderson, I.	Commers	Girard	Jefferson	Krueger	Milbert	Orenstein
Anderson, R.	Cooper	Goodno	Jennings	Lasley	Molnau	Orfield
Asch	Dauner	Greenfield	Johnson, A.	Leppik	Morrison	Osthoff
Battaglia	Dauids	Greiling	Johnson, R.	Lieder	Mosel	Ostrom
Bauerly	Dawkins	Gruenes	Johnson, V.	Limmer	Munger	Ozment
Beard	Dehler	Gutknecht	Kahn	Lindner	Murphy	Pauly
Bergson	Delmont	Hasskamp	Kalis	Lourey	Neary	Pawlenty
Bertram	Dempsey	Haukoos	Kelley	Luther	Nelson	Pelowski
Bettermann	Dorn	Hausman	Kelso	Lynch	Ness	Perlt
Blatz	Erhardt	Holsten	Kinkel	Macklin	Olson, E.	Peterson
Brown, K.	Evans	Hugoson	Klinzing	Mahon	Olson, K.	Pugh
Carlson	Farrell	Huntley	Knickerbocker	Mariani	Olson, M.	Reding
Carruthers	Frerichs	Jacobs	Koppendraye	McCollum	Onnen	Rest

Rhodes	Seagren	Solberg	Tomassoni	Vellenga	Wejzman	Workman
Rice	Sekhon	Stanius	Tompkins	Vickerman	Wenzel	Spk. Long
Rodosovich	Simoneau	Steensma	Trimble	Wagenius	Winter	
Rukavina	Skoglund	Sviggum	Tunheim	Waltman	Wolf	
Sama	Smith	Swenson	Van Dellen	Weaver	Worke	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 12.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 12, A resolution expressing the legislature's opposition to federal legislation requiring suspension of licenses for individuals convicted of violations of the federal Controlled Substances Act.

The bill was read for the first time.

Osthoff moved that S. F. No. 12 and H. F. No. 6, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CALENDAR

H. F. No. 9, A bill for an act relating to insurance; health; requiring coverage for elimination or treatment of port-wine stains; proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Munger	Peterson	Tompkins
Anderson, I.	Dawkins	Holsten	Krueger	Murphy	Pugh	Trimble
Anderson, R.	Dehler	Hugoson	Lasley	Neary	Reding	Tunheim
Asch	Delmont	Huntley	Leppik	Nelson	Rest	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Ness	Rhodes	Vellenga
Bauerly	Dorn	Jaros	Limmer	Olson, E.	Rice	Vickerman
Beard	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Wagenius
Bergson	Evans	Jennings	Lourey	Olson, M.	Rukavina	Waltman
Bertram	Farrell	Johnson, A.	Luther	Ornen	Sarna	Weaver
Bettermann	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Wejzman
Bishop	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Wenzel
Blatz	Girard	Kahn	Mahon	Orfield	Simoneau	Winter
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wolf
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Worke
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Workman
Clark	Gruenes	Kinkel	Milbert	Pauly	Stanius	Spk. Long
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Steensma	
Cooper	Hasskamp	Knicknerbocker	Morrison	Pelowski	Swenson	
Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Tomassoni	

Those who voted in the negative were:

Sviggun

The bill was passed and its title agreed to.

H. F. No. 146, A bill for an act relating to financial institutions; state banks; regulating the acquisition of a bank or savings association for operation as a detached facility; amending Minnesota Statutes 1992, section 49.34, subdivision 2.

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	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tompkins
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Trimble
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Tunheim
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Van Dellen
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Vellenga
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vickerman
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Wagenius
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Waltman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Weaver
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Wejzman
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wenzel
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Winter
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wolf
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Worke
Clark	Gruenes	Kinkel	Milbert	Pauly	Stanisus	Workman
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Steenma	Spk. Long
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Sviggun	

The bill was passed and its title agreed to.

H. F. No. 97, A bill for an act relating to labor relations; regulating public employment labor relations; modifying the definition of a confidential employee; amending Minnesota Statutes 1992, section 179A.03, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Beard	Brown, C.	Cooper	Dempsey	Garcia	Gutknecht
Anderson, I.	Bergson	Brown, K.	Dauner	Dorn	Girard	Hasskamp
Anderson, R.	Bertram	Carlson	Davids	Erhardt	Goodno	Haukoos
Asch	Bettermann	Carruthers	Dawkins	Evans	Greenfield	Hausman
Battaglia	Bishop	Clark	Dehler	Farrell	Greiling	Holsten
Bauerly	Blatz	Commers	Delmont	Frerichs	Gruenes	Hugoson

Huntley	Klinzing	Mahon	Olson, E.	Perlt	Skoglund	Vickerman
Jacobs	Knickerbocker	Mariani	Olson, K.	Peterson	Smith	Wagenius
Jaros	Koppendrayner	McCollum	Olson, M.	Pugh	Solberg	Waltman
Jefferson	Krueger	McGuire	Ornen	Reding	Stanius	Weaver
Jennings	Lasley	Milbert	Opatz	Rest	Steensma	Wejzman
Johnson, A.	Leppik	Molnau	Orenstein	Rhodes	Sviggum	Wenzel
Johnson, R.	Lieder	Morrison	Orfield	Rice	Swenson	Winter
Johnson, V.	Limmer	Mosel	Osthoff	Rodosovich	Tomassoni	Wolf
Kahn	Lindner	Munger	Ostrom	Rukavina	Tompkins	Worke
Kalis	Lourey	Murphy	Ozment	Sarna	Trimble	Workman
Kelley	Luther	Neary	Pauly	Seagren	Tunheim	Spk. Long
Kelso	Lynch	Nelson	Pawlenty	Sekhon	Van Dellen	
Kinkel	Macklin	Ness	Pelowski	Simoneau	Vellenga	

Those who voted in the negative were:

Krinkie

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. 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. 227 and 254 were recommended to pass.

S. F. No. 119 was recommended to pass.

H. F. No. 243 was recommended for progress.

S. F. No. 48 which it recommended to pass with the following amendment offered by Dawkins:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 507.411, is amended to read:

507.411 [SATISFACTION AND RELEASE OF MORTGAGES; CORPORATE NAME OR IDENTITY CHANGE.]

When a change in the name or identity of a corporate mortgagee or assignee of the mortgagee is caused by or results from a merger, consolidation, amendment to charter or articles of incorporation, or conversion of articles of incorporation or charter from federal to state, from state to federal, or from one form of entity to another, a mortgage satisfaction or release that is otherwise recordable and that specifies, in both the body and acknowledgment, of the instrument the merger, consolidation, amendment, or conversion event causing the change in name or identity is in recordable form. The satisfaction or release is entitled to be recorded in the office of the county recorder or filed with the registrar of titles, without further evidence of corporate merger, consolidation, amendment, or conversion. For purposes of satisfying or releasing the mortgage, the satisfaction or release is prima facie evidence of the facts stated

in it with respect to the corporate merger, consolidation, amendment, or conversion, and the county recorder and the registrar of titles shall rely upon it to satisfy or release the mortgage.

Sec. 2. Minnesota Statutes 1992, section 559.17, subdivision 2, is amended to read:

Subd. 2. A mortgagor may assign, as additional security for the debt secured by the mortgage, the rents and profits from the mortgaged real property, if the mortgage:

- (1) was executed, modified or amended subsequent to August 1, 1977;
- (2) secured an original principal amount of \$100,000 or more or is a lien upon residential real estate containing more than four dwelling units; and
- (3) is not a lien upon property which was:
 - (i) entirely homesteaded; as agricultural property; or
 - (ii) residential real estate containing four or ~~less~~ fewer dwelling units where at least one of the units is homesteaded, ~~or agricultural property.~~ The assignment may be enforced, but only against the nonhomestead portion of the mortgaged property, as follows:

(a) if, by the terms of an assignment, a receiver is to be appointed upon the occurrence of some specified event, and a showing is made that the event has occurred, the court shall, without regard to waste, adequacy of the security, or solvency of the mortgagor, appoint a receiver who shall, with respect to the excess cash remaining after application as provided in section 576.01, subdivision 2, apply it as prescribed by the assignment. If the assignment so provides, the receiver shall apply the excess cash in the manner set out herein from the date of appointment through the entire redemption period from any foreclosure sale. Subject to the terms of the assignment, the receiver shall have the powers and duties as set forth in section 576.01, subdivision 2; or

(b) if no provision is made for the appointment of a receiver in the assignment or if by the terms of the assignment a receiver may be appointed, the assignment shall be binding upon the assignor unless or until a receiver is appointed without regard to waste, adequacy of the security or solvency of the mortgagor, but only in the event of default in the terms and conditions of the mortgage, and only in the event the assignment requires the holder thereof to first apply the rents and profits received as provided in section 576.01, subdivision 2, in which case the same shall operate against and be binding upon the occupiers of the premises from the date of filing by the holder of the assignment in the office of the county recorder or the office of the registrar of titles for the county in which the property is located of a notice of default in the terms and conditions of the mortgage and service of a copy of the notice upon the occupiers of the premises. The holder of the assignment shall apply the rents and profits received in accordance with the terms of the assignment, and, if the assignment so provides, for the entire redemption period from any foreclosure sale. A holder of an assignment who enforces it in accordance with this clause shall not be deemed to be a mortgagee in possession with attendant liability.

Nothing contained herein shall prohibit the right to reinstate the mortgage debt granted pursuant to section 580.30, nor the right to redeem granted pursuant to sections 580.23 and 581.10, and any excess cash, as that term is used herein, collected by the receiver under clause (a), or any rents and profits taken by the holder of the assignment under clause (b), shall be credited to the amount required to be paid to effect a reinstatement or redemption.

Sec. 3. Minnesota Statutes 1992, section 580.032, subdivision 1, is amended to read:

Subdivision 1. [FILING REQUEST FOR NOTICE.] A person having a redeemable interest in real property under section 580.23 or 580.24, may file for record a request for notice of a mortgage foreclosure by advertisement with the county recorder or registrar of titles of the county where the property is located. To be effective for purposes of this section, a request for notice must be filed for record as a separate and distinct document, or may be incorporated in a mechanic's lien statement filed for record pursuant to section 514.08, if the mechanic's lien statement includes a request for notice and includes the name and mailing address of the person requesting notice.

Sec. 4. Minnesota Statutes 1992, section 580.07, is amended to read:

580.07 [POSTPONEMENT.]

~~Such~~ The sale may be postponed, from time to time, by the party conducting the foreclosure, by inserting a notice of ~~such the~~ postponement, as soon as practicable, in the newspaper in which the original advertisement was published, and continuing ~~such the~~ publication until the time to which the sale is postponed, at the expense of the party requesting the ~~same~~ postponement.

Sec. 5. Minnesota Statutes 1992, section 609.5311, subdivision 3, is amended to read:

Subd. 3. [LIMITATIONS ON FORFEITURE OF CERTAIN PROPERTY ASSOCIATED WITH CONTROLLED SUBSTANCES.] (a) A conveyance device is subject to forfeiture under this section only if the retail value of the controlled substance is \$25 or more and the conveyance device is associated with a felony-level controlled substance crime.

(b) Real property is subject to forfeiture under this section only if the retail value of the controlled substance or contraband is \$1,000 or more.

(c) Property used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section only if the owner of the property is a consenting party to, or is privy to, the use or intended use of the property as described in subdivision 2.

(d) Property is subject to forfeiture under this section only if its owner was privy to the use or intended use described in subdivision 2, or the unlawful use or intended use of the property otherwise occurred with the owner's knowledge or consent.

(e) Forfeiture under this section of a conveyance device or real property encumbered by a bona fide security interest is subject to the interest of the secured party unless the secured party had knowledge of or consented to the act or omission upon which the forfeiture is based. A person claiming a security interest bears the burden of establishing that interest by clear and convincing evidence.

(f) Forfeiture under this section of real property is subject to the interests of a good faith purchaser for value unless the purchaser had knowledge of or consented to the act or omission upon which the forfeiture is based.

(g) Notwithstanding paragraphs (d) and (e), and (f), property is not subject to forfeiture based solely on the owner's or secured party's knowledge of the unlawful use or intended use of the property: (1) if the owner or secured party took reasonable steps to terminate use of the property by the offender; or (2) the property is real property owned by the parent of the offender, unless the parent actively participated in, or knowingly acquiesced to, a violation of chapter 152, or the real property constitutes proceeds derived from or traceable to a use described in subdivision 2.

Sec. 6. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective retroactively to March 7, 1991. Section 2 is effective the day following final enactment. A request for notice under Minnesota Statutes, section 580.032, subdivision 1, filed on or after August 1, 1992, and prior to August 1, 1993, that is not a separate and distinct document, or incorporated in a mechanic's lien statement filed for record pursuant to Minnesota Statutes, section 514.08, ceases to be a request for notice on June 30, 1994, unless a supplemental request for notice that complies with Minnesota Statutes, section 580.032, subdivision 1, and states the recording information, including document number or book and page of the original request for notice, is filed before July 1, 1994.

Delete the title and insert:

"A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; allowing enforcement of assignment of rents and profits of certain mortgaged real property, against only nonhomestead portion of that property; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure

sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 559.17, subdivision 2; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3."

H. F. No. 145, the first engrossment, which it recommended to pass with the following amendment offered by Kelley and Steensma:

Page 1, line 9, delete "(a)"

Page 1, line 14, delete "(b)" and before "The" insert "Subd. 3. Notwithstanding subdivision 2 of this section,"

Page 1, line 15, delete "conditions" and insert "requirements"

Page 1, line 18, after "section" insert ", and has paid a nonrefundable fee set by the board"

H. F. No. 201, the first engrossment, which it recommended to pass with the following amendment offered by Tunheim:

Amend the title as follows:

Page 1, line 3, before "county" insert "city," and after "county" insert a comma

On the motion of Bauerly the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Winter moved that his name be stricken as an author on H. F. No. 146. The motion prevailed.

Bauerly moved that the names of Luther and Huntley be added as authors on H. F. No. 227. The motion prevailed.

Waltman moved that the name of Trimble be added as an author on H. F. No. 546. The motion prevailed.

Skoglund moved that the name of Limmer be added as an author on H. F. No. 558. The motion prevailed.

Skoglund moved that the name of Limmer be added as an author on H. F. No. 577. The motion prevailed.

Pugh moved that the names of Clark and Milbert be added as authors on H. F. No. 588. The motion prevailed.

Trimble moved that the name of Morrison be added as an author on H. F. No. 590. The motion prevailed.

Rukavina moved that the name of Luther be stricken and the name of Jaros be added as an author on H. F. No. 602. The motion prevailed.

Johnson, A., moved that the name of Anderson, I., be added as an author on H. F. No. 607. The motion prevailed.

ADJOURNMENT

Bauerly moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 4, 1993. The motion prevailed.

Bauerly moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 4, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-EIGHTH SESSION -- 1993

NINETEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 4, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Peg Chamberlin, Minnesota Food Share, Minneapolis, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

A quorum was present.

Wejcman was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Steensma moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 12 and H. F. No. 6, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Osthoff moved that S. F. No. 12 be substituted for H. F. No. 6 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 45, A bill for an act relating to probate; establishing a durable power of attorney for health care; proposing coding for new law as Minnesota Statutes, chapter 145C.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [145B.105] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR OFFENSES.] Whoever commits any of the following acts is guilty of a gross misdemeanor:

- (1) willfully conceals, cancels, defaces, or obliterates a living will of a declarant without the consent of the declarant;
- (2) willfully conceals or withholds personal knowledge of a revocation of a living will;
- (3) falsifies or forges a living will or a revocation of a living will;
- (4) coerces or fraudulently induces another to execute a living will; or
- (5) requires or prohibits the execution of a living will as a condition for being insured for or receiving all or some health care services.

Subd. 2. [FELONY OFFENSES.] Whoever commits an act prohibited under subdivision 1 is guilty of a felony if the act results in bodily harm to the declarant or to the person who would have been a declarant but for the unlawful act.

Sec. 2. [145C.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [AGENT.] "Agent" means an individual age 18 or older who is designated by a principal in a durable power of attorney for health care to make health care decisions on behalf of a principal and has consented to act in that capacity. An agent may also be referred to as "attorney in fact."

Subd. 3. [DURABLE POWER OF ATTORNEY FOR HEALTH CARE.] "Durable power of attorney for health care" means an instrument authorizing an agent to make health care decisions for the principal if the principal is unable, in the judgment of the attending physician, to make or communicate health care decisions.

Subd. 4. [HEALTH CARE.] "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or treat a person's physical or mental condition. Health care includes the provision of nutrition or hydration parenterally or through intubation. "Health care" does not include intrusive mental health treatment as defined in section 253B.03, subdivision 6b, unless the durable power of attorney for health care specifically applies to decisions relating to intrusive mental health treatment.

Subd. 5. [HEALTH CARE DECISION.] "Health care decision" means the consent, refusal of consent, or withdrawal of consent to health care.

Subd. 6. [HEALTH CARE PROVIDER.] "Health care provider" means a person, health care facility, organization, or corporation licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care directly or through an arrangement with other health care providers, including health maintenance organizations licensed under chapter 62D.

Subd. 7. [HEALTH CARE FACILITY.] "Health care facility" means a hospital or other entity licensed under sections 144.50 to 144.58, a nursing home licensed to serve adults under section 144A.02, or a home care provider licensed under sections 144A.43 to 144A.49.

Subd. 8. [PRINCIPAL.] "Principal" means an individual age 18 or older who has executed a durable power of attorney for health care.

Sec. 3. [145C.02] [DURABLE POWER OF ATTORNEY FOR HEALTH CARE.]

A durable power of attorney for health care under this chapter authorizes the agent to make health care decisions for the principal, when the principal is unable, in the judgment of the principal's attending physician, to make or communicate health care decisions. The durable power of attorney for health care shall substantially comply with the requirements of section 4. An instrument executed prior to the effective date of this chapter purporting to create a durable power of attorney for health care is valid if the document specifically authorizes the agent to make health care decisions and is executed in compliance with section 4.

Sec. 4. [145C.03] [REQUIREMENTS.]

Subdivision 1. [EXECUTION.] A durable power of attorney for health care must be signed by the principal or, if the principal is physically unable to sign, it may be signed in the principal's name by some other person acting in the principal's presence and by the principal's direction. A durable power of attorney for health care must contain the date of its execution and be witnessed or acknowledged by one of the following methods:

(1) signed by at least two individuals age 18 or older each of whom witnessed either the signing of the instrument by the principal or the principal's acknowledgment of the signature; or

(2) acknowledged by the principal before a notary public who is not the agent.

Subd. 2. [INDIVIDUALS INELIGIBLE TO ACT AS AGENT.] The following individuals are not eligible to act as the agent in a durable power of attorney for health care, unless the individual designated is related to the principal by blood, marriage, registered domestic partnership, or adoption:

(1) a health care provider attending the principal; or

(2) an employee of a health care provider attending the principal.

Subd. 3. [INDIVIDUALS INELIGIBLE TO ACT AS WITNESSES.] The agent designated in the durable power of attorney for health care may not act as a witness for the execution of the durable power of attorney for health care.

At least one witness to the execution of the durable power of attorney for health care may not be a health care provider providing direct care to the principal or an employee of a health care provider providing direct care to the principal on the date of execution.

Sec. 5. [145C.04] [EXECUTED IN ANOTHER STATE.]

A durable power of attorney for health care or similar document executed in another state or jurisdiction in compliance with the law of that state or jurisdiction is valid and enforceable in this state, to the extent the document is consistent with the laws of this state.

Sec. 6. [145C.05] [SUGGESTED FORM.]

Subdivision 1. [CONTENT.] A durable power of attorney for health care executed pursuant to this chapter may, but need not, be in the following form:

"I appoint as my agent (my attorney in fact) to make any health care decision for me when, in the judgment of my attending physician, I am unable to make or communicate a decision myself.

My agent has the power to make any health care decision for me. This power includes the power to give consent, to refuse consent, or to withdraw consent to any care, treatment, service, or procedure to maintain, diagnose, or treat my physical or mental condition, including giving me food or water by artificial means. My agent has the power,

where consistent with the laws of this state, to make a health care decision to withhold or stop health care necessary to keep me alive.

My agent and any alternative agents have consented to act as my agents. My agent and any alternative agents have been notified that they will be nominated as a guardian or conservator for me.

My agent must act consistently with my desires as stated in this document or as otherwise made known by me to my agent.

My agent has the same right as I would have to receive, review, and obtain copies of my medical records and to consent to disclosure of those records."

Subd. 2. [ADDITIONAL PROVISIONS.] The durable power of attorney for health care may include additional provisions consistent with this chapter, including:

(1) the designation of one or more alternative agents to act if the named agent is unable, unavailable, or unwilling to serve;

(2) specific instructions to the agent or any alternative agents;

(3) limitations, if any, on the right of the agent or any alternative agents to receive, review, obtain copies of, and consent to the disclosure of the principal's medical records; and

(4) limitations, if any, on the nomination of the agent as guardian or conservator for purposes of section 525.544.

Sec. 7. [145C.06] [WHEN EFFECTIVE.]

(a) A durable power of attorney for health care is effective:

(1) when it has been executed in accordance with section 4 and received and accepted by the agent; and

(2) the principal is unable, in the determination of the principal's attending physician, to make a health care decision.

(b) If the principal states in the durable power of attorney that the principal does not have an attending physician because the principal in good faith generally selects and depends upon spiritual means or prayer for the treatment or care of disease or remedial care, the principal may designate an individual in the durable power of attorney for health care who may certify in a writing acknowledged before a notary public that the principal is unable to make a health care decision. The requirements of section 4, subdivisions 2 and 3, relating to the eligibility of a health care provider attending the principal or the provider's employee to act as an agent or witness apply to an individual designated under this paragraph.

Sec. 8. [145C.07] [AUTHORITY AND DUTIES OF AGENT.]

Subdivision 1. [AUTHORITY.] The agent has authority to make any particular health care decision only if the principal is unable, in the determination of the attending physician, to make or communicate that health care decision. The agent does not have authority to consent to a voluntary commitment under chapter 253B. The physician or health care provider shall continue to obtain the principal's informed consent to all health care decisions for which the principal is capable of informed consent.

Subd. 2. [AGENT AS GUARDIAN.] Except as otherwise provided in the durable power of attorney for health care, appointment of the agent in a durable power of attorney for health care is nomination of a guardian or conservator of the person for purposes of section 525.544.

Subd. 3. [DUTIES.] In exercising the authority under the durable power of attorney for health care, the agent has a duty to act in accordance with the desires of the principal as expressed in the durable power of attorney for health care, as expressed in a living will under chapter 145B or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d, or as otherwise made known by the principal to the agent at any time. If the principal's desires are not known or cannot be determined from information known to the agent, the agent has a duty to act in the best interests of the principal taking into account the principal's overall medical condition and prognosis.

Subd. 4. [INCONSISTENCIES AMONG DOCUMENTS.] In the event of inconsistency between the designation of a proxy under chapter 145B or section 253B.03, subdivision 6d, or of an agent under this chapter, the most recent designation takes precedence. In the event of other inconsistencies among documents executed under this chapter or chapter 145B, or under section 253B.03, subdivision 6d, or 525.544, the provisions of the most recently executed document take precedence only to the extent of the inconsistency.

Sec. 9. [145C.08] [AUTHORITY TO REVIEW MEDICAL RECORDS.]

An agent acting pursuant to a durable power of attorney for health care has the same right as the principal to receive, review, and obtain copies of medical records of the principal, and to consent to the disclosure of medical records of the principal, unless the durable power of attorney for health care expressly provides otherwise.

Sec. 10. [145C.10] [DUTIES OF HEALTH CARE PROVIDERS TO PROVIDE LIFE-SUSTAINING HEALTH CARE.]

(a) If the proxy acting under chapter 145B or the agent acting under this chapter directs the provision of health care, nutrition, or hydration which, in reasonable medical judgment, has a significant possibility of sustaining the principal's life, a health care provider must take all reasonable steps to ensure provision of the directed health care, nutrition, or hydration if it has the legal and actual capability of providing it, either itself or through prompt transfer, and if necessary to preserve the principal's life, by emergency transfer, of the principal to a health care provider which itself has that capability. A health care provider unwilling to provide directed health care which it has the legal and actual capability of providing may instead transfer the patient to another health care provider willing to provide the directed health care but must take all reasonable steps to ensure provision of the directed health care until the transfer is effectuated. This paragraph does not apply if a living will under chapter 145B or a durable power of attorney for health care indicates an intention to the contrary.

(b) Nothing in this section alters any legal obligation or lack of legal obligation of a health care provider to provide health care to a patient who refuses, has refused, or is unable to pay for it.

Sec. 11. [145C.11] [REVOCAION OF DURABLE POWER OF ATTORNEY.]

Subdivision 1. [REVOCAION.] The principal may revoke a durable power of attorney for health care at any time by doing any of the following:

(a) canceling, defacing, obliterating, burning, tearing, or otherwise destroying the durable power of attorney for health care instrument or directing another in the presence of the principal to destroy the durable power of attorney for health care instrument;

(b) executing a statement, in writing and dated, expressing the principal's intent to revoke the durable power of attorney for health care;

(c) verbally expressing the principal's intent to revoke the durable power of attorney for health care in the presence of two witnesses who do not have to be present at the same time; or

(d) executing a subsequent durable power of attorney for health care instrument, to the extent the subsequent instrument is inconsistent with any prior instrument.

Subd. 2. [EFFECT OF DISSOLUTION OR ANNULMENT OF MARRIAGE OR TERMINATION OF DOMESTIC PARTNERSHIP ON APPOINTMENT OF AGENT.] Unless the durable power of attorney for health care expressly provides otherwise, the appointment by the principal of the principal's spouse or domestic partner as agent under a durable power of attorney for health care is revoked by the commencement of proceedings for dissolution, annulment, or legal separation or commencement of proceedings for termination of the principal's registered domestic partnership.

Sec. 12. [145C.12] [PRESUMPTIONS.]

The principal is presumed to have capacity to appoint an agent to make health care decisions and to revoke a durable power of attorney for health care. A health care provider or agent may presume that a durable power of attorney for health care is valid absent actual knowledge to the contrary.

It is presumed that an agent, and a health care provider acting pursuant to the direction of an agent, are acting in good faith and in the best interests of the principal, absent clear and convincing evidence to the contrary.

This chapter does not create a presumption concerning the intention of a person who has not executed a durable power of attorney for health care and does not impair or supersede any right or responsibility of a person to consent, refuse to consent, or withdraw consent to health care on behalf of another in the absence of a durable power of attorney for health care.

For purposes of this chapter, acting in good faith means acting consistently with the desires of the principal as expressed in the durable power of attorney for health care, in a living will under chapter 145B, or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d, or otherwise made known by the principal to the agent. If the principal's desires are not known or are impossible to determine from information known to the agent, acting in good faith means acting in the best interests of the principal, taking into account the principal's overall medical condition and prognosis.

Sec. 13. [145C.13] [IMMUNITIES.]

Subdivision 1. [AGENT.] An agent is not subject to criminal prosecution or civil liability for any health care decision made in good faith pursuant to a durable power of attorney for health care, unless the agent has actual knowledge of the revocation of the durable power of attorney for health care.

Subd. 2. [HEALTH CARE PROVIDER.] (a) A health care provider is not subject to criminal prosecution, civil liability, or professional disciplinary action if the health care provider relies on a health care decision made by the agent and the following requirements are satisfied:

(1) the health care provider believes in good faith that the decision was made by an agent authorized to make the decision and has no actual knowledge that the durable power of attorney for health care has been revoked; and

(2) the health care provider believes in good faith that the decision is consistent with the desires of the principal as expressed in the durable power of attorney for health care or otherwise made known by the principal to the agent.

(b) A health care provider who administers health care necessary to keep the principal alive, despite a health care decision of the agent to withhold or withdraw health care, is not subject to criminal prosecution, civil liability, or professional disciplinary action if that health care provider promptly took all reasonable steps to transfer care of the principal to another health care provider willing to comply with the decision of the agent.

Sec. 14. [145C.14] [PROHIBITED PRACTICES.]

Subdivision 1. [HEALTH CARE PROVIDER.] A health care provider, health care service plan, insurer, self-insured employee welfare benefit plan, or nonprofit hospital plan may not condition admission to a facility, or the providing of treatment or insurance, on the requirement that a person execute a durable power of attorney for health care.

Subd. 2. [INSURANCE.] A policy of life insurance is not legally impaired or invalidated in any manner by the withholding or withdrawing of health care pursuant to the direction of an agent appointed pursuant to this chapter.

Sec. 15. [145C.15] [CERTAIN PRACTICES NOT CONDONED.]

Nothing in this chapter may be construed to condone, authorize, or approve mercy killing or euthanasia.

Sec. 16. [145C.16] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR OFFENSES.] Whoever commits any of the following acts is guilty of a gross misdemeanor:

(1) willfully conceals, cancels, defaces, or obliterates a durable power of attorney for health care of a principal without the consent of the principal;

(2) willfully conceals or withholds personal knowledge of a revocation of a durable power of attorney for health care;

(3) falsifies or forges a durable power of attorney for health care or a revocation of the instrument;

(4) coerces or fraudulently induces another to execute a durable power of attorney for health care; or

(5) requires or prohibits the execution of a durable power of attorney for health care as a condition for being insured for or receiving all or some health care services.

Subd. 2. [FELONY OFFENSES.] Whoever commits an act prohibited under subdivision 1 is guilty of a felony if the act results in bodily harm to the principal or to the person who would have been a principal but for the unlawful act.

Sec. 17. [REPEALER.]

Minnesota Statutes 1992, section 145B.10, is repealed.

Sec. 18. [EFFECTIVE DATES.]

Sections 2 to 15 are effective the day following final enactment. Sections 1 and 16 are effective August 1, 1993, and apply to offenses committed on or after that date."

Delete the title and insert:

"A bill for an act relating to health; modifying provisions relating to living wills and establishing a durable power of attorney for health care; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10."

With the recommendation that when so amended, the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 74, A bill for an act relating to local government; authorizing the city of Minneapolis, special school district No. 1, the city library board, and the city park and recreation board to impose residency requirements.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 129, A bill for an act relating to marriage dissolution; maintenance; permitting delinquent maintenance payments to be withheld from certain tax refunds; amending Minnesota Statutes 1992, section 289A.50, subdivision 5.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 214.101, subdivision 1, is amended to read:

Subdivision 1. [COURT ORDER; HEARING ON SUSPENSION.] If a licensing board receives an order from a court under section 518.551, subdivision 12, dealing with suspension of a license of a person found by the court to be in arrears in child support or maintenance payments, or both, the board shall, within 30 days of receipt of the court

order, provide notice to the licensee and hold a hearing. If the board finds that the person is licensed by the board and evidence of full payment of arrearages found to be due by the court is not presented at the hearing, the board shall suspend the license unless it determines that probation is appropriate under subdivision 2. The only issues to be determined by the board are whether the person named in the court order is a licensee, whether the arrearages have been paid, and whether suspension or probation is appropriate. The board may not consider evidence with respect to the appropriateness of the court order or the ability of the person to comply with the order. The board may not lift the suspension until the licensee files with the board proof showing that the licensee is current in child support payments and maintenance.

Sec. 2. Minnesota Statutes 1992, section 214.101, subdivision 4, is amended to read:

Subd. 4. [VERIFICATION OF PAYMENTS.] Before a board may terminate probation, remove a suspension, issue, or renew a license of a person who has been suspended or placed on probation under this section, it shall contact the court that referred the matter to the board to determine that the applicant is not in arrears for child support or maintenance or both. The board may not issue or renew a license until the applicant proves to the board's satisfaction that the applicant is current in support payments and maintenance."

Page 3, after line 5, insert:

"Sec. 4. Minnesota Statutes 1992, section 518.17, subdivision 3, is amended to read:

Subd. 3. [CUSTODY ORDER.] (a) Upon adjudging the nullity of a marriage, or in a dissolution or separation proceeding, or in a child custody proceeding, the court shall make such further order as it deems just and proper concerning:

(1) the legal custody of the minor children of the parties which shall be sole or joint;

(2) their physical custody and residence; and

(3) their support. In determining custody, the court shall consider the best interests of each child and shall not prefer one parent over the other solely on the basis of the sex of the parent.

(b) The court shall grant ~~the following~~ rights to each of the parties, unless specific findings are made under ~~paragraph (c)~~, and every custody order must include the ~~following notice to the parties~~:

NOTICE IS HEREBY GIVEN TO THE PARTIES:

~~Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, and other important records and information about the minor children. Presentation of a copy of this order to the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.~~

~~Each party shall keep the other party informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent teacher conferences. The school is not required to hold a separate conference for each party.~~

~~In case of an accident or serious illness of a minor child, each party shall notify the other party of the accident or illness, and the name of the health care provider and the place of treatment.~~

~~Each party has the right to reasonable access and telephone contact with the minor children.~~

~~(c) required in section 518.68, subdivision 2; but~~ the court may waive all or part of the notice required under ~~paragraph (b)~~ if it finds that it is necessary to protect the welfare of a party or child.

Sec. 5. Minnesota Statutes 1992, section 518.171, subdivision 1, is amended to read:

Subdivision 1. [ORDER.] Every child support order must expressly assign or reserve the responsibility for maintaining medical insurance for the minor children and the division of uninsured medical and dental costs. Unless the obligee has comparable or better group dependent health insurance coverage available at a more reasonable cost,

the court shall order the obligor to name the minor child as beneficiary on any health and dental insurance plan that is available to the obligor on a group basis or through an employer or union. "Health insurance coverage" as used in this section does not include medical assistance provided under chapter 256, 256B, or 256D.

If the court finds that dependent health or dental insurance is not available to the obligor on a group basis or through an employer or union, or that the group insurer is not accessible to the obligee, the court may require the obligor to obtain dependent health or dental insurance, or to be liable for reasonable and necessary medical or dental expenses of the child.

If the court finds that the dependent health or dental insurance required to be obtained by the obligor does not pay all the reasonable and necessary medical or dental expenses of the child, or that the dependent health or dental insurance available to the obligee does not pay all the reasonable and necessary medical or dental expenses of the child, and the court finds that the obligor has the financial ability to contribute to the payment of these medical or dental expenses, the court shall require the obligor to be liable for all or a portion of the medical or dental expenses of the child not covered by the required health or dental plan.

Sec. 6. Minnesota Statutes 1992, section 518.175, subdivision 6, is amended to read:

Subd. 6. [COMPENSATORY VISITATION.] If the court finds that ~~the noncustodial parent~~ a person has been wrongfully deprived of the duly established right to visitation, the court shall order the custodial parent to permit additional visits to compensate for the visitation of which the ~~noncustodial parent~~ person was deprived. Additional visits must be:

- (1) of the same type and duration as the wrongfully denied visit;
- (2) taken within one year after the wrongfully denied visit; and
- (3) at a time acceptable to the ~~noncustodial parent~~ person deprived of visitation.

Sec. 7. Minnesota Statutes 1992, section 518.177, is amended to read:

518.177 [NOTIFICATION REGARDING DEPRIVATION OF PARENTAL RIGHTS LAW.]

Every court order and judgment and decree concerning custody of or visitation with a minor child shall ~~restate the provisions of section 609.26~~ contain the notice set out in section 518.68, subdivision 2.

Sec. 8. Minnesota Statutes 1992, section 518.55, is amended to read:

518.55 [MAINTENANCE OR SUPPORT MONEY.]

Subdivision 1. [CONTENTS OF ORDER.] Every award of maintenance or support money in a judgment of dissolution or legal separation shall clearly designate whether the same is maintenance or support money, or what part of the award is maintenance and what part is support money. An award of payments from future income or earnings of the custodial parent is presumed to be maintenance and an award of payments from the future income or earnings of the noncustodial parent is presumed to be support money, unless otherwise designated by the court. In a judgment of dissolution or legal separation the court may determine, as one of the issues of the case, whether or not either spouse is entitled to an award of maintenance notwithstanding that no award is then made, or it may reserve jurisdiction of the issue of maintenance for determination at a later date.

Subd. 2. [NOTICE OF DOCKETING OF MAINTENANCE JUDGMENT.] Every order for maintenance shall provide for a conspicuous notice that, if the obligor fails to make the maintenance payments, the obligee or a public agency responsible for maintenance enforcement may obtain docketing of a judgment for the unpaid amount under the provisions of section 548.091. ~~The notice shall enumerate the conditions that must be met before the judgment can be docketed~~ comply with section 518.68, subdivision 2.

Subd. 2a. [ENTRY OF CHILD SUPPORT JUDGMENT.] Every order for support shall provide for a conspicuous notice that, ~~if the obligor fails to make a support payment, the payment owed becomes a judgment by operation of law on and after the date the payment is due, and the obligee or a public agency responsible for support enforcement may obtain entry and docketing of the judgment for the unpaid amount under the provisions of section 548.091~~ complying with section 518.68, subdivision 2.

Subd. 3. [NOTICE OF ADDRESS OR RESIDENCE CHANGE.] Every obligor shall notify the obligee and the public authority responsible for collection, if applicable, of a change of address or residence within 60 days of the address or residence change. Every order for support or maintenance must contain a conspicuous notice of the requirements of this subdivision complying with section 518.68, subdivision 2. The court may waive or modify the requirements of this subdivision by order if necessary to protect the obligor from contact by the obligee.

Sec. 9. Minnesota Statutes 1992, section 518.551, subdivision 12, is amended to read:

Subd. 12. [OCCUPATIONAL LICENSE SUSPENSION.] Upon petition of an obligee or public agency responsible for child support enforcement, if the court finds that the obligor is or may be licensed by a licensing board listed in section 214.01 and the obligor is in arrears in court-ordered child support or maintenance payments or both, the court may direct the licensing board to conduct a hearing under section 214.101 concerning suspension of the obligor's license. If the obligor is a licensed attorney, the court may report the matter to the lawyers professional responsibility board for appropriate action in accordance with the rules of professional conduct. The remedy under this subdivision is in addition to any other enforcement remedy available to the court.

Sec. 10. Minnesota Statutes 1992, section 518.583, is amended to read:

518.583 [~~NOTICE OF TAX EFFECT ON~~ CAPITAL GAIN ON SALE OF PRINCIPAL RESIDENCE.]

~~If the parties to an action for dissolution own a principal residence, the court must make express findings of fact that the parties who are represented by an attorney have been advised as to the income tax laws respecting the capital gain tax, or that parties who are not represented by an attorney have been notified that income tax laws regarding the capital gain tax may apply to the sale of the residence. This includes, but is not limited to, the exclusion available on the sale of a principal residence for those over a certain age under section 121 of the Internal Revenue Code of 1986, or other applicable law. The order must expressly provide for the use of that exclusion unless the court otherwise orders. All judgment judgments and decrees involving a principal residence must include a the following notice to the parties that income tax laws regarding the capital gain tax may apply to the sale of the residence and that the parties may wish to consult with an attorney concerning the applicable laws. as a finding of fact:~~

"CAPITAL GAIN ON SALE OF PRINCIPAL RESIDENCE

Income tax laws regarding the capital gain tax may apply to the sale of the parties' principal residence and the parties may wish to consult with an attorney concerning the applicable laws. These laws may include, but are not limited to, the exclusion available on the sale of a principal residence for those over a certain age under section 121 of the Internal Revenue Code of 1986, or other applicable law. If the attached order awards title to a principal residence to a party, UNLESS THE ORDER OTHERWISE PROVIDES, use of the capital gains exclusion is awarded to that party."

Sec. 11. Minnesota Statutes 1992, section 518.611, subdivision 2, is amended to read:

Subd. 2. [CONDITIONS OF INCOME WITHHOLDING.] (a) Withholding shall result whenever the obligor fails to make the maintenance or support payments, and the following conditions are met:

- (1) the obligor is at least 30 days in arrears;
- (2) the obligee or the public authority serves written notice of income withholding, showing arrearage, on the obligor at least 15 days before service of the notice of income withholding and a copy of the court's order on the payor of funds;
- (3) within the 15-day period, the obligor fails to move the court to deny withholding on the grounds that an arrearage of at least 30 days does not exist as of the date of the notice of income withholding, or on other grounds limited to mistakes of fact, and, ex parte, to stay service on the payor of funds until the motion to deny withholding is heard;
- (4) the obligee or the public authority serves a copy of the notice of income withholding, a copy of the court's order, and the provisions of this section on the payor of funds; and
- (5) the obligee serves on the public authority a copy of the notice of income withholding, a copy of the court's order, an application, and the fee to use the public authority's collection services.

(b) To pay the arrearage specified in the notice of income withholding, the employer or payor of funds shall withhold from the obligor's income an additional amount equal to 20 percent of the monthly child support or maintenance obligation until the arrearage is paid.

(c) The obligor may, at any time, waive the written notice required by this subdivision.

(d) The obligor may move the court, under section 518.64, to modify the order respecting the amount of maintenance or support.

(e) Every order for support or maintenance shall provide for a conspicuous notice of the provisions of this subdivision that complies with section 518.68, subdivision 2. An order without this notice remains subject to this subdivision.

(f) Absent a court order to the contrary, if an arrearage exists at the time an order for ongoing support or maintenance would otherwise terminate, income withholding shall continue in effect in an amount equal to the former support or maintenance obligation plus an additional amount equal to 20 percent of the monthly child support obligation, until all arrears have been paid in full.

Sec. 12. Minnesota Statutes 1992, section 518.641, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT.] An order for maintenance or child support shall provide for a biennial adjustment in the amount to be paid based on a change in the cost of living. An order that provides for a cost-of-living adjustment shall specify the cost-of-living index to be applied and the date on which the cost-of-living adjustment shall become effective. The court may use the consumer price index for all urban consumers, Minneapolis-St. Paul (CPI-U), the consumer price index for wage earners and clerical, Minneapolis-St. Paul (CPI-W), or another cost-of-living index published by the department of labor which it specifically finds is more appropriate. Cost-of-living increases under this section shall be compounded. The court may also increase the amount by more than the cost-of-living adjustment by agreement of the parties or by making further findings. The adjustment becomes effective on the first of May of the year in which it is made, for cases in which payment is made to the public authority. For cases in which payment is not made to the public authority, application for an adjustment may be made in any month but no application for an adjustment may be made sooner than two years after the date of the dissolution decree. A court may waive the requirement of the cost-of-living clause if it expressly finds that the obligor's occupation or income, or both, does not provide for cost-of-living adjustment or that the order for maintenance or child support has a provision such as a step increase that has the effect of a cost-of-living clause. The court may waive a cost-of-living adjustment in a maintenance order if the parties so agree in writing. The commissioner of human services may promulgate rules for child support adjustments under this section in accordance with the rulemaking provisions of chapter 14. Notice of this statute must comply with section 518.68, subdivision 2.

Sec. 13. [518.68] [REQUIRED NOTICES.]

Subdivision 1. [REQUIREMENT.] Every court order for judgment and decree that provides for child support, spousal maintenance, custody, or visitation must contain certain notices as set out in subdivision 2. The information in the notices must be concisely stated in plain language. The notices must be in clearly legible print, but may not exceed two pages. An order or judgment and decree without the notice remains subject to all statutes.

Subd. 2. [CONTENTS.] The required notices must be substantially as follows:

IMPORTANT NOTICE

1. PAYMENTS TO PUBLIC AGENCY

Pursuant to Minnesota Statutes, section 518.551, subdivision 1, payments ordered for maintenance and support must be paid to the public agency responsible for child support enforcement as long as the person entitled to receive the payments is receiving or has applied for public assistance or has applied for support and maintenance collection services. MAIL PAYMENTS TO:

2. DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS -- A FELONY

A person may be charged with a felony who conceals a minor child or takes, obtains, retains, or fails to return a minor child from or to the child's parent (or person with custodial or visitation rights), pursuant to Minnesota Statutes, section 609.26. A copy of that section is available from any district court clerk.

3. RULES OF SUPPORT, MAINTENANCE, VISITATION

(a) Payment of support or spousal maintenance is to be as ordered herein, and the giving of gifts or making purchases of food, clothing, and the like will not fulfill the obligation.

(b) Payment of support must be made as it becomes due, and failure to secure or denial of rights of visitation is NOT an excuse for nonpayment, but the aggrieved party must seek relief through a proper motion filed with the court.

(c) The payment of support or spousal maintenance takes priority over payment of debts and other obligations.

(d) A party who remarries after dissolution and accepts additional obligations of support does so with the full knowledge of his or her prior obligation under this proceeding.

(e) Child support or maintenance is based on annual income, and it is the responsibility of a person with seasonal employment to budget income so that payments are made throughout the year as ordered.

4. MEDICAL INSURANCE AND EXPENSES

The person responsible to pay support and his or her employer or union are ordered to provide medical and dental insurance and pay for uncovered expenses under the conditions of Minnesota Statutes, section 518.171, unless otherwise provided in this order or the statute. A copy of this statute is available from any district court clerk.

5. PARENTAL RIGHTS FROM MINNESOTA STATUTES, SECTION 518.17, SUBDIVISION 3

Unless otherwise provided by the Court:

(a) Each party has the right of access to, and to receive copies of, school, medical, dental, religious training, and other important records and information about the minor children. Presentation of a copy of this order to the custodian of a record or other information about the minor children constitutes sufficient authorization for the release of the record or information to the requesting party.

(b) Each party shall keep the other informed as to the name and address of the school of attendance of the minor children. Each party has the right to be informed by school officials about the children's welfare, educational progress and status, and to attend school and parent teacher conferences. The school is not required to hold a separate conference for each party.

(c) In case of an accident or serious illness of a minor child, each party shall notify the other party of the accident or illness, and the name of the health care provider and the place of treatment.

(d) Each party has the right of reasonable access and telephone contact with the minor children.

6. WAGE AND INCOME DEDUCTION OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be withheld from income, without notice to the person obligated to pay, when the conditions of Minnesota Statutes, sections 518.611 and 518.613, have been met. A copy of those sections is available from any district court clerk.

7. CHANGE OF ADDRESS OR RESIDENCE

Unless otherwise ordered, the person responsible to make support or maintenance payments shall notify the person entitled to receive the payment and the public authority responsible for collection, if applicable, of a change of address or residence within 60 days of the address or residence change.

8. COST OF LIVING INCREASE OF SUPPORT AND MAINTENANCE

Child support and/or spousal maintenance may be adjusted every two years based upon a change in the cost of living (using Department of Labor Consumer Price Index, unless otherwise specified in this order) when the conditions of Minnesota Statutes, section 518.641, are met. Cost of living increases are compounded. A copy of Minnesota Statutes, section 518.641, and forms necessary to request or contest a cost of living increase are available from any district court clerk.

9. JUDGMENTS FOR UNPAID SUPPORT

If a person fails to make a child support payment, the payment owed becomes a judgment against the person responsible to make the payment by operation of law on or after the date the payment is due, and the person entitled to receive the payment or the public agency may obtain entry and docketing of the judgment WITHOUT NOTICE to the person responsible to make the payment under Minnesota Statutes, section 548.091.

10. JUDGMENTS FOR UNPAID MAINTENANCE

A judgment for unpaid spousal maintenance may be entered WITHOUT NOTICE when the conditions of Minnesota Statutes, section 548.091, are met. A copy of that section is available from any district court clerk.

Subd. 3. [COPIES OF LAW AND FORMS.] The district court administrator shall make available at no charge copies of sections 518.17, 518.611, 518.613, 518.641, 548.091, and 609.26, and shall provide forms to request or contest a cost of living increase under section 518.641."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 134, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; amending Minnesota Statutes 1992, sections 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 141, A bill for an act relating to insurance; health; modifying eligibility for the private employers insurance program and small employer insurance coverages; amending Minnesota Statutes 1992, sections 43A.317, subdivision 5; and 62L.02, subdivision 26.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services without further recommendation.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 165, A bill for an act relating to commerce; defining the responsibilities of ski area operators and skiers; defining the rights and liabilities between skiers and between a skier and a ski area operator; proposing coding for new law as Minnesota Statutes, chapter 86C.

Reported the same back with the following amendments:

Page 1, line 21, delete "1992" and insert "1993"

Page 2, line 18, before the semicolon insert "or other conditions"

Page 2, line 20, delete "or other objects"

Page 7, line 14, delete "80C.05" and insert "86C.05"

Page 9, line 33, delete "or from another skier's"

Page 11, lines 12, 29, and 32, delete "person" and insert "skier"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 167, A bill for an act relating to economic development; creating Minnesota Business Finance, Inc. to provide capital for commercial borrowers through the Small Business Administration; providing for powers and duties of a board of directors and employees; transferring funds from the certified development company established under the department of trade and economic development to the new corporation; proposing coding for new law as Minnesota Statutes, chapter 116S; repealing Minnesota Statutes 1992, sections 41A.065 and 116J.985.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 181, A bill for an act relating to limited liability companies; clarifying the application of financial institution, workers' compensation, unemployment compensation, taxation, and usury laws; modifying certain powers of, and rules applicable to, limited liability companies and their members and affiliates; amending Minnesota Statutes 1992, sections 48.24, subdivisions 1, 7, and 8; 51A.02, subdivision 43; 176.011, subdivision 10; 176.041, subdivisions 1 and 1a; 268.04, subdivisions 7, 9, and by adding a subdivision; 268.161, subdivision 9; 290.92, subdivision 1; 297A.01, subdivision 2; 302A.011, subdivision 25; 302A.161, subdivision 12; 302A.501, subdivision 1; 302A.521, subdivision 1; 302A.551, subdivision 3; 302A.673, subdivision 1; 319A.02, subdivision 7; 322B.03, subdivision 41, and by adding subdivisions; 322B.115, subdivisions 1 and 2; 322B.20, subdivisions 5, 7, 12, 14, and 21; 322B.30, subdivisions 2 and 3; 322B.306, subdivisions 3 and 4; 322B.31, subdivision 3; 322B.313; 322B.316; 322B.373, subdivision 1; 322B.54, subdivision 3; 322B.693, subdivision 1; 322B.696; 322B.699, subdivision 1; 322B.77, subdivisions 1 and 3; 322B.80, subdivision 1, and by adding a subdivision; 322B.873; 322B.91, subdivision 1; 322B.92; 322B.93; 322B.935, subdivisions 2 and 3; and 334.021.

Reported the same back with the following amendments:

Pages 4 to 6, delete section 6

Page 6, lines 31 and 32, delete the new language

Page 6, line 33, delete "(f)"

Page 7, lines 7, 10, 14, and 15, delete the new language

Pages 7 to 8, delete section 8

Page 8, lines 29 and 30, delete "shall not be exclusive."

Page 8, delete section 10

Page 20, line 27, delete "and"

Page 20, line 30, before the period insert "; and

(20) unanimous consent is required to avoid dissolution (section 322B.80, subdivision 1, clause (5)(B))"

Page 22, after line 32, insert:

"Sec. 32. Minnesota Statutes 1992, section 322B.306, subdivision 1, is amended to read:

Subdivision 1. [MEMBER'S POWER TO TERMINATE MEMBERSHIP.] A member always has the power, though not necessarily the right, to terminate its membership by resigning or retiring at any time. A member's resignation or retirement, whether rightful or wrongful, causes dissolution under section 322B.80, subdivision 1, clause (5), unless dissolution avoidance consent is obtained from the remaining members is avoided under that clause. A member has no power to transfer all or part of the member's membership interest, except as provided in sections 322B.31 and 322B.313."

Page 23, line 3, strike "through dissolution avoidance consent" and insert "under that clause"

Page 23, line 9, strike "through dissolution avoidance"

Page 23, line 10, strike "consent" and insert "under that clause"

Page 25, line 3, strike "OF A COMPLETE MEMBERSHIP INTEREST AND"

Page 25, line 6, strike "MEMBERSHIP INTERESTS" and insert "GOVERNANCE RIGHTS"

Page 25, line 7, strike "A member may assign the member's" and delete "complete"

Page 25, strike lines 8 and 9

Page 25, line 10, strike everything before "A"

Page 27, after line 30, insert:

"Sec. 38. Minnesota Statutes 1992, section 322B.323, subdivision 2, is amended to read:

Subd. 2. [WHEN MEMBERSHIP IS TERMINATED.] If an event referred to in subdivision 1 causes the termination of a member's membership interest and ~~the remaining members give dissolution avoidance consent~~ is avoided under section 322B.80, subdivision 1, clause (5), then:

(1) as provided in section 322B.306, subdivision 3, the terminated member's interest will be considered to be merely that of an assignee of the financial rights owned before the termination of membership; and

(2) the rights to be exercised by the legal representative of the terminated member will be limited accordingly."

Page 37, after line 7, insert:

"Sec. 49. [322B.901] [FOREIGN LIMITED LIABILITY PARTNERSHIPS CONSIDERED FOREIGN LIMITED LIABILITY COMPANIES.]

For the purposes of sections 322B.90 to 322B.955, the term "foreign limited liability company" includes a foreign limited liability partnership organized for profit that is organized under laws other than the laws of this state for a purpose or purposes for which a limited liability company may be organized under this chapter or for which a professional limited liability company may be organized under chapter 319A."

Page 37, line 13, after "state" insert "a certificate of status from the filing office in the jurisdiction in which the foreign limited liability company is organized and"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, delete everything after the first comma

Page 1, line 11, delete everything before the semicolon and insert "subdivision 1a; 268.04, subdivision 9"

Page 1, line 20, after "subdivisions" insert "1," and after the first "3" insert a comma

Page 1, line 21, after "322B.316;" insert "322B.323, subdivision 2;"

Page 1, line 27, before the period insert "; proposing coding for new law in Minnesota Statutes, chapter 322B"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 185, A bill for an act relating to utilities; prohibiting state permits for construction of certain hydropower facilities on the bluffs of the Mississippi river; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 199, A bill for an act relating to insurance; workers' compensation; regulating the state fund mutual insurance company; requiring the workers' compensation reinsurance association to provide funds; amending Minnesota Statutes 1992, sections 176A.02, by adding a subdivision; 176A.11; proposing coding for new law in Minnesota Statutes, chapter 79.

Reported the same back with the following amendments:

Page 1, line 19, before "duty" insert "any"

Page 2, line 11, delete "DIRECTOR" and insert "DIRECTORS"

Page 2, line 19, delete "directorship" and insert "directorships" and delete "becomes" and insert "become"

Page 3, delete line 25, and insert:

"Sections 1, 2, and 3, subdivisions 2 and 3, are repealed March 1, 2009."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Financial Institutions and Insurance.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 253, A bill for an act relating to elections; providing for a presidential primary by mail; changing the date of the presidential primary; increasing the filing fee for an affidavit of candidacy; changing certain duties and procedures; amending Minnesota Statutes 1992, sections 204B.45, subdivision 3, and by adding a subdivision; 207A.01; 207A.02, subdivision 1a; 207A.03; 207A.04, subdivision 3; 207A.06, subdivision 2; 207A.08; and 207A.09; proposing coding for new law in Minnesota Statutes, chapter 207A; repealing Minnesota Statutes 1992, section 207A.07.

Reported the same back with the following amendments:

Page 5, line 11, reinstate the stricken "under section 201.091"

With the recommendation that when so amended the bill pass:

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 292, A bill for an act relating to appropriations; appropriating money to the commissioner of natural resources for betterment of the Sakatah Singing Hills state trail.

Reported the same back with the following amendments:

Page 1, line 7, delete "general" and insert "bond proceeds"

Page 1, after line 10, insert:

"Sec. 2. [BOND SALE.]

To provide the money appropriated in this act from the bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$333,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Amend the title as follows:

Page 1, line 2, delete "appropriations" and insert "capital improvements" and after the semicolon insert "authorizing the sale of bonds;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 341, A bill for an act relating to business corporations; making various technical changes; amending Minnesota Statutes 1992, sections 302A.011, subdivisions 26, 38, 53, and by adding a subdivision; 302A.105; 302A.111, subdivisions 3 and 4; 302A.115, subdivision 1; 302A.117, subdivision 1; 302A.123, subdivision 3; 302A.133; 302A.135, subdivisions 1 and 3; 302A.137; 302A.153; 302A.171, subdivision 2; 302A.231, subdivision 3; 302A.233; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 2; 302A.401, subdivisions 1 and 3; 302A.402, subdivisions 1, 2, and by adding a subdivision; 302A.403, subdivisions 2 and 4; 302A.413, subdivisions 4 and 9; 302A.423, subdivision 2; 302A.435, subdivisions 1 and 3; 302A.437, subdivision 2; 302A.447, subdivisions 2 and 3; 302A.449, subdivision 1; 302A.461, subdivision 4; 302A.463; 302A.471, subdivision 3; 302A.473, subdivisions 4 and 7; 302A.501, subdivision 1; 302A.521, subdivision 6; 302A.551, subdivision 1; 302A.553, subdivision 1; 302A.559, subdivision 1; 302A.613, subdivisions 2 and 3; 302A.621, subdivision 6; 302A.641, subdivision 1; 302A.671, subdivision 3; 302A.673, subdivisions 1 and 3; 302A.711, subdivisions 1 and 2; and 302A.901, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 421, A bill for an act relating to state parks; authorizing an addition to Charles A. Lindbergh state park.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 427, A bill for an act relating to taxation; making technical corrections and administrative changes to sales and use taxes, income and franchise taxes, property taxes, and tax administration and enforcement; changing penalties; appropriating money; amending Minnesota Statutes 1992, sections 82B.035, by adding a subdivision; 84.82, subdivision 10; 86B.401, subdivision 12; 270.071, subdivision 2; 270.072, subdivision 2; 271.06, subdivision 1; 271.09, subdivision 3; 272.02, subdivisions 1 and 4; 272.025, subdivision 1; 272.12; 273.03, subdivision 2; 273.061, subdivision 8; 273.124, subdivisions 9 and 13; 273.13, subdivision 25; 273.138, subdivision 5; 273.1398, subdivisions 1, 3, and 5b; 274.13, subdivision 1; 274.18; 275.065, subdivision 5a; 275.07, subdivision 4; 275.28, subdivision 3; 275.295; 277.01, subdivision 2; 277.15; 277.17; 278.01, subdivision 1; 278.02; 278.03; 278.04; 278.08; 278.09; 282.018; 287.21, subdivision 4; 287.22; 289A.08, subdivisions 3, 10, and 15; 289A.09, subdivision 1; 289A.11, subdivisions 1 and 3; 289A.12, subdivisions 2, 3, 4, 7, 8, 9, 10, 11, 12, and 14; 289A.18, subdivisions 1 and 4; 289A.20, subdivision 4; 289A.25, subdivisions 1, 2, 5a, 6, 8, 10, and 12; 289A.26, subdivisions 1, 4, and 6; 290A.04, subdivision 2h; 296.14, subdivision 2; 297A.01, subdivision 3; 297B.01, subdivision 5; 297B.03; 347.10; 348.04; 469.175, subdivisions 5 and 6a; 469.177, subdivision 8; and 473H.10, subdivision 3; Laws 1991, chapter 291, article 1, section 65, as amended; Laws 1992, chapter 511, article 2, section 61; proposing coding for new law in Minnesota Statutes, chapters 273; 276; 289A; and 297; repealing Minnesota Statutes 1992, sections 60A.13, subdivision 1a; 273.49; 274.19; 274.20; 277.011; 289A.08, subdivisions 9 and 12; 297A.258; and 348.03.

Reported the same back with the following amendments:

Page 2, line 12, delete "snowmobile is" and insert "applicant provides a receipt, invoice, or other document that shows the snowmobile was"

Page 2, line 28, delete "watercraft is" and insert "applicant provides a receipt, invoice, or other document that shows the watercraft was"

Page 6, line 22, delete the new language

Page 6, delete line 23

Page 19, lines 11 to 15, delete the new language and reinstate the stricken language

Page 19, line 18, strike "A copy of"

Page 19, line 20, strike "copy of the"

Page 19, line 23, after the period insert "The commissioner may by notice and demand require the regulated investment company to file a copy of the return with the commissioner."

Page 26, after line 30, insert:

"Sec. 32. Minnesota Statutes 1992, section 290A.04, subdivision 1, is amended to read:

Subdivision 1. A refund shall be allowed each claimant in the amount that property taxes payable or rent constituting property taxes exceed the percentage of the household income of the claimant specified in subdivision 2 or 2a in the year for which the taxes were levied or in the year in which the rent was paid as specified in subdivision 2 or 2a. If the amount of property taxes payable or rent constituting property taxes is equal to or less than the percentage of the household income of the claimant specified in subdivision 2 or 2a in the year for which the taxes were levied or in the year in which the rent was paid, the claimant shall not be eligible for a state refund pursuant to this section."

Page 29, line 3, delete "cause" and insert "pay the refund out of the state treasury. The refunds are apportioned to the same accounts and funds in the state treasury to which the tax payments were deposited, except no refunds may be apportioned to the general obligation special tax bond debt service account."

An amount sufficient to pay the refunds authorized under this section is appropriated from the respective funds and accounts of the state treasury."

Page 29, delete lines 4 to 6

Page 29, line 19, delete "33, and 35" and insert "32, 34, and 36"

Page 29, line 27, delete "32" and insert "33"

Page 29, line 29, delete "34" and insert "35"

Renumber the sections in article 2

Page 46, line 13, strike "of" and insert "who occupy" and after "property" insert "or by the qualifying relative"

Page 46, strike lines 26 to 35

Page 47, line 2, strike "person" and insert "occupant" and strike the second "listed"

Page 47, line 3, after "application" insert ", and the name and address of each owner who does not occupy the property"

Page 47, line 15, after "owner" insert "who is related to an occupant"

Page 47, line 22, delete "nevertheless"

Page 47, line 33, strike "county" and insert "assessor"

Page 74, after line 10, insert:

"Sec. 24. Minnesota Statutes 1992, section 275.07, subdivision 1, is amended to read:

Subdivision 1. The taxes voted by cities, counties, school districts, and special districts shall be certified by the proper authorities to the county auditor on or before five working days after December 20 in each year. A town must certify the levy adopted by the town board to the county auditor by September 15 each year. If the town board

modifies the levy at a special town meeting after September 1⁵, the town board must recertify its levy to the county auditor on or before five working days after December 20. The taxes certified shall not be adjusted by the aid received under sections 273.1398, subdivisions 2 and 3, and 477A.013, subdivision 5. If a city, town, county, school district, or special district fails to certify its levy by that date, its levy shall be the amount levied by it for the preceding year."

Page 75, line 13, strike "in equal"

Page 75, line 14, strike everything before the period and insert "at the time distributions are made under section 473H.10"

Page 75, delete section 26

Page 81, line 15, delete "July 1" and insert "May 16"

Page 81, line 22, delete "prior to the first day of July" and insert "before May 16"

Pages 83 to 85, delete section 36

Pages 88 to 91, delete sections 42 and 43

Page 96, line 13, delete "41, 47," and insert "40, 44," and delete "48," and insert "45,"

Page 96, line 14, delete "46" and insert "43"

Page 96, line 16, delete "26," and delete "47," and insert "44,"

Page 96, line 18, delete "24, 25," and insert "24 to 26," and delete "47," and insert "44,"

Page 96, line 20, delete everything after the period

Page 96, delete line 21

Page 96, line 22, delete everything before "Section"

Page 96, line 24, delete "44" and insert "41"

Page 96, line 29, delete everything after the period

Page 96, line 30, delete "thereafter," and delete "45" and insert "42"

Page 96, line 31, delete "47," and insert "44,"

Renumber the sections in article 3

Amend the title as follows:

Page 1, line 16, delete the second "subdivision" and insert "subdivisions 1 and"

Page 1, line 19, delete "282.018;"

Page 1, line 26, delete the first "subdivision" and insert "subdivisions 1 and"

Page 1, line 28, delete "subdivisions 5 and 6a" and insert "subdivision 5"

Page 1, line 29, delete "469.177, subdivision 8;"

Page 1, line 33, delete "276;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 504, A bill for an act relating to housing; changing the property tax classification of certain lease purchase property; providing that a housing and redevelopment authority may make down payment assistance loans; changing minimum amounts for certain contract letting procedures; changing requirements for general obligation revenue bonds; amending Minnesota Statutes 1992, sections 273.13, subdivision 25; 469.012, by adding a subdivision; 469.015, subdivisions 1 and 2; and 469.034, subdivision 2.

Reported the same back with the following amendments:

Page 9, after line 11, insert:

"Sec. 2. Minnesota Statutes 1992, section 469.005, subdivision 1, is amended to read:

Subdivision 1. [COUNTY AND MULTICOUNTY AUTHORITIES.] The area of operation of a county authority shall include all of the county for which it is created, and in case of a multicounty authority, it shall include all of the political subdivisions for which the multicounty authority is created; provided, that a county authority or a multicounty authority shall not undertake any project within the boundaries of any city which has not empowered the authority to function therein as provided in section 469.004 unless a resolution has been adopted by the governing body of the city, and by any authority which has been established in the city, declaring that there is a need for the county or multicounty authority to exercise its powers in the city. A resolution is not required for the operation of a section 8 program or a public housing scattered site project."

Renumber the sections in sequence

Page 12, line 18, delete "2" and insert "3"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "allowing a county authority to operate certain public housing projects without a city resolution;"

Page 1, line 9, after the semicolon insert "469.005, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 522, A bill for an act relating to utilities; clarifying the specificity needed for public service corporation easements; amending Minnesota Statutes 1992, section 300.045.

Reported the same back with the following amendments:

Page 1, line 21, delete "as it" and insert "in relation to the corners of the specific property involved at the points the easement" and delete "involved"

Page 1, line 23, delete the first "of" and insert "that identifies by means of a scale or specific measurements" and delete "specific to the property"

Page 1, line 24, delete "involved" and insert "in relation to the corners of the specific property involved at the points the easement enters and departs from the property"

Page 2, line 3, before the comma insert "by a method identified in clause (1) or (2)"

Page 2, line 4, delete "the" and insert "in a timely manner a"

Page 2, line 5, delete "in a timely manner" and insert "using a method described in clause (1) or (2)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 546, A bill for an act relating to outdoor recreation; prohibiting motor sports areas within the Dorer Memorial Hardwood Forest.

Reported the same back with the following amendments:

Page 1, line 11, after "trucks" insert "without approval of the county and township boards of the affected county or counties"

Amend the title as follows:

Page 1, line 3, after "Forest" insert "without county and township board approval"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 596, A bill for an act relating to natural resources; appropriating money for the Minnesota rock, gem, and mineral interpretative center; powers and duties of the commissioner of natural resources.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 45, 74, 134, 181, 185, 253, 341, 421, 427, 522 and 546 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 12 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Garcia, Wejman, Neary, Simoneau and Mahon introduced:

H. F. No. 728, A bill for an act relating to medical assistance and general assistance medical care; increasing reimbursement for certain mental health services.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Van Dellen, Pugh, Stanius, Bishop and Milbert introduced:

H. F. No. 729, A bill for an act relating to health; MinnesotaCare; modifying tax itemization provisions; amending Minnesota Statutes 1992, section 295.53, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Anderson, I., and Solberg introduced:

H. F. No. 730, A bill for an act relating to municipal contracts; allowing awards of contracts to certain bidders; amending Minnesota Statutes 1992, section 471.345, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Pugh, Goodno, Carruthers and Dorn introduced:

H. F. No. 731, A bill for an act relating to local government; providing procedures and criteria for municipal annexations; providing for the application of city development regulations; amending Minnesota Statutes 1992, sections 414.01, subdivision 14, and by adding a subdivision; 414.031, subdivision 4; 414.0325, subdivisions 1, 1a, and by adding a subdivision; 414.033, subdivisions 2, 2a, 3, 5, and by adding subdivisions; 414.035; 414.061, subdivision 5; 414.07, subdivision 1; 414.09, subdivisions 1 and 2; 462.357, subdivision 1; and 462.358, subdivision 1a.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

McGuire, Skoglund, Pugh, Murphy and Blatz introduced:

H. F. No. 732, A bill for an act relating to law enforcement; exempting law enforcement agencies from the requirements of the criminal offender rehabilitation employment law; amending Minnesota Statutes 1992, section 364.09.

The bill was read for the first time and referred to the Committee on Judiciary.

Johnson, R.; Reding; Munger; Rukavina and Battaglia introduced:

H. F. No. 733, A bill for an act relating to game and fish; requiring identification of traps; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 97B.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sparby, Tunheim, Solberg and Stanius introduced:

H. F. No. 734, A bill for an act relating to natural resources; establishing a youth preference for selecting persons eligible to take antlerless deer; appropriating money; amending Minnesota Statutes 1992, section 97B.305.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Johnson, V.; Osthoff; Steensma; Wenzel and Sparby introduced:

H. F. No. 735, A bill for an act relating to traffic regulations; implements of husbandry; defining implements of husbandry; reducing maximum speed limit to 25 miles per hour for implements of husbandry and for towing certain farm trailers; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; making towed implements of husbandry subject to requirements for towing chains; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 169.01, subdivision 55; 169.145; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; 171.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Wejcman, Clark and Orenstein introduced:

H. F. No. 736, A bill for an act relating to human services; providing for a pilot project for inner city culturally oriented residences for young African American women with children; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Cooper and Murphy introduced:

H. F. No. 737, A bill for an act relating to compulsive gambling; providing for a compulsive gambling surtax; establishing a compulsive gambling account; requesting contributions from the Minnesota Indian gaming association for compulsive gambling programs; appropriating money; amending Minnesota Statutes 1992, sections 245.98, by adding a subdivision; 349.212, subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Kelley, Carlson, Tomassoni, Rodosovich and Seagren introduced:

H. F. No. 738, A bill for an act relating to education; directing post-secondary institutions to disseminate data on remedial instruction to school districts; amending Minnesota Statutes 1992, section 13.32, subdivisions 3 and 6.

The bill was read for the first time and referred to the Committee on Education.

Johnson, A.; Tomassoni; Leppik; Dorn and Jacobs introduced:

H. F. No. 739, A bill for an act relating to education; deleting the provision denying section 125.12 protection to licensed community education instructors; clarifying the meaning of "instruction offered on a noncredit basis" in excepting certain community education instructors from the definition of public employee; amending Minnesota Statutes 1992, sections 125.032, subdivision 2; and 179A.03, subdivision 14.

The bill was read for the first time and referred to the Committee on Education.

Pelowski and Johnson, V., introduced:

H. F. No. 740, A bill for an act relating to Winona county; authorizing the county to negotiate contracts for solid waste management facilities, programs, and services.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cooper, Liéder, Steensma, Frerichs and Osthoff introduced:

H. F. No. 741, A bill for an act relating to railroads; allowing commissioner of transportation to spend money from rail service improvement account for acquiring or upgrading previously used railcars and locomotives; amending Minnesota Statutes 1992, section 222.50, subdivision 7.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Pugh, Milbert, Tompkins, Morrison and Simoneau introduced:

H. F. No. 742, A bill for an act relating to human services; continuing the mental health pilot project in Dakota county; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Welle, Long, Kahn, Solberg and Rest introduced:

H. F. No. 743, A bill for an act relating to state departments; establishing the department of management and budget; abolishing the departments of administration, employee relations, finance, and revenue, and the office of strategic and long-range planning; amending Minnesota Statutes 1992, sections 4A.01; 4A.02; 4A.03; 4A.04; 15.01; 15A.081, subdivision 1; 16A.01, subdivision 1; 16A.011, subdivisions 7 and 9; 16A.055, subdivision 1; 16A.123, subdivision 3; 16A.1281; 16A.17, subdivision 8; 16A.275, subdivision 1; 16A.632; 16A.672, subdivision 11; 16A.711, subdivision 5; 16A.712; 16A.85, subdivision 1; 16B.05, subdivision 2; 16B.052; 16B.06, subdivisions 1 and 2; 16B.19, subdivision 2d; 16B.24, subdivision 6a; 16B.28, subdivision 3; 16B.305, subdivision 2; 16B.31, subdivision 6; 16B.37, subdivision 3; 16B.41, subdivision 2; 16B.465, subdivision 4; 16B.48, subdivision 4; 16B.51, subdivision 2; 16B.54, subdivision 2; 16B.55, subdivision 4; 16B.65, subdivision 3; 16B.85, subdivision 2; 43A.045; 43A.05, subdivision 6; 43A.08, subdivision 1; 43A.15, subdivision 13; 43A.18, subdivision 5; 43A.182; 43A.30, subdivisions 1 and 2; 43A.31, subdivision 1; 43A.37, subdivision 1; 270.06; and 270.0681, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 16D; repealing Minnesota Statutes 1992, sections 16A.01, subdivisions 2 and 3; 16B.03; 43A.03, subdivisions 2, 4, and 5; and 270.02.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Johnson, R.; Welle; Jefferson; Knickerbocker and Rukavina introduced:

H. F. No. 744, A bill for an act relating to public employment; providing an early retirement incentive for certain public employees; authorizing school districts to levy for certain costs.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Hausman and Vellenga introduced:

H. F. No. 745, A bill for an act relating to education; appropriating money and increasing complement for the on-line computer-based library catalog system in state agency libraries.

The bill was read for the first time and referred to the Committee on Education.

Osthoff introduced:

H. F. No. 746, A bill for an act relating to motor vehicles; requiring vehicle owner to transfer certificate of title upon gaining ownership to motor vehicle; allowing registrar to research records before responding to phone request; amending Minnesota Statutes 1992, sections 168.10, subdivision 1; 168.34; and 168A.30, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Orenstein, Wagenius and Skoglund introduced:

H. F. No. 747, A bill for an act relating to civil actions; providing for stay of a bond required of plaintiffs in certain actions against a public body; amending Minnesota Statutes 1992, section 562.02.

The bill was read for the first time and referred to the Committee on Judiciary.

Sparby; Tunheim; Lieder; Anderson, I., and Olson, E., introduced:

H. F. No. 748, A bill for an act relating to education; creating a levy for the purchase of computers; amending Minnesota Statutes 1992, section 124.91, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Solberg; Battaglia; Tomassoni; Anderson, I., and Rukavina introduced:

H. F. No. 749, A bill for an act relating to taconite iron mining; prescribing procedures for negotiation of the terms for negotiated or extended state taconite leases; amending Minnesota Statutes 1992, sections 93.192; and 93.193.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hasskamp, Wenzel and Kinkel introduced:

H. F. No. 750, A bill for an act relating to taxation; property; creating a commercial seasonal recreational property classification; amending Minnesota Statutes 1992, section 273.13, subdivision 24.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs; Osthoff; Anderson, I.; Ozment and Tunheim introduced:

H. F. No. 751, A bill for an act relating to telecommunications; providing for regulation of telecommunications carriers; limiting discriminatory practices, services, rates, and pricing; providing for investigation, hearings, and appeals regarding telecommunications services; delineating telecommunications practices allowed; providing penalties and remedies; amending Minnesota Statutes 1992, sections 237.01, subdivision 2, and by adding a subdivision; 237.60, subdivision 3; and 237.68, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1992, section 237.59, subdivision 7.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Sparby, Battaglia, Tunheim, Sarna and Carlson introduced:

H. F. No. 752, A bill for an act relating to game and fish; prohibiting sale or transportation of commercially netted sauger; amending Minnesota Statutes 1992, section 97C.821.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Tunheim, Opatz, Lieder, Reding and Olson, E., introduced:

H. F. No. 753, A bill for an act relating to sales tax; expanding the tax exemption for senior citizens groups to include groups with members less than 55 years of age who are disabled; amending Minnesota Statutes 1992, section 297A.25, subdivision 16.

The bill was read for the first time and referred to the Committee on Taxes.

Swenson, Skoglund, Haukoos, Vellenga and Gutknecht introduced:

H. F. No. 754, A bill for an act relating to gambling; establishing a minimum age of 21 years to participate in pari-mutuel betting or lawful gambling or to purchase a ticket in the state lottery; directing the governor to seek renegotiation of certain compacts with Indian tribes; prescribing penalties; amending Minnesota Statutes 1992, sections 240.13, subdivision 8; 240.26, by adding a subdivision; 349.2127, by adding a subdivision; and 349A.12, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dorn, Ostrom, Weaver, Delmont and Pelowski introduced:

H. F. No. 755, A bill for an act relating to crimes; providing penalties for trespassing on school grounds; providing felony penalties for unlawfully possessing a gun or dangerous weapon while trespassing on school grounds; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary.

Ness; Rest; Anderson, I.; Olson, E., and Solberg introduced:

H. F. No. 756, A bill for an act relating to taxation; directing the revisor to restore understandable terminology to property tax rates and values used in the statutes; defining mill and mill rate; directing the same change in uncoded law; proposing coding for new law in Minnesota Statutes, chapter 273.

The bill was read for the first time and referred to the Committee on Taxes.

Dorn, Ostrom, Carlson, Swenson and Rodosovich introduced:

H. F. No. 757, A bill for an act relating to higher education; setting the cost of attendance for certain student financial aid; amending Minnesota Statutes 1992, section 136A.121, subdivision 6.

The bill was read for the first time and referred to the Committee on Education.

Simoneau, Weaver, Van Dellen and Osthoff introduced:

H. F. No. 758, A bill for an act relating to drivers' licenses; increasing fees; requiring more secure cards; amending Minnesota Statutes 1992, section 171.06, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Macklin, Abrams, Vellenga, Lourey and Hasskamp introduced:

H. F. No. 759, A bill for an act relating to game and fish; establishing a combined angling license for a single parent and children under 18 years of age; amending Minnesota Statutes 1992, section 97A.475, subdivision 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Neary, Stanius, Rukavina and Farrell introduced:

H. F. No. 760, A bill for an act relating to insurance; health; requiring disclosure of dental coverage reimbursement rates; proposing coding for new law in Minnesota Statutes, chapter 72A.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Pugh, Abrams, Reding, Kahn and Anderson, I., introduced:

H. F. No. 761, A bill for an act relating to local government; providing for the preparation and review of accounts; providing for duties of the state auditor; providing for the costs of examinations; defining the limits to various types of compensation; providing procedures for the satisfaction of claims; providing procedures for the removal of city managers; limiting certain high risk investments; amending Minnesota Statutes 1992, sections 6.56; 16B.06, subdivision 4; 43A.17, subdivision 9; 340A.602; 375.162, subdivision 2; 375.18, by adding subdivisions; 412.271, subdivision 1, and by adding subdivisions; 412.641, subdivision 1; and 475.66, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 6; 465; and 471.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bishop, Murphy, Welle, Solberg and Osthoff introduced:

H. F. No. 762, A bill for an act relating to local government; establishing county services districts; requiring counties to cooperate in the delivery of services; authorizing boards and advisory committees; proposing coding for new law in Minnesota Statutes, chapter 373.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Anderson, I.; Battaglia; Munger and Tunheim introduced:

H. F. No. 763, A bill for an act relating to game and fish; providing a definition and authorizing fish in the defined condition to be brought into the state; providing a penalty; requiring notice; amending Minnesota Statutes 1992, sections 97A.015, by adding a subdivision; and 97A.531.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, I.; Battaglia; Munger; Rukavina and Tunheim introduced:

H. F. No. 764, A bill for an act relating to game and fish; requiring an angling license to transport fish taken in Canada; amending Minnesota Statutes 1992, section 97A.531.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, I.; Battaglia; Munger; Rukavina and Tunheim introduced:

H. F. No. 765, A bill for an act relating to taxation; use tax; requiring operators of convention shows to collect use tax on brochures and printed material; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 297A.

The bill was read for the first time and referred to the Committee on Taxes.

Sviggum; Lindner; Olson, M.; Worke and Ness introduced:

H. F. No. 766, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; providing for initiative and referendum.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Orenstein introduced:

H. F. No. 767, A bill for an act relating to consumer protection; sales; imposing restrictions on credit evaluations and investigations of buyers; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 325G.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jaros introduced:

H. F. No. 768, A bill for an act relating to retirement; Minnesota state retirement system; authorizing a purchase of service credit by a former grain inspector.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jaros introduced:

H. F. No. 769, A bill for an act relating to retirement; authorizing purchase of service credit for previously exempt service by certain members of the teachers retirement association.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Clark, Rodosovich, Lourey, Garcia and Bettermann introduced:

H. F. No. 770, A bill for an act relating to education; establishing a grant program to promote recruitment and retention initiatives by nursing training programs directed toward persons of color; establishing a grant program for nursing students who are persons of color; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

The bill was read for the first time and referred to the Committee on Education.

Greenfield, Kahn, Hausman, Jefferson and Sarna introduced:

H. F. No. 771, A bill for an act relating to the city of Minneapolis; permitting the city to license certain liquor sales.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 772, A bill for an act relating to energy; modifying requirements for individual electric metering in multifamily buildings; amending Minnesota Statutes 1992, section 216C.27, subdivision 8.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Tunheim; Anderson, I.; Sarna and Carlson introduced:

H. F. No. 773, A bill for an act relating to game and fish; regulating transportation of certain fish caught outside the state; amending Minnesota Statutes 1992, section 97A.551, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Tunheim, Sarna and Carlson introduced:

H. F. No. 774, A bill for an act relating to game and fish; prohibiting sale of certain fish with size limits; amending Minnesota Statutes 1992, section 97C.391, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius; Munger; Johnson, V.; Holsten and Workman introduced:

H. F. No. 775, A bill for an act relating to commercial fishing; requiring gill nets to be biodegradable; proposing coding for new law in Minnesota Statutes, chapter 97C.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius, Munger, Battaglia and Holsten introduced:

H. F. No. 776, A bill for an act relating to natural resources; establishment of aquatic management areas to protect donated wetlands; amending Minnesota Statutes 1992, section 86A.05, subdivision 14.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Rukavina, Beard, Farrell, Skoglund and Leppik introduced:

H. F. No. 777, A bill for an act relating to consumers; requiring certain disclosures when consumer reports are used for employment purposes; providing for access to consumer reports; amending Minnesota Statutes 1992, section 13C.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13C; repealing Minnesota Statutes 1992, section 13C.01, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kinkel; Solberg; Brown, C., and Bettermann introduced:

H. F. No. 778, A bill for an act relating to health; MinnesotaCare; modifying membership requirements for regional coordinating boards; eliminating their repeal; amending Minnesota Statutes 1992, section 62J.09, subdivision 2; repealing Minnesota Statutes 1992, section 62J.09, subdivision 8.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dorn introduced:

H. F. No. 779, A bill for an act relating to retirement; teachers retirement association; authorizing the recomputation of a certain period certain annuity option.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Haukoos, Kelso, Osthoff, Swenson and Lieder introduced:

H. F. No. 780, A bill for an act relating to motor carriers; limiting certain actions brought to collect motor carrier charges; proposing coding for new law in Minnesota Statutes, chapter 221.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Lasley introduced:

H. F. No. 781, A bill for an act relating to wastewater treatment; forgiving the portion of a loan to the city of Cambridge from the water pollution control revolving fund that is attributable to preservation of a designated scenic river.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Knickerbocker and Smith introduced:

H. F. No. 782, A bill for an act relating to waters; requiring identification and inspection of watercraft operated in zebra mussel infested waters; authorizing fines for violations; proposing coding for new law in Minnesota Statutes, chapter 86B.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Haukoos introduced:

H. F. No. 783, A bill for an act relating to the city of Albert Lea; actuarial assumptions for the Albert Lea fire department relief association.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Sparby, Lasley and Abrams introduced:

H. F. No. 784, A bill for an act relating to elections; changing the time and date of the precinct caucuses; amending Minnesota Statutes 1992, section 202A.14, subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Kahn; Johnson, R.; Reding; Sarna and Knickerbocker introduced:

H. F. No. 785, A bill for an act relating to retirement; survivor benefits payable by the Minneapolis police relief association; amending Laws 1992, chapter 471, article 1, section 10, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Cooper, Lourey, Bettermann and Klinzing introduced:

H. F. No. 786, A bill for an act relating to health; modifying loan forgiveness programs for health care professionals; establishing a grant program for nurse practitioner education; establishing nurse practitioner promotion teams; appropriating money; amending Minnesota Statutes 1992, sections 136A.1355, subdivision 3; 136A.1356, subdivision 4; 136A.1357; and Laws 1990, chapter 591, article 4, section 9; proposing coding for new law in Minnesota Statutes, chapter 136A.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sviggum; Olson, E.; Dauner; Waltman and Wenzel introduced:

H. F. No. 787, A bill for an act relating to trespass; authorizing prohibition of trespass by marking boundaries by blaze marks on trees; amending Minnesota Statutes 1992, section 97B.001, subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Wejcman, Morrison, Mariari, Pauly and Lasley introduced:

H. F. No. 788, A bill for an act relating to transportation; establishing Minnesota paratransit commission; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Anderson, R.; Long; Simoneau and Klinzing introduced:

H. F. No. 789, A bill for an act relating to health; increasing funding for the nutritional supplement program known as WIC to expand services; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Peterson, Kalis, Cooper, Girard and Long introduced:

H. F. No. 790, A bill for an act relating to oxygenated gasoline; specifying minimum oxygen content; amending Minnesota Statutes 1992, section 239.791, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Evans, Haukoos, Farrell, Rest and McCollum introduced:

H. F. No. 791, A bill for an act relating to commerce; authorizing local units of government to license the retail sale of tobacco; requiring a county to license the retail sale of tobacco under certain conditions; providing for mandatory suspension of licenses for sales to minors; amending Minnesota Statutes 1992, sections 461.12; 461.13; and 461.15; proposing coding for new law in Minnesota Statutes, chapter 461.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Solberg, Lourey and Anderson, I., introduced:

H. F. No. 792, A bill for an act relating to motor fuels; exempting rerefined waste motor oil from motor fuel excise tax; amending Minnesota Statutes 1992, section 296.03.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pelowski, Dorn, Kinkel, Gruenes and Bergson introduced:

H. F. No. 793, A bill for an act relating to education; providing for consumer protection for SELF student loan recipients; proposing coding for new law in Minnesota Statutes, chapter 136A.

The bill was read for the first time and referred to the Committee on Education.

Anderson, R.; Nelson and Krueger introduced:

H. F. No. 794, A bill for an act relating to veterans; providing for establishment of a veterans home in Fergus Falls; proposing coding for new law in Minnesota Statutes, chapter 198.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Jennings, Abrams and Bauerly introduced:

H. F. No. 795, A bill for an act relating to insurance; no-fault auto; excluding certain vehicles from the right of indemnity granted by the no-fault act; amending Minnesota Statutes 1992, section 65B.53, subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stanius, Holsten and Swenson introduced:

H. F. No. 796, A bill for an act relating to waste management; requiring recycling of fluorescent lamps in state buildings; amending Minnesota Statutes 1992, section 16B.24, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bishop, Carruthers, Blatz, Murphy and Skoglund introduced:

H. F. No. 797, A bill for an act relating to courts; juvenile courts; requiring reasonable efforts by a parent, guardian, or custodian in various circumstances; amending Minnesota Statutes 1992, sections 260.171, subdivision 1; 260.172, subdivision 1; and 260.221, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 260.

The bill was read for the first time and referred to the Committee on Judiciary.

Delmont, Dawkins, Jefferson, Wejcman and Carruthers introduced:

H. F. No. 798, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01, subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Onnen, Dehler, Ness, Hugoson and Koppendrayner introduced:

H. F. No. 799, A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

The bill was read for the first time and referred to the Committee on Education.

Greiling; Carlson; Seagren; Johnson, A., and Kelley introduced:

H. F. No. 800, A bill for an act relating to education; increasing the general education formula allowance; increasing training and experience revenue; increasing the portion of referendum revenue subject to equalization; increasing special education aid and revenue; increasing the capital expenditure equipment allowance; phasing out supplemental

revenue; amending Minnesota Statutes 1992, sections 124.244, subdivision 1; 124.32, subdivision 1b; 124.321, subdivisions 1 and 2; 124A.03, subdivisions 1e, 1f, and 1i, and by adding subdivisions; 124A.04, subdivision 2; 124A.22, subdivisions 2, 4, 8a, 8b, and 9, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Education.

Mariani, Osthoff and Rhodes introduced:

H. F. No. 801, A bill for an act relating to traffic regulations; requiring operating procedures for hand-held traffic radar; amending Minnesota Statutes 1992, section 169.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Lasley introduced:

H. F. No. 802, A bill for an act relating to traffic regulations; providing for the traffic offense of failure to maintain control of a vehicle; providing penalty; proposing coding for new law in Minnesota Statutes, chapter 169.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Jennings; Garcia; Simoneau; Anderson, R., and Stanius introduced:

H. F. No. 803, A bill for an act relating to medical assistance; increasing reimbursement rates for special transportation; appropriating money; amending Minnesota Statutes 1992, section 256B.0625, subdivision 17.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Cooper, Girard, Tunheim, Krueger and Haukoos introduced:

H. F. No. 804, A bill for an act relating to health; providing an exception to the contested case hearing process required for changing the service area of an ambulance service; amending Minnesota Statutes 1992, section 144.802, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley, Munger, Murphy and Jaros introduced:

H. F. No. 805, A bill for an act relating to the environment; providing for the disposal of ash from incinerators operated by the Western Lake Superior Sanitary District; amending Minnesota Statutes 1992, section 458D.07, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Rodosovich, Solberg, Kahn, Carruthers and Waltman introduced:

H. F. No. 806, A bill for an act relating to commerce; prohibiting smoking in designated nonsmoking hotel rooms; allowing reimbursement to innkeepers for actual costs resulting from violation; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 327.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kahn, Rice, Reding, Sarna and Johnson, R., introduced:

H. F. No. 807, A bill for an act relating to retirement; the Minneapolis fire department relief association; setting service pension rates; repealing Laws 1971, chapter 542.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Koppendraye, Weaver and Carruthers introduced:

H. F. No. 808, A bill for an act relating to traffic regulations; requiring courts to furnish transcripts of prior impaired driving convictions without charge at request of prosecuting attorney; amending Minnesota Statutes 1992, section 169.121, subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Frerichs introduced:

H. F. No. 809, A bill for an act relating to human services; directing use of money collected as rent for property at regional treatment centers and state nursing home facilities; providing for the relocation of regional treatment center and nursing home residents; requiring evaluations of the regional treatment center system capacity; regulating compensation paid to residents; designating nursing home beds at regional treatment centers; clarifying that state regional centers may operate as multipurpose regional centers; clarifying financing for development of state-operated, community-based programs; making changes consistent with the closing of Moose Lake regional treatment center and Faribault regional center and the establishment of the Minnesota psychopathic personality treatment center; amending Minnesota Statutes 1992, sections 246.0135; 246.02, subdivision 2; 246.151, subdivision 1; 251.011, subdivision 4a; 252.025, subdivisions 1 and 4; 252.035; 252.50, subdivision 2; 253.015; 254.05; and 462A.03, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 245.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Jaros introduced:

H. F. No. 810, A bill for an act relating to taxation; providing that the motor vehicle registrar may divulge information contained in motor vehicle purchaser's certificates to local officials administering a local sales or use tax; amending Minnesota Statutes 1992, section 297B.12.

The bill was read for the first time and referred to the Committee on Taxes.

Jaros introduced:

H. F. No. 811, A bill for an act relating to the city of Duluth; authorizing the Duluth housing and redevelopment authority to levy a property tax under general law; providing that a certain tax be listed on tax statements as a port authority levy; amending Minnesota Statutes 1992, sections 469.033, subdivision 6; and 469.053, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Rodosovich introduced:

H. F. No. 812, A bill for an act relating to the city of Faribault; providing for the civil service status of certain officers.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Hasskamp introduced:

H. F. No. 813, A bill for an act relating to game and fish; seasons for taking deer by muzzle-loading firearms; amending Minnesota Statutes 1992, section 97B.311.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Sviggum and Ness introduced:

H. F. No. 814, A bill for an act relating to retirement; teacher retirement plans; state deferred compensation program; recodifying state deferred compensation program; providing state deferred compensation program coverage for extracurricular teaching activity compensation; amending Minnesota Statutes 1992, sections 352.031, subdivision 2; 353D.12, subdivision 4; 354.05, by adding subdivisions; 354.07, by adding a subdivision; 354.42, subdivisions 2, 3, 5, and by adding a subdivision; 354.44, subdivision 6; 354.46, subdivision 1; 354A.011, by adding subdivisions; 354A.021, by adding a subdivision; 354A.12, subdivisions 1, 1a, 2, 2a, and by adding a subdivision; 354A.31, subdivision 4; 356.24, subdivision 1, and by adding a subdivision; and 518.54, subdivision 11; proposing coding for new law in Minnesota Statutes, chapters 125; and 352E; repealing Minnesota Statutes 1992, sections 352.96; and 352.97.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Osthoff introduced:

H. F. No. 815, A bill for an act relating to transportation; exempting public bodies from regulations on all-terrain vehicles; allowing commissioner of transportation to transfer certain real property acquired for highway purposes to former owner through negotiated settlement; providing for bridge inspection frequency and reports; delaying required revision of state transportation plan; authorizing expenditure of rail service maintenance account money for maintenance of rail lines and rights-of-way in the rail bank; providing funding sources for rail bank maintenance account; authorizing sale of certain tax-forfeited land that borders public water in New Scandia township in Washington county, and an exchange of that land for land located in Stillwater township in Washington county between the state of Minnesota and the United States Department of Interior, National Park Service; repealing identification display requirements for highway advertising signs; amending Minnesota Statutes 1992, sections 84.92, subdivision 6; 165.03; 174.03, subdivision 1a; 222.50, subdivision 7; 222.63, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 1992, section 173.14; and Minnesota Rules, part 8810.1300, subpart 6.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Delmont, Evans, Dawkins, Murphy and Rhodes introduced:

H. F. No. 816, A bill for an act relating to criminal procedure; venue of actions against minors for illegal consumption of liquor; amending Minnesota Statutes 1992, section 340A.503, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Mahon introduced:

H. F. No. 817, A bill for an act relating to retirement; authorizing certain retirees of the public employees retirement association to change annuity options.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Orenstein, Abrams, Carlson, Vellenga and Goodno introduced:

H. F. No. 818, A bill for an act relating to health; permitting minors to give consent for a hepatitis B vaccination; establishing procedures and programs relating to tuberculosis; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Johnson, R.; Kahn; Knickerbocker; Carruthers and Simoneau introduced:

H. F. No. 819, A bill for an act relating to public employment; permitting interest arbitration on retired public employee group insurance coverage for units of essential employees; amending Minnesota Statutes 1992, section 179A.16, subdivision 9.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 820, A bill for an act relating to energy; eliminating the district heating loan program; repealing Minnesota Statutes 1992, section 216C.36; and Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 821, A bill for an act relating to energy conservation; transferring authority for the energy conservation loan program from the public facilities authority to the department of public service; removing the commissioner of public service from the Minnesota public facilities authority; amending Minnesota Statutes 1992, sections 216C.37, subdivision 1; 446A.03, subdivision 1; and 446A.10, subdivision 2.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 822, A bill for an act relating to energy; updating the municipal energy conservation loan program; amending Minnesota Statutes 1992, sections 216C.37, subdivision 1; and 446A.10, subdivision 2.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 823, A bill for an act relating to public safety; abolishing expiration date for pipeline safety advisory council; amending Minnesota Statutes 1992, section 299J.06, subdivision 4.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 824, A bill for an act relating to public safety; modifying excavation; modifying the notice requirement; amending Minnesota Statutes 1992, sections 116I.07, subdivision 2; and 216D.01, subdivision 5.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 825, A bill for an act relating to alcoholic beverages; changing definitions of licensed premises, nonintoxicating malt liquor, restaurant, and wine; authorizing an investigation fee on denied licenses; prohibiting manufacturers from dealing directly with retailers; disqualifying felons from licensing; revising authority for suspensions and civil penalties; making rule violations and false or incomplete statements in license applications misdemeanors; authorizing seizure and disposal of illegally possessed alcoholic beverages; providing instructions to the revisor; amending Minnesota Statutes 1992, sections 340A.101, subdivisions 15, 19, 25, and 29; 340A.301, subdivision 3; 340A.302, subdivision 3; 340A.308; 340A.402; 340A.703; 340A.904, subdivision 1; and 340A.907; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 1992, section 340A.903.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Simoneau, Sviggum, Lourey and Erhardt introduced:

H. F. No. 826, A bill for an act relating to insurance; workers' compensation; regulating the minimum deposit requirements for self-insurers; amending Minnesota Statutes 1992, section 79A.04, subdivision 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Olson, K., introduced:

H. F. No. 827, A bill for an act relating to highways; designating route as Wally Nelson Highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Orenstein introduced:

H. F. No. 828, A bill for an act relating to health; utilization review of health care; providing for chiropractic review; amending Minnesota Statutes 1992, section 62M.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark, Sarna, Orenstein, Luther and Vellenga introduced:

H. F. No. 829, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01, subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

McCollum, Hausman, Munger, Skoglund and Johnson, A., introduced:

H. F. No. 830, A bill for an act relating to transportation; defining highways and highway purposes; authorizing use of highway user tax distribution funds for general transportation purposes; prescribing metropolitan area highway projects and planning; providing tax deductions and credits for transit costs; authorizing bonds for light rail construction; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7; 174.01,

subdivision 2; 290.01, subdivisions 19b, 19d, and by adding a subdivision; 473.146, subdivision 3; and 473.371, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 290; and 473.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 831, A bill for an act relating to energy; changing dates that energy conservation improvement contributions are due; providing that contributions be based on utility's total retail revenues instead of gross operating revenues; easing restrictions on spending money from energy and conservation account; amending Minnesota Statutes 1992, section 216B.241, subdivisions 1a, 1b, and 2a.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 832, A bill for an act relating to utilities; eliminating advance forecast reporting requirements for public electric utilities submitting advance forecasts in an integrated resource plan; amending Minnesota Statutes 1992, sections 116C.54; and 216C.17, subdivision 3.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 833, A bill for an act relating to utilities; exempting wind-powered and solar-powered generating plants from certificate of need process; amending Minnesota Statutes 1992, section 216B.2421, subdivision 2.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 834, A bill for an act relating to energy; abolishing certain duties of commissioner of public service relating to energy; amending Minnesota Statutes 1992, sections 216B.241, subdivision 2a; 216C.02, subdivision 1; and 216C.11.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Luther, Bergson, Carruthers, Carlson and Rest introduced:

H. F. No. 835, A bill for an act relating to economic development; providing for concentrated area action plans; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116j.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Stanius; Munger; Johnson, V.; Battaglia and Jennings introduced:

H. F. No. 836, A bill for an act relating to game and fish; sale of licenses through subagents; amending Minnesota Statutes 1992, section 97A.485, subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius; Munger; Johnson, V.; Girard and Workman introduced:

H. F. No. 837, A bill for an act relating to natural resources; providing for the protection and stewardship of state wildlife areas; authorizing spending to acquire public land; authorizing the issuance of state bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dauids introduced:

H. F. No. 838, A bill for an act relating to workers' compensation; regulating charges for medical treatment and supplies; amending Minnesota Statutes 1992, section 176.136, subdivision 1b.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Winter, Steensma, Kelso, Bauerly and Olson, K., introduced:

H. F. No. 839, A bill for an act relating to education; authorizing an exemption to the general education revenue reduction for independent school district No. 504, Slayton.

The bill was read for the first time and referred to the Committee on Education.

Kinkel, Solberg, Opatz, Stanius and Hasskamp introduced:

H. F. No. 840, A bill for an act relating to game and fish; setting preferences for antlerless deer drawings; amending Minnesota Statutes 1992, section 97B.305.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Peterson, Winter, Trimble, Cooper and Johnson, V., introduced:

H. F. No. 841, A bill for an act relating to agriculture; providing for regulation of agricultural aboveground storage tanks by the department of agriculture; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the first time and referred to the Committee on Agriculture.

Stanius, Workman and Johnson, V., introduced:

H. F. No. 842, A bill for an act relating to game and fish; conditions of moose license issuance; amending Minnesota Statutes 1992, section 97B.501.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius introduced:

H. F. No. 843, A bill for an act relating to taxation; imposing a sales tax on game fish sold at retail; dedicating revenue; amending Minnesota Statutes 1992, sections 297A.25, subdivision 2; and 297A.44, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

McCollum and Mariani introduced:

H. F. No. 844, A bill for an act relating to employment; regulating employee invention agreements; amending Minnesota Statutes 1992, section 181.78, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Weaver, Blatz and Farrell introduced:

H. F. No. 845, A bill for an act relating to crimes; establishing a criminal justice system task force to review the Minnesota criminal code and penalties, review bias crime penalties, and review sentencing under the sentencing guidelines.

The bill was read for the first time and referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 40.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 40, A bill for an act relating to probate; establishing a durable power of attorney for health care; establishing duties of health care providers for the provision of life-sustaining health care; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10.

The bill was read for the first time.

Bishop moved that S. F. No. 40 and H. F. No. 45, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 86, A bill for an act relating to state government; extending expiration date of governor's residence council; providing for four additional public members; amending Minnesota Statutes 1992, section 16B.27, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 174, A bill for an act relating to occupations and professions; requiring manufactured home installers to be licensed by the state; amending Minnesota Statutes 1992, sections 326.83, subdivision 4, and by adding subdivisions; and 327.31, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Holsten	Krueger	Neary	Reding	Tompkins
Anderson, I.	Davids	Hugoson	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dawkins	Huntley	Lieder	Ness	Rhodes	Tunheim
Asch	Dehler	Jacobs	Limmer	Olson, E.	Rice	Van Dellen
Battaglia	Delmont	Jaros	Lindner	Olson, K.	Rodosovich	Vellenga
Bauerly	Dempsey	Jefferson	Lourey	Olson, M.	Rukavina	Vickerman
Beard	Dorn	Jennings	Luther	Onnen	Sarna	Wagenius
Bergson	Erhardt	Johnson, A.	Lynch	Opatz	Seagren	Waltman
Bertram	Evans	Johnson, R.	Macklin	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, V.	Mahon	Orfield	Simoneau	Welle
Bishop	Frerichs	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Blatz	Garcia	Kalis	McCollum	Ostrom	Smith	Winter
Brown, C.	Girard	Kelley	McGuire	Ozment	Solberg	Wolf
Brown, K.	Greenfield	Kelso	Milbert	Pauly	Sparby	Worke
Carlson	Greiling	Kinkel	Molnau	Pawlenty	Stanius	Workman
Carruthers	Gutknecht	Klinzing	Morrison	Pelowski	Steensma	Spk. Long
Clark	Hasskamp	Knickerbocker	Mosel	Perlt	Sviggum	
Commers	Haukoos	Koppendrayner	Munger	Peterson	Swenson	
Cooper	Hausman	Krinkie	Murphy	Pugh	Tomassoni	

Those who voted in the negative were:

Goodno Gruenes

The bill was passed and its title agreed to.

H. F. No. 237, A bill for an act relating to counties; providing procedures for the combination of the offices of auditor and treasurer; amending Minnesota Statutes 1992, section 375A.10, subdivision 5.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Peterson	Tomassoni
Anderson, I.	Davids	Hausman	Krinkie	Munger	Pugh	Tompkins
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Reding	Trimble
Asch	Dehler	Hugoson	Lasley	Neary	Rest	Turheim
Battaglia	Delmont	Huntley	Leppik	Nelson	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rice	Vellenga
Beard	Dorn	Jaros	Limmer	Olson, E.	Rodosovich	Vickerman
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rukavina	Wagenius
Bertram	Evans	Jennings	Lourey	Olson, M.	Sarna	Waltman
Bettermann	Farrell	Johnson, A.	Luther	Opatz	Seagren	Weaver
Bishop	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Welle
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Skoglund	Wenzel
Brown, C.	Girard	Kahn	Mahon	Osthoff	Smith	Winter
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Solberg	Wolf
Carlson	Greenfield	Kelley	McCollum	Ozment	Sparby	Worke
Carruthers	Greiling	Kelso	McGuire	Pauly	Stanius	Workman
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Steenasma	Spk. Long
Commers	Gutknecht	Klinzing	Molnau	Pelowski	Sviggum	
Cooper	Hasskamp	Knickerbocker	Morrison	Perit	Swenson	

Those who voted in the negative were:

Onnen

The bill was passed and its title agreed to.

CALENDAR

S. F. No. 48, A bill for an act relating to real property; providing for recordation of mortgage satisfaction or release following change in identity of corporate mortgagee or assignee; providing procedures for interested person to file for record a request for notice of mortgage foreclosure; allowing postponement of foreclosure sale by party conducting the foreclosure; providing that certain forfeitures of real property are subject to interests of good faith purchasers; amending Minnesota Statutes 1992, sections 507.411; 580.032, subdivision 1; 580.07; and 609.5311, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bertram	Brown, K.	Commers	Dawkins	Dorn
Anderson, I.	Bauerly	Bettermann	Carlson	Cooper	Dehler	Erhardt
Anderson, R.	Beard	Bishop	Carruthers	Dauner	Delmont	Evans
Asch	Bergson	Blatz	Clark	Davids	Dempsey	Farrell

Frerichs	Jaros	Krueger	Molnau	Osthoff	Sarna	Tunheim
Garcia	Jefferson	Lasley	Morrison	Ostrom	Seagren	Van Dellen
Girard	Jennings	Leppik	Mosel	Ozment	Sekhon	Vellenga
Goodno	Johnson, A.	Lieder	Munger	Pauly	Simoneau	Vickerman
Greenfield	Johnson, R.	Limmer	Murphy	Pawlenty	Skoglund	Wagenius
Greiling	Johnson, V.	Lindner	Neary	Pelowski	Smith	Waltman
Gruenes	Kahn	Lourey	Nelson	Perlt	Solberg	Weaver
Gutknecht	Kalis	Luther	Ness	Peterson	Sparby	Welle
Hasskamp	Kelley	Lynch	Olson, E.	Pugh	Stanius	Wenzel
Haukoos	Kelso	Macklin	Olson, K.	Reding	Steensma	Winter
Hausman	Kinkel	Mahon	Olson, M.	Rest	Sviggum	Wolf
Holsten	Klinzing	Mariani	Ornen	Rhodes	Swenson	Worke
Hugoson	Knickerbocker	McCollum	Opatz	Rice	Tomassoni	Workman
Huntley	Koppendrayner	McGuire	Orenstein	Rodosovich	Tompkins	Spk. Long
Jacobs	Krinkie	Milbert	Orfield	Rukavina	Trimble	

The bill was passed and its title agreed to.

S. F. No. 119, A bill for an act relating to health; modifying requirements for the nursing assistant competency evaluation program; amending Minnesota Statutes 1992, section 144A.61, subdivision 3a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettarmann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Marlani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 145, A bill for an act relating to occupations and professions; modifying board of medical practice requirements for licensure by reciprocity; amending Minnesota Statutes 1992, section 147.03, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steenasma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 201, A bill for an act relating to elections; permitting cities to use mail ballots in city, county, and state elections; amending Minnesota Statutes 1992, section 204B.45, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Holsten	Lasley	Nelson	Rhodes	Tunheim
Anderson, I.	Davids	Hugoson	Leppik	Ness	Rice	Van Dellen
Anderson, R.	Dawkins	Huntley	Lieder	Olson, E.	Rodosovich	Vellenga
Asch	Dehler	Jacobs	Lindner	Olson, K.	Rukavina	Vickerman
Battaglia	Delmont	Jaros	Lourey	Onnen	Sarna	Wagenius
Bauerly	Dempsey	Jefferson	Luther	Opatz	Seagren	Waltman
Beard	Dorn	Jennings	Lynch	Orenstein	Sekhon	Weaver
Bergson	Erhardt	Johnson, A.	Macklin	Orfield	Simoneau	Welle
Bertram	Evans	Johnson, R.	Mahon	Osthoff	Skoglund	Wenzel
Bettermann	Farrell	Johnson, V.	Mariani	Ostrom	Smith	Winter
Bishop	Garcia	Kahn	McCollum	Ozment	Solberg	Wolf
Blatz	Girard	Kalis	McGuire	Pauly	Sparby	Worke
Brown, C.	Greenfield	Kelley	Milbert	Pawlenty	Stanius	Workman
Brown, K.	Greiling	Kelso	Molnau	Pelowski	Steenasma	Spk. Long
Carlson	Gruenes	Klinzing	Morrison	Perlt	Sviggum	
Carruthers	Gutknecht	Knickerbocker	Mosel	Peterson	Swenson	
Clark	Hasskamp	Koppendrayer	Munger	Pugh	Tomassoni	
Commers	Haukoos	Krinkie	Murphy	Reding	Tompkins	
Cooper	Hausman	Krueger	Neary	Rest	Trimble	

Those who voted in the negative were:

Frerichs	Goodno	Kinkel	Limmer	Olson, M.
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The bill was passed and its title agreed to.

H. F. No. 227, A bill for an act relating to human services; modifying adult foster care license requirements; amending Minnesota Statutes 1992, section 245A.11, subdivision 2a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 254, A bill for an act relating to public bodies; providing for the place of residence of members; amending Minnesota Statutes 1992, section 375.025, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Goodno	Johnson, R.	Lindner	Nelson	Peterson
Anderson, I.	Commers	Greenfield	Johnson, V.	Lourey	Ness	Pugh
Anderson, R.	Cooper	Greiling	Kahn	Luther	Olson, E.	Reding
Asch	Dauner	Gruenes	Kalis	Lynch	Olson, K.	Rest
Battaglia	Davids	Gutknecht	Kelley	Macklin	Olson, M.	Rhodes
Bauerly	Dawkins	Hasskamp	Kelso	Mahon	Ornen	Rice
Beard	Dehler	Haukoos	Kinkel	Mariani	Opatz	Rodosovich
Bergson	Delmont	Hausman	Klinzing	McCollum	Orenstein	Rukavina
Bertram	Dempsey	Holsten	Knickerbocker	McGuire	Orfield	Sarna
Bettermann	Dorn	Hugoson	Koppendrayer	Milbert	Osthoff	Seagren
Bishop	Erhardt	Huntley	Krinkie	Molnau	Ostrom	Sekhon
Blatz	Evans	Jacobs	Krueger	Morrison	Ozment	Simoneau
Brown, C.	Farrell	Jaros	Lasley	Mosel	Pauly	Skoglund
Brown, K.	Frerichs	Jefferson	Leppik	Munger	Pawlenty	Smith
Carlson	Garcia	Jennings	Lieder	Murphy	Pelowski	Solberg
Carruthers	Girard	Johnson, A.	Limmer	Neary	Perlt	Sparby

Stanius	Swenson	Trimble	Vellenga	Waltman	Wenzel	Worke
Steensma	Tomassoni	Tunheim	Vickerman	Weaver	Winter	Workman
Sviggum	Tompkins	Van Dellen	Wagenius	Welle	Wolf	Spk. Long

The bill was passed and its title agreed to.

Bauerly was excused at 3:50 p.m.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 29, 31 and 159 were recommended to pass.

H. F. Nos. 296 and 132 were recommended for progress.

H. F. No. 243 was recommended for progress until Thursday, March 11, 1993.

H. F. No. 168, the first engrossment, which it recommended to pass with the following amendment offered by Krueger:

Page 1, line 7, delete "16B.168" and insert "15.75"

Amend the title as follows:

Page 1, line 5, delete "16B" and insert "15"

On the motion of Welle the report of the Committee of the Whole was adopted.

ROLL CALLS AND OTHER ACTIONS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll calls were taken in the Committee of the Whole:

Leppik and Abrams moved to amend H. F. No. 31, the first engrossment, as follows:

Page 2, after line 15, insert:

"Sec. 3. Minnesota Statutes 1992, section 298.22, is amended by adding a subdivision to read:

Subd. 2a. [GENDER BALANCE.] If in any year the membership of the iron range resources and rehabilitation board is not gender balanced as required in section 15.0597, subdivision 5a, the governor may appoint the number of members necessary to achieve gender balance."

Renumber the sections in sequence

Correct internal references accordingly

Amend the title accordingly

POINT OF ORDER

Solberg raised a point of order pursuant to rule 3.09 that the Leppik and Abrams amendment was not in order. The Chair ruled the point of order not well taken and the amendment in order.

Solberg offered an amendment to the Leppik and Abrams amendment to H. F. No. 31, the first engrossment.

POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.09 that the amendment to the amendment was not in order. The Chair ruled the point of order well taken and the amendment to the amendment out of order.

The question recurred on the Leppik and Abrams amendment and the roll was called. There were 40 yeas and 87 nays as follows:

Those who voted in the affirmative were:

Abrams	Goodno	Hugoson	Leppik	Olson, M.	Rhodes	Vickerman
Commers	Greiling	Jennings	Limmer	Onnen	Smith	Weaver
Dehler	Gruenes	Kelso	Lindner	Osthoff	Sviggum	Wolf
Erhardt	Gutknecht	Knickerbocker	Macklin	Ozment	Swenson	Workman
Frerichs	Haukoos	Koppendrayar	Molnau	Pauly	Van Dellen	
Girard	Holsten	Krinkie	Morrison	Pawlentz	Vellenga	

Those who voted in the negative were:

Anderson, I.	Carruthers	Hasskamp	Klinzing	Munger	Rest	Trimble
Anderson, R.	Clark	Hausman	Krueger	Neary	Rice	Tunheim
Asch	Cooper	Huntley	Lasley	Ness	Rukavina	Wagenius
Battaglia	Dauner	Jacobs	Lieder	Olson, E.	Seagren	Waltman
Bauerly	Dauids	Jaros	Lourey	Olson, K.	Sekhon	Welle
Beard	Dawkins	Jefferson	Luther	Opatz	Simoneau	Wenzel
Bergson	Delmont	Johnson, A.	Lynch	Orenstein	Skoglund	Winter
Bertram	Dempsey	Johnson, R.	Mahon	Orfield	Solberg	Worke
Bettermann	Dorn	Johnson, V.	Mariani	Ostrom	Sparby	Spk. Long
Bishop	Evans	Kahn	McCollum	Pelowski	Stanius	
Blatz	Farrell	Kalis	McGuire	Peterson	Steenasma	
Brown, K.	Garcia	Kelley	Milbert	Pugh	Tomassoni	
Carlson	Greenfield	Kinkel	Mosel	Reding	Tompkins	

The motion did not prevail and the amendment was not adopted.

Krinkie moved to amend H. F. No. 31, the first engrossment, as follows:

Page 1, line 8, delete "an agency" and insert "all agencies, considered together,"

Page 1, line 14, delete the colon and insert "one-half the membership, or, if the members of all agencies considered together is an odd number, one-half the membership plus one."

Page 1, delete lines 15 to 18

Page 2, delete section 2

Page 2, line 20, delete "gender and"

Page 2, line 22, delete "Sections 2 and 3 are" and insert "Section 2 is"

Page 2, line 25, delete "2."

Page 2, line 26, delete "3" and insert "2"

Renumber the sections in sequence

Amend the title accordingly

The question was taken on the Krinkie amendment and the roll was called. There were 39 yeas and 89 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Hugoson	Molnau	Ostrom	Steensma	Wolf
Anderson, I.	Girard	Johnson, V.	Nelson	Pawlenty	Sviggum	Worke
Commers	Gruenes	Koppendrayar	Olson, E.	Pelowski	Swenson	Workman
Dehler	Gutknecht	Krinkle	Olson, M.	Smith	Van Dellen	
Dempsey	Haukoos	Limner	Onnen	Solberg	Vickerman	
Dorn	Holsten	Lindner	Osthoff	Stanisus	Weaver	

Those who voted in the negative were:

Anderson, R.	Clark	Hausman	Klinzing	Milbert	Perlt	Tomassoni
Asch	Cooper	Huntley	Krueger	Morrison	Peterson	Tompkins
Battaglia	Dauner	Jacobs	Lasley	Mosel	Pugh	Trimble
Beard	Davids	Jaros	Leppik	Munger	Reding	Turheim
Bergson	Dawkins	Jefferson	Lieder	Murphy	Rest	Vellenga
Bertram	Delmont	Jennings	Lourey	Neary	Rhodes	Wagenius
Bettermann	Evans	Johnson, A.	Luther	Ness	Rice	Waltman
Bishop	Farrell	Johnson, R.	Lynch	Olson, K.	Rukavina	Welle
Blatz	Garcia	Kahn	Macklin	Opatz	Seagren	Wenzel
Brown, C.	Goodno	Kalis	Mahon	Orenstein	Sekhon	Winter
Brown, K.	Greenfield	Kelley	Mariani	Orfield	Simoneau	Spk. Long
Carlson	Greiling	Kelso	McCollum	Ozment	Skoglund	
Carruthers	Hasskamp	Kinkel	McGuire	Pauly	Sparby	

The motion did not prevail and the amendment was not adopted.

Weaver offered an amendment to H. F. No. 31, the first engrossment.

POINT OF ORDER

Trimble raised a point of order pursuant to rule 3.09 that the Weaver amendment was not in order. The Chair ruled the point of order well taken and the amendment out of order.

The question was taken on the motion to recommend passage of H. F. No. 31, the first engrossment, and the roll was called. There were 75 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Hasskamp	Kinkel	Munger	Reding	Steensma
Anderson, I.	Cooper	Hausman	Krueger	Murphy	Rest	Tomassori
Asch	Dawkins	Jacobs	Lasley	Neary	Rhodes	Trimble
Battaglia	Delmont	Jefferson	Leppik	Olson, K.	Rice	Tunheim
Beard	Erhardt	Jennings	Lourey	Opatz	Rukavina	Vellenga
Bergson	Evans	Johnson, A.	Luther	Orenstein	Sekhon	Wagenius
Bertram	Farrell	Johnson, R.	Mahon	Orfield	Simoneau	Welle
Brown, C.	Garcia	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kalis	McCollum	Perlt	Solberg	Spk. Long
Carlson	Greenfield	Kelley	McGuire	Peterson	Sparby	
Carruthers	Greiling	Kelso	Milbert	Pugh	Stanius	

Those who voted in the negative were:

Anderson, R.	Dempsey	Hugoson	Lieder	Nelson	Pawlenty	Van Dellen
Bettermann	Dorn	Huntley	Limmer	Ness	Pelowski	Vickerman
Bishop	Frerichs	Jaros	Lindner	Olson, E.	Rodosovich	Waltman
Blatz	Girard	Johnson, V.	Lynch	Olson, M.	Seagren	Weaver
Commers	Gruenes	Klinzing	Macklin	Ornen	Smith	Winter
Dauner	Gutknecht	Knickerbocker	Molnau	Ostrom	Sviggum	Wolf
Dauids	Haukoos	Koppendrayner	Morrison	Ozment	Swenson	Worke
Dehler	Holsten	Krinkie	Mosel	Pauly	Tompkins	Workman

The motion prevailed.

MOTIONS AND RESOLUTIONS

Cooper moved that the name of Girard be added as an author on H. F. No. 50. The motion prevailed.

Bettermann moved that the name of Seagren be added as an author on H. F. No. 53. The motion prevailed.

Wejzman moved that the name of Swenson be added as an author on H. F. No. 216. The motion prevailed.

Peterson moved that the name of Waltman be added as an author on H. F. No. 277. The motion prevailed.

Brown, C., moved that the name of Pelowski be stricken and the name of Jefferson be added as an author on H. F. No. 404. The motion prevailed.

Dorn moved that the name of Solberg be added as an author on H. F. No. 519. The motion prevailed.

Wejzman moved that the name of Clark be added as an author on H. F. No. 659. The motion prevailed.

Greiling moved that the name of Lasley be added as an author on H. F. No. 666. The motion prevailed.

Krueger moved that the name of Anderson, I., be added as an author on H. F. No. 693. The motion prevailed.

Anderson, I., moved that the name of Solberg be added as an author on H. F. No. 720. The motion prevailed.

Pelowski moved that the name of Frerichs be added as an author on H. F. No. 722. The motion prevailed.

Lourey moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, February 25, 1993, when the vote was taken on the final passage of H. F. No. 79." The motion prevailed.

Rest moved that H. F. No. 427, now on Technical General Orders, be re-referred to the Committee on Ways and Means. The motion prevailed.

Tunheim moved that H. F. No. 634 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Agriculture. The motion prevailed.

Lasley moved that H. F. No. 253, now on Technical General Orders, be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance. The motion prevailed.

Trimble moved that H. F. No. 704 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Pursuant to House Rule 1.15, Solberg moved that H. F. No. 167 be recalled from the Committee on Ways and Means, be given its second reading and be advanced to General Orders. The motion prevailed.

SECOND READING OF HOUSE BILLS

H. F. No. 167 was read for the second time.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 8, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 8, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 8, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Dr. Dale Wordelman, Golden Valley United Methodist Church, Golden Valley, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Omen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wolf
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steenasma	Spk. Long

A quorum was present.

Welle was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Winter moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 40 and H. F. No. 45, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bishop moved that the rules be so far suspended that S. F. No. 40 be substituted for H. F. No. 45 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 5, 1993

The Honorable Dee Long
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 1, relating to legislative committees; providing for the designation of successor legislative committees; updating statutory references to names of committees.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> No.	<i>H.F.</i> No.	<i>Session Laws</i> <i>Chapter No.</i>	<i>Time and</i> <i>Date Approved</i> 1993	<i>Date Filed</i> 1993
	1	4	11:48 a.m. March 5	March 5

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Rest from the Committee on Taxes to which was referred:

H. F. No. 117, A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 282.01, subdivision 7, is amended to read:

Subd. 7. [COUNTY SALES; NOTICE, PURCHASE PRICE, DISPOSITION.] The sale herein provided for shall commence at such time as the county board of the county wherein such parcels lie, shall direct. The county auditor shall offer the parcels of land in order in which they appear in the notice of sale, and shall sell them to the highest bidder, but not for a less sum than the appraised value, until all of the parcels of land shall have been offered, and thereafter shall sell any remaining parcels to anyone offering to pay the appraised value thereof, except that if the person could have repurchased a parcel of property under section 282.012 or 282.241, that person shall not be allowed to purchase that same parcel of property at the sale under this subdivision unless approved by the county board for a purchase price less than the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs that accrued or would have accrued if the parcel had not forfeited to the state. Said sale shall continue until all such parcels are sold or until the county board shall order a reappraisal or shall withdraw any or all such parcels from sale. Such list of lands may be added to and the added lands may be sold at any time by publishing the descriptions and appraised values of such parcels of land as shall have become forfeited and classified as nonconservation since the commencement of any prior sale or such parcels as shall have been reappraised, or such parcels as shall have been reclassified as nonconservation or such other parcels as are subject to sale but were omitted from the existing list for any reason in the same manner as hereinafter provided for the publication of the original list, provided that any parcels added to such list shall first be offered for sale to the highest bidder before they are sold at appraised value. All parcels of land not offered for immediate sale, as well as parcels of such lands as are offered and not immediately sold shall continue to be held in trust by the state for the taxing districts interested in each of said parcels, under the supervision of the county board, and such parcels may be used for public purposes until sold, as the county board may direct.

Sec. 2. Minnesota Statutes 1992, section 282.241, is amended to read:

282.241 [REPURCHASE AFTER FORFEITURE.]

The owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes unless before the time repurchase is made the parcel is sold under installment payments, or otherwise, by the state as provided by law, or is under mineral prospecting permit or lease, or proceedings have been commenced by the state or any of its political subdivisions or by the United States to condemn such parcel of land. The parcel of land may be repurchased. ~~The repurchase price is the greater of (1) the appraised value of the parcel, or (2) for~~ for the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs, that accrued or would have accrued if the parcel of land had not forfeited to the state. Except for property which was homesteaded on the date of forfeiture, such repurchase shall be permitted during one year only from the date of forfeiture, and in any case only after the adoption of a resolution by the board of county commissioners determining that thereby undue hardship or injustice resulting from the forfeiture will be corrected, or that permitting such repurchase will promote the use of such lands that will best serve the public interest. If the county board has good cause to believe that a repurchase installment payment plan for a particular parcel is unnecessary and not in the public interest, the county board may require as a condition of repurchase that the entire repurchase price be paid at the time of repurchase. A repurchase shall be subject to any easement, lease, or other encumbrance granted by the state prior thereto, and if said land is located within a restricted area established by any county under Laws 1939, chapter 340, such repurchase shall not be permitted unless said resolution with respect thereto is adopted by the unanimous vote of the board of county commissioners.

Sec. 3. [EXTENSION OF TIME FOR REPURCHASE.]

Property eligible for repurchase on or after April 25, 1992, but before the date of final enactment of this act, may be repurchased as provided in section 2 for an additional period of one year, beginning on the date of final enactment of this act. Any right of repurchase under this section is subject to (1) sale or conveyance of the property; (2) commencement of condemnation proceedings by the state or any of its political subdivisions or by the United States; or (3) the issuance of a mineral prospecting permit or lease.

Sec. 4. [EFFECTIVE DATE; REFUND; REPURCHASE PRICE REDUCTION.]

(a) Sections 1 and 3 are effective the day following final enactment.

(b) Section 2 is effective retroactive to April 25, 1992. Upon application to the county auditor, a person who repurchased property under the provisions of Minnesota Statutes, section 282.241, as amended by Laws 1992, chapter 511, article 2, section 29, shall receive a refund, if the person paid the total repurchase price, or, if the person is paying the repurchase price in installments, shall receive a reduction in the repurchase price. The refund or reduction in repurchase price is equal to the amount of the property's appraised value at the time of the repurchase in excess of the sum of all delinquent taxes and assessments computed under Minnesota Statutes, section 282.251, together with penalties, interest, and costs that accrued or would have accrued if the parcel of land had not forfeited to the state. The refund shall be paid without interest.

(c) If the repurchase price is being paid in installments, the auditor and the repurchaser shall negotiate a new installment payment plan to reflect the repurchase price under section 2, or the repurchaser may pay any remaining balance in full; or, if the amount already paid exceeds the repurchase price under section 2, the repurchaser shall receive a refund, without interest, equal to the excess.

(d) The refund shall be paid by the county treasurer from the forfeited tax sale fund. Taxing districts that received distributions from the forfeited tax sale fund in regard to a parcel for which a person is receiving a refund under this section must reimburse the fund. The reimbursement shall be determined by the county auditor as part of the next settlement, except that if the forfeited tax sale fund does not contain the funds necessary to make the refund, the taxing districts shall each pay the reimbursement within five business days after notification by the county auditor. The amount of the reimbursement is equal to the ratio of the total distributions from the fund to the total deposits in the fund multiplied by the taxing district's statutory distribution percentage under Minnesota Statutes, section 282.08, multiplied by the total refund. In addition, the county must reimburse the fund in an amount equal to: (1) the percentage of the total deposits retained in the fund or set aside for (i) county costs, (ii) timber development under Minnesota Statutes, section 282.08, clause (4), paragraph (a), and (iii) county parks or recreational areas under Minnesota Statutes, section 282.08, clause (4), paragraph (b); multiplied by (2) the total refund. The reimbursement shall be paid without interest."

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. 203, A bill for an act relating to occupations and professions; board of medical practice; modifying requirements for licensing United States, Canadian, and foreign medical school graduates; providing for temporary permits; providing for residency permits; adding a requirement for students exempt from penalties for practicing without a license; adding to licensed professionals subject to reporting obligations; indemnifying board members, consultants, and persons employed by the board; amending Minnesota Statutes 1992, sections 62A.46, subdivision 7; 147.02, subdivision 1, and by adding a subdivision; 147.03; 147.037, subdivision 1, and by adding a subdivision; 147.09; 147.111, subdivision 4; 147.121, subdivision 2; and 148.91, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 147.

Reported the same back with the following amendments:

Page 5, after line 6, insert:

"Subd. 3. [EXCEPTION.] Notwithstanding subdivision 2, the board may issue a temporary permit to practice medicine to an applicant who has not satisfied the requirements of subdivision 1, paragraph (c), clause 2, item (i) or (ii), but has satisfied all other requirements for licensure under this section, and has paid a nonrefundable fee set by the board. The permit remains valid for six months."

Page 7, line 11, after the period insert "Upon issuance of a license by the board, the board will terminate a residency permit."

Page 7, line 14, delete "a nonrefundable fee set by the board" and insert "a \$20 nonrefundable fee upon initial application and upon a change in residency program a lesser nonrefundable fee set by the board in such amount that is necessary to cover administrative costs incurred by the board"

Page 7, line 25, before "A" insert "Upon a change in residency programs,"

Page 7, line 27, before the period insert "being terminated"

Page 7, line 28, before the period insert "until licensure is obtained"

Page 7, line 31, after the period insert "The intent of this subdivision is not to replace routine academic corrective action undertaken by a residency training program."

Page 9, line 32, delete the comma before "person" and insert "or"

Page 9, line 33, delete ", or faculty of a residency"

Page 9, line 34, delete "program"

Page 10, line 4, delete the comma before "person" and insert "or"

Page 10, line 5, delete "or faculty of a residency program,"

Page 10, line 12, delete the new language, and strike "and" and insert a comma

Page 10, line 13, strike "or engaged in the" and insert ", and consultants retained by the board for the purpose of" and strike "and"

Page 10, line 14, strike "in" and insert "or"

Page 10, delete lines 22 to 26 and insert:

"Sec. 11. Minnesota Statutes 1992, section 148.71, subdivision 2, is amended to read:

Subd. 2. [TEMPORARY PERMIT.] (a) The board may, upon payment of a fee set by the board, issue a temporary permit to practice physical therapy under supervision to a physical therapist who is a graduate of an approved school of physical therapy and qualified for admission to examination for registration as a physical therapist. A temporary permit to practice physical therapy under supervision may be issued only once and cannot be renewed. It expires 90 days after the next examination for registration given by the board or on the date on which the board, after examination of the applicant, grants or denies the applicant a registration to practice, whichever occurs first. A temporary permit expires on the first day the board begins its next examination for registration after the permit is issued if the holder does not submit to examination on that date. The holder of a temporary permit to practice physical therapy under supervision may practice physical therapy as defined in section 148.65 if the entire practice is under the supervision of a person holding a valid registration to practice physical therapy in this state. The supervision shall be direct, immediate, and on premises.

(b) A physical therapist from another state who is licensed or otherwise registered in good standing as a physical therapist by that state and meets the requirements for registration under section 148.72 does not require supervision

to practice physical therapy while holding a temporary permit in this state. The temporary permit remains valid only until the meeting of the board at which the application for registration is considered.

Sec. 12. Minnesota Statutes 1992, section 148.71, is amended by adding a subdivision to read:

Subd. 3. [FOREIGN-TRAINED PHYSICAL THERAPISTS; TEMPORARY PERMITS.] (a) The board of medical practice may issue a temporary permit to a foreign-trained physical therapist who:

(1) is enrolled in a supervised physical therapy traineeship that meets the requirements under paragraph (b);

(2) has completed a physical therapy education program equivalent to that under section 148.705 and Minnesota Rules, part 5601.0800, subpart 2;

(3) has achieved a score of at least 550 on the test of English as a foreign language or a score of at least 85 on the Minnesota battery test; and

(4) has paid a nonrefundable fee set by the board.

A foreign-trained physical therapist must have the temporary permit before beginning a traineeship.

(b) A supervised physical therapy traineeship must:

(1) be at least six months;

(2) be at a board-approved facility;

(3) provide a broad base of clinical experience to the foreign-trained physical therapist including a variety of physical agents, therapeutic exercises, evaluation procedures, and patient diagnoses;

(4) be supervised by a physical therapist who has at least three years of clinical experience and is registered under subdivision 1; and

(5) be approved by the board before the foreign-trained physical therapist begins the traineeship.

(c) A temporary permit is effective on the first day of a traineeship and expires 90 days after the next examination for registration given by the board following successful completion of the traineeship or on the date on which the board, after examination of the applicant, grants or denies the applicant a registration to practice, whichever occurs first.

(d) A foreign-trained physical therapist must successfully complete a traineeship to be registered as a physical therapist under subdivision 1. The traineeship may be waived for a foreign-trained physical therapist who is licensed or otherwise registered in good standing in another state and has successfully practiced physical therapy in that state under the supervision of a licensed or registered physical therapist for at least six months at a facility that meets the requirements under paragraph (b), clauses (2) and (3).

(e) A temporary permit will not be issued to a foreign-trained applicant who has been issued a temporary permit for longer than six months in any other state."

Re-number the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 10, after the semicolon insert "adding registration requirements for physical therapists from other states and foreign-trained physical therapists;"

Page 1, line 15, delete "148.91, subdivision 3" and insert "148.71, subdivision 2, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 269, A bill for an act relating to recreation; establishing a Cuyuna country state recreation area; establishing a new unit in the outdoor recreation system; appropriating money; amending Minnesota Statutes 1992, sections 85.045, subdivision 2; 86A.04; 86A.05, subdivisions 2 and 3; and 86A.08, subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 26, insert:

"(d) The advisory committee shall serve as volunteers and accept no per diem."

Page 3, lines 34 and 35, delete "Soo Line Railroad" and insert "railroad"

Page 4, after line 36, insert:

"Subject to easements of record for the following state roads, all Trunk Highway 6 and Trunk Highway 210 rights-of-way, in fee or easement, in the described land are exempted."

Page 5, line 1, delete "AND RULE EXEMPTION" and delete "(a)"

Page 5, line 3, delete "1994" and insert "1995"

Page 5, delete lines 4 and 5

Page 7, line 10, delete "1992" and insert "1993"

Page 9, line 8, delete "and"

Page 9, delete line 9

Page 9, line 10, delete "subdivision 5" and insert "of the recreation area"

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.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 272, A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.03, subdivision 1; 297C.10, subdivisions 1 and 2; 297C.12; 297C.13, subdivision 1; 299A.02; 299A.30, subdivision 1; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01, subdivisions 2 and 4; 299C.06; 299C.13; 299C.50; 299F.01, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions

1 and 5; 270B.12, subdivision 4; 299A.01; 299C.01, subdivision 1; and 299F.01, subdivisions 1 and 3; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7.

Reported the same back with the following amendments:

Page 2, line 25, after "positions" insert "not specifically transferred to the office of attorney general or the department of commerce"

Page 2, line 28, delete "and (9)," and insert ", (9), and (11),"

Page 2, lines 31 and 34, delete "and (9)," and insert ", (9), and (11),"

Page 3, line 4, delete "division and"

Page 3, line 8, after the semicolon insert "and"

Page 3, line 9, delete "; and" and insert a period

Page 3, delete line 10

Page 3, line 27, delete "and"

Page 3, line 28, delete the period and insert "; and

(5) five positions from the liquor control enforcement activity of the liquor control division."

Page 4, line 16, delete "REVENUE" and insert "COMMERCE"

Page 4, line 17, delete "control" and insert "licensing"

Page 4, delete line 18 and insert "commerce. Four positions from the liquor control licensing activity of the liquor control division are transferred to the department of commerce."

Page 17, line 34, reinstate the stricken language

Page 17, line 35, before "a" insert "attorney general"

Page 18, line 7, reinstate the stricken "notifying the" and delete the new language and insert "attorney general"

Page 18, line 14, reinstate the stricken language

Page 18, line 15, after the stricken "safety" insert "attorney general" and reinstate the stricken "within two business days" and delete "note in"

Page 18, line 16, delete the new language

Pages 18 and 19, delete section 27 and insert:

"Sec. 27. Minnesota Statutes 1992, section 297C.09, is amended to read:

297C.09 [IMPORTATION BY INDIVIDUALS.]

A person, other than a person under the age of 21 years, entering Minnesota from another state may have in possession one liter of intoxicating liquor or 288 ounces of malt liquor and a person entering Minnesota from a foreign country may have in possession four liters of intoxicating liquor or ten quarts (320 ounces) of malt liquor without the required payment of the Minnesota excise tax. A collector of commemorative bottles, other than a person under the age of 21 years, entering Minnesota from another state may have in possession 12 or fewer commemorative bottles without the required payment of the Minnesota excise tax. A person who imports or has in possession untaxed intoxicating liquor or malt liquor in excess of the quantities provided for in this section is guilty of a misdemeanor.

This section does not apply to the consignments of alcoholic beverages shipped into this state by holders of Minnesota import licenses or Minnesota manufacturers and wholesalers when licensed by the commissioner of public safety commerce or to common carriers with licenses to sell intoxicating liquor in more than one state. A peace officer, the commissioner attorney general, or their authorized agents, may seize untaxed liquor."

Page 19, line 20, after "commissioner" insert "of revenue and the attorney general"

Pages 19 to 24, delete sections 29 to 32 and insert:

"Sec. 29. Minnesota Statutes 1992, section 299A.02, is amended to read:

299A.02 [COMMISSIONERS OF PUBLIC SAFETY ATTORNEY GENERAL AND COMMISSIONER OF REVENUE; LIQUOR CONTROL FUNCTIONS.]

Subdivision 1. [~~DIRECTOR OF DIVISION OF LIQUOR CONTROL~~ CONFLICT OF INTEREST.] No employee of the ~~department of public safety attorney general~~ or the department of revenue having any responsibility for the administration or enforcement of ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A shall have a direct or indirect interest, except through ownership or investment in pension or mutual funds, in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxicating, nonintoxicating, or commercial or industrial alcohol. The ~~commissioner of public safety attorney general~~ or the commissioner of revenue may remove an employee in the unclassified civil service for any intentional violation of any provision in ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A. Intentional violation of the preceding sections by a classified employee of ~~one of the attorney general or the departments~~ department of revenue may be grounds for removal of that employee pursuant to section 43A.33.

Subd. 2. [GENERAL POWERS.] The ~~commissioner attorney general~~ shall administer and enforce the provisions of ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A except for those provisions thereof for which administration and enforcement are reserved to the commissioner of revenue.

Subd. 3. [REPORTS; RULES.] The ~~commissioner attorney general~~ shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of ~~Laws 1985, chapter 305, articles 2 to 11~~ this section and chapters 297C and 340A. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale. No rule may require the use of new containers in aging whiskey. No rule may require cordials or liqueurs to contain in excess of 2-1/2 percent by weight of sugar or dextrose or both.

Subd. 4. [SUBPOENAS.] In all matters relating to official duties, the ~~commissioner attorney general~~ shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as the commissioner may desire to inspect, and in all things aid the commissioner in the performance of the commissioner's duties."

Page 29, line 9, before "The" insert "Effective July 1, 1993," and delete "revenue" and insert "commerce"

Page 29, lines 12 and 16, delete "July 1," and insert "June 30,"

Page 29, line 18, delete "commissioner of" and strike "revenue" and before "as" insert "commissioner of commerce or attorney general,"

Page 30, line 3, strike everything after "(a)"

Page 30, strike lines 4 to 6

Page 30, line 7, strike "(b)"

Page 30, line 15, strike "(c)" and insert "(b)"

Page 30, line 17, strike "(d)" and insert "(c)"

Page 30, line 19, strike "(e)" and insert "(d)"

Page 31, line 13, strike "public safety" and after "employees" insert "of the office of the attorney general"

Page 34, after line 36, insert:

"Sec. 52. [WORKER PARTICIPATION.]

Subdivision 1. [RESTRUCTURING PROVISIONS.] The restructuring of agencies required by this act shall be conducted under Minnesota Statutes, section 43A.045.

Subd. 2. [WORKER PARTICIPATION COMMITTEES.] (a) Before the restructuring of executive branch agencies under this act, a committee including representatives of employees and employers within each affected agency must be established and be given adequate time to perform the functions prescribed by paragraph (b). Each exclusive representative of employees shall select a committee member from each of its bargaining units in each affected agency. The head of each agency shall select an employee member from each unit of employees not represented by an exclusive representative. The agency head shall also appoint one or more committee members to represent the agency. The number of members appointed by the agency head, however, may not exceed the total number of members representing bargaining units.

(b) A committee established under paragraph (a) shall:

(1) identify tasks related to agency reorganization and adopt plans for addressing those tasks;

(2) identify other employer and employee issues related to reorganization and adopt plans for addressing those issues;

(3) adopt plans for implementing this act, including detailed plans for providing retraining for affected employees; and

(4) guide the implementation of the reorganization."

Page 37, line 24, after "214.04;" insert "297C.03; 297C.10, subdivision 2; 297C.12; 297C.13, subdivision 1;"

Page 37, line 30, delete "REVENUE" and insert "COMMERCE"

Page 37, line 36, delete "revenue" and insert "commerce"

Page 38, line 1, delete "revenue" and insert "commerce" in both places

Page 38, line 2, delete "revenue" and insert "commerce"

Page 38, line 5, delete "297C.09;" and delete "383.28;" and insert "383C.28;"

Page 39, line 32, delete the second "1," and insert "2,"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 15 and insert "297C.09; 297C.10, subdivision 1;"

Page 1, line 16, delete "297C.12; 297C.13, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 316, A bill for an act relating to natural resources; requiring that iron mines and production facilities be maintained in salable operating condition; proposing coding for new law in Minnesota Statutes, chapter 93.

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.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 442, A bill for an act relating to education; appropriating money for a deficiency in HECB appropriations.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 117, 203 and 442 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 40 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ostrom, Swenson, Lasley, Vellenga and Lourey introduced:

H. F. No. 846, A bill for an act relating to civil commitment; authorizing new procedures for return of certain patients who are absent from treatment facilities without authorization; amending Minnesota Statutes 1992, section 253B.23, subdivision 1a.

The bill was read for the first time and referred to the Committee on Judiciary.

Tompkins, Bettermann, Wenzel, Steensma and Gutknecht introduced:

H. F. No. 847, A bill for an act relating to health; providing a woman considering abortion the right to certain information before giving consent; 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.

Stanius, Dehler, Holsten, Worke and Gutknecht introduced:

H. F. No. 848, A resolution memorializing Congress to propose an amendment to the United States Constitution to authorize Congress and the states to prohibit physical damage to the flag of the United States.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Osthoff, Goodno, Kahn, Pugh and Carruthers introduced:

H. F. No. 849, A bill for an act relating to the municipal board; providing for the composition of the board; amending Minnesota Statutes 1992, section 414.01, subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Osthoff, Goodno, Kahn, Pugh and Carruthers introduced:

H. F. No. 850, A bill for an act relating to local government; transferring authority for incorporations, detachments, and annexations to the office of administrative hearings and the office of strategic and long-range planning; providing a single annexation procedure; amending Minnesota Statutes 1992, sections 414.01, subdivisions 1, 14, 15, 16, and by adding a subdivision; 414.011, subdivisions 7 and 8; 414.012; 414.02; 414.031; 414.035; 414.041; 414.051; 414.06; 414.061; 414.063; 414.067; 414.07; 414.08; and 414.09; repealing Minnesota Statutes 1992, sections 414.01, subdivisions 2, 3, 3a, 4, 5, 6a, 7a, 8, 10, 11, and 12; 414.0325; 414.033; and 414.036.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Delmont, Perl and Swenson introduced:

H. F. No. 851, A bill for an act relating to controlled substances; modifying the definitions of cocaine and marijuana; providing that marijuana penalties in sale and possession crimes may be based on number of marijuana plants; clarifying evidentiary use of partial tests of breath alcohol concentration in DWI cases; allowing results of certain tests to be used in evidence; amending Minnesota Statutes 1992, sections 152.01, subdivisions 3a and 9; 152.021, subdivisions 1 and 2; 152.022, subdivisions 1 and 2; 152.023, subdivisions 1 and 2; 169.01, by adding a subdivision; 169.121, subdivision 2; 169.123, subdivision 2b; and 169.1217, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 634.

The bill was read for the first time and referred to the Committee on Judiciary.

Dawkins introduced:

H. F. No. 852, A bill for an act relating to education; appropriating money for matching grants for "male responsibility" pilot programs.

The bill was read for the first time and referred to the Committee on Education.

Opatz, Bertram, Bauerly and Gruenes introduced:

H. F. No. 853, A bill for an act relating to capital improvements; appropriating money and authorizing the sale of state bonds to develop architectural drawings for remodeling at St. Cloud Technical College.

The bill was read for the first time and referred to the Committee on Capital Investment.

Wejcman, Osthoff and Pauly introduced:

H. F. No. 854, A bill for an act relating to drivers' licenses; clarifying requirement of endorsement for special transportation service drivers within the metropolitan area; abolishing examination requirement and certain fees for special transportation service drivers; providing for criminal records checks of special transportation service drivers; amending Minnesota Statutes 1992, sections 171.01, subdivision 24; 171.02, subdivision 2; 171.10, subdivision 2; 171.13, subdivision 5; and 171.323.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Jefferson, Carruthers, Morrison, Dawkins and Dauner introduced:

H. F. No. 855, A bill for an act relating to tax increment financing; exempting housing districts from certain reductions in aid; changing procedures for determination of tax capacity; providing an option for receiving first increment; changing certain limits on expenditures for housing districts; changing the time period tax increments may be used for interest reduction programs; changing the maximum duration of housing districts; providing for consultation with the county commissioner of the proposed district; amending Minnesota Statutes 1992, sections 273.1399, subdivision 1; 469.174, subdivision 4; 469.175, subdivision 1, and by adding a subdivision; 469.176, subdivisions 1 and 4f; 469.1763, subdivision 2; and 469.177, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Taxes.

Kelso, Greiling, Weaver, Hugoson and Cooper introduced:

H. F. No. 856, A bill for an act relating to education; providing for regional bargaining; establishing regional boards and defining their powers and duties; amending Minnesota Statutes 1992, sections 179A.03, subdivisions 2 and 15; 179A.04, subdivision 2; and 179A.20, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 122; and 179A.

The bill was read for the first time and referred to the Committee on Education.

Krueger, Perlt, Kahn and Bishop introduced:

H. F. No. 857, A bill for an act relating to state government; department of public safety; providing for the appointment of the superintendent of criminal apprehension, the chief supervisor of the state patrol, and the state fire marshal to fixed terms from lists of candidates submitted by advisory committees; establishing the composition of the advisory committees; amending Minnesota Statutes 1992, sections 299C.01, subdivision 2; 299D.01, subdivision 1; and 299F.01, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Osthoff, Hugoson, Ostrom, Frerichs and Lieder introduced:

H. F. No. 858, A bill for an act relating to motor carriers; providing for expiration of certificates and permits used by any carrier for the purpose of armored carriage, and for their conversion to newly created "armored carrier" permits; amending Minnesota Statutes 1992, sections 221.011, by adding a subdivision; 221.111; and 221.121, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 221.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Wolf, Munger and Leppik introduced:

H. F. No. 859, A bill for an act relating to natural resources; granting power to the commissioner of natural resources to give nominal gifts, acknowledge significant contributions and sell incidental advertising; amending Minnesota Statutes 1992, section 84.027, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pauly, Workman, Seagren and Wolf introduced:

H. F. No. 860, A bill for an act relating to retirement; Eden Prairie volunteer firefighters relief association; defining "disability" and "deferred retiree"; modifying the vesting requirement for service pensions; authorizing an increase in the service pension amount.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Seagren, Workman, Wolf, Goodno and Davids introduced:

H. F. No. 861, A bill for an act relating to crime prevention; providing that the home address of a driver's license or motor vehicle registration applicant is private data; clarifying and expanding the scope of harassment and stalking crimes; increasing to a gross misdemeanor the penalty for harassment and stalking; increasing to a felony the penalty for subsequent offenses; increasing to a gross misdemeanor the penalty for subsequent violations of orders for protection issued because of harassment; requiring training for judges and peace officers concerning harassment and stalking; amending Minnesota Statutes 1992, sections 13.69, by adding a subdivision; 480.30; 609.605; 609.748, subdivisions 6 and 8; 611A.0311; 626.8451, subdivision 1a; 629.342; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1992, sections 168.346; 171.12, subdivision 7; 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Bauerly, Swenson, Lieder and Opatz introduced:

H. F. No. 862, A bill for an act relating to state government; changing the name of the council on affairs of Spanish-speaking people to the council on affairs of Mexicano/Chicano and Latino people; making related changes in definitions and duties; amending Minnesota Statutes 1992, section 3.9223, subdivisions 1, 2, 3, 5, 7, and by adding a subdivision; repealing Minnesota Statutes 1992, section 3.9223, subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dempsey, Trimble, Dehler, Molnau and Waltman introduced:

H. F. No. 863, A bill for an act relating to pollution control; modifying eligibility area for state financial assistance program for combined sewer overflow; amending Minnesota Statutes 1992, section 116.162, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings, Skoglund, Munger, Ozment and Abrams introduced:

H. F. No. 864, A bill for an act relating to waters; inspection of watercraft for exotic harmful species; closing of access points; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil penalties; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a, and by adding a subdivision;

84.968, subdivision 1; and 296.421, subdivisions 4 and 5; proposing coding for new law in Minnesota Statutes, chapter 84.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius and Sparby introduced:

H. F. No. 865, A bill for an act relating to watercraft; lowering the minimum age for operators; amending Minnesota Statutes 1992, section 86B.101, subdivision 2; 86B.305, subdivisions 1 and 2; and 86B.313, subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Swenson, Carruthers, Skoglund, Smith and Limmer introduced:

H. F. No. 866, A bill for an act relating to crimes; juveniles; establishing misdemeanor offense for juvenile with alcohol concentration greater than 0.02 to operate motor vehicle; providing for implied consent to test juvenile's blood, breath, or urine and making refusal to take test a crime; imposing penalties; amending Minnesota Statutes 1992, sections 169.121, subdivision 6; 169.123, subdivisions 2, 4, and 6; and 169.129; proposing coding for new law in Minnesota Statutes, chapter 169.

The bill was read for the first time and referred to the Committee on Judiciary.

Cooper and Jennings introduced:

H. F. No. 867, A bill for an act relating to health; regulating ionization radiation; exempting practitioners of veterinary medicine from certain quality assurance tests; amending Minnesota Statutes 1992, section 144.121, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Milbert, Pugh, Knickerbocker, Kahn and Osthoff introduced:

H. F. No. 868, A bill for an act relating to horse racing; permitting two class A licenses within the seven-county metropolitan area; permitting the state fair to apply for a pari-mutuel horse racing license; permitting distributions from the breeders' fund for Minnesota-bred horses racing in other racing jurisdictions; amending Minnesota Statutes 1992, sections 240.06, subdivisions 5 and 5a; 240.09, subdivision 1; and 240.18, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Simoneau, Cooper, Gruenes, Solberg and Gutknecht introduced:

H. F. No. 869, A bill for an act relating to medical assistance; requiring the commissioner of human services to contract for a claims adjudication system for pharmacy providers.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bauerly, Wenzel, Rest and Welle introduced:

H. F. No. 870, A bill for an act relating to tax increment financing; authorizing the establishment of manufacturing districts; proposing coding for new law in Minnesota Statutes, chapter 469.

The bill was read for the first time and referred to the Committee on Taxes.

Farrell, Pugh, Skoglund, Swenson and McGuire introduced:

H. F. No. 871, A bill for an act relating to privacy; recognizing a cause of action for public disclosure of private facts; proposing coding for new law in Minnesota Statutes, chapter 604.

The bill was read for the first time and referred to the Committee on Judiciary.

Blatz, Jefferson, Wolf, Luther and Delmont introduced:

H. F. No. 872, A bill for an act relating to criminal procedure; authorizing the presence of a supportive person during certain criminal proceedings in which a minor is testifying as a prosecuting witness; amending Minnesota Statutes 1992, section 631.046, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Klinzing; Olson, M., and McGuire introduced:

H. F. No. 873, A bill for an act relating to crime; clarifying certain provisions of criminal sexual conduct in the third and fourth degree; expanding prohibitions against criminal sexual conduct by a psychotherapist or a health care professional; amending Minnesota Statutes 1992, sections 609.341, subdivisions 10, 11, 17, 18, and 19; 609.344, subdivision 1; and 609.345, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Seagren, Neary, Greiling, Pauly and Opatz introduced:

H. F. No. 874, A bill for an act relating to traffic regulations; authorizing cities of the second class to establish programs for citizen enforcement of laws governing parking spaces for persons with disabilities; amending Minnesota Statutes 1992, section 169.346, subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Seagren, Kelso, Leppik, Weaver and Lasley introduced:

H. F. No. 875, A bill for an act relating to education; authorizing school districts to levy for replacement and restoration of certain facilities; amending Minnesota Statutes 1992, section 124.91, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Kinkel, Solberg and Anderson, I., introduced:

H. F. No. 876, A bill for an act relating to game and fish; authorizing seven-day fish house licenses for nonresidents; amending Minnesota Statutes 1992, section 97A.475, subdivision 12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Beard, Munger, Trimble and Milbert introduced:

H. F. No. 877, A bill for an act relating to the environment; increasing and extending the motor vehicle transfer fee; establishing a grant program for the purpose of examining management alternatives for motor vehicle shredder residue; requiring the pollution control agency to address management of shredder residue; appropriating money;

amending Minnesota Statutes 1992, sections 115A.90, by adding a subdivision; and 115A.908; proposing coding for new law in Minnesota Statutes, chapter 115A.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Olson, E., and Lieder introduced:

H. F. No. 878, A bill for an act relating to human services; creating an exception to the moratorium on the development of group residential housing beds; amending Minnesota Statutes 1992, section 256I.04, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Tomassoni, Kahn, Bauerly, Holsten and Battaglia introduced:

H. F. No. 879, A bill for an act relating to education; restricting eligibility for athletic participation for some students for one year following interdistrict transfer under open enrollment; amending Minnesota Statutes 1992, section 120.062, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Evans, Peterson, McGuire, Kalis and Sparby introduced:

H. F. No. 880, A bill for an act relating to education; providing for fund transfers; amending Laws 1991, chapter 256, article 8, section 14, as amended.

The bill was read for the first time and referred to the Committee on Education.

Trimble, Orenstein and Osthoff introduced:

H. F. No. 881, A bill for an act relating to St. Paul; authorizing the city to require employees to reside in the city.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Lourey, Munger, Kahn, Battaglia and Ozment introduced:

H. F. No. 882, A bill for an act relating to outdoor recreation; creating the Lake Superior water trail; proposing coding for new law in Minnesota Statutes, chapter 85.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Girard, Sviggum and Hugoson introduced:

H. F. No. 883, A bill for an act relating to agriculture; ownership of farm land; modifying the definition of authorized farm corporation; amending Minnesota Statutes 1992, section 500.24, subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Carruthers, Luther and Bergson introduced:

H. F. No. 884, A bill for an act relating to housing; appropriating money for multiunit blighted rental property removal.

The bill was read for the first time and referred to the Committee on Housing.

Dehler; Bertram; Anderson, I.; Pauly and Perl introduced:

H. F. No. 885, A bill for an act relating to intoxicating liquor; removing prohibition against the keeping of dice on licensed premises; authorizing the keeping and use of dice on licensed premises under certain circumstances; amending Minnesota Statutes 1992, section 340A.410, subdivision 5.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Hausman, Huntley, Skoglund, Vellenga and Wagenius introduced:

H. F. No. 886, A bill for an act relating to education; modifying pupil transportation funding; increasing compensatory revenue; increasing funding for limited English proficiency programs; increasing desegregation grants; creating an additional special education formula; including lease purchase amount in the debt service equalization aid program; increasing funding for the learning readiness program; appropriating money; amending Minnesota Statutes 1992, sections 124.17, subdivision 1d; 124.223, subdivision 3; 124.225, subdivisions 1, 7b, and 7d; 124.226, by adding a subdivision; 124.2615, subdivision 2; 124.273, subdivision 1b; 124.32, subdivisions 1b and 5; 124.91, subdivisions 1 and 3; 124.912, subdivision 3, and by adding a subdivision; 124.95, subdivision 1; Laws 1991, chapter 265, article 2, section 19, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 124C; repealing Minnesota Statutes 1992, sections 124.321; and 124.912, subdivision 2.

The bill was read for the first time and referred to the Committee on Education.

Hasskamp; Welle; Kinkel; Anderson, I., and Holsten introduced:

H. F. No. 887, A bill for an act relating to civil actions; specifying the responsibility of participants in recreational activities; proposing coding for new law as Minnesota Statutes, chapter 87A.

The bill was read for the first time and referred to the Committee on Judiciary.

Evans introduced:

H. F. No. 888, A bill for an act relating to public safety; extending existence of Minnesota advisory council on fire protection systems; amending Minnesota Statutes 1992, section 299M.02, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Krueger, Kahn, Haukoos and Sarna introduced:

H. F. No. 889, A bill for an act relating to economic development; clarifying provisions relating to the department of trade and economic development; clarifying the duties of the commissioner; amending Minnesota Statutes 1992, sections 17.49, subdivision 1; 18.024, subdivision 1; 86.72, subdivision 3; 86A.06; 86A.09, subdivisions 1, 2, 3, and 4; 92.35; 92.36; 103F.135, subdivision 1; 116J.01, by adding a subdivision; 116J.402; 116J.58, subdivision 1; 116J.61; 116J.68, subdivision 2; 116J.873, subdivisions 3 and 4; 116J.966, subdivision 1; 116J.980, subdivisions 1 and 2; 137.31, subdivision 6; 138.93, subdivision 4; 144.95, subdivision 7; 173.17; 216B.242; 216C.37, subdivision 1; 299A.01, subdivision 2; 446A.03, subdivision 1; 446A.10, subdivision 2; 473.857, subdivision 2; 473H.06, subdivision 5; and 641.24; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1992, sections 84.54; 86A.10; 116J.01, subdivision 3; 116J.615, subdivision 2; 116J.645; 116J.661; 116J.982; 116J.983; 116J.984; 301A.01; 301A.02; 301A.03; 301A.04; 301A.05; 301A.06; 301A.07; 301A.08; 301A.09; 301A.10; 301A.11; 301A.12; 301A.13; and 301A.14.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Stanius introduced:

H. F. No. 890, A bill for an act relating to state government; reorganizing, consolidating, and restructuring state agencies and departments; creating the department of environmental management; transferring all powers and duties of the department of natural resources, the board of water and soil resources, and the office of waste management; transferring certain powers and duties of the departments of health and trade and economic development; amending Minnesota Statutes 1992, section 15A.081, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 100A.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Gruenes introduced:

H. F. No. 891, A bill for an act relating to human services; making changes to medical assistance payments for home care services; requiring a preadmission screening for Medicaid certified nursing homes or boarding homes; allowing residential care services under alternate care funding; defining assisted living services; implementing a one-time adjustment for alternative care services; amending Minnesota Statutes 1992, sections 256B.0625, subdivision 19a; 256B.0627, subdivisions 4 and 5; 256B.0628, subdivision 2; 256B.0911, subdivisions 2, 3, 4, 6, and 7; 256B.0913, subdivisions 4, 5, 9, 12, and 14; 256B.0915, subdivisions 1 and 3; 256B.0917, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 11, and 12; 256B.093, subdivisions 1 and 3; and 256B.49, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Munger, Sekhon, Wagenius, Weaver and Orfield introduced:

H. F. No. 892, A bill for an act relating to the environment; regulating toxic air emissions; increasing reporting requirements; establishing a toxic air contaminant program; providing for rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 115D.07; 115D.08, subdivision 1; 299K.08, subdivision 2; and 438.08; proposing coding for new law in Minnesota Statutes, chapter 115D.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bertram; Dauner; Anderson, I.; Johnson, V., and Krueger introduced:

H. F. No. 893, A bill for an act relating to local government; specifying the prosecuting attorney for certain offenses; amending Minnesota Statutes 1992, section 487.25, subdivision 10.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bertram and Bauerly introduced:

H. F. No. 894, A bill for an act relating to education; allowing the Rocori Middle School to retain its name.

The bill was read for the first time and referred to the Committee on Education.

Stanius, Reding, Pugh and Osthoff introduced:

H. F. No. 895, A bill for an act relating to game and fish; authorizing designation of trophy northern pike waters; repealing certain restrictions on winter fishing; amending Minnesota Statutes 1992, section 97C.011; repealing Minnesota Statutes 1992, section 97C.385.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius, Sparby, Osthoff, Weaver and Milbert introduced:

H. F. No. 896, A bill for an act relating to game and fish; requiring establishment of a sportfishing zone in Lake Superior; prohibiting certain gill nets; proposing coding for new law in Minnesota Statutes, chapter 97C.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius, Sparby, Milbert, Pugh and Osthoff introduced:

H. F. No. 897, A bill for an act relating to game and fish; requiring fishing tournament stamps for organized events; directing use of revenue; amending Minnesota Statutes 1992, sections 97A.075, by adding a subdivision; and 97A.475, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97C.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Weaver; Johnson, V.; Munger; Johnson, R., and Reding introduced:

H. F. No. 898, A bill for an act relating to natural resources; clarifying, modifying, and expanding rulemaking authority and other powers and duties of the commissioner of natural resources relating to game and fish, wild rice, stromatolites, and cross-country ski passes; clarifying, modifying, and expanding provisions relating to the taking, purchase, sale, possession, and transportation of wild animals; regulating entry and uses on certain public lands and waters; providing for the expiration of certain commissioner's orders; providing an exemption from rulemaking requirements; authorizing emergency rules; providing penalties; amending Minnesota Statutes 1992, sections 84.14, subdivision 3; 84.1525, subdivision 2; 85.41, subdivision 2; 85.45; 97A.045, subdivision 4; 97A.055, by adding a subdivision; 97A.091, subdivisions 1 and 2; 97A.095, subdivision 2; 97A.105, subdivision 1, and by adding a subdivision; 97A.137; 97A.255, subdivision 2; 97A.401, subdivision 4; 97A.415, subdivision 2; 97A.431, subdivisions 1 and 4; 97A.433, subdivisions 1 and 4; 97A.435, subdivision 4; 97A.441, by adding a subdivision; 97A.451, by adding a subdivision; 97A.475, by adding a subdivision; 97A.485, subdivision 6, and by adding a subdivision; 97A.505, subdivision 5, and by adding a subdivision; 97A.535, subdivision 2; 97A.545, subdivisions 1, 2, 4, and by adding a subdivision; 97A.551, by adding a subdivision; 97B.425; 97B.671, subdivisions 1 and 2; 97B.711, subdivision 2, and by adding a subdivision; 97B.721; 97B.811, by adding a subdivision; 97C.025; 97C.051, subdivision 1; 97C.081, subdivisions 2, 3, and by adding a subdivision; 97C.205; 97C.311; 97C.331; 97C.345, subdivision 4, and by adding a subdivision; 97C.391, subdivision 1; 97C.405; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.805, subdivisions 1, 2, and 4; and 97C.865; Laws 1991, chapter 259, section 24; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; and 97C.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanius, Koppendraye, Sparby and Battaglia introduced:

H. F. No. 899, A bill for an act relating to game and fish; allowing possession of a handgun while hunting bear with bow and arrow; amending Minnesota Statutes 1992, section 97B.211, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Carruthers, Wejcman, Bishop and Swenson introduced:

H. F. No. 900, A bill for an act relating to drivers' licenses; allowing use of results of preliminary screening test of driver's breath to be used in actions for driver's license reinstatement; clarifying administrative revocation penalties; amending Minnesota Statutes 1992, sections 169.121, subdivisions 4 and 6; and 171.166, subdivision 3.

The bill was read for the first time and referred to the Committee on Judiciary.

Krueger; Bettermann; Anderson, R.; Nelson and Hasskamp introduced:

H. F. No. 901, A bill for an act relating to education; changing the structure of the higher education merger by removing the technical colleges from the merger; amending Minnesota Statutes 1992, sections 136E.03; 136E.04, subdivisions 1 and 4; and 179A.10, subdivision 2; Laws 1991, chapter 356, article 9, sections 8, subdivisions 1 and 4; 9; and 14; repealing Minnesota Statutes 1992, section 136E.04, subdivision 4; and Laws 1991, chapter 356, article 9, sections 8, subdivision 6; and 11.

The bill was read for the first time and referred to the Committee on Education.

Tunheim; Macklin; Olson, K., and Johnson, A., introduced:

H. F. No. 902, A bill for an act relating to education; making the state board of education the governing body for the center for arts education except for purposes of statewide resource and outreach programs and services; amending Minnesota Statutes 1992, sections 129C.10, subdivisions 1, 2, and by adding a subdivision; and 129C.15.

The bill was read for the first time and referred to the Committee on Education.

Tunheim, Lieder, Davids, Kalis and Johnson, V., introduced:

H. F. No. 903, A bill for an act relating to transportation; amending the definition of highway and defining highway purpose; increasing municipal state-aid system mileage; revising the basis for determining population; changing composition of municipal screening board; creating Minnesota mobility trust fund and surface transportation fund; increasing gasoline tax rate and requiring annual rate adjustment; appropriating money; amending Minnesota Statutes 1992, sections 160.02, subdivision 7, and by adding a subdivision; 162.09, subdivisions 1 and 4; 162.13, subdivision 3; 174.32, subdivision 2; and 296.02, subdivision 1b, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 161 and 174; repealing Minnesota Statutes 1992, section 161.041.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Greenfield, Clark, Mariani, Pelowski and Orenstein introduced:

H. F. No. 904, A bill for an act relating to human services; providing a cost-of-living adjustment for personal care assistants; amending Minnesota Statutes 1992, section 256B.0625, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Mariani, McGuire, Delmont and Leppik introduced:

H. F. No. 905, A bill for an act relating to crime; defining prior conviction for the purpose of sentencing penalty enhancement for assault in the fifth degree; amending Minnesota Statutes 1992, section 609.224, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Limmer, Jefferson, Carlson, Garcia and Abrams introduced:

H. F. No. 906, A bill for an act relating to education; making the Minnesota state high school league responsible for certain discriminatory communication; amending Minnesota Statutes 1992, section 128C.02, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Pauly, Vellenga, Kahn and Long introduced:

H. F. No. 907, A bill for an act relating to watercraft; exempting rowing shells or sculls from titling; amending Minnesota Statutes 1992, section 86B.820, subdivision 14.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Luther, Welle, Garcia, Kahn and Simoneau introduced:

H. F. No. 908, A bill for an act relating to occupations and professions; requiring radiologic technologists to be licensed by the state; creating a radiologic technology board of examiners; adopting licensure requirements; authorizing rulemaking; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 116J.70, subdivision 2a; 214.01, subdivision 2; and 214.04, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 148D.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rice; Huntley; Solberg; Olson, E., and Johnson, V., introduced:

H. F. No. 909, A bill for an act relating to transportation; ports and waterways; appropriating money for port development assistance program.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Brown, C.; Peterson and Welle introduced:

H. F. No. 910, A bill for an act relating to corrections; authorizing the issuance of state bonds to purchase the Prairie correctional facility in Appleton; appropriating money.

The bill was read for the first time and referred to the Committee on Judiciary.

Wenzel, Jennings, Bettermann, Trimble and Onnen introduced:

H. F. No. 911, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

The bill was read for the first time and referred to the Committee on Agriculture.

Wenzel, Winter, Steensma, Molnau and Gutknecht introduced:

H. F. No. 912, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

The bill was read for the first time and referred to the Committee on Agriculture.

Orenstein, Mariani, Dawkins and Osthoff introduced:

H. F. No. 913, A bill for an act relating to the city of St. Paul; validating an approval of special laws.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Luther, Blatz, Swenson, Skoglund and Delmont introduced:

H. F. No. 914, A bill for an act relating to crime; increasing penalties for driving while intoxicated with a child under 16 in the vehicle; amending Minnesota Statutes 1992, sections 168.042, subdivision 2; 169.121, subdivision 3; and 169.1217, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Wejcman, Skoglund and Swenson introduced:

H. F. No. 915, A bill for an act relating to corrections; requiring the ombudsman to make biennial reports to the governor; amending Minnesota Statutes 1992, section 241.45, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Kelley, Asch, Kahn, Orenstein and Greenfield introduced:

H. F. No. 916, A bill for an act relating to occupations and professions; health-related boards; changing the names of certain boards; changing disciplinary procedures; imposing penalties; amending Minnesota Statutes 1992, sections 144A.19, subdivision 1; 147.21; 148.02; 148B.30, subdivision 4; 214.01, subdivision 2; and by adding subdivisions; 214.03; 214.04, subdivisions 1, 2, and 3; 214.06, by adding a subdivision; 214.07, subdivisions 1, 2, and by adding a subdivision; 214.09, subdivisions 1, 3, and 4; 214.10, subdivision 9; and 214.11; proposing coding for new law in Minnesota Statutes, chapter 214; repealing Minnesota Statutes 1992, sections 146.01; 146.13; 146.14; 146.15; 146.18; 146.19; 146.20; 148B.72; and 214.10, subdivision 8.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Smith; Olson, M., and Onnen introduced:

H. F. No. 917, A bill for an act proposing an amendment to the Minnesota Constitution, by adding a section to Article IV; requiring referendums on tax increases.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Pawlenty, Kahn, Jacobs, Tompkins and Anderson, I., introduced:

H. F. No. 918, A bill for an act relating to liquor; authorizing the city of Apple Valley to issue on-sale licenses on zoological gardens property and to allow an on-sale license to dispense liquor on county-owned property within the city.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Carlson; Vellenga; Ozment; Johnson, A., and Kelso introduced:

H. F. No. 919, A bill for an act relating to education; directing the education department to provide materials, training, and assistance under the comprehensive arts planning program; appropriating money; amending Minnesota Statutes 1992, section 124C.08, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Wagenius, Rest, Winter and Olson, E., introduced:

H. F. No. 920, A bill for an act relating to taxation; updating references to the Internal Revenue Code; providing for authorization to make taxable sales; changing and providing sales and use tax exemptions; changing certain payment dates; providing for tax compliance, collection, and enforcement; changing or adding powers and duties of the commissioner of revenue; providing for taxation of liquefied petroleum gas sales; providing for income and franchise tax treatment of certain Indian tribal obligations; providing for reimbursement of certain costs; changing definitions; providing for exchange or disclosure of data; providing for interest; changing or imposing penalties; amending Minnesota Statutes 1992, sections 60A.15, subdivisions 2a, 9a, and by adding a subdivision; 60A.198, subdivision 3; 60A.199, subdivision 4, and by adding a subdivision; 115B.22, subdivision 7; 239.785; 270.06; 270.07, subdivision 3; 270.70; subdivision 1; 270B.01, subdivision 8; 270B.08, subdivisions 1 and 2; 270B.12, by adding a subdivision; 270B.14, subdivision 8; 289A.11, subdivision 1; 289A.18, subdivision 4; 289A.20, subdivisions 2 and 4; 289A.26, subdivision 7; 289A.36, subdivisions 3 and 7; 289A.56, subdivision 3; 289A.60, subdivisions 1, 2, 15, and by adding subdivisions; 289A.63, subdivision 3, and by adding a subdivision; 290.01, subdivisions 7, 19, 19a, and 19c; 290.0921, subdivision 3; 290.92, subdivision 23; 290A.03, subdivisions 3, 7, and 8; 294.03, subdivisions 1, 2, and by adding a subdivision; 296.14, subdivision 1; 297.03, subdivision 6; 297.07, subdivisions 1 and 4; 297.35, subdivisions 1 and 5; 297.43, subdivisions 1, 2, and by adding a subdivision; 297A.01, subdivisions 6 and 16; 297A.04; 297A.041; 297A.06; 297A.065; 297A.07, subdivisions 1, 2, and 3; 297A.10; 297A.11; 297A.14, subdivision 1; 297A.15, subdivisions 1 and 4; 297A.21, subdivisions 3, 4, 5, and 6; 297A.25, subdivision 41, and by adding a subdivision; 297A.255, subdivisions 2 and 3; 297B.10; 297C.03, subdivision 1; 297C.04; 297C.05, subdivision 2; 297C.14, subdivisions 1, 2, and by adding a subdivision; 299F.21, subdivision 2; 299F.23, subdivision 2, and by adding a subdivision; 349.212, subdivision 4; 349.217, subdivisions 1, 2, and by adding a subdivision; and 473.843, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Minnesota Statutes 1992, section 115B.24, subdivision 10.

The bill was read for the first time and referred to the Committee on Taxes.

Neary, Kelley, Simoneau, Kahn and Osthoff introduced:

H. F. No. 921, A bill for an act relating to financing and operation of government in Minnesota; changing property tax classifications and class rates; modifying the property tax refund for homeowners and renters; restructuring various state aids; changing the local government aid formula; providing state financing of court administrators; providing for three property tax installment payments; allowing cities to impose certain service charges on certain tax exempt property; eliminating the local government trust fund; appropriating money; amending Minnesota Statutes 1992, sections 43A.02, subdivision 25; 43A.24, subdivision 2; 97A.065, subdivision 2; 124.226, subdivision 1; 124A.23, subdivision 1; 145A.13, subdivision 2; 256E.06, subdivisions 5 and 12; 273.1316, subdivisions 1, 6, and 7; 273.1381; 273.1392; 274.19, subdivision 3; 275.065, subdivision 3; 275.07, subdivision 1; 275.08, subdivision 1b; 276.04, subdivision 3; 276.09; 276.10; 276.11; 276.111; 278.03; 278.05, subdivision 5; 279.01, by adding subdivisions; 289A.18, subdivision 5; 289A.56, subdivision 6; 290A.01; 290A.03, subdivisions 6 and 13; 290A.04, subdivision 2; 290A.07; 290A.23; 297A.44, subdivision 1; 299D.03, subdivision 5; 466.01, subdivision 6; 477A.011, subdivisions 1a, 20, 25, and by adding subdivisions; 477A.012, by adding a subdivision; 477A.013, subdivisions 1 and 2; 477A.014, subdivisions 1 and 3; 477A.03, subdivision 1; 480.181, subdivision 1; 485.01; 485.018, subdivisions 2a, 5, and 6; 485.021; 487.31, subdivision 1; 487.32, subdivision 3; and 574.34, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 257; 273; 275; 429; and 477A; repealing Minnesota Statutes 1992, sections 16A.711; 16A.712; 256E.06, subdivision 2; 273.124; 273.13; 273.1398; 275.07, subdivision 3; 275.08, subdivisions 1c and 1d; 279.01, subdivisions 1 and 3; 290A.04, subdivisions 2a, 2b, 2h, and 2i; 290A.23, subdivision 2; 297A.44, subdivision 4; 297B.09, subdivision 3; 477A.011, subdivisions 1b, 15, 16, 17, 18, 19, 22, 23, 28, and 29; 477A.012; 477A.013, subdivisions 3, 5, and 6; 477A.0132, subdivisions 1, 2, and 3; 477A.014, subdivision 1a; 485.018, subdivisions 1, 2, 4, and 8; 485.03; 485.05; and 485.11.

The bill was read for the first time and referred to the Committee on Taxes.

Clark; Johnson, R.; Kinkel; Solberg and Skoglund introduced:

H. F. No. 922, A bill for an act relating to burial grounds; providing criminal penalties for the disturbance of human burial grounds; creating civil remedies for the destruction or disturbance of human burial grounds; creating a council of traditional Indian practitioners to make recommendations regarding the management, treatment, and protection of Indian burial grounds and of human remains or artifacts contained in or removed from those grounds; amending Minnesota Statutes 1992, section 307.08, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 307.

The bill was read for the first time and referred to the Committee on Judiciary.

HOUSE ADVISORIES

The following House Advisories were introduced:

Anderson, I.; Solberg; Rukavina; Tomassoni and Battaglia introduced:

H. A. No. 1, A proposal to study the Arrowhead Regional Development Commission.

The advisory was referred to the Committee on Local Government and Metropolitan Affairs.

Johnson, V., and Battaglia introduced:

H. A. No. 2, A proposal to study payments in lieu made by the Department of Natural Resources.

The advisory was referred to the Committee on Environment and Natural Resources.

CONSENT CALENDAR

H. F. No. 185, A bill for an act relating to utilities; prohibiting state permits for construction of certain hydropower facilities on the bluffs of the Mississippi river; proposing coding for new law in Minnesota Statutes, chapter 216B.

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	Carlson	Evans	Holsten	Kelso	Lynch	Olson, E.
Anderson, I.	Carruthers	Farrell	Hugoson	Kinkel	Macklin	Olson, K.
Anderson, R.	Clark	Frerichs	Huntley	Klinzing	Mahon	Olson, M.
Asch	Commers	Garcia	Jacobs	Knickerbocker	McCollum	Onnen
Battaglia	Cooper	Girard	Jaros	Koppendrayner	McGuire	Opatz
Bauerly	Dauner	Goodno	Jefferson	Krueger	Molnau	Orenstein
Beard	Davids	Greenfield	Jennings	Lasley	Morrison	Osthoff
Bergson	Dawkins	Greiling	Johnson, A.	Leppik	Mosel	Ostrom
Bertram	Dehler	Gruenes	Johnson, R.	Lieder	Munger	Ozment
Bettermann	Delmont	Gutknecht	Johnson, V.	Limmer	Murphy	Pauly
Bishop	Dempsey	Hasskamp	Kahn	Lindner	Neary	Pawlenty
Blatz	Dorn	Haukoos	Kalis	Lourey	Nelson	Pelowski
Brown, K.	Erhardt	Hausman	Kelley	Luther	Ness	Perlt

Peterson	Rodosovich	Skoglund	Sviggum	Van Dellen	Wejcman	Spk. Long
Pugh	Rukavina	Smith	Swenson	Vellenga	Wenzel	
Reding	Sarna	Solberg	Tomassoni	Vickerman	Winter	
Rest	Seagren	Sparby	Tompkins	Wagenius	Wolf	
Rhodes	Sekhon	Stanius	Trimble	Waltman	Worke	
Rice	Simoneau	Steensma	Tunheim	Weaver	Workman	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 29, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krueger	Murphy	Reding	Trimble
Anderson, I.	Dawkins	Holsten	Lasley	Neary	Rest	Tunheim
Anderson, R.	Dehler	Hugoson	Leppik	Nelson	Rhodes	Van Dellen
Asch	Delmont	Huntley	Lieder	Ness	Rice	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Sarna	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Seagren	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Sekhon	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Simoneau	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Osthoff	Skoglund	Winter
Blatz	Girard	Kahn	Mariani	Ostrom	Smith	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ozment	Solberg	Worke
Carlson	Greenfield	Kelley	McGuire	Pauly	Sparby	Workman
Carruthers	Greiling	Kelso	Milbert	Pawlenty	Stanius	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pelowski	Steensma	
Commers	Gutknecht	Klinzing	Morrison	Perlt	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Peterson	Tomassoni	
Dauner	Haukoos	Koppendrayner	Munger	Pugh	Tompkins	

Those who voted in the negative were:

Sviggum

The bill was passed and its title agreed to.

H. F. No. 31, A bill for an act relating to state government; providing for gender balance in multimember agencies; amending Minnesota Statutes 1992, section 15.0597, by adding subdivisions.

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 54 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Hasskamp	Kinkel	Mosel	Pugh	Solberg
Anderson, I.	Clark	Hausman	Krueger	Munger	Reding	Sparby
Anderson, R.	Cooper	Jacobs	Lasley	Murphy	Rest	Stanius
Asch	Dawkins	Jefferson	Leppik	Neary	Rhodes	Tomassoni
Battaglia	Delmont	Jennings	Lourey	Olson, K.	Rice	Trimble
Bauerly	Erhardt	Johnson, A.	Luther	Opatz	Rodosovich	Tunheim
Beard	Evans	Johnson, R.	Mahon	Orenstein	Rukavina	Vellenga
Bergson	Farrell	Kahn	Mariani	Orfield	Sarna	Wagenius
Bertram	Garcia	Kalis	McCollum	Osthoff	Sekhon	Wejzman
Brown, K.	Goodno	Kelley	McGuire	Perlt	Simoneau	Wenzel
Carlson	Greiling	Kelso	Milbert	Peterson	Skoglund	Spk. Long

Those who voted in the negative were:

Bettermann	Dorn	Huntley	Limmer	Olson, E.	Seagren	Waltman
Bishop	Frerichs	Jaros	Lindner	Olson, M.	Smith	Weaver
Blatz	Girard	Johnson, V.	Lynch	Onnen	Steenma	Winter
Commers	Gruenes	Klinzing	Macklin	Ostrom	Sviggum	Wolf
Dauner	Gutknecht	Knickerbocker	Molnau	Ozment	Swenson	Worke
Davids	Haukoos	Koppendrayer	Morrison	Pauly	Tompkins	Workman
Dehler	Holsten	Krinkie	Nelson	Pawlenty	Van Dellen	
Dempsey	Hugoson	Lieder	Ness	Pelowski	Vickerman	

The bill was passed and its title agreed to.

H. F. No. 159, A bill for an act relating to education; extending the time for school districts that have received capital loans to enter into construction contracts; amending Minnesota Statutes 1992, section 124.431, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wejzman
Brown, K.	Goodno	Kalis	Mariani	Orfield	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Osthoff	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ostrom	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Ozment	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pauly	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pawlenty	Steenma	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 168, A bill for an act relating to state government; authorizing state agencies to enter into contracts with regional organizations; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Ornen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Spk. Long

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. 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. 341, 421 and 522 were recommended to pass.

H. F. Nos. 296, 132 and 181 were recommended for progress.

H. F. No. 74 was recommended for progress until Monday, March 22, 1993.

H. F. No. 134 was recommended for progress until Monday, March 15, 1993.

S. F. No. 40 which it recommended to pass with the following amendment offered by Bishop:

Delete everything after the enacting clause and insert:

"Section 1. [145B.105] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR OFFENSES.] Whoever commits any of the following acts is guilty of a gross misdemeanor:

- (1) willfully conceals, cancels, defaces, or obliterates a living will of a declarant without the consent of the declarant;
- (2) willfully conceals or withholds personal knowledge of a revocation of a living will;
- (3) falsifies or forges a living will or a revocation of a living will;
- (4) coerces or fraudulently induces another to execute a living will; or
- (5) requires or prohibits the execution of a living will as a condition for being insured for or receiving all or some health care services.

Subd. 2. [FELONY OFFENSES.] Whoever commits an act prohibited under subdivision 1 is guilty of a felony if the act results in bodily harm to the declarant or to the person who would have been a declarant but for the unlawful act.

Sec. 2. [145C.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [AGENT.] "Agent" means an individual age 18 or older who is designated by a principal in a durable power of attorney for health care to make health care decisions on behalf of a principal and has consented to act in that capacity. An agent may also be referred to as "attorney in fact."

Subd. 3. [DURABLE POWER OF ATTORNEY FOR HEALTH CARE.] "Durable power of attorney for health care" means an instrument authorizing an agent to make health care decisions for the principal if the principal is unable, in the judgment of the attending physician, to make or communicate health care decisions.

Subd. 4. [HEALTH CARE.] "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or treat a person's physical or mental condition. Health care includes the provision of nutrition or hydration parenterally or through intubation. "Health care" does not include intrusive mental health treatment as defined in section 253B.03, subdivision 6b, unless the durable power of attorney for health care specifically applies to decisions relating to intrusive mental health treatment.

Subd. 5. [HEALTH CARE DECISION.] "Health care decision" means the consent, refusal of consent, or withdrawal of consent to health care.

Subd. 6. [HEALTH CARE PROVIDER.] "Health care provider" means a person, health care facility, organization, or corporation licensed, certified, or otherwise authorized or permitted by the laws of this state to administer health care directly or through an arrangement with other health care providers, including health maintenance organizations licensed under chapter 62D.

Subd. 7. [HEALTH CARE FACILITY.] "Health care facility" means a hospital or other entity licensed under sections 144.50 to 144.58, a nursing home licensed to serve adults under section 144A.02, or a home care provider licensed under sections 144A.43 to 144A.49.

Subd. 8. [PRINCIPAL.] "Principal" means an individual age 18 or older who has executed a durable power of attorney for health care.

Sec. 3. [145C.02] [DURABLE POWER OF ATTORNEY FOR HEALTH CARE.]

A durable power of attorney for health care under this chapter authorizes the agent to make health care decisions for the principal, when the principal is unable, in the judgment of the principal's attending physician, to make or communicate health care decisions. The durable power of attorney for health care shall substantially comply with the requirements of section 4. An instrument executed prior to the effective date of this chapter purporting to create

a durable power of attorney for health care is valid if the document specifically authorizes the agent to make health care decisions and is executed in compliance with section 4.

Sec. 4. [145C.03] [REQUIREMENTS.]

Subdivision 1. [EXECUTION.] A durable power of attorney for health care must be signed by the principal or, if the principal is physically unable to sign, it may be signed in the principal's name by some other person acting in the principal's presence and by the principal's direction. A durable power of attorney for health care must contain the date of its execution and be witnessed or acknowledged by one of the following methods:

(1) signed by at least two individuals age 18 or older each of whom witnessed either the signing of the instrument by the principal or the principal's acknowledgment of the signature; or

(2) acknowledged by the principal before a notary public who is not the agent.

Subd. 2. [INDIVIDUALS INELIGIBLE TO ACT AS AGENT.] The following individuals are not eligible to act as the agent in a durable power of attorney for health care, unless the individual designated is related to the principal by blood, marriage, registered domestic partnership, or adoption:

(1) a health care provider attending the principal; or

(2) an employee of a health care provider attending the principal.

Subd. 3. [INDIVIDUALS INELIGIBLE TO ACT AS WITNESSES.] The agent designated in the durable power of attorney for health care may not act as a witness for the execution of the durable power of attorney for health care.

At least one witness to the execution of the durable power of attorney for health care may not be a health care provider providing direct care to the principal or an employee of a health care provider providing direct care to the principal on the date of execution.

Sec. 5. [145C.04] [EXECUTED IN ANOTHER STATE.]

A durable power of attorney for health care or similar document executed in another state or jurisdiction in compliance with the law of that state or jurisdiction is valid and enforceable in this state, to the extent the document is consistent with the laws of this state.

Sec. 6. [145C.05] [SUGGESTED FORM.]

Subdivision 1. [CONTENT.] A durable power of attorney for health care executed pursuant to this chapter may, but need not, be in the following form:

"I appoint as my agent (my attorney in fact) to make any health care decision for me when, in the judgment of my attending physician, I am unable to make or communicate a decision myself.

My agent has the power to make any health care decision for me. This power includes the power to give consent, to refuse consent, or to withdraw consent to any care, treatment, service, or procedure to maintain, diagnose, or treat my physical or mental condition, including giving me food or water by artificial means. My agent has the power, where consistent with the laws of this state, to make a health care decision to withhold or stop health care necessary to keep me alive.

My agent and any alternative agents have consented to act as my agents. My agent and any alternative agents have been notified that they will be nominated as a guardian or conservator for me.

My agent must act consistently with my desires as stated in this document or as otherwise made known by me to my agent.

My agent has the same right as I would have to receive, review, and obtain copies of my medical records and to consent to disclosure of those records."

Subd. 2. [ADDITIONAL PROVISIONS.] The durable power of attorney for health care may include additional provisions consistent with this chapter, including:

(1) the designation of one or more alternative agents to act if the named agent is unable, unavailable, or unwilling to serve;

(2) specific instructions to the agent or any alternative agents;

(3) limitations, if any, on the right of the agent or any alternative agents to receive, review, obtain copies of, and consent to the disclosure of the principal's medical records; and

(4) limitations, if any, on the nomination of the agent as guardian or conservator for purposes of section 525.544.

Sec. 7. [145C.06] [WHEN EFFECTIVE.]

(a) A durable power of attorney for health care is effective:

(1) when it has been executed in accordance with section 4 and received and accepted by the agent; and

(2) the principal is unable, in the determination of the principal's attending physician, to make a health care decision.

(b) If the principal states in the durable power of attorney that the principal does not have an attending physician because the principal in good faith generally selects and depends upon spiritual means or prayer for the treatment or care of disease or remedial care, the principal may designate an individual in the durable power of attorney for health care who may certify in a writing acknowledged before a notary public that the principal is unable to make a health care decision. The requirements of section 4, subdivisions 2 and 3, relating to the eligibility of a health care provider attending the principal or the provider's employee to act as an agent or witness apply to an individual designated under this paragraph.

Sec. 8. [145C.07] [AUTHORITY AND DUTIES OF AGENT.]

Subdivision 1. [AUTHORITY.] The agent has authority to make any particular health care decision only if the principal is unable, in the determination of the attending physician, to make or communicate that health care decision. The agent does not have authority to consent to a voluntary commitment under chapter 253B. The physician or health care provider shall continue to obtain the principal's informed consent to all health care decisions for which the principal is capable of informed consent.

Subd. 2. [AGENT AS GUARDIAN.] Except as otherwise provided in the durable power of attorney for health care, appointment of the agent in a durable power of attorney for health care is nomination of a guardian or conservator of the person for purposes of section 525.544.

Subd. 3. [DUTIES.] In exercising the authority under the durable power of attorney for health care, the agent has a duty to act in accordance with the desires of the principal as expressed in the durable power of attorney for health care, as expressed in a living will under chapter 145B or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d, or as otherwise made known by the principal to the agent at any time. If the principal's desires are not known or cannot be determined from information known to the agent, the agent has a duty to act in the best interests of the principal taking into account the principal's overall medical condition and prognosis.

Subd. 4. [INCONSISTENCIES AMONG DOCUMENTS.] In the event of inconsistency between the designation of a proxy under chapter 145B or section 253B.03, subdivision 6d, or of an agent under this chapter, the most recent designation takes precedence. In the event of other inconsistencies among documents executed under this chapter or chapter 145B, or under section 253B.03, subdivision 6d, or 525.544, the provisions of the most recently executed document take precedence only to the extent of the inconsistency.

Sec. 9. [145C.08] [AUTHORITY TO REVIEW MEDICAL RECORDS.]

An agent acting pursuant to a durable power of attorney for health care has the same right as the principal to receive, review, and obtain copies of medical records of the principal, and to consent to the disclosure of medical records of the principal, unless the durable power of attorney for health care expressly provides otherwise.

Sec. 10. [145C.10] [DUTIES OF HEALTH CARE PROVIDERS TO PROVIDE LIFE-SUSTAINING HEALTH CARE.]

(a) If the proxy acting under chapter 145B or the agent acting under this chapter directs the provision of health care, nutrition, or hydration which, in reasonable medical judgment, has a significant possibility of sustaining the principal's life, a health care provider must take all reasonable steps to ensure provision of the directed health care, nutrition, or hydration if it has the legal and actual capability of providing it, either itself or through prompt transfer, and if necessary to preserve the principal's life, by emergency transfer, of the principal to a health care provider which itself has that capability. A health care provider unwilling to provide directed health care which it has the legal and actual capability of providing may instead transfer the patient to another health care provider willing to provide the directed health care but must take all reasonable steps to ensure provision of the directed health care until the transfer is effectuated. This paragraph does not apply if a living will under chapter 145B or a durable power of attorney for health care indicates an intention to the contrary.

(b) Nothing in this section alters any legal obligation or lack of legal obligation of a health care provider to provide health care to a patient who refuses, has refused, or is unable to pay for it.

Sec. 11. [145C.11] [REVOCAION OF DURABLE POWER OF ATTORNEY.]

Subdivision 1. [REVOCAION.] The principal may revoke a durable power of attorney for health care at any time by doing any of the following:

(a) canceling, defacing, obliterating, burning, tearing, or otherwise destroying the durable power of attorney for health care instrument or directing another in the presence of the principal to destroy the durable power of attorney for health care instrument;

(b) executing a statement, in writing and dated, expressing the principal's intent to revoke the durable power of attorney for health care;

(c) verbally expressing the principal's intent to revoke the durable power of attorney for health care in the presence of two witnesses who do not have to be present at the same time; or

(d) executing a subsequent durable power of attorney for health care instrument, to the extent the subsequent instrument is inconsistent with any prior instrument.

Subd. 2. [EFFECT OF DISSOLUTION OR ANNULMENT OF MARRIAGE OR TERMINATION OF DOMESTIC PARTNERSHIP ON APPOINTMENT OF AGENT.] Unless the durable power of attorney for health care expressly provides otherwise, the appointment by the principal of the principal's spouse or domestic partner as agent under a durable power of attorney for health care is revoked by the commencement of proceedings for dissolution, annulment, or legal separation or commencement of proceedings for termination of the principal's registered domestic partnership.

Sec. 12. [145C.12] [PRESUMPTIONS.]

The principal is presumed to have capacity to appoint an agent to make health care decisions and to revoke a durable power of attorney for health care. A health care provider or agent may presume that a durable power of attorney for health care is valid absent actual knowledge to the contrary.

It is presumed that an agent, and a health care provider acting pursuant to the direction of an agent, are acting in good faith and in the best interests of the principal, absent clear and convincing evidence to the contrary.

This chapter does not create a presumption concerning the intention of a person who has not executed a durable power of attorney for health care and does not impair or supersede any right or responsibility of a person to consent, refuse to consent, or withdraw consent to health care on behalf of another in the absence of a durable power of attorney for health care.

For purposes of this chapter, acting in good faith means acting consistently with the desires of the principal as expressed in the durable power of attorney for health care, in a living will under chapter 145B, or in a declaration regarding intrusive mental health treatment under section 253B.03, subdivision 6d, or otherwise made known by the principal to the agent. If the principal's desires are not known or are impossible to determine from information

known to the agent, acting in good faith means acting in the best interests of the principal, taking into account the principal's overall medical condition and prognosis.

Sec. 13. [145C.13] [IMMUNITIES.]

Subdivision 1. [AGENT.] An agent is not subject to criminal prosecution or civil liability for any health care decision made in good faith pursuant to a durable power of attorney for health care, unless the agent has actual knowledge of the revocation of the durable power of attorney for health care.

Subd. 2. [HEALTH CARE PROVIDER.] (a) A health care provider is not subject to criminal prosecution, civil liability, or professional disciplinary action if the health care provider relies on a health care decision made by the agent and the following requirements are satisfied:

(1) the health care provider believes in good faith that the decision was made by an agent authorized to make the decision and has no actual knowledge that the durable power of attorney for health care has been revoked; and

(2) the health care provider believes in good faith that the decision is consistent with the desires of the principal as expressed in the durable power of attorney for health care or otherwise made known by the principal to the agent.

(b) A health care provider who administers health care necessary to keep the principal alive, despite a health care decision of the agent to withhold or withdraw health care, is not subject to criminal prosecution, civil liability, or professional disciplinary action if that health care provider promptly took all reasonable steps to transfer care of the principal to another health care provider willing to comply with the decision of the agent.

Sec. 14. [145C.14] [PROHIBITED PRACTICES.]

Subdivision 1. [HEALTH CARE PROVIDER.] A health care provider, health care service plan, insurer, self-insured employee welfare benefit plan, or nonprofit hospital plan may not condition admission to a facility, or the providing of treatment or insurance, on the requirement that a person execute a durable power of attorney for health care.

Subd. 2. [INSURANCE.] A policy of life insurance is not legally impaired or invalidated in any manner by the withholding or withdrawing of health care pursuant to the direction of an agent appointed pursuant to this chapter.

Sec. 15. [145C.15] [CERTAIN PRACTICES NOT CONDONED.]

Nothing in this chapter may be construed to condone, authorize, or approve mercy killing or euthanasia.

Sec. 16. [145C.16] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR OFFENSES.] Whoever commits any of the following acts is guilty of a gross misdemeanor:

(1) willfully conceals, cancels, defaces, or obliterates a durable power of attorney for health care of a principal without the consent of the principal;

(2) willfully conceals or withholds personal knowledge of a revocation of a durable power of attorney for health care;

(3) falsifies or forges a durable power of attorney for health care or a revocation of the instrument;

(4) coerces or fraudulently induces another to execute a durable power of attorney for health care; or

(5) requires or prohibits the execution of a durable power of attorney for health care as a condition for being insured for or receiving all or some health care services.

Subd. 2. [FELONY OFFENSES.] Whoever commits an act prohibited under subdivision 1 is guilty of a felony if the act results in bodily harm to the principal or to the person who would have been a principal but for the unlawful act.

Sec. 17. [REPEALER.]

Minnesota Statutes 1992, section 145B.10, is repealed.

Sec. 18. [EFFECTIVE DATES.]

Sections 2 to 15 are effective the day following final enactment. Sections 1 and 16 are effective August 1, 1993, and apply to offenses committed on or after that date."

Delete the title and insert:

" A bill for an act relating to health; modifying provisions relating to living wills and establishing a durable power of attorney for health care; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10."

On the motion of Bauerly the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Tunheim moved that the name of Welle be added as an author on H. F. No. 159. The motion prevailed.

Simoneau moved that the name of Morrison be added as an author on H. F. No. 335. The motion prevailed.

Kelso moved that the name of Greiling be added as an author on H. F. No. 495. The motion prevailed.

Waltman moved that the name of Johnson, V., be added as an author on H. F. No. 546. The motion prevailed.

Hausman moved that the name of Lourey be added as an author on H. F. No. 745. The motion prevailed.

Hasskamp moved that the name of Krueger be added as an author on H. F. No. 750. The motion prevailed.

Lourey moved that H. F. No. 670 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.

Hasskamp moved that H. F. No. 887 be recalled from the Committee on Judiciary and be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

ADJOURNMENT

Bauerly moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 11, 1993. The motion prevailed.

Bauerly moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 11, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 11, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Pastor George E. Thronson, St. James Evangelical Lutheran Church, Burnsville, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Sviggum
Anderson, I.	Dauids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavinā	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Welle
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wenzel
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanisus	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steenasma	Spk. Long

A quorum was present.

Wolf was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Molnau moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 64, A bill for an act relating to labor; regulating employment of children; establishing a child labor curfew; providing penalties; amending Minnesota Statutes 1992, sections 181A.04, by adding a subdivision; and 181A.12, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 12, delete "as"

Page 1, line 13, delete "permitted by" and insert "in the occupations subject to the exclusions in" and delete "3, and 4" and insert "and 3"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 65, A bill for an act relating to the environment; regulating packaging; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; imposing a waste management fee on discardable packaging; requiring use of reusable packaging for certain percentages of beverages sold or, in the alternative, refundable recycling deposits on nonreusable beverage packaging; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 18B.135, by adding a subdivision; and 115A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 115A and 116F; repealing Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.122, is amended by adding a subdivision to read:

Subd. 3. [ENVELOPES; LABELS.] A public entity may not purchase or use envelopes that have windows that are covered with a nonrecyclable transparent material or that are made using glues that are not water soluble. A public entity also may not use labels on recyclable envelopes that are not easily removed or that are made using glue that is not water soluble.

Sec. 2. Minnesota Statutes 1992, section 18B.135, is amended by adding a subdivision to read:

Subd. 1a. [REUSABLE PESTICIDE CONTAINERS.] A pesticide that is placed in a container on and after January 1, 1996, for distribution or sale in this state, except a pesticide packaged for household use or a pesticide packaged in paper packaging, in water soluble packaging, or in concentrated tablet form, must be placed in a reusable container. A person who distributes, offers for sale, or sells pesticides shall accept reusable containers for refilling. For the purposes of this subdivision, "reusable container" means a container that is reusable for its original purpose at least five times.

Sec. 3. Minnesota Statutes 1992, section 115A.03, is amended by adding a subdivision to read:

Subd. 22b. [PACKAGING.] "Packaging" means a container and any appurtenant materials that provide a means of transporting, marketing, protecting, or handling a product. Packaging includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, and labels.

Sec. 4. Minnesota Statutes 1992, section 115A.072, subdivision 4, is amended to read:

Subd. 4. [EDUCATION, PROMOTION, AND PROCUREMENT.] The office shall include waste reduction and reuse as an element of its program of public education on waste management required under this section. The waste reduction and reuse education program must include dissemination of information and may include an award program for model waste reduction and reuse efforts. Waste reduction and reuse educational efforts must also include provision of information about and promotion of the model procurement program developed by the commissioner of administration under section 115A.15, subdivision 7, or any other model procurement program that results in significant waste reduction and reuse.

Sec. 5. [115A.561] [RECYCLED CONTENT IN CERTAIN PRODUCTS AND PACKAGING.]

Subdivision 1. [MINIMUM RECYCLED CONTENT.] (a) Newsprint that is distributed for sale to or use by consumers in this state must contain a minimum percentage of postconsumer material of 25 percent by January 1,

1996, and 50 percent by January 1, 2000, unless the newsprint is consumed by a printer who prints less than 10,000 copies each month of all publications printed by that printer on newsprint, in which case, the newsprint must contain a minimum percentage of postconsumer material of 15 percent by January 1, 1996, and 30 percent by January 1, 2000.

(b) Glass packaging that is distributed for sale or use, including sale to or use by consumers of products contained in the glass packaging who reside in this state, must contain a minimum percentage of postconsumer material of 25 percent by January 1, 1996 and 50 percent by January 1, 2000.

(c) A rigid plastic container that is distributed for sale or use, including sale to or use by a consumer of a product contained in the container who resides in this state, must contain a minimum of ten percent postconsumer material by January 1, 1996, and 25 percent by January 1, 2000. For the purposes of this paragraph, "rigid plastic container" means a formed or molded container composed predominantly of plastic resin and having a relatively inflexible finite shape or form intended primarily as a single service container with a capacity of eight ounces or more, but less than five gallons.

(d) Paperboard packaging, excluding corrugated paperboard packaging, that is distributed for sale or use, including sale to or use by a consumer of a product contained in the packaging who resides in this state, must contain a minimum percentage of postconsumer material of 25 percent by January 1, 1996, and 50 percent by January 1, 2000.

Subd. 2. [EXEMPTIONS.] A product or package is exempt from the postconsumer material requirement of subdivision 1 if the product or package cannot comply because of other direct federal or state requirements, including for packaging food, beverages, drugs, medical supplies, medical devices, or cosmetic products under the federal Food, Drug, and Cosmetics Act.

Subd. 3. [EXCLUSIONS.] (a) The manufacturer or packager of a product or package may apply to the commissioner for exclusion from the requirements of subdivision 1 if:

(1) the manufacturer or packager is unable to obtain a sufficient supply of postconsumer material to meet those requirements and cannot reasonably manufacture or use an alternative product or material that does comply; and

(2) the manufacturer, packager, or another person has sought approval by the federal Food and Drug Administration of packaging that does comply, has received a letter of objection or denial of approval from the administration, and the manufacturer or packager has no reasonable access to alternative packaging that does comply.

(b) The commissioner shall develop and distribute, on request, an application form for exclusions allowed under this subdivision. An application must include documentation supporting the grounds for the exclusion and a certification, signed by an officer of the company seeking the exclusion, of the veracity of the information in the application. An exclusion is effective 60 days after the commissioner receives the application unless the commissioner denies the exclusion within that time. A denial must be in writing, mailed within 60 days of receipt of the application, and contain reasons for the denial. The commissioner may deny an application for exclusion only if:

(1) the application or accompanying documentation is insufficient to show grounds for an exclusion; or

(2) other manufacturers or packagers of similar items who are similarly situated to the applicant do comply with the requirements.

(c) An exclusion authorized under paragraph (a), clause (1), expires one year after the date it takes effect and an exclusion authorized under paragraph (a), clause (2), expires three years after the date it takes effect.

Subd. 4. [RECYCLED CONTENT; STUDY AND RECOMMENDATIONS.] (a) The legislative commission on waste management shall, after consultation with the director, commissioner, manufacturers, packagers, recyclers, public and private solid waste managers, environmental groups, and other interested persons, determine and recommend to the legislature minimum standards for postconsumer material content in the following materials:

(1) paper, classified by grade and application;

(2) plastic packaging not governed by subdivision 1, classified by resin type or application or a combination of resin types and applications; and

(3) other packaging materials, classified by constituent materials and applications.

(b) In determining appropriate standards, the commission shall study the effects of minimum recycled content requirements in other states and nations, the extent to which the state has access to products and packaging containing a minimum of 25 percent postconsumer material under existing purchasing constraints, available and developing technologies to produce acceptable materials with postconsumer material content, and direct and indirect costs of postconsumer material content in relation to direct and indirect costs of virgin materials. The commission shall recommend minimum standards sufficient to significantly increase market demand for recyclable materials that are technologically and economically reasonable and prudent.

(c) The commission shall also study the minimum standards established in subdivision 1 that take effect in 2000 and shall recommend either that the standards remain unchanged, be further studied, or be reduced, increased, or repealed as appropriate to each standard.

(d) The commission shall make initial recommendations to the legislature under this subdivision by January 1, 1994, and thereafter at intervals to be determined by the director of the commission as necessary to implement reasonable postconsumer material content standards for products and packaging.

Subd. 5. [ENFORCEMENT; CIVIL AND ADMINISTRATIVE PENALTIES.] (a) A person who violates subdivision 1 is subject to a minimum civil or administrative penalty of \$100 per item that is distributed in the state in violation of that subdivision.

(b) A person who supplies false information in an application or accompanying documentation for an exclusion from the requirements of subdivision 1 is subject to a minimum civil or administrative penalty of \$5,000.

(c) If the commissioner determines that a product or type of packaging subject to an exclusion that has taken effect does not qualify for the exclusion under the criteria in subdivision 3 and that the application and accompanying documentation for the exclusion did not contain false information, the commissioner shall, under section 116.072, order the applicant to comply with the requirements of subdivision 1 at the earliest of the expiration date for the exclusion or one year after issuance of the compliance order and impose an administrative penalty in an amount to be determined by the commissioner. The administrative penalty must be forgiven if the applicant for the exclusion complies with the commissioner's order.

Sec. 6. [116F.10] [CITATION.]

Sections 116F.10 to 116F.20 are the packaging act of 1993.

Sec. 7. [116F.11] [DEFINITIONS.]

Unless otherwise provided the definitions in section 115A.03 apply to chapter 116F.

Sec. 8. [116F.12] [PACKAGING PRACTICES; PREFERENCES; GOALS.]

Packaging forms a substantial portion of solid waste and contributes to environmental degradation and the costs of managing solid waste. It is imperative to reduce the amount and toxicity of packaging that must be managed as solid waste. In order to achieve significant reduction of packaging in solid waste and to assist packagers and others to meet the packaging reduction goal in section 115A.5501, the goal of the state is that items be distributed without any packaging where feasible and, only when necessary to protect health and safety or product integrity, with the minimal amount of packaging possible. The following categories of packaging are listed in order of preference for use by all persons who find it necessary to package items for distribution or use in the state:

(1) minimal packaging that contains no intentionally introduced toxic materials and that is designed to be and actually is reused for its original purpose at least five times;

(2) minimal packaging that contains no intentionally introduced toxic materials and that consists of at least 50 percent postconsumer material as defined in section 115A.03, subdivision 24b;

(3) minimal packaging that contains no intentionally introduced toxic materials, that is recyclable, and is regularly collected through recycling collection programs available to at least 75 percent of the residents of the state;

(4) minimal packaging that does not comply with clauses (1) to (3) because it is required under federal or state law and for which there does not exist a commercially feasible alternative that does comply with clauses (1) to (3);

(5) packaging that contains no intentionally introduced toxic materials but does not comply with clauses (1) to (4); and

(6) all other packaging.

It is the further goal of this chapter that the packaging described in clauses (5) and (6) no longer be in use for any purpose after December 31, 1999.

Sec. 9. [116F.13] [TRANSPORT PACKAGING.]

Subdivision 1. [DEFINITION.] "Transport packaging" means packaging as defined in section 115A.03, subdivision 22b, that is used primarily for transportation of products prior to final sale or delivery, whichever occurs later, of the products to their ultimate consumers. Transport packaging includes, but is not limited to, crates, barrels, boxes, pallets, and packing materials that are or may be removed prior to final sale or delivery of a product to a consumer.

Subd. 2. [PROHIBITION.] Beginning January 1, 1997, a person may not place transport packaging in mixed municipal solid waste, a resource recovery facility other than a recycling facility, or any incineration device, or in or on the land, except transport packaging that is made entirely of renewable resources, excluding nails or fasteners, and that is completely degradable, may be transported to or placed in a composting facility.

Subd. 3. [ENFORCEMENT.] For violation of subdivision 2, the commissioner shall impose an administrative penalty of not less than \$500 for the first violation and \$1,000 for each subsequent violation, unless the violator is a manufacturer of transport packaging or a packager who uses transport packaging, in which case the minimum penalty is \$2,000 for the first violation and \$5,000 for each subsequent violation.

An administrative penalty imposed for a second or subsequent violation of subdivision 2 is not forgivable.

Sec. 10. [116F.14] [DISCARDABLE PACKAGING; WASTE MANAGEMENT FEE.]

Subdivision 1. [PURPOSE.] The state and local government units are no longer able to absorb the continually increasing costs related to management of discardable packaging as solid waste or as source separated recyclable materials. The purpose of this section is to incorporate a portion of these costs in the sale of products packaged with discardable packaging.

Subd. 2. [DEFINITION; DISCARDABLE PACKAGING.] For the purposes of this section:

(1) "Discardable packaging" means packaging that is not transport packaging as defined in section 116F.13, reusable packaging, or in-store packaging applied by a retailer or a customer on the retailer's premises as long as the in-store packaging meets the requirements of section 115A.561; and

(2) "Reusable packaging" means packaging that is designed to be and actually is reused for its original purpose at least five times.

Subd. 3. [WASTE MANAGEMENT FEE.] A person who sells a packaged product to a consumer of the product in this state shall pay a fee for discardable packaging used in conjunction with the product based on the product's smallest unit division. The product's smallest unit division is the smallest amount of product on the packaging for which there appears a uniform pricing code. If no uniform pricing code appears on the packaging for a product, the fee applies to each separate unit of the product that is sold at retail.

Subd. 4. [AMOUNT OF FEE.] (a) The fee is two cents per product unit unless:

(1) the manufacturer or distributor labels the outer layer of packaging for the product to clearly inform the seller and consumer of the contents of the packaging, including the percentage of postconsumer material content in each separate layer of packaging; and

(2) the discardable packaging, as a whole, associated with the product consists of material that contains 50 percent or more postconsumer material and each layer is recyclable.

There is no waste management fee for packaging that meets both criteria in clauses (1) and (2). A manufacturer, distributor, or retailer may label or otherwise indicate on the packaging or in any other manner that the product unit associated with the exempt packaging is exempt from the waste management fee.

(b) For the purpose of this section, "recyclable" means that the material is collected either:

(1) through recycling collection programs available to 75 percent of the state's residents; or

(2) by a collection program established by the manufacturer or distributor of the product that is designed to collect and recycle a minimum of 60 percent of the packaging for the product.

(c) A manufacturer or distributor who requests a local government unit to expand a recycling collection program to include packaging materials used by that manufacturer or distributor shall pay any incremental costs to the local government unit to add the manufacturer's or distributor's packaging to the collection program.

(d) Individually wrapped candies, chewing gum, seasonings and condiments, and utensils, including drinking straws, that have no uniform pricing code on their wrappers are exempt from the fee.

Subd. 5. [COLLECTION AND PAYMENT OF FEE.] (a) A person who is liable under subdivision 1 to pay the fee shall keep records and remit the fee to the department of revenue along with payment of sales and use taxes under chapter 297A. The commissioner of revenue shall provide a form or expand sales and use tax forms to accommodate the payment of the waste management fee for discardable packaging. The commissioner of revenue may enforce payment of the fee under the commissioner's enforcement powers in chapters 270, 289A, and 297A.

(b) A person who is liable for payment of the fee may either collect the fee directly from customers and hold it until payment to the commissioner of revenue or estimate an amount due based on average sales of products subject to the fee during each quarter and pay that amount. If a person chooses to estimate payment, the person shall file an annual return and adjust for overpayment or underpayment based on actual inventory and sales figures.

Subd. 6. [DEPOSIT OF REVENUE.] The commissioner of revenue shall separately account for revenues received under this section and shall deposit the revenues in the environmental fund to be used for waste reduction and recycling programs.

Subd. 7. [RECYCLABLE PACKAGING; LIST.] (a) The director of the office of waste management shall distribute, or otherwise make available to the public, a list of packaging materials that are collected for recycling through recycling programs available to 75 percent of the residents of the state and by recycling programs established by manufacturers or distributors that comply with subdivision 4, paragraph (b), clause (2). By October 1 of each year, the director shall revise the list based on the reports received from counties under section 115A.557, subdivision 3 and notices received from manufacturers or distributors under paragraph (b).

(b) A manufacturer or distributor that establishes a collection system designed to collect and recycle 60 percent of the packaging for a product under subdivision 4, before labeling the packaging in a manner to indicate that it is exempt from the waste management fee, shall notify the director, in writing, of the establishment of the collection system and provide sufficient detail about how the collection system will work to ensure the 60 percent collection rate. The director shall include the manufacturer's or distributor's exempt packaging on the list required in paragraph (a). The manufacturer or distributor shall provide a report to the director annually after the initial notification that specifies how many product units were sold in exempt packaging, how many exempt units of packaging were collected during the same year, and where the collected packaging was delivered for recycling. To continue to be included on the list, the manufacturer's or distributor's collection system must have collected a minimum of 30 percent of packaging sold during the first year after notification to the director, 45 percent during the second year, and 60 percent in each year thereafter. If, in two consecutive years, the manufacturer or distributor fails to achieve an average collection rate of 60 percent after the first two years, the director shall notify the commissioner of revenue that the manufacturer's or distributor's packaging is no longer exempt and is subject to the waste management fee beginning for tax payable for the second quarter following notification.

Sec. 11. [116F.16] [REUSABLE BEVERAGE PACKAGING.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Beverage" means a soft drink, soda water, carbonated natural or mineral water, or other nonalcoholic carbonated drink; beer, ale, or other malt drink or a mixed wine or mixed spirit drink or milk.

(c) "Beverage container" means an individual hermetically sealed bottle, can, jar, or milk bottle composed of at least 50 percent glass, metal, or plastic by weight and used to contain beverages in liquid form intended for human consumption and which, when sold, contains one gallon or less of a beverage.

(d) "Beverage distributor" means a person who sells filled beverage containers to retailers in this state.

(e) "Mixed wine drink" means a drink containing eight percent or less alcohol by volume, consisting of (1) wine mixed with nonalcoholic beverages or flavoring or coloring materials, and which may also contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, or preservatives; or (2) other similar product marketed as a wine cooler.

(f) "Mixed spirit drink" means (1) a drink containing ten percent or less alcohol by volume consisting of distilled spirits mixed with nonalcoholic beverages or flavoring or coloring materials and which may also contain water, fruit juices, fruit adjuncts, sugar, carbon dioxide, or preservatives; or (2) any spirits based beverage, regardless of the percent of alcohol by volume, that is manufactured for sale in a nonrefillable container.

(g) "Reusable beverage container" means a beverage container that is designed to be and actually is reused at least five times for its original purpose by a person who is in the business of placing beverages in containers.

Subd. 2. [REQUIREMENTS.] (a) A retailer that sells beverages shall make minimum shelf space available for reusable beverage containers in the following percentages of the total amount of shelf space available for beverages:

(1) five percent by January 1, 1995;

(2) ten percent by January 1, 1997;

(3) 15 percent by January 1, 1999; and

(4) 20 percent by January 1, 2001, and thereafter.

(b) A beverage distributor that does business in this state shall distribute beverages in reusable containers in sufficient quantity to supply retailers' demand based on paragraph (a).

(c) For those beverages otherwise subject to sales tax, a retailer shall post a notice on the shelf at the space reserved for beverages in reusable containers to clearly inform customers that beverages sold in reusable containers are not subject to sales tax.

Subd. 3. [CLASSIFICATION OF BEVERAGES.] For the purposes of this section, beverages are classified as:

(1) water, including soda water, carbonated water, and mineral water;

(2) carbonated soft drinks, including all nonalcoholic carbonated drinks, except water;

(3) all other soft drinks;

(4) milk;

(5) beer, ale, and other alcoholic malt drinks; and

(6) mixed wine and mixed spirit drinks.

Subd. 4. [MONITORING.] To determine compliance with this section, the commissioner of the agency shall conduct statewide site inspections of a statistically reliable percentage of large, medium, and small retailers of each classification of beverages between January 1 of 1995, 1997, 1999, and 2001 and June 1 of those years. By July 1 of those years, the commissioner shall send notification of the percentage of beverages available for sale in reusable containers for each classification of beverages and for all beverages as one group to the commissioner of revenue, the director of the office of waste management, and the director of the legislative commission on waste management. If all beverage retailers as a group fail to achieve the requirements of subdivision 2 in two consecutive reporting years,

the commissioners of the agency and of revenue and the director of the office shall implement sections 116F.17 to 116F.175, effective for only those classifications of beverages for which compliance was not achieved in both years for beverages sold beginning one year after the second consecutive notification of noncompliance.

Sec. 12. [116F.17] [APPLICATION; EXPIRATION.]

Sections 116F.171 to 116F.175 apply only if the commissioner of the agency notifies the commissioner of revenue and the director of the office of waste management that the requirements of section 116F.16 have not been met. If all the requirements of section 116F.16 have been met as of July 1, 2010, sections 116F.17 to 116F.175 expire July 1, 2011. If at any point sections 116F.171 to 116F.175 are implemented, those sections remain in effect until replaced or repealed by the legislature.

Sec. 13. [116F.171] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section and section 116F.16 apply to sections 116F.171 to 116F.175.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of revenue.

Subd. 3. [CONSUMER.] "Consumer" means a person who buys a filled nonreusable beverage container from a retailer.

Subd. 4. [RETAILER.] "Retailer" means a person who engages in the sale of beverage in or from nonreusable beverage containers to consumers.

Subd. 5. [REVERSE VENDING MACHINE.] "Reverse vending machine" means a mechanical device that accepts one or more types of empty beverage containers and issues a cash refund or redeemable credit slip with a value not less than the containers' redemption value.

Sec. 14. [116F.172] [RECYCLING DEPOSIT AND REFUND.]

Subdivision 1. [DEPOSIT.] The price of a filled nonreusable beverage container sold or offered for off-sale at retail stores and through vending machines must include a refund value of ten cents for a container with a volume of less than one quart and 30 cents for a container with a volume of one quart or more. Containers sold aboard commercial airlines, passenger trains, or passenger buses crossing state borders and containers whose contents are consumed on the premises of the retail store are exempt from the requirements of this subdivision.

Subd. 2. [REFUND PAYMENT REQUIRED.] Each retailer shall accept an empty nonreusable beverage container of the kind, size, and brand sold by the retailer and shall pay the refund value to the person returning the container. Each off-sale retailer shall prominently display on its premises the kinds, sizes, and brand names of nonreusable beverage containers accepted. Each beverage distributor or its designee shall accept from a retailer nonreusable beverage containers of the kind, size, and brand sold by the beverage distributor and shall pay the retailer the refund value specified in subdivision 1 plus a handling allowance of two cents per container upon receipt.

A retailer may refuse to accept from a consumer, and a beverage distributor or its designee may refuse to accept from a retailer, any nonreusable beverage container that is not properly labeled according to subdivision 3, or is broken, unclean, or not empty. A reverse vending machine may be used to fulfill the requirements of this subdivision.

Subd. 3. [CONTAINER; PACKAGE DESIGN.] Each filled nonreusable beverage container sold or offered for sale in this state by a retailer or distributor must clearly indicate by embossing, stamp, label, or other permanent method of display, the name or abbreviation of this state, the refund value of the container, and the words "Return For Deposit." Each container must also be printed, embossed, stamped, labeled, or otherwise marked with a universal code or similar machine-readable code. Nothing in this subdivision prohibits inclusion of the name on the label of other states that have container deposit laws.

Sec. 15. [116F.173] [REPORTS; PAYMENT OF UNREDEEMED DEPOSITS.]

Subdivision 1. [REPORTS.] Every beverage distributor doing business in this state shall file with the commissioner of revenue a quarterly and annual report, on a form prescribed by the commissioner, specifying the total number of nonreusable beverage containers sold to and redeemed from retailers in the state and the amount of unredeemed

deposits during the reporting period. The unredeemed deposit amount may not be offset by the handling allowance paid to retailers or others.

The quarterly reports are due on or before the 15th day following the end of the calendar quarter. The annual reports must accompany the reports for the fourth calendar quarter and are due on or before January 15 following the end of the calendar year.

Subd. 2. [RECORDS.] The commissioner may by rule require any person subject to subdivision 1 to keep books, papers, documents, and records as the commissioner determines necessary for the enforcement of sections 116F.171 to 116F.175. The commissioner may examine, or have examined, any books, papers, records, or other documents relevant to making a determination, whether they are in the possession of a reporter or another person or corporation. The commissioner may require the attendance of any persons having knowledge or information in the premises, to compel the production of books, papers, records, or memoranda by persons so required to attend, to take testimony on matters material to a determination, and to administer oaths or affirmations.

Subd. 3. [INFORMATION CONFIDENTIAL.] Neither the commissioner nor any other public official or employee may divulge or otherwise make known in any manner any particulars disclosed in any report required by this section, or any information concerning the affairs of the person making the report acquired from its records, officers, or employees while examining or auditing under the authority of sections 116F.171 to 116F.175, except in connection with a proceeding involving unredeemed deposits due under sections 116F.171 to 116F.175. Nothing in this section prohibits the commissioner from publishing statistics classified in a manner that does not disclose the identity of particular records or reports and their contents. Notwithstanding the provisions of this subdivision, the commissioner may provide the commissioner of the agency with information necessary for implementation and administration of sections 116F.171 to 116F.175.

Subd. 4. [TIME FOR PAYMENT; REFUND.] Unredeemed deposits held during a calendar quarter must be paid to the commissioner on or before the 15th day following the end of the quarter. The payment due for the fourth calendar quarter must be adjusted to reflect any underpayment or overpayment that is shown on the annual report. Any overpayment of unredeemed recycling deposits shown on the annual report must be refunded by the commissioner and may not be entered as a credit against future liabilities unless requested by the person required to pay the unredeemed deposit.

Subd. 5. [ENFORCEMENT.] The penalty, interest, and enforcement provisions under chapters 270, 289A, and 297A apply to the reports and amounts due the commissioner under this section.

Subd. 6. [COORDINATION WITH EXISTING RECYCLING PROGRAMS.] A distributor may contract with a county or the county's designee for collection of containers from retailers and management of returned containers. If a distributor chooses to contract with a county or the county's designee, the distributor must comply with subdivision 1 and must pay the county an amount equal to the deposits the county must return to retailers, the two cents per container handling fee for retailers, and the incremental cost to the county or its designee to collect, transport, store, process, and market the containers, but may retain the amount of the unredeemed deposits left after payment to the county under the contract.

Subd. 7. [DEPOSIT AND USE OF REVENUE.] The commissioner shall deposit revenue received under subdivision 4 in the state treasury and credit it to the general fund. Revenue received under subdivision 4 and revenue derived from taxes imposed on solid waste collection services as described in section 297A.45 must be accounted for separately from other deposits in the state treasury and clearly identified by source. The revenue received under subdivision 4 must be used for the costs of administering sections 116F.171 to 116F.175 and to increase funding for county solid waste reduction and recycling programs. A significant portion of the funds must be distributed under section 115A.557, subdivision 1, to counties with which distributors have not contracted for collection and management of nonrefillable beverage containers.

Sec. 16. [116F.174] [AGENCY AND DIRECTOR AUTHORITY; DUTIES; REPORTS.]

Subdivision 1. [PUBLIC EDUCATION.] The director of the office of waste management may prepare, publish, and issue printed or educational materials necessary for the dissemination of information to the public and the regulated community for effective implementation of sections 116F.171 to 116F.175.

Subd. 2. [INFORMATION GATHERING.] The commissioner of the agency may require any business or local government unit subject to the provisions of sections 116F.171 to 116F.175 to provide information necessary for the preparation of any reports required by this section.

Sec. 17. [116F.175] [PENALTIES; PROCEDURES; RULES.]

Subdivision 1. [CIVIL PENALTY.] In addition to any other penalty imposed by law, a person who violates any provision of section 116F.172 or 116F.173 shall forfeit and pay to the state a penalty, in an amount to be determined by the court, of not more than \$1,000 per day of violation. The penalty may be recovered by a civil action brought by the attorney general in the name of the state.

Subd. 2. [INJUNCTIONS.] The attorney general may bring an action to enjoin any violation of sections 116F.171 to 116F.175 or an action to compel performance of those sections.

Subd. 3. [ADMINISTRATIVE PENALTY.] In lieu of a civil penalty authorized in subdivision 1, the commissioner of the agency may impose an administrative penalty under section 116.072 on any person who violates sections 116F.171 to 116F.175.

Subd. 4. [COSTS; FEES.] In any action under subdivision 1 or 2, the attorney general may also recover costs and attorney fees.

Subd. 5. [RULES.] The agency, director, metropolitan council, and commissioner may adopt emergency and permanent rules to implement sections 116F.171 to 116F.175.

Sec. 18. [116F.20] [ENFORCEMENT.]

The provisions of this chapter may be enforced under section 115.071 or 116.072.

Sec. 19. Minnesota Statutes 1992, section 297A.25, subdivision 2, is amended to read:

Subd. 2. [FOOD PRODUCTS.] The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) are exempt. This exemption does not include the following:

(1) candy and candy products, except when sold for fundraising purposes by a nonprofit organization that provides educational and social activities for young people primarily aged 18 and under;

(2) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than noncarbonated and noneffervescent bottled water sold in individual containers of one-half gallon or more in size when those beverages or water are sold in nonrefillable containers.

Sec. 20. [WOOD WASTE AND WOOD PRODUCTS RESIDUE; MARKETING PLAN.]

By January 1, 1995, the director of the office of waste management, in consultation with wood products manufacturers, users of transport packaging made of wood or wood products, consumers including reusers and recyclers of wood waste and wood products residue, the commissioners of the departments of trade and economic development, public service, and natural resources, the Minnesota technical assistance program, the University of Minnesota extension service, and other interested persons, shall develop a statewide wood waste and wood products residue marketing plan. The plan must:

(1) identify generators of wood waste and wood products residue;

(2) identify existing and potential markets for wood waste and wood products residue;

(3) provide guidelines for the collection, transportation, storage, processing, and reuse or recycling of wood waste and wood products residue; and

(4) recommend to the legislative commission on waste management any legislation necessary to encourage development of greater capacity in the state to reuse and recycle wood waste and wood products residue to ensure that those items are managed to maximize their environmental and economic benefits to society.

The director shall develop the marketing plan in light of the prohibition on placing transport packaging made of wood or wood products in solid waste or in a solid waste facility other than a composting facility under Minnesota Statutes, section 116F.13, that takes effect January 1, 1997. The director may include in the marketing plan a recommendation to adjust that prohibition if necessary to implement a sound marketing system for wood waste and wood products residue.

Sec. 21. [REPEALER.]

Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08, are repealed.

Sec. 22. [APPROPRIATIONS.]

Subdivision 1. \$..... is appropriated from the general fund to the agencies and for the purposes indicated, to be available for the fiscal year ending June 30 in the years indicated. The unencumbered balance remaining in the first year does not cancel but is available for the second year.

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Subd. 2. [OFFICE OF WASTE MANAGEMENT.]

(a) For public education and promotion of reduction of solid waste under Minnesota Statutes, section 115A.55;

(b) For solid waste reduction technical and financial assistance to solid waste generators under Minnesota Statutes, section 115A.55;

(c) For distribution to counties for solid waste reduction and recycling under Minnesota Statutes, section 115A.557;

The amount appropriated in clause (c) is in addition to the basic amount appropriated for county waste reduction and recycling under Minnesota Statutes, section 115A.557, and must be distributed equally to counties that have met two of the following criteria in the previous calendar year:

(1) entered into a formal agreement with at least one other county for cooperative waste reduction and recyclable materials marketing programs;

(2) implemented a comprehensive household hazardous waste collection, education, and exchange program;

(3) achieved a recycling rate in excess of the goals established under Minnesota Statutes, section 115A.551; and

(4) implemented a comprehensive solid waste reduction program.

Except for a county that operates its own recycling collection and marketing program, at least 75 percent of the money distributed under this paragraph must be directly transferred to other local government units within the county to be used for waste reduction and collection and marketing of recyclable materials.

Money distributed to the counties or to other local government units under this paragraph may be used only for the purposes enumerated in Minnesota Statutes, section 115A.557, subdivision 2.

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(d) For development of the wood waste and wood products residue marketing plan required under section 20.

Subd. 3. [POLLUTION CONTROL AGENCY.]

(a) For solid waste composition studies required under Minnesota Statutes, section 115A.5501, subdivision 2;

(b) For payment to the metropolitan council for solid waste composition studies required under Minnesota Statutes, section 115A.5501, subdivision 2;

(c) For enforcement of Minnesota Statutes, sections 115A.561 and 116F.13;

(d) For administration and enforcement of Minnesota Statutes, section 116F.14;

(e) For enforcement of solid waste restrictions and requirements in Minnesota Statutes, chapter 115A.

Subd. 4. [DEPARTMENT OF REVENUE.] For administration and enforcement of Minnesota Statutes, section 116F.14.

Subd. 5. [LEGISLATIVE COMMISSION ON WASTE MANAGEMENT.] For the study on recycled content required under Minnesota Statutes, section 115A.561, subdivision 4.

Sec. 23. [EFFECTIVE DATE.]

Section 1 is effective for envelopes and labels purchased after August 1, 1993.

Section 10, subdivisions 1 to 3 and 5 to 7, are effective January 1, 1994. Section 10, subdivision 4, is effective January 1, 1996. Between January 1, 1994, and January 1, 1996, the amount of the waste management fee on discardable packaging is one cent for each discardable package, as determined under section 10, subdivision 3."

Delete the title and insert:

"A bill for an act relating to the environment; regulating packaging; setting mandatory recycled content for certain products and packaging; listing preferences for use of packaging; regulating transport packaging; imposing a waste management fee on discardable packaging; requiring use of reusable packaging for certain percentages of beverages sold or, in the alternative, refundable recycling deposits on nonreusable beverage packaging; requiring a wood waste and wood products residue marketing plan; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 18B.135, by adding a subdivision; 115A.03, by adding a subdivision; 115A.072, subdivision 4; and 297A.25, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 115A; and 116F; repealing Minnesota Statutes 1992, sections 116F.01; 116F.02; 116F.05; 116F.06; and 116F.08."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Commerce and Economic Development.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 163, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits

for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; reducing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, by adding a subdivision; 10A.25, subdivision 2, and by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A and 211A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 10A.01, is amended by adding a subdivision to read:

Subd. 9a. [ELECTION CYCLE.] "Election cycle" means the period from January 1 following a general election for an office to December 31 following the next general election for that office, except that "election cycle" for a special election means the period from the date the special election writ is issued to 60 days after the special election is held.

Sec. 2. Minnesota Statutes 1992, section 10A.01, subdivision 10b, is amended to read:

Subd. 10b. [INDEPENDENT EXPENDITURE.] "Independent expenditure" means an expenditure expressly advocating the election or defeat of a clearly identified candidate, which expenditure is made without the express or implied consent, authorization, or cooperation of, and not in concert with or at the request or suggestion of, any candidate or any candidate's principal campaign committee or agent. An independent expenditure is not a contribution to that candidate.

Expenditures for communications, including nonpartisan registration and get-out-the-vote campaigns, by an association with its members and their families or by a corporation with its stockholders and executive or administrative personnel and their families are independent expenditures.

Sec. 3. Minnesota Statutes 1992, section 10A.01, subdivision 10c, is amended to read:

Subd. 10c. [NONCAMPAIGN DISBURSEMENT.] "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for ~~any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.~~

~~Noncampaign disbursement includes~~ any of the following purposes:

- (a) payment for accounting and legal services;
- (b) return of a contribution to the source;
- (c) repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) return of money from the state elections campaign fund;
- (e) payment for food, beverages, entertainment, and facility rental for a fundraising event;

(f) services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to 60 days after adjournment sine die of the legislature in the election year for the office held;

(g) a donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision; ~~and~~

(h) payment for food and beverages provided to campaign volunteers while they are engaged in campaign activities;

(i) expenses of caucus leadership activities; and

(j) other purchases or payments specified in board rules or advisory opinions as being for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.

Sec. 4. Minnesota Statutes 1992, section 10A.14, subdivision 2, is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The name and address of any supporting association of a political fund;

(c) The name and address of the chair, the treasurer, and any deputy treasurers;

(d) A listing of all depositories or safety deposit boxes used;

(e) A statement as to whether the committee is a principal campaign committee as authorized by section 10A.19, subdivision 1; and

(f) For political parties only, a list of categories of substate units as defined in section 10A.27, subdivision 4.

Sec. 5. Minnesota Statutes 1992, section 10A.15, is amended by adding a subdivision to read:

Subd. 3c. [RELATED COMMITTEES.] An individual, association, political committee, or political fund, referred to in this subdivision as a "parent," may establish, finance, maintain, or directly control a political committee or political fund, referred to in this subdivision as its "subsidiary." If the parent is an association, the association must designate a political committee or political fund to serve as the parent for reporting purposes. If a parent establishes, finances, maintains, or directly controls a subsidiary under this subdivision, the subsidiary must report its contribution to a candidate or principal campaign committee as attributable to the parent, and the contribution is counted toward the contribution limits in section 10A.27 of the parent as well as of the subsidiary.

Sec. 6. Minnesota Statutes 1992, section 10A.15, is amended by adding a subdivision to read:

Subd. 5. [POLITICAL COMMITTEE OR POLITICAL FUND REGISTRATION NUMBER ON CHECKS.] A contribution made to a candidate by a political committee or political fund must show the name of the political committee or fund and the number under which it is registered with the board.

Sec. 7. Minnesota Statutes 1992, section 10A.19, subdivision 1, is amended to read:

Subdivision 1. No candidate shall accept contributions from any source, other than self, in aggregate in excess of \$100 or any money from the state elections campaign fund unless the candidate designates and causes to be formed a single principal campaign committee. A candidate may not authorize, designate, or cause to be formed any other political committee bearing the candidate's name or title or otherwise operating under the direct or indirect control of the candidate except:

(1) a candidate may be involved in the direct or indirect control of a party unit as defined in section 10A.275, subdivision 3; or

(2) a candidate may form a separate political committee, bearing the candidate's name or otherwise operating under the direct or indirect control of the candidate for the sole purpose of seeking an elected office other than one presently held by the candidate.

A political committee bearing a candidate's name or title or otherwise operating under the direct or indirect control of the candidate and not authorized by this subdivision, may not accept contributions after the effective date of this section, and must be dissolved by June 30, 1994.

Sec. 8. Minnesota Statutes 1992, section 10A.20, is amended by adding a subdivision to read:

Subd. 6b. [NOTICE OF INTENDED INDEPENDENT EXPENDITURE.] An individual, political committee, or political fund that intends to make an independent expenditure in excess of \$100 during the 30 days immediately preceding an election shall file with the board and with all candidates in the affected race and the chairs of their principal campaign committees a notice of the intent to make the expenditure. The notice must contain the information with respect to the expenditure that is required to be reported under subdivision 3, clause (g). Each new expenditure requires a new notice.

Sec. 9. Minnesota Statutes 1992, section 10A.20, is amended by adding a subdivision to read:

Subd. 14. [REPORTS BY SOLICITORS.] An individual, association, political committee, or political fund, other than a candidate or the members of a candidate's principal campaign committee, that directly solicits and receives from others contributions to candidates, political parties, or a caucus of the members of a political party in a house of the legislature, that aggregate more than \$10,000 in an election cycle must file with the board a report disclosing the amount of each contribution, the names of the contributors, and to whom the contributions were given. The report must be filed with the board by January 31 and July 31 of each nonelection year and by January 31, July 31, and September 30 of each election year. The report must cover the accumulated contributions made or received during that election cycle.

Sec. 10. Minnesota Statutes 1992, section 10A.25, subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

- (a) for governor and lieutenant governor, running together, \$1,626,691;
- (b) for attorney general, \$271,116;
- (c) for secretary of state, state treasurer, and state auditor, separately, \$135,559;
- (d) for state senator, \$40,669;
- (e) for state representative, \$20,335.

The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory included a population that is now more than one-third of the population in the territory of the office being sought.

Sec. 11. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 11. [CARRYFORWARD.] After all campaign expenses are paid or accounted for, excess contributions up to 50 percent of the candidate's expenditure limit for that election may be carried forward and used for noncampaign disbursements. The candidate must distribute the remainder of any public subsidy to:

- (1) the state treasury for credit to the general fund under section 10A.324; or
- (2) a political party or the state elections campaign fund.

Sec. 12. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 12. [INDEPENDENT EXPENDITURES IN OPPOSITION.] The expenditure limits imposed by this section are increased by the sum of independent expenditures made in opposition to the candidate or on behalf of a candidate's major political party opponents. Upon receipt of an expenditure report or notice required by section 10A.20, subdivision 6b, the board shall notify the candidate of the increase in the expenditure limit. Within 30 days of providing this notice, the board shall pay the candidate an additional public subsidy equal to the amount of the independent expenditure.

Sec. 13. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 13. [UNUSED POSTAGE CARRIED FORWARD.] Postage that is purchased but not used during an election cycle must be carried forward and counted as an expenditure if greater than \$100 during the election cycle during which it is used.

Sec. 14. Minnesota Statutes 1992, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTION LIMITS.] Except as provided in subdivisions 2 and 6, no candidate shall permit the candidate's principal campaign committee to accept contributions from any individual, political committee, or political fund in excess of the following:

(a) to candidates for governor and lieutenant governor running together, ~~\$20,000~~ \$6,000 in an election year cycle for the office sought ~~and \$3,000 in other years;~~

(b) to a candidate for attorney general, ~~\$10,000~~ \$2,000 in an election year cycle for the office sought ~~and \$2,000 in other years;~~

(c) to a candidate for the office of secretary of state, state treasurer or state auditor, ~~\$5,000~~ \$1,000 in an election year cycle for the office sought ~~and \$1,000 in other years;~~

(d) to a candidate for state senator, ~~\$1,500~~ \$1,000 in an election year cycle for the office sought ~~and one-third of that amount in other years;~~ and

(e) to a candidate for state representative, ~~\$750~~ \$500 in an election year cycle for the office sought ~~and one-third of that amount in the other year.~~

The dollar amounts in this subdivision must be adjusted for each election cycle as provided in this paragraph. By February 1 of the first year of the election cycle, the executive director of the board shall determine the percentage change in the consumer price index from January 1 of the first year of the preceding election cycle to December 31 of the year preceding the date the determination is made. The dollar amounts in this subdivision used for the preceding election cycle must be multiplied by the percentage change in the consumer price index. The product of the calculation must be added to each dollar amount in this subdivision to produce the dollar limitations in effect for the next election cycle. The product must be rounded up to the next highest \$25 increment. The index used must be the revised consumer price index for all urban consumers of the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor with 1982 as a base year. The calculation required by this subdivision must be made for election cycles beginning on and after January 1, 1995.

Sec. 15. Minnesota Statutes 1992, section 10A.27, subdivision 2, is amended to read:

Subd. 2. No candidate shall permit the candidate's principal campaign committee to accept contributions from any political party units in aggregate in excess of ~~five~~ ten times the amount that may be contributed to that candidate by ~~a political committee~~ as set forth in subdivision 1.

Sec. 16. Minnesota Statutes 1992, section 10A.27, subdivision 9, is amended to read:

Subd. 9. A candidate or the treasurer of a candidate's principal campaign committee shall not accept ~~in any calendar year aggregate contributions in an amount greater than the maximum amount allowed under subdivision 1~~ a transfer or contribution from another candidate's principal campaign committee or any other committee bearing the contributing candidate's name or title or otherwise authorized by the contributing candidate, unless the contributing candidate's principal campaign committee is being dissolved. A candidate's principal campaign

committee shall not make a transfer or contribution to another candidate's principal campaign committee, except when the contributing committee is being dissolved. For purposes of this subdivision, "candidate" includes a person who seeks nomination or election to a local office in this state. A candidate may not accept a transfer or contribution from or make a transfer or contribution to a committee associated with a person who seeks nomination or election to the office of president, senator, or representative in congress of the United States.

Sec. 17. Minnesota Statutes 1992, section 10A.27, is amended by adding a subdivision to read:

Subd. 10. [CONTRIBUTIONS FROM CERTAIN TYPES OF CONTRIBUTORS.] A candidate shall not permit the candidate's principal campaign committee to accept a contribution from a political committee, a political fund, a lobbyist, or an individual who contributes more than half the amount an individual may contribute, if the contribution will cause the aggregate contributions from those types of contributors to exceed ten times the amount an individual may contribute to the candidate.

Sec. 18. Minnesota Statutes 1992, section 10A.27, is amended by adding a subdivision to read:

Subd. 11. [CONTRIBUTIONS TO OTHER POLITICAL COMMITTEES OR FUNDS.] The treasurer of a political committee or fund, other than a candidate's principal campaign committee or a political party unit as defined in section 10A.275, shall not permit the political committee or fund to accept contributions in an amount more than \$200 a year.

Sec. 19. Minnesota Statutes 1992, section 10A.31, subdivision 5, is amended to read:

Subd. 5. In each calendar year the money in the general account shall be allocated to candidates as follows:

- (1) 21 percent for the offices of governor and lieutenant governor together;
- (2) 3.6 percent for the office of attorney general;
- (3) 1.8 percent each for the offices of secretary of state, state auditor, and state treasurer;
- (4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator, and 46-2/3 percent for the office of state representative;
- (5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative.

In each calendar year the money in each party account shall be allocated as follows:

- (1) 14 percent for the offices of governor and lieutenant governor together;
- (2) 2.4 percent for the office of attorney general;
- (3) 1.2 percent each for the offices of secretary of state, state auditor, and state treasurer;
- (4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator, and 46-2/3 percent for the office of state representative;
- (5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative;
- (6) ten percent for the state committee of a political party; money allocated to each state committee under this clause must be deposited in a separate account and must be spent for only those items enumerated in section 10A.275; money allocated to a state committee under this clause must be paid to the committee by the state treasurer as notified by the state ethical practices board as it is received in the account on a monthly basis, with payment on the 15th day of the calendar month following the month in which the returns were processed by the department of revenue, provided that these distributions would be equal to 90 percent of the amount of money indicated in the department of revenue's weekly unedited reports of income tax returns and property tax refund returns processed in the month, as notified by the department of revenue to the state ethical practices board. The amounts paid to each state committee are subject to biennial adjustment and settlement at the time of each certification required of the

commissioner of revenue under subdivisions 7 and 10. If the total amount of payments received by a state committee for the period reflected on a certification by the department of revenue is different from the amount that should have been received during the period according to the certification, each subsequent monthly payment must be increased or decreased to the fullest extent possible until the amount of the overpayment is recovered or the underpayment is distributed.

~~To assure that moneys will be returned to the counties from which they were collected, and to assure that the distribution of those moneys rationally relates to the support for particular parties or for particular candidates within legislative districts, money from the party accounts for legislative candidates shall be distributed as follows:~~

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election shall receive an equal share of money from the candidate's party account set aside for candidates of the state senate or state house of representatives, whichever applies, ~~according to the following formula:~~

~~For each county within the candidate's district the candidate's share of the dollars allocated in that county to the candidate's party account and set aside for that office shall be:~~

~~(a) The sum of the votes cast in the last general election in that part of the county in the candidate's district for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct of the state and (ii) for the state senate and state house of representatives, divided by~~

~~(b) The sum of the votes cast in that county in the last general election for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct in the state and (ii) for the state senate and state house of representatives, multiplied by~~

~~(c) The amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.~~

~~The sum of all the county shares calculated in the formula above is the candidate's share of the candidate's party account.~~

~~In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.~~

~~For any party under whose name no candidate's name appeared on the ballot in each voting precinct in the state in the last general election, amounts in the party's account shall be allocated based on (a) the number of people voting in the last general election in that part of the county in the candidate's district, divided by (b) the number of the people voting in that county in the last general election, multiplied by (c) the amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.~~

~~In a year in which the first election after a legislative reapportionment is held, "the candidate's district" means the newly drawn district, and voting data from the last general election will be applied to the area encompassing the newly drawn district notwithstanding that the area was in a different district in the last general election.~~

~~If in a district there was no candidate of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives was unopposed, the vote for that office for that party shall be the average vote of all the remaining candidates of that party in each county of that district whose votes are included in the sums in clauses (a) and (b). The average vote shall be added to the sums in clauses (a) and (b) before the calculation is made for all districts in the county.~~

Money from a party account not distributed to candidates for state senator and representative in any election year shall be returned to the general fund of the state. Money from a party account not distributed to candidates for other offices in an election year shall be returned to the party account for reallocation to candidates as provided in clauses (1) to (6) in the following year. Money from the general account refused by any candidate shall be distributed to all other qualifying candidates in proportion to their shares as provided in this subdivision.

Sec. 20. Minnesota Statutes 1992, section 10A.31, subdivision 6, is amended to read:

Subd. 6. Within As soon as notified by the board of the winners of the primary election, but in any event no later than two weeks after certification by the state canvassing board of the results of the primary, the state treasurer shall

distribute the available funds in each party account, as certified by the commissioner of revenue on September 15, according to the allocations in subdivision 5, to the candidates of that party who have signed the agreement as provided in section 10A.322, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivision 5 and who are opposed in the general election.

Sec. 21. Minnesota Statutes 1992, section 10A.31, subdivision 8, is amended to read:

Subd. 8. ~~Within~~ As soon as the board is reasonably certain who has won the primary election, but in any event no later than one week after certification by the state canvassing board of the results of the primary, the board shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section 10A.32, subdivision 3, and the amount the candidate is to receive from the available funds in the candidate's party account.

Sec. 22. Minnesota Statutes 1992, section 10A.31, is amended by adding a subdivision to read:

Subd. 12. [UNOPPOSED CANDIDATE NOT ELIGIBLE.] A candidate who is unopposed in both the primary election and the general election is not eligible to receive a public subsidy from the state election campaign fund. The subsidy from the party account the candidate would otherwise have been eligible to receive must be paid to the candidate's political party to be used for multicandidate expenditures as defined in section 10A.275. The subsidy from the general account the candidate would otherwise have been eligible to receive must be returned to the general fund.

Sec. 23. [10A.312] [PUBLIC MATCHING SUBSIDY.]

Subdivision 1. [ELIGIBILITY.] (a) In addition to the subsidy payable from the state elections campaign fund, the board shall pay a public matching subsidy to a candidate who:

- (1) is seeking an office for which voluntary spending limits are specified in section 10A.25;
 - (2) has designated a principal campaign committee;
 - (3) has signed and filed with the board an agreement to limit campaign expenditures as provided in section 10A.322 and is abiding by the agreement;
 - (4) has received contributions that exceed the threshold established by paragraph (b); and
 - (5) has submitted to the board the affidavits required by subdivision 3.
- (b) The candidate must have received, since the July 1 immediately preceding the election year, at least the following amounts:
- (1) candidates for governor and lieutenant governor running together, \$25,000 in the aggregate from not fewer than 500 persons eligible to vote in this state;
 - (2) candidates for attorney general, \$10,000 in the aggregate from not fewer than 200 persons eligible to vote in this state;
 - (3) candidates for secretary of state, state treasurer, and state auditor, separately, \$4,000 in the aggregate from not fewer than 80 persons eligible to vote in this state;
 - (4) candidates for the senate, \$2,000 in the aggregate from not fewer than 40 persons eligible to vote in their district; and
 - (5) candidates for the house of representatives, \$1,000 in the aggregate from not fewer than 20 persons eligible to vote in their district.

A candidate for a legislative seat in a district in which there is no city over 10,000 in population need only raise one-half the amount specified in clause (4) for a senate seat or clause (5) for a house seat.

Subd. 2. [AMOUNT.] The public matching subsidy must be paid in an amount that will match the first \$50 of each contribution received from a person eligible to vote in this state, for statewide candidates, or in the district, for legislative candidates, up to a total of 40 percent of the candidate's expenditure limit.

Subd. 3. [AFFIDAVITS.] (a) The candidate shall file with the board at least 30 days before a payment date specified in subdivision 4 an affidavit stating the total amount of contributions that have been received from persons eligible to vote in this state or in their district, as appropriate, and the total amount of those contributions received disregarding the portion of any contribution in excess of \$50.

(b) The candidate may submit additional affidavits by the deadlines in subdivision 4 stating contributions received and not included in a previous affidavit.

(c) The board shall notify the state treasurer at least 15 days before the payment dates specified in subdivision 4 of the amount of public matching subsidy due each candidate.

Subd. 4. [PAYMENT DATES.] The board shall pay the public matching subsidy by January 1, April 1, July 1, and October 1 of the election year, and by January 1 of the year following the election, to candidates who have met the requirements of subdivision 1.

Sec. 24. Minnesota Statutes 1992, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. [AGREEMENT BY CANDIDATE.] (a) As a condition of receiving a public subsidy ~~from the state elections campaign fund~~, a candidate shall sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25 and 10A.324.

(b) Before the first day of filing for office, the board shall forward agreement forms to all filing officers. The board shall also provide agreement forms to candidates on request at any time. The candidate may sign an agreement and submit it to the filing officer on the day of filing an affidavit of candidacy or petition to appear on the ballot, in which case the filing officer shall without delay forward signed agreements to the board. Alternatively, the candidate may submit the agreement directly to the board at any time before September 1 preceding the general election. An agreement may not be ~~signed or rescinded~~ filed after that date. An agreement once filed may not be rescinded.

(c) The board shall forward a copy of any agreement signed under this subdivision to the commissioner of revenue.

(d) Notwithstanding any provisions of this section, when a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement at any time before the deadline for submission of a signed agreement under section 10A.315.

Sec. 25. Minnesota Statutes 1992, section 10A.322, subdivision 2, is amended to read:

Subd. 2. [HOW LONG AGREEMENT IS EFFECTIVE.] The agreement, insofar as it relates to the expenditure limits in section 10A.25, as adjusted by section 10A.255, remains effective for candidates until the dissolution of the principal campaign committee of the candidate or the ~~day filings open for the next succeeding election to the office held or sought at the time of the agreement~~ end of the election cycle during which the agreement was filed, whichever occurs first.

Sec. 26. Minnesota Statutes 1992, section 10A.324, subdivision 1, is amended to read:

Subdivision 1. [WHEN RETURN REQUIRED.] A candidate shall return all or a portion of the public subsidy received from the state elections campaign fund under the circumstances in paragraph (a); or (b); ~~or (c).~~

(a) To the extent that the amount of public subsidy received by the candidate exceeds the expenditure limits for the office held or sought, as provided in section 10A.25 and as adjusted by section 10A.255, the treasurer of the candidate's principal campaign committee shall return the excess to the board.

(b) To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee shall return an amount equal to the difference to the board.

~~(c) Except for an amount equal to 25 percent of the expenditure limits set forth in section 10A.25, but not exceeding \$15,000, any amount by which the aggregate contributions and approved expenditures agreed to exceed the difference between: (1) the amount which legally may be expended by or for the candidate; and (2) the amount the candidate~~

receives from the state elections campaign fund must be returned to the state treasurer, deposited in the state treasury, and credited to the general fund.

Sec. 27. Minnesota Statutes 1992, section 10A.324, subdivision 3, is amended to read:

Subd. 3. [HOW RETURN DETERMINED.] Whether or not a candidate is required under subdivision 1 to return all or a portion of the public subsidy received from the state elections campaign fund must be determined from the report required to be filed with the board by that candidate by January 31 of the year following an election. For purposes of this section, a transfer from ~~one~~ a principal campaign committee to ~~another principal campaign committee~~ or to a political party unit as defined in section 10A.275 is considered to be a noncampaign disbursement. The cost of postage that was not used during an election cycle is not considered an expenditure during the election cycle in which it was purchased, for purposes of determining the amount to be returned. Any amount required to be returned must be submitted in the form of a check or money order and must accompany the report filed with the board. The board shall forward the check or money order to the state treasurer for deposit in the general fund. The amount returned must not exceed the amount of public subsidy received by the candidate from the state elections campaign fund.

Sec. 28. [211A.12] [CONTRIBUTION LIMIT.]

A person shall not contribute to a candidate for political subdivision office more than \$1,000 in an election cycle. "Election cycle" means the period from January 1 following a general election for an office to December 31 following the next general election for that office.

Sec. 29. Minnesota Statutes 1992, section 211B.15, is amended to read:

211B.15 [CORPORATE OR LIMITED LIABILITY POLITICAL CONTRIBUTIONS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given them.

(b) "corporation" means:

(1) a corporation organized for profit that does business in ~~Minnesota~~ this state;

(2) a nonprofit corporation that carries out activities in this state;

(c) ~~"limited liability company" means~~ (3) a limited liability company formed under chapter 322B, or under similar laws of another state, that does business in ~~Minnesota~~ this state; and

(4) a partnership that does business in this state.

Subd. 2. [PROHIBITED CONTRIBUTIONS.] A corporation ~~or limited liability company~~ may not make a contribution or offer or agree to make a contribution, directly or indirectly, of any money, property, free service of its officers ~~or employees, or members~~, or thing of monetary value to a major political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office. For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of a candidate to a political office that is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate.

Subd. 3. [INDEPENDENT EXPENDITURES.] A corporation ~~or limited liability company~~ may not make an independent expenditure or offer or agree to make an independent expenditure to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office. For the purpose of this subdivision, "independent expenditure" means an expenditure that is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate.

Subd. 4. [BALLOT QUESTION.] A corporation ~~or limited liability company~~ may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. A corporation ~~or limited liability company~~ may

not make a contribution to a candidate for nomination, election, or appointment to a political office or to a committee organized wholly or partly to promote or defeat a candidate.

Subd. 5. [NEWS MEDIA.] This section does not prohibit publication or broadcasting of news items or editorial comments by the news media.

Subd. 6. [PENALTY FOR INDIVIDUALS.] An officer, manager, stockholder, member, partner, agent, employee, attorney, or other representative of a corporation ~~or limited liability company~~ acting in behalf of the corporation ~~or limited liability company~~ who violates this section may be fined not more than \$20,000 or be imprisoned for not more than five years, or both.

Subd. 7. [PENALTY FOR CORPORATIONS ~~OR LIMITED LIABILITY COMPANIES~~.] A corporation ~~or limited liability company~~ convicted of violating this section is subject to a fine not greater than \$40,000. A convicted domestic corporation ~~or limited liability company~~ may be dissolved as well as fined. If a foreign or nonresident corporation ~~or limited liability company~~ is convicted, in addition to being fined, its right to do business in this state may be declared forfeited.

Subd. 8. [PERMITTED ACTIVITY; POLITICAL PARTY.] It is not a violation of this section for a political party, as defined in section 200.02, subdivision 7, to form a nonprofit corporation for the sole purpose of holding real property to be used exclusively as the party's headquarters.

Subd. 9. [MEDIA PROJECTS.] It is not a violation of this section for a corporation ~~or limited liability company~~ to contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register, or vote if the projects are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 10. [MEETING FACILITIES.] It is not a violation of this section for a corporation ~~or limited liability company~~ to provide meeting facilities to a committee, political party, or candidate on a nondiscriminatory and nonpreferential basis.

Subd. 11. [MESSAGES ON PREMISES.] It is not a violation of this section for a corporation ~~or limited liability company~~ selling products or services to the public to post on its public premises messages that promote participation in precinct caucuses, voter registration, or elections if the messages are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 12. [REPORTS REQUIRED.] The total amount of an expenditure or contribution for any one project permitted by subdivisions 9 and 11 that is more than \$200, together with the date, purpose, and the names and addresses of the persons receiving the contribution or expenditures, must be reported to the secretary of state. The reports must be filed on forms provided by the secretary of state on the dates required for committees under section 211A.02. Failure to file is a misdemeanor.

Subd. 13. [AIDING VIOLATION; PENALTY.] An individual who aids, abets, or advises a violation of this section is guilty of a gross misdemeanor.

Subd. 14. [PROSECUTIONS; VENUE.] Violations of this section may be prosecuted in the county where the payment or contribution was made, where services were rendered, or where money was paid or distributed.

Subd. 15. [ADMINISTRATIVE COSTS.] (a) It is not a violation of this section for a corporation to advance up to \$10,000 in administrative costs to establish a political fund, but contributions to the fund must first be used to reimburse the corporation for those start-up costs before being used for any other purpose.

(b) It is not a violation of this section for a corporation to provide to a political fund reasonable administrative assistance including accounting and legal services, check printing, banking charges, payroll deduction services, time for its employees to solicit and respond to solicitation of contributions to the fund and to make contributions from the fund, employee and shareholder lists, meeting facilities, refreshments, communications facilities, office space, utilities, and supplies. Solicitations of contributions to the fund may be made no more than twice in any year.

Subd. 16. [POLITICAL CORPORATIONS.] The prohibitions in this section do not apply to a nonprofit corporation that:

(1) was formed for the express purpose of promoting political ideas and cannot engage in business activities;

(2) has no shareholders or other persons affiliated so as to have a claim on its assets or earnings; and

(3) was not established by a business corporation or a labor union and has a policy not to accept significant contributions from those entities.

Sec. 30. Minnesota Statutes 1992, section 290.06, subdivision 23, is amended to read:

Subd. 23. [REFUND OF CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to any political party. The maximum refund for an individual must not exceed \$50 and, for a married couple filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the party chair, after the contribution was received. A claim must be filed with the commissioner not sooner than January 1 of the calendar year in which the contribution is made and no later than April 15 of the calendar year following the calendar year in which the contribution is made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution is made must include interest at the rate specified in section 270.76.

(b) No refund is allowed under this subdivision for a contribution to any candidate unless the candidate:

(1) has signed an agreement to limit campaign expenditures as provided in section 10A.322 or 10A.43;

(2) is seeking an office for which voluntary spending limits are specified in section 10A.25 or 10A.43; and

(3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditure of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major or minor party" includes the aggregate of the party organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a congressional candidate as defined in section 10A.41, subdivision 4, or a candidate as defined in section 10A.01, subdivision 5, except a candidate for judicial office.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the ethical practices board by August 1 of each year a summary showing the total number and amount of political contribution refunds made on behalf of each candidate and each political party. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue.

Sec. 31. [APPROPRIATION.]

\$...... is appropriated from the general fund to the ethical practices board to pay matching subsidies for election campaigns as provided in this act, to be available until June 30, 1995.

Sec. 32. [TRANSITIONAL CONTRIBUTION LIMITS.]

Notwithstanding section 1, the first election cycle begins the day following final enactment and concludes on December 31 following the next general election for the respective offices listed in section 14, clauses (a) to (e).

Sec. 33. [EFFECTIVE DATE.]

Section 7 is effective the day following final enactment.

Amend the title as follows:

Page 1, line 5, after "prohibiting" insert "certain"

Page 1, line 11, after the first semicolon insert "requiring certain notices," and delete "reducing" and insert "changing"

Page 1, line 30, delete the first "subdivision" and insert "subdivisions 10b," and after the semicolon insert "10A.14, subdivision 2;"

Page 1, line 32, delete "a subdivision" and insert "subdivisions"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 177, A bill for an act relating to children; providing for a recognition of parentage with the force and effect of a paternity adjudication; providing for preparation and distribution of a recognition form and educational materials for paternity; appropriating money; amending Minnesota Statutes 1992, sections 144.215, subdivision 3; 257.54; 257.541; 257.55, subdivision 1; 257.57, subdivision 2; 257.74, subdivision 1; and 518.156, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 257.

Reported the same back with the following amendments:

Page 1, line 20, delete "7" and insert "9"

Page 2, lines 5, 7, and 33, delete "7" and insert "9"

Page 2, line 36, delete ", if the petition" and insert ". The"

Page 3, delete line 1

Page 4, lines 16, 20, and 22, delete "7" and insert "9"

Page 5, after line 11, insert:

"Sec. 6. Minnesota Statutes 1992, section 257.59, subdivision 3, is amended to read:

Subd. 3. The action may be brought in the county in which the child or the ~~alleged father~~ respondent resides or is found or, if the ~~father~~ respondent is deceased, in which proceedings for probate of ~~his~~ the respondent's estate have been or could be commenced.

Sec. 7. Minnesota Statutes 1992, section 257.73, subdivision 1, is amended to read:

Subdivision 1. Upon compliance with the provisions of section 257.55, subdivision 1, clause (e), section 9, or upon order of a court of this state or upon request of a court of another state, the local registrar of vital statistics shall prepare a new certificate of birth consistent with the acknowledgment or the findings of the court and shall substitute the new certificate for the original certificate of birth."

Page 5, line 18, delete "7" and insert "9"

Page 6, delete lines 24 to 32, and insert:

"Subd. 4. [ACTION TO VACATE RECOGNITION.] An action to vacate a recognition of paternity may be brought by the mother, father, or child. A mother or father must bring the action within one year of the execution of the recognition or within six months after discovery of evidence in support of the action, whichever is later. A child must bring an action to vacate within six months of discovery of evidence, in support of the action or within one year of reaching the age of majority, whichever is later. If the court finds a prima facie basis for vacating the recognition, the court shall order the child, mother, and father to submit to blood tests. If the court issues an order for the taking of blood tests, the court shall require the party seeking to vacate the recognition to make advance payment for the costs of the blood tests. If the party fails to pay for the costs of the blood tests, the court shall dismiss the action to vacate with prejudice. The court may also order the party seeking to vacate the recognition to pay the other party's reasonable attorney fees, costs, and disbursements. If the results of the blood tests establish that the man who executed the recognition is not the father, the court shall vacate the recognition. The court shall terminate the obligation of a party to pay ongoing child support based on the recognition. A modification of child support based on a recognition may be made retroactive with respect to any period during which the moving party has pending a motion to vacate the recognition but only from the date of service of notice of the motion on the responding party."

Page 8, lines 17 and 32, delete "7" and insert "9"

Page 8, line 36, delete "8" and insert "10" and delete "1995" and insert "1994"

Page 9, line 1, delete the first "7" and insert "9"

Renummer the sections in sequence

Amend the title as follows:

Page 1, line 6, after the first semicolon insert "clarifying venue in certain cases;"

Page 1, line 9, after the first semicolon insert "257.59, subdivision 3; 257.73, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 226, A bill for an act relating to health; clarifying the meaning of comprehensive health maintenance services; amending Minnesota Statutes 1992, section 62D.02, subdivision 7.

Reported the same back with the following amendments:

Page 1, line 11, before "ambulance" insert "emergency ground"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 255, A bill for an act relating to employees; providing for a wage protection program; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Page 1, line 23, delete "annually appropriated"

Page 2, line 1, after "made" insert "from the funds that are available under section 2 and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 256, A bill for an act relating to civil actions; limiting liability for certain injuries arising out of livestock activities; proposing coding for new law in Minnesota Statutes, chapter 604.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 297A.01, subdivision 3, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property other than manufactured homes used for residential purposes for a continuous period of 30 days or more, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing, or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing, or processing;

(c) The furnishing, preparing, or serving for a consideration of food, meals, or drinks. "Sale" does not include:

(1) meals or drinks served to patients, inmates, or persons residing at hospitals, sanitariums, nursing homes, senior citizens homes, and correctional, detention, and detoxification facilities;

(2) meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, agencies, or churches or pursuant to any program funded in whole or part through 42 USCA sections 3001 through 3045, wherever delivered, prepared or served; or

(3) meals and lunches served at public and private schools, universities, or colleges. Notwithstanding section 297A.25, subdivision 2, taxable food or meals include, but are not limited to, the following:

(i) heated food or drinks;

- (ii) sandwiches prepared by the retailer;
 - (iii) single sales of prepackaged ice cream or ice milk novelties prepared by the retailer;
 - (iv) hand-prepared or dispensed ice cream or ice milk products including cones, sundaes, and snow cones;
 - (v) soft drinks and other beverages prepared or served by the retailer;
 - (vi) gum;
 - (vii) ice;
 - (viii) all food sold in vending machines;
 - (ix) party trays prepared by the retailers; and
 - (x) all meals and single servings of packaged snack food, single cans or bottles of pop, sold in restaurants and bars;
- (d) The granting of the privilege of admission to places of amusement, recreational areas, or athletic events, except a world championship football game sponsored by the national football league, and the privilege of having access to and the use of amusement devices, tanning facilities, reducing salons, steam baths, turkish baths, health clubs, and spas or athletic facilities;
- (e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;
- (f) The furnishing for a consideration of electricity, gas, water, or steam for use or consumption within this state, or local exchange telephone service, intrastate toll service, and interstate toll service, if that service originates from and is charged to a telephone located in this state. Telephone service includes paging services and private communication service, as defined in United States Code, title 26, section 4252(d), except for private communication service purchased by an agent acting on behalf of the state lottery. The furnishing for a consideration of access to telephone services by a hotel to its guests is a sale under this clause. Sales by municipal corporations in a proprietary capacity are included in the provisions of this clause. The furnishing of water and sewer services for residential use shall not be considered a sale. The sale of natural gas to be used as a fuel in vehicles propelled by natural gas shall not be considered a sale for the purposes of this section;
- (g) The furnishing for a consideration of cable television services, including charges for basic monthly service, charges for monthly premium service, and charges for any other similar television services;
- ~~(h) Notwithstanding subdivision 4, and section 297A.25, subdivision 9, the sales of horses including claiming sales and fees paid for breeding a stallion to a mare. This clause applies to sales and fees with respect to a horse to be used for racing whose birth has been recorded by the Jockey Club or the United States Trotting Association or the American Quarter Horse Association;~~
- (+) The furnishing for a consideration of parking services, whether on a contractual, hourly, or other periodic basis, except for parking at a meter;
- (+) (i) The furnishing for a consideration of services listed in this paragraph:
- (i) laundry and dry cleaning services including cleaning, pressing, repairing, altering, and storing clothes, linen services and supply, cleaning and blocking hats, and carpet, drapery, upholstery, and industrial cleaning. Laundry and dry cleaning services do not include services provided by coin operated facilities operated by the customer;
 - (ii) motor vehicle washing, waxing, and cleaning services, including services provided by coin-operated facilities operated by the customer, and rustproofing, undercoating, and towing of motor vehicles;
 - (iii) building and residential cleaning, maintenance, and disinfecting and exterminating services;

(iv) services provided by detective agencies, security services, burglar, fire alarm, and armored car services not including services performed within the jurisdiction they serve by off-duty licensed peace officers as defined in section 626.84, subdivision 1;

(v) pet grooming services;

(vi) lawn care, fertilizing, mowing, spraying and sprigging services; garden planting and maintenance; arborist services; tree, bush, and shrub pruning, bracing, spraying, and surgery; and tree trimming for public utility lines. Services performed under a construction contract for the installation of shrubbery, plants, sod, trees, bushes, and similar items are not taxable;

(vii) solid waste collection and disposal services as described in section 297A.45;

(viii) massages, except when provided by a licensed health care facility or professional or upon written referral from a licensed health care facility or professional for treatment of illness, injury, or disease; and

(ix) the furnishing for consideration of lodging, board and care services for animals in kennels and other similar arrangements, but excluding veterinary and horse boarding services.

The services listed in this paragraph are taxable under section 297A.02 if the service is performed wholly within Minnesota or if the service is performed partly within and partly without Minnesota and the greater proportion of the service is performed in Minnesota, based on the cost of performance. In applying the provisions of this chapter, the terms "tangible personal property" and "sales at retail" include taxable services and the provision of taxable services, unless specifically provided otherwise. Services performed by an employee for an employer are not taxable under this paragraph. Services performed by a partnership or association for another partnership or association are not taxable under this paragraph if one of the entities owns or controls more than 80 percent of the voting power of the equity interest in the other entity. Services performed between members of an affiliated group of corporations are not taxable. For purposes of this section, "affiliated group of corporations" includes those entities that would be classified as a member of an affiliated group under United States Code, title 26, section 1504, and who are eligible to file a consolidated tax return for federal income tax purposes;

~~(k)~~ (j) A "sale" and a "purchase" includes the transfer of computer software, meaning information and directions that dictate the function performed by data processing equipment. A "sale" and a "purchase" does not include the design, development, writing, translation, fabrication, lease, or transfer for a consideration of title or possession of a custom computer program; and

~~(l)~~ (k) The granting of membership in a club, association, or other organization if:

(1) the club, association, or other organization makes available for the use of its members sports and athletic facilities (without regard to whether a separate charge is assessed for use of the facilities); and

(2) use of the sports and athletic facilities is not made available to the general public on the same basis as it is made available to members.

Granting of membership includes both one-time initiation fees and periodic membership dues. Sports and athletic facilities include golf courses, tennis, racquetball, handball and squash courts, basketball and volleyball facilities, running tracks, exercise equipment, swimming pools, and other similar athletic or sports facilities. The provisions of this paragraph do not apply to camps or other recreation facilities owned and operated by an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1986, for educational and social activities for young people primarily age 18 and under.

Sec. 2. Minnesota Statutes 1992, section 297A.25, subdivision 11, is amended to read:

Subd. 11. [SALES TO GOVERNMENT.] The gross receipts from all sales, including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement under section 465.71, of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities, the University of Minnesota, state universities, community colleges, technical colleges, state academies, the Minnesota center for arts education, and school districts are exempt.

As used in this subdivision, "school districts" means public school entities and districts of every kind and nature organized under the laws of the state of Minnesota, including, without limitation, school districts, intermediate school districts, education districts, educational cooperative service units, secondary vocational cooperative centers, special education cooperatives, joint purchasing cooperatives, telecommunication cooperatives, regional management information centers, technical colleges, joint vocational technical districts, and any instrumentality of a school district, as defined in section 471.59.

Sales exempted by this subdivision include sales under section 297A.01, subdivision 3, paragraph (f), but do not include sales under section 297A.01, subdivision 3, paragraph (f) (i), clause (vii). Sales to hospitals and nursing homes owned and operated by political subdivisions of the state are exempt under this subdivision. The sales to and exclusively for the use of libraries, as defined in section 134.001, of books, periodicals, audio-visual materials and equipment, photocopiers for use by the public, and all cataloging and circulation equipment, and cataloging and circulation software for library use are exempt under this subdivision. Sales of supplies and equipment used in the operation of an ambulance service owned and operated by a political subdivision of the state are exempt under this subdivision provided that the supplies and equipment are used in the course of providing medical care; motor vehicle parts are not exempt under this provision.

This exemption shall not apply to building, construction or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities.

This exemption does not apply to the leasing of a motor vehicle as defined in section 297B.01, subdivision 5, except for leases entered into by the United States or its agencies or instrumentalities. The tax imposed on sales to political subdivisions of the state under this section applies to all political subdivisions other than those explicitly exempted under this subdivision, notwithstanding section 115A.69, subdivision 6, 116A.25, 360.035, 458A.09, 458A.30, 458D.23, 469.101, subdivision 2, 469.127, 473.394, 473.448, 473.545, or 473.608 or any other law to the contrary enacted before 1992.

Sec. 3. Minnesota Statutes 1992, section 297A.25, subdivision 16, is amended to read:

Subd. 16. [SALES TO NONPROFIT GROUPS.] The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes if the property purchased is to be used in the performance of charitable, religious, or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation, and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders, are exempt. Sales exempted by this subdivision include sales pursuant to section 297A.01, subdivision 3, paragraphs (d) and (f), but do not include sales under section 297A.01, subdivision 3, paragraph (f) (i), clause (vii). This exemption shall not apply to building, construction, or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility. This exemption does not apply to construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities. This exemption does not apply to the leasing of a motor vehicle as defined in section 297B.01, subdivision 5.

Sec. 4. Minnesota Statutes 1992, section 297A.25, is amended by adding a subdivision to read:

Subd. 52. [HORSES.] The gross receipts from the sale of horses are exempt.

Sec. 5. Minnesota Statutes 1992, section 297A.44, subdivision 1, is amended to read:

Subdivision 1. (a) Except as provided in paragraphs (b), (c), and (d), and subdivision 4, all revenues, including interest and penalties, derived from the excise and use taxes imposed by sections 297A.01 to 297A.44 shall be deposited by the commissioner in the state treasury and credited to the general fund.

(b) All excise and use taxes derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project, from and after the date on which a conditional commitment for a loan

guaranty for the project is made pursuant to section 41A.04, subdivision 3, shall be deposited in the Minnesota agricultural and economic account in the special revenue fund. The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account shall be reduced by any refunds and by the costs incurred by the department of revenue to administer and enforce the assessment and collection of the taxes.

(c) All revenues, including interest and penalties, derived from the excise and use taxes imposed on sales and purchases included in section 297A.01, subdivision 3, paragraphs (d) and ~~(k)~~ (k), clauses (1) and (2), must be deposited by the commissioner in the state treasury, and credited as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance must be credited to the general fund.

(d) The revenues, including interest and penalties, derived from the taxes imposed on solid waste collection services as described in section 297A.45, except for the tax imposed under section 297A.021, shall be deposited by the commissioner in the state treasury and credited to the general fund to be used for funding solid waste reduction and recycling programs."

Page 3, line 18, delete "This act" and insert "Sections 1 to 5 are effective for sales after June 30, 1993. Section 6"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "civil actions" and insert "livestock; exempting sales of horses from the sales tax"

Page 1, line 3, after the semicolon insert "amending Minnesota Statutes 1992, sections 297A.01, subdivision 3; 297A.25, subdivisions 11, 16, and by adding a subdivision; and 297A.44, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 342, A bill for an act relating to utilities; requiring application of residential electric rates to small volunteer fire departments by a certain cooperative electric association.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 385, A bill for an act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 21, delete "March" and insert "August"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 443, A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103G.625, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 373.40, subdivision 6; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.218; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 449.09; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivisions 6 and 7; 469.107, subdivision 1; 469.188; 471.191, subdivision 2; 471.1921; 471.24; 471.57, subdivision 1; 471.571, subdivision 2; 471.61, subdivisions 1 and 2a; 473.711, subdivision 2; 641.23; and Laws 1915, chapter 316, section 1, as amended; Laws 1933, chapter 423, section 2; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1943, chapter 196, section 6, as amended; chapter 367, section 1, as amended; chapter 510, section 1; Laws 1947, chapter 224, section 1; chapter 340, section 4; Laws 1949, chapter 215, section 2; chapter 252, section 1; chapter 668, section 1; Laws 1953, chapter 154, section 3; chapter 545, section 2; Laws 1957, chapter 213, section 1; chapter 629, section 1; Laws 1959, chapter 298, section 2; chapter 520, section 1; chapter 556, section 1, as amended; Laws 1961, chapter 30, section 1; chapter 80, section 1; chapter 81, section 1; chapter 82, section 1; chapter 119, section 1; chapter 151, section 1; chapter 209, section 4; chapter 276, section 1; chapter 317, section 1; chapter 352, section 1, as amended; chapter 439, section 1; chapter 616, section 1, subdivision 1; chapter 643, section 1; Laws 1961, Extra Session chapter 33, section 3; Laws 1963, chapter 29, section 1; chapter 56, section 1; chapter 103, section 1; chapter 228, section 1; chapter 603, section 1; Laws 1965, chapter 6, section 2, as amended; chapter 442, section 1; chapter 451, section 2; chapter 512, section 1, subdivision 1; chapter 527, section 1; chapter 617, section 1; Laws 1967, chapter 501, section 1; chapter 526, section 1, subdivision 3; chapter 542, section 1, subdivision 3; chapter 611, section 1; chapter 660, section 2, subdivision 2; chapter 758, section 1; Laws 1967, extra session chapter 47, sections 1, as amended, and 3, as amended; Laws 1969, chapter 192, section 1, as amended; chapter 534, section 2; chapter 538, section 6, as amended; chapter 602, section 1, subdivision 2; chapter 652, section 1; chapter 659, section 3; chapter 730, section 1; Laws 1971, chapter 168, section 1; chapter 326, section 17, subdivisions 1 and 2; chapter 356, section 2; chapter 404, section 1; chapter 424, section 1; chapter 443, section 4; chapter 515, section 1; chapter 573, sections 1, and 2, as amended; chapter 876, section 3; Laws 1973, chapter 81, section 1; chapter 445, section 1; Laws 1977, chapter 61, section 8; chapter 246, section 1, subdivision 1; Laws 1979, chapter 1, section 3; chapter 253, section 3; chapter 303, article 10, section 15, subdivision 2, as amended; Laws 1981, chapter 281, section 1; Laws 1984, chapter 380, section 1; chapter 502, article 13, section 8; Laws 1985, chapter 181, section 1; chapter 289, sections 1; 3; 5, subdivision 1; and 6; Laws 1986, chapter 392, section 1; chapter 399, article 1, section 1, as amended; Laws 1988, chapter 517, section 1; chapter 640, section 3; Laws 1989, chapter 245, section 1, as amended; Laws 1990, chapter 604, article 3, sections 59, subdivision 1; and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 4; 469.053, subdivision 4; 471.63, subdivision 2; and Laws 1971, chapter 168, section 2; and chapter 770; Laws 1974, chapter 209; Laws 1977, chapter 246, section 1, subdivision 2; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990, chapter 604, article 3, sections 50 and 55; Laws 1991, chapter 3, section 2, subdivision 3; chapter 291, article 4, section 21.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

COUNTY TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. [PURPOSE.]

The purpose of this act is to eliminate obsolete and redundant property tax levy limitations which affect numerous political subdivisions. The legislature intends only that the specific rate or amount limitation which is contained in

these provisions be stricken or repealed. The legislature does not intend that a political subdivision's authority to levy property taxes for any of these purposes be repealed or eliminated. It is the intention of the legislature that each political subdivision which is affected by this act be able to levy property taxes for the purposes cited in the provisions amended or repealed by this act, either under the authorities of these provisions as amended, or under its general powers. However, it is also the intention of the legislature not to increase, decrease, eliminate, or change in any way, the amount of an appropriation or spending limit by the provisions of this act, even though the language of this act may change the wording or method of calculation for an appropriation or spending limit.

Sec. 2. Minnesota Statutes 1992, section 18.022, subdivision 2, is amended to read:

Subd. 2. [COST.] ~~(a) To defray the cost of the activities under subdivision 1, The governing body of the political subdivision may levy a tax which, except when levied by a county, must not exceed 0.01596 percent of taxable market value in any year in excess of charter limitations, but not more than 50 cents per capita, except that the levy for the grasshopper control program under sections 18.0223 to 18.0227 is not subject to the 50 cents per capita limitation. The political subdivision may make the levy, where necessary, separate from the general levy.~~

~~(b) If, because of the prevalence of Dutch elm disease, the governing body of such a political subdivision is unable to defray the cost of control activities authorized by this section within the limits set by this subdivision, the limits set by this subdivision are increased to 0.03216 percent of taxable market value, but not more than one dollar per capita on the taxable property within the subdivision to defray the cost of the activities authorized under subdivision 1.~~

Sec. 3. Minnesota Statutes 1992, section 18.111, subdivision 1, is amended to read:

Subdivision 1. [LEVY LIMIT.] ~~An annual levy not to exceed 0.00798 percent of market value tax~~ may be levied for mosquito abatement purposes on all taxable property in any governmental unit undertaking mosquito abatement as provided in sections 18.041 to 18.161. The tax shall be certified, levied, and collected in the same manner as other taxes levied by the governmental unit.

Sec. 4. Minnesota Statutes 1992, section 174.27, is amended to read:

174.27 [PUBLIC EMPLOYER COMMUTER VAN PROGRAMS.]

Any statutory or home rule charter city, county, school district, independent board or agency may acquire or lease commuter vans, enter into contracts with another public or private employer to acquire or lease such vans, or purchase such a service for the use of its employees. The governing body of any such city, county, or school district may by resolution establish a commuter van revolving fund to be used to acquire or lease commuter vans for the use of its employees. Any payments out of the fund shall be repaid to the fund out of revenues derived from the use by the employees of the city, county, or school district, of the vans so purchased or leased. ~~For the purpose of establishing the fund any city, county, or school district is authorized to make a one-time levy not to exceed 0.00242 percent of taxable market value in excess of all taxing limitations without affecting the amount or rate of taxes which may be levied by the city, county, or school district for other purposes or by any local governments in the area.~~ Any city, county, or school district which establishes a commuter van acquisition program or contracts for this service is authorized to levy a tax ~~not to exceed 0.00024 percent of taxable market value annually on all taxable property in the subdivision for the purpose of establishing a commuter van revolving fund and~~ of paying the administrative and promotional costs of the program which ~~shall~~ may be in excess of all charter taxing limitations. The governing body of any city, county, or school district may by resolution terminate the commuter van revolving fund and use the funds for other purposes authorized by law.

Sec. 5. Minnesota Statutes 1992, section 375.167, subdivision 1, is amended to read:

Subdivision 1. [APPROPRIATIONS.] Notwithstanding any contrary law, a county board may appropriate from the general revenue fund to any nonprofit corporation a sum not to exceed ~~an amount equal to a levy of 0.00604 percent of taxable market value to provide legal assistance to persons who are unable to afford private legal counsel.~~

Sec. 6. Minnesota Statutes 1992, section 375A.13, subdivision 2, is amended to read:

Subd. 2. [COMPENSATION; EXPENSES.] The members of the commission shall serve without compensation but may be reimbursed their necessary expenses in carrying out the business of the commission. The commission may employ and determine the compensation of such staff as it deems necessary. The necessary expenses of the

commission and the cost of printing the commission's report and recommendations shall be paid by the county if so ordered by the commission. The amount of reasonable and necessary commission expenses that shall be so paid by the county shall not exceed in any one year the sum of \$5,000 but the county board may authorize additional commission expenses as it deems necessary. The county board may levy a tax ~~in excess of tax limitations~~ annually on the taxable property in the county to pay such expenses.

Sec. 7. Minnesota Statutes 1992, section 469.053, subdivision 7, is amended to read:

Subd. 7. [COUNTY LEVY.] The county board of a county having a port authority city may make an appropriation for the use of the port authority and may levy the amount of the appropriation in its general revenue levy. ~~The levy for this appropriation is subject to the county's levy limits.~~

Sec. 8. [REPEALER.]

Minnesota Statutes 1992, section 373.40, subdivision 6; and Laws 1991, chapter 291, article 4, section 21, are repealed.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 2

CITY TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. Minnesota Statutes 1992, section 12.26, subdivision 2, is amended to read:

Subd. 2. To provide moneys for civil defense purposes authorized by this chapter, a political subdivision is empowered to levy a tax annually upon all taxable property in the political subdivision, except as provided in subdivision 4, ~~a tax in excess of and over and above all~~ charter taxing limitations in such amount as may be necessary to pay such expenditures. The total amount of a tax levied under authority of this section, except when levied by a county, shall not exceed 40 cents per capita based on the last federal regular or special census, except in a political subdivision in which such tax will not produce a total amount of \$1,000 in which event a tax sufficient to produce \$1,000 or so much thereof as may be necessary may be levied.

Sec. 2. Minnesota Statutes 1992, section 88.04, subdivision 3, is amended to read:

Subd. 3. All towns and cities shall take necessary precautions to prevent the starting and spreading of forest or prairie fires and to extinguish them. They may levy a tax ~~not more than 0.08059 percent of taxable market value~~ annually on all taxable property in the city or town. ~~The tax in any municipality shall not exceed \$3,000 in any year.~~ The tax when collected shall be known as the fire fund and kept separate from all other funds and used only to pay all necessary and incidental expenses incurred in enforcing the provisions of sections 88.03 to 88.21. Up to \$500 shall be expended in any one year from any such fire fund for the support of any municipal fire department. No municipality shall make any levy for its fire fund at any time when the fund contains \$5,000 or more, including cash on hand and uncollected taxes that are not delinquent.

Sec. 3. Minnesota Statutes 1992, section 103G.625, subdivision 3, is amended to read:

Subd. 3. [FUNDING.] (a) The governing body of a municipality or town may use any available funds and may levy a tax ~~not to exceed the lesser of (1) 0.01596 percent of taxable market value, or (2) 50 cents per capita,~~ on all taxable property in the municipality or town to implement this section.

(b) To provide funds in advance of collection of the tax levies, the governing body may, at any time after the tax has been levied and certified to the county auditor for collection, issue certificates of indebtedness in anticipation of the collection and payment of the tax. The total amount of the certificates, including principal and interest, may not exceed 90 percent of the amount of the levy and must become payable from the proceeds of the levy not later than two years from the date of issuance. The certificates shall be issued on terms and conditions as the governing body may determine and sold as provided in section 475.60.

(c) If the governing body determines that an emergency exists, it may make appropriations from the proceeds of the certificates for authorized purposes without complying with statutory or charter provisions requiring that expenditures be based on a prior budget authorization or other budgeting requirement.

(d) The proceeds of a tax levied or an issue of certificates of indebtedness must be deposited in a separate fund and expended only for purposes authorized by this section. If a disbursement is not made from the fund for a period of five years, money remaining in the fund may be transferred to the general fund.

Sec. 4. Minnesota Statutes 1992, section 138.053, is amended to read:

138.053 [COUNTY HISTORICAL SOCIETY; TAX LEVY; CITIES OR TOWNS.]

The governing body of any home rule charter or statutory city or town excepting cities of the first class may annually appropriate annually an amount from its general fund of an amount not to exceed ~~the amount raised by a levy of 0.02418 percent of taxable market value, derived from ad valorem taxes on property or other revenues,~~ to be paid to the historical society of its respective county to be used for the promotion of historical work and to aid in defraying the expenses of carrying on the historical work in the county. No city or town may appropriate any funds for the benefit of any historical society unless the society is affiliated with and approved by the Minnesota historical society.

Sec. 5. Minnesota Statutes 1992, section 193.145, subdivision 2, is amended to read:

Subd. 2. [TAX LEVY, LIMITATION.] A county or municipality in which an armory has been constructed or is to be constructed hereunder may by resolution of its governing body irrevocably provide for levying and collecting annually for a specified period, not exceeding 40 years, a tax ~~which, unless levied by a county, shall not exceed 0.00798 percent of taxable market value~~ on the taxable property in the county or municipality.

The proceeds of the levy shall be paid to the corporation for the purposes herein prescribed. The county or municipality may make the levies and payments and bind itself thereto by resolution of its governing body. The provisions of the resolution may be made conditional upon the giving of an agreement by the adjutant general as authorized in subdivision 4. The obligations of the county or municipality to levy, collect, and pay over the taxes shall not be deemed to constitute an indebtedness of the county or municipality within the meaning of any provision of law or of its charter limiting its total or net indebtedness, and such taxes may be levied and collected without regard to any ~~statutory or~~ charter provision limiting the amount or rate of taxes which such county or municipality is otherwise authorized to levy.

Sec. 6. Minnesota Statutes 1992, section 268A.06, subdivision 2, is amended to read:

Subd. 2. [FUNDING.] In order to provide the necessary funds for extended employment programs offered by a rehabilitation facility, the governing body of any city, town, or county may expend money which may be available for such purposes in the general fund, and may levy a tax ~~which, except when levied by a county, shall not exceed in any one year the following amounts per capita of the population, based upon the last federal census: Cities of the first class, not to exceed ten cents per capita; cities of other than the first class, and towns, not to exceed 30 cents per capita~~ on the taxable property in the city, town, or county. Any city, town, county, or nonprofit corporation may accept gifts or grants from any source for the rehabilitation facility. Any money appropriated, taxed, or received as a gift or grant may be used to match funds available on a matching basis.

Sec. 7. Minnesota Statutes 1992, section 398.16, is amended to read:

398.16 [TAX LEVY, BUDGET.]

The park district board, as soon after organization as practicable and on or before the first day of July of each year thereafter, shall prepare a detailed budget of its proposed expenditures during the next fiscal year, other than those to be met by bond issues or by revenues described in section 398.17 and section 398.09, paragraph (d), which budgets shall in no year exceed 18 cents per person in the district as determined by the last federal decennial census. But no such assessment shall be made upon the people or property of a city of the first class.

As soon after organization as practicable, and on the first day of July each year thereafter, the park district board shall certify to the governing body of each township, town or city included in the district, the budget adopted pursuant to this section, together with a statement of the proportion of the budget to be provided by such

governmental subdivision. The budget shall be apportioned among such subdivisions within the district in the same proportion as their respective populations bear to the total population of the district, population figures to be based on the last federal decennial census.

For the purpose of this section the governing body of any city means that board, council, commission or officer authorized by law or charter to levy taxes for park and recreation purposes and the governing body of each unorganized township means the county board. It shall be the duty of each such governing body in the district to provide the funds necessary to meet its proportionate share of such budget, such funds to be raised by tax levies or other means within the authority of said governing bodies, and to pay the same over to the treasurer of the district in such amounts and at such times as may fairly be required by the park district board.

Any such governing body is hereby authorized to levy annually upon all taxable property within its boundaries a tax at the rate necessary to raise, at 98 percent collection, its proportionate share of the park district's budget, which tax, except in the case of cities of the first class, may be levied in excess of and over and above all ~~other~~ charter tax limitations.

All moneys received from said levies shall be turned over by the county treasurer collecting the same to the treasurer of the park district. All moneys received by the park district shall be used to carry out the powers and duties imposed on the park district board by this chapter and shall not be subject to review or reduction by other boards, commissions or councils.

If the governing body of any subdivision fails before October 1 of any year to pay its proportionate share of the park district budget for the next fiscal year or to certify to the county auditor a tax levy specifically designated for said purpose, the park district board shall certify to the county auditor of each county in which such governmental subdivision is located such amount of taxes as is deemed necessary to raise such subdivision's proportionate share of the budget, for collection with and as a part of other taxes on taxable property within such subdivision, which tax, may be levied in excess of and over and above all other tax limitations.

The park district board may by resolution, submit to the electors of the park district at a general or primary state election the question of raising the limit on the park district's budget from 18 cents to not to exceed 35 cents per person in the district. Any resolution providing for an election on raising the budgetary limit shall specify the proposed additional amount per person in the district to be authorized and the number of consecutive years such increase in the limit shall be effective. The resolution shall be certified to the county auditor of each county wherein lies any part of the territory of the district, and the county auditor or auditors shall cause the same to be submitted to the electors residing within such territory at the next ensuing general or primary election on a ballot setting forth the proposed additional amount per person and the number of years such increase shall be effective as provided in the resolution, and shall forward the official returns of the judges of election in the precincts voting on such ballot to the park district board for canvass, and the increase shall be authorized if approved by a majority of the electors of the district voting on such ballot.

The board may borrow money in anticipation of the collection of all taxes levied in its behalf and issue the negotiable notes of the district in an amount not in excess of 90 percent of the amount so levied which has not been received by the district at the time of the borrowing. Such notes shall mature not later than March 1 of the year following the year in which the tax levies are to be collected and shall be payable primarily from the proceeds of the levies anticipated thereby, but the full faith and credit of the district shall be pledged to the payment of the notes, and if such levies are not sufficient to pay all principal due and interest accrued thereon the park district board shall levy for the repayment of the principal and interest on such notes and ad valorem tax in the next ensuing year and for so long thereafter as may be necessary upon all of the taxable property within its corporate limits, which levy may be made without limitation as to rate or amount ~~and shall not be included in applying statutory limitations to other tax levies.~~

Sec. 8. Minnesota Statutes 1992, section 410.06, is amended to read:

410.06 [COMPENSATION; EXPENSES.]

The members of such commission shall receive no compensation, but the commission may employ an attorney and other personnel to assist in framing such charter, and any amendment or revision thereof, and the reasonable compensation and the cost of printing such charter, or any amendment or revision thereof, when so directed by the commission, shall be paid by such city. The amount of reasonable and necessary charter commission expenses that shall be so paid by the city shall not exceed in any one year the sum of \$10,000 for a first class city and \$1,500 for any

other city; but the council may authorize such additional charter commission expenses as it deems necessary. Other statutory and charter provisions requiring budgeting of, or limiting, expenditures do not apply to charter commission expenses. The council may levy a tax in excess of ~~statutory or~~ charter tax limitations to pay such expenses.

Sec. 9. Minnesota Statutes 1992, section 450.19, is amended to read:

450.19 [TOURIST CAMPING GROUNDS.]

A home rule charter or statutory city or town may establish and maintain public tourist camping grounds. The governing body thereof may acquire by lease, purchase, or gift, suitable lands located either within or without the corporate limits for use as public tourist camping grounds and provide for the equipment, operation, and maintenance of the same. The amount that may be expended for the maintenance, improvement, or operation of tourist camping grounds shall not exceed, in any year, a sum equal to ~~the amount raised by a tax of 0.00806 percent of taxable market value.~~

Sec. 10. Minnesota Statutes 1992, section 459.06, subdivision 1, is amended to read:

Subdivision 1. [ACCEPT DONATIONS.] Any county, city, or town may by resolution of its governing body accept donations of land that the governing body deems to be better adapted for the production of timber and wood than for any other purpose, for a forest, and may manage it on forestry principles. The donor of not less than 100 acres of any such land shall be entitled to have the land perpetually bear the donor's name. The governing body of any city or town, when funds are available or have been levied therefor, may, when authorized by a majority vote by ballot of the voters voting at any general or special city election or town meeting where the question is properly submitted, purchase or obtain by condemnation proceedings, and preferably at the sources of streams, any tract of land for a forest which is better adapted for the production of timber and wood than for any other purpose, and which is conveniently located for the purpose, and manage it on forestry principles. The selection of the lands and the plan of management must be approved by the director of lands and forestry. The city or town may annually levy a tax ~~not exceeding 0.04030 percent of~~ on all taxable market value property within its boundaries to procure and maintain such forests.

Sec. 11. Minnesota Statutes 1992, section 459.14, subdivision 2, is amended to read:

Subd. 2. [FINANCING.] The municipality may pay for any portion of the cost of providing automobile parking facilities by:

- (1) appropriating money as authorized in subdivision 1;
- (2) ~~levying a tax, not exceeding 0.00403 percent of~~ on the taxable market value property within the municipality;
- (3) levying special assessments against benefited property;
- (4) appropriating any or all net revenues derived from the operation of its parking facilities;
- (5) classifying the users of the facilities as a subject for taxation, and imposing taxes thereon computed according to the extent of use of the facilities;
- (6) imposing reasonable rates, rents, fees, and charges for the use of any on-street or off-street parking privilege or facility, which may be in excess of actual cost of operation, maintenance, regulation, and supervision of parking at the particular location where the privilege is exercised;
- (7) leasing any off-street facilities at specified or determinable rents to be paid to the municipality under a lease made as provided in subdivision 4;
- (8) borrowing money and issuing bonds as authorized and limited by subdivision 3; or
- (9) any combination of the foregoing.

Sec. 12. Minnesota Statutes 1992, section 471.191, subdivision 2, is amended to read:

Subd. 2. Any such city may issue bonds pursuant to chapter 475, for the acquisition and betterment of land, buildings, and facilities for the purpose of carrying out the powers granted by this section. Such bonds, unless authorized as general obligations of the issuer pursuant to approval of the electors or pursuant to another law or charter provision permitting such issuance without an election, shall be payable solely from the income of land, buildings, and facilities used or useful for the operation of the program, but may be secured by a pledge to the bondholders, or to a trustee, of all income and revenues of whatsoever nature derived from any such land, buildings, and facilities, as a first charge on the gross revenues thereof to the extent necessary to pay the bonds and interest thereon when due and to accumulate and maintain an additional reserve for that purpose in an amount equal to the total amount of payments to become due in any fiscal year. In this event the governing body of the issuer may by resolution or trust indenture define the land, buildings, or facilities, the revenues of which are pledged, and establish covenants and agreements to be made by the issuer for the security of the bonds, including a covenant that the issuer will establish, maintain, revise when necessary, and collect charges for all services, products, use, and occupancy of the land, buildings, and facilities, in the amounts and at the times required to produce the revenues pledged, and also sufficient, with any other funds appropriated by the governing body from time to time, to provide adequately for the operation and maintenance of the land, buildings, and facilities. After the issuance of any bonds for which revenues are so pledged, the governing body of the issuer shall provide in its budget each year for any anticipated deficiency in the revenues available for such operation and maintenance. For this purpose any issuer ~~other than a city of the first class~~ may levy a tax of not more than ~~0.01612~~ percent of on the taxable market value property within its boundaries, in excess of taxes which may otherwise be levied within legal and charter limitations, provided the excess levy for a city subject to a charter limitation is approved by a majority of its electors voting on the question at a regular or special election. The authority to levy additional taxes granted herein shall not apply to cities or towns in which the net tax capacity consists in part of iron ore or lands containing taconite or semitaconite.

Sec. 13. Minnesota Statutes 1992, section 471.57, subdivision 1, is amended to read:

Subdivision 1. [TAX LEVY.] The council of any city, however organized, may establish by ordinance a public works reserve fund and may annually levy taxes within existing charter limits for the support of such fund. It may, by the ordinance establishing the fund, designate a specific capital improvement or a type of capital improvement for which the fund is to be used. The proceeds of taxes levied for its support shall be paid into the public works reserve fund. There may be paid into such fund any other revenue not required by statute or charter to be paid into some other fund or used for purposes other than those provided in this section for the use of the public works reserve fund.

Sec. 14. Minnesota Statutes 1992, section 471.61, subdivision 1, is amended to read:

Subdivision 1. [OFFICERS, EMPLOYEES.] A county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, other than the state or any department of the state, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their officers and employees, and their dependents, or any class or classes of officers, employees, or dependents, under a policy or policies or contract or contracts of group insurance or benefits covering life, health, and accident, in the case of employees, and medical and surgical benefits and hospitalization insurance or benefits for both employees and dependents or dependents of an employee whose death was due to causes arising out of and in the course of employment, or any one or more of those forms of insurance or protection. A governmental unit, including county extension committees and those paying their employees, may pay all or any part of the premiums or charges on the insurance or protection. A payment is deemed to be additional compensation paid to the officers or employees, but for purposes of determining contributions or benefits under a public pension or retirement system it is not deemed to be additional compensation. One or more governmental units may determine that a person is an officer or employee if the person receives income from the governmental subdivisions without regard to the manner of election or appointment, including but not limited to employees of county historical societies that receive funding from the county. The appropriate officer of the governmental unit, or those disbursing county extension funds, shall deduct from the salary or wages of each officer and employee who elects to become insured or so protected, on the officer's or employee's written order, all or part of the officer's or employee's share of premiums or charges and remit the share or portion to the insurer or company issuing the policy or contract.

A governmental unit, other than a school district, that pays all or part of the premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary money for the payment of the premiums or charges, and the sums levied and appropriated are not, in the event the sum exceeds the maximum sum allowed by any law or the charter of a municipal corporation, considered part of the cost

of government of the governmental unit as defined in any tax levy or per-capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents must be contributed by the employee or be paid by levies within existing per-capita charter tax limitations.

The word "dependents" as used in this subdivision means spouse and minor unmarried children under the age of 18 years actually dependent upon the employee.

Sec. 15. Minnesota Statutes 1992, section 471.61, subdivision 2a, is amended to read:

Subd. 2a. [RETIRED OFFICERS, EMPLOYEES.] Any county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, including the state or any department thereof, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their retired officers and retired employees entitled to benefits under any public employees retirement act and their dependents, or any class or classes thereof, under a policy or policies, or contract or contracts of group insurance or benefits covering life, health, and accident, medical and surgical benefits, or hospitalization insurance or benefits, for retired officers and retired employees and their dependents, or any one or more of such forms of insurance or protection. Any such governmental unit, including county extension committees, may pay all or any part of the premiums or charges on such insurance or protection or may require the retired officer or employee to pay all or part of the premiums or charges. Any one or more of such governmental units may determine that a person is a retired officer or a retired employee if such officer or employee, when employed, received income from such governmental subdivisions without regard to the manner of election or appointment. The appropriate officer of such governmental unit, or those disbursing county extension funds, shall collect from each such retired officer and retired employee who elects to become insured or so protected, on such officer's or employee's written order, all or part of the retired officer's or retired employee's share of such premiums or charges and remit the same to the insurer or company issuing such policy or contract. An insurer, health maintenance organization, or company issuing the policy or contract may not require a public employer to contribute any portion of the retired officer's or employee's share as a condition of eligibility for the insurance or protection. An insurer, health maintenance organization, or company issuing the policy or contract may require a retired officer or a retired employee to pay all or any part of the premiums or charges.

Any governmental unit, other than a school district, which pays all or any part of such premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary funds for the payment of such premiums or charges, and such sums so levied and appropriated shall not, in the event such sum exceeds the maximum sum allowed by ~~any law or~~ the charter of a municipal corporation, be considered part of the cost of government of such governmental unit as defined in any tax levy or per-capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents shall be contributed by the retired officer or retired employee or be paid by levies within existing per-capita charter tax limitations.

The word "dependents" as used herein shall mean spouse and minor unmarried children under the age of 18 years actually dependent upon the retired officer or retired employee.

Sec. 16. [REPEALER.]

Minnesota Statutes 1992, sections 469.053, subdivision 6; 469.107, subdivision 1; 471.1921; and 471.63, subdivision 2, are repealed.

Sec. 17. [EFFECTIVE DATE.]

Sections 1 to 16 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 3

CHARTER CITY AND STATUTORY CITY TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. Minnesota Statutes 1992, section 412.251, is amended to read:

412.251 [ANNUAL TAX LEVY.]

The council shall make its annual tax levy by resolution. The following taxes may be levied as authorized:

- (1) a tax for the payment of principal and interest on outstanding obligations of the city as provided by sections 475.61, 475.73, and 475.74;
- (2) a tax for the payment of judgments as authorized by section 465.14;
- (3) a ~~maximum of 0.00805 percent of taxable market value but not to exceed \$500~~ tax to provide musical entertainment to the public in public buildings or on public grounds;
- (4) a tax for band purposes as authorized by section 449.09;
- (5) a tax for the support of a municipal forest, as authorized by section 459.06;
- (6) a tax for advertising purposes, as authorized by section 469.189;
- (7) a tax for forest fire protection in any city in a forest area, as authorized by section 88.04;
- (8) a ~~maximum of 0.04030 percent of taxable market value~~ tax for the utilities fund in any city whose utilities are under the jurisdiction of a public utilities commission. The tax shall be levied for the purpose of paying the cost of the utility service or other services supplied to the city;
- (9) a tax for the support of a public library, as authorized by section 134.07;
- (10) a tax for firefighters' relief association purposes as authorized by sections 69.772, subdivision 4, 69.773, subdivision 5, or other statutes; and
- (11) other special taxes authorized by law.

~~Nothing in this section shall be construed to reduce levies of any municipality below the per capita levy spread in 1970.~~

Sec. 2. Minnesota Statutes 1992, section 449.06, is amended to read:

449.06 [ENTERTAINMENT TAX IN CITIES OF THE FOURTH CLASS.]

The governing body of any city of the fourth class operating under a home rule charter of commission form of government may levy a tax ~~not exceeding 0.01209 percent of taxable market value~~ for the purpose of providing musical entertainments to the public in public buildings or upon public grounds. The total sum that may be levied ~~or~~ expended in any year shall not exceed \$3,500.

Sec. 3. Minnesota Statutes 1992, section 449.08, is amended to read:

449.08 [TAX LEVY FOR MUSICAL ENTERTAINMENTS IN CITIES OF THE THIRD CLASS.]

The council of any city of the third class may levy a tax ~~not exceeding 0.00806 percent of taxable market value~~ for the purpose of providing free musical entertainment for the general public. The proceeds of this tax shall be used only for the purpose of providing free musical entertainment for the public. The annual expenditure for this purpose is limited to \$3,000.

Sec. 4. Minnesota Statutes 1992, section 465.54, is amended to read:

465.54 [MAY PAY EXPENSES FROM GENERAL FUND OF STATUTORY CITY.]

The council of any statutory city may pay from the general fund of the municipality, for the purposes of section 469.186, expenses incurred by the governing officers in the performance of their official duties. Trips for lobbying purposes or trips to meetings or conventions not in connection with specific municipal projects pending before the officer making the trip are not authorized for payment under this section.

~~All expenditures for the purposes of this section shall be within the statutory limits upon tax levies in the statutory city.~~

Sec. 5. Minnesota Statutes 1992, section 469.188, is amended to read:

469.188 [TAX FOR ADVERTISING RESOURCES; CITIES OF SECOND OR THIRD CLASS.]

The governing body of any city of the second or third class in this state may levy a tax ~~not to exceed 0.00806 percent of taxable market value~~ for the purpose of advertising agricultural, industrial business, and all other resources of the community.

Sec. 6. Minnesota Statutes 1992, section 471.24, is amended to read:

471.24 [STATUTORY CITIES AND TOWNS MAY JOIN IN MAINTAINING CEMETERIES.]

Where a statutory city or town owns and maintains an established cemetery or burial ground, either within or without the municipal limits, the statutory city or town may, by mutual agreement with contiguous statutory cities and towns, each having a market value of not less than \$2,000,000, join together in the maintenance of such public cemetery or burial ground for the use of the inhabitants of each of such municipalities; and each such municipality is hereby authorized, by action of its council or governing body, to levy a tax or make an appropriation for the annual support and maintenance of such cemetery or burial ground; provided, the amount thus ~~levied or~~ appropriated by each municipality shall not exceed a total of \$10,000 in any one year.

Sec. 7. [REPEALER.]

Laws 1915, chapter 316, section 1, as amended by Laws 1917, chapter 426, section 1, is repealed.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 4

TOWN TAX LEVY LIMITATIONS OF GENERAL APPLICATION

Section 1. Minnesota Statutes 1992, section 164.04, subdivision 3, is amended to read:

Subd. 3. [EMERGENCIES.] In case of emergency after the town meeting, but not later than October 1 in the same year, the town board may levy a tax on the property in the town for road and bridge purposes, in addition to any tax voted at the annual town meeting for road and bridge purposes, ~~in an amount not to exceed 0.04028 percent of taxable market value.~~ Any tax so levied shall be certified to the county auditor for extension and collection. The town board may thereafter pledge the credit of the town by issuing town orders, not exceeding the amount of the additional tax so levied for road and bridge purposes, in payment for the emergency work done or material used on the roads within the town.

Sec. 2. Minnesota Statutes 1992, section 164.05, subdivision 1, is amended to read:

Subdivision 1. [POWERS.] In any town in which the voters authorize the town board to do so as provided in this section, the town board may levy a tax ~~not to exceed 0.08051 percent of taxable market value.~~ ~~The tax shall be known as the town road drainage tax.~~

Sec. 3. Minnesota Statutes 1992, section 237.35, is amended to read:

237.35 [TAX LEVY FOR CONSTRUCTION.]

When any town has authorized the construction, acquiring, operation, or maintenance of a telephone system, as set forth in sections 237.33 and 237.34, and determined the amount of money to be raised for that purpose, the town board of supervisors may levy a tax for the amount of money to be raised therefor. ~~The tax levy for that purpose shall not exceed 0.08051 percent of taxable market value.~~

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 5

TAX LEVY LIMITATIONS FOR PARTICULAR COUNTIES

Section 1. Minnesota Statutes 1992, section 383A.03, subdivision 4, is amended to read:

Subd. 4. [ICE ARENAS AND GALL'S GOLF COURSE.] Ramsey county may levy, annually, a tax ~~not to exceed 0.02418 percent of on all taxable market value property in the county~~ for the acquisition and construction of nine artificial ice arenas and a golf course, to pay the interest on the bonds as it accrues and to pay the principal thereof in full at maturity, and ~~not to exceed 0.01209 percent of taxable market value~~ to provide for the operation of these facilities. The board of county commissioners shall levy a tax for this purpose.

Sec. 2. Minnesota Statutes 1992, section 383A.411, subdivision 5, is amended to read:

Subd. 5. In substitution of, but not in addition to, powers granted to Ramsey county in subdivision 4, Ramsey county may levy and collect a tax, ~~not to exceed the lesser of \$5,000,000 or 0.04835 percent of on all taxable market value property in the county~~ to finance the construction, installation, modification, or improvement of heating, cooling, and domestic hot water systems serving buildings owned in whole or part, operated, or maintained by the county or Ramsey county medical center commission.

Sec. 3. Minnesota Statutes 1992, section 383B.245, is amended to read:

383B.245 [LIBRARY LEVY.]

The county board may also levy a tax ~~of not more than 0.01612 percent of market value on the taxable property~~ within the county outside of any city in which is situated a free public library of the city to acquire, better, and construct county library buildings and branches and to pay principal and interest on bonds issued for that purpose. ~~The levy of the tax shall not cause the amount of other taxes levied or to be levied by the county, which are subject to any limitation, to be reduced in any amount.~~

The county board may by resolution adopted by a five-sevenths vote issue and sell general obligation bonds of the county in the manner provided in sections 475.60 to 475.73. The bonds shall not be subject to the limitations of sections 475.51 to 475.59, but the maturity years and amounts and interest rates of each series of bonds shall be fixed so that the maximum amount of principal and interest to become due in any year, on the bonds of that series and of all outstanding series issued by or for the purposes of libraries, shall not exceed an amount equal to 0.01612 percent of market value of all taxable property in the county, which was not taxed in 1987 by any city for the support of any free public library, as last finally equalized before the issuance of the new series. When the tax levy authorized in this section is collected it shall be appropriated and credited to a debt service fund for the bonds in amounts required each year in lieu of a countywide tax levy for the debt service fund under section 475.61.

Sec. 4. Minnesota Statutes 1992, section 383C.42, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] To provide necessary funds to construct and maintain county or regional juvenile detention and/or treatment centers and to provide matching funds for any federal, state, or regional grant, the county boards of St. Louis, Carlton, Cook, Lake, Itasca, Koochiching, and Aitkin counties may levy, annually, a tax upon all taxable property in their respective counties ~~a tax that does not exceed 0.01209 percent of market value.~~

Sec. 5. Minnesota Statutes 1992, section 473.711, subdivision 2, is amended to read:

Subd. 2. The metropolitan mosquito control commission shall prepare an annual budget. The budget may provide for expenditures in an amount not exceeding the property tax levy limitation determined in this subdivision. The commission may levy a tax on all taxable property in the district as defined in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed the property tax levy limitation determined in this subdivision. A participating county may agree to levy an additional tax to be used by the commission for the purposes of sections 473.701 to 473.716 ~~but the sum of the county's and commission's taxes may not exceed the county's proportionate share of the property tax levy limitation determined under this subdivision based on the ratio~~

~~of its total net tax capacity to the total net tax capacity of the entire district as adjusted by section 270.12, subdivision 3. The auditor of each county in the district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions. No county shall levy any tax for mosquito, disease vectoring tick, and black gnat (Simuliidae) control except under sections 473.701 to 473.716. The levy shall be in addition to other taxes authorized by law.~~

The property tax levied by the metropolitan mosquito control commission shall not exceed ~~the following amount for the years specified:~~

~~(a) for taxes payable in 1988, the product of six tenths on one mill multiplied by the total assessed valuation of all taxable property located within the district as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;~~

~~(b) for taxes payable in 1989, the product of (1) the commission's property tax levy limitation for the taxes payable year 1988 determined under clause (a) multiplied by (2) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the district divided by the assessment year 1987 total market valuation of all taxable property located within the district;~~

~~(c) for taxes payable in 1990, 1991, and 1992, the product of (1) the commission's property tax levy limitation for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment year divided by the total market valuation of all taxable property located within the district for the previous assessment year;~~

~~(d) for taxes payable in 1993, the product of (1) the commission's certified property tax levy for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment year divided by the total market valuation of all taxable property located within the district for the previous assessment year; and~~

~~(e) for taxes payable in 1994 and subsequent years, the product of (1) the commission's property tax levy limitation for the previous year determined under this subdivision multiplied by (2) an index for market valuation changes equal to the total market valuation of all taxable property located within the district for the current assessment year divided by the total market valuation of all taxable property located within the district for the previous assessment year.~~

For the purpose of determining the commission's property tax levy limitation ~~for the taxes payable year 1988 and subsequent years~~ under this subdivision, "total market valuation" means the total market valuation of all taxable property within the district without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

Sec. 6. Laws 1943, chapter 367, section 1, as amended by Laws 1949, chapter 307, section 1, as amended by Laws 1961, chapter 307, section 1, is amended to read:

Section 1. [Tax levies in Todd county.] The county board of Todd county may levy taxes ~~of not to exceed four mills on a dollar of~~ the taxable property of said county, ~~exclusive of moneys and credits,~~ in addition to all tax levies now authorized by law, to defray county expenses for snow removal from town roads, payable out of the road and bridge fund.

Sec. 7. Laws 1943, chapter 510, section 1, is amended to read:

Section 1. [Annual tax levy for county agricultural societies in certain counties.] In addition to all other powers now or hereafter by law conferred on county boards, authority is hereby given to county boards in counties having not less than 18 or more than 20 townships, full or fractional, and an area of not less than 425,000 or more than 427,000 acres to annually levy a tax ~~of not to exceed one half of a mill~~ upon all property subject to taxation, and from time to time to appropriate and pay over the proceeds of said tax, when collected, to any county agricultural society of its county and other organizations of said county holding local fairs therein, which in the opinion of the county commissioners will use such money for the best interests of such county in advertising, improving or developing the agricultural resources of such county; provided the county board may make such rules and regulations for the expenditure of such funds as it may deem proper and may require any such organization to agree in writing to expend such funds in accordance with such rules and regulations before receiving the same.

Sec. 8. Laws 1947, chapter 340, section 4, is amended to read:

Sec. 4. [Taxes, how levied.] Taxes shall be levied by said board for the support of the poor, including allowances to mothers for the support of dependent children and for said hospital as follows: On or before the first day of October in each year said board shall determine, by separate resolutions duly passed, the amount of taxes to be levied for the ensuing year for the support of the poor, including allowances to mothers for the support of dependent children in such county, the maintenance of the poor house and other buildings provided for the care of the poor, including the erection of any building or the making of any improvements for such purpose, and for the care, support, maintenance and operation of said hospital, including the construction or repair of any buildings therefor. The adoption of such resolution shall constitute a levy on the taxable property in such county ~~to the full amount named therein, provided, however, that the tax so levied for said hospital purposes shall not exceed one mill upon the said taxable property in said county.~~ On or before the fifth day of October in each year said board shall file a certified copy of each of said resolutions with the county auditor of such county, who shall thereupon enter the amount upon the tax list, and thereafter proceed to the assessing and collecting of such tax in the same manner as village or corporation taxes. Such taxes when collected shall be placed in, or credited to the hospital fund and to the poor fund, respectively. All allowances to mothers for the support of dependent children in such counties shall henceforth be paid from the poor fund of such counties. Provided further, that in each of such counties the Board of Poor and Hospital Commissioners is hereby authorized and directed to levy against the taxable property in its county, by resolution as above provided, in the year 1931, in addition to other authorized levies, an amount equal to the aggregate sum paid to mothers for the support of dependent children from the revenue fund of such county during the years 1928, 1929, 1930 and 1931, said levy to provide that the collection thereof shall be equally spread over a period of three years and that the proceeds thereof, when collected, shall be, by the auditor of such county, transferred to the revenue fund of such county.

Sec. 9. Laws 1949, chapter 252, section 1, is amended to read:

Section 1. [Certain counties; limited tax levy for bridge construction.] In addition to all other levies now provided by law, and regardless of any limitations as to county indebtedness, in any county having less than 10,000 inhabitants according to the 1940 federal census, and having less than 20 full and fractional congressional townships, and having a land area of less than 500 square miles, the county board may include in its annual levy ~~not to exceed five mills an amount~~ for a bridge construction fund.

Sec. 10. Laws 1949, chapter 668, section 1, is amended to read:

Section 1. [Certain counties may levy a ~~three-mill tax~~; proceeds credit to county building sinking fund.] The Board of County Commissioners in all counties of this state having a land area of more than 380 and less than 400 square miles, and having a population of more than 20,000, according to the last Federal census, may hereafter annually levy a tax ~~not to exceed three mills~~ for the purpose of providing funds for the present or future construction or repairing of buildings used or to be used for the administration of the affairs of the county, and for the grounds therefor, and the purchase of necessary equipment to be used in connection therewith. The proceeds from any tax so levied shall be credited to a special fund to be known as the County Building Sinking Fund. Any money credited to such fund shall be used solely for the purposes provided for in this act.

Sec. 11. Laws 1953, chapter 154, section 3, is amended to read:

Sec. 3. [Tax levy, hospital.] In addition to all other taxes which the county is authorized by law to levy and collect, the county board of any such county may levy a tax ~~of not more than one mill on the dollar~~ of the taxable valuation of the county for the purpose of maintaining, equipping, repairing, and operating the hospital. The proceeds of this tax shall be set aside in a special fund, to be known as the county hospital fund. The monies in this fund shall be used for no other purpose than that authorized.

Sec. 12. Laws 1957, chapter 213, section 1, is amended to read:

Section 1. [County health nurse program, tax levy.] In any county containing over 75 and less than 80 full and fractional congressional townships, having an assessed valuation of over \$2,000,000 and less than \$5,000,000 and over 19,000 and less than 21,000 inhabitants according to the 1950 federal census, the county board, may levy annually a tax ~~of not to exceed 2 mills~~ on all the taxable property in the county, for the county health nurse program.

Sec. 13. Laws 1959, chapter 556, section 1, as amended by Laws 1963, chapter 343, section 1, is amended to read:

Section 1. [Red River Valley; development.] The board of county commissioners of the counties of Kittson, Roseau, Marshall, Polk, Red Lake, Norman, Becker, Clay, Lake of the Woods, Mahnomen, Wilkin, and Clearwater may annually levy a tax of in an amount not to exceed ~~one-fourth of one mill, in excess of existing limitations~~ 0.00604 percent of taxable market value, for the sole purpose of maintaining existing and new programs which develop and promote the natural resources of the counties of the Red River Basin of Minnesota. These tax moneys shall be provided to the "Minnesota Red River Valley Development Association" for allotment as appropriate.

Sec. 14. Laws 1961, chapter 151, section 1, is amended to read:

Section 1. [Otter Tail county, tax levy, state parks.] The county board of Otter Tail county may levy ~~not to exceed one mill~~ a tax on all the taxable property, real and personal, in Otter Tail county, and may appropriate and expend the proceeds thereof for the purpose of matching any appropriation made by the legislature for the acquisition of state park lands in Otter Tail county.

Sec. 15. Laws 1961, chapter 209, section 4, is amended to read:

Sec. 4. [Tax levy authorized.] The board of county commissioners of Anoka county are hereby authorized to levy a tax ~~not to exceed two mills on the dollar of the assessed valuation of~~ on all taxable property in the county to carry out the provisions of this act.

Sec. 16. Laws 1961, chapter 352, section 1, as amended by Laws 1963, chapter 287, section 1, is amended to read:

Section 1. [Library tax levy, Scott and Dakota counties.] The county boards of Dakota and Scott counties may levy, in addition to the library operating fund, a tax ~~of not more than one mill~~, over the area in the respective counties served by the county library system for the acquisition and maintenance of library buildings, library operation, and library services.

~~The levy of such tax shall not cause the amount of other taxes levied, or to be levied by the respective counties, which are subject to any limitation, to be reduced in any amount whatsoever.~~

Sec. 17. Laws 1963, chapter 603, section 1, is amended to read:

Section 1. [Itasca county; garbage disposal.] The county board of Itasca county may provide for and regulate the disposal of garbage, and other refuse in unorganized townships, and do all things necessary to acquire dump sites and provide for their maintenance, either by contract or by such county agency as they may elect. The county board of Itasca county may levy taxes ~~not to exceed two mills~~ upon all the taxable property of the unorganized township or townships affected for the purposes of this section.

Sec. 18. Laws 1965, chapter 442, section 1, is amended to read:

Section 1. [Wadena county; courthouse.] The county board of Wadena county may levy annually a tax ~~of not to exceed eight mills on the dollar of~~ all taxable property in the county for a building fund for a new courthouse building. The levy of such tax shall be made at the same time as the levy for general purposes of the county are made. ~~The levy authorized herein is over and above and in excess of any per capita mill or other taxing limitation upon said county.~~

Sec. 19. Laws 1965, chapter 512, section 1, subdivision 1, is amended to read:

Subdivision 1. The board of county commissioners of Crow Wing county may levy a tax for town purposes ~~not exceeding 10 mills on the dollar of~~ taxable valuation of all the real and personal property in the unorganized townships of said county, ~~exclusive of money and credits.~~

Sec. 20. Laws 1967, chapter 501, section 1, is amended to read:

Section 1. [St. Louis county; health department; tax levy.] Notwithstanding the provisions of Minnesota Statutes, Section 145.51, Subdivision 1, to the contrary, in St. Louis county there may be levied for the purposes of Minnesota Statutes, Sections 145.47 to 145.54, ~~an amount not to exceed 2.5 mills a tax on the dollar of~~ the taxable valuation of the county.

Sec. 21. Laws 1967, chapter 526, section 1, subdivision 3, is amended to read:

Subd. 3. The county board may annually levy upon all taxable property within the county a tax sufficient to yield ~~not more than \$2,500~~ for the purpose of implementing the provisions of this act. The taxing authority conferred by this subdivision is in addition to that conferred by any other law.

Sec. 22. Laws 1967, chapter 542, section 1, subdivision 3, is amended to read:

Subd. 3. Each year the board of commissioners may levy a tax on all taxable property in the county to provide funds for the purpose specified in subdivision 1. ~~Such tax shall not exceed one mill in any year.~~

Sec. 23. Laws 1967, chapter 611, section 1, is amended to read:

Section 1. [Aitkin county; advertising; tax levy.] The county board of Aitkin county may levy a tax ~~not to exceed one mill~~ on the ~~dollar of the~~ taxable valuation of the county to be expended for the purpose of advertising and promoting the county and its resources and advantages for tourist, agricultural, and industrial development. Such advertisements or promotions may include preparation of materials or employment of staff for this purpose. The county may accept gifts for such purpose and may contract with municipalities and towns within the county in joint advertising and promotional programs.

Sec. 24. Laws 1969, chapter 652, section 1, is amended to read:

Section 1. [Big Stone county; nurse; tax levy.] The county board of Big Stone county may levy a tax ~~not to exceed five mills~~ on the ~~dollar of the~~ taxable valuation of the county for county health nurse budget purposes.

Sec. 25. Laws 1971, chapter 404, section 1, is amended to read:

Section 1. [NORMAN COUNTY; NURSE; TAX LEVY.] The county board of Norman county may levy a tax ~~not to exceed two mills~~ on the ~~dollar of the~~ taxable valuation of the county for county health nurse budget purposes.

Sec. 26. Laws 1971, chapter 424, section 1, is amended to read:

Section 1. [COOK AND LAKE COUNTIES; HEALTH DEPARTMENT TAX LEVY.] Notwithstanding the provisions of Minnesota Statutes, Section 145.51, the board of commissioners of Cook and Lake counties shall have authority to levy a tax ~~in an amount not to exceed six mills against~~ on all of the taxable property of said counties for the purposes set forth in Minnesota Statutes, Sections 145.47 to 145.54.

Sec. 27. Laws 1979, chapter 253, section 3, is amended to read:

Sec. 3. The counties of Lac Qui Parle, Yellow Medicine, Redwood, Lincoln, Lyon, Pipestone, Murray, Cottonwood, Blue Earth and Brown which are members of the southern Minnesota river basin area II management board, established by a joint powers agreement in accordance with section 471.59, may levy an ad valorem tax ~~not to exceed one fourth of one mill on each dollar of assessed valuation of~~ on all taxable property within the county. ~~This levy is not subject to levy limitations including those contained in sections 275.50 to 275.56, commencing with the levy made in 1979, payable in 1980.~~ The proceeds of this levy may be used to provide financial assistance to local governmental units for purposes of sections 104.42 to 104.50 for an amount not to exceed 12.5 percent of the total cost of the project which is of common benefit to area II in order to match grants made by the state soil and water conservation board. The proceeds of this levy may also be used to pay administrative, engineering and legal expenses of common benefit to area II.

Sec. 28. Laws 1983, chapter 326, section 17, subdivision 1, is amended to read:

Subdivision 1. The Washington county board may levy a tax of not more than three-fourths of a mill on taxable property within the county outside of any city in which is situated a free public city library, to acquire, better, and construct county library buildings and to pay principal and interest on bonds issued for that purpose. ~~The tax shall be disregarded in the calculation of levies or limits on levies provided by Minnesota Statutes, sections 475.50 to 275.56, or other law.~~

Sec. 29. Laws 1984, chapter 380, section 1, is amended to read:

Section 1. [TAX.]

The Anoka county board may levy a tax of not more than three-fourths of a mill on taxable property within the county outside of any city in which is situated a free public library, to acquire, better, and construct county library buildings and to pay principal and interest on bonds issued for that purpose. ~~The tax shall be disregarded in the calculation of levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56, or other law.~~

Sec. 30. Laws 1985, chapter 181, section 1, is amended to read:

Section 1. [GOODHUE COUNTY; HISTORICAL SOCIETY LEVY.]

Goodhue county may levy a tax ~~of one-third mill per year~~ on property in the county and use the proceeds of the levy for the county historical society. ~~The levy shall be disregarded in the calculation of any other levies or limits on levies provided by other law.~~

Sec. 31. Laws 1985, chapter 289, section 1, is amended to read:

Section 1. [SPECIAL LEVY AUTHORITY.]

Hubbard county may levy a property tax ~~in an amount not to exceed \$45,000~~ annually to construct, maintain, or operate public park or other recreational facilities or programs. ~~The tax authorized by this section shall be disregarded in the calculation of any levy limitations under Minnesota Statutes, chapter 275.~~

Sec. 32. Laws 1985, chapter 289, section 3, is amended to read:

Sec. 3. [APPROPRIATION.]

Hubbard county may levy a property tax ~~not greater than \$20,000~~ annually and disburse its proceeds to operate county agricultural fairs and maintain buildings and grounds used for county agricultural fairs. This section supersedes any inconsistent provision of Minnesota Statutes, sections 38.17, 375.18, subdivision 8, or other law. ~~The tax provided by this act shall be disregarded in the calculation of any other levy or limit on levies provided by Minnesota Statutes, sections 275.50 to 275.56 or other law.~~ The authority allowed by this section is provided at the request of the board of county commissioners of Hubbard county.

Sec. 33. Laws 1985, chapter 289, section 5, subdivision 1, is amended to read:

Subdivision 1. Clearwater county may levy a property tax in an amount authorized by the county board, ~~not to exceed a levy of three mills, in excess of any limitation imposed by Minnesota Statutes, sections 275.50 to 275.56, or any other law,~~ for the purpose of funding the operation of the county hospital.

Sec. 34. Laws 1985, chapter 289, section 6, subdivision 1, is amended to read:

Subdivision 1. The Cass county board may annually levy a tax ~~of a total amount of not more than \$70,000~~ on taxable property in the county and disburse the proceeds of the levy to promote tourism and agriculture in the county. ~~A levy under this section shall be disregarded in the calculation of any other levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56 or other law.~~

Sec. 35. Laws 1986, chapter 392, section 1, is amended to read:

Section 1. [TAX.]

The Dakota county board may levy a tax of not more than three-fourths of a mill on taxable property within the county outside of any city in which is situated a free public library, to acquire, better, and construct county library buildings and to pay principal and interest on bonds issued for that purpose. ~~The tax shall be disregarded in the calculation of levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56, or other law.~~

Sec. 36. Laws 1986, chapter 399, article 1, section 1, as amended by Laws 1989, First Special Session chapter 1, article 5, section 46, is amended to read:

Section 1. [AITKIN COUNTY; DEVELOPMENT LEVY.]

The Aitkin county board may annually levy a tax of ~~not more than 0.03224 percent of market value~~ on taxable property in the county, to provide funds to be used by the county for tourist, agricultural, industrial, and economic development.

~~For 1989 and 1990 only, the annual appropriation limitation in Minnesota Statutes, section 375.83 is increased to \$100,000 for Aitkin county only.~~

Sec. 37. Laws 1988, chapter 517, section 1, is amended to read:

Section 1. [ITASCA COUNTY; DEVELOPMENT LEVY.]

The Itasca county board may annually levy a tax of ~~not more than one mill~~ on taxable property in the county, to provide funds to be used by the county for tourist, agricultural, industrial, and economic development. This tax may be levied only if, by October 1 of the levy year, the county board has a commitment from a foundation or similar organization to provide matching funds for this purpose in the amount equal to the levy to be paid during the following 15 months. No part of the proceeds of this levy may be used to provide a direct loan or grant to any individual or for-profit enterprise. ~~A levy under this section is in addition to any other permitted by law and shall be disregarded in the calculation of any other levies or limits on levies provided by Minnesota Statutes, sections 275.50 to 275.56 or other law.~~

Sec. 38. Laws 1988, chapter 640, section 3, is amended to read:

Sec. 3. [HISTORICAL SOCIETY LEVY.]

Each of the counties of Chisago, Kanabec, Pine, and Carlton may levy a tax not greater than .75 mills per year on taxable property in the county and use its proceeds for the county historical society. ~~The levy shall be disregarded in the calculation of any other levies or limits on levies provided by other law.~~

Sec. 39. [REPEALER.]

Laws 1982, chapter 523, article XII, section 8; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended by Laws 1991, chapter 291, article 4, section 11; Laws 1990, chapter 604, article 3, sections 50 and 55; and Laws 1991, chapter 3, section 2, subdivision 3, are repealed.

Sec. 40. [EFFECTIVE DATE.]

Sections 1 to 39 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 6

TAX LEVY LIMITATIONS FOR PARTICULAR CITIES

Section 1. Minnesota Statutes 1992, section 103B.635, subdivision 2, is amended to read:

Subd. 2. [MUNICIPAL FUNDING OF DISTRICT.] (a) The governing body or board of supervisors of each municipality in the district must provide the funds necessary to meet its proportion of the total cost determined by the board.

(b) A municipality may raise the funds by any means that the municipality has to raise funds. ~~The municipalities may each levy a tax not to exceed .00242 percent of taxable market value on the taxable property located in the district for funding the district. The levy must be within all other limitations provided by law.~~

(c) The funds must be deposited in the treasury of the district in amounts and at times as the treasurer of the district requires.

Sec. 2. Minnesota Statutes 1992, section 103B.691, subdivision 2, is amended to read:

Subd. 2. [MUNICIPAL FUNDING OF DISTRICT.] (a) The governing body or board of supervisors of each municipality in the district shall provide the funds necessary to meet its proportion of the total cost to be borne by the municipalities as finally certified by the board.

(b) The municipality's funds may be raised by any means within the authority of the municipality. ~~The municipalities may each levy a tax not to exceed .02418 percent of taxable market value on the taxable property located in the district to provide the funds. The levy shall be within all other limitations provided by law.~~

(c) The funds must be deposited into the treasury of the district in amounts and at times as the treasurer of the district requires.

Sec. 3. Minnesota Statutes 1992, section 412.531, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT, TRANSFER; TAX LEVIES.] For the purpose of carrying out the powers of the park board there shall be established in the city treasury a special fund to be called a park fund. The council may transfer to the park fund the money it deems necessary for park purposes. No later than September 1 of each year the park board shall present to the council in the detail the council requires its estimate of the financial needs of the board for the ensuing fiscal year. In any county having a population of more than 200,000 the council of any city, whether having a park board or not, may annually levy a tax ~~not to exceed 0.01620 percent of~~ on all taxable market value property in the city for park purposes. The proceeds of this tax shall be placed in the park fund.

Sec. 4. Laws 1933, chapter 423, section 2, is amended to read:

Sec. 2. [Tax levy for expenses.] The city council, city commission, or other governing body of such city may each year at the time tax levies are made for the general revenues of the city, for the purpose of defraying the expense incurred in the establishment and maintenance of such information and publicity bureau, ~~levy within the charter limits now prescribed by law a tax on all the taxable property of such city, the amount of such tax not to exceed in the aggregate the sum of \$5,000.00 per annum, which levy shall be transmitted to the County Auditor of the County in which the city is situated, at the time the other tax levies are transmitted, and when received the monies derived from such tax shall be credited to a special fund for the purposes of this Act. Such governing body may during the year 1933 appropriate from the general funds of the city not to exceed \$5,000.00 for such purposes.~~

Sec. 5. Laws 1943, chapter 196, section 6, as amended by Laws 1947, chapter 77, section 1, Laws 1955, chapter 88, section 2, Laws 1959, chapter 358, section 2, and Laws 1969, chapter 569, section 1, is amended to read:

Sec. 6. [Nashwauk, ~~village city of~~; police pensions.] For the support of the fund from which such pensions are paid the council or other governing body of the ~~village city~~ shall each year, at the time the tax levies are made for the general revenues of the ~~village city~~, levy within the limits then permitted by law, a tax on all taxable property of the ~~village in the city~~ an amount of not less than \$2,500 nor more than \$5,000 per annum, which levy shall be transmitted to the auditor of the county in which the village city is located at the time the other tax levies are transmitted and shall be collected and the payment enforced in the same manner as other taxes of the village city. In addition thereto each member of the association shall contribute to the fund each month six percent of his monthly pay, to be deducted at the time of the payment of his salary or wages by the village and transferred to the fund, in addition thereto, such relief association may transfer to such fund moneys raised from other sources and under the control of the association.

Sec. 6. Laws 1947, chapter 224, section 1, is amended to read:

Section 1. [Tax levy by certain ~~villages~~ cities for maintenance of cemetery.] Where a ~~village city~~ containing more than 12,000 inhabitants owns and maintains an established cemetery either within or without its corporate limits, the ~~village city~~ is hereby authorized by action of its council or governing body to levy a tax or make an appropriation for the support and maintenance of such cemetery or burial ground, provided the ~~levy or~~ appropriation shall not exceed the sum of \$15,000 in any one year, which sum of \$15,000 shall include any balance left from any appropriation for a previous year.

Sec. 7. Laws 1949, chapter 215, section 2, is amended to read:

Sec. 2. [Levy.] The governing body of any such city may levy for said fund ~~within the limitations of Minnesota Statutes 1945, Section 275.11, an annual tax not exceeding five mills on all taxable property in the city.~~

Sec. 8. Laws 1953, chapter 545, section 2, is amended to read:

Sec. 2. [Bonds may be issued; tax levy.] For the purpose of paying the cost of building, constructing, reconstructing, repairing, enlarging and improving such water-pumps, water tank, sewer mains, water mains, storm sewers, curbs and gutters, streets, water wells, water plants, sewage disposal plants and other municipal projects, any such city is hereby authorized to issue and sell its negotiable promissory coupon bonds in an amount not to exceed \$200,000. Such bonds shall be issued and sold pursuant to the provisions of Minnesota Statutes, Chapter 475, except that the bonds authorized herein may be issued by resolution of the city council without first obtaining the approval of a vote of the electors. It may levy taxes, for the purpose of paying such bonds and interest thereon, ~~not more than 50 percent of which may be levied in excess of all per-capita limitations.~~ It may transfer and use surplus funds of the city not specifically dedicated to any other purpose.

Sec. 9. Laws 1957, chapter 629, section 1, is amended to read:

Section 1. [Joint municipal airports, tax levies.] Whenever a city and village now having a combined population of more than 20,000 and a combined assessed valuation of more than \$20,000,000 are engaged in the operation of a joint municipal airport through a joint airport commission pursuant to the laws of Minnesota, each of such municipalities may expend annually ~~for the purposes hereinafter set forth the sum of \$8,000~~ an amount for the purposes of operating, maintaining, developing and improving such joint airport and the facilities thereof. The proceeds of such tax levies shall be made available to the joint airport commission and shall be expended only for the aforesaid purposes.

Sec. 10. Laws 1959, chapter 520, section 1, is amended to read:

Section 1. [Library tax levy.] The city council of the city of South St. Paul may levy an annual tax ~~of not more than 5 mills on the dollar~~ of all taxable property located in the city for library purposes.

Sec. 11. Laws 1961, chapter 80, section 1, is amended to read:

Section 1. [South St. Paul, tax levy, musical entertainment.] The council of South Saint Paul is hereby authorized and empowered to levy a tax ~~of not exceeding one mill~~ on all the taxable property within the city for the purpose of providing free musical entertainment for the general public. This tax shall be levied by the council in the same manner and at the same times as taxes for other purposes are levied, and shall be collected in the same manner. The proceeds of this tax shall be used only for the purpose of providing free musical entertainment for the public. The annual expenditure for this purpose is hereby limited to the sum of \$3,000.

Sec. 12. Laws 1961, chapter 81, section 1, is amended to read:

Section 1. [South St. Paul, tax levy.] The council of the city of South Saint Paul may each year, by a majority vote of all of its members, ~~levy and expend an amount not to exceed one eighth of one mill on the assessed valuation of such city, exclusive of money and credits~~ 0.00302 percent of taxable market value, for the following purposes:

(a) Furnishing music in parks and other public places.

(b) Preparing, publishing and circulating information and facts concerning the business and industrial advantages of such city as a location for other business enterprises; its desirability as a place for holding conventions and exhibitions such as Junior Live Stock Shows; Poultry shows and like exhibitions and advertising the same by posters, decorations, illumination or other means.

(c) Providing sleeping quarters for exhibitors and delegates.

Sec. 13. Laws 1961, chapter 82, section 1, is amended to read:

Section 1. [South St. Paul, public charity bureau.] The council of the city of South Saint Paul may each year, by a five sevenths vote of all of its members, the mayor concurring, ~~levy and expend an amount not to exceed three eighths of one mill on the assessed valuation of such city, exclusive of money and credits~~ 0.00906 percent of taxable market value, for the following purposes:

For the emergency relief of the residents of said city who are in distress from lack of food, clothing, shelter, or warmth or from long continued illness.

Sec. 14. Laws 1961, chapter 616, section 1, subdivision 1, is amended to read:

Section 1. [Hibbing, village city of; utilities fund tax levies.] Subdivision 1. The village city council of the village city of Hibbing may levy, for the purpose of paying the cost of utility service supplied to the village city, an amount sufficient to provide an amount equal to the utility charges for the year preceding the levy, ~~which levy shall be in lieu of the five mill water and light levy.~~ The levy of such taxes shall not cause the amount of other taxes levied or to be levied by the village city, which are subject to limitation, to be reduced in any amount whatsoever.

Sec. 15. Laws 1961, chapter 643, section 1, is amended to read:

Section 1. [St. Cloud, city of; tax for library purposes.] The governing body of the city of St. Cloud may levy a tax ~~of not to exceed eight mills~~ upon all taxable property for library purposes. The levy of such tax shall not cause the amount of other taxes levied or to be levied by the city which are subject to any limitation, to be reduced in any amount whatsoever.

Sec. 16. Laws 1961, extra session chapter 33, section 3, is amended to read:

Sec. 3. The village city council shall each year at the time the tax levies are made for the support of the village city, levy an amount equal to the payments made in the previous year to the pensioners under this act, ~~one half of which amount shall be in excess of existing limitations and the remaining half to be levied within existing limitations.~~ The tax so levied shall be transmitted to the auditor of St. Louis county at the time all other tax levies are transmitted and shall be collected and payment thereof enforced.

Sec. 17. Laws 1963, chapter 29, section 1, is amended to read:

Section 1. [Plymouth, village city of; drainage tax levies.] The village city council of the village city of Plymouth may levy, ~~in addition to any other millage limitation,~~ a tax of five mills on the dollar of the assessed valuation of all taxable property in the village city for storm sewers and storm drainage. ~~The levy of such tax shall not cause the amount of other taxes levied or to be levied by the village, which are subject to any limitation, to be reduced in any amount whatsoever.~~

Sec. 18. Laws 1963, chapter 56, section 1, is amended to read:

Section 1. [Winona, city of; library tax levy.] Notwithstanding any provisions in Minnesota Statutes, Section 134.07, or in any other law to the contrary, the city of Winona may level levy an annual tax ~~of not more than eight mills on the dollar~~ on all taxable property therein for the benefit of its library fund as established under Minnesota Statutes, Section 134.07.

Sec. 19. Laws 1963, chapter 103, section 1, is amended to read:

Section 1. [Two Harbors, city of; cemetery tax levy.] The city of Two Harbors may levy an annual tax ~~of not to exceed five mills~~ on the ~~dollar of all taxable property~~ of the city for the care and maintenance of a public cemetery.

Sec. 20. Laws 1965, chapter 6, section 2, as amended by Laws 1971, chapter 6, section 1, is amended to read:

Sec. 2. [MOORHEAD, CITY OF; DEPARTMENT OF BUSINESS DEVELOPMENT.] The city of Moorhead may provide for an annual allocation of funds up to the sum of \$50,000 per year with which to establish and maintain the department subject to such conditions and limitations as the city council shall prescribe. The said sum of up to \$50,000 per year may be made available from the transfer of funds from any city owned and operated utility upon approval by resolution of three fourths of the aldermen of the city council, or by a tax levy ~~not to exceed in any one year four mills on the dollar of the assessed valuation~~ on all the taxable property in the city, or combination of both. Authority to transfer such funds is in addition to the authorization in the city charter to transfer such funds into the general revenue fund. The authority herein contained shall not be limited by any charter limitation ~~or any other limitation.~~

Sec. 21. Laws 1965, chapter 451, section 2, is amended to read:

Sec. 2. Each of the participating municipalities may levy a tax ~~of an amount sufficient to produce not to exceed \$500 per annum~~ upon the taxable property of said municipality and ~~to appropriate these or other funds,~~ not to exceed \$500 annually, to the commission for the purpose of acquiring lands and for the maintenance, operation, and management of the cemetery. The commission shall have the power to acquire by purchase, gift, or condemnation

any property situated within the limits of any participating municipality to be used as a cemetery, and to make all reasonable regulations for the management and operation thereof.

Sec. 22. Laws 1965, chapter 527, section 1, is amended to read:

Section 1. [Rochester, city of; programs for the aged; appropriations tax levy, rules.] For the purpose of furthering the well-being of aged persons in the city of Rochester, the common council of Rochester may establish programs, not otherwise provided by law, which meet social and recreational needs of the aged. For these purposes the council may appropriate not to exceed \$5,000 annually, and may levy a tax ~~not to exceed one-tenth mill on the dollar of the assessed valuation of all taxable property in the city.~~ Money derived from this tax shall be deposited in a fund which shall be established and made available for the appropriation provided by this section. The council shall promulgate such rules and regulations as are necessary to carry out the purpose of this act and shall file a copy with the city clerk.

Sec. 23. Laws 1967, chapter 660, section 2, subdivision 2, is amended to read:

Subd. 2. Each year after the budget has become final, the city council of Breckenridge may by resolution and without a vote of the electors of the city levy a tax on all taxable property in the city sufficient to pay its share of the cost of acquisition, betterment, operation and maintenance of the joint airport. When collected the tax may be transferred to the joint airport board and expended by the board in accordance with the terms of agreement. ~~The tax shall not exceed 10 mills in any year.~~ The tax shall not be subject to any other limitations imposed by ~~statute or the city charter~~ nor shall the levy of such tax cause other taxes levied by the council which are subject to any charter limitation to be reduced by any amount whatsoever.

Sec. 24. Laws 1967, chapter 758, section 1, is amended to read:

Section 1. [Rochester, city of; tax levy - band, orchestra, or chorus.] ~~Notwithstanding any provision or limitation to the contrary of Minnesota Statutes 1965, Section 449.09,~~ The city of Rochester may levy each year a tax ~~not to exceed three mills~~ for the purpose of providing a fund for the maintenance, transportation or employment of a band, orchestra, or chorus for municipal purposes.

Sec. 25. Laws 1969, chapter 192, section 1, as amended by Laws 1981, chapter 363, section 56, is amended to read:

Section 1. [MOORHEAD, CITY OF; BUS SERVICE.] The governing body of the city of Moorhead is authorized to provide and assist public transportation services through acquisition, construction or operation, directly or by lease or contract, within the Moorhead-Fargo urbanized area. The city's annual obligation, if any, under such contract shall not exceed ~~the an amount produced by applying two mills to the dollar value of all equal to 0.04835 percent of taxable property within the city market value.~~ The limitation imposed under this section is expressed as an amount determined after the enactment of Minnesota Statutes, Sections 273.1101 to 273.1103. The levy permitted by this section shall be disregarded in the calculation of any other levies or limitations on levies permitted or provided by ~~other law or charter.~~

Sec. 26. Laws 1969, chapter 538, section 6, as amended by Laws 1974, chapter 202, section 2, is amended to read:

Sec. 6. [APPROPRIATIONS.] The governing body may appropriate annually from the revenues of the city a sum of money not exceeding ~~one fifth mill times the value of property subject to ad valorem tax~~ 0.00484 percent of taxable market value for the purposes of section 2.

Sec. 27. Laws 1969, chapter 602, section 1, subdivision 2, is amended to read:

Subd. 2. Such bonds shall be secured by a pledge to the bond holders, or to a trustee, of all income and revenues of whatsoever nature derived from such facilities, as a first charge on the gross revenues thereof to the extent necessary to pay the bonds and interest thereon when due and to accumulate and maintain an additional reserve for that purpose in an amount equal to the total amount of such payments to become due in any fiscal year. In this event the governing body may by resolution or trust indenture define the land, buildings, or facilities the revenues of which are pledged, and establish covenants and agreements for the security of the bonds including a covenant that it will establish, maintain, revise, when necessary, and collect charges for all services, products, use, and occupancy of the facilities in the amounts and at the times required to produce the revenues pledged, and also sufficient, with funds that may be appropriated by the governing body from time to time, to provide adequately for the operation and maintenance of the facilities. The governing body may, by a two-thirds vote of its members, without an election by its electors, levy a tax ~~of not more than two mills on the assessed valuation of all taxable property within its corporate~~

limits to pay the bonds and interest thereon in the event of any deficiency in the revenues and may make a pledge or trust indenture and establish covenants to levy such tax without reduction of the amount of taxes which may otherwise be levied within ~~statutory and~~ charter limitations. The governing body shall provide in its budget each year for any anticipated deficiency in the revenues available of operation and maintenance and may, for this purpose, without an election by its electors, levy a tax ~~of not more than two mills on the assessed valuation of~~ all taxable property within its corporate limits without reduction of the amount of taxes which may otherwise be levied within ~~statutory and~~ charter limitations.

Sec. 28. Laws 1969, chapter 659, section 3, is amended to read:

Sec. 3. For the purpose of making payments upon any lease agreement hereunder, the city may levy an annual tax ~~of not to exceed five mills on the dollar on the taxable property in the city~~ in addition to all other levies permitted to the city for library purposes.

Sec. 29. Laws 1969, chapter 730, section 1, is amended to read:

Section 1. [South St. Paul, city of; tax levy; airport bonds.] Notwithstanding the provisions of any law or the city charter to the contrary, the council of the city of South St. Paul may by resolution and without authorization by the electors, issue general obligation bonds of the city in the amount of \$300,000, levy all taxes required by Minnesota Statutes, Section 475.61, for the payment of the bonds, and, in addition, each year levy a tax on all taxable property in the city ~~equal to one mill times the assessed valuation of such property, all~~ to provide funds for the acquisition and betterment of the city airport. Except as otherwise provided, the bonds shall be issued and sold in accordance with Minnesota Statutes, Chapter 475. The amount of such taxes shall not reduce the amounts of other taxes authorized to be levied by law or the city charter. "Acquisition" and "betterment" shall have the meanings given them in Minnesota Statutes, Section 475.51.

Sec. 30. Laws 1971, chapter 573, section 1, is amended to read:

Section 1. [~~HIBBING, VILLAGE CITY OF; STUNTZ, TOWN OF; INDEPENDENT SCHOOL DISTRICT NO. 701; RECREATION AND PARK BOARD; TAX LEVY.~~] The joint recreation and park board of the ~~village city of Hibbing, the town of Stuntz, and Independent School District Number 701,~~ may levy a tax on the taxable property located in the ~~village city of Hibbing and in the town of Stuntz~~ a tax of not more than \$6 per capita annually upon the combined assessed valuation of real and personal property within the ~~village of Hibbing and town of Stuntz.~~ This tax shall be in lieu of all other taxes levied or permitted to be levied for park and recreation purposes by the ~~village of Hibbing and town of Stuntz~~ and may be levied regardless of all existing mill rate or per capita limitations imposed by law or charter upon the ~~village city of Hibbing and town of Stuntz.~~ The levy shall be made only after approval by resolution of the governing bodies of the ~~village city of Hibbing, and Independent School District Number 701, and by resolution of the town board of the town of Stuntz.~~

Sec. 31. Laws 1971, chapter 573, section 2, as amended by Laws 1981, chapter 141, section 1, is amended to read:

Sec. 2. ~~Subdivision 1. The total tax that may be levied otherwise in accordance with sections 1 and 2, subdivision 2, may be increased by one percent for each point of increase of the revised consumer price index, referred to in Minnesota Statutes, Section 275.11, above its amount on, in the case of the tax levied pursuant to section 1, January 15, 1971, and, in the case of the tax levied pursuant to section 2, subdivision 2, January 1, 1981. A fractional increase shall be disregarded if less than one half point and treated as one point if it is one half point or more.~~

~~Subd. 2. In addition to the tax authorized by section 1 and section 2, subdivision 1, the board, subject to approval by resolution of the city and school district, may also levy a tax on the taxable property in the city of 51 cents times the population of the city to be used exclusively to operate and maintain the Carey Lake recreation area, which was maintained and operated by the town of Stuntz prior to its annexation by the city.~~

Sec. 32. Laws 1971, chapter 876, section 3, is amended to read:

Sec. 3. The city of Austin may provide for an annual allocation of funds with which to establish and maintain the department of business development subject to such conditions and limitations as the city council shall prescribe. Further, the city of Austin may accumulate the moneys from the levy herein authorized up to the amount of \$150,000 and expend such amount for the acquisition and development of industrial sites. The said sums may be made available from the revenue provided for by a tax levy ~~not to exceed in any one year three mills on the dollar of the~~

assessed valuation on all the taxable property in the city. The authority herein contained shall not be limited by any charter limitation or any other limitation in existence as of January 1, 1971.

Sec. 33. Laws 1973, chapter 81, section 1, is amended to read:

Section 1. [MANKATO AND NORTH MANKATO, CITIES OF; MUSICAL ENTERTAINMENT.] The cities of Mankato and North Mankato may, in 1973 and each year thereafter, levy a tax ~~not to exceed one tenth of a mill on each dollar of assessed valuation~~ of the taxable property of the cities in order to provide funds for musical entertainment.

Sec. 34. Laws 1977, chapter 61, section 8, is amended to read:

Sec. 8. [AUTHORITY TO BOND TO ACCOMPLISH THE PURPOSES OF THIS ACT.] The city of Eveleth is hereby authorized to sell bonds in such amount as will provide the necessary funds to pay the employer's share of the purchase of prior service in the public employees police and fire fund pursuant to section 3 of this act. The maturity of such bonds shall not be more than 15 years from the date of sale. The bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for purposes of any charter or statutory debt limitation. Taxes may be levied on the taxable property in the city for the payment of the bonds and interest thereon, and shall not be subject to any statutory or charter limitation on the rate or the amount.

Sec. 35. Laws 1979, chapter 1, section 3, is amended to read:

Sec. 3. [MAINTENANCE OF REVENUES; DEFICIENCIES; TAXES.] From and after the issuance of bonds for which the revenues of the golf course facility are pledged in accordance with section 2, the city council shall provide in its budget each year for any anticipated deficiency in the revenues available for the operation and maintenance of the golf course facilities. For this purpose the city may levy a tax ~~of not more than two thirds of one mill on the assessed valuation of all taxable property within the city, without reduction of the amount of taxes which may otherwise be levied within statutory or charter limitations.~~

Sec. 36. Laws 1979, chapter 303, article 10, section 15, subdivision 2, as amended by Laws 1989, chapter 207, section 1, is amended to read:

Subd. 2. [RESERVE FUND; TAXES.] After the adoption of a capital improvement program for a storm sewer tax district, each municipality may by ordinance after notice and hearing establish a storm sewer reserve fund for the district and may annually levy a tax ~~not exceeding one mill~~ on all the taxable property in the district for the support of the fund in an aggregate amount equal to the actual or estimated cost, whichever is less, of the improvement projects identified in the capital improvement program for the district. The proceeds of the tax shall be paid into the storm sewer reserve fund for the district and used for no other purpose than to pay capital costs of improvement projects therein including principal and interest on obligations issued pursuant to Minnesota Statutes, Section 444.19.

Sec. 37. Laws 1981, chapter 281, section 1, is amended to read:

Section 1. [GREENWAY JOINT RECREATION BOARD TAX.]

The Greenway joint recreation board may levy a tax ~~not to exceed 3.5 mills on the value of taxable property~~ situated in the territory of Independent School District No. 316 in accordance with this act. Property in territory in the school district may be made subject to the tax permitted by this act by the agreement of the governing body or town board of the city or town where it is located. The agreement may be by resolution of a governing body or town board or by a joint powers agreement pursuant to section 471.59. If levied, the tax is in addition to all other taxes on the property subject to be levied for park and recreation purposes by the cities and towns other than for the support of the joint recreation board. It shall be disregarded in the calculation of all other mill rate or per capita tax levy limitations imposed by law or charter upon them. A city or town may withdraw its agreement to future taxes by notice to the recreation board and the county auditor unless provided otherwise by a joint powers agreement. The tax shall be collected by the Itasca county auditor and treasurer and paid directly to the Greenway joint recreation board.

Sec. 38. Laws 1984, chapter 502, article 13, section 8, is amended to read:

Sec. 8. [CLOQUET; PUBLIC TRANSPORTATION.]

Upon conditions mutually agreed, the city of Cloquet may contract with a privately owned public transportation system to provide transportation services to the people of the city. The city may disburse money to discharge the

terms of the contract. The city may annually levy a property tax ~~not to exceed one mill~~ on the taxable property in the city for the purpose of discharging the contract obligations. The amount of tax levied is in addition to all others permitted by law and must be disregarded in the calculation of ~~statutory or other~~ charter limitations on property tax levies.

Sec. 39. Laws 1990, chapter 604, article 3, section 59, subdivision 1, is amended to read:

Subdivision 1. [ARMORY LEVY.] The city of Rosemount in Dakota county may levy ~~not more than \$95,000 per year a tax on the taxable property in the city and otherwise~~ incur debt obligations under Minnesota Statutes, chapter 193 or 475 or both, to acquire and better an armory and to be serviced by the levy without regard to the limits on debt service and debt otherwise provided by chapter 193 or 475. ~~This levy amount shall be a special levy under Minnesota Statutes, section 275.50, subdivision 5, clause (d).~~

Sec. 40. Laws 1990, chapter 604, article 3, section 60, is amended to read:

Sec. 60. [JOINT POWERS LEVY; DRUG ENFORCEMENT.]

~~Notwithstanding Minnesota Statutes, sections 275.50 to 275.56,~~ The cities of Maple Grove, Brooklyn Park, Brooklyn Center, and Coon Rapids may each levy for taxes levied in 1990, and thereafter, ~~an amount up to \$2 per capita a tax~~ on the taxable property in their respective city to pay the costs incurred under a joint powers agreement for the salaries and benefits of peace officers whose primary responsibilities are to investigate controlled substance crimes under chapter 152 or to teach drug abuse resistance education curricula in schools.

Sec. 41. [REPEALER.]

~~Laws 1939, chapter 219, section 1; Laws 1961, chapter 30, section 1; Laws 1961, chapter 276, section 1; Laws 1961, chapter 439, section 1; Laws 1963, chapter 228, section 1; Laws 1971, chapter 515, section 1; Laws 1971, chapter 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1984, chapter 502, article 13, section 10, as amended by Laws 1986, chapter 399, article 1, section 3; and Laws 1986, chapter 399, article 1, section 4, are repealed.~~

Sec. 42. [EFFECTIVE DATE.]

Sections 1 to 41 are effective for property taxes levied in 1993, payable in 1994, and thereafter.

ARTICLE 7

TAX LEVY LIMITATIONS FOR PARTICULAR TOWNS

Section 1. Laws 1959, chapter 298, section 2, is amended to read:

Sec. 2. The town of Grand Rapids may levy and collect a tax ~~not to exceed two mills~~ on the taxable property of the town, including incorporated ~~villages~~ cities within the town, for the purpose of acquiring funds for the maintenance, operation, and management of the cemetery. Should any incorporated ~~village~~ city be separated from the town of Grand Rapids, the tax shall be levied by the town and paid to the town by the ~~village~~ city so long as the dead of the ~~village~~ city are buried in the cemetery.

Sec. 2. Laws 1961, chapter 317, section 1, is amended to read:

Section 1. [Balkan, town of; library services.] Notwithstanding the provisions of any other law to the contrary, the board of supervisors of the town of Balkan in St. Louis county may levy and collect a tax ~~not to exceed one quarter of one mill per year on the assessed valuation of~~ taxable property in the town for the purpose of providing a special library fund for the town. The special library fund shall be administered by the board of supervisors to provide more adequate public library services to the town of Balkan. The board of supervisors may contract with the governing body of any free public library located in any municipality adjacent to the town of Balkan for these services. ~~The tax authorized by this section is in addition to any tax authorized by Minnesota Statutes, Section 375.33.~~

Sec. 3. Laws 1965, chapter 617, section 1, is amended to read:

Section 1. [Itasca county towns; cemetery association.] The town of Lawrence in Itasca county is authorized to join the Lakeview Cemetery Association operated by the town of Iron Range. The town of Lawrence may pay to the association the sum of \$750 upon joining and may pay such amount not to exceed \$1,000 annually as may be determined by the association. In order to pay these and other allowable costs, the town of Lawrence may annually levy a tax on all the taxable property in the town for cemetery purposes an amount sufficient to produce \$1,000 annually.

Sec. 4. Laws 1969, chapter 534, section 2, is amended to read:

Sec. 2. The town board of any town named in section 1 may levy annually a tax ~~not to exceed 10 mills on the dollar of the taxable valuation of the property in that town~~ for the construction, reconstruction and improvement of bridges on town roads which the town board determines does not meet the requirements of the strength of bridges and the adequate width of bridges as required by Minnesota Statutes, Sections 165.03 and 165.04. The tax levy authorized herein is in addition to the tax levy authorized by Minnesota Statutes, Section 164.04.

Sec. 5. [REPEALER.]

Laws 1941, chapter 451, section 1; Laws 1961, chapter 119, section 1; Laws 1971, chapter 168; Laws 1971, chapter 356, section 2; and Laws 1977, chapter 246, are repealed.

Sec. 6. [EFFECTIVE DATES.]

Sections 1 to 5 are effective for property taxes levied in 1993, payable in 1994, and thereafter."

Delete the title and insert:

"A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 103G.625, subdivision 3; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivision 7; 469.188; 471.191, subdivision 2; 471.24; 471.57, subdivision 1; 471.61, subdivisions 1 and 2a; and 473.711, subdivision 2; Laws 1933, chapter 423, section 2; Laws 1943, chapters 196, section 6, as amended; 367, section 1, as amended; 510, section 1; Laws 1947, chapters 224, section 1; 340, section 4; Laws 1949, chapters 215, section 2; 252, section 1; and 668, section 1; Laws 1953, chapters 154, section 3; and 545, section 2; Laws 1957, chapters 213, section 1; and 629, section 1; Laws 1959, chapters 298, section 2; 520, section 1; and 556, section 1, as amended; Laws 1961, chapters 80, section 1; 81, section 1; 82, section 1; 151, section 1; 209, section 4; 317, section 1; 352, section 1, as amended; 616, section 1, subdivision 1; and 643, section 1; Laws 1961, extra session chapter 33, section 3; Laws 1963, chapters 29, section 1; 56, section 1; 103, section 1; and 603, section 1; Laws 1965, chapters 6, section 2, as amended; 442, section 1; 451, section 2; 512, section 1, subdivision 1; 527, section 1; and 617, section 1; Laws 1967, chapters 501, section 1; 526, section 1, subdivision 3; 542, section 1, subdivision 3; 611, section 1; 660, section 2, subdivision 2; and 758, section 1; Laws 1969, chapters 192, section 1, as amended; 534, section 2; 538, section 6, as amended; 602, section 1, subdivision 2; 652, section 1; 659, section 3; and 730, section 1; Laws 1971, chapters 404, section 1; 424, section 1; 573, sections 1 and 2, as amended; and 876, section 3; Laws 1973, chapter 81, section 1; Laws 1977, chapter 61, section 8; Laws 1979, chapters 1, section 3; 303, article 10, section 15, subdivision 2, as amended; and 253, section 3; Laws 1981, chapter 281, section 1; Laws 1983, chapter 326, section 17, subdivision 1; Laws 1984, chapters 380, section 1; and 502, article 13, section 8; Laws 1985, chapters 181, section 1; 289, sections 1, 3, 5, subdivision 1, and 6, subdivision 1; Laws 1986, chapters 392, section 1; and 399, article 1, section 1, as amended; Laws 1988, chapters 517, section 1; and 640, section 3; Laws 1990, chapter 604, article 3, sections 59, subdivision 1, and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 6; 469.053, subdivision 6; 469.107, subdivision 1; 471.1921; and 471.63, subdivision 2; Laws 1915, chapter 316, section 1, as amended; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1961, chapters 30, section 1; 119, section 1; 276, section 1; and 439, section 1; Laws 1963, chapter 228, section 1; Laws 1971, chapters 168; 356, section 2; 515, section 1; and 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1977, chapter 246; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990,

chapter 604, article 3, sections 50 and 55; and Laws 1991, chapters 3, section 2, subdivision 3; and 291, article 4, section 21."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 552, A bill for an act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; amending Minnesota Statutes 1992, section 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 580.23, subdivision 1, is amended to read:

Subdivision 1. [SIX-MONTH REDEMPTION PERIOD.] When lands have been sold in conformity with the preceding sections of this chapter the mortgagor, the mortgagor's personal representatives or assigns, within six months after such sale, except as otherwise provided in subdivision 2 or section 582.032 or 582.32, may redeem such lands, as hereinafter provided, by paying the sum of money for which the same were sold, with interest from the time of sale at the rate provided to be paid on the mortgage debt and, if no rate be provided in the mortgage note, at the rate of six percent per annum, together with any further sums which may be payable as provided in sections 582.03 and 582.031.

Sec. 2. Minnesota Statutes 1992, section 582.32, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] This section applies to mortgages executed on or after August 1, 1993, under which there ~~has been is~~ a default and ~~where~~ the mortgagor and mortgagee enter into ~~a written an~~ agreement for voluntary foreclosure of the ~~mortgaged real estate mortgage~~ under this section. This section applies only to mortgages on real estate no part of which is homestead as defined in section 510.01 or in agricultural property use as defined in section 40A.02, subdivision 3, as of the date of agreement.

Sec. 3. Minnesota Statutes 1992, section 582.32, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given:

(b) "Agreement" means the agreement for voluntary foreclosure described in subdivision 3.

(c) "Date of agreement" means the effective date of the agreement which shall not be sooner than the date on which the agreement is executed and acknowledged by both the mortgagor and mortgagee.

(d) "Junior lien" means a lien ~~with a redeemable interest in the real estate under section 580.23 or 580.24 subordinate to the lien of the mortgage foreclosed under this section,~~ the holder of which has a redeemable interest in the real estate under section 580.24.

(e) "Mortgage" means a recorded mortgage on real estate no part of which is homestead as defined in section 510.01 or in agricultural use as defined in section 40A.02, subdivision 3, as of the date of agreement.

(f) "Mortgagee" means the record holders of the mortgage, whether one or more.

(g) "Mortgagor" means the record holders, whether one or more, of the legal and equitable interest in the real estate encumbered by the mortgage.

(h) "Real estate" means the real property encumbered by the mortgage and, where applicable, fixtures, equipment, furnishings, and other personalty related to the real property and encumbered by the mortgage.

Sec. 4. Minnesota Statutes 1992, section 582.32, subdivision 3, is amended to read:

Subd. 3. [PROCEDURE.] (a) Voluntary foreclosure may occur only in accordance with this section.

(b) The mortgagor and mortgagee shall enter into a written agreement for voluntary foreclosure under this section only after during default under the mortgage. The agreement shall identify the mortgage by recording data and the real estate by legal description, specify the date of the agreement and provide that:

(1) The mortgagor and mortgagee have agreed that the mortgage shall be voluntarily foreclosed with a ~~shortened~~ the mortgagor's redemption period under reduced to two months as provided in this section.

(2) The mortgagee waives any rights to a deficiency or other claim for personal liability against the mortgagor arising from the mortgage or the debt secured by the mortgage. This does not preclude an agreement between the mortgagor and mortgagee to a ~~stipulated~~ payment to the mortgagee as part of the voluntary foreclosure, or collection from a guarantor.

(3) The mortgagor waives its right of ~~reinstatement~~, to excess surplus sale proceeds, to contest foreclosure, and to rents and occupancy during the period ~~before sale and during~~ from the date of agreement through the redemption period.

(4) The mortgagor consents to the appointment of a receiver for, or grants mortgagee possession of, the real estate ~~as of the date of agreement, for the purposes of~~ and all rights of possession of the real estate, including, but not limited to, operating, maintaining, and protecting the real estate, and the making of any additions or betterments to the real estate.

(c) Within seven days after the date of agreement, the mortgagee must record or file the agreement with the county recorder or registrar of titles, as appropriate, in ~~the~~ each county where any part of the real estate is located. Filing or recording of a short form agreement signed by the mortgagor and mortgagee containing the following information satisfies this requirement:

(1) the identity and mailing address of the mortgagor and mortgagee;

(2) the legal description of the real estate;

(3) the mortgage identified by recording data;

(4) a statement that an event of default exists under the mortgage and foreclosure under this section has been agreed to by the parties; and

(5) the date of agreement.

(d) A certificate signed by the county or city assessor where the real estate is located, stating that, as of the date of agreement, the real estate is was not in agricultural use as defined in section 40A.02, subdivision 3, and is was not a homestead as defined in section 510.01, ~~as the date of agreement~~, must be recorded before or with the certificate of sale in the office of the county recorder or registrar of titles where the real estate is located, and shall be prima facie evidence of the facts contained in the certificate.

(e) Within ten days of receipt of a written request for information from a holder of a junior lien, the mortgagee, without charge, shall deliver or mail by first class mail postage prepaid, to the address of the holder set forth in the request, either the agreement or a written statement of the amount of money and the value or a detailed description of any property paid or transferred, or to be paid or transferred, by the mortgagee to the mortgagor under the terms of the agreement. Failure to provide this information does not invalidate the foreclosure.

Sec. 5. Minnesota Statutes 1992, section 582.32, is amended by adding a subdivision to read:

Subd. 4a. [NO RIGHT OF REINSTATEMENT.] There is no right of reinstatement pursuant to section 580.30 of the mortgage after the date of agreement.

Sec. 6. Minnesota Statutes 1992, section 582.32, subdivision 5, is amended to read:

Subd. 5. [FORECLOSURE PROCEDURE; NOTICE TO CREDITORS.] (a) After the date of agreement, the mortgagee may proceed to foreclose the mortgage in accordance with the laws generally applicable to foreclosure by advertisement including this chapter and chapter 580, except as otherwise provided in this section.

(b) At least 14 days before the date of sale, the mortgagee shall:

(1) serve the person persons in possession of the mortgaged real estate with notice of the voluntary foreclosure sale under this section in the same manner as in a foreclosure by advertisement as provided in section 580.03; and

(2) send by certified mail a notice of the voluntary foreclosure sale under this section to all each holder of a junior lien holders of record upon the real estate or some part of the real estate who have has filed or recorded a request for this notice under subdivision 3 section 580.032.

(c) The mortgagee shall publish notice of the voluntary foreclosure sale under this section in the same manner as in a foreclosure by advertisement as provided in section 580.03 for four consecutive weeks.

The notice must include all information required under section 580.04, clauses (1) to (6), the date of the agreement, and shall state that each holder of a junior lien may redeem in the order and manner provided in subdivision 9, beginning one month after the foreclosure sale. ~~Provided, if the real estate is subject to a federal tax lien entitled to the preemptive 120-day redemption period under section 7425(d)(1) of the Internal Revenue Code, as amended, the notice shall provide that the date of redemption for the first federal tax lien and all other liens junior thereto shall begin four months after the date of the foreclosure sale. Affidavits of service, mailing, publication, and other affidavits or certificates permitted by chapter 580, must be recorded with the certificate of sale, or within five days after the sale, in the office of the county recorder or registrar of titles where the real estate is located. These affidavits and certificates are prima facie evidence of the facts contained in them.~~ expiration of the mortgagor's two-month redemption period under this section.

(d) The mortgagor's redemption period shall be two months from the date of sale and the certificate of sale shall so indicate. If the real estate is subject to a federal tax lien under which the United States is entitled to a 120-day redemption period under section 7425(d)(1) of the Internal Revenue Code, as amended, the mortgagor's redemption period shall be 120 days from the date of sale and the certificate of sale shall so indicate.

Sec. 7. Minnesota Statutes 1992, section 582.32, subdivision 6, is amended to read:

Subd. 6. [SALE, HOW AND BY WHOM MADE.] Except as provided in this section, the foreclosure sale shall be conducted and the certificate of sale shall be made in the same manner as and recorded in accordance with a foreclosure by advertisement as provided in chapter 580. The certificate of sale must be filed or recorded within five days after the sale. Affidavits of service, mailing, and publication, and other affidavits or certificates permitted by chapter 580, must be recorded with the certificate of sale, or within five days after the sale, in the office of the county recorder or registrar of titles where the real estate is located, and when so recorded are prima facie evidence of the facts contained in them.

Sec. 8. Minnesota Statutes 1992, section 582.32, subdivision 9, is amended to read:

Subd. 9. [CREDITOR REDEMPTION.] A subsequent creditor having person holding a junior lien upon the real estate or some part of the real estate may redeem in the order and manner specified in sections 580.24 and 580.25, but only if before the end of the mortgagor's redemption period under this section the creditor files with the county recorder or registrar of titles of each county where the mortgaged real estate is located, a notice of intention to redeem. If a junior creditor fails to timely file a notice of intention to redeem as provided in this subdivision, or fails to redeem as provided in this subdivision, its lien on the real estate is extinguished on the real estate.

Sec. 9. [REPEALER.]

Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8, are repealed."

Delete the title and insert:

"A bill for an act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; amending Minnesota Statutes 1992, sections 580.23, subdivision 1; and 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8."

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 584, A bill for an act relating to utilities; regulating telephone services to communication-impaired persons; amending Minnesota Statutes 1992, sections 237.49; 237.51, subdivision 2; and 237.52, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 19, insert:

"Sec. 2. Minnesota Statutes 1992, section 237.50, subdivision 3, is amended to read:

Subd. 3. [COMMUNICATION IMPAIRED.] "Communication impaired" means certified as deaf, severely hearing impaired, hard-of-hearing, speech impaired, or deaf and blind, or mobility impaired if the mobility impairment results in an inability to use standard customer premises equipment."

Page 2, line 4, after "governor" insert "at least three of whom reside outside a metropolitan county, as defined in section 473.121, subdivision 4, at the time of appointment, at least four of whom are deaf, two of whom are speech and mobility impaired, and one of whom is hard-of-hearing."

Page 2, after line 32, insert:

"Sec. 5. [REPEALER.]

Laws 1987, chapter 308, section 8, is repealed effective June 1, 1993."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 4, after "237.49;" insert "237.50, subdivision 3;"

Page 1, line 5, before the period insert "; repealing Laws 1987, chapter 308, section 8"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1 and 2; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1.

Reported the same back with the following amendments:

Page 6, after line 16, insert:

"Sec. 5. Minnesota Statutes 1992, section 363.02, is amended by adding a subdivision to read:

Subd. 8. [RELIGIOUS ASSOCIATION.] Nothing in this chapter prohibits any religious association, religious corporation, or religious society that is not organized for private profit, or any institution organized for educational purposes that is operated, supervised, or controlled by a religious association, religious corporation, or religious society that is not organized for private profit, from:

(1) limiting admission to or giving preference to persons of the same religion or denomination; or

(2) in matters relating to sexual orientation, taking any action with respect to education, employment, housing and real property, or use of facilities that is necessary to promote the religious tenets, teachings, or principles for which it is established or maintained. This clause shall not apply to secular business activities engaged in by such religious association, religious corporation, or religious society, the conduct of which is not substantially related to the purposes for which it is organized."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "and 2" and insert ", 2, and by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 651, A bill for an act relating to labor; providing that certain acts are an unfair labor practice; amending Minnesota Statutes 1992, sections 179.12; and 179A.13, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 7, after "representative" insert "from their bargaining unit"

Page 4, line 4, after "representative" insert "from their bargaining unit"

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 671, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; amending Minnesota Statutes 1992, section 473.167, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

Reported the same back with the following amendments:

Page 2, line 4, after the period insert "For the purposes of this section, "population" means the population according to the most recent federal census, or according to the metropolitan council's most recent population estimates if the estimates have been issued subsequent to the most recent federal census."

Page 2, delete section 2

Page 3, after line 23, insert:

"(e) "Substantial compliance" means that at least 75 percent of the cities and towns in a sector of the metropolitan area are certified as meeting the comprehensive choice requirements under subdivision 3, clause (4)."

Page 3, line 25, delete "January 15" and insert "July 1"

Page 4, line 15, delete "condition,"

Page 4, line 17, after "existing" insert "multifamily and single-family" and after "is" insert "subsidized, assisted, or"

Page 5, line 3, after "city" insert "or town"

Page 5, delete lines 5 to 10 and insert:

"(4) describe actions that a city or town may take to:

(i) eliminate barriers to comprehensive choice housing including, but not limited to, the elimination of zoning requirements, development agreements, and local development practices that impose barriers to the development of comprehensive choice housing;

(ii) utilize available opportunities that will meet the objective of providing adequate and realistic opportunities for comprehensive choice housing development; and

(iii) maintain housing affordability;

Page 5, line 15, delete the comma and delete "through its metropolitan housing and redevelopment"

Page 5, line 16, delete "authority,"

Page 5, line 17, after "in" insert "all"

Page 5, line 18, after "cities" insert "and towns"

Page 5, line 22, delete "amount" and insert "percentage"

Page 5, line 23, after "city" insert "or town"

Page 5, line 36, after "by" insert "providing services to poor persons living in areas of concentrated poverty by"

Page 6, line 4, delete everything after the headnote and insert "(a) Beginning February 1, 1995, the council shall annually review and certify a city's or town's compliance with the objectives of comprehensive choice housing under

subdivision 3, clause (4). A city or town shall be in compliance when it has taken all actions required by council rules adopted under the authority of subdivision 3, clause (4), or when it has achieved its comprehensive choice allotment.

Page 6, delete lines 5 to 8

Page 6, lines 9 and 22, delete "July 1, 1995" and insert "January 1, 1996"

Page 6, line 28, delete the colon

Page 6, delete lines 29 to 31

Page 6, line 32, delete "(ii)"

Page 7, line 3, delete the colon

Page 7, delete lines 4 to 7

Page 7, line 8, delete "(ii)"

Page 7, line 9, after "city" insert "or town"

Page 7, line 15, delete "highway,"

Page 7, line 16, delete "highway,"

Page 7, line 19, delete "to 3" and insert "and 2"

Page 7, line 22, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 8

Page 1, line 9, delete "adding a subdivision;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 64, 226, 342, 385, 443, 552, 584, 585 and 651 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Stanius introduced:

H. F. No. 923, A bill for an act relating to taxation; individual income; imposing tax on certain deemed discharges of indebtedness income; amending Minnesota Statutes 1992, section 290.01, subdivisions 19a and 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Gutknecht, Simoneau and Bishop introduced:

H. F. No. 924, A bill for an act relating to health; providing an exception to the moratorium on nursing home bed certification; amending Minnesota Statutes 1992, section 144A.071, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Swenson, Ostrom, Koppendrayner and Vellenga introduced:

H. F. No. 925, A bill for an act relating to education; removing the requirement that persons who teach a driver training course to high school students through a community education program be licensed teachers; amending Minnesota Statutes 1992, section 125.032, subdivision 2.

The bill was read for the first time and referred to the Committee on Education.

Jaros, Rukavina, Sekhon, Farrell and Clark introduced:

H. F. No. 926, A bill for an act relating to public employment; providing an employer-paid health insurance early retirement window.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Stanius, Pugh and Jennings introduced:

H. F. No. 927, A bill for an act relating to child abuse; expanding the CHIPS jurisdiction of the juvenile court to include children who reside with a perpetrator of domestic assault or witness domestic assault in the home; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Stanius, Skoglund and Pugh introduced:

H. F. No. 928, A bill for an act relating to children; neglect; providing for reports of prenatal exposure to excessive alcohol; including certain pregnant women in the definition of chemically dependent persons under the civil commitment act; amending Minnesota Statutes 1992, sections 253B.02, subdivision 2; 626.556, subdivision 2; and 626.5561, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Mariani, Dawkins, Orenstein and Farrell introduced:

H. F. No. 929, A bill for an act relating to taxation; providing for manufacturing opportunity districts in certain cities; providing tax credits and exemptions for certain industries located in a manufacturing opportunity district; proposing coding for new law in Minnesota Statutes, chapter 469.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Clark, Jennings and Hausman introduced:

H. F. No. 930, A bill for an act relating to telephone service; expanding coverage of the telephone assistance plan; increasing the funding of the telephone assistance plan; amending Minnesota Statutes 1992, section 237.70, subdivisions 4a and 6.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Bertram and Peterson introduced:

H. F. No. 931, A bill for an act relating to motor fuels; changing formula for payments made to producers of ethanol; increasing oxygenate level requirements for gasoline; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; and 239.791, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Greiling, Evans, Mariani, Carlson and Leppik introduced:

H. F. No. 932, A bill for an act relating to education; encouraging school districts to employ people of color or women as school administrators; providing a reimbursement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124.

The bill was read for the first time and referred to the Committee on Education.

Onnen introduced:

H. F. No. 933, A bill for an act relating to taxation; income; changing rates and income brackets; providing a home care credit; amending Minnesota Statutes 1992, section 290.06, subdivisions 2c and 2d; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Stanius, Abrams and Reding introduced:

H. F. No. 934, A bill for an act relating to elections; requiring annual removal of registration cards of deceased registrants; requiring annual update of the statewide registration system; amending Minnesota Statutes 1992, section 201.13.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Stanius, Gruenes and Vickerman introduced:

H. F. No. 935, A bill for an act relating to aid to families with dependent children; specifying school participation requirements for recipients of assistance; requiring the commissioner of human services to seek a federal waiver; amending Minnesota Statutes 1992, section 256.73, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Vickerman and Beard introduced:

H. F. No. 936, A bill for an act relating to the department of jobs and training; changing its name to the department of economic security.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Workman and Molnau introduced:

H. F. No. 937, A bill for an act relating to taxation; sales and use; providing an exemption to cities or counties for certain correctional facilities projects; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Orenstein introduced:

H. F. No. 938, A bill for an act relating to higher education; creating the Twin Cities University under the administration of the higher education board; providing for a merger between the Metropolitan State University and Minneapolis Community College; proposing coding for new law in Minnesota Statutes, chapter 136E.

The bill was read for the first time and referred to the Committee on Education.

Hasskamp, Kinkel, Sarna, Holsten and Simoneau introduced:

H. F. No. 939, A bill for an act relating to watercraft; regulating new watercraft and a manufacturer's duty to repair, refund, or replace them; establishing an alternative dispute settlement mechanism; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 86B.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Munger; Hausman; Reding; Johnson, V., and Morrison introduced:

H. F. No. 940, A bill for an act relating to the environment; providing that vessels transporting hazardous substances or oil must have a permit from the pollution control agency; establishing an inland waterway protection account; requiring that fees be paid by persons transporting hazardous substances or oil in vessels; providing for rulemaking; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 115E.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dawkins and Jefferson introduced:

H. F. No. 941, A bill for an act relating to crime; providing felony penalties for unlawfully possessing a gun or dangerous weapon in a school zone; amending Minnesota Statutes 1992, section 609.66, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Bishop, Rhodes and Delmont introduced:

H. F. No. 942, A bill for an act relating to traffic regulation; revising the crime of reckless driving; replacing the crime of careless driving with an inattentive driving offense; providing penalties; amending Minnesota Statutes 1992, section 169.13, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Gruenes, Simoneau, Bishop, Asch and Gutknecht introduced:

H. F. No. 943, A bill for an act relating to taxation; providing a deduction from the hospital or health care provider tax for research and education spending; amending Minnesota Statutes 1992, section 295.53, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Stanius and Simoneau introduced:

H. F. No. 944, A bill for an act relating to human services; creating the integrated management and planning act for persons with mental retardation or related conditions; establishing an advisory committee; allowing certain persons currently served by semi-independent living services to transfer to home- and community-based waived services; establishing a revolving loan fund for new residential service providers; amending the definition of vendor for day training and habilitation services; allowing agreements with businesses to provide support and supervision in community-based employment; creating optional payment rates for day training and habilitation services; increasing the number of persons in day training and habilitation services eligible for alternative services pilot projects; providing exemptions to rules; amending Minnesota Statutes 1992, sections 252.275, subdivisions 1 and 8; 252.30; 252.40; 252.41, subdivisions 1 and 9; 252.43; 252.46; 256.017, subdivision 1; 256.025, subdivision 2; and Laws 1992, chapter 513, article 9, section 41; proposing coding for new law in Minnesota Statutes, chapters 252; and 256E; proposing coding for new law as Minnesota Statutes, chapter 252B; repealing Minnesota Statutes 1992, sections 252.46, subdivisions 12, 13, and 14; and 252.47.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Asch, Clark, Garcia, Simoneau and Gruenes introduced:

H. F. No. 945, A bill for an act relating to occupations and professions; modifying the membership of the board of nursing; requiring a certain examination for licensure of graduates from nursing programs in other countries; modifying requirements for a temporary permit; adding grounds for disciplinary action; amending Minnesota Statutes 1992, sections 148.181, subdivisions 1 and 3; 148.211, subdivision 1; 148.212; and 148.261, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Hasskamp, Solberg, McGuire, Simoneau and Stanius introduced:

H. F. No. 946, A bill for an act relating to civil actions; specifying the responsibility of participants in recreational activities; proposing coding for new law as Minnesota Statutes, chapter 87A.

The bill was read for the first time and referred to the Committee on Judiciary.

Bauerly, Klinzing and Olson, M., introduced:

H. F. No. 947, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Sherburne county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bauerly, Sarna, Neary, Carruthers and Bishop introduced:

H. F. No. 948, A bill for an act relating to commerce; modifying the definition of business license; regulating residential building contractors and remodelers; providing licensing requirements; prescribing the powers and duties of the commissioner; establishing a contractor's recovery fund; amending Minnesota Statutes 1992, sections 116J.70, subdivision 2a; 326.83, subdivisions 4, 6, 7, 8, 10, and by adding subdivisions; 326.84, subdivisions 1 and 3; 326.85, subdivision 1; 326.86; 326.87, subdivision 2; 326.88; 326.89, subdivisions 2, 3, and by adding subdivisions; 326.90; 326.91, subdivisions 1 and 2; 326.92, subdivisions 1 and 3; 326.93, subdivision 1; 326.94, subdivision 2; 326.97, subdivision 1, and by adding a subdivision; 326.99; and 326.991; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1992, sections 326.84, subdivision 2; 326.94, subdivision 1; and 326.991, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wejcman, Simoneau and Skoglund introduced:

H. F. No. 949, A bill for an act relating to education; making superintendents and principals at-will positions in school districts; amending Minnesota Statutes 1992, sections 123.34, subdivisions 9 and 10; and 125.12, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Skoglund introduced:

H. F. No. 950, A bill for an act relating to the veterans homes board; requiring the board to apply for certain federal funding.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Huntley introduced:

H. F. No. 951, A bill for an act relating to the city of Duluth; authorizing the transfer of money from the gas division account in the public utility fund to the general fund; authorizing the transfer of money from the steam division account of the public utility fund to the general fund; amending Laws 1951, chapter 507, section 1, as amended; and Laws 1979, chapter 113, section 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Nelson, Sparby, Munger, Frerichs and Kinkel introduced:

H. F. No. 952, A bill for an act relating to game and fish; color of outer clothing required in firearms deer zones; amending Minnesota Statutes 1992, section 97B.071.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Neary, Garcia, McCollum, Wagenius and Orfield introduced:

H. F. No. 953, A bill for an act relating to transportation; placing a moratorium on the development of a bridge over the St. Croix river at Oak Park Heights; creating a study commission; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Wenzel and Jacobs introduced:

H. F. No. 954, A bill for an act relating to utilities; requiring utility to file with its tariff a plan for extended residential electric service to allow ten-year period for residential customer to pay excess costs attributed to the extension; amending Minnesota Statutes 1992, section 216B.42, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Vickerman and Hugoson introduced:

H. F. No. 955, A bill for an act relating to human services; providing for downsizing of the MBW on Center and MBW Eleven Seven intermediate care facilities for persons with mental retardation; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Limmer and Lindner introduced:

H. F. No. 956, A bill for an act relating to retirement; Maple Grove volunteer firefighters lump sum service pension maximums.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Abrams, Leppik, Limmer and Van Dellen introduced:

H. F. No. 957, A bill for an act relating to retirement; Plymouth volunteer firefighters lump sum service pension maximums.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Winter, Jefferson, Reding and Wejcman introduced:

H. F. No. 958, A bill for an act relating to insurance; defining "physician" to include chiropractors for purposes of long-term care policies; amending Minnesota Statutes 1992, section 62A.46, subdivision 7.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

McCollum, Krinkie, Mahon, Neary and Anderson, I., introduced:

H. F. No. 959, A bill for an act relating to metropolitan government; providing for an elected metropolitan council and public campaign financing for council elections; providing for the metropolitan council to appoint the chairs of certain metropolitan agencies; revising the membership of the metropolitan airports commission; requiring the metropolitan council to review and approve certain metropolitan agencies' capital budgets and review and comment on their operating budgets; creating a metropolitan land use planning commission; directing the council to study and report on transit governance in the metropolitan area; eliminating the role of the county regional railroad authorities in metropolitan light rail transit; amending Minnesota Statutes 1992, sections 10A.01, subdivision 18; 15.0597, subdivision 1; 15A.081, subdivision 1; 43A.18, subdivision 5; 174.32, subdivisions 2 and 3; 204B.32, subdivision 2; 352D.02, subdivision 1; 353D.01, subdivision 2; 398A.04, subdivision 8; 473.121, subdivision 5a, and by adding a subdivision; 473.123, subdivisions 2a, 3, 3a, 4, 5, 6, and by adding a subdivision; 473.129, by adding a subdivision; 473.141, subdivisions 3, 4a, 5, and 7; 473.163, subdivision 2; 473.175; 473.303, subdivision 6; 473.373, subdivision 4a; 473.399, subdivision 1; 473.3991, subdivision 1; 473.3994, subdivision 7; 473.3996, subdivision 2; 473.404, subdivisions 2, 5, 6, and 7; 473.4051; 473.553, subdivision 1, and by adding a subdivision; 473.603, subdivision 2, and by adding a subdivision; 473.605, subdivision 2; 473.661, by adding a subdivision; 473.852, subdivision 2; 473.854; 473.856; 473.857, subdivisions 1, 2, and 3; 473.858, subdivisions 1, 2, and 3; 473.864, subdivisions 1 and 2; 473.865, subdivision 1; 473.866; 473.867, subdivisions 1, 2, 3, and 5; 473.869; and 473.871; proposing coding for new law in Minnesota

Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 15A.081, subdivision 7; 473.3991, subdivision 2; 473.3997; 473.3998; 473.604; 473.621, subdivisions 6 and 7; and 473.853; and Laws 1989, chapter 339, section 21.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Wenzel introduced:

H. F. No. 960, A bill for an act relating to agriculture; establishing liability for damage to livestock and crops from stray voltage; providing for the burden of proof in an action alleging damage to livestock and crops; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Agriculture.

Clark, Wejcman, Jefferson, Simoneau and Pawlenty introduced:

H. F. No. 961, A bill for an act relating to health; modifying lead abatement requirements; licenses and fees; establishing disposal methods; providing penalties; amending Minnesota Statutes 1992, section 144.871, subdivisions 2, 3, 6, 7a, and by adding subdivisions; 144.872, subdivisions 2 and 3; 144.873, subdivision 2; 144.874, subdivisions 1, 3, 4, and 6; 144.876, by adding subdivisions; 144.878, subdivisions 2 and 5; and Minnesota Rules, chapter 4761; proposing coding for new law in Minnesota Statutes, chapters 116 and 144; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; and 144.878, subdivision 2a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Mahon, Garcia, Skoglund, Morrison and Orenstein introduced:

H. F. No. 962, A bill for an act relating to metropolitan government; requiring a classroom noise study.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Murphy; Pugh; Johnson, R.; Frerichs and Battaglia introduced:

H. F. No. 963, A bill for an act relating to sheriffs; duty to investigate snowmobile accidents; amending Minnesota Statutes 1992, section 387.03, is amended to read:

The bill was read for the first time and referred to the Committee on Judiciary.

Reding introduced:

H. F. No. 964, A bill for an act relating to public safety; authorizing commissioner of public safety to apply for federal natural disaster assistance funds; amending Minnesota Statutes 1992, section 12.221.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Mariani introduced:

H. F. No. 965, A bill for an act relating to state appointments; prohibiting the sale or other transfer of appointments by appointees; providing for competition in the award of certain contracts; abolishing authority to appoint certain corporations or private individuals as deputy registrars of motor vehicles; providing for the transfer of certain appointments of corporations as deputy registrars to private individuals; requiring county auditors to accept appointments as deputy registrars except in certain situations; permitting any other county or city official to be appointed as a deputy registrar; permitting counties to contract with private individuals for deputy registrar services in certain instances; requiring the registrar of motor vehicles to adopt rules governing the hours of operation of deputy registrars; reducing registration fees; permitting private individuals holding appointments as deputy registrars or

qualifying for transfers of appointments held by corporations to continue as deputy registrars; amending Minnesota Statutes 1992, section 168.33, subdivisions 2 and 7; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Dempsey, Molnau, Van Dellen and Lindner introduced:

H. F. No. 966, A bill for an act relating to metropolitan government; repealing the authority for dual track airport development planning; repealing Minnesota Statutes 1992, sections 473.155, subdivisions 3 and 4; 473.1551; 473.616; 473.618; and 473.619.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Waltman, Sparby, Jennings, Winter and Olson, K., introduced:

H. F. No. 967, A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

The bill was read for the first time and referred to the Committee on Taxes.

Osthoff, Pugh, Morrison, Pauly and Workman introduced:

H. F. No. 968, A bill for an act relating to public safety; allowing social security numbers of commercial drivers to be provided to the federal commercial driver license information system; allowing person whose vehicle license plates are impounded to designate a licensed driver for the purpose of obtaining special series license plates; prohibiting person whose license plates are impounded from purchasing a motor vehicle under certain conditions; clarifying driver's license classification provisions; imposing fee for duplicate identification card; requiring application for duplicate identification card when certain information changes; including certain traffic offenses as being serious violations when committed by commercial vehicle drivers; providing for driver's license reinstatement fees; amending Minnesota Statutes 1992, sections 13.69, subdivision 1; 168.042, subdivision 12, and by adding a subdivision; 171.02, subdivision 2; 171.06, subdivision 2; 171.11; 171.165, subdivision 4; and 171.29, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Pauly, Garcia, Kelso, Neary and Morrison introduced:

H. F. No. 969, A bill for an act relating to transportation; adopting federal motor carrier safety regulations; defining terms; making technical changes; allowing 45-foot buses to be operated in the state; exempting drivers of lightweight vehicles from driver qualification rules; requiring information on bills of lading and other motor carrier documents; imposing penalties; amending Minnesota Statutes 1992, sections 168.011, subdivision 36; 168.1281, subdivision 3; 169.81, subdivision 2; 221.011, by adding subdivisions; 221.031, subdivisions 2, 2a, 2b, 3, 3a, 3b, 3c, 5, and 6; 221.0313, subdivision 1; 221.033, subdivisions 2 and 2a; 221.035, subdivision 2; 221.036, subdivisions 1 and 3; 221.172; 221.81, subdivision 3e; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Laws 1992, chapter 568, section 1; and 578, section 15.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Sparby, Steensma and Wenzel introduced:

H. F. No. 970, A bill for an act relating to agriculture; changing procedures and priority for agricultural input liens; amending Minnesota Statutes 1992, section 514.952, subdivisions 1, 2, and 6; repealing Minnesota Statutes 1992, section 514.952, subdivisions 3, 4, and 5.

The bill was read for the first time and referred to the Committee on Agriculture.

Hausman, Jefferson, Mariani and Vellenga introduced:

H. F. No. 971, A bill for an act relating to education; establishing an early childhood and parent educators of color program; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Reding; Kahn; Knickerbocker; Johnson, R., and Greiling introduced:

H. F. No. 972, A bill for an act relating to retirement; volunteer firefighters' relief associations; increasing service pension maximums; establishing a fire state aid maximum apportionment; providing penalties for noncompliance with service pension maximums; specifying duties for the state auditor; ratifying certain prior nonconforming lump sum service pension payments; continuing certain nonconforming lump sum service pension amounts in force; modifying certain investment performance calculations; modifying certain local volunteer firefighters relief association provisions; amending Minnesota Statutes 1992, sections 11A.04; 356.218, subdivisions 2 and 3; 424A.001, by adding subdivisions; 424A.01, by adding a subdivision; and 424A.02, subdivisions 1, 3, and by adding subdivisions; Laws 1971, chapter 140, section 5, as amended; proposing coding for new law in Minnesota Statutes, chapter 424A.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Mahon, Blatz, Seagren, Reding and Greiling introduced:

H. F. No. 973, A bill for an act relating to retirement; benefit computation for members of the Bloomington police relief association.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Skoglund introduced:

H. F. No. 974, A bill for an act relating to the capitol area architectural and planning board; clarifying certain duties and powers of the board; amending Minnesota Statutes 1992, section 15.50, subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Skoglund introduced:

H. F. No. 975, A bill for an act relating to crime; sentencing; clarifying terms relating to the sentencing of criminal offenders; making technical corrections to the new felony sentencing laws; revising current laws relating to mandatory supervised release of sex offenders; revising certain provisions of the challenge incarceration program; amending Minnesota Statutes 1992, sections 144A.04, subdivisions 4 and 6; 144A.11, subdivision 3a; 144B.08, subdivision 3; 152.021, subdivision 3; 152.022, subdivision 3; 152.023, subdivision 3; 152.024, subdivision 3; 152.025, subdivision 3; 152.026; 152.18, subdivision 1; 169.121, subdivision 3a; 238.16, subdivision 2; 244.01, subdivision 8, and by adding a subdivision; 244.05, subdivision 1b; 244.065; 244.101; 244.14, subdivision 3; 244.15, subdivision 1; 244.17, subdivision 3; 244.172, subdivisions 1 and 2; 244.171, subdivision 4; 299A.35, subdivision 2; 609.0341, subdivision 1; 609.101, subdivisions 2, 3, and 4; 609.11; 609.135, subdivision 1; 609.1352, subdivision 1; 609.15, subdivision 2; 609.152, subdivision 1; 609.196; 609.229, subdivision 3; 609.346, subdivisions 2, 2b, and 5; 609.3461, subdivision 2; 609.582, subdivision 1a; 609.891, subdivision 2; 611A.06, subdivision 1; and 629.291, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Simoneau; Weaver; Johnson, A., and Jacobs introduced:

H. F. No. 976, A bill for an act relating to counties; authorizing a county to transfer funds to and enter into contracts with community action agencies; amending Minnesota Statutes 1992, section 375.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Milbert introduced:

H. F. No. 977, A bill for an act relating to retirement; Minneapolis employees retirement fund; permitting purchase of service credit by a certain member.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Milbert, Osthoff and Pugh introduced:

H. F. No. 978, A bill for an act relating to motor carriers; defining exempt carriers to include certain tow trucks; amending Minnesota Statutes 1992, section 221.025.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Battaglia, Solberg and Rukavina introduced:

H. F. No. 979, A bill for an act relating to the environment; changing provisions relating to waste tires; appropriating money; amending Minnesota Statutes 1992, sections 115A.90, by adding a subdivision; 115A.908, subdivision 3; 115A.912; 115A.913, subdivisions 1, 2, 4, 5, and by adding a subdivision; and 115A.914; repealing Minnesota Statutes 1992, section 115A.913, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Anderson, I.; Long; Welle; Jacobs and Sviggum introduced:

H. F. No. 980, A bill for an act relating to local government; enabling local government units to obtain waivers of state rules and laws; providing grants to local government units to encourage cooperation, achieve specified outcomes, and design service budget management models; creating a board of local government innovation and cooperation; appropriating money; amending Minnesota Statutes 1992, sections 465.80, subdivisions 1, 2, 4, and 5; 465.81, subdivision 2; 465.82, subdivision 1; 465.83; and 465.87, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 465.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Rice and Sarna introduced:

H. F. No. 981, A bill for an act relating to the organization of state government; abolishing the department of public service; abolishing the residential and small business utilities division of the office of the attorney general; reducing the size of the public utilities commission; transferring the utility regulatory responsibilities of the department of public service to the department of commerce; transferring the energy and conservation improvement responsibilities of the department of public service to the public utilities commission; transferring the division of weights and measures to the department of agriculture; amending Minnesota Statutes 1992, sections 15.01; 116C.03, subdivision 2; 216A.01; 216A.03, subdivision 1; 216A.035; 216A.036; 216A.04; 216A.05, by adding a subdivision; 216A.07, subdivision 1, and by adding a subdivision; 216A.085; 216A.095; 216B.02, subdivisions 7, 8, and by adding subdivisions; 216B.162, subdivision 7; 216B.241, subdivisions 1 and 2; 216C.01; 216C.10; 216C.36, subdivision 11; 216C.37, subdivision 1; 237.02; 237.075, subdivision 2; 239.01; 239.05, subdivisions 6c, 7a, and 8; 446A.10, subdivision

2; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1992, sections 8.33; 216A.06; and 216C.01, subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jefferson, Pugh, Osthoff and Kahn introduced:

H. F. No. 982, A bill for an act relating to capital improvements; authorizing the acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local government units; authorizing the issuance of state bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Capital Investment.

Koppendrayner, Stanius, Bertram and Dauner introduced:

H. F. No. 983, A bill for an act relating to game and fish; setting inclusive dates for open seasons on crow; amending Minnesota Statutes 1992, section 97B.731, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Krueger, Kahn, Van Dellen and Knickerbocker introduced:

H. F. No. 984, A bill for an act relating to state government; modifying provisions relating to the department of administration; amending Minnesota Statutes 1992, sections 13.37, subdivision 2; 13B.04; 15.061; 16B.06, subdivision 2; 16B.101, subdivision 3; 16B.17; 16B.19, subdivisions 2 and 10; 16B.24, subdivision 6; 16B.27, subdivision 3; 16B.32, subdivision 2; 16B.42, subdivisions 1, 2, 3, and 4; 16B.465, subdivision 6; 16B.48, subdivisions 2 and 3; 16B.49; 16B.51, subdivisions 2 and 3; 16B.58, subdivisions 1, 5, and 8; 16B.85, subdivision 1; 94.10, subdivision 1; 343.01, subdivisions 2, 3, and by adding subdivisions; and 403.11, subdivision 1; Laws 1979, chapter 333, section 18; and Laws 1991, chapter 345, article 1, section 17, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1992, sections 3.3026; 16B.41, subdivision 4; 16B.56, subdivision 4; and Laws 1987, chapter 394, section 13.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Weaver introduced:

H. F. No. 985, A bill for an act relating to retirement; public employees police and fire fund; modifying the disability benefit limitation for reemployed disabilitants; amending Minnesota Statutes 1992, section 353.656, subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Kelley; Johnson, V.; Kahn; Krueger and Holsten introduced:

H. F. No. 986, A bill for an act relating to metropolitan government; providing for coordination and consolidation of public mobile radio communications systems; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Brown, C.; Pugh; Frerichs and Simoneau introduced:

H. F. No. 987, A bill for an act relating to corrections; changing inmate classification in jails; amending Minnesota Statutes 1992, section 641.14.

The bill was read for the first time and referred to the Committee on Judiciary.

Sparby, Tunheim, Reding, Stanius and Anderson, I., introduced:

H. F. No. 988, A bill for an act relating to game and fish; allowing the taking of two deer in designated counties; amending Minnesota Statutes 1992, section 97B.301, subdivisions 2, 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cooper introduced:

H. F. No. 989, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Meeker county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Cooper, Frerichs, Bauerly, Welle and Jennings introduced:

H. F. No. 990, A bill for an act relating to utilities; prohibiting a municipality from using a quick take condemnation proceeding when acquiring the property of another electric service provider through eminent domain; amending Minnesota Statutes 1992, section 216B.47.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Cooper, Bauerly, Welle, Frerichs and Jennings introduced:

H. F. No. 991, A bill for an act relating to utilities; repealing the authority of a municipality to acquire the property of another electric service provider through eminent domain; repealing Minnesota Statutes 1992, section 216B.47.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Skoglund, Delmont, Mariani, Carruthers and Luther introduced:

H. F. No. 992, A bill for an act relating to crime; making the penalty for conspiracy equal to the penalty for the substantive offense that is the object of the conspiracy; eliminating the specific intent element of committing a crime for the benefit of a gang; making it a felony for repeat violations of the crime of carrying a pistol without a permit; increasing the length of time a court may authorize interception of wire, electronic, or oral communications; amending Minnesota Statutes 1992, sections 609.175, subdivision 2; 609.229, subdivision 2; 624.714, subdivision 1; and 626A.06, subdivision 5.

The bill was read for the first time and referred to the Committee on Judiciary.

Clark, Jefferson, Wejcman and Evans introduced:

H. F. No. 993, A bill for an act relating to Black Minnesotans; providing for a study of the immigration status of persons of African descent; appropriating money.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Blatz introduced:

H. F. No. 994, A bill for an act relating to children; foster care and adoption placement; specifying time limits for compliance with placement preferences; setting standards for changing out-of-home placement; requiring notice of certain adoptions; amending Minnesota Statutes 1992, sections 257.071, subdivision 1a; 259.255; 259.28, subdivision 2; 259.455; and 260.181, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 259.

The bill was read for the first time and referred to the Committee on Judiciary.

Lourey; Jaros; Simoneau; Anderson, R., and Carlson introduced:

H. F. No. 995, A bill for an act relating to the aid to families with dependent children program; directing the commissioner of human services to seek a waiver of federal law regarding the resource limits of a motor vehicle and a waiver allowing an AFDC recipient to deduct the cost of mandatory car insurance from earned income; proposing coding for new law in Minnesota Statutes, chapter 256.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey, Simoneau, Murphy, Gutknecht and Vickerman introduced:

H. F. No. 996, A bill for an act relating to human services; establishing the Minnesota Psychopathic Personality Treatment Center; clarifying administrative management of the Minnesota Security Hospital; amending Minnesota Statutes 1992, section 253.202; proposing coding for new law as Minnesota Statutes, chapter 246B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey, Simoneau, Murphy, Huntley and Rukavina introduced:

H. F. No. 997, A bill for an act relating to human services; establishing a northeast regional services administration at the Moose Lake regional treatment center; reorganizing state-operated services in the region; authorizing planning for and development of community services in the Moose Lake catchment areas, for persons who are mentally ill, developmentally disabled, or chemically dependent; authorizing geriatric services; appropriating money; amending Minnesota Statutes 1992, sections 245.464, subdivision 1; 245.466, subdivision 1; 245.474; 245.652; 251.011; by adding a subdivision; 252.025, by adding a subdivision; 252.50, by adding a subdivision; 253.015, subdivision 2, and by adding a subdivision; and 254.04; proposing coding for new law in Minnesota Statutes, chapter 246.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rice, Sarna, Milbert, Perl and Delmont introduced:

H. F. No. 998, A bill for an act relating to occupations and professions; requiring crane operators to be licensed by the state; requiring rulemaking; establishing a crane operators examining board; providing penalties; amending Minnesota Statutes 1992, section 214.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Hugoson; Olson, E.; Sviggum; Girard and Kalis introduced:

H. F. No. 999, A bill for an act relating to taxation; providing a school agricultural tax credit in 1994; reimbursing school districts for the reduction in property tax revenues; appropriating money; amending Minnesota Statutes 1992, section 273.1398, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Jennings, Huntley, Abrams, Reding and Gruenes introduced:

H. F. No. 1000, A bill for an act relating to insurance; no-fault auto; regulating priorities of coverage for motor vehicles used in the for-hire transportation of passengers; amending Minnesota Statutes 1992, section 65B.47, subdivision 1a.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff, Frerichs and Lasley introduced:

H. F. No. 1001, A bill for an act relating to motor vehicles; requiring license plates to stay with motor carrier on prorated truck; changing the registration period for prorated vehicles; excepting prorated vehicles from renewal notice requirements; making owner-operator subject to suspension of plates and international fuel tax agreement license for certain delinquent filings or payments; amending Minnesota Statutes 1992, sections 168.09, subdivisions 3 and 5; 168.12, subdivision 1; and 168.187, subdivision 26.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Farrell; Johnson, A.; Munger; Sekhon and Neary introduced:

H. F. No. 1002, A bill for an act relating to natural resources; allowing the sale or exchange of land in a wildlife management area under certain conditions; amending Minnesota Statutes 1992, section 97A.135, subdivision 2, and by adding a subdivision; repealing Laws 1992, chapter 502, sections 4, 5, and 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Greenfield and Clark introduced:

H. F. No. 1003, A bill for an act relating to human services; establishing family general assistance eligibility when children are temporarily in foster care; amending Minnesota Statutes 1992, sections 256D.01, subdivision 1a; and 256D.02, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Murphy, Munger, Huntley and Jaros introduced:

H. F. No. 1004, A bill for an act relating to retirement; Duluth's joint police and fire consolidation account of the public employees police and fire fund; authorizing the payment of a retirement annuity to a former Duluth police relief association member.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Stanius, Ozment, Swenson and Bauerly introduced:

H. F. No. 1005, A bill for an act relating to education; modifying the community education formula; authorizing an additional amount to be spent on equipment; amending Minnesota Statutes 1992, section 124.2713, subdivisions 3 and 8.

The bill was read for the first time and referred to the Committee on Education.

Tunheim; Lieder; Anderson, I.; Battaglia and Sparby introduced:

H. F. No. 1006, A bill for an act relating to education; modifying the secondary sparsity formula; creating a secondary sparsity revenue guarantee; amending Minnesota Statutes 1992, section 124A.22, subdivision 6.

The bill was read for the first time and referred to the Committee on Education.

Jaros; Anderson, I.; Rukavina; Peterson and Dawkins introduced:

H. F. No. 1007, A bill for an act relating to taxation; sales and use; providing an exemption to counties for certain capital improvement projects; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Simoneau, by request; Goodno; Sparby and Worke introduced:

H. F. No. 1008, A bill for an act relating to employment; modifying provisions relating to the dislocated worker program; establishing rapid and expeditious response activities programs; providing for worker adjustment services plans; establishing dislocation event services grants; amending Minnesota Statutes 1992, sections 16B.06, subdivision 2a; 268.022, subdivision 2; 268.975, subdivisions 3, 4, 6, 7, 8, and by adding subdivisions; 268.976, subdivision 2; 268.978, subdivision 1; and 268.98; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1992, sections 268.978, subdivision 3.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

McGuire introduced:

H. F. No. 1009, A bill for an act relating to data privacy; protecting identity of employee or customer of utility or telephone company who reports violation; amending Minnesota Statutes 1992, section 13.692.

The bill was read for the first time and referred to the Committee on Judiciary.

Dawkins introduced:

H. F. No. 1010, A bill for an act relating to taxation; sales and use; excluding building cleaning and maintenance from the definition of a sale; amending Minnesota Statutes 1992, section 297A.01, subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund introduced:

H. F. No. 1011, A bill for an act relating to metropolitan airports commission; providing for additional commissioners; amending Minnesota Statutes 1992, section 473.604, subdivision 1.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Rice, Osthoff, Lasley, Smith and Swenson introduced:

H. F. No. 1012, A bill for an act relating to drivers' licenses; increasing fees; increasing amount that may be retained for expenses; amending Minnesota Statutes 1992, section 171.06, subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Skoglund introduced:

H. F. No. 1013, A bill for an act relating to crime; requiring community corrections act counties to establish pretrial diversion programs for eligible adult criminal offenders; specifying the goals and components of these programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 401.

The bill was read for the first time and referred to the Committee on Judiciary.

McGuire, Pugh, Swenson and Carruthers introduced:

H. F. No. 1014, A bill for an act relating to government data; modifying provisions related to medical data; amending Minnesota Statutes 1992, sections 13.42, by adding a subdivision; 13.46, subdivisions 5 and 7; and 144.335, subdivision 3a.

The bill was read for the first time and referred to the Committee on Judiciary.

Wejcman, Garcia, Onnen and Clark introduced:

H. F. No. 1015, A bill for an act relating to health; appropriating money for the public health nurse home visiting program.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kahn, McGuire, Luther, Evans and Pauly introduced:

H. F. No. 1016, A bill for an act relating to the Minnesota amateur sports commission; providing additional members; amending Minnesota Statutes 1992, section 240A.02, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Winter, Peterson, Dauner and Brown, K., introduced:

H. F. No. 1017, A bill for an act relating to local government aids; providing for calculation and distribution of state aids to cities; amending Minnesota Statutes 1992, sections 273.1398, by adding a subdivision; 477A.011, subdivisions 1a, 20, and by adding subdivisions; 477A.013, by adding subdivisions; and 477A.03, subdivision 1; repealing Minnesota Statutes 1992, sections 477A.011, subdivisions 1b, 3a, 15, 16, 17, 18, 22, 23, 25, and 26; and 477A.013, subdivisions 2, 3, and 5.

The bill was read for the first time and referred to the Committee on Taxes.

Rest introduced:

H. F. No. 1018, A bill for an act relating to limited liability companies; requiring biennial registration; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 322B.

The bill was read for the first time and referred to the Committee on Judiciary.

Seagren, Tompkins, Pauly, McCollum and Sekhon introduced:

H. F. No. 1019, A bill for an act relating to human services; providing a cost-of-living adjustment for personal care assistants; amending Minnesota Statutes 1992, section 256B.0625, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Wenzel; Kinkel; Johnson, V.; Klinzing and Bauerly introduced:

H. F. No. 1020, A bill for an act relating to lawful gambling; reducing the rate of the tax on pull-tabs and tipboards; amending Minnesota Statutes 1992, section 349.212, subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Bergson, Munger and McCollum introduced:

H. F. No. 1021, A bill for an act relating to state lands; exempting certain lakeshore lots from sale requirements; authorizing the commissioner of natural resources to acquire personal property; amending Minnesota Statutes 1992, section 92.67, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Rukavina, Beard, Welle and Farrell introduced:

H. F. No. 1022, A bill for an act relating to workers' compensation; modifying provisions relating to adjustment of benefits; amending Minnesota Statutes 1992, section 176.645, subdivision 1.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Johnson, A.; Jefferson; Haukoos; Gruenes and Lindner introduced:

H. F. No. 1023, A bill for an act relating to employment; modifying provisions relating to and renaming the Minnesota council for the blind and the consumer advisory council; establishing a rehabilitation advisory council for the blind; amending Minnesota Statutes 1992, sections 248.10; and 268A.02, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Onnen; Anderson, R.; Lindner; Nelson and Worke introduced:

H. F. No. 1024, A bill for an act relating to employment; permitting a study of the feasibility of establishing a uniform business identifier; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Milbert introduced:

H. F. No. 1025, A bill for an act relating to occupations and professions; regulating athletic trainers; establishing an advisory council; providing for registration; requiring fees; providing for rulemaking; imposing penalties; appropriating money; amending Minnesota Statutes 1992, section 116J.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Wenzel introduced:

H. F. No. 1026, A bill for an act relating to the city of Garrison; establishing a dedicated fund to meet city expenses to pay for construction of a city sewer system; permitting a one percent local sales tax upon approval by the city council; providing for a sunset on the tax.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Evans introduced:

H. F. No. 1027, A bill for an act relating to traffic regulations; reducing maximum lawful speed in urban districts; amending Minnesota Statutes 1992, section 169.14, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Smith, Davids, Bettermann, Onnen and Workman introduced:

H. F. No. 1028, A bill for an act relating to the legislature; requiring that each bill be accompanied by a fiscal note; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Vickerman; Anderson, I.; Waltman; Rukavina and Koppendrayner introduced:

H. F. No. 1029, A bill for an act relating to taxation; sales and use; providing an exemption for sales to counties for certain capital improvement projects; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

The bill was read for the first time and referred to the Committee on Taxes.

CALENDAR

S. F. No. 40, A bill for an act relating to probate; establishing a durable power of attorney for health care; establishing duties of health care providers for the provision of life-sustaining health care; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krueger	Neary	Reding	Tompkins
Anderson, I.	Davids	Holsten	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dawkins	Hugoson	Leppik	Ness	Rhodes	Tunheim
Asch	Dehler	Huntley	Lieder	Olson, E.	Rice	Van Dellen
Battaglia	Delmont	Jacobs	Limmer	Olson, K.	Rodosovich	Vellenga
Bauerly	Dempsey	Jaros	Lindner	Olson, M.	Rukavina	Vickerman
Beard	Dorn	Jefferson	Lourey	Onnen	Sarna	Wagenius
Bergson	Erhardt	Jennings	Luther	Opatz	Seagren	Waltman
Bertram	Evans	Johnson, A.	Lynch	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, R.	Macklin	Orfield	Simoneau	Wejcmán
Bishop	Frerichs	Johnson, V.	Mahon	Osthoff	Skoglund	Welle
Blatz	Garcia	Kalis	Mariani	Ostrom	Smith	Wenzel
Brown, C.	Girard	Kelley	McCollum	Ozment	Solberg	Winter
Brown, K.	Goodno	Kelso	McGuire	Pauly	Sparby	Worke
Carlson	Greenfield	Kinkel	Molnau	Pawlenty	Stanisus	Workman
Carruthers	Greiling	Klinzing	Morrison	Pelowski	Steensma	Spk. Long
Clark	Gruenes	Knickerbocker	Mosel	Perlt	Sviggum	
Commers	Gutknecht	Koppendrayner	Munger	Peterson	Swenson	
Cooper	Hasskamp	Krinkie	Murphy	Pugh	Tomassoni	

The bill was passed and its title agreed to.

Perlt was excused for the remainder of today's session.

H. F. No. 341, A bill for an act relating to business corporations; making various technical changes; amending Minnesota Statutes 1992, sections 302A.011, subdivisions 26, 38, 53, and by adding a subdivision; 302A.105; 302A.111, subdivisions 3 and 4; 302A.115, subdivision 1; 302A.117, subdivision 1; 302A.123, subdivision 3; 302A.133; 302A.135, subdivisions 1 and 3; 302A.137; 302A.153; 302A.171, subdivision 2; 302A.231, subdivision 3; 302A.233; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 2; 302A.401, subdivisions 1 and 3; 302A.402, subdivisions 1, 2, and by adding a subdivision; 302A.403, subdivisions 2 and 4; 302A.413, subdivisions 4 and 9; 302A.423, subdivision 2; 302A.435, subdivisions 1 and 3; 302A.437, subdivision 2; 302A.447, subdivisions 2 and 3; 302A.449, subdivision 1; 302A.461, subdivision 4; 302A.463; 302A.471, subdivision 3; 302A.473, subdivisions 4 and 7; 302A.501, subdivision 1; 302A.521, subdivision 6; 302A.551, subdivision 1; 302A.553, subdivision 1; 302A.559, subdivision 1; 302A.613, subdivisions 2 and 3; 302A.621, subdivision 6; 302A.641, subdivision 1; 302A.671, subdivision 3; 302A.673, subdivisions 1 and 3; 302A.711, subdivisions 1 and 2; and 302A.901, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Pugh	Tompkins
Anderson, I.	Davids	Hausman	Krinkie	Munger	Reding	Trimble
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Rest	Tunheim
Asch	Dehler	Hugoson	Lasley	Neary	Rhodes	Van Dellen
Battaglia	Delmont	Huntley	Leppik	Nelson	Rodosovich	Vellenga
Bauerly	Dempsey	Jacobs	Lieder	Olson, E.	Rukavina	Vickerman
Beard	Dorn	Jaros	Limmer	Olson, K.	Sarna	Wagenius
Bergson	Erhardt	Jefferson	Lindner	Olson, M.	Seagren	Waltman
Bertram	Evans	Jennings	Lourey	Onnen	Sekhon	Weaver
Bettermann	Farrell	Johnson, A.	Luther	Opatz	Simoneau	Wejzman
Bishop	Frerichs	Johnson, R.	Lynch	Orenstein	Skoglund	Welle
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Smith	Wenzel
Brown, C.	Girard	Kahn	Mahon	Osthoff	Solberg	Winter
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McCollum	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	McGuire	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Molnau	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Morrison	Peterson	Tomassoni	

The bill was passed and its title agreed to.

H. F. No. 421, A bill for an act relating to state parks; authorizing an addition to Charles A. Lindbergh state park.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bertram	Brown, C.	Clark	Davids	Dempsey
Anderson, I.	Bauerly	Bettermann	Brown, K.	Commers	Dawkins	Dorn
Anderson, R.	Beard	Bishop	Carlson	Cooper	Dehler	Erhardt
Asch	Bergson	Blatz	Carruthers	Dauner	Delmont	Evans

Farrell	Jacobs	Krinkie	Milbert	Orfield	Seagren	Van Dellen
Frerichs	Jaros	Krueger	Molnau	Osthoff	Sekhon	Vellenga
Garcia	Jefferson	Lasley	Morrison	Ostrom	Simoneau	Vickerman
Girard	Jennings	Leppik	Mosel	Ozment	Skoglund	Wagenius
Goodno	Johnson, A.	Lieder	Munger	Pauly	Smith	Waltman
Greenfield	Johnson, R.	Limmer	Murphy	Pawlenty	Solberg	Weaver
Greiling	Johnson, V.	Lindner	Neary	Pelowski	Sparby	Wejzman
Gruenes	Kahn	Lourey	Nelson	Peterson	Stanius	Welle
Gutknecht	Kalis	Luther	Ness	Pugh	Steensma	Wenzel
Hasskamp	Kelley	Lynch	Olson, E.	Reding	Sviggum	Winter
Haukoos	Kelso	Macklin	Olson, K.	Rest	Swenson	Worke
Hausman	Kinkel	Mahon	Olson, M.	Rhodes	Tomassoni	Workman
Holsten	Klinzing	Mariani	Onnen	Rodosovich	Tompkins	Spk. Long
Hugoson	Knickerbocker	McCollum	Opatz	Rukavina	Trimble	
Huntley	Koppendrayer	McGuire	Orenstein	Sarna	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 522, A bill for an act relating to utilities; clarifying the specificity needed for public service corporation easements; amending Minnesota Statutes 1992, section 300.045.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Pugh	Tompkins
Anderson, I.	Dauids	Hausman	Krinkie	Munger	Reding	Trimble
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Rest	Tunheim
Asch	Dehler	Hugoson	Lasley	Neary	Rhodes	Van Dellen
Battaglia	Delmont	Huntley	Leppik	Nelson	Rodosovich	Vellenga
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rukavina	Vickerman
Beard	Dorn	Jaros	Limmer	Olson, E.	Sarna	Wagenius
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Seagren	Waltman
Bertram	Evans	Jennings	Lourey	Olson, M.	Sekhon	Weaver
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Simoneau	Wejzman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Skoglund	Welle
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Smith	Wenzel
Brown, C.	Girard	Kahn	Mahon	Osthoff	Solberg	Winter
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McCollum	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	McGuire	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Molnau	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Morrison	Peterson	Tomassoni	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. Onnen presided during a portion of the meeting of the Committee of the Whole. After some time spent therein the Committee arose.

REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. Nos. 296, 546, 117, 203 and 442 were recommended to pass.

H. F. No. 132 was recommended for progress retaining its place on General Orders.

H. F. No. 243 was recommended for progress until Thursday, March 18, 1993.

H. F. No. 181 was recommended for progress until Thursday, April 1, 1993.

H. F. No. 167 was recommended for re-referral to the Committee on Governmental Operations and Gambling.

On the motion of Welle the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll call was taken in the Committee of the Whole:

The question was taken on the motion to recommend passage of H. F. No. 296, the first engrossment, and the roll was called. There were 76 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abrams	Carlson	Greiling	Kelley	Milbert	Pugh	Trimble
Anderson, I.	Carruthers	Hasskamp	Kinkel	Munger	Reding	Tunheim
Anderson, R.	Clark	Hausman	Klinzing	Murphy	Rest	Van Dellen
Asch	Cooper	Huntley	Krueger	Neary	Rodosovich	Vellenga
Battaglia	Dehler	Jacobs	Lasley	Olson, E.	Rukavina	Wagenius
Bauerly	Delmont	Jaros	Lieder	Opatz	Sarna	Wejcman
Beard	Dorn	Jefferson	Lourey	Orenstein	Sekhon	Welle
Bergson	Evans	Johnson, A.	Luther	Orfield	Simoneau	Winter
Bertram	Farrell	Johnson, R.	Lynch	Osthoff	Skoglund	Worke
Bishop	Garcia	Kahn	Mahon	Ostrom	Sparby	Spk. Long
Blatz	Greenfield	Kalis	McGuire	Pawlenty	Tomassoni	

Those who voted in the negative were:

Brown, C.	Girard	Johnson, V.	Macklin	Olson, M.	Smith	Weaver
Brown, K.	Goodno	Kelso	McCollum	Onnen	Stanisus	Wenzel
Commers	Gruenes	Knickerbocker	Molnau	Ozment	Steensma	Workman
Dauner	Gutknecht	Koppendrayer	Morrison	Pauly	Sviggum	
Davids	Haukoos	Krinkie	Mosel	Pelowski	Swenson	
Dempsey	Holsten	Leppik	Nelson	Peterson	Tompkins	
Erhardt	Hugoson	Limmer	Ness	Rhodes	Vickerman	
Frerichs	Jennings	Lindner	Olson, K.	Seagren	Waltman	

The motion prevailed.

MOTIONS AND RESOLUTIONS

Leppik moved that the name of Erhardt be added as an author on H. F. No. 98. The motion prevailed.

Wenzel moved that the name of Long be added as an author on H. F. No. 421. The motion prevailed.

Rukavina moved that the name of Asch be added as an author on H. F. No. 540. The motion prevailed.

Seagren moved that her name be stricken as an author on H. F. No. 576. The motion prevailed.

Cooper moved that the names of Jaros and Johnson, R., be added as authors on H. F. No. 737. The motion prevailed.

Knickerbocker moved that the name of Erhardt be added as an author on H. F. No. 782. The motion prevailed.

Anderson, R., moved that the name of Pauly be added as an author on H. F. No. 789. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 15, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 15, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-SECOND DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 15, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Rabbi Stacy Offner, Shir Tikvah Congregation, St. Paul, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Asch	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Battaglia	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Bauerly	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Beard	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bergson	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bertram	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bettermann	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bishop	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Blatz	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Welle
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wenzel
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Wolf
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Worke
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Workman
Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Swiggum	Spk. Long

A quorum was present.

Brown, C., was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Huntley moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Carlson from the Committee on Education to which was referred:

H. F. No. 37, A bill for an act relating to children; requiring background checks on foreign exchange host families; amending Minnesota Statutes 1992, section 245A.03, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [121.72] [EXCHANGE STUDENTS.]

Subdivision 1. [HOST FAMILY BACKGROUND CHECK.] Before placing a child from another country with a host family, the placing agency must have a completed child protection background check on the host family, as specified in sections 299C.60 to 299C.64, except that the background check must determine whether the subject has been convicted of any felony. The background check must be used by the placement agency in determining the suitability of the subject family to be a host family. The agency placing the child with a host family shall pay the cost of the background check. The entity performing a background check under this action shall charge the placing agency an amount equal to the actual cost of each check or \$10, whichever is less.

Subd. 2. [SCHOOL FILES.] Before a child who is an exchange student from another country may enroll in a public or nonpublic elementary, secondary, or post-secondary school in Minnesota, the school must have in its files a letter from a child placing agency stating:

(1) that the child is a participant in an exchange program of the child placing agency;

(2) that the host family has been found to be suitable by the child placing agency after completion of a background check under subdivision 1; and

(3) the name and telephone number of a contact person at the child placing agency familiar with the child's case and the exchange program in which the child is participating."

Delete the title and insert:

"A bill for an act relating to children; regulating exchange programs; requiring a host family background check; requiring certain documents before school enrollment; proposing coding for new law in Minnesota Statutes, chapter 121."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 70, A bill for an act relating to state lands; authorizing a conveyance to the city of St. Cloud of certain land owned by the state as a part of St. Cloud State University.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 99, A bill for an act relating to local government; permitting the creation of regional public library districts; amending Minnesota Statutes 1992, sections 134.001, by adding a subdivision; and 134.351, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 134.

Reported the same back with the following amendments:

Page 2, line 9, after "(2)" insert "and with the approval of the board of the regional public library district"

Page 2, lines 10 and 12, delete "system" and insert "district"

Page 2, delete lines 14 to 27 and insert:

"Subd. 4. [BOARD.] (a) If the district is formed under subdivision 2, clause (1), the board of the public regional library district shall be composed of one county commissioner or the commissioner's designee from each county in the district's service area and one elected member from each county for each ten percent or a major fraction of the district's population. A majority of the members of the board must be elected members.

(b) If the district is formed under subdivision 2, clause (2), the board of the regional library district shall be composed of one member elected from each county in the district's service area and one member elected from each county for each ten percent or a major fraction of the district's population.

(c) Elected board members shall be elected at large from a county at a November election. Board members elected shall assume office on the following January 2. The term of a member shall be four years, with the terms of an initial board to expire in two years for one-half of the members. The board shall organize itself under section 134.11, subdivision 1. The board has the powers and duties set forth in section 134.11, subdivision 2."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 127, A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

Reported the same back with the following amendments:

Page 2, line 4, strike "commission may by rule provide for striking" and insert "removal of"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 161, A bill for an act relating to community development; providing for targeted neighborhoods revitalization and financing; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 298, A bill for an act relating to local government; creating the office of Anoka county coroner; appointing a physician as county coroner; appointing assistant coroners; designating deputy coroners; establishing the duties of the coroner.

Reported the same back with the following amendments:

Page 7, line 5, delete everything after "enactment" and insert a period

Page 7, delete line 6

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 333, A bill for an act relating to economic development; authorizing planning and final system design for connecting rural southwest Minnesota water systems to a federal water system; appropriating money.

Reported the same back with the recommendation that 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. 384, A bill for an act relating to housing; changing program review requirements; increasing deferred loan limits; expanding the types of eligible users of the homesharing program; expanding the project eligibility of the housing trust fund; authorizing cities to sell single-family residential housing under the neighborhood land trust program; expanding the types of eligible service providers and changing the authorized payment structure of the rental assistance for family stabilization program; increasing the income limits for rental housing assistance; establishing the community rehabilitation fund account; consolidating the blighted residential property and capital reserve programs; authorizing tribal Indian housing demonstration projects; amending Minnesota Statutes 1992, sections 462A.05, subdivisions 14a and 24; 462A.07, subdivision 15; 462A.201, subdivision 2; 462A.202, subdivision 7; 462A.205, subdivisions 2, 3, 4, 5, 6, 7, and by adding subdivisions; 462A.21, subdivisions 4c, 8c, and by adding a subdivision; and 462C.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 462A; repealing Minnesota Statutes 1992, sections 462A.05, subdivision 37; and 462A.32.

Reported the same back with the following amendments:

Page 12, delete section 16, and insert:

"Sec. 16. Minnesota Statutes 1992, section 462A.21, subdivision 8c, is amended to read:

Subd. 8c. [RENTAL HOUSING FOR INDIVIDUALS.] It may establish a rental housing assistance program for persons of low income or for persons with a mental illness ~~to provide or families that include an adult family member with a mental illness.~~ Rental assistance may be in the form of loans or direct rental subsidies for housing for individuals persons or families with incomes of up to 30 50 percent of area median income as determined by the United States Department of Housing and Urban Development, adjusted for families of five or more. Priority must be given to developments with the lowest income residents. Housing for the mentally ill must be operated in coordination with social service providers who provide services ~~to requested by~~ requested by tenants. The developments may be financed by the agency or other public or private entities. Direct rental subsidies must be administered by the agency for the benefit of eligible tenants. Financial assistance provided under this subdivision must be in the form of vendor payments whenever possible. Loans and direct rental subsidies under this subdivision may be made only with specific appropriations by the legislature. The limitations on eligible mortgagors contained in section 462A.03, subdivision 13, do not apply to loans for the rehabilitation of existing housing under this subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 430, A bill for an act relating to human services; requiring the department of health and human services to develop plans to reduce duplication and paperwork in reviews conducted.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [COORDINATION OF DEPARTMENT REVIEWS AND EVALUATIONS.]

The commissioners of health and human services shall develop and implement a plan by 1995 to coordinate reviews, surveys, evaluations, and investigations conducted by the agencies. The plan shall determine which department is responsible for conducting specific reviews, surveys, and evaluations. The purpose of the state coordinated plan is to reduce duplication and paperwork, including paperwork required of local agencies and providers. The commissioners of health and human services shall consult with local agencies, providers, and other interested parties in the formulation of a statewide coordinated plan.

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. 449, A bill for an act relating to education; independent school district No. 206, Alexandria; providing for the beginning of board terms.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on General Legislation, Veterans Affairs and Elections.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 461, A bill for an act relating to local government; authorizing cities to offer rewards for information leading to the apprehension, arrest, or conviction of alleged felons; proposing coding for new law in Minnesota Statutes, chapter 471.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 494, A bill for an act relating to human services; prohibiting restrictions on the right to provide licensed day care; proposing coding for new law in Minnesota Statutes, chapter 245A.

Reported the same back with the following amendments:

Page 2, line 19, delete the colon

Page 2, delete line 20

Page 2, line 21, delete "(2)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 498, A bill for an act relating to St. Louis county; solid waste management; clarifying St. Louis county contracting authority to include management operations; modifying contracting procedure; amending Minnesota Statutes 1992, section 383C.807, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 507, A bill for an act relating to patient rights; providing patients with the option to disclose their presence in a facility; amending Minnesota Statutes 1992, sections 144.651, subdivisions 21 and 26; and 253B.03, subdivisions 3 and 4.

Reported the same back with the following amendments:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1992, 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."

Page 1, line 23, after "patient" insert "or resident" and after "patient's" insert "or resident's"

Page 1, line 25, after "patient's" insert "or resident's"

Page 2, line 1, after "patient" insert "or resident"

Page 2, line 3, after "patient" insert "or resident" and after the period insert "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."

Page 2, line 19, after "patient" insert "or resident" and after "patient's" insert "or resident's"

Page 2, line 21, after "patient's" insert "or resident's"

Page 2, lines 22 and 24, after "patient" insert "or resident"

Page 2, line 25, after the period insert "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."

Page 2, line 36, after "patient" insert "or resident" and after "patient's" insert "or resident's"

Page 3, line 2, after "patient's" insert "or resident's"

Page 3, line 4, after "patient" insert "or resident"

Page 3, line 6, after "patient" insert "or resident" and after the period insert "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."

Page 3, line 12, after "patient" insert "or resident" and after "patient's" insert "or resident's"

Page 3, line 14, after "patient's" insert "or resident's"

Page 3, lines 15 and 17, after "patient" insert "or resident"

Page 3, line 18, after the period insert "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."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "patient" insert "and resident" and after "patients" insert "and residents"

Page 1, line 5, delete "21" and insert "2, 21,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 544, A bill for an act relating to tourism; establishing certain tourism loan programs; amending Minnesota Statutes 1992, section 116J.617.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 116J.617, is amended to read:

116J.617 [TOURISM LOAN PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] The commissioner may establish a tourism revolving loan program, and a tourism guarantee loan program to provide loans ~~or~~ participate in loans, or guarantee loans to resorts, campgrounds,

lodging facilities, and other tourism-related businesses. The commissioner shall work with financial institutions in making or participating in loans or guaranteeing loans under this section.

Subd. 2. [ELIGIBLE BORROWER.] To receive a loan under this section, the borrower must be a sole proprietorship, partnership, ~~or corporation, or other person~~ engaged in a tourism-related business or other entity that is defined by the standard industrial classification codes of 7011 and 7033 as set out in the Code of Federal Regulations, title 13, section 121.2. An eligible borrower under this section must maintain the business or other entity as a tourism-related entity as defined by this subdivision during the term of the loan. An eligible borrower may not receive a loan or loan guarantee under this section if the borrower has received a tourism-related loan, loan participation, or guarantee made by the state ~~or participated in by the state~~ in the past ~~three years~~ 36 months.

Subd. 3. [ELIGIBLE LOAN.] The maximum loan made or participated in under this section may not be for more than 50 percent of the total cost of the project. Loan proceeds may be used for the following purposes: acquisition of an existing business, building construction and improvement, land, site improvement, equipment, other construction costs, and engineering costs. Project-related expenditures made more than 30 days before an application may not be financed by a loan made, guaranteed, or participated in under this section.

Subd. 3a. [ELIGIBLE LOAN GUARANTEE.] The maximum loan guarantee made under this section may not be for more than 50 percent of the total cost of the project. Loan proceeds may be used for the same purposes as in subdivision 3.

Subd. 4. [LOAN TERMS.] The maximum term of a loan made, guaranteed, or participated in under this section may not exceed the useful life of the real property or 80 percent of the useful life of the equipment or machinery, or the following limits, whichever is less:

- (1) ten years for land, building, or other real property;
- (2) five years for equipment or machinery; or
- (3) a weighted average of the limits under clauses (1) and (2) for loans made, guaranteed, or participated in for a combination of real property and equipment or machinery.

The commissioner may establish interest rates for loans made under this section. All loans made must be secured by collateral.

Subd. 5. [TOURISM LOAN ACCOUNT.] The tourism loan account is created in the special revenue fund. The fund consists of money appropriated or transferred to the account and interest collected through the tourism revolving loan program, and gifts, donations, and bequests made to the account. Money in the account is appropriated to the commissioner for purposes of this section. Fees collected through the tourism revolving loan program must be credited to the general fund.

Subd. 6. [INVESTMENT INTEREST.] All interest and profits accruing from the investment of money from the tourism loan account are credited to the account, and any loss incurred in the principal of the investments of the account are borne by the account.

Sec. 2. [APPROPRIATION.]

\$1,500,000 is appropriated from the general fund for fiscal year 1994 to the commissioner of trade and economic development for purposes of this act.

Sec. 3. [EFFECTIVE DATE.]

This act is effective July 1, 1993."

Delete the title and insert:

"A bill for an act relating to tourism; establishing certain tourism loan programs; appropriating money; amending Minnesota Statutes 1992, section 116J.617."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 576, A bill for an act relating to state government; providing for appointments to advisory task forces, councils, and committees, administrative boards, and agencies; clarifying reporting requirements and term limits; amending Minnesota Statutes 1992, sections 15.014, subdivision 2; 15.0575, subdivision 2; 15.059, subdivision 2; 15.0597, subdivisions 2, 4, and 7; and 214.09, subdivision 2.

Reported the same back with the following amendments:

Page 4, line 10, after "by" insert "gender,"

Page 4, line 12, strike "sex,"

Page 5, after line 9, insert:

"Sec. 6. Minnesota Statutes 1992, section 15.0597, subdivision 5, is amended to read:

Subd. 5. [NOMINATIONS FOR VACANCIES.] Any person may make a self-nomination for appointment to an agency vacancy by completing an application on a form prepared and distributed by the secretary. Any person or group of persons may, on the prescribed application form, nominate another person to be appointed to a vacancy so long as the person so nominated consents in writing on the application form to the nomination. The application form shall specify the nominee's name, mailing address, telephone number, gender, preferred agency position sought, a statement that the nominee satisfies any legally prescribed qualifications, and any other information the nominating person feels would be helpful to the appointing authority. The nominating person has the option of indicating the nominee's ~~sex~~, political party preference or lack thereof, race and national origin on the application form. The application form shall make the option known. If a person submits an application at the suggestion of an appointing authority, the person shall so indicate on the application form. Twenty-one days after publication of a vacancy in the State Register pursuant to subdivision 4, the secretary shall submit copies of all applications received for a position to the appointing authority charged with filling the vacancy. If no applications have been received by the secretary for the vacant position by the date when copies must be submitted to the appointing authority, the secretary shall so inform the appointing authority. Applications received by the secretary shall be deemed to have expired one year after receipt of the application. An application for a particular agency position shall be deemed to be an application for all vacancies in that agency occurring prior to the expiration of the application and shall be public information."

Page 5, line 21, after "by" insert "gender,"

Page 5, line 22, strike "sex,"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, before the first "and" insert "5,"

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. 712, A bill for an act relating to higher education; regulating unrequested leaves of absence during the regionalization process of technical colleges; amending Minnesota Statutes 1992, section 136C.64, subdivision 3.

Reported the same back with the following amendments:

Page 1, lines 17 and 22, delete "April" and insert "February"

Page 2, delete lines 24 and 25

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 70, 127, 298, 384, 430, 461, 494, 498, 507, 576 and 712 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bertram, Kelso, Hugoson, Solberg and Stanius introduced:

H. F. No. 1030, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Limmer, Seagren, Tomassoni, Swenson and Olson, M., introduced:

H. F. No. 1031, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Olson, E.; Beard; Kalis; Anderson, I., and Onnen introduced:

H. F. No. 1032, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Girard, Ness, Battaglia, Vickerman and Beard introduced:

H. F. No. 1033, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Sparby; Hasskamp; Anderson, R., and Pugh introduced:

H. F. No. 1034, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Winter introduced:

H. F. No. 1035, A bill for an act relating to security guards; allowing security guards to request identification from persons on the premises; requiring peace officers and the department of public safety to assist security guards in obtaining motor vehicle and driver's license information; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the first time and referred to the Committee on Judiciary.

Asch, Greenfield and Gruenes introduced:

H. F. No. 1036, A bill for an act relating to human services; granting authority to make interpretive guidelines; defining interpretive guidelines; providing for a vulnerable adult study; establishing a data practices task force; amending Minnesota Statutes 1992, sections 14.03, subdivision 3; 245A.02, subdivision 14; 245A.04, subdivisions 3 and 3b; 245A.06, subdivision 2; 245A.09, subdivision 7, and by adding subdivisions; and 245A.16, subdivision 6; repealing Minnesota Statutes 1992, sections 245A.04, subdivision 3c.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Knickerbocker introduced:

H. F. No. 1037, A bill for an act relating to commerce; regulating mortgage payment services; requiring a license and bond; prescribing the duties of the commissioner; establishing fees; proposing coding for new law as Minnesota Statutes, chapter 82C.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jefferson, Dorn and Johnson, A., introduced:

H. F. No. 1038, A bill for an act relating to welfare reform; creating a commission to review welfare and public assistance policy and legislation; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Garcia; Brown, C.; Mahon and Gutknecht introduced:

H. F. No. 1039, A bill for an act relating to auctioneers; prohibiting certain cities and towns from requiring additional licenses of persons licensed as auctioneers by a county; proposing coding for new law in Minnesota Statutes, chapter 330.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Opatz, Reding, Smith, Kinkel and Evans introduced:

H. F. No. 1040, A bill for an act relating to insurance; service contracts; defining service contracts; exempting certain service contracts from regulation as insurance; amending Minnesota Statutes 1992, section 60A.02, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 60A.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Kalis introduced:

H. F. No. 1041, A bill for an act relating to public employees; authorizing a local police civil service commission to adopt rules allowing the striking of a name on the civil service eligible register after a one-year period; amending Minnesota Statutes 1992, section 419.06.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Farrell and Long introduced:

H. F. No. 1042, A bill for an act relating to human services; modifying provisions dealing with the administration, computation, and enforcement of child support; imposing penalties; amending Minnesota Statutes 1992, sections 136A.121, subdivision 2; 214.101, subdivision 1; 256.87, subdivisions 1, 1a, 3, and 5; 256.978; 256.979, by adding subdivisions; 256.9791, subdivisions 3 and 4; 257.66, subdivision 3; 257.67, subdivision 3; 257.69, subdivision 1; 518.14; 518.171, subdivisions 1, 2, 3, 4, 6, 7, 8, 10, and by adding a subdivision; 518.24; 518.54, subdivision 4; 518.551, subdivisions 1, 5, 5b, 7, 10, and 12; 518.57, subdivision 1, and by adding a subdivision; 518.611, subdivisions 1 and 4; 518.613, subdivision 1; 518.64, subdivisions 1, 2, 5, and 6; 518.645; 548.09, subdivision 1; 548.091, subdivision 3a; 588.20; and 609.375, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 256; and 518; repealing Minnesota Statutes 1992, sections 256.979; and 609.37.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Beard, Opatz, Krinkie and Olson, M., introduced:

H. F. No. 1043, A bill for an act relating to the state building code; including state licensed facilities in coverage; clarifying certain language; changing certain duties of the state building inspector and fee provisions; appropriating money; amending Minnesota Statutes 1992, sections 16B.60, subdivision 3, and by adding a subdivision; 16B.61, subdivisions 1a and 4; 16B.62, subdivision 1; 16B.66; 16B.70, subdivision 2; 16B.72; and 16B.73.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Krueger, Kahn, Bishop and Abrams introduced:

H. F. No. 1044, A bill for an act relating to education; allowing a school district to use a state compatible financial reporting system without going through a regional center and without state board approval; amending Minnesota Statutes 1992, section 121.936, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Battaglia; Lourey; Anderson, I.; Rukavina and Johnson, V., introduced:

H. F. No. 1045, A bill for an act relating to natural resources; regulating timber sales; increasing the value of sales requiring executive council approval and maximum lot value on auction sales; permitting the modification of timber permits damaged by natural cause; amending Minnesota Statutes 1992, section 90.031, subdivision 4; 90.041, by adding a subdivision; 90.101, subdivision 1; 90.121; and 90.201, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings, Gutknecht, Greenfield, Nelson and Vickerman introduced:

H. F. No. 1046, A bill for an act relating to human services; providing a cost of living increase to day training and habilitation facilities; amending Minnesota Statutes 1992, section 252.24, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Anderson, I., introduced:

H. F. No. 1047, A bill for an act relating to game and fish; abolishing the nonresident bear guide license; repealing Minnesota Statutes 1992, section 97A.475, subdivision 17.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 1048, A bill for an act relating to utilities; abolishing requirement to file subsequent conservation improvement plans with public utilities commission for purposes of utility rate changes; requiring filing of energy conservation plan in certain cases; allowing commission to establish reasonable time and manner for filing rate changes; allowing commission discretion to permit utility to adjust charges; increasing time allowed for commission to hold complaint hearing; including subsidiaries and operating divisions of utilities in definition of affiliated interest; raising consideration amount to \$50,000 for excluding regulation on transactions with affiliated interests; amending Minnesota Statutes 1992, sections 216B.16, subdivision 1, and by adding a subdivision; 216B.43; and 216B.48, subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Jacobs, for the Committee on Regulated Industries and Energy, introduced:

H. F. No. 1049, A bill for an act relating to utilities; requiring cooperative electric associations and municipal utilities to comply with standards set by public utilities commission relating to electrical current or voltage; amending Minnesota Statutes 1992, section 216B.09.

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. 1050, A bill for an act relating to utilities; providing that primary fuel source determines whether power generating plant is a large energy facility for purposes of certificate of need process; amending Minnesota Statutes 1992, section 216B.2421, subdivision 2, and by adding a subdivision.

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. 1051, A bill for an act relating to utilities; requiring municipality to petition public utilities commission before it may furnish electric service while eminent domain proceedings are pending to acquire electric utility; amending Minnesota Statutes 1992, section 216B.47.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Frerichs, Osthoff, Pelowski, Morrison and Ozment introduced:

H. F. No. 1052, A bill for an act relating to transportation; requiring a comprehensive second-phase study of high-speed rail; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Carruthers; Long; Anderson, I.; Mariani and Weaver introduced:

H. F. No. 1053, A bill for an act relating to metropolitan government; creating twin cities metro as a public corporation and political subdivision; eliminating the metropolitan council, regional transit board, metropolitan transit commission, metropolitan waste control commission, metropolitan parks and open space commission, the metropolitan mosquito control commission, and county regional railroad authorities in the metropolitan area and transferring their powers, duties, assets, and liabilities to twin cities metro; providing for an appointments advisory committee; providing for appointments to the board of twin cities metro; providing for a commissioner of twin cities metro; providing for greater oversight of the metropolitan airports commission; amending Minnesota Statutes 1992, sections 6.76; 10A.01, subdivisions 18 and 26; 15.0597, subdivision 1; 15A.081, subdivisions 1 and 7; 174.32, subdivisions 2 and 3; 221.022; 221.025; 221.031, subdivision 3a; 221.041, subdivision 4; 221.071, subdivision 1; 238.43, subdivision 5; 252.478, subdivision 2; 352.01, subdivisions 2a and 2b; 352D.02, subdivision 1; 398A.03, subdivision 1; 422A.101, subdivision 2a; 473.121, subdivision 5a, and by adding subdivisions; 473.122; 473.123, subdivisions 2a, 3, 3a, 4, 5, and by adding subdivisions; 473.129, by adding subdivisions; 473.13, subdivisions 1, 1a, 2, 4, and by adding subdivisions; 473.132; 473.142; 473.143, subdivision 1; 473.144; 473.145; 473.146, subdivisions 1 and 2; 473.147; 473.149, subdivisions 1, 2, 3, and 5; 473.155, subdivision 4; 473.161, subdivisions 1a, 1b, 2, 2a, and 3; 473.164, subdivisions 1, 2, and 3; 473.165; 473.167, subdivisions 1, 3, and 4; 473.168, subdivision 2; 473.173, subdivisions 2, 3, 4, 5, and 6; 473.181, subdivision 5; 473.192, subdivision 2; 473.195, subdivision 1; 473.223; 473.249; 473.301, subdivision 2; 473.313, subdivision 2; 473.315, subdivision 1; 473.333; 473.351, subdivision 3; 473.371, subdivision 2; 473.373, subdivisions 1a and 5; 473.375, subdivisions 11, 13, and 16; 473.377, subdivision 1; 473.384, subdivisions 1, 3, 6, and 7; 473.385, subdivision 2; 473.386, subdivision 2; 473.388, subdivisions 2, 3, and 4; 473.39, subdivisions 1 and 1a; 473.391; 473.392; 473.399, subdivisions 1, 2, and 3; 473.3994, subdivisions 7 and 9; 473.3996, subdivision 2; 473.405, subdivisions 5, 6, and by adding a subdivision; 473.4051; 473.408, subdivision 2a; 473.409; 473.416; 473.417; 473.418; 473.42; 473.436, subdivision 6; 473.445, subdivisions 1 and 3; 473.446, subdivisions 1 and 7; 473.504, subdivisions 1, 5, 6, 7, and 9; 473.511, subdivisions 1, 2, and 4; 473.516, subdivision 1; 473.521, subdivision 3; 473.549; 473.553, subdivisions 1, 2, 4, 5, and by adding subdivisions; 473.604, subdivisions 1 and 7; 473.605, subdivision 2; 473.611, subdivision 5; 473.621, subdivision 1a; 473.661, by adding a subdivision; 473.702; 473.704, subdivisions 1, 5, 9, 15, 16, 17, 18, and 20; 473.705; 473.706; 473.711, subdivisions 1, 2, 3, 4, and 5; 473.716; 473.8011; 473.852, subdivision 8; 473.856; 473.857, subdivision 3; 473.866; and 629.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 174.22, subdivision 4; 473.121, subdivisions 3, 12, 14a, 15, and 21; 473.123, subdivisions 1 and 6; 473.129, subdivision 6; 473.141; 473.146, subdivision 4; 473.155, subdivisions 2 and 3; 473.1551, subdivision 1; 473.1623; 473.163; 473.1631; 473.167, subdivision 5; 473.181, subdivision 3; 473.301, subdivision 4; 473.303; 473.371, subdivision 1; 473.373, subdivisions 1, 4a, 6, and 8; 473.375, subdivisions 1, 2, 3, 4, 9, 10, 17, and 18; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.3991; 473.3997; 473.3998; 473.404; 473.405, subdivisions 1, 2, 7, 8, and 11; 473.435; 473.436, subdivision 7; 473.501, subdivision 2; 473.503; 473.504, subdivisions 2 and 3; 473.511, subdivision 3; 473.517, subdivision 9; 473.535; 473.543, subdivision 5; 473.621, subdivisions 6 and 7; 473.701, subdivisions 3 and 4; 473.703; 473.704, subdivisions 4, 6, 10, 11, 13, and 19; 473.712; 473.714; 473.715; and 473.803, subdivision 1b; Laws 1989, chapter 339, section 21.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Pugh, Milbert, Beard, Swenson and Rice introduced:

H. F. No. 1054, A bill for an act relating to public employment; essential employees; requiring the commissioner of the bureau of mediation services to designate separate units for peace officers and other essential employees at the request of either group of employees; amending Minnesota Statutes 1992, section 179A.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Gutknecht introduced:

H. F. No. 1055, A bill for an act relating to elections; providing uniform local election procedures; amending Minnesota Statutes 1992, sections 103C.305, subdivision 2; 123.33, subdivision 1; 205.065, subdivisions 1 and 2; 205.07, subdivision 1; 205.10, subdivision 1, and by adding a subdivision; 205.13, subdivision 1, and by adding a subdivision; 205.16, subdivisions 1 and 2; 205.17, subdivision 4; 205.175; 205A.03, subdivisions 1 and 2; 205A.04; 205A.05, subdivision 1; 205A.06, subdivision 1, and by adding a subdivision; 205A.09, subdivision 2; 365.51, subdivisions 1 and 3; and 367.03; proposing coding for new law in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 1992, sections 205.02, subdivision 2; 205.065, subdivision 3; 205.18; 205.20; and 205A.04, subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Johnson, R.; Knickerbocker; Reding; Kinkel and Dempsey introduced:

H. F. No. 1056, A bill for an act relating to retirement; increasing contribution rates and benefit computation formulas for statewide pension plans and programs; authorizing formula increases for first class city teacher plans; amending Minnesota Statutes 1992, sections 352.04, subdivisions 2 and 3; 352.115, subdivision 3; 352.92, subdivisions 1 and 2; 352.93, subdivision 2; 352.95, subdivision 1; 352B.02, subdivisions 1a and 1c; 352B.08, subdivision 2; 352B.10, subdivision 1; 353.27, subdivision 2; 353.29, subdivision 3; 353.651, subdivision 3; 353.656, subdivision 1; 353C.06, subdivision 3; 354.42, subdivisions 2 and 3; 354.44, subdivision 6; 354A.12, subdivisions 1 and 2a; 354A.31, subdivision 4; 356.30, subdivision 1; 422A.10, subdivision 1; and 422A.15, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dawkins, Mariani and McGuire introduced:

H. F. No. 1057, A bill for an act relating to taxation; authorizing the commissioner of revenue to deduct debts owed by one political subdivision to another from aids payable to the debtor; amending Minnesota Statutes 1992, section 270.66, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Wejcman, Simoneau and Pawlenty introduced:

H. F. No. 1058, A bill for an act relating to landlord and tenant; restricting recovery if tenant owes rent; modifying owner's obligation to furnish rent certificate; allowing recovery under parol leases; allowing expedited proceedings; imposing penalties; amending Minnesota Statutes 1992, sections 290A.19; 504.02, subdivision 1, and by adding a subdivision; 566.03, by adding a subdivision; and 566.06; proposing coding for new law in Minnesota Statutes, chapters 290A; 504; and 566.

The bill was read for the first time and referred to the Committee on Housing.

Steensma, Peterson, Girard, Bertram and Wenzel introduced:

H. F. No. 1059, A bill for an act relating to agriculture; exempting certain pesticides from the ACRRA surcharge; amending Minnesota Statutes 1992, section 18E.03, subdivision 5.

The bill was read for the first time and referred to the Committee on Agriculture.

Mosel and Wenzel introduced:

H. F. No. 1060, A bill for an act relating to agriculture; making technical changes in eligibility for certain rural finance authority loan programs; amending Minnesota Statutes 1992, sections 41B.03, subdivision 3; and 41C.05, subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Winter, Munger and Wenzel introduced:

H. F. No. 1061, A bill for an act relating to agriculture; changing the apiary law; amending Minnesota Statutes 1992, sections 19.50, by adding a subdivision; 19.54; 19.55; 19.56; 19.58, subdivision 1; 19.59; 19.62; 19.64, subdivisions 1 and 4a; and 19.65; repealing Minnesota Statutes 1992, section 19.64, subdivisions 2, 3, and 4.

The bill was read for the first time and referred to the Committee on Agriculture.

Trimble introduced:

H. F. No. 1062, A bill for an act relating to agriculture; repealing the hazardous substance labeling act; amending Minnesota Statutes 1992, section 325F.19, subdivision 7; repealing Minnesota Statutes 1992, sections 24.32; 24.33; 24.34; 24.35; 24.36; 24.37; 24.38; 24.39; 24.40; 24.41; and 24.42.

The bill was read for the first time and referred to the Committee on Agriculture.

Trimble introduced:

H. F. No. 1063, A bill for an act relating to commerce; currency exchanges; changing the date for submission of license renewal applications; amending Minnesota Statutes 1992, section 53A.03.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Anderson, R., introduced:

H. F. No. 1064, A bill for an act relating to the nursing home moratorium; providing an exception; amending Minnesota Statutes 1992, section 144A.071, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Steensma, Winter, Mosel, Molnau and Wenzel introduced:

H. F. No. 1065, A bill for an act relating to agriculture; imposing licensing requirements for general merchandise storage warehouses; providing bond claim procedures; amending Minnesota Statutes 1992, sections 231.01, by adding a subdivision; 231.11; 231.12; 231.13; 231.14; 231.17; and 231.18; repealing Minnesota Statutes 1992, sections 231.19; 231.20; 231.21; 231.22; 231.23; 231.25; 231.26; 231.27; 231.29; 231.30; 231.31; and 231.33.

The bill was read for the first time and referred to the Committee on Agriculture.

Steensma, Molnau, Winter, Mosel and Wenzel introduced:

H. F. No. 1066, A bill for an act relating to agriculture; repealing the hay and straw standards law; repealing Minnesota Statutes 1992, sections 25.46; and 25.47.

The bill was read for the first time and referred to the Committee on Agriculture.

McGuire, Dawkins, Milbert and Commers introduced:

H. F. No. 1067, A bill for an act relating to recreational vehicles; regulating registration and operation of off-road vehicles; setting fees; providing penalties; requiring a comprehensive recreational use plan; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1992, sections 85.018, subdivisions 1, 2, 3, and 5; 171.03; and 466.03, subdivision 16; 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.

Bettermann and Sparby introduced:

H. F. No. 1068, A bill for an act relating to natural resources; regulating various phases of the operation of aquatic farms, quarantine facilities, and private fish hatcheries within the state; providing penalties; amending Minnesota Statutes 1992, sections 17.4982, subdivision 8; 17.4983, subdivision 2; 17.4984, subdivision 2; 17.4985, subdivisions 2 and 3; 17.4986, subdivision 2; 17.4991, subdivision 4; 17.4992, subdivision 3; 97C.203; 97C.515, subdivision 4; and 97C.525, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings; Simoneau; Sparby; Olson, E., and Goodno introduced:

H. F. No. 1069, A bill for an act relating to workers' compensation; regulating benefits; eliminating supplementary benefits; regulating permanent total disability benefits; eliminating certain lump-sum payments; amending Minnesota Statutes 1992, sections 176.021, subdivisions 3 and 3a; 176.101, subdivisions 3g, 3l, 3m, 3o, 3q, 4, and 5; and 176.66, subdivision 11; repealing Minnesota Statutes 1992, section 176.132, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Greenfield and Clark introduced:

H. F. No. 1070, A bill for an act relating to human services; mental health; extending an exemption for case manager qualifications; changing a definition of mental illness; changing requirements for specialized residential treatment services; allowing additional flexibility in use of community residential treatment funding; delaying required rules revision; amending Minnesota Statutes 1992, sections 245.462, subdivisions 4 and 20; 245.484; 245.4871, subdivision 4; 245.4882, subdivision 5; 245.73, subdivisions 2, 3, and by adding a subdivision; and Laws 1991, chapter 292, article 6, section 54; repealing Minnesota Statutes 1992, sections 245.711; and 245.712.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield introduced:

H. F. No. 1071, A bill for an act relating to health; modifying provisions relating to the moratorium on certification of nursing home beds; amending Minnesota Statutes 1992, sections 144A.071; 144A.073, subdivisions 2 and 3; and 256B.431, subdivisions 2b and 21; repealing Minnesota Statutes 1992, section 144A.071, subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey, Klinzing, Kinkel, Molnau and Ness introduced:

H. F. No. 1072, A bill for an act relating to health; modifying provisions relating to unlicensed mental health practitioners and sellers of hearing instruments; establishing enforcement provisions; providing penalties; amending Minnesota Statutes 1992, sections 148B.66, by adding a subdivision; 148B.70, subdivision 3; 153A.14, by adding a subdivision; 153A.15, subdivision 1; and 153A.19, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 214.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark, Greenfield and Jefferson introduced:

H. F. No. 1073, A bill for an act relating to health; expanding medical assistance coverage to include nutritional supplementation products; amending Minnesota Statutes 1992, section 256B.0625, subdivision 13.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Brown, C., introduced:

H. F. No. 1074, A bill for an act relating to elections; requiring publication and posting of notice of filing dates by county auditors; amending Minnesota Statutes 1992, section 204B.33.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Kelley, Greenfield, Gutknecht, Hasskamp and Girard introduced:

H. F. No. 1075, A bill for an act relating to health; authorizing mortality review projects; establishing access to data; limiting the disclosure of information collected, created, or maintained; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Onnen introduced:

H. F. No. 1076, A bill for an act relating to human services; defining nursing facility length of stay; changing the property-related payment rate for nursing facilities; adding changes to the nursing facility reimbursement; eliminating a nursing facility certified audit of financial statements; adding changes to ICF/MR reimbursement; changing provider appeals; granting inflation adjustments for nursing facilities; amending Minnesota Statutes 1992, sections 256B.03, by adding a subdivision; 256B.431, subdivisions 2o, 13, 15, and by adding a subdivision; 256B.47, subdivision 3; 256B.48, subdivision 2; 256B.50, subdivision 1b; and 256B.501, subdivisions 3g, 3i, and by adding a subdivision; repealing Minnesota Statutes 1992, section 252.478, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Farrell, Wejcman, Stanius, Pugh and Swenson introduced:

H. F. No. 1077, A bill for an act relating to metropolitan government; providing conditions on use agreements for sports facilities; amending Minnesota Statutes 1992, section 473.556, subdivision 12.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Farrell introduced:

H. F. No. 1078, A bill for an act relating to government data practices; prohibiting the release of motor vehicle or driver's license data for commercial purposes; amending Minnesota Statutes 1992, section 13.69, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Workman, Holsten, Krinkie and Tompkins introduced:

H. F. No. 1079, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Delmont, Osthoff, Mariani, Orenstein and Rhodes introduced:

H. F. No. 1080, A bill for an act relating to public safety; requiring mandatory notification of the state fire marshal in fires involving death; requiring autopsies on arson victims; extending the power to subpoena witnesses to arson investigation units in cities of the first class; deleting the intent element for the crimes of possession of explosives, incendiary devices, and molotov cocktails; defining fire as a dangerous weapon under the criminal code; lowering the felony damage threshold for arson in the second and third degree and negligent fires; creating a felony for tampering with fire alarms when potential for bodily harm exists; allowing prosecutors to charge "arson for profit" rings under RICO statute; granting peace officer status to deputy state fire marshals; extending the statute of limitations for arson to five years; amending Minnesota Statutes 1992, sections 299F.04, by adding a subdivision; 299F.06; 299F.811; 299F.815, subdivision 1; 390.11, by adding a subdivision; 390.32, by adding a subdivision; 609.02, subdivision 6; 609.562; 609.563, subdivision 1; 609.576, subdivision 1; 609.686; 609.902, subdivision 4; 626.84, subdivision 1; and 628.26.

The bill was read for the first time and referred to the Committee on Judiciary.

Asch, McCollum, Commers, McGuire and Luther introduced:

H. F. No. 1081, A bill for an act relating to commerce; regulating collection agencies; modifying prohibited practices; requiring notification to the commissioner upon certain employee terminations; repealing inconsistent surety bond and term and fee rules; regulating credit services organizations; modifying registration and bond requirements; modifying enforcement powers; amending Minnesota Statutes 1992, sections 332.37; 332.54, subdivision 1, and by adding subdivisions; 332.55; and 332.59; proposing coding for new law in Minnesota Statutes, chapter 332; repealing Minnesota Rules, parts 2870.1300; and 2870.1600.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Erhardt, Sarna, Van Dellen, Jacobs and Knickerbocker introduced:

H. F. No. 1082, A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; allowing recreational property owners to vote on bonding and property tax questions where the recreational property is located; providing implementing language; proposing coding for new law in Minnesota Statutes, chapter 204B.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Erhardt, Dempsey, Workman and Molnau introduced:

H. F. No. 1083, A bill for an act relating to taxation; property; removing the requirement to file a homestead application every four years; amending Minnesota Statutes 1992, section 273.124, subdivision 13.

The bill was read for the first time and referred to the Committee on Taxes.

Erhardt; Olson, M., and Molnau introduced:

H. F. No. 1084, A bill for an act relating to telephones; allowing telephone companies to offer caller identification service to its subscribers; 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.

Erhardt introduced:

H. F. No. 1085, A bill for an act relating to property taxation; excluding the value of improvements to certain homestead properties from assessment; amending Minnesota Statutes 1992, section 273.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Erhardt and Rhodes introduced:

H. F. No. 1086, A bill for an act relating to education; giving school boards discretion to begin the school year before or after Labor Day; repealing Minnesota Statutes 1992, section 126.12, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Erhardt and Olson, M., introduced:

H. F. No. 1087, A bill for an act relating to education; changing the formula for general education revenue reduction for large fund balances; allocating the reduction among operating funds; amending Minnesota Statutes 1992, section 124A.26, subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Johnson, R.; Knickerbocker; Reding and Kahn introduced:

H. F. No. 1088, A bill for an act relating to retirement; permitting certain public employees to purchase additional service credit in public pension funds; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Knickerbocker, Wejcman, Van Dellen, Carruthers and Bergson introduced:

H. F. No. 1089, A bill for an act relating to elections; setting the date by which Hennepin county park reserve district redistricting must take place; amending Minnesota Statutes 1992, section 383B.68, subdivision 4.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Pugh; Wejcman; Anderson, I., and Orfield introduced:

H. F. No. 1090, A bill for an act relating to metropolitan government; providing for an elected metropolitan council; eliminating the metropolitan transit commission, the regional transit board, the metropolitan parks and open space commission, and the metropolitan waste control commission, and transferring their powers and duties to the council; providing for the transportation advisory board to review and approve transit assistance and contracts and to serve as an arbitrator between transit providers in the metropolitan area; amending Minnesota Statutes 1992, sections 6.76; 10A.01, subdivision 18; 15.0597, subdivision 1; 15A.081, subdivisions 1 and 7; 161.173; 161.174; 204B.32, subdivision 2; 252.478, subdivision 2; 352.01, subdivisions 2a, 2b, and 11; 352.03, subdivision 1; 352D.02, subdivision 1; 353D.01, subdivision 2; 422A.01, subdivision 9; 422A.101, subdivision 2a; 471A.02, subdivision 8; 473.121, subdivision 5a; 473.122; 473.123, subdivisions 1, 2a, 3a, 4, 5, 6, and by adding subdivisions; 473.129, subdivision 6, and by adding a subdivision; 473.13, subdivision 1, and by adding subdivisions; 473.143, subdivision 1; 473.146, subdivisions 1, 2, 2a, 2b, 2c, and 4; 473.147; 473.153, subdivisions 1 and 4a; 473.161, subdivisions 1a, 1b, 2a, and 3; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.223; 473.313, subdivision 2; 473.315, subdivision 1; 473.333; 473.351, subdivision 3; 473.371, subdivision 2; 473.373, subdivisions 1a and 5; 473.375, subdivisions 11, 13, and 16; 473.377, subdivision 1; 473.384, subdivisions 1, 3, 6, and 7; 473.385, subdivision 2; 473.386, subdivision 2; 473.388, subdivisions 2, 3, and 4; 473.39, subdivisions 1 and 1a; 473.391; 473.392; 473.399, subdivisions 2 and 3; 473.3991, subdivision 2; 473.3994, subdivision 9; 473.3998; 473.405, subdivisions 5, 6, and by adding a subdivision; 473.4051; 473.408, subdivision 2a; 473.409; 473.415, subdivision 2; 473.416; 473.417; 473.418; 473.42; 473.436, subdivision 6; 473.445, subdivisions 1 and 3; 473.446, subdivisions 1 and 7; 473.504, subdivisions 1, 5, 6, 7, and 9; 473.511, subdivisions 1, 2, and 4; 473.516, subdivision 1; 473.521, subdivision 3; 473.549; 473.553, subdivisions 1, 2, 4, 5, and by adding subdivisions; and 629.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 174.22, subdivision 4; 473.121, subdivisions 12, 14a, 15, and 21; 473.123, subdivision 3; 473.141; 473.161, subdivision 2; 473.1623; 473.163; 473.1631; 473.181, subdivision 3; 473.301, subdivision 4; 473.303; 473.371, subdivision 1; 473.373, subdivisions 1, 4a, 6, and 8; 473.375, subdivisions 1, 2, 3, 4, 9, 10, 17, and 18; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.404; 473.405, subdivisions 1, 2, 7, 8, and 11; 473.435; 473.436, subdivision 7; 473.501, subdivision 2; 473.503; 473.504, subdivisions 2 and 3; 473.511, subdivision 3; 473.517, subdivision 9; 473.535; and 473.543, subdivision 5.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Delmont introduced:

H. F. No. 1091, A bill for an act relating to notaries public; making various technical changes; providing for the appointment and powers of notaries; prescribing penalties; amending Minnesota Statutes 1992, sections 359.01; 359.02; 359.03, subdivisions 1 and 3; 359.04; 359.05; 359.071; and 359.12.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Munger, Skoglund, Solberg and Jaros introduced:

H. F. No. 1092, A bill for an act relating to pollution control; oil and hazardous substance discharge; allowing for a single corporate prevention and response plan; extending completion date for a response plan; modifying a notification form; establishing fees; establishing accounts in the environmental fund; creating a spill prevention and preparedness advisory council; requiring notification of pipeline petroleum discharges; imposing penalties; appropriating money; amending Minnesota Statutes 1992, section 115E.04, subdivisions 1, 2, and 3; proposing coding for new law in Minnesota Statutes, chapter 115E.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Winter, Solberg, Farrell, Gruenes and Kinkel introduced:

H. F. No. 1093, A bill for an act relating to insurance; creating the Minnesota title insurance act; regulating the business of title insurance; prescribing the powers and duties of licensees and the commissioner of commerce; prescribing penalties; providing remedies; amending Minnesota Statutes 1992, sections 60J.07, subdivision 8; and

70A.02, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 68B; repealing Minnesota Statutes 1992, sections 68A.01; and 68A.02.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stanius introduced:

H. F. No. 1094, A bill for an act relating to insurance; regulating fees, data collection, coverages, notice provisions, enforcement provisions, the Minnesota joint underwriting association and the liquor liability assigned risk plan; enacting the NAIC model regulation relating to reporting requirements for licensees seeking to do business with certain unauthorized multiple employer welfare arrangements; making various technical changes; amending Minnesota Statutes 1992, sections 13.71, by adding subdivisions; 45.024, subdivision 2; 59A.12, by adding a subdivision; 60A.02, by adding a subdivision; 60A.03, subdivisions 5 and 6; 60A.052, subdivision 2; 60A.082; 60A.14, subdivision 1; 60A.19, subdivision 4; 60A.21, subdivision 2; 60C.22; 60K.06; 60K.14, subdivision 4; 60K.19, subdivision 8; 61A.02, subdivision 2; 61A.031; 61A.04; 61A.07; 61A.071; 61A.073; 61A.074, subdivision 1; 61A.08; 61A.09, subdivision 1; 61A.092, by adding a subdivision; 61A.12, subdivision 1; 62A.047; 62A.148; 62A.153; 62A.43, subdivision 4; 62E.19, subdivision 1; 62H.01; 62I.02; 62I.03; 62I.07; 65A.01, subdivision 1; 65A.29, subdivision 7; 65B.49, subdivision 3; 72A.20, by adding a subdivision; 72A.201, subdivision 9; 72A.41, subdivision 1; 72B.03, subdivision 1; 72B.04, subdivision 2; 176.181, subdivision 2; 340A.409, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapter 45; 62A; 62H; repealing Minnesota Statutes 1992, sections 72A.45; 72B.07; Minnesota Rules, parts 2783.0010; 2783.0020; 2783.0030; 2783.0040; 2783.0050; 2783.0060; 2783.0070; 2783.0080; 2783.0090; and 2783.0100.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stanius introduced:

H. F. No. 1095, A bill for an act relating to insurance; regulating investments, assets and liabilities, and annual statements of companies; providing for continuance of coverage upon liquidation; modifying the definition of resident for purposes of the Minnesota insurance guaranty association; regulating dividends and other distributions of insurance holding company systems; regulating risk retention groups; enacting the NAIC model legislation; amending Minnesota Statutes 1992, sections 60A.11, subdivision 9; 60A.12, subdivision 3; 60A.13, subdivisions 1 and 6; 60A.23, subdivision 4; 60B.22, subdivision 1; 60C.03, subdivision 7; 60D.20, subdivisions 2 and 4; 60E.01; 60E.02, subdivisions 9 and 12; 60E.03; 60E.04, subdivisions 1, 2, 3, 4, 7, 8, 11, and by adding a subdivision; 60E.05; 60E.07; 60E.08; 60E.09; 60E.10; 60E.12; and 60E.13; proposing coding for new law in Minnesota Statutes, chapters 60A and 60E; repealing Minnesota Statutes 1992, sections 60A.07, subdivision 5d; 60A.12, subdivision 10; 60B.24; and 60E.11.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stanius introduced:

H. F. No. 1096, A bill for an act relating to financial institutions; regulating institutions, deposits, rates and charges, enforcement provisions; modifying the definition of insurance premium finance licensee; amending Minnesota Statutes 1992, sections 45.025, by adding a subdivision; 46.044; 46.048, subdivision 1; 46.09; 47.0156; 47.096; 47.20, subdivision 4a; 47.52; 47.54, subdivision 4; 47.55, subdivision 1; 47.56; 48.04; 48.05; 48.09; 48.194; 48.24, subdivisions 1, 7, and 8; 48.61, subdivisions 2 and 4; 49.35; 49.36, subdivisions 1 and 4; 51A.02, subdivision 43; 52.04, subdivision 1, and by adding a subdivision; 52.12; 53.03, subdivision 5; 53.04, by adding a subdivision; 53.09, by adding a subdivision; 56.10; 56.131, subdivision 1; 56.155, subdivision 1; 59A.02, subdivision 3; 82B.03, subdivision 2; 300.20, subdivision 2; 300.21; 336.4-104; proposing coding for new law in Minnesota Statutes, chapter 56; repealing Minnesota Statutes 1992, sections 46.048, subdivision 2; and 48.24, subdivision 4.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Stanius introduced:

H. F. No. 1097, A bill for an act relating to human services; prohibiting insurers from using medical program eligibility as an underwriting guideline; empowering the commissioner to abate penalties and interest; changing the

hospital payment rate under the medical assistance program; defining reasonably expected to return to the homestead; directing the commissioner to seek waivers to consider all trust assets; changing period of ineligibility for long-term care services for medical assistance; defining effect of unauthorized transfer of property; amending Minnesota Statutes 1992, sections 62A.045; 246.18, subdivision 4; 256.9657, subdivisions 1 and 7; 256.969, subdivisions 1, 9, and by adding a subdivision; 256.9695, subdivision 3; 256B.055, subdivision 1; 256B.056, subdivision 2, and by adding a subdivision; 256B.0575; 256B.0595, subdivision 2, and by adding subdivisions; 256B.0625, subdivisions 13, 13a, 15, and 29; 256B.15, subdivision 1; 256B.37, subdivision 5, and by adding a subdivision; 256D.03, subdivisions 4 and 8; 259.431, subdivision 5; 393.07, subdivision 3; repealing Minnesota Statutes 1992, sections 256.969, subdivision 20.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Simoneau, Onnen, Lourey and Bergson introduced:

H. F. No. 1098, A bill for an act relating to mental health; authorizing interstate contracts between Wisconsin and Minnesota for the treatment of mentally ill persons who have been involuntarily committed; amending Minnesota Statutes 1992, section 245.50, subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Simoneau introduced:

H. F. No. 1099, A bill for an act relating to health; extending the expiration date of certain advisory councils and committees; modifying provisions relating to lead abatement; changing regulation provisions for hotels, resorts, restaurants, and manufactured homes; providing penalties; amending Minnesota Statutes 1992, sections 15.059, subdivision 5; 144.73, subdivision 3; 144.871, subdivisions 2, 3, 6, 7a, and by adding subdivisions; 144.872, subdivision 2; 144.873, subdivision 2; 144.874, subdivisions 1, 3, 4, and 6; 144.878, subdivisions 2 and 5; 157.01, subdivision 1; 157.03; 157.08; 157.081, subdivision 1; 157.09; 157.12; 157.14; 327.10; 327.11; 327.16, subdivision 5; 327.20, subdivision 1; and 327.26, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 157; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; 144.878, subdivision 2a; and 157.05, subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Stanius introduced:

H. F. No. 1100, A bill for an act relating to insurance; regulating the health coverage reinsurance association; amending Minnesota Statutes 1992, sections 62L.02, by adding a subdivision; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 2, 4, 6, and 7; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.19; and 62L.20, subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Lynch and Weaver introduced:

H. F. No. 1101, A bill for an act relating to the environment; establishing an environmental cleanup program for closed permitted landfills; establishing a landfill and solid waste fund; authorizing rulemaking; transferring money; appropriating money; amending Minnesota Statutes 1992, sections 115.073; 115A.923, subdivisions 1 and 1a; 115A.929; 383D.71, subdivision 1; 473.801, subdivision 1; 473.843, subdivisions 1 and 2; and 473.847; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1992, sections 115B.42; 473.844; and 473.845.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pauly introduced:

H. F. No. 1102, A bill for an act relating to the environment; restructuring the hazardous waste generator tax; establishing the hazardous waste generator loan program; establishing the hazardous waste generator loan account;

appropriating money; amending Minnesota Statutes 1992, sections 115B.22, by adding a subdivision; and 115B.24, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1992, sections 115B.21, subdivisions 4, 5, and 6; and 115B.22, subdivisions 1, 2, 3, 4, 5, and 6.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Simoneau, Greenfield, Clark, Wejcman and Rodosovich introduced:

H. F. No. 1103, A bill for an act relating to human services; changing the distribution scheme for money appropriated for the foodshelf program; appropriating money; amending Minnesota Statutes 1992, section 268.55.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Orfield, Kahn and Long introduced:

H. F. No. 1104, A bill for an act relating to the city of Minneapolis; regulating the establishment and functions of special service districts; amending Laws 1985, chapter 302, section 1, subdivision 3; section 2, subdivision 1; and section 4.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Wejcman, Garcia, Stanius, Nelson and Bergson introduced:

H. F. No. 1105, A bill for an act relating to human services; prohibiting the buying or selling of food stamp coupons; amending Minnesota Statutes 1992, section 393.07, subdivision 10.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Wagenius introduced:

H. F. No. 1106, A bill for an act relating to the environment; changing methods for assessing and collecting hazardous waste administration fees; providing for rulemaking; amending Minnesota Statutes 1992, section 116.12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Huntley, Jaros, Battaglia and Murphy introduced:

H. F. No. 1107, A bill for an act relating to waters; establishing a safe harbors program for Lake Superior; stating powers and duties of the commissioner of natural resources and local authorities in respect thereto; proposing coding for new law in Minnesota Statutes, chapter 86A.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Frerichs, Dempsey and Osthoff introduced:

H. F. No. 1108, A bill for an act relating to transportation; appropriating money for a study of Rochester airport and for a study of high speed rail.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Farrell, Trimble, Dawkins, Asch and McGuire introduced:

H. F. No. 1109, A bill for an act relating to juvenile court; reimbursement of county in certain juvenile cases; amending Minnesota Statutes 1992, section 260.251, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Girard, Hugoson, Peterson and Steensma introduced:

H. F. No. 1110, A bill for an act relating to traffic regulations; authorizing the use of studded tires by mail carriers; amending Minnesota Statutes 1992, section 169.72, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Peterson; Lieder; Olson, E.; Dauner and Girard introduced:

H. F. No. 1111, A bill for an act relating to agriculture; grain marketing; providing wheat protein premiums equivalent to discounts; amending Minnesota Statutes 1992, sections 17B.02, subdivisions 3a and 5; and 17B.0451, subdivision 10, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

Asch, Kelley, Stanius and Lourey introduced:

H. F. No. 1112, A bill for an act relating to occupations and professions; modifying reciprocity licensing requirement; providing for disciplinary actions; imposing penalties; amending Minnesota Statutes 1992, sections 148.905, subdivision 1; 148.921, subdivision 3; 148.925, subdivision 1; and 148.98; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1992, section 148.95.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Swenson introduced:

H. F. No. 1113, A bill for an act relating to elections; campaign finance reform; prohibiting certain caucus fundraisers during the legislative session; prohibiting "friends of" committees; limiting certain kinds of contributions; prohibiting transfers between candidate committees; amending Minnesota Statutes 1992, sections 10A.065, subdivisions 1 and 5; 10A.14, subdivision 2; 10A.19, subdivision 1; 10A.27, subdivision 9, and by adding a subdivision; 10A.31, subdivisions 3 and 5; 10A.323; 10A.324, subdivision 3; and 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, sections 10A.17, subdivision 3; 10A.31, subdivision 3a; and 290.06, subdivision 23.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Milbert, Munger, Weaver, Sparby and Pugh introduced:

H. F. No. 1114, A bill for an act relating to game and fish; stamp design; training of hunting dogs; clothing requirements; raccoon season; rough fish taking by nonresidents; muskie size limits; taking of mussels; amending Minnesota Statutes 1992, sections 97A.045, subdivision 7; 97B.005, subdivisions 2 and 3; 97B.071; 97B.621, subdivision 1; 97C.375; 97C.405; and 97C.701, subdivisions 1 and 2; repealing Minnesota Statutes 1992, sections 97A.541; 97C.701, subdivisions 3, 4, and 5; 97C.705; and 97C.711.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Gutknecht, Bishop, Gruenes and Vellenga introduced:

H. F. No. 1115, A bill for an act relating to education; declaring legislative policy on religious matters in the public elementary and secondary schools; establishing guidelines; proposing coding for new law in Minnesota Statutes, chapter 126.

The bill was read for the first time and referred to the Committee on Education.

Skoglund, Bishop, Mosel, McCollum and Mahon introduced:

H. F. No. 1116, A bill for an act relating to crime; increasing penalty for repeat convictions for carrying a pistol without a permit; extending effective period of wiretap warrant from ten to 30 days; amending Minnesota Statutes 1992, sections 624.714, subdivision 1; and 626A.06, subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Judiciary.

Gutknecht; Vickerman; Anderson, R.; Davids and Jennings introduced:

H. F. No. 1117, A bill for an act relating to human services; clarifying and changing license evaluation requirements and eliminating certain restrictions on businesses providing certain adult foster care services; changing the billing cycle and collection retention for certain human services programs; modifying conditions for the Minnesota family investment plan; changing the name of the hearing impaired services act and the council for the hearing impaired; changing requirements for child protection training and clarifying maltreatment reporting; amending Minnesota Statutes 1992, sections 245A.04, subdivision 6; 245A.11, subdivision 2a; 256.019; 256.025, subdivision 3; 256.033, subdivision 1; 256.034, subdivision 1; 256.0361, subdivision 1; 256C.21; 256C.22; 256C.23, subdivisions 2, 3, and by adding a subdivision; 256C.24; 256C.25, subdivision 1; 256C.26; 256C.27; 256C.28; 268.871, subdivision 1; 626.556, subdivisions 10 and 11; 626.559, subdivisions 1 and 1a; and 626.5591.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Jaros, Milbert, Erhardt, Ostrom and Anderson, I., introduced:

H. F. No. 1118, A bill for an act relating to taxation; income and franchise; providing that for apportionment of net income certain sales are made outside the state; amending Minnesota Statutes 1992, section 290.191, subdivision 5.

The bill was read for the first time and referred to the Committee on Taxes.

Lindner; Olson, M., and Vickerman introduced:

H. F. No. 1119, A bill for an act relating to human services; adding conditions on availability of funds; changing conditions on adoption assistance agreement; changing reimbursement of costs; determining program funding; amending Minnesota Statutes 1992, sections 259.40, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Van Dellen and Davids introduced:

H. F. No. 1120, A bill for an act relating to taxation; income; allowing an additional exemption for dependents; amending Minnesota Statutes 1992, section 290.01, subdivision 19b.

The bill was read for the first time and referred to the Committee on Taxes.

Hasskamp, Tunheim, Asch, Smith and Holsten introduced:

H. F. No. 1121, A bill for an act relating to occupations and professions; board of accountancy; changing board membership; changing educational requirements; providing for the licensure of registered accountants; providing for certification and licensure of registered public accountants; appropriating money; amending Minnesota Statutes 1992, sections 326.17; 326.18; 326.19; 326.20, subdivisions 1, 2, and by adding a subdivision; 326.211, subdivisions 5, 6, 7, 9, 10, and by adding subdivisions; 326.212, subdivisions 1, 3, 5, and by adding subdivisions; and 326.224; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1992, sections 326.212, subdivision 4.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Garcia; Johnson, A.; Pauly; Mahon and Kalis introduced:

H. F. No. 1122, A bill for an act relating to transportation; prohibiting parking in transit stops marked with a handicapped sign; establishing priority for transit in energy emergencies; requiring motor vehicles to yield to transit buses entering traffic; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; 169.20, by adding a subdivision; 169.346, subdivision 1; and 216C.15, subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Greenfield introduced:

H. F. No. 1123, A bill for an act relating to human services; clarifying day training and habilitation transportation exemptions; clarifying that counties may contract with hospitals to provide outpatient mental health services; clarifying the definition of crisis assistance; increasing the allowable duration of unlicensed, single-family, respite care; clarifying the definition of related condition and application procedures for family support grants; correcting references to case management and hospital appeals; clarifying eligibility for case management services; clarifying nursing facility rate adjustments; clarifying the calculation and allowing 12-month plans for special needs exceptions; clarifying requirements for health care provider participation; clarifying voluntary spend-down procedures; amending Minnesota Statutes 1992, sections 174.30, subdivision 1; 245.470, subdivision 1; 245.4871, subdivision 9a; 245.4876, subdivision 2; 245.488, subdivision 1; 245A.03, subdivision 2; 252.27, subdivisions 1 and 1a; 252.32, subdivision 1a; 256.045, subdivision 4a; 256.9686, subdivision 6; 256.9695, subdivisions 1 and 3; 256B.056, subdivision 5; 256B.0625, subdivisions 6a, 7, and 19a; 256B.0644; 256B.092, subdivisions 1, 1b, 1g, 7, and 8a; 256B.431, subdivision 10; 256B.48, subdivision 3a; 256B.501, subdivision 8; and 609.115, subdivision 9; repealing Minnesota Statutes 1992, section 256B.0629.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Luther, Ostrom, Bertram, Smith and Bettermann introduced:

H. F. No. 1124, A bill for an act relating to taxation; income; expanding the dependent care credit; amending Minnesota Statutes 1992, section 290.067.

The bill was read for the first time and referred to the Committee on Taxes.

Mahon; Garcia; Anderson, I.; Rhodes and Osthoff introduced:

H. F. No. 1125, A bill for an act relating to transportation; providing for a metropolitan area high speed bus study; appropriating money.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Goodno introduced:

H. F. No. 1126, A bill for an act relating to employment; renaming and modifying provisions relating to the dislocated worker fund; establishing the job skills partnership grant program; amending Minnesota Statutes 1992, sections 116L.03, subdivision 7; and 268.022, subdivision 2; 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.

Jefferson introduced:

H. F. No. 1127, A bill for an act relating to education; authorizing a grant for the Education is our Goal, Inc. program; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Jefferson introduced:

H. F. No. 1128, A bill for an act relating to education; authorizing a grant for the First Step project; requiring a report; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Lasley; Skoglund; Johnson, A.; Olson, K., and Ness introduced:

H. F. No. 1129, A bill for an act relating to education; directing the state board of teaching and the deaf community to define certain licensure requirements; amending Minnesota Statutes 1992, section 125.189.

The bill was read for the first time and referred to the Committee on Education.

Osthoff introduced:

H. F. No. 1130, A bill for an act relating to the city of St. Paul; authorizing the dispensing of intoxicating liquor at the Como Park lakeside pavilion; amending Minnesota Laws 1983, chapter 259, section 8.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Johnson, R.; Kahn and Dorn introduced:

H. F. No. 1131, A bill for an act relating to retirement; providing coverage for unclassified managerial employees in temporary, acting, or interim positions; providing default plan for employee selection; providing one time vesting change for state university employee; providing for retroactive effect of 1990 law; adding conforming language to clarify eligibility between plans; relating to the individual retirement account plan; providing new eligibility period; providing for refunding of amounts forfeited; providing coverage for certain part-time employees; providing for repayment of missed contributions; providing for administrative expenses; providing for contributions during period of sabbatical leave; relating to the supplemental retirement plan; providing conforming language for previous oversight of eligible members; relating to retirement plan for technical college employees; providing investment option under individual retirement account plan; relating to marriage dissolutions; providing alternate method of retirement asset distribution for individual retirement account plan; amending Minnesota Statutes 1992, sections 352D.02, subdivision 1a, and by adding a subdivision; 354.05, subdivision 2a; 354B.01, subdivision 1, and by adding a subdivision; 354B.015; 354B.02, subdivisions 1, 2, 3a, and by adding a subdivision; 354B.04, by adding a subdivision; 354B.05, subdivision 1, and by adding a subdivision; 356.24, subdivision 1; and 518.58, subdivision 4; Laws 1990,

chapter 570, article 10, section 7; proposing coding for new law in Minnesota Statutes, chapter 354B; repealing Minnesota Statutes 1992, section 354B.02, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Johnson, R., and Reding introduced:

H. F. No. 1132, A bill for an act relating to retirement; deferred compensation investment options; amending Minnesota Statutes 1992, section 352.96, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Hausman; Jacobs; Simoneau; Johnson, A., and Gruenes introduced:

H. F. No. 1133, A bill for an act relating to motor fuels; directing public service department to evaluate and implement policy to provide incentives for developing use of motor vehicles powered by alternate fuels; exempting alternative fuels from motor fuel tax but requiring permit; amending Minnesota Statutes 1992, sections 216C.01, by adding subdivisions; 296.01, by adding subdivisions; 296.025, subdivision 1a; and 296.026, subdivisions 1, 2a, 6, and 7; proposing coding for new law in Minnesota Statutes, chapters 216B; and 216C.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Winter introduced:

H. F. No. 1134, A bill for an act relating to crimes; creating the felony offense of assaulting a protective agent or security guard who is engaged in performing occupational duties; amending Minnesota Statutes 1992, section 609.2231, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Knickerbocker introduced:

H. F. No. 1135, A bill for an act relating to weights and measures; empowering the director to comply with metrology standards of European Economic Community and to provide specialized calibration services to businesses competing in European markets; appropriating money; amending Minnesota Statutes 1992, section 239.011, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Knickerbocker introduced:

H. F. No. 1136, A bill for an act relating to weights and measures; authorizing the commissioner of public service to set fees without rulemaking; setting fees to cover costs of inspections; appropriating money; amending Minnesota Statutes 1992, section 239.10; proposing coding for new law in Minnesota Statutes, chapter 239; repealing Minnesota Statutes 1992, sections 239.52; and 239.78.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Sarna introduced:

H. F. No. 1137, A bill for an act relating to real estate; regulating fees, licenses, and agreements; requiring certain disclosures; providing for meetings of the real estate appraiser advisory board; changing terms; regulating fees and licenses; amending Minnesota Statutes 1992, sections 82.17, subdivision 4, and by adding subdivisions; 82.19, subdivision 5, and by adding subdivisions; 82.20, subdivisions 7, 8, and 15; 82.21, subdivision 1, and by adding a

subdivision; 82.22, subdivisions 6 and 13; 82.24, subdivision 1; 82.27, subdivision 1; 82.33, subdivision 2, and by adding subdivisions; 82.34, subdivisions 3 and 4; 82B.02, by adding a subdivision; 82B.05, subdivision 5; 82B.09, subdivision 1; 82B.11; 82B.14; 82B.19, subdivision 2; and 507.45, subdivision 4; Laws 1992, chapter 555, article 1, section 12; proposing coding for new law in Minnesota Statutes, chapter 82; repealing Minnesota Statutes 1992, section 82.22, subdivision 7; Minnesota Rules, part 2805.1200.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Mosel, Steensma, Winter, Girard and Wenzel introduced:

H. F. No. 1138, A bill for an act relating to agriculture; changing eligibility and participation requirements for certain rural finance authority programs; authorizing an application fee; amending Minnesota Statutes 1992, sections 41B.03, subdivision 1, and by adding a subdivision; 41B.039, subdivision 2; and 41B.042, subdivision 4.

The bill was read for the first time and referred to the Committee on Agriculture.

Orenstein introduced:

H. F. No. 1139, A bill for an act relating to crime; expanding the definition of "machine gun" to include firearms that are modified to fire at the same rate as a machine gun; providing penalties for owning, possessing, or using a device enabling a firearm to fire at the same rate as a machine gun; amending Minnesota Statutes 1992, section 609.67, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Orenstein introduced:

H. F. No. 1140, A bill for an act relating to health; codifying case law regarding abortion; amending Minnesota Statutes 1992, section 609.269; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 1992, section 145.412.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Jennings, Peterson, Abrams, Winter and Osthoff introduced:

H. F. No. 1141, A bill for an act relating to the environment; conditioning the use of state funds by the attorney general for investigation of environmental violations; allowing courts to dismiss proceedings against first-time violators of certain environmental provisions after a successful probationary period is completed; amending Minnesota Statutes 1992, section 609.671, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 8.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Osthoff introduced:

H. F. No. 1142, A bill for an act relating to jobs and training; directing commissioner of jobs and training to provide staff and services for Minnesota jobs skills partnership board; amending Minnesota Statutes 1992, section 116L.03, subdivision 7.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jaros, Kahn, Erhardt, Kinkel and Bishop introduced:

H. F. No. 1143, A bill for an act relating to international affairs; establishing a commission; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Sviggum and Macklin introduced:

H. F. No. 1144, A bill for an act relating to taxation; sales and use; clarifying the exemption for certain capital equipment; amending Minnesota Statutes 1992, section 297A.01, subdivision 16.

The bill was read for the first time and referred to the Committee on Taxes.

Sviggum and Dauner introduced:

H. F. No. 1145, A bill for an act relating to drivers' licenses; prohibiting issuance of license to person under age 18 years unless the person has graduated from or is attending secondary school; requiring suspension of license for persons under age 18 who withdraw from school; amending Minnesota Statutes 1992, sections 171.04, subdivision 1, and by adding a subdivision; 171.18, subdivision 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 120.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Koppendrayner, Weaver, Ozment and Vellenga introduced:

H. F. No. 1146, A bill for an act relating to education; creating a special definition of pupil units; allowing early retirement levies; providing special aid for school district No. 480, Onamia, when resident pupils attend a nonpublic school located on a reservation.

The bill was read for the first time and referred to the Committee on Education.

Solberg and Tomassoni introduced:

H. F. No. 1147, A bill for an act relating to the city of Floodwood and the towns of Floodwood, Van Buren, Haiden, Cedar Valley, Ness, Arrowhead, Fine Lakes, and Prairie Lake, and unorganized territory 52-21; authorizing establishment of a joint ambulance district and imposition of a tax to finance the district.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Olson, E.; Johnson, V.; Kalis; Krueger and Wenzel introduced:

H. F. No. 1148, A bill for an act relating to state government; transferring the powers and duties of the board of water and soil resources to the commissioner of agriculture.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bauerly, Mosel, Nelson, Winter and Wenzel introduced:

H. F. No. 1149, A bill for an act relating to the agricultural finance authority; authorizing direct loans and participations; increasing the dollar limit; amending Minnesota Statutes 1992, sections 41B.02, by adding a subdivision; and 41B.043.

The bill was read for the first time and referred to the Committee on Agriculture.

Beard, Lourey, Opatz, Jennings and Tomassoni introduced:

H. F. No. 1150, A bill for an act relating to consumer protection; providing for a review list; providing for independent medical examinations requested by third-party payors; requiring rulemaking; proposing coding for new law in Minnesota Statutes, chapter 146.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dauner and Goodno introduced:

H. F. No. 1151, A bill for an act relating to employment; requiring wage payments at certain times; amending Minnesota Statutes 1992, section 181.101.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Ozment; Johnson, R.; Hasskamp and Wolf introduced:

H. F. No. 1152, A bill for an act relating to natural resources; providing for the prevention and suppression of wildfires in forest areas; providing penalties; amending Minnesota Statutes 1992, sections 88.01, subdivisions 2, 6, 8, 15, and by adding subdivisions; 88.02; 88.03; 88.04; 88.041; 88.05; 88.06; 88.065; 88.067; 88.08; 88.09, subdivision 2; 88.10; 88.11, subdivision 2; 88.12; 88.14; 88.15; 88.16; 88.17, subdivision 1, and by adding a subdivision; 88.18; 88.22; and 88.76; proposing coding for new law in Minnesota Statutes, chapter 88; repealing Minnesota Statutes 1992, sections 88.01, subdivision 23; 88.17, subdivision 2; and 88.19; and Laws 1992, chapter 556, sections 10 and 11; and Minnesota Rules, parts 7005.0705; 7005.0715; 7005.0725; 7005.0735; and 7005.0745.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brown, C.; Pugh; Smith; Solberg and Blatz introduced:

H. F. No. 1153, A bill for an act relating to civil actions; clarifying the limits on recovery for economic loss caused by components of manufactured goods; amending Minnesota Statutes 1992, section 604.10.

The bill was read for the first time and referred to the Committee on Judiciary.

Bergson and Skoglund introduced:

H. F. No. 1154, A bill for an act relating to crime; requiring courts to impose a 20 percent of maximum fine amount on persons convicted of controlled substance offenses; appropriating money; amending Minnesota Statutes 1992, section 609.101, subdivision 3; Laws 1991, chapter 279, section 41.

The bill was read for the first time and referred to the Committee on Judiciary.

Pugh, Sekhon, Munger, Ozment and Skoglund introduced:

H. F. No. 1155, A bill for an act relating to free speech; protecting citizens and organizations from civil lawsuits for exercising their constitutional rights of petition, speech, association, and participation in government; proposing coding for new law as Minnesota Statutes, chapter 554.

The bill was read for the first time and referred to the Committee on Judiciary.

Ozment, Tompkins, Frerichs and Jennings introduced:

H. F. No. 1156, A bill for an act relating to health; modifying provisions relating to infectious waste; amending Minnesota Statutes 1992, sections 116.76, subdivision 14; 116.78, subdivisions 4 and 7; 116.79, subdivisions 1 and 4; 116.80, subdivisions 1 and 2; 116.81, subdivision 1; 116.82, subdivision 3; and 116.83, subdivisions 1 and 3; repealing Minnesota Statutes 1992, sections 116.76, subdivision 7; 116.79, subdivision 3; 116.81, subdivision 2; and 116.83, subdivision 2; Minnesota Rules, parts 4622.0100; 4622.0300; 4622.0400; 4622.0600; 4622.0700, subparts 10 and 12; 4622.1000; 4622.1050; 4622.1100; 4622.1150; and 4622.1200.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Tomassoni, Pelowski and Bauerly introduced:

H. F. No. 1157, A bill for an act relating to education; making technical changes in education programs and policies; amending Minnesota Statutes 1992, sections 120.101, subdivisions 5 and 5b; 120.102, subdivision 1; 123.7045; 124.19, subdivision 1; 124.195, subdivision 9; 124.431, subdivision 1a; 124.95, subdivisions 1 and 2; 124.961; 125.05, subdivision 1a; 475.61, subdivision 3.

The bill was read for the first time and referred to the Committee on Education.

Jacobs and Blatz introduced:

H. F. No. 1158, A bill for an act relating to taxation; sales and use; repealing the tax on motor vehicle rentals; repealing Minnesota Statutes 1992, section 297A.135.

The bill was read for the first time and referred to the Committee on Taxes.

Mariani, Dawkins, McCollum, Trimble and Orenstein introduced:

H. F. No. 1159, A bill for an act relating to the city of Saint Paul; providing for a housing rehabilitation program; authorizing the issuance of general obligation bonds.

The bill was read for the first time and referred to the Committee on Housing.

Hausman, Jefferson, Bauerly and Vellenga introduced:

H. F. No. 1160, A bill for an act relating to education; appropriating money for alternative licensure of minority teachers in early childhood or parent education.

The bill was read for the first time and referred to the Committee on Education.

Farrell introduced:

H. F. No. 1161, A bill for an act relating to retirement; public employees retirement association; permitting payment in lieu of salary deductions to obtain service credit notwithstanding a one-year time limitation.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Trimble introduced:

H. F. No. 1162, A bill for an act relating to agriculture; requiring acceptance of empty pesticide containers and unused pesticide by certain pesticide distributors; amending Minnesota Statutes 1992, section 18B.135.

The bill was read for the first time and referred to the Committee on Agriculture.

Trimble introduced:

H. F. No. 1163, A bill for an act relating to agriculture; authorizing use of money in the agricultural chemical response and reimbursement account for administrative costs; amending Minnesota Statutes 1992, section 18E.03, subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Trimble introduced:

H. F. No. 1164, A bill for an act relating to water law; making miscellaneous technical corrections to water law; amending Minnesota Statutes 1992, sections 103F.215, subdivision 1; 103F.221, subdivision 1; 103G.005, subdivisions 14, 15, and 18; 103G.105; 103G.111, subdivision 1; 103G.121, subdivision 1; 103G.135; 103G.261; 103G.271, subdivision 2; 103G.275, subdivision 1; 103G.295, subdivision 4; 103G.315, subdivisions 12 and 15; and 103G.611, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kelso, Vellenga, Skoglund, Klinzing and Kelley introduced:

H. F. No. 1165, A bill for an act relating to education; appropriating money for violence prevention education grants.

The bill was read for the first time and referred to the Committee on Education.

Knickerbocker, Kahn, Greiling and Van Dellen introduced:

H. F. No. 1166, A bill for an act relating to retirement; public employees police and fire fund; extending retirement annuity, disability benefit and survivor benefit coverage to part-time off-duty peace officers employed as transit police by the metropolitan transit commission; amending Minnesota Statutes 1992, sections 353.01, subdivision 6; 353.65, subdivisions 2 and 3; 353.651, subdivision 2; 353.656, subdivision 1; and 353.657, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Gutknecht introduced:

H. F. No. 1167, A bill for an act relating to state government; creating a commission to study expense reduction in the operation of the legislature; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Murphy, Solberg, McGuire and Pugh introduced:

H. F. No. 1168, A bill for an act relating to corrections; requiring the commissioner of corrections to award a grant to St. Louis county for a pilot program involving study of the automated probation reporting system; 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.

Jefferson, Orfield, Wejcman and Steensma introduced:

H. F. No. 1169, A bill for an act relating to metropolitan government; requiring the transit commission to obtain consent to use parkways; amending Minnesota Statutes 1992, section 413.411, subdivision 5.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Bishop, Solberg and Stanius introduced:

H. F. No. 1170, A bill for an act relating to traffic regulations; repealing executive authority to set vehicle speed limits by executive order; making conforming changes; amending Minnesota Statutes 1992, sections 169.983; and 169.99, subdivision 1b; repealing Minnesota Statutes 1992, sections 13.99, subdivision 56; 169.141; and 171.12, subdivision 6.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Anderson, I., introduced:

H. F. No. 1171, A bill for an act relating to state lands; directing the commissioner of revenue to convey rights to sand and gravel on certain tax-forfeited land to independent school district No. 362, Koochiching county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bishop, Pugh, Murphy, Carruthers and Rhodes introduced:

H. F. No. 1172, A bill for an act relating to garnishment and execution; exemptions; exempting child support from creditors' claims; amending Minnesota Statutes 1992, section 550.37, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Tunheim introduced:

H. F. No. 1173, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Kittson county; authorizing private sale of certain other tax-forfeited land in Kittson county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Simoneau, Garcia, Neary, Gruenes and Vickerman introduced:

H. F. No. 1174, A bill for an act relating to health; changing the membership requirements of the board of nursing; amending Minnesota Statutes 1992, section 148.181, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Goodno and Kahn introduced:

H. F. No. 1175, A bill for an act relating to state department of finance; making technical and substantive changes to provisions of law about the department; amending Minnesota Statutes 1992, sections 16A.011, subdivisions 5, 6, and 14; 16A.04, subdivision 1; 16A.055, subdivision 1; 16A.06, subdivision 4; 16A.065; 16A.10, subdivisions 1 and 2; 16A.105; 16A.11, subdivisions 1, 2, and 3; 16A.128; 16A.129, by adding a subdivision; 16A.15, subdivisions 1, 5, and 6; 16A.152, by adding subdivisions; 16A.1541; 16A.17, subdivision 3; 16A.28; 16A.30; 16A.58; 16A.69, subdivision 2;

and 16A.72; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1992, sections 3.3005; 16A.095, subdivision 3; 16A.123; 16A.1281; 16A.35; 16A.45, subdivisions 2 and 3; 16A.80; and 290A.24.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Sviggum and Simoneau introduced:

H. F. No. 1176, A bill for an act relating to human services; rescheduling the payment schedule for human services programs; appropriating money; amending Minnesota Statutes 1992, sections 256.025, subdivisions 3 and 4; 273.1392; 273.1398, subdivision 5b; and 275.07, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1992, section 273.1398, subdivisions 5a and 5c.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kinkel, Sarna, Sviggum and Trimble introduced:

H. F. No. 1177, A bill for an act relating to economic and social development; establishing a board of invention; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 19, 177, 134 and 198.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 19, A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

The bill was read for the first time.

Kinkel moved that S. F. No. 19 and H. F. No. 117, now on the Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 177, A bill for an act relating to crime; expanding the crime of solicitation of juveniles to include the solicitation of mentally impaired persons to commit a criminal act; amending Minnesota Statutes 1992, section 609.494.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 134, A bill for an act relating to human services; changing nursing home license surcharges; amending Minnesota Statutes 1992, section 256.9657, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 198, A bill for an act relating to local improvements; setting limits for certain contract requirements; amending Minnesota Statutes 1992, section 429.041, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

CONSENT CALENDAR

H. F. No. 226, A bill for an act relating to health; clarifying the meaning of comprehensive health maintenance services; amending Minnesota Statutes 1992, section 62D.02, subdivision 7.

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	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dehler	Hugoson	Lasley	Neary	Reding	Tunheim
Asch	Delmont	Huntley	Leppik	Nelson	Rest	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Ness	Rhodes	Vellenga
Bauerly	Dorn	Jaros	Limmer	Olson, E.	Rice	Vickerman
Beard	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Wagenius
Bergson	Evans	Jennings	Lourey	Olson, M.	Rukavina	Waltman
Bertram	Farrell	Johnson, A.	Luther	Omen	Sarna	Weaver
Bettermann	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Wejcman
Bishop	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Welle
Blatz	Girard	Kahn	Mahon	Orfield	Simoneau	Wenzel
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Winter
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wolf
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Worke
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Workman
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Spk. Long
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	
Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 296, A bill for an act relating to financial institutions; credit unions; regulating investments in share certificates; authorizing credit unions to make reverse mortgage loans; regulating credit unions as depositories of various funds; amending Minnesota Statutes 1992, sections 11A.24, subdivision 4; 41B.19, subdivision 6; 47.58, subdivision 1; 50.14, subdivision 13; 52.04, subdivision 1; 80A.14, subdivisions 4 and 9; 116J.8765, subdivision 4; 118.01, subdivision 1; 118.10; 136.31, subdivision 6; 427.01; 446A.11, subdivision 9; 475.67, subdivision 5; and 520.01, subdivision 2.

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 80 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Hasskamp	Klinzing	Neary	Rice	Van Dellen
Anderson, I.	Clark	Hausman	Krueger	Olson, E.	Rodosovich	Vellenga
Anderson, R.	Cooper	Huntley	Lasley	Opatz	Rukavina	Wagenius
Asch	Dawkins	Jacobs	Lieder	Orenstein	Sarna	Wejzman
Battaglia	Dehler	Jaros	Lourey	Orfield	Sekhon	Welle
Bauerly	Delmont	Jefferson	Luther	Osthoff	Simoneau	Winter
Beard	Dorn	Johnson, A.	Lynch	Ostrom	Skoglund	Worke
Bergson	Evans	Johnson, R.	Mahon	Pawlenty	Solberg	Spk. Long
Bertram	Farrell	Kahn	Mariani	Perlt	Sparby	
Bishop	Garcia	Kelley	McGuire	Pugh	Tomassoni	
Blatz	Greenfield	Kelso	Munger	Reding	Trimble	
Carlson	Greiling	Kinkel	Murphy	Rest	Tunheim	

Those who voted in the negative were:

Bettermann	Girard	Johnson, V.	Macklin	Olson, K.	Seagren	Waltman
Brown, K.	Goodno	Kalis	McCollum	Olson, M.	Smith	Weaver
Commers	Gruenes	Knickerbocker	Milbert	Ornen	Stanius	Wenzel
Dauner	Gutknecht	Koppendraye	Molnau	Ozment	Steensma	Wolf
Davids	Haukoos	Krinkie	Morrison	Pauly	Sviggum	Workman
Dempsey	Holsten	Leppik	Mosel	Pelowski	Swenson	
Erhardt	Hugoson	Limmer	Nelson	Peterson	Tompkins	
Frerichs	Jennings	Lindner	Ness	Rhodes	Vickerman	

The bill was passed and its title agreed to.

H. F. No. 546, A bill for an act relating to outdoor recreation; prohibiting motor sports areas within the Dorer Memorial Hardwood Forest without county and township board approval.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Frerichs	Jaros	Krueger	Milbert	Orenstein
Anderson, I.	Clark	Garcia	Jefferson	Lasley	Molnau	Orfield
Anderson, R.	Commers	Girard	Jennings	Leppik	Morrison	Ostrom
Asch	Cooper	Goodno	Johnson, A.	Lieder	Mosel	Ozment
Battaglia	Dauner	Greiling	Johnson, R.	Limmer	Munger	Pauly
Bauerly	Davids	Gruenes	Johnson, V.	Lindner	Murphy	Pawlenty
Beard	Dawkins	Gutknecht	Kalis	Lourey	Neary	Pelowski
Bergson	Dehler	Hasskamp	Kelley	Luther	Nelson	Perlt
Bertram	Delmont	Haukoos	Kelso	Lynch	Ness	Peterson
Bettermann	Dempsey	Hausman	Kinkel	Macklin	Olson, E.	Pugh
Bishop	Dorn	Holsten	Klinzing	Mahon	Olson, K.	Reding
Blatz	Erhardt	Hugoson	Knickerbocker	Mariani	Olson, M.	Rest
Brown, K.	Evans	Huntley	Koppendraye	McCollum	Ornen	Rhodes
Carlson	Farrell	Jacobs	Krinkie	McGuire	Opatz	Rice

Rodosovich	Simoneau	Stanius	Tompkins	Vickerman	Welle	Workman
Rukavina	Skoglund	Steenasma	Trimble	Wagenius	Wenzel	Spk. Long
Sarna	Smith	Sviggum	Tunheim	Waltman	Winter	
Seagren	Solberg	Swenson	Van Dellen	Weaver	Wolf	
Sekhon	Sparby	Tomassoni	Vellenga	Wejzman	Worke	

The bill was passed and its title agreed to.

H. F. No. 203, A bill for an act relating to occupations and professions; board of medical practice; modifying requirements for licensing United States, Canadian, and foreign medical school graduates; providing for temporary permits; providing for residency permits; adding a requirement for students exempt from penalties for practicing without a license; adding to licensed professionals subject to reporting obligations; indemnifying board members, consultants, and persons employed by the board; adding registration requirements for physical therapists from other states and foreign-trained physical therapists; amending Minnesota Statutes 1992, sections 62A.46, subdivision 7; 147.02, subdivision 1, and by adding a subdivision; 147.03; 147.037, subdivision 1, and by adding a subdivision; 147.09; 147.111, subdivision 4; 147.121, subdivision 2; and 148.71, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Asch	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Battaglia	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Bauerly	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Beard	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bergson	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bertram	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bettermann	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bishop	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Blatz	Girard	Kahn	Mahon	Orfield	Simoneau	Wejzman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Welle
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wenzel
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Wolf
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Worke
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steenasma	Workman
Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 442, A bill for an act relating to education; appropriating money for a deficiency in HECB appropriations.

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	Davids	Holsten	Krueger	Murphy	Pugh	Tomassoni
Anderson, I.	Dawkins	Hugoson	Lasley	Neary	Reding	Tompkins
Anderson, R.	Dehler	Huntley	Leppik	Nelson	Rest	Trimble
Asch	Delmont	Jacobs	Lieder	Ness	Rhodes	Tunheim
Battaglia	Dempsey	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dorn	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Erhardt	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Evans	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bertram	Farrell	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bettermann	Frerichs	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Garcia	Kahn	Mahon	Orfield	Simoneau	Wejcman
Blatz	Girard	Kalis	Mariani	Osthoff	Skoglund	Welle
Brown, K.	Goodno	Kelley	McCollum	Ostrom	Smith	Wenzel
Carlson	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Carruthers	Gruenes	Kinkel	Milbert	Pauly	Sparby	Wolf
Clark	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Worke
Commers	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Workman
Cooper	Haukoos	Koppendrayner	Mosel	Perlt	Sviggum	Spk. Long
Dauner	Hausman	Krinkie	Munger	Peterson	Swenson	

The bill was passed and its title agreed to.

GENERAL ORDERS

Welle moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Blatz moved that the name of Farrell be added as an author on H. F. No. 169. The motion prevailed.

Rukavina moved that the name of Smith be added as an author on H. F. No. 280. The motion prevailed.

Clark moved that the name of Huntley be added as an author on H. F. No. 332. The motion prevailed.

Kinkel moved that his name be stricken as an author on H. F. No. 400. The motion prevailed.

Greenfield moved that the name of Lourey be added as an author on H. F. No. 611. The motion prevailed.

Dawkins moved that the name of Van Dellen be added as an author on H. F. No. 852. The motion prevailed.

Stanius moved that the name of Smith be added as an author on H. F. No. 927. The motion prevailed.

Stanius moved that the name of Smith be added as an author on H. F. No. 928. The motion prevailed.

Onnen moved that the name of Smith be added as an author on H. F. No. 933. The motion prevailed.

Stanius moved that the name of Smith be added as an author on H. F. No. 935. The motion prevailed.

Winter moved that the name of Dauner be added as an author on H. F. No. 958. The motion prevailed.

Blatz moved that the names of Skoglund, Solberg and Bishop be added as authors on H. F. No. 994. The motion prevailed.

Mariani moved that H. F. No. 384, now on Technical General Orders, be re-referred to the Committee on Health and Human Services. The motion prevailed.

Battaglia moved that H. F. No. 103 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.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Thursday, March 18, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 18, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 18, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Representative Carlos Mariani, District 65B, St. Paul, Minnesota.

The roll was called and the following members were present:

Abrams	Davids	Holsten	Lasley	Nelson	Rhodes	Van Dellen
Anderson, I.	Dawkins	Hugoson	Leppik	Ness	Rice	Vellenga
Anderson, R.	Dehler	Huntley	Lieder	Olson, E.	Rodosovich	Vickerman
Asch	Delmont	Jacobs	Limmer	Olson, K.	Rukavina	Wagenius
Battaglia	Dempsey	Jaros	Lindner	Olson, M.	Sarna	Waltman
Bauerly	Dorn	Jefferson	Lourey	Onnen	Seagren	Weaver
Beard	Erhardt	Jennings	Luther	Opatz	Sekhon	Wejcman
Bergson	Evans	Johnson, A.	Lynch	Orenstein	Simoneau	Welle
Bertram	Farrell	Johnson, R.	Macklin	Orfield	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, V.	Mahon	Osthoff	Smith	Winter
Bishop	Garcia	Kahn	Mariani	Ostrom	Solberg	Wolf
Blatz	Girard	Kalis	McCollum	Ozment	Sparby	Worke
Brown, C.	Goodno	Kelley	McGuire	Pauly	Stanius	Workman
Brown, K.	Greenfield	Kelso	Milbert	Pawlenty	Steensma	Spk. Long
Carlson	Greiling	Kinkel	Molnau	Pelowski	Sviggum	
Carruthers	Gruenes	Klinzing	Morrison	Perlt	Swenson	
Clark	Gutknecht	Knickerbocker	Mosel	Peterson	Tomassoni	
Commers	Hasskamp	Koppendrayner	Munger	Pugh	Tompkins	
Cooper	Haukoos	Krinkie	Murphy	Reding	Trimble	
Dauner	Hausman	Krueger	Neary	Rest	Tunheim	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Brown, K., moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 19 and H. F. No. 117, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kinkel moved that S. F. No. 19 be substituted for H. F. No. 117 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1993</i>	<i>Date Filed 1993</i>
119		5	2:03 p.m. March 10	March 11

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1993</i>	<i>Date Filed 1993</i>
48		6	2:55 p.m. March 12	March 12

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 57, A bill for an act relating to traffic regulations; making technical corrections; clarifying situations when certain school bus signals should not be used; providing evidentiary presumption regarding school buses; clarifying definition of special transportation as not including transportation of children by school bus; limiting weight of vehicles that may be towed by holder of class B driver's license; providing for revocation of school bus driver endorsement; amending Minnesota Statutes 1992, sections 169.443, subdivision 3; 169.444, subdivision 7; 171.01, subdivision 24; 171.02, subdivision 2; and 171.17, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 95, A bill for an act relating to public lands; authorizing independent school district No. 577 of Willow River to sell certain lands to correct an erroneous boundary assumption.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on Economic Development, Infrastructure and Regulation Finance to which was referred:

H. F. No. 163, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring political committees and funds to include their registration number on contributions; prohibiting certain "friends of" committees; requiring reports by certain solicitors of campaign contributions; increasing expenditure limits for certain first-time candidates; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; requiring certain notices; changing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivisions 10b, 10c, and by adding a subdivision; 10A.14, subdivision 2; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, by adding subdivisions; 10A.25, subdivision 2, and by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A and 211A.

Reported the same back with the following amendments:

Page 2, delete section 2

Page 3, after line 20, insert:

"Sec. 3. Minnesota Statutes 1992, section 10A.04, is amended by adding a subdivision to read:

Subd. 8. [REPORTS BY SOLICITORS.] A lobbyist who directly solicits and causes others to make aggregate contributions to candidates, political parties, or a caucus of the members of a political party in a house of the legislature in excess of \$5,000 between January 1 and 25 days before the primary or general election must file the information in the report required by section 10A.20, subdivision 14, ten days before the primary or general election. This disclosure requirement is in addition to the report required by section 10A.20, subdivision 14."

Page 4, line 19, before the first "POLITICAL" insert "LOBBYIST," and after "COMMITTEE" insert a comma

Page 4, lines 21 and 22, before "political committee" insert "lobbyist," and after "committee" insert a comma

Page 4, line 22, before "fund" insert "political"

Page 4, line 30, before the period insert "for each office sought or held"

Page 4, line 33, after "candidate" insert a comma and delete the colon

Page 4, line 34, delete "(1)"

Page 4, line 36, delete "; or" and insert a period

Page 5, delete lines 1 to 5

Page 5, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 1992, section 10A.20, subdivision 3, is amended to read:

Subd. 3. [CONTENTS OF REPORT.] Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$100 for legislative or statewide candidates or ballot questions, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, identification of the ballot question which the expenditure is intended to promote or defeat, and in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) Except for contributions to a candidate or committee for a candidate for office in a municipality as defined in section 471.345, subdivision 1, the name and address of each individual or association to whom aggregate noncampaign disbursements in excess of \$100 have been made within the year by or on behalf of a principal campaign committee, political committee, or political fund, together with the amount, date, and purpose of each noncampaign disbursement; ~~and~~

(m) The sum of all noncampaign disbursements made within the year by or on behalf of a principal campaign committee, political committee, or political fund; ~~and~~

(n) A report filed under subdivision 2, clause (b) by a political committee or political fund that is subject to subdivision 14, must contain the information required by subdivision 14, if the political committee or political fund has solicited and caused others to make aggregate contributions greater than \$5,000 from January 1 to the end of the reporting period. This disclosure requirement is in addition to the report required by subdivision 14.

Page 5, line 28, delete "receives from others" and insert "causes others to make"

Page 5, line 31, delete "\$10,000 in an election cycle" and insert "\$5,000 in a calendar year"

Page 5, line 34, after "report" insert "for each calendar year"

Page 5, line 35, delete everything after the first "31"

Page 5, line 36, delete everything before "year" and insert "of the following"

Page 6, line 2, delete "that election cycle" and insert "the calendar year"

Page 6, delete section 10

Page 6, delete lines 26 to 33, and insert:

"Subd. 11. [CARRYFORWARD; DISPOSITION OF OTHER FUNDS.] After all campaign expenditures and noncampaign disbursements for an election cycle have been made, an amount up to 50 percent of the candidate's expenditure limit may be carried forward and used for noncampaign disbursements in a subsequent election cycle. Any remaining amount up to the total amount of the public subsidy from the state elections campaign fund and any public matching subsidy must be returned to the state treasury for credit to the general fund under section 10A.324. Any remaining amount in excess of the total public subsidy must be contributed to the state elections campaign fund or a political party for multicandidate expenditures as defined in section 10A.275."

Pages 6 and 7, delete section 12

Page 7, line 12, delete "13" and insert "12"

Page 8, line 3, delete "By February" and insert "As soon as possible but not later than April"

Page 14, line 4, after "fund" insert "or the public matching subsidy"

Page 14, line 29, delete "the" and after "aggregate" insert "contributions not greater than \$50 each" and delete "not fewer than 500"

Page 14, line 31, delete "the"

Page 14, line 32, after "aggregate" insert "contributions not greater than \$50 each" and delete "not fewer than 200"

Page 14, line 35, delete "the" and after "aggregate" insert "contributions not greater than \$50 each" and delete "not"

Page 14, line 36, delete "fewer than 80"

Page 15, line 1, delete the second "the" and after "aggregate" insert "contributions not greater than \$50 each"

Page 15, line 2, delete "not fewer than 40"

Page 15, line 5, delete "the" and after "aggregate" insert "contributions not greater than \$50 each" and delete "not fewer than 20"

Page 15, after line 10, insert:

"(c) After the last date for filing for office, a candidate who is unopposed in both the primary election and the general election is not eligible to receive any additional public matching subsidy."

Page 15, line 12, delete "of each"

Page 15, line 13, delete everything before "a" and insert "contributed by"

Page 15, line 30, after the headnote insert "(a)"

Page 15, after line 34, insert:

"(b) The amount necessary to make the payments required by this section is appropriated from the general fund to the ethical practices board."

Page 17, line 4, after "fund" insert "and any public matching subsidy received"

Page 17, line 5, reinstate the stricken "or" and before the period insert "section 10A.25, subdivision 11"

Page 18, after line 17, insert:

"Sec. 27. [211B.125] [PROHIBITED TRANSFERS.]

A candidate who seeks election to local office, including special districts, school districts, towns, and home rule charter and statutory cities must not accept contributions from, or make contributions to, a candidate as defined in section 10A.01, subdivision 5, or to the principal campaign committee of such a candidate."

Page 23, line 25, after "party" insert "during the preceding calendar year"

Page 23, line 31, delete "\$....." and insert "\$2,100,000"

Page 23, line 34, after the period insert "\$215,000 is appropriated from the general fund to the ethical practices board to fund its administrative costs, equipment, and supplies. Two and one-half new positions are authorized. The funds may be used in either of the fiscal years ending June 30, 1994 or June 30, 1995."

Page 24, line 3, delete "14" and insert "12"

Page 24, after line 3, insert:

"Sec. 32. [TRANSITIONAL REPORT REQUIREMENT.]

Principal campaign committees, political committees, and political funds shall file the report required by Minnesota Statutes, section 10A.20 on a form prepared by the ethical practices board to reflect activity from January 1, 1993 to the date of enactment of this act. The report form must be prepared by the board not later than June 15, 1993, and must be completed and filed with the board not later than August 1, 1993."

Page 24, line 5, after the period insert "Section 16 is effective January 1, 1994."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "requiring" insert "lobbyists and"

Page 1, delete line 8

Page 1, line 9, delete "candidates;"

Page 1, line 31, delete "subdivisions 10b," and insert "subdivision" and after the semicolon insert "10A.04, by adding a subdivision;"

Page 1, line 33, delete everything after "10A.20" and insert ", subdivision 3, and by adding a subdivision;"

Page 1, line 34, delete "subdivision 2, and"

Page 1, line 40, delete "and 211A" and insert "; 211A; and 211B"

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.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 187, A bill for an act relating to insurance; workers' compensation; regulating refunds made by the Workers' Compensation Reinsurance Association; amending Minnesota Statutes 1992, section 79.34, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 79.34, is amended by adding a subdivision to read:

Subd. 2a. [DEFICIENCY.] If the board determines that a distribution of excess surplus resulted in inadequate funds being available to pay claims which arose during the period upon which that distribution was calculated, the board shall determine the amount of the deficiency and increase the premiums charged by the association by the amount necessary to make up any deficiency caused by the distribution. The increase to the premium shall not be required to result in the entire deficiency being recouped in one year, but may be spread over a period of time that will cause the least financial hardship to insureds. Insurer members may pass these premium increases on to insureds.

Sec. 2. [79.361] [POST-1992 DISTRIBUTION OF WORKERS' COMPENSATION REINSURANCE ASSOCIATION SURPLUS.]

Subdivision 1. [SCOPE.] This section governs the distribution of excess surplus of the workers' compensation reinsurance association declared after January 1, 1993. Distribution of that excess surplus must be made as provided in this section.

Subd. 2. [SELF-INSURED.] A self-insurer that is currently a member of the reinsurance association shall receive a distribution of excess surplus in an amount equal to the self-insurer's share of the premiums paid to the workers' compensation reinsurance association for the period for which the refund is made.

Subd. 3. [INSURER MEMBERS.] (a) The reinsurance association shall determine the amount of excess surplus refundable through each insurer member of the association. The amount must be allocated among insurer members based on the insurer member's reinsurance association premiums for the previous calendar year. Each insurer member shall receive, in trust for its policyholders, a share equal to the declared reinsurance association surplus less the amount of surplus distributed to self-insured members under subdivision 2 multiplied by a fraction with a numerator equal to the insurer member's previous year reinsurance association premium and a denominator equal to the total insurer paid reinsurance association premiums for the same period. Within 30 days of the effective date of this section or the declaration of an excess surplus, the reinsurance association shall notify the insurers of the amount of excess surplus returnable to policyholders through each insurer member. Within 30 days after receipt of notice from the reinsurance association, an insurer member shall submit to the reinsurance association board a plan for distribution of the excess surplus to the insurer member's policyholders through the insurer member based on the proportion of workers' compensation premium paid by each policyholder to the total workers' compensation premiums paid to the insurer member for the previous calendar year.

(b) The reinsurance association board shall approve, disapprove, or approve as modified, the proposed plan for distribution submitted by each insurer member. An approved plan must conform with this section.

(c) When a plan has been approved, the reinsurance association board shall distribute the amount refundable through the member insurer to the member insurer in trust for the policyholders specified in the plan. The member insurer is a fiduciary with respect to the amount received from the reinsurance association and shall, within 15 business days, pay to its policyholders the amounts to which the policyholders are entitled under the plan. Except as provided in paragraph (d), an insurer member of the reinsurance association shall not use the funds for any other purpose whatsoever.

(d) The distribution plan and compliance with the distribution plan of each insurer member shall be audited by an independent accounting firm. The plan proposed to the reinsurance association may include provision for payment of out-of-pocket costs for contracting with an independent accounting firm to prepare and certify the distribution plan as being in compliance with this section and actual administrative costs not to exceed five percent of the distribution under this section.

(e) The chief executive officer of the insurer member shall certify to the reinsurance association board, no later than 15 business days after the distribution from the reinsurance association, that the insurer member made the distributions in compliance with the plan.

(f) The reinsurance association shall report to the commissioner of commerce monthly for six months and after one year on the implementation of this section. The reinsurance association shall notify the commissioner of commerce of any failure of an insurer to comply with this subdivision.

Subd. 4. [INSURED EMPLOYERS.] A policyholder, other than a policyholder insured by the assigned risk plan or the state fund mutual insurance company, shall receive from its workers' compensation insurer a share of the distribution under this section equal to the policyholder's share of the reinsurance association surplus calculated under subdivision 3.

Subd. 5. [ASSIGNED RISK PLAN.] A policyholder of the assigned risk plan shall receive from the assigned risk plan a share of the distribution under this section equal to the policyholder's share of the reinsurance association surplus calculated under subdivision 3.

Subd. 6. [STATE FUND MUTUAL INSURANCE COMPANY.] A policyholder of the state fund mutual insurance company shall receive from the state fund a share of the distribution under this section equal to the policyholder's share of the reinsurance association surplus calculated under subdivision 3.

Subd. 7. [POLICYHOLDER.] For the purpose of this section, "policyholder" means a workers' compensation insurance policyholder in the calendar year preceding a declaration of excess surplus by the reinsurance association.

Subd. 8. [ADMINISTRATION.] The commissioner of commerce may issue any order necessary to implement this section. The orders are not rules subject to chapter 14. The workers' compensation reinsurance association shall perform any duties ordered by the commissioner to implement this section. The association shall not be reimbursed for the cost of performing any of those duties.

Subd. 9. [PENALTY.] Each day of failure to comply with this section is a separate violation of chapter 79 and is subject to all provisions of section 45.027.

Subd. 10. [UNCLAIMED REFUND.] If any part of the refund remains with a reinsurance association member one year after the due date of a distribution under this section due to the inability to identify or locate a policyholder, it shall be returned to the reinsurance association.

Sec. 3. [79.362] [WORKERS' COMPENSATION REINSURANCE ASSOCIATION EXCESS SURPLUS DISTRIBUTION.]

An order of the commissioner of the department of labor and industry relating to the distribution of excess surplus of the workers' compensation reinsurance association shall be reviewed by the commissioner of commerce. The commissioner may amend, approve, or reject an order or issue further orders to accomplish the purposes of sections 1, 2, and 5. The commissioner may not amend an order with respect to the total amount of a distribution. An order of the commissioner of commerce under this section is not a rule subject to chapter 14.

Sec. 4. [79.363] [DISTRIBUTION OF EXCESS SURPLUS.]

The distribution of excess surplus of the workers' compensation reinsurance association is not a distribution of excess premiums to members. Any amounts returned to the reinsurance association under section 5, subdivision 6, or 79.361, subdivision 10, are an asset of the reinsurance association and shall not be declared to be excess surplus.

Sec. 5. [1992 WORKERS' COMPENSATION REINSURANCE ASSOCIATION EXCESS SURPLUS DISTRIBUTION.]

Subdivision 1. [SCOPE.] This section governs any distribution of excess surplus made by the workers' compensation reinsurance association in 1992 other than distributions to self-insured members of the association.

Subd. 2. [STATE FUND MUTUAL INSURANCE COMPANY.] The state fund mutual insurance company is a fiduciary with respect to the distribution of excess surplus of the workers' compensation reinsurance association received in 1992. Within 30 days of the final enactment of this section, the state fund must return the excess surplus to its policyholders. Each policyholder shall receive a share of the distribution received by the state fund equal to the policyholder's proportionate share of the company's 1991 earned Minnesota workers' compensation insurance premium, as reported in the state fund's 1991 annual statement under Minnesota Statutes, section 60A.13, subdivision 8.

In no case shall the distribution exceed the policyholder's earned premium for 1991. If any portion of the refund remains after the distribution required under this subdivision has been made, a further distribution based upon 1990 earned premiums, or such additional years' earned premiums as necessary to fully distribute the refund, shall be made by applying the method of calculation set forth in this subdivision.

Subd. 3. [ASSIGNED RISK PLAN.] The assigned risk plan is a fiduciary with respect to any distribution of excess surplus of the workers' compensation reinsurance association received by the assigned risk plan in 1992. Within 30 days of the final enactment of this section, the assigned risk plan must return the excess surplus to its policyholders. Each policyholder shall receive a share of the distribution received by the assigned risk plan equal to the policyholder's proportionate share of the assigned risk plan's 1991 earned Minnesota workers' compensation premium as reported in the assigned risk plan's 1991 annual statement under Minnesota Statutes, section 60A.13, subdivision 8.

In no case shall the distribution exceed the policyholder's earned premium for 1991. If any portion of the refund remains after the distribution required under this subdivision has been made, a further distribution based upon 1990 earned premiums, or such additional years' earned premiums as necessary to fully distribute the refund, shall be made by applying the method of calculation set forth in this subdivision.

Subd. 4. [INSURER MEMBERS.] This subdivision applies to every insurer member of the reinsurance association that is not governed by subdivisions 2 and 3. Every insurer member of the reinsurance association is a fiduciary with respect to any distribution of excess surplus of the workers' compensation reinsurance association received by the insurer in 1992. Within 30 days of the final enactment of this section, each insurer member must return the excess surplus to its policyholders. Each policyholder shall receive a share of the distribution received by its company equal to the policyholder's proportionate share of its company's 1991 earned Minnesota workers' compensation premium, as reported in its company's 1991 annual statement under Minnesota Statutes, section 60A.13, subdivision 8.

In no case shall the distribution exceed the policyholder's earned premium for 1991. If any portion of the refund remains after the distribution required under this subdivision has been made, a further distribution based upon 1990 earned premiums, or such additional years' earned premiums as necessary to fully distribute the refund, shall be made by applying the method of calculation set forth in this subdivision.

Subd. 5. [PENALTY.] Except as provided in subdivision 6, any insurer which has not distributed its portion of the 1992 workers' compensation reinsurance association refund to its policyholders as of the effective date of this subdivision shall do so no later than 30 days after that date. Each day each distribution remains unpaid thereafter is a separate violation of Minnesota Statutes, chapter 79, and is subject to all provisions of Minnesota Statutes, section 45.027.

Subd. 6. [UNCLAIMED REFUNDS.] Any distribution that cannot be made to a policyholder within 30 days of the final enactment of this section due to difficulty in identifying or locating a policyholder shall be held in trust for the policyholder for one year. If any part of the distribution remains one year after it is required to be distributed due to the inability to identify or locate a policyholder, it shall be returned to the reinsurance association.

Subd. 7. [ADMINISTRATION.] The commissioner of commerce may issue any order necessary to implement this section. The orders are not rules subject to Minnesota Statutes, chapter 14. The workers' compensation reinsurance association shall perform any duties ordered by the commissioner necessary to implement this section. The association shall not be reimbursed for the cost of performing any of those duties.

Subd. 8. [COSTS.] The state fund mutual, the assigned risk plan, and any insurer member of the reinsurance association may retain up to five percent of the reinsurance association distribution for the actual administrative costs of complying with this section.

Sec. 6. [RESOLUTIONS AND ORDER NULLIFIED.]

Any resolution or plan of operation of the workers' compensation reinsurance association or order of the commissioner of labor and industry that purports to grant any claim to insurer members of the association to excess surplus and that conflicts with section 2 or 5 is nullified to the extent of the conflict.

Sec. 7. [DISTRIBUTION EARNINGS.]

For the purpose of section 5, the distribution to policyholders of excess surplus shall include any earnings on a surplus distribution during the period the distribution was in the possession of an insurer.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. Sections 3 to 7 are retroactive to January 1, 1992."

Delete the title and insert:

"A bill for an act relating to insurance; workers' compensation; regulating distributions of excess surplus made by the workers' compensation reinsurance association; clarifying the law regulating distributions of excess surplus; providing penalties; amending Minnesota Statutes 1992, section 79.34, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 79."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Financial Institutions and Insurance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 208, A bill for an act relating to human rights; prohibiting discrimination against certain persons who have physical or sensory disabilities and who use service animals; clarifying certain language governing transportation of disabled persons; clarifying the commissioner's acceptance of charges; providing for office of administrative hearings costs to be charged in human rights cases; amending Minnesota Statutes 1992, sections 363.01, subdivisions 30a, 35, 41b, and by adding a subdivision; 363.03, subdivisions 2, 4, and 10; 363.06, subdivisions 1 and 4; and 363.071, subdivision 1a.

Reported the same back with the following amendments:

Page 6, line 13, delete "with" and insert "who is totally or partially blind, deaf, or has" and after "disability" insert "and"

Page 6, line 14, after "animal" insert a comma

Page 6, line 16, delete "with" and insert "who are totally or partially blind or deaf or have"

Pages 10 to 16, delete sections 7 to 10 and insert:

"Sec. 7. Minnesota Statutes 1992, section 363.03, subdivision 10, is amended to read:

Subd. 10. [DISCRIMINATION AGAINST BLIND, HANDICAPPED, OR DEAF, OR OTHER PERSONS WITH PHYSICAL OR SENSORY DISABILITIES PROHIBITED.] (a) It is an unfair discriminatory practice for an owner, operator or manager of a hotel, restaurant, public conveyance or other public place, to prohibit a blind, physically handicapped, or deaf person or a person with a physical or sensory disability from taking a service animal into the public place or conveyance if the service animal can be properly identified as being from a recognized school for seeing eye, hearing ear, service, or guide animals program which trains service animals to aid blind or deaf persons or persons with physical or sensory disabilities, and if the animal is properly harnessed or leashed so that the blind, physically handicapped, or deaf person or a person with a physical or sensory disability may maintain control of the animal.

(b) No person shall require a blind, physically handicapped, or deaf person to make an extra payment or pay an additional charge when taking a service animal into any of the public places referred to in paragraph (a).

Sec. 8. Minnesota Statutes 1992, section 363.071, is amended by adding a subdivision to read:

Subd. 1b. [COSTS OF CERTAIN HEARINGS.] The commissioner shall apply to the legislative advisory commission for additional funding under the procedures in section 3.30 if the cost of an individual hearing under subdivision 1a exceeds \$1,000 or if the total cost of hearings under subdivision 1a exceeds \$50,000 during a fiscal year.

Sec. 9. Minnesota Statutes 1992, section 473.144, is amended to read:

473.144 [CERTIFICATES OF COMPLIANCE FOR CONTRACTS.]

Neither the council nor an agency listed in section 473.143, subdivision 1, may accept any bid or proposal for a contract or execute a contract for goods or services in excess of \$50,000 with any business having more than 20 full-time employees in Minnesota on a single working day during the previous 12 months, unless the business has an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights. Receipt of a certificate of compliance from the commissioner of human rights signifies that a business has an approved affirmative action plan. A certificate is valid for two years. Section 363.073 governs revocation of certificates. The rules adopted by the commissioner of human rights under section 363.074 apply to this section.

Sec. 10. [APPLICATION.]

Section 9 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Amend the title as follows:

Page 1, delete lines 12 and 13 and insert "363.071, by adding a subdivision; and 473.144."

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. 216, A bill for an act relating to human rights; lengthening the statute of limitations for human rights act violations; amending Minnesota Statutes 1992, sections 363.06, subdivision 3; and 363.116.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 363.03, subdivision 1, is amended to read:

Subdivision 1. [EMPLOYMENT.] Except when based on a bona fide occupational qualification, it is an unfair employment practice:

(1) For a labor organization, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age,

(a) to deny full and equal membership rights to a person seeking membership or to a member;

(b) to expel a member from membership;

(c) to discriminate against a person seeking membership or a member with respect to hiring, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or

(d) to fail to classify properly, or refer for employment or otherwise to discriminate against a person or member.

(2) For an employer, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, or age,

(a) to refuse to hire or to maintain a system of employment which unreasonably excludes a person seeking employment; or

(b) to discharge an employee; or

(c) to discriminate against a person with respect to hiring, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.

(3) For an employment agency, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age,

(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against a person; or

(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this chapter.

(4) For an employer, employment agency, or labor organization, before a person is employed by an employer or admitted to membership in a labor organization, to

(a) require or request the person to furnish information that pertains to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age; or, subject to section 363.02, subdivision 1, to require or request a person to undergo physical examination; unless for the sole and exclusive purpose of national security, information pertaining to national origin is required by the United States, this state or a political subdivision or agency of the United States or this state, or for the sole and exclusive purpose of compliance with the public contracts act or any rule, regulation, or laws of the United States or of this state requiring the information or examination. A law enforcement agency may, after notifying an applicant for a peace officer or part-time peace officer position that the law enforcement agency is commencing the background investigation on the applicant, request the applicant's date of birth, gender, and race on a separate form for the sole and exclusive purpose of conducting a criminal history check, a driver's license check, and fingerprint criminal history inquiry. The form shall include a statement indicating why the data is being collected and what its limited use will be. No document which has date of birth, gender, or race information will be included in the information given to or available to any person who is involved in selecting the person or persons employed other than the background investigator. No person may act both as background investigator and be involved in the selection of an employee except that the background investigator's report about background may be used in that selection as long as no direct or indirect references are made to the applicant's race, age, or gender; or

(b) seek and obtain for purposes of making a job decision, information from any source that pertains to the person's race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age, unless for the sole and exclusive purpose of compliance with the public contracts act or any rule, regulation, or laws of the United States or of this state requiring the information; or

(c) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age; or

(d) require or request the person to furnish information regarding any complaints or charges the person has made alleging unlawful discrimination.

Any individual who is required to provide information that is prohibited by this subdivision is an aggrieved party under section 363.06.

(5) For an employer, an employment agency, or a labor organization, with respect to all employment related purposes, including receipt of benefits under fringe benefit programs, not to treat women affected by pregnancy, childbirth, or disabilities related to pregnancy or childbirth, the same as other persons who are not so affected but who are similar in their ability or inability to work, including a duty to make reasonable accommodations as provided by paragraph (6).

(6) For an employer with a number of part-time or full-time employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year equal to or greater than 25 effective July 1, 1992, and equal to or greater than 15 effective July 1, 1994, an employment agency, or a labor organization, not to make reasonable accommodation to the known disability of a qualified disabled person or job applicant unless the employer, agency, or organization can demonstrate that the accommodation would impose an undue hardship on the business, agency, or organization. "Reasonable accommodation" means steps which must be taken to accommodate the known physical or mental limitations of a qualified disabled person. "Reasonable accommodation" may include but is not limited to, nor does it necessarily require: (a) making facilities readily accessible to and usable by disabled persons; and (b) job restructuring, modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, and the provision of aides on a temporary or periodic basis.

In determining whether an accommodation would impose an undue hardship on the operation of a business or organization, factors to be considered include:

- (a) the overall size of the business or organization with respect to number of employees or members and the number and type of facilities;
- (b) the type of the operation, including the composition and structure of the work force, and the number of employees at the location where the employment would occur;
- (c) the nature and cost of the needed accommodation;
- (d) the reasonable ability to finance the accommodation at each site of business; and
- (e) documented good faith efforts to explore less restrictive or less expensive alternatives, including consultation with the disabled person or with knowledgeable disabled persons or organizations.

A prospective employer need not pay for an accommodation for a job applicant if it is available from an alternative source without cost to the employer or applicant.

Sec. 2. Minnesota Statutes 1992, section 363.06, subdivision 3, is amended to read:

Subd. 3. [TIME FOR FILING CLAIM.] A claim of an unfair discriminatory practice must be brought as a civil action pursuant to section 363.14, subdivision 1, clause (a), filed in a charge with a local commission pursuant to section 363.116, or filed in a charge with the commissioner within ~~one year~~ two years after the occurrence of the practice. The running of the ~~one year~~ two year limitation period is suspended during the time a potential charging party and respondent are voluntarily engaged in a dispute resolution process involving a claim of unlawful discrimination under this chapter, including arbitration, conciliation, mediation or grievance procedures pursuant to a collective bargaining agreement or statutory, charter, ordinance provisions for a civil service or other employment system or a school board sexual harassment or sexual violence policy. A potential respondent who participates in such a process with a potential charging party before a charge is filed or a civil action is brought shall notify the department and the charging party in writing of the participation in the process and the date the process commenced and shall also notify the department and the charging party of the ending date of the process. A respondent who fails to provide this notification is barred from raising the defense that the statute of limitations has run unless ~~one year~~ two years plus a period of time equal to the suspension period has passed.

Sec. 3. Minnesota Statutes 1992, section 363.116, is amended to read:

363.116 [TRANSFER TO COMMISSIONER.]

A local commission may refer a matter under its jurisdiction to the commissioner.

The charging party has the option of filing a charge either with a local commission or the department. Notwithstanding the provisions of any ordinance or resolution to the contrary, a charge may be filed with a local commission within ~~one year~~ two years after the occurrence of the practice. The exercise of such choice in filing a charge with one agency shall preclude the option of filing the same charge with the other agency. At the time a charge comes to the attention of a local agency, the agency or its representative shall inform the charging party of this option, and of the party's rights under Laws 1967, chapter 897.

Where this chapter provides additional protections and remedies not provided for under a local antidiscrimination ordinance, the local commission shall advise a party bringing a charge under a local ordinance of those additional protections and remedies and of the option to file a charge under this chapter.

The term "local commission" as used in this section has the same meaning given the term in section 363.115.

Sec. 4. [363.16] [LIMITATION ON DISCOVERY AND ADMISSION OF EVIDENCE.]

In any action, hearing, or proceeding involving allegations alleging sexual harassment, evidence regarding the complainant's sexual conduct with individuals other than the alleged perpetrator or evidence of the medical or psychological history of the complainant more than one year prior to the alleged sexual harassment is not discoverable or admissible unless the party seeking discovery or admission makes the showing required under this section. The

evidence is not discoverable unless the party establishes specific facts showing good cause to believe that the evidence is material and relevant to the subject matter of the action. The evidence is not admissible unless the party makes a substantial showing that the evidence is material and relevant to the subject matter of the action. The showing must be made by noticed motion and may not be made or considered ex parte.

Sec. 5. [EFFECTIVE DATE.]

Sections 2 and 3 are effective August 1, 1993, and apply to unfair discriminatory practices that occur on or after August 1, 1992."

Delete the title and insert:

"A bill for an act relating to human rights; prohibiting employers from asking employees regarding unlawful discrimination complaints; lengthening the statute of limitations for human rights act violations; limiting the discovery and admission of certain evidence in sexual harassment cases; amending Minnesota Statutes 1992, sections 363.03, subdivision 1; 363.06, subdivision 3; and 363.116; proposing coding for new law in Minnesota Statutes, chapter 363."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 232, A bill for an act relating to the military; entering into the National Guard mutual assistance counterdrug activities compact; proposing coding for new law in Minnesota Statutes, chapter 192.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 233, A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 250, A bill for an act relating to wild animals; prohibiting certain equipment in taking; proposing coding for new law in Minnesota Statutes, chapter 97B.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 251, A bill for an act relating to child abuse reporting; expanding the definition of "neglect" to include failure to provide a child with necessary education; amending Minnesota Statutes 1992, section 626.556, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 21, after "shelter," insert "education."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Capital Investment to which was referred:

H. F. No. 261, A bill for an act relating to capital improvements; creating a capital bonding program for school building accessibility projects; modifying the capital expenditure disabled access levy; authorizing the issuance and sale of state bonds; appropriating money; amending Minnesota Statutes 1992, section 124.84, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 124C.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Education.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 264, A bill for an act relating to juvenile justice; defining "child in need of protection services" and "child abuse"; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

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. 278, A bill for an act relating to housing; limiting payment of loan balances by heirs and devisees of deceased borrowers; amending Minnesota Statutes 1992, section 462A.05, subdivision 14a.

Reported the same back with the following amendments:

Page 2, line 20, before "debt" insert "maximum"

Page 2, after line 25, insert:

"Sec. 2. [CONTRACT NOTICE.]

Notwithstanding any law to the contrary, the lender shall not be required to amend existing contracts other than to provide notice to the legal representative of the deceased borrower."

Page 2, line 26, delete "2" and insert "3"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 287, A bill for an act relating to waste management; encouraging local government units to use purchasing techniques to reduce waste and develop markets for recycled products; prohibiting burning and burial of harmful materials on farms; defining packaging; prohibiting disposal of unprocessed mixed municipal solid waste; authorizing counties to count waste reduction toward 1996 recycling goals; requiring local government units to separately account for all revenue and spending related to waste management; requiring collectors of commercial waste to disclose where the waste is deposited; prohibiting fluorescent and high intensity discharge lamps in solid waste; clarifying that organized waste collection is one of several tools for cities and counties to use to collect waste; requiring labeling of hazardous household products; requiring reporting of tipping fee schedules at all waste facilities; requiring owners or operators of waste facilities that are publicly financed to account for charges and expenditures related to the facilities; requiring electric utilities to encourage use of fluorescent and high intensity discharge lamps and to collect spent lamps; extending by one year the solid waste field citation pilot program; clarifying the effects of the repeal of the metropolitan landfill siting process; amending Minnesota Statutes 1992, sections 16B.122, by adding a subdivision; 17.135; 115.071, subdivision 1; 115A.03, by adding a subdivision; 115A.034; 115A.5501, subdivision 3; 115A.551, subdivision 2a; 115A.552, subdivision 2; 115A.56; 115A.916; 115A.929; 115A.932, subdivision 1; 115A.94, subdivisions 5 and 6; 115A.941; 115A.9651; 115A.981; 116.78, by adding a subdivision; 116.92, subdivision 7; 216B.241, by adding a subdivision; 325E.12; 325E.125, subdivision 1; 325E.1251; 325E.32; 400.08, subdivision 3; Laws 1991, chapter 347, article 1, sections 15, subdivisions 1 and 6; and 20; Laws 1992, chapter 593, article 1, section 55; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.121, is amended to read:

16B.121 [PURCHASE OF RECYCLED, REPAIRABLE, AND DURABLE MATERIALS.]

The commissioner shall take the recycled content and recyclability of commodities to be purchased into consideration in bid specifications. When feasible and when the price of recycled materials does not exceed the price of nonrecycled materials by more than ten percent, the commissioner, and state agencies when purchasing under delegated authority, shall purchase recycled materials. In order to maximize the quantity and quality of recycled materials purchased, the commissioner, and state agencies when purchasing under delegated authority, may also use other appropriate procedures to acquire recycled materials at the most economical cost to the state.

When purchasing commodities and services, the commissioner, and state agencies when purchasing under delegated authority, shall apply and promote the preferred waste management practices listed in section 115A.02, with special emphasis on reduction of the quantity and toxicity of materials in waste. The commissioner, and state agencies when purchasing under delegated authority, in developing bid specifications, shall consider the extent to which a commodity or product is durable, reusable, or recyclable and marketable through the state resource recovery program and the extent to which the commodity or product contains postconsumer recycled material.

Sec. 2. Minnesota Statutes 1992, section 16B.122, is amended by adding a subdivision to read:

Subd. 3. [PUBLIC ENTITY PURCHASING.] (a) Notwithstanding section 365.37, 375.21, 412.331, or 473.705, a public entity may purchase recycled materials when the price of the recycled materials does not exceed the price of nonrecycled materials by more than ten percent. In order to maximize the quantity and quality of recycled materials purchased, a public entity also may use other appropriate procedures to acquire recycled materials at the most economical cost to the public entity.

(b) When purchasing commodities and services, a public entity shall apply and promote the preferred waste management practices listed in section 115A.02, with special emphasis on reduction of the quantity and toxicity of materials in waste. A public entity, in developing bid specifications, shall consider the extent to which a commodity or product is durable, reusable, or recyclable and marketable through the applicable local or regional recycling program and the extent to which the commodity or product contains postconsumer recycled material.

Sec. 3. Minnesota Statutes 1992, section 17.135, is amended to read:

17.135 [FARM DISPOSAL OF SOLID WASTE.]

(a) A permit is not required from a state agency, except under sections 88.16, 88.17, and 88.22 for a person who owns or operates land used for farming that buries, or burns and buries, solid waste generated from the person's household or as part of the person's farming operation if the burying is done in a nuisance free, pollution free, and aesthetic manner on the land used for farming. This exception does not apply if regularly scheduled pickup of solid waste is reasonably available at the person's farm, as determined by resolution of the county board of the county where the person's farm is located.

(b) This exemption does not apply to burning tires or plastics or to burning or burial of the following materials:

(1) household hazardous waste as defined in section 115A.96, subdivision 1;

(2) appliances, including but not limited, to major appliances as defined in section 115A.03, subdivision 17a;

(3) household batteries;

(4) used motor oil; and

(5) lead acid batteries from motor vehicles.

Sec. 4. Minnesota Statutes 1992, section 115.071, subdivision 1, is amended to read:

Subdivision 1. [REMEDIES AVAILABLE.] The provisions of sections 103F.701 to 103F.761, chapters 115, 115A, and 116, and sections 325E.10 to 325E.1251 and 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance, and permits adopted or issued by the agency thereunder or under any other law now in force or hereafter enacted for the prevention, control, or abatement of pollution may be enforced by any one or any combination of the following: criminal prosecution; action to recover civil penalties; injunction; action to compel performance; or other appropriate action, in accordance with the provisions of said chapters and this section.

Sec. 5. Minnesota Statutes 1992, section 115A.03, is amended by adding a subdivision to read:

Subd. 22b. [PACKAGING.] "Packaging" means a container and any appurtenant material that provide a means of transporting, marketing, protecting, or handling a product. "Packaging" includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, pigments, and labels.

Sec. 6. Minnesota Statutes 1992, section 115A.034, is amended to read:

115A.034 [ENFORCEMENT.]

This chapter may be enforced under ~~section~~ sections 115.071 and 116.072.

Sec. 7. [115A.415] [SUBSTANDARD DISPOSAL FACILITIES.]

Beginning June 1, 1994:

(1) a person may not deliver unprocessed mixed municipal solid waste to a substandard disposal facility; and

(2) an operator of a substandard disposal facility may not accept unprocessed mixed municipal solid waste for deposit in the disposal facility.

For the purpose of this section, "substandard disposal facility" means a disposal facility that does not meet the design, construction, and operation requirements for a new mixed municipal solid waste facility contained in state rules in effect as of January 1, 1993.

For the purpose of this section, waste is "unprocessed" if it has not, after collection and before disposal, undergone at least one process, as defined in section 115A.03, subdivision 25, excluding storage, exchange, and transfer of the waste.

Sec. 8. Minnesota Statutes 1992, section 115A.54, subdivision 2a, is amended to read:

Subd. 2a. [SOLID WASTE MANAGEMENT PROJECTS.] (a) The office director shall provide technical and financial assistance for the acquisition and betterment of solid waste management projects as provided in this subdivision and section 115A.52. Money appropriated for the purposes of this subdivision must be distributed as grants.

(b) Except as provided in paragraph (c), a project may receive grant assistance up to 25 percent of the capital cost of the project or \$2,000,000, whichever is less, except that projects constructed as a result of intercounty cooperative agreements may receive (1) grant assistance up to 25 percent of the capital cost of the project; or (2) \$2,000,000 times the number of participating counties, whichever is less.

(c) A recycling project or a project to compost or cocompost waste may receive grant assistance up to 50 percent of the capital cost of the project or \$2,000,000, whichever is less, except that projects completed as a result of intercounty cooperative agreements may receive (1) grant assistance up to 50 percent of the capital cost of the project; or (2) \$2,000,000 times the number of participating counties, whichever is less.

(d) Notwithstanding paragraph (e), the agency director may award grants for transfer stations that will initially transfer waste to landfills if the transfer stations are part of a planned resource recovery project, the county where the planned resource recovery facility will be located has a comprehensive solid waste management plan approved by the agency director, and the solid waste management plan proposes the development of the resource recovery facility. If the proposed resource recovery facility is not in place and operating within five eight years of the date of the grant award, the recipient shall repay the grant amount to the state.

(e) Projects without resource recovery are not eligible for assistance.

(f) In addition to any assistance received under paragraph (b) or (c), a project may receive grant assistance for the cost of tests necessary to determine the appropriate pollution control equipment for the project or the environmental effects of the use of any product or material produced by the project.

(g) In addition to the application requirements of section 115A.51, an application for a project serving eligible jurisdictions in only a single county must demonstrate that cooperation with jurisdictions in other counties to develop the project is not needed or not feasible. Each application must also demonstrate that the project is not financially prudent without the state assistance, because of the applicant's financial capacity and the problems inherent in the waste management situation in the area, particularly transportation distances and limited waste supply and markets for resources recovered.

(h) For the purposes of this subdivision, a "project" means a processing facility, together with any transfer stations, transmission facilities, and other related and appurtenant facilities primarily serving the processing facility. The office director shall adopt rules for the program by July 1, 1985.

Sec. 9. Minnesota Statutes 1992, section 115A.5501, subdivision 3, is amended to read:

Subd. 3. [FACILITY COOPERATION AND REPORTS.] The owner or operator of a solid waste composting, incineration, refuse derived fuel or disposal facility shall allow access upon reasonable notice to authorized office, agency, or metropolitan council staff for the purpose of conducting waste composition studies or otherwise assessing the amount of total packaging in the waste delivered to the facility under this section.

Beginning in 1993, by February 1 of each year the owner or operator of a facility governed by this subdivision shall submit a report to the commissioner, on a form prescribed by the commissioner, ~~information~~ specifying the total amount of solid waste received by the facility between January 1 and December 31 of the previous year. The commissioner shall calculate the total amount of solid waste delivered to solid waste facilities from the reports received from the facility owners or operators and shall report the aggregate amount to the director by April 1 of each year. The commissioner shall assess a nonforgivable administrative penalty under section 116.072 of \$500 plus any forgivable amount necessary to enforce this subdivision on any owner or operator who fails to submit a report required by this subdivision.

Sec. 10. Minnesota Statutes 1992, section 115A.551, subdivision 2a, is amended to read:

Subd. 2a. [SUPPLEMENTARY RECYCLING GOALS.] By December 31, 1996, each county will have as a goal to recycle the following amounts:

- (1) for a county outside of the metropolitan area, 30 percent by weight of total solid waste generation;
- (2) for a metropolitan county, 45 percent by weight of total solid waste generation.

Each county will develop and implement or require political subdivisions within the county to develop and implement programs, practices, or methods designed to meet its recycling goal. Nothing in this section or in any other law may be construed to prohibit a county from establishing a higher recycling goal. For the purposes of this subdivision "recycle" and "total solid waste generation" have the meanings given them in subdivision 1, except that neither includes yard waste.

For a county that, by January 1, 1995, is implementing a solid waste reduction program that is approved by the director, the director shall apply three percentage points toward achievement of the recycling goals in this subdivision. In addition, the director shall apply demonstrated waste reduction that exceeds three percent reduction toward achievement of the goals in this subdivision.

Sec. 11. Minnesota Statutes 1992, section 115A.551, subdivision 4, is amended to read:

Subd. 4. [INTERIM MONITORING.] The office, for counties outside of the metropolitan area, and the metropolitan council, for counties within the metropolitan area, shall monitor the progress of each county toward meeting the recycling goals in subdivisions 2 and 2a ~~and~~. The office shall report to the legislative commission on waste management on the progress of the counties by July 1 of each year. The metropolitan council shall report to the legislative commission on waste management on the progress of the counties by July 1 of each year. If the office or the council finds that a county is not progressing toward the goals in subdivisions 2 and 2a, it shall negotiate with the county to develop and implement solid waste management techniques designed to assist the county in meeting the goals, such as organized collection, curbside collection of source-separated materials, and volume-based pricing.

In even-numbered years the office's progress report may be included in the solid waste management policy report required under section 115A.411. The metropolitan council's progress report shall be included in the report required by section 473.149.

Sec. 12. Minnesota Statutes 1992, section 115A.552, subdivision 2, is amended to read:

Subd. 2. [RECYCLING OPPORTUNITIES.] An opportunity to recycle must include:

- (1) a local recycling center in the county and sites for collecting recyclable materials that are located in areas convenient for persons to use them;
- (2) curbside pickup, centralized drop-off, or a local recycling center for at least four broad types of recyclable materials in cities with a population of 5,000 or more persons; and
- (3) monthly pickup of at least four broad types of recyclable materials in cities of the first and second class and cities with 5,000 or more population in the metropolitan area.

Under clauses (2) and (3) one broad type of materials collected for recycling must include at least newsprint and glossy paper magazines and catalogs.

Sec. 13. Minnesota Statutes 1992, section 115A.557, subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY TO RECEIVE MONEY.] (a) To be eligible to receive money distributed by the office under this section, a county shall within one year of October 4, 1989:

- (1) create a separate account in its general fund to credit the money; and
- (2) set up accounting procedures to ensure that money in the separate account is spent only for the purposes in subdivision 2.

(b) In each following year, each county shall also:

(1) have in place an approved solid waste management plan or master plan including a recycling implementation strategy under section 115A.551, subdivision 7, or 473.803, subdivision 1e, and a household hazardous waste management plan under section 115A.96, subdivision 6, by the dates specified in those provisions;

(2) submit a report by ~~March~~ April 1 of each year to the ~~office~~ metropolitan council detailing how the money was spent and the resulting gains achieved in solid waste management practices during the previous calendar year; and

(3) provide evidence to the office that local revenue equal to 25 percent of the money sought for distribution under this section will be spent for the purposes in subdivision 2.

(c) The office shall withhold all or part of the funds to be distributed to a county under this section if the county fails to comply with this subdivision and subdivision 2.

Sec. 14. Minnesota Statutes 1992, section 115A.56, is amended to read:

115A.56 [RECYCLED CONTENT; LABELS.]

(a) A person may not label or otherwise indicate on a product or package for sale or distribution that the product or package contains recycled material unless the label or other indication states the minimum percentage of postconsumer material in the product or package:

(1) by weight for a finished nonpaper product or package; and

(2) by fiber content for a finished paper product or package.

For the purposes of this section "product" includes advertising materials and campaign material as defined in section 211B.01, subdivision 2.

(b) Paragraph (a) does not apply to products that qualify for and use the recycling emblem established by the state of New York that was in effect on December 14, 1990.

Sec. 15. Minnesota Statutes 1992, section 115A.916, is amended to read:

115A.916 [~~USED OIL; LAND DISPOSAL PROHIBITED~~ MOTOR AND VEHICLE FLUIDS AND FILTERS; PROHIBITIONS.]

A person may not place used motor oil, brake fluid, power steering fluid, transmission fluid, motor oil filters, or antifreeze:

(1) ~~in mixed municipal solid waste or place used oil;~~

(2) ~~in or on the land, unless approved by the agency; or~~

(3) in or on the waters of the state or in a stormwater or wastewater collection or treatment system. This section may be enforced by the agency pursuant to sections 115.071 and 116.072.

For the purposes of this section, "antifreeze" does not include small amounts of antifreeze contained in water used to flush the cooling system of a vehicle after the antifreeze has been drained and does not include deicer that has been used on the exterior of a vehicle.

Sec. 16. Minnesota Statutes 1992, section 115A.929, is amended to read:

115A.929 [FEES; ACCOUNTING.]

Each local government unit ~~that collects a fee under section 115A.919, 115A.921, or 115A.923~~ shall account for all revenue collected from ~~the fee~~ waste management fees, together with interest earned on the revenue from the ~~fee fees~~, separately from other revenue collected by the local government unit and shall report revenue collected from the ~~fee fees~~ and use of the revenue separately from other revenue and use of revenue in any required financial report or audit. For the purposes of this section, "waste management fees" means:

- (1) all fees, charges, and surcharges collected under sections 115A.919, 115A.921, and 115A.923;
- (2) all tipping fees collected at waste management facilities owned or operated by the local government unit;
- (3) all charges imposed by the local government unit for waste collection and management services; and
- (4) any other fees, charges, or surcharges imposed on waste or for the purpose of waste management, whether collected directly from generators or indirectly through property taxes or as part of utility or other charges for services provided by the local government unit.

Sec. 17. [115A.9302] [WASTE DEPOSIT DISCLOSURE.]

Subdivision 1. [DISCLOSURE REQUIRED.] A person that collects construction debris, industrial waste, or mixed municipal solid waste for transportation to a waste facility shall disclose to each nonresidential waste generator from whom waste is collected the name and location of the processing or disposal facility or facilities, excluding a transfer station, at which the waste will be deposited. The collector shall note both the primary facility at which the collector most often deposits waste and any alternative facilities regularly used by the collector.

Subd. 2. [FORM OF DISCLOSURE.] A collector shall make the disclosure on each invoice or statement of charges for service sent by the collector to waste generators and on any written contract for collection services. A local government unit that collects solid waste without direct charges to waste generators shall make the disclosure on any statement that includes an amount for waste management, provided that, at a minimum, disclosure to waste generators must be made at least twice annually in a form likely to be available to all generators.

Subd. 3. [TRANSFER STATIONS.] If the collector deposits waste at a transfer station, the collector need not disclose the name and location of the transfer station but must disclose the destination of the waste when it leaves the transfer station.

Sec. 18. Minnesota Statutes 1992, section 115A.932, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITIONS.] (a) A person may not place mercury or a thermostat, thermometer, electric switch, appliance, or medical or scientific instrument from which the mercury has not been removed for reuse or recycling:

(1) in solid waste; or

(2) in a wastewater disposal system.

(b) A person may not knowingly place mercury or a thermostat, thermometer, electric switch, appliance, or medical or scientific instrument from which the mercury has not been removed for reuse or recycling:

(1) in a solid waste processing facility; or

(2) in a solid waste disposal facility, as defined in section 115.01, subdivision 4.

(c) A person may not knowingly place a fluorescent or high intensity discharge lamp:

(1) in solid waste; or

(2) in a solid waste facility, except a household hazardous waste collection or recycling facility.

This paragraph does not apply to waste lamps generated by households until August 1, 1994.

Sec. 19. Minnesota Statutes 1992, section 115A.94, subdivision 5, is amended to read:

Subd. 5. [COUNTY ORGANIZED COLLECTION.] (a) A county may by ordinance require cities and towns within the county to organize collection. Organized collection ordinances of counties may:

- (1) require cities and towns to require the separation and separate collection of recyclable materials;
- (2) specify the material to be separated; and
- (3) require cities and towns to meet any performance standards for source separation that are contained in the county solid waste plan.

(b) A county may itself organize collection under subdivision 4 in any city or town that does not comply with a county organized collection ordinance adopted under this subdivision, and the county may implement, as part of its organized collection, the source separation program and performance standards required by its organized collection ordinance.

Sec. 20. Minnesota Statutes 1992, section 115A.94, subdivision 6, is amended to read:

Subd. 6. [ORGANIZED COLLECTION NOT REQUIRED OR PREVENTED.] (a) The authority granted in this section to organize solid waste collection is optional and is in addition to authority to govern solid waste collection granted by other law.

(b) Except as provided in subdivision 5, a city, town, or county is not:

- (1) required to organize collection; or
- (2) prevented from organizing collection of solid waste or recyclable material.

(c) Except as provided in subdivision 5, a city, town, or county may exercise any authority granted by any other law, including a home rule charter, to govern collection of solid waste.

Sec. 21. Minnesota Statutes 1992, section 115A.941, is amended to read:

115A.941 [SOLID WASTE; REQUIRED COLLECTION.]

(a) Except as provided in paragraph (b), each city and town with a population of ~~5,000~~ 1,000 or more shall ensure that every residential household and business in the city or town has solid waste collection service. To comply with this section, a city or town may organize collection, provide collection, or require by ordinance that every household and business has a contract for collection services. An ordinance adopted under this section must provide for enforcement.

(b) A city or town with a population of ~~5,000~~ 1,000 or more may exempt a residential household or business in the city or town from the requirement to have solid waste collection service if the household or business ensures that an environmentally sound alternative is used.

(c) To the extent practicable, the costs incurred by a city or town under this section must be incorporated into the collection system or the enforcement mechanisms adopted under this section by the city or town.

Sec. 22. [115A.9523] [HAZARDOUS PRODUCTS; LABELING.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Hazardous product" means a product that, as a product or when it becomes a waste, exhibits a hazardous characteristic of ignitability, corrosivity, reactivity, or toxicity, or any combination of these characteristics, as defined and listed under the criteria in Code of Federal Regulation, title 40, sections 261.20 to 261.24. "Hazardous product" does not include:

- (1) a pesticide that is registered under chapter 18B;
- (2) a product that is required to be labeled for proper waste management under other state law;
- (3) a battery that complies with sections 115A.961 and 325E.125 as applicable to the battery; or
- (4) a prescription drug.

(c) "Product" means tangible personal property that is manufactured or imported for sale or use in this state. "Product" does not include a durable good with an expected useful life of three years or more.

Subd. 2. [UNIFORM LABEL.] The director shall adopt a rule to establish a uniform label for hazardous products that must include at least a warning that the product contains a hazardous material that can harm human health or the environment and a directive not to place any portion of the product in solid waste.

Subd. 3. [LABEL; REQUIRED USE.] On and after January 1, 1996, a hazardous product may not be offered for sale or use in this state unless the product is labeled, on the product itself or on the container that remains with the product during its useful life, with the label adopted under subdivision 2. This subdivision is not effective if the federal government adopts and implements uniform labeling of hazardous products by January 1, 1996, and if the label required both warns of the presence of hazardous material and prohibits placement in solid waste.

Sec. 23. Minnesota Statutes 1992, section 115A.9651, is amended to read:

115A.9651 [TOXICS IN PRODUCTS; ENFORCEMENT.]

After July 1, 1994, no person may deliberately introduce lead, cadmium, mercury, or hexavalent chromium into any ink, dye, pigment, paint, or fungicide that is intended for use or for sale in this state.

This section does not apply to electrodeposition primer coating used on a motor vehicle or aircraft until July 1, 1997.

This section does not apply to art supplies.

This section may be enforced under sections 115.071 and 116.072. The attorney general or the commissioner of the office shall coordinate enforcement of this section with the director of the office.

Sec. 24. Minnesota Statutes 1992, section 115A.981, is amended to read:

115A.981 [SOLID WASTE MANAGEMENT; ECONOMIC STATUS AND OUTLOOK.]

Subdivision 1. [RECORD KEEPING REQUIREMENTS.] The owner or operator of a solid waste disposal facility must maintain the records necessary to comply with the requirements of subdivision 2.

Subd. 2. [ANNUAL REPORTING.] (a) The owner or operator of a solid waste disposal facility shall submit an annual report to the commissioner that includes:

(1) a certification that the owner or operator has established financial assurance for closure, postclosure care, and corrective action at the facility by using one or more of the financial assurance mechanisms specified by rule and specification of the financial assurance mechanism used, including the amount paid in or assured during the past year and the total amount of financial assurance accumulated to date; and

(2) a schedule of fees charged by at the facility for waste management, including all tipping fees, rates, charges, surcharges, and any other fees charged to each classification of customer.

(b) The owner or operator of a solid waste facility that is not a disposal facility and that is not governed by paragraph (c) shall submit an annual report to the commissioner that includes a schedule of fees charged at the facility for waste management, including all tipping fees, rates, charges, surcharges, and any other fees charged to each classification of customers.

(c) The owner or operator of a solid waste facility whose construction or operation was or is wholly or partially publicly financed, except when the public financing consists entirely of a grant for less than 15 percent of the cost of construction or consists solely of the sale of revenue bonds, and a local government unit that is the owner or operator of a solid waste facility shall submit an annual report to the commissioner that includes:

(1) a schedule of fees charged at the facility for waste management, including all tipping fees, rates, charges, surcharges, and any other fees charged to each classification of customers;

(2) a description of the amounts and sources of capital financing for the facility, including current debt and principal and interest payments made on the debt to date;

(3) an accounting of the costs of administration and operation of the facility;

(4) identification of the source and amount of any additional financing for the administration or operation of the facility not included in the fees reported under clause (1); and

(5) identification of the purposes of expenditure of any fees reported under clause (1) that are not expended for servicing or repaying debt on the facility or for administration and operation of the facility.

(d) The agency may suspend the operation of a disposal facility whose permittee fails to file the information required under this subdivision. The owner or operator of a facility may not increase fees until 30 days after the owner or operator has submitted a fee schedule amendment to the commissioner.

Subd. 3. [REPORT.] (a) The commissioner shall report to the legislative commission on waste management by July 1 of each odd-numbered year on the economic status and outlook of the state's solid waste management sector including:

(1) an estimate of the extent to which prices for solid waste management paid by consumers reflect costs related to environmental and public health protection, including a discussion of how prices are publicly and privately subsidized and how identified costs of waste management are not reflected in the prices;

(2) a discussion of how the market structure for solid waste management influences prices, considering:

(i) changes in the solid waste management market structure;

(ii) the relationship between public and private involvement in the market; and

(iii) the effect on market structures of waste management laws and rules; and

(3) any recommendations for strengthening or improving the market structure for solid waste management to ensure protection of human health and the environment, taking into account the preferred waste management practices listed in section 115A.02 and considering the experiences of other states.

(b) In preparing the report, the commissioner shall:

(1) consult with the director; the metropolitan council; local government units; solid waste collectors, transporters, and processors; owners and operators of solid waste disposal facilities; and other interested persons;

(2) consider information received under subdivision 2; and

(3) analyze information gathered and comments received relating to the most recent solid waste management policy report prepared under section 115A.411.

The commissioner shall also recommend any legislation necessary to ensure adequate and reliable information needed for preparation of the report.

~~(c) If an action recommended by the commissioner under paragraph (a) would significantly affect the solid waste management market structure, the commissioner shall, in consultation with the entities listed in paragraph (b), clause (1), prepare and include in the report an analysis of the potential impacts and effectiveness of the action, including impacts on:~~

~~(1) the public and private waste management sectors;~~

~~(2) future innovation and responsiveness to new approaches to solid waste management; and~~

~~(3) the costs of waste management.~~

~~(d) The report must also include:~~

~~(1) statewide and facility by facility estimates of the total potential costs and liabilities associated with solid waste disposal facilities for closure and postclosure care, response costs under chapter 115B, and any other potential costs, liabilities, or financial responsibilities;~~

~~(2) statewide and facility by facility requirements for proof of financial responsibility under section 116.07, subdivision 4h, and how each facility is meeting those requirements.~~

Sec. 25. Minnesota Statutes 1992, section 116.78, is amended by adding a subdivision to read:

Subd. 3a. [WASTE CONTAINERS.] Noninfectious mixed municipal solid waste generated by a facility must be placed for containment, collection, and processing or disposal in containers that are sufficiently transparent that the contents of the containers may be viewed from the exterior of the containers. The operator of a mixed municipal solid waste facility may not refuse to accept mixed municipal solid waste generated by a facility that complies with this subdivision, unless the operator observes that the waste contains sharps or other infectious waste.

Sec. 26. Minnesota Statutes 1992, section 116.92, subdivision 7, is amended to read:

Subd. 7. [FLUORESCENT AND HIGH INTENSITY DISCHARGE LAMPS; LARGE USE APPLICATIONS.] (a) A person who sells fluorescent or high intensity discharge lamps that contain mercury to the owner or manager of an industrial, commercial, office, or multiunit residential building, or to any person who replaces or removes from service outdoor lamps that contain mercury, shall clearly inform the purchaser in writing on the invoice for the lamps, or in a separate writing, that the lamps contain mercury, a hazardous substance that is regulated by federal or state law and that they may not be placed in solid waste. This paragraph does not apply to a person who incidentally sells fluorescent or high intensity discharge lamps at retail to the specified purchasers.

(b) A person who contracts with the owner or manager of an industrial, commercial, office, or multiunit residential building, or with a person responsible for outdoor lighting, to remove from service fluorescent or high intensity discharge lamps that contain mercury shall clearly inform, in writing, the person for whom the work is being done that the lamps being removed from service contain mercury and what the contractor's arrangements are for the management of the mercury in the removed lamps.

Sec. 27. Minnesota Statutes 1992, section 216B.241, is amended by adding a subdivision to read:

Subd. 5. [CONSERVATION IMPROVEMENT PROGRAM; EFFICIENT LIGHTING.] (a) Each public utility, cooperative electric association, and municipal utility that provides electric service to retail customers shall include as part of its conservation improvement activities a program to strongly encourage the use of fluorescent and high intensity discharge lamps. The program must include at least a public information campaign to encourage use of the lamps and proper management of spent lamps by all customer classifications.

(b) A public utility and a cooperative electric association that is regulated like a public utility under this chapter shall establish, either directly or through contracts with other persons, including local government units, a system to collect for delivery to a reclamation or recycling facility spent fluorescent and high intensity discharge lamps from households and from small businesses as defined in section 645.445 that generate an average of fewer than ten spent lamps per year.

(c) A collection system must include establishing reasonably convenient locations for collecting spent lamps from households and financial incentives sufficient to encourage spent lamp generators to take the lamps to the collection locations. Financial incentives may include coupons for purchase of new fluorescent or high intensity discharge lamps, a cash back system, or any other financial incentive or group of incentives designed to collect the maximum number of spent lamps from households and small businesses that is reasonably feasible.

(d) A cooperative electric association or a municipal utility that provides electric service at retail to customers may establish a collection system under paragraphs (b) and (c) as part of conservation improvement activities required under this section.

(e) The commissioner of the pollution control agency may not, unless clearly required by federal law, require a public utility, cooperative electric association, or municipality that establishes a household fluorescent and high intensity discharge lamp collection system under this section to manage the lamps as hazardous waste as long as the lamps are managed to avoid breakage and are delivered to a recycling or reclamation facility that removes mercury and other toxic materials contained in the lamps prior to placement of the lamps in solid waste.

(f) If a public utility, cooperative electric association, or municipal utility contracts with a local government unit to provide a collection system under this subdivision, the contract must provide for payment to the local government unit of all the unit's incremental costs of collecting and managing spent lamps.

(g) All the costs incurred for promotion and collection of fluorescent and high intensity discharge lamps under this subdivision are conservation improvement spending under this section.

Sec. 28. Minnesota Statutes 1992, section 325E.1151, subdivision 1, is amended to read:

Subdivision 1. [PURCHASERS MUST RETURN BATTERY OR PAY \$5.] (a) A person who purchases a lead acid battery at retail, except a lead acid battery that is designed to provide power for a boat motor that is purchased at the same time as the battery, must:

- (1) return a lead acid battery to the retailer; or
- (2) pay the retailer a \$5 surcharge.

(b) A person who has paid a \$5 surcharge under paragraph (a) must receive a \$5 refund from the retailer if the person returns a lead acid battery with a receipt for the purchase of a new battery from that retailer within 30 days after purchasing a new lead acid battery.

(c) A retailer may keep the unrefunded surcharges for lead acid batteries not returned within 30 days.

Sec. 29. Minnesota Statutes 1992, section 325E.12, is amended to read:

325E.12 [PENALTY.]

Any person violating Violation of sections 325E.10 to 325E.12 shall be guilty of 325E.1151 is a petty misdemeanor. Sections 325E.10 to 325E.1151 may be enforced under section 115.071.

Sec. 30. Minnesota Statutes 1992, section 325E.125, subdivision 1, is amended to read:

Subdivision 1. [LABELING.] (a) The manufacturer of a button cell battery that is to be sold in this state shall ensure that each battery contains no intentionally introduced mercury or is labeled to clearly identify for the final consumer of the battery the type of electrode used in the battery.

(b) The manufacturer of a rechargeable battery that is to be sold in this state shall ensure that each rechargeable battery is labeled to clearly identify for the final consumer of the battery the type of electrode and the name of the manufacturer. The manufacturer of a rechargeable battery shall also provide clear instructions for properly recharging the battery.

Sec. 31. Minnesota Statutes 1992, section 325E.1251, is amended to read:

325E.1251 [PENALTY ENFORCEMENT.]

Subdivision 1. [PENALTY.] Violation of ~~sections 115A.9155 and~~ section 325E.125 is a misdemeanor. A manufacturer who violates ~~section 115A.9155 or~~ section 325E.125 is also subject to a minimum fine of \$100 per violation.

Subd. 2. [RECOVERY OF COSTS.] Section 325E.125 may be enforced under section 115.071. In an enforcement action under this section in which the state prevails, the state may recover reasonable administrative expenses, court costs, and attorney fees incurred to take the enforcement action, in an amount to be determined by the court.

Sec. 32. Minnesota Statutes 1992, section 325E.32, is amended to read:

325E.32 [WASTE TIRES; COLLECTION.]

A person who sells automotive tires at retail must accept waste tires from customers for collection and recycling. The person must accept as many waste tires from each customer as tires are bought by that customer. The person may neither add an additional charge for accepting a number of waste tires that is the same as or fewer than the number of tires purchased by the consumer nor reduce the price of tires sold at retail if the customer returns a number of waste tires that is the same as or fewer than the number of tires purchased.

Sec. 33. Minnesota Statutes 1992, section 400.04, subdivision 3, is amended to read:

Subd. 3. [ACQUISITION, CONSTRUCTION, AND OPERATION OF PROPERTY AND FACILITIES.] A county may acquire, construct, enlarge, improve, repair, supervise, control, maintain, and operate any and all solid waste facilities and other property and facilities needed, used, or useful for solid waste management purposes. Notwithstanding any other law to the contrary, a county may ~~contract for recycling services, and~~ purchase and lease materials, equipment, machinery, and such other personal property as is necessary for such purposes including recycling upon terms and conditions determined by the board, with or without advertisement for bids including the use of conditional sales contracts and lease-purchase agreements. If a county contract is let by negotiation, without advertising for bids, the county shall conduct such negotiation and award the contract using a fair and open procedure and in full compliance with section 471.705. If a county contract is to be awarded by bid, the county may, after notice to the public and prospective bidders, conduct a fair and open process of prequalification of bidders prior to advertisement for bids. A county may employ such personnel as are reasonably necessary for the care, maintenance and operation of such property and facilities. A county shall contract with private persons for the construction, maintenance, and operation of solid waste facilities where the facilities are adequate and available for use and competitive with other means of providing the same service.

Sec. 34. Minnesota Statutes 1992, section 400.04, subdivision 4, is amended to read:

Subd. 4. [MANAGEMENT AND SERVICE CONTRACTS.] Notwithstanding any provision to the contrary in section 375.21 or 471.345, a county may enter into contracts for the construction, installation, maintenance and operation of property and facilities on private or public lands and may contract for the furnishing of solid waste management services: upon terms and conditions determined by the board, with or without advertisement for bids, including the use of conditional sales contracts and lease-purchase agreements. If a county contract is let by negotiation, without advertising for bids, the county shall conduct negotiations and award the contract using a fair and open procedure and in full compliance with section 471.705.

Sec. 35. Minnesota Statutes 1992, section 400.08, subdivision 3, is amended to read:

Subd. 3. [SERVICE CHARGES.] The county may establish by ordinance, revise when deemed advisable, and collect just and reasonable rates and charges for solid waste management services provided by the county or by others under contract with the county. The ordinance may obligate the owners, lessees, or occupants of property, or any or all of them, to pay charges for solid waste management services to their properties, including properties owned, leased, or used by the state or a political subdivision of the state, including the regional transit board established in section 473.373, the metropolitan airports commission established in section 473.603, the state agricultural society established in section 37.01, a local government unit, and any other political subdivision, and may obligate the user of any facility to pay a reasonable charge for the use of the facility. Rates and charges may take into account the character, kind, and quality of the service and of the solid waste, the method of disposition, the number of people served at each place of collection, and all other factors that enter into the cost of the service, including but not limited to depreciation and payment of principal and interest on money borrowed by the county for the acquisition or betterment of facilities. A notice of intention to enact an ordinance, published pursuant to section 375.51, subdivision 2, shall provide for a public hearing prior to the meeting at which the ordinance is to be considered.

Sec. 36. Minnesota Statutes 1992, section 473.149, subdivision 6, is amended to read:

Subd. 6. [REPORT TO LEGISLATURE.] The council shall report on abatement to the legislative commission on waste management by ~~November~~ July 1 of each year. The report must include an assessment of whether the objectives of the metropolitan abatement plan have been met and whether each county and each class of city within each county have achieved the objectives set for it in the council's plan. The report must recommend any legislation that may be required to implement the plan. The report shall include the reports required by sections 115A.551, subdivision 5; 473.846; and 473.848, subdivision 4. If in any year the council reports that the objectives of the council's abatement plan have not been met, the council shall evaluate and report on the need to reassign governmental responsibilities among cities, counties, and metropolitan agencies to assure implementation and achievement of the metropolitan and local abatement plans and objectives.

The report in each even-numbered year must include a report on the operating, capital, and debt service costs of solid waste facilities in the metropolitan area; changes in the costs; the methods used to pay the costs; and the resultant allocation of costs among users of the facilities and the general public. The facility costs report must present the cost and financing analysis in the aggregate and broken down by county and by major facility.

Sec. 37. Minnesota Statutes 1992, section 473.803, subdivision 3, is amended to read:

Subd. 3. [ANNUAL REPORT.] By April 1 of each year, each metropolitan county shall prepare and submit ~~annually~~ to the council for its approval a report containing information, as the council may prescribe in its policy plan, concerning solid waste generation and management within the county. The report shall include a statement of progress in achieving the land disposal abatement objectives for the county and classes of cities in the county as stated in the council's policy plan and county master plan. The report must list cities that have not satisfied the county performance standards for local abatement required by subdivision 1c. The report must include a schedule of rates and charges in effect or proposed for the use of any solid waste facility owned or operated by or on its behalf, together with a statement of the basis for such charges.

The report shall contain the recycling development grant report required by section 473.8441 and the annual certification report required by section 473.848.

Sec. 38. Minnesota Statutes 1992, section 473.8441, subdivision 5, is amended to read:

Subd. 5. [GRANT ALLOCATION PROCEDURE.] (a) The council shall distribute the funds annually so that each qualifying county receives an equal share of 50 percent of the council's allocation to the program described in this section, plus a proportionate share of the remaining funds available for the program. A county's proportionate share is an amount that has the same proportion to the total remaining funds as the number of households in the county has to the total number of households in all metropolitan counties.

(b) To qualify for distribution of funds, a county, by ~~August 15~~ April 1 of each year, must submit for council approval a report on expenditures and activities under the program during the preceding fiscal year and any proposed changes in its recycling implementation strategy or performance funding system. The report shall be included in the county report required by section 473.803, subdivision 3.

Sec. 39. Minnesota Statutes 1992, section 473.846, is amended to read:

473.846 [REPORT TO LEGISLATURE.]

~~By November 1, 1986, and each year thereafter,~~ The agency and metropolitan council shall submit to the senate finance committee, the house appropriations committee, and the legislative commission on waste management separate reports describing the activities for which money from the landfill abatement account and contingency action funds trust fund has been spent during the previous fiscal year. The agency shall report by November 1 of each year. The council may ~~shall~~ incorporate its report in the report required by section 473.149, due July 1 of each year. ~~In its 1988 report,~~ The council shall make recommendations to the legislature legislative commission on waste management on the future management and use of the metropolitan landfill abatement fund account.

Sec. 40. Minnesota Statutes 1992, section 473.848, subdivision 2, is amended to read:

Subd. 2. [COUNTY CERTIFICATION; COUNCIL APPROVAL.] (a) By April 1 of each year, each county shall submit ~~a semiannual~~ an annual certification report to the council detailing:

- (1) the quantity of waste generated in the county that was not processed prior to transfer to a disposal facility during the ~~six months~~ year preceding the report;
- (2) the reasons the waste was not processed;
- (3) a strategy for development of techniques to ensure processing of waste including a specific timeline for implementation of those techniques; and
- (4) any progress made by the county in reducing the amount of unprocessed waste.

The report shall be included in the county report required by section 473.803, subdivision 3.

(b) The council shall approve a county's certification report if it determines that the county is reducing and will continue to reduce the amount of unprocessed waste, based on the report and the county's progress in development and implementation of techniques to reduce the amount of unprocessed waste transferred to disposal facilities. If the council does not approve a county's report, it shall negotiate with the county to develop and implement specific techniques to reduce unprocessed waste. If the council does not approve ~~three~~ two or more consecutive reports from any one county, the council shall develop specific reduction techniques that are designed for the particular needs of the county. The county shall implement those techniques by specific dates to be determined by the council.

Sec. 41. Minnesota Statutes 1992, section 473.848, subdivision 3, is amended to read:

Subd. 3. [FACILITY CERTIFICATION; ~~COUNTY REPORTS.~~] (a) The operator of each resource recovery facility that receives waste from counties in the metropolitan area shall certify as unprocessable each load of mixed municipal solid waste it does not process. Certification must be made to each county that sends its waste to the facility at intervals specified by the county. Certification must include at least the number and size of loads certified as unprocessable and the reasons the waste is unprocessable. Loads certified as unprocessable must include the loads that would otherwise have been processed but were not processed because the facility was not in operation, but nothing in this section relieves the operator of its contractual obligations to process mixed municipal solid waste.

~~(b) A county that sends its waste to a resource recovery facility shall submit a semiannual report to the council detailing the quantity of waste generated within the county that was not processed during the six months preceding the report, the reasons the waste was not processed, and a strategy for reducing the amount of unprocessed mixed municipal solid waste.~~

Sec. 42. Laws 1991, chapter 347, article 1, section 15, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY TO ISSUE.] Pollution control agency staff designated by the commissioner and department of natural resources conservation officers may issue citations to a person who disposes of solid waste as defined in Minnesota Statutes, section 116.06, subdivision 10, at a location not authorized by law for the disposal of solid waste without permission of the owner of the property. A citation issued under this subdivision must include a requirement that the person cited remove and properly dispose or otherwise manage the waste.

Sec. 43. Laws 1991, chapter 347, article 1, section 15, subdivision 6, is amended to read:

Subd. 6. [STUDY OF FIELD CITATION PILOT PROGRAM.] The pollution control agency, in consultation with the department of natural resources and the attorney general, shall prepare a study on the effectiveness and limitations of the field citation pilot program. The study must make recommendations about the continued use of field citations. The study must be submitted to the legislative commission on waste management by November 15, 1992, and must be updated and resubmitted to the commission by November 15, 1993.

Sec. 44. Laws 1991, chapter 347, article 1, section 20, is amended to read:

Sec. 20. [EFFECTIVE DATE.]

Section 19 is effective July 1, ~~1993~~ 1994.

Sec. 45. Laws 1992, chapter 593, article 1, section 55, is amended to read:

Sec. 55. [EFFECTIVE DATE.]

Except as provided in this section, article 1 is effective August 1, 1992.

Sections 22, 31 to 34, 37 to 40, and 45 are effective the day following final enactment.

Section 43 is effective August, 1991.

Sections 12; 17; 24; 27, subdivision 1; 29, subdivision 3; and 36 are effective January 1, 1993, and section 36 applies to sweeping compound manufactured on or after that date.

Section 18 is effective for products and packaging manufactured on or after January 1, 1993.

Section 35, ~~paragraph (a), is effective July 1, 1993~~ paragraph (a), is effective January 1, 1997, and paragraph (b) is effective July 1, 1993, and applies those paragraphs apply to batteries manufactured on or after that date those dates.

~~Sections 3 and 29, subdivision 2, are~~ is effective August 1, 1993.

Sections 26 and 27, subdivision 2, are effective January 1, 1994.

Section 29, ~~subdivision~~ subdivisions 2 and 4, clauses (1) and (2), are effective August 1, 1994.

Sec. 46. [POLICY PLAN AMENDMENT.]

The metropolitan council shall amend the policy plan required by Minnesota Statutes, section 473.149, to incorporate the requirements imposed by sections 37 to 41.

Sec. 47. [WASTE TIRE REPORT; INCLUSION.]

The waste tire report due to the legislative commission on waste management under Minnesota Statutes, section 115A.913, by November 15, 1993, must include an evaluation of the adequacy of existing mechanisms and systems for managing waste tires as they are generated. The commissioner of the pollution control agency shall include in the report recommendations for legislation, if needed, to ensure that mechanisms are in place or are put in place to collect, store, transport, recycle, and otherwise manage waste tires properly.

Sec. 48. [SOLID WASTE MANAGEMENT POLICY REPORT; POSTPONEMENT.]

Under Minnesota Statutes, section 115A.411, a solid waste management policy report is not due to the legislative commission on waste management until July 1, 1996. In the interim, any reports authorized to be included with that report may be submitted as a combined report on or before the dates required for their submission.

Sec. 49. [FLUORESCENT AND HIGH INTENSITY DISCHARGE LAMPS; COLLECTION STUDY.]

The director of the office of waste management, in consultation with representatives of public utilities, electric cooperative associations, and municipal utilities that provide electric service to retail customers, the commissioners of the pollution control agency and the department of public service, the Minnesota technical assistance program, the director of the legislative commission on waste management, residential, commercial, and industrial electric power consumers, local government units, and other interested persons, shall examine and evaluate the potential for a statewide collection system for spent fluorescent and high intensity discharge lamps. The director shall identify barriers to an effective collection system and approaches to reduce and remove those barriers.

By November 1, 1993, the director shall submit a report to the legislative commission on waste management that, at a minimum, recommends:

(1) collection and management systems for spent lamps that are generated within the service areas of cooperative electric associations and municipal utilities that provide electric service to retail customers; and

(2) an implementation plan that includes provisions for technical assistance to public utilities, electric cooperative associations, and municipal utilities as they establish fluorescent and high intensity discharge lamp promotion programs and collection systems as required in Minnesota Statutes, section 216B.241, subdivision 5, and this section.

Sec. 50. [VOLUME OR WEIGHT BASED FEES; POSTPONEMENT OF EFFECTIVE DATE.]

A local government unit affected by the requirement in Minnesota Statutes 1992, section 115A.9301, to implement volume or weight based fees for solid waste collection may apply to the director of the office of waste management for postponement of the date for implementation of the fees. The director may grant a postponement only if the local government unit submits with its application a plan for evaluating alternative methods for complying with the law and a schedule for implementation of the required volume or weight based fees that the director determines will result in compliance with the law not later than January 1, 1995.

Sec. 51. [METROPOLITAN LANDFILL SITING; EFFECT OF MORATORIUM AND REPEAL.]

(a) The effects of Laws 1991, chapter 337, sections 84 and 90, paragraph (b), that were effective June 5, 1991 and August 1, 1992 respectively, include that:

(1) no development limitation continued under Minnesota Statutes 1982 to 1990, section 473.806, after December 31, 1992, and no claim for compensation for temporary development rights exists for any time period after that date;

(2) the metropolitan council may use the proceeds of bonds issued under Minnesota Statutes 1980 to 1990, section 473.831, to compensate property owners for temporary development rights or to purchase property under Minnesota Statutes 1984 to 1990, section 473.840, if the time period for which compensation for temporary development rights is claimed occurred prior to December 31, 1992, or if the request for purchase of the property was received prior to June 5, 1991; and

(3) a metropolitan county that acquired property under Minnesota Statutes 1984 to 1990, section 473.840, shall sell the property, subject to the approval of the metropolitan council.

(b) A county may lease or rent property that must be sold under paragraph (a), subject to approval of the metropolitan council, and may maintain property and casualty insurance on the property until ownership of the property is transferred. The county shall remit to the council any proceeds from leasing, renting, or selling property subject to this paragraph, less the reasonable expenses of the county to maintain the value of the property and to transfer ownership. The council shall use money remitted to it under this paragraph to retire solid waste debt incurred under Minnesota Statutes 1980 to 1990, section 473.831.

Sec. 52. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall delete the phrases "used oil" and "used motor oil" in Minnesota Statutes, sections 115A.03, subdivision 21; 115A.551, subdivision 1; and 115A.935; and insert the phrase "motor and vehicle fluids and filters."

Sec. 53. [EFFECTIVE DATE.]

Section 12 is effective July 1, 1994. Section 15 is effective January 1, 1994, except it is effective for motor oil filters generated by households on January 1, 1995. Section 24 is effective the day following final enactment, except subdivision 2 is effective August 1, 1993. Section 27 is effective August 1, 1994. Section 30 is effective January 1, 1997. Section 35 is effective May 20, 1971."

Delete the title and insert:

"A bill for an act relating to waste management; encouraging local government units to use purchasing techniques to reduce waste and develop markets for recycled products; prohibiting burning and burial of harmful materials on farms; defining packaging; prohibiting disposal of unprocessed mixed municipal solid waste; extending the time to construct certain projects with grant money; authorizing counties to count waste reduction toward 1996 recycling goals; providing for county management and service contracts; requiring local government units to separately account for all revenue and spending related to waste management; requiring collectors of commercial waste to disclose where the waste is deposited; prohibiting fluorescent and high intensity discharge lamps in solid waste; clarifying that

organized waste collection is one of several tools for cities and counties to use to collect waste; requiring labeling of hazardous household products; requiring reporting of tipping fee schedules at all waste facilities; requiring owners or operators of waste facilities that are publicly financed to account for charges and expenditures related to the facilities; requiring electric utilities to encourage use of fluorescent and high intensity discharge lamps and to collect spent lamps; requiring a study of such lamps; extending by one year the solid waste field citation pilot program; providing for the postponement of certain waste collection fees; clarifying the effects of the repeal of the metropolitan landfill siting process; providing for reports; amending Minnesota Statutes 1992, sections 16B.121; 16B.122, by adding a subdivision; 17.135; 115.071, subdivision 1; 115A.03, by adding a subdivision; 115A.034; 115A.54, subdivision 2a; 115A.5501, subdivision 3; 115A.551, subdivisions 2a and 4; 115A.552, subdivision 2; 115A.557, subdivision 3; 115A.56; 115A.916; 115A.929; 115A.932, subdivision 1; 115A.94, subdivisions 5 and 6; 115A.941; 115A.9651; 115A.981; 116.78, by adding a subdivision; 116.92, subdivision 7; 216B.241, by adding a subdivision; 325E.1151, subdivision 1; 325E.12; 325E.125, subdivision 1; 325E.1251; 325E.32; 400.04, subdivisions 3 and 4; 400.08, subdivision 3; 473.149, subdivision 6; 473.803, subdivision 3; 473.8441, subdivision 5; 473.846; and 473.848, subdivisions 2 and 3; Laws 1991, chapter 347, article 1, sections 15, subdivisions 1 and 6; and 20; Laws 1992, chapter 593, article 1, section 55; proposing coding for new law in Minnesota Statutes, chapter 115A."

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 295, A bill for an act relating to utilities; authorizing utilities to make automatic annual rate adjustments for costs of conservation improvements; amending Minnesota Statutes 1992, section 216B.16, subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 216B.16, subdivision 6b, is amended to read:

Subd. 6b. [ENERGY CONSERVATION IMPROVEMENTS.] All investments and expenses of a public utility as defined in section 216B.241, subdivision 1, paragraph (d), incurred in connection with energy conservation improvements shall be recognized and included by the commission in the determination of just and reasonable rates as if the investments and expenses were directly made or incurred by the utility in furnishing utility service. The commission may permit a public utility to file rate schedules providing for annual recovery of the costs of energy conservation improvements."

Amend the title as follows:

Page 1, line 5, delete "7" and insert "6b"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 327, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 333, A bill for an act relating to economic development; authorizing planning and final system design for connecting rural southwest Minnesota water systems to a federal water system; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 390, A bill for an act relating to solid waste; requiring the commissioner of revenue to separately account for revenue from sales taxes on solid waste collection services; appropriating money; amending Minnesota Statutes 1992, section 297A.45, by adding a subdivision.

Reported the same back with the recommendation that 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. 399, A bill for an act relating to commerce; unclaimed property; regulating certain notices; amending Minnesota Statutes 1992, section 345.42, subdivisions 2 and 3.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1992, section 345.41, is amended to read:

345.41 [REPORT OF ABANDONED PROPERTY.]

(a) Every person holding funds or other property, tangible or intangible, presumed abandoned under sections 345.31 to 345.60 shall report annually to the commissioner with respect to the property as hereinafter provided.

(b) The report shall be verified and shall include:

(1) except with respect to traveler's checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of the value of \$25 ~~\$100~~ or more presumed abandoned under sections 345.31 to 345.60;

(2) in case of unclaimed funds of life insurance corporations, the full name of the policyholder, insured or annuitant and that person's last known address according to the life insurance corporation's records;

(3) the nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, except that items of value under \$25 ~~\$100~~ each may be reported in aggregate;

(4) the date when the property became payable, demandable or returnable, and the date of the last transaction with the owner with respect to the property; and

(5) other information which the commissioner prescribes by rule as necessary for the administration of sections 345.31 to 345.60.

(c) If the person holding property presumed abandoned is a successor to other persons who previously held the property for the owner, or if the holder has changed a name while holding the property, the holder shall file with the report all prior known names and addresses of each holder of the property.

(d) The report shall be filed before November 1 of each year as of June 30 next preceding, but the report of life insurance corporations shall be filed before October 1 of each year as of December 31 next preceding. The commissioner may postpone the reporting date upon written request by any person required to file a report.

(e) If the holder of property presumed abandoned under sections 345.31 to 345.60 knows the whereabouts of the owner and if the owner's claim has not been barred by the statute of limitations, the holder shall, before filing the annual report, inform the owner of the steps necessary to prevent abandonment from being presumed.

(f) Verification, if made by a partnership, shall be executed by a partner; if made by an unincorporated association or private corporation, by an officer, and if made by a public corporation, by its chief fiscal officer.

(g) Holders of property described in section 345.32 shall not impose any charges against property which is described in section 345.32, clause (a), (b) or (c).

(h) Any person who has possession of property which the person has reason to believe will be reportable in the future as unclaimed property may, with the permission of the commissioner, report and deliver such property prior to the date required for reporting in accordance with this section."

Page 2, line 21, delete "Sections 1 and 2 are" and insert "This act is"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before the semicolon insert "and reports"

Page 1, line 4, delete "section" and insert "sections 345.41; and"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 408, A bill for an act relating to human services; requiring parent's social security numbers on birth certificates; modifying various child support provisions; amending Minnesota Statutes 1992, sections 144.215, by adding a subdivision; 518.551, subdivision 5; 518.611, subdivisions 1, 2, 6, and by adding a subdivision; and 518.613, subdivisions 2, 3, and 4.

Reported the same back with the following amendments:

Page 7, delete lines 1 to 36, and insert:

"Subd. 2. [CONDITIONS OF INCOME WITHHOLDING.] (a) Withholding shall result ~~whenever~~ when:

(1) the obligor requests it in writing to the public authority;

(2) the custodial parent requests it by making a motion to the court; or

(3) the obligor fails to make the maintenance or support payments, and the following conditions are met:

(4) (i) the obligor is at least 30 days in arrears;

(2) (ii) the obligee or the public authority serves written notice of income withholding, showing arrearage, on the obligor at least 15 days before service of the notice of income withholding and a copy of the court's order on the payor of funds;

(3) (iii) within the 15-day period, the obligor fails to move the court to deny withholding on the grounds that an arrearage of at least 30 days does not exist as of the date of the notice of income withholding, or on other grounds limited to mistakes of fact, and, ex parte, to stay service on the payor of funds until the motion to deny withholding is heard;

(4) (iv) the obligee or the public authority serves a copy of notice of income withholding, a copy of the court's order or notice of order, and the provisions of this section on the payor of funds; and

(5) (v) the obligee serves on the public authority a copy of the notice of income withholding, a copy of the court's order, an application, and the fee to use the public authority's collection services.

For those persons not applying for the public authority's IV-D services, a monthly service fee of \$15 must be charged and withheld from any collection before payment to the family. For those persons applying for the public authority's IV-D services, the service fee under section 518.551, subdivision 7, applies.

(b) To pay the arrearage specified in the notice of income withholding, the employer or payor of funds shall withhold from the obligor's income an additional amount equal to 20 percent of the monthly child support or maintenance obligation until the arrearage is paid."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 427, A bill for an act relating to taxation; making technical corrections and administrative changes to sales and use taxes, income and franchise taxes, property taxes, and tax administration and enforcement; changing penalties; appropriating money; amending Minnesota Statutes 1992, sections 82B.035, by adding a subdivision; 84.82, subdivision 10; 86B.401, subdivision 12; 270.071, subdivision 2; 270.072, subdivision 2; 271.06, subdivision 1; 271.09, subdivision 3; 272.02, subdivisions 1 and 4; 272.025, subdivision 1; 272.12; 273.03, subdivision 2; 273.061, subdivision 8; 273.124, subdivisions 9 and 13; 273.13, subdivision 25; 273.138, subdivision 5; 273.1398, subdivisions 1, 3, and 5b; 274.13, subdivision 1; 274.18; 275.065, subdivision 5a; 275.07, subdivisions 1 and 4; 275.28, subdivision 3; 275.295; 277.01, subdivision 2; 277.15; 277.17; 278.01, subdivision 1; 278.02; 278.03; 278.04; 278.08; 278.09; 287.21, subdivision 4; 287.22; 289A.08, subdivisions 3, 10, and 15; 289A.09, subdivision 1; 289A.11, subdivisions 1 and 3; 289A.12, subdivisions 2, 3, 4, 7, 8, 9, 10, 11, 12, and 14; 289A.18, subdivisions 1 and 4; 289A.20, subdivision 4; 289A.25, subdivisions 1, 2, 5a, 6, 8, 10, and 12; 289A.26, subdivisions 1, 4, and 6; 290A.04, subdivisions 1 and 2h; 296.14, subdivision 2; 297A.01, subdivision 3; 297B.01, subdivision 5; 297B.03; 347.10; 348.04; 469.175, subdivision 5; and 473H.10, subdivision 3; Laws 1991, chapter 291, article 1, section 65, as amended; Laws 1992, chapter 511, article 2, section 61; proposing coding for new law in Minnesota Statutes, chapters 273; 289A; and 297; repealing Minnesota Statutes 1992, sections 60A.13, subdivision 1a; 273.49; 274.19; 274.20; 277.011; 289A.08, subdivisions 9 and 12; 297A.258; and 348.03.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 436, A bill for an act relating to medical assistance; modifying hospital reimbursement rates; amending Minnesota Statutes 1992, section 256.969, subdivisions 9, 20, and by adding subdivisions.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 256.969, subdivision 9, is amended to read:

Subd. 9. [DISPROPORTIONATE NUMBERS OF LOW-INCOME PATIENTS SERVED.] For admissions occurring on or after October 1, 1992, through December 31, 1992, the medical assistance disproportionate population adjustment shall comply with federal law and shall be paid to a hospital, excluding regional treatment centers and facilities of the federal Indian Health Service, with a medical assistance inpatient utilization rate in excess of the arithmetic mean. The adjustment must be determined as follows:

(1) for a hospital with a medical assistance inpatient utilization rate above the arithmetic mean for all hospitals excluding regional treatment centers and facilities of the federal Indian Health Service but less than or equal to one standard deviation above the mean, the adjustment must be determined by multiplying the total of the operating and property payment rates by the difference between the hospital's actual medical assistance inpatient utilization rate and the arithmetic mean for all hospitals excluding regional treatment centers and facilities of the federal Indian Health Service; and

(2) for a hospital with a medical assistance inpatient utilization rate above one standard deviation above the mean, the adjustment must be determined by multiplying the adjustment that would be determined under clause (1) for that hospital by 1.1. If federal matching funds are not available for all adjustments under this subdivision, the commissioner shall reduce payments on a pro rata basis so that all adjustments qualify for federal match. The commissioner may establish a separate disproportionate population operating payment rate adjustment under the general assistance medical care program. For purposes of this subdivision medical assistance does not include general assistance medical care. The commissioner shall report annually on the number of hospitals likely to receive the adjustment authorized by this section. The commissioner shall specifically report on the adjustments received by public hospitals and public hospital corporations located in cities of the first class.

Sec. 2. Minnesota Statutes 1992, section 256.969, is amended by adding a subdivision to read:

Subd. 9a. [DISPROPORTIONATE POPULATION ADJUSTMENTS AFTER JANUARY 1, 1993.] (a) For admissions occurring between January 1, 1993, and June 30, 1993, the adjustment under this subdivision shall be paid to a hospital, excluding regional treatment centers and facilities of the federal Indian Health Service, with a medical assistance inpatient utilization rate in excess of one standard deviation above the arithmetic mean. The adjustment must be determined by multiplying the total of the operating and property payment rates by the difference between the hospital's actual medical assistance inpatient utilization rate and the arithmetic mean for all hospitals excluding regional treatment centers and facilities of the federal Indian Health Service, and the result must be multiplied by 1.1.

(b) For admissions occurring on or after July 1, 1993, the medical assistance disproportionate population adjustment shall comply with federal law and shall be paid to a hospital, excluding regional treatment centers and facilities of the federal Indian Health Service, with a medical assistance inpatient utilization rate in excess of one standard deviation above the arithmetic mean. The adjustment must be determined by multiplying the operating payment rate by the difference between the hospital's actual medical assistance inpatient utilization rate and one standard deviation above the arithmetic mean for all hospitals excluding regional treatment centers and facilities of the federal Indian Health Service.

(c) If federal matching funds are not available for all adjustments under this subdivision, the commissioner shall reduce payments on a pro rata basis so that all adjustments qualify for federal match. The commissioner may establish a separate disproportionate population operating payment rate adjustment under the general assistance medical care program. For purposes of this subdivision, medical assistance does not include general assistance medical care. The commissioner shall report annually on the number of hospitals likely to receive the adjustment authorized by this section. The commissioner shall specifically report on the adjustments received by public hospitals and public hospital corporations located in cities of the first class.

Sec. 3. Minnesota Statutes 1992, section 256.969, is amended by adding a subdivision to read:

Subd. 9b. [IMPLEMENTATION OF RATABLE REDUCTIONS.] Notwithstanding the provisions in subdivision 9, any ratable reductions required under that subdivision or subdivision 9a for fiscal year 1993 shall be implemented as follows:

(1) no ratable reductions shall be applied to admissions occurring between October 1, 1992, and December 31, 1992; and

(2) sufficient ratable reductions shall be taken from hospitals receiving a payment under subdivision 9a for admissions occurring between January 1, 1993, and June 30, 1993, to ensure that all state payments under subdivisions 9 and 9a during federal fiscal year 1993 qualify for federal match.

Sec. 4. Minnesota Statutes 1992, section 256.969, subdivision 20, is amended to read:

Subd. 20. [INCREASES IN MEDICAL ASSISTANCE INPATIENT PAYMENTS; CONDITIONS.] (a) Medical assistance inpatient payments shall increase 20 percent for inpatient hospital originally paid admissions, excluding Medicare crossovers, that occurred between July 1, 1988, and December 31, 1990, if: (i) the hospital had 100 or fewer Minnesota medical assistance annualized paid admissions, excluding Medicare crossovers, that were paid by March 1, 1988, for the period January 1, 1987, to June 30, 1987; (ii) the hospital had 100 or fewer licensed beds on March 1, 1988; (iii) the hospital is located in Minnesota; and (iv) the hospital is not located in a city of the first class as defined in section 410.01. For purposes of this paragraph, medical assistance does not include general assistance medical care.

(b) Medical assistance inpatient payments shall increase 15 percent for inpatient hospital originally paid admissions, excluding Medicare crossovers, that occurred between July 1, 1988, and December 31, 1990, if: (i) the hospital had more than 100 but fewer than 250 Minnesota medical assistance annualized paid admissions, excluding Medicare crossovers, that were paid by March 1, 1988, for the period January 1, 1987, to June 30, 1987; (ii) the hospital had 100 or fewer licensed beds on March 1, 1988; (iii) the hospital is located in Minnesota; and (iv) the hospital is not located in a city of the first class as defined in section 410.01. For purposes of this paragraph, medical assistance does not include general assistance medical care.

(c) Medical assistance inpatient payment rates shall increase 20 percent for inpatient hospital originally paid admissions, excluding Medicare crossovers, that occur on or after October 1, 1992, if: (i) the hospital had 100 or fewer Minnesota medical assistance annualized paid admissions, excluding Medicare crossovers, that were paid by March 1, 1988, for the period January 1, 1987, to June 30, 1987; (ii) the hospital had 100 or fewer licensed beds on March 1, 1988; (iii) the hospital is located in Minnesota; and (iv) the hospital is not located in a city of the first class as defined in section 410.01. For a hospital that qualifies for an adjustment under this paragraph and under subdivision 9, 9a, or 22, the hospital must be paid the adjustment under subdivision subdivisions 9, 9a, and 22, as applicable, plus any amount by which the adjustment under this paragraph exceeds the adjustment under subdivision 9 those subdivisions. For this paragraph, medical assistance does not include general assistance medical care.

(d) Medical assistance inpatient payment rates shall increase 15 percent for inpatient hospital originally paid admissions, excluding Medicare crossovers, that occur after September 30, 1992, if: (i) the hospital had more than 100 but fewer than 250 Minnesota medical assistance annualized paid admissions, excluding Medicare crossovers, that were paid by March 1, 1988, for the period January 1, 1987, to June 30, 1987; (ii) the hospital had 100 or fewer licensed beds on March 1, 1988; (iii) the hospital is located in Minnesota; and (iv) the hospital is not located in a city of the first class as defined in section 410.01. For a hospital that qualifies for an adjustment under this paragraph and under subdivision 9, 9a, or 22, the hospital must be paid the adjustment under subdivision subdivisions 9, 9a, and 22, as applicable, plus any amount by which the adjustment under this paragraph exceeds the adjustment under subdivision 9 those subdivisions. For purposes of this paragraph, medical assistance does not include general assistance medical care.

Sec. 5. Minnesota Statutes 1992, section 256.969, is amended by adding a subdivision to read:

Subd. 22. [HOSPITAL PAYMENT ADJUSTMENT.] For admissions occurring from January 1, 1993, until June 30, 1993, the commissioner shall adjust the medical assistance payment paid to a hospital, excluding regional treatment centers and facilities of the federal Indian Health Service, with a medical assistance inpatient utilization rate in excess of the arithmetic mean. The adjustment must be determined as follows:

(1) for a hospital with a medical assistance inpatient utilization rate above the arithmetic mean for all hospitals excluding regional treatment centers and facilities of the federal Indian Health Service, the adjustment must be determined by multiplying the total of the operating and property payment rates by the difference between the hospital's actual medical assistance inpatient utilization rate and the arithmetic mean for all hospitals excluding regional treatment centers and facilities of the federal Indian Health Service; and

(2) for a hospital with a medical assistance inpatient utilization rate above one standard deviation above the mean, the adjustment must be determined by multiplying the adjustment under clause (1) for that hospital by 1.1. Any payment under this clause must be reduced by the amount of any payment received under subdivision 9. For purposes of this subdivision, medical assistance does not include general assistance medical care.

Sec. 6. [HEALTH MAINTENANCE ORGANIZATION REIMBURSEMENT.]

Effective January 1, 1993, the commissioner of human services shall adjust rates paid to a health maintenance organization under contract with the commissioner to reflect rate increases provided under Minnesota Statutes, section 256.969, subdivision 22. The adjustment must be made on a nondiscounted hospital-specific basis.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective retroactive to January 1, 1993."

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.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 509, A bill for an act relating to elections; changing registration, filing, boundary change, ballot preparation, canvassing, system testing, and notice requirements and procedures; changing certain duties of election officials; clarifying certain language; adding to reimbursable expenses; amending Minnesota Statutes 1992, sections 201.071, subdivision 1; 201.081; 201.11; 201.13, subdivision 2, and by adding a subdivision; 201.15; 204B.06, subdivisions 4 and 6; 204B.14, subdivision 4; 204B.16, by adding a subdivision; 204B.46; 204C.06, subdivision 1; 204C.31, subdivision 2; 204C.32; 204D.04, subdivision 2; 204D.11, subdivisions 2, 3, and 6; 204D.24, subdivision 2; 204D.27, subdivision 11; 206.83; 206.90, subdivision 6; 207A.02, subdivision 1; 207A.10; subdivision 2; 211B.11, subdivision 1; 211B.14; and 365.51, subdivision 2.

Reported the same back with the following amendments:

Page 13, line 2, delete "and" and insert "offices;"

Page 14, line 10, delete "100 feet"

Page 14, line 11, delete "of the entrance to" and reinstate the stricken language

Page 14, line 12, reinstate the stricken language and before "on" insert ", or anywhere on the public property on which a polling place is situated,"

Page 15, after line 14, insert:

"Sec. 28. [EFFECTIVE DATE.]

Section 24 is effective the day following final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 513, A bill for an act relating to the environment; prohibiting state permits for expansion or enhancement of coal-fired steam heating facilities within a certain portion of the Mississippi river critical area; proposing coding for new law in Minnesota Statutes, chapter 116G.

Reported the same back with the following amendments:

Page 2, after line 22, insert:

"The prohibition in this section does not apply to issuance of a permit or modification of an existing permit necessary to retrofit or renovate pollution control equipment at an existing facility for the purpose of complying with sulphur dioxide emission standards."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 516, A bill for an act relating to elections; changing certain margins requiring automatic recounts; amending Minnesota Statutes 1992, section 204C.35, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 532, A bill for an act relating to human services; modifying the STRIDE program; requiring a work component; modifying the aid to families with dependent children program; amending Minnesota Statutes 1992, sections 256.73, subdivisions 2, 3a, and 5; 256.736, subdivisions 10, 10a, 14, and 16; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; and 256.74, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 13.46, subdivision 2, is amended to read:

Subd. 2. [GENERAL.] (a) Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

(1) pursuant to section 13.05;

(2) pursuant to court order;

- (3) pursuant to a statute specifically authorizing access to the private data;
- (4) to an agent of the welfare system, including a law enforcement person, attorney, or investigator acting for it in the investigation or prosecution of a criminal or civil proceeding relating to the administration of a program;
- (5) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;
- (6) to administer federal funds or programs;
- (7) between personnel of the welfare system working in the same program;
- (8) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names and social security numbers, upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, and the income tax;
- (9) to the Minnesota department of jobs and training for the purpose of monitoring the eligibility of the data subject for unemployment compensation, for any employment or training program administered, supervised, or certified by that agency, or for the purpose of administering any rehabilitation program, whether alone or in conjunction with the welfare system, and to verify receipt of energy assistance for the telephone assistance plan;
- (10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;
- (11) data maintained by residential facilities as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state pursuant to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;
- (12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person; or
- (13) data on a child support obligor who makes payments to the public agency may be disclosed to the higher education coordinating board to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5); or

(14) data collected by the telephone assistance plan may be disclosed to the department of revenue to conduct an electronic data match to the extent necessary to determine eligibility under section 237.70, subdivision 4a.

(b) 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 256.73, subdivision 2, is amended to read:

Subd. 2. [ALLOWANCE BARRED BY OWNERSHIP OF PROPERTY.] Ownership by an assistance unit of property as follows is a bar to any allowance under sections 256.72 to 256.87:

(1) The value of real property other than the homestead, which when combined with other assets exceeds the limits of paragraph (2), unless the assistance unit is making a good faith effort to sell the nonexcludable real property. The time period for disposal must not exceed nine consecutive months ~~and~~. The assistance unit ~~shall execute~~ must sign an agreement to dispose of the property and to repay assistance received during the nine months ~~up to that would not have been paid had the property been sold at the beginning of such period, but not to exceed the amount of the net sale proceeds. The payment must be made when the property is sold~~ family has five working days from the date it realizes cash from the sale of the property to repay the overpayment. If the property is not sold within the required time or the assistance unit becomes ineligible for any reason ~~the entire amount received during the nine months is an overpayment and subject to recovery during the nine-month period, the amount payable under the agreement will not be determined and recovery will not begin until the property is in fact sold. If the property is intentionally sold~~

at less than fair market value or if a good faith effort to sell the property is not being made, the overpayment amount shall be computed using the fair market value determined at the beginning of the nine-month period. For the purposes of this section, "homestead" means the home that is owned by, and is the usual residence of, the child, relative, or other member of the assistance unit together with the surrounding property which is not separated from the home by intervening property owned by others. "Usual residence" includes the home from which the child, relative, or other members of the assistance unit is temporarily absent due to an employability development plan approved by the local human service agency, which includes education, training, or job search within the state but outside of the immediate geographic area. Public rights-of-way, such as roads which run through the surrounding property and separate it from the home, will not affect the exemption of the property; or

(2) Personal property of an equity value in excess of \$1,000 for the entire assistance unit, exclusive of personal property used as the home, one motor vehicle of an equity value not exceeding \$1,500 or the entire equity value of a motor vehicle determined to be necessary for the operation of a self-employment business, one burial plot for each member of the assistance unit, one prepaid burial contract with an equity value of no more than \$1,000 for each member of the assistance unit, clothing and necessary household furniture and equipment and other basic maintenance items essential for daily living, in accordance with rules promulgated by and standards established by the commissioner of human services.

Sec. 3. Minnesota Statutes 1992, section 256.73, subdivision 3a, is amended to read:

Subd. 3a. [PERSONS INELIGIBLE.] No assistance shall be given under sections 256.72 to 256.87:

(1) on behalf of any person who is receiving supplemental security income under title XVI of the Social Security Act unless permitted by federal regulations;

(2) for any month in which the assistance unit's gross income, without application of deductions or disregards, exceeds 185 percent of the standard of need for a family of the same size and composition; except that the earnings of a dependent child who is a full-time student may be disregarded for six calendar months per calendar year and the earnings of a dependent child ~~who is a full-time student~~ that are derived from the jobs training and partnership act (JTPA) may be disregarded for six calendar months per calendar year. These two earnings disregards cannot be combined to allow more than a total of six months per calendar year when the earned income of a full-time student is derived from participation in a program under the JTPA. If a stepparent's income is taken into account in determining need, the disregards specified in section 256.74, subdivision 1a, shall be applied to determine income available to the assistance unit before calculating the unit's gross income for purposes of this paragraph;

(3) to any assistance unit for any month in which any caretaker relative with whom the child is living is, on the last day of that month, participating in a strike;

(4) on behalf of any other individual in the assistance unit, nor shall the individual's needs be taken into account for any month in which, on the last day of the month, the individual is participating in a strike;

(5) on behalf of any individual who is the principal earner in an assistance unit whose eligibility is based on the unemployment of a parent when the principal earner, without good cause, fails or refuses to accept employment, or to register with a public employment office, unless the principal earner is exempt from these work requirements.

Sec. 4. Minnesota Statutes 1992, section 256.73, subdivision 5, is amended to read:

Subd. 5. [AID FOR UNBORN CHILDREN PREGNANT WOMEN.] (a) For the purposes of sections 256.72 to 256.87, assistance payments shall be made ~~during the final three months of pregnancy~~ to a pregnant woman ~~who has with no other children but who otherwise qualifies for assistance except for medical assistance payments which shall be made at the time that pregnancy is confirmed by a physician if the pregnant woman has no other children and otherwise qualifies for assistance as provided in sections 256B.055 and 256B.056~~ receiving assistance when it is medically verified that the unborn child is expected to be born in the month the payment is made or within the three-month period following the month of payment. Eligibility must be determined as if the unborn child had been born and was living with her, considering the needs, income, and resources of all individuals in the filing unit. If eligibility exists for this fictional unit, the pregnant woman is eligible and her payment amount is determined based solely on her needs, income, including deemed income, and resources. No payments shall be made for the needs of the unborn or for any special needs occasioned by the pregnancy except as provided in ~~clause paragraph~~ (b). The commissioner of human services shall promulgate, pursuant to the administrative procedures act, rules to implement this subdivision.

(b) The commissioner may, according to rules, make payments for the purpose of meeting special needs occasioned by or resulting from pregnancy both for a pregnant woman with no other children receiving assistance as well as for a pregnant woman receiving assistance as provided in sections 256.72 to 256.87. The special needs payments shall be dependent upon the needs of the pregnant woman and the resources allocated to the county by the commissioner and shall be limited to payments for medically recognized special or supplemental diet needs and the purchase of a crib and necessary clothing for the future needs of the unborn child at birth. ~~The commissioner shall, according to rules, make payments for medically necessary prenatal care of the pregnant woman and the unborn child.~~

Sec. 5. Minnesota Statutes 1992, section 256.736, subdivision 10, is amended to read:

Subd. 10. [COUNTY DUTIES.] (a) To the extent of available state appropriations, county boards shall:

(1) refer all mandatory and eligible volunteer caretakers ~~required to register~~ permitted to participate under subdivision ~~3~~ 3a to an employment and training service provider for participation in employment and training services;

(2) identify to the employment and training service provider ~~caretakers who fall into the targeted groups~~ the target group of which the referred caretaker is a member;

(3) provide all caretakers with an orientation which meets the requirements in subdivisions 10a and 10b;

(4) work with the employment and training service provider to encourage voluntary participation by caretakers in the ~~targeted~~ target groups;

(5) work with the employment and training service provider to collect data as required by the commissioner;

(6) to the extent permissible under federal law, require all caretakers coming into the AFDC program to attend orientation;

(7) encourage ~~nontargeted~~ nontarget caretakers to develop a plan to obtain self-sufficiency;

(8) notify the commissioner of the caretakers required to participate in employment and training services;

(9) inform appropriate caretakers of opportunities available through the head start program and encourage caretakers to have their children screened for enrollment in the program where appropriate;

(10) provide transportation assistance using available funds to caretakers who participate in employment and training programs;

(11) ensure that orientation, job search, services to custodial parents under the age of 20, educational activities and work experience for AFDC-UP families, and case management services are made available to appropriate caretakers under this section, except that payment for case management services is governed by subdivision 13;

(12) explain in its local service unit plan under section 268.88 how it will ensure that ~~targeted~~ target caretakers determined to be in need of social services are provided with such social services. The plan must specify how the case manager and the county social service workers will ensure delivery of needed services;

(13) to the extent allowed by federal laws and regulations, provide a job search program as defined in subdivision 14, a community work experience program as defined in section 256.737, and at least one of the following employment and training services: ~~community work experience program (CWEP) as defined in section 256.737~~, grant diversion as defined in section 256.739, on-the-job training as defined in section 256.738, or another work and training program approved by the commissioner and the secretary of the United States Department of Health and Human Services. Planning and approval for employment and training services listed in this clause must be obtained through submission of the local service unit plan as specified under section 268.88. ~~Each county is urged to adopt grant diversion as the second program required under this clause;~~

(14) prior to participation, provide an assessment of each AFDC recipient who is required or volunteers to participate in an approved employment and training service. The assessment must include an evaluation of the participant's (i) educational, child care, and other supportive service needs; (ii) skills and prior work experience; and (iii) ability to secure and retain a job which, when wages are added to child support, will support the participant's

family. The assessment must also include a review of the results of the early and periodic screening, diagnosis and treatment (EPSDT) screening and preschool screening under chapter 123, if available; the participant's family circumstances; and, in the case of a custodial parent under the age of 18, a review of the effect of a child's development and educational needs on the parent's ability to participate in the program;

(15) develop an employability development plan for each recipient for whom an assessment is required under clause (14) which: (i) reflects the assessment required by clause (14); (ii) takes into consideration the recipient's physical capacity, skills, experience, health and safety, family responsibilities, place of residence, proficiency, child care and other supportive service needs; (iii) is based on available resources and local employment opportunities; (iv) specifies the services to be provided by the employment and training service provider; (v) specifies the activities the recipient will participate in; (vi) specifies necessary supportive services such as child care; (vii) to the extent possible, reflects the preferences of the participant; and (viii) specifies the recipient's long-term employment goal which shall lead to self-sufficiency; ~~and~~

(16) obtain the written concurrence of the appropriate exclusive bargaining representatives with respect to job duties to assure that no work assignment under this section or sections 256.737, 256.738, and 256.739 results in: (i) termination, layoff, or reduction of the work hours of an employee for the purpose of hiring an individual under this section or sections 256.737, 256.738, and 256.739; (ii) the hiring of an individual if any other person is on layoff from the same or a substantially equivalent job; (iii) any infringement of the promotional opportunities of any currently employed individual; (iv) the impairment of existing contracts for services or collective bargaining agreements; or (v) except for on-the-job training under section 256.738, a participant filling an established unfilled position vacancy; ~~and~~

(17) assess each caretaker in an AFDC-UP family who is under age 25, has not completed high school or a high school equivalency program, and who would otherwise be required to participate in a work experience placement under section 256.737 to determine if an appropriate secondary education option is available for the caretaker. If an appropriate secondary education option is determined to be available for the caretaker, the caretaker must, in lieu of participating in work experience, enroll in and meet the educational program's participation and attendance requirements. "Secondary education" for this paragraph means high school education or education designed to prepare a person to qualify for a high school equivalency certificate, basic and remedial education, and English as a second language education. A caretaker required to participate in secondary education who, without good cause, fails to participate shall be subject to the provisions of subdivision 4a and the sanction provisions of subdivision 4, clause (6). For purposes of this clause, "good cause" means the inability to obtain licensed or legal nonlicensed child care services needed to enable the caretaker to attend, inability to obtain transportation needed to attend, illness or incapacity of the caretaker or another member of the household which requires the caretaker to be present in the home, or being employed for more than 30 hours per week.

(b) Funds available under this subdivision may not be used to assist, promote, or deter union organizing.

(c) A county board may provide other employment and training services that it considers necessary to help caretakers obtain self-sufficiency.

(d) Notwithstanding section 256G.07, when a ~~targeted~~ target caretaker relocates to another county to implement the provisions of the caretaker's case management contract or other written employability development plan approved by the county human service agency, its case manager or employment and training service provider, the county that approved the plan is responsible for the costs of case management and other services required to carry out the plan, including employment and training services. The county agency's responsibility for the costs ends when all plan obligations have been met, when the caretaker loses AFDC eligibility for at least 30 days, or when approval of the plan is withdrawn for a reason stated in the plan, whichever occurs first. Responsibility for the costs of child care must be determined under chapter 256H. A county human service agency may pay for the costs of case management, child care, and other services required in an approved employability development plan when the ~~nontargeted~~ nontarget caretaker relocates to another county or when a ~~targeted~~ target caretaker again becomes eligible for AFDC after having been ineligible for at least 30 days.

Sec. 6. Minnesota Statutes 1992, section 256.736, subdivision 10a, is amended to read:

Subd. 10a. [ORIENTATION.] (a) Each county agency must provide an orientation to all caretakers within its jurisdiction ~~who are determined eligible for AFDC on or after July 1, 1989, and who are required to attend an orientation. The county agency shall require attendance at orientation of all caretakers except in the time limits described in this paragraph:~~

~~(1) caretakers who are exempt from registration under subdivision 3 within 60 days of being determined eligible for AFDC for caretakers with a continued absence or incapacitated parent basis of eligibility; and or~~

~~(2) caretakers who are not within 30 days of being determined eligible for AFDC for caretakers with an unemployed parent basis of eligibility.~~

~~(b) Caretakers are required to attend an in-person orientation if the caretaker is a member of one of the groups listed in subdivision 3a, paragraph (a), and who are either responsible for the care of an incapacitated person or a dependent child under the age of six or enrolled at least half time in any recognized school, training program, or institution of higher learning unless the caretaker is exempt from registration under subdivision 3 and the caretaker's exemption basis will not expire within 60 days of being determined eligible for AFDC, or the caretaker is enrolled at least half time in any recognized school, training program, or institution of higher learning and the in-person orientation cannot be scheduled at a time that does not interfere with the caretaker's school or training schedule. The county agency shall require attendance at orientation of caretakers described in subdivision 3a, paragraph (b) or (c), if they become the commissioner determines that the groups are eligible for participation in employment and training services.~~

~~(b) Except as provided in paragraph (c), (c) The orientation must consist of a presentation that informs caretakers of:~~

~~(1) the identity, location, and phone numbers of employment and training and support services available in the county;~~

~~(2) the types and locations of child care services available through the county agency that are accessible to enable a caretaker to participate in educational programs or employment and training services;~~

~~(3) the child care resource and referral program designated by the commissioner providing education and assistance to select child care services and a referral to the child care resource and referral when assistance is requested;~~

~~(4) the obligations of the county agency and service providers under contract to the county agency;~~

~~(5) the rights, responsibilities, and obligations of participants;~~

~~(6) the grounds for exemption from mandatory employment and training services or educational requirements;~~

~~(7) the consequences for failure to participate in mandatory services or requirements;~~

~~(8) the method of entering educational programs or employment and training services available through the county;~~

~~(9) the availability and the benefits of the early and periodic, screening, diagnosis and treatment (EPSDT) program and preschool screening under chapter 123;~~

~~(10) their eligibility for transition year child care assistance when they lose eligibility for AFDC due to their earnings; and~~

~~(11) their eligibility for extended medical assistance when they lose eligibility for AFDC due to their earnings; and~~

~~(12) the availability and benefits of the Head Start program.~~

~~(d) Orientation must encourage recipients to view AFDC as a temporary program providing grants and services to individuals who set goals and develop strategies for supporting their families without AFDC assistance. The content of the orientation must not imply that a recipient's eligibility for AFDC is time limited. Orientation may be provided through audio-visual methods, but the caretaker must be given an opportunity for face-to-face interaction with staff of the county agency or the entity providing the orientation, and an opportunity to express the desire to participate in educational programs and employment and training services offered through the county agency.~~

~~(e) County agencies shall not require caretakers to attend orientation for more than three hours during any period of 12 continuous months. The county agency shall also arrange for or provide needed transportation and child care to enable caretakers to attend.~~

(e) Orientation for caretakers not eligible for participation in employment and training services under the provisions of subdivision 3a, paragraphs (a) and (b), shall present information only on those employment, training, and support services available to those caretakers, and information on clauses (2), (3), (9), (10), and (11) of paragraph (a) and all of paragraph (c), and may not last more than two hours. The county or, under contract, the county's employment and training service provider shall mail written orientation materials containing the information specified in clause (c), paragraphs (1) to (3) and (8) to (12), to each caretaker exempt from attending an in-person orientation or who has good cause for failure to attend after at least two dates for their orientation have been scheduled.

(f) Persons required to attend orientation must be informed of the penalties for failure to attend orientation, support services to enable the person to attend, what constitutes good cause for failure to attend, and rights to appeal. Persons required to attend orientation must be offered a choice of at least two dates for their first scheduled orientation. No person may be sanctioned for failure to attend orientation until after a second failure to attend.

(g) Good cause for failure to attend an in-person orientation exists when a caretaker cannot attend because of:

(1) temporary illness or injury of the caretaker or of a member of the caretaker's family that prevents the caretaker from attending an orientation during the hours when the orientation is offered;

(2) a judicial proceeding that requires the caretaker's presence in court during the hours when orientation is scheduled; or

(3) a nonmedical emergency that prevents the caretaker from attending an orientation during the hours when orientation is offered. "Emergency" for the purposes of this paragraph means a sudden, unexpected occurrence or situation of a serious or urgent nature that requires immediate action.

(h) Caretakers must receive a second orientation only when:

(1) there has been a 30-day break in AFDC eligibility; and

(2) the caretaker has not attended an orientation within the previous 12-month period, excluding the month of reapplication for AFDC.

Sec. 7. Minnesota Statutes 1992, section 256.736, subdivision 14, is amended to read:

Subd. 14. [JOB SEARCH.] (a) The commissioner of human services shall Each county agency must establish and operate a job search program as provided under Public Law Number 100-485 this section. Unless exempt, the principal wage earner in an AFDC-UP assistance unit must be referred to and begin participation in the job search program within 30 days of being determined eligible for AFDC, and must begin participation within four months of being determined eligible. If the principal wage earner is exempt from participation in job search, the other caretaker must be referred to and begin participation in the job search program within 30 days of being determined eligible for AFDC. The principal wage earner or the other caretaker is exempt from job search participation if:

(1) the caretaker is already participating in another approved employment and training service;

(2) the caretaker's employability plan specifies other activities;

(3) the caretaker is exempt from registration under subdivision 3; or

(4) the caretaker is unable to secure employment due to inability to communicate in the English language, is participating in an English as a second language course, and is making satisfactory progress towards completion of the course. If an English as a second language course is not available to the caretaker, the caretaker is exempt from participation until a course becomes available (2) the caretaker is under age 25, has not completed a high school diploma or an equivalent program, and is participating in a secondary education program as defined in subdivision 10, paragraph (a), clause (17), which is approved by the employment and training service provider in the employability development plan.

(b) The job search program must provide the following services:

(1) ~~an initial period of up to four consecutive weeks of job search activities for no less than 20 hours per week but not more than 32 hours per week. The employment and training service provider shall specify for each participating caretaker the number of weeks and hours of job search to be conducted and shall report to the county board agency if the caretaker fails to cooperate with the job search requirements; and~~

~~(2) an additional period of job search following the first period at the discretion of the employment and training service provider. The total of these two periods of job search may not exceed eight weeks for any 12 consecutive month period beginning with the month of application.~~

(c) The job search program may provide services to non-AFDC-UP caretakers.

(d) After completion of job search requirements in this section, nonexempt caretakers shall be placed in and must participate in and cooperate with the work experience program under section 256.737.

Sec. 8. Minnesota Statutes 1992, section 256.736, subdivision 16, is amended to read:

Subd. 16. [ALLOCATION AND USE OF MONEY.] (a) State money appropriated for employment and training services under this section must be allocated to counties as specified in paragraphs (b) to ~~(h)~~ (j).

(b) For purposes of this section ~~subdivision~~, "targeted caretaker" means a recipient who:

(1) is a custodial parent under the age of 24 who: (i) has not completed a high school education and at the time of application for AFDC is not enrolled in high school or in a high school equivalency program; or (ii) had little or no work experience in the preceding year;

(2) is a member of a family in which the youngest child is within two years of being ineligible for AFDC due to age; or

(3) has received 36 months or more of AFDC over the last 60 months.

(c) One hundred percent of the money appropriated for case management services as described in subdivision 11 must be allocated to counties based on the average number of cases in each county described in clause (1). Money appropriated for employment and training services as described in subdivision 1a, paragraph (d), other than case management services, must be allocated to counties as follows:

(1) Forty percent of the state money must be allocated based on the average number of cases receiving AFDC in the county which either have been open for 36 or more consecutive months or have a caretaker who is under age 24 and who has no high school or general equivalency diploma. The average number of cases must be based on counts of these cases as of March 31, June 30, September 30, and December 31 of the previous year.

(2) Twenty percent of the state money must be allocated based on the average number of cases receiving AFDC in the county which are not counted under clause (1). The average number of cases must be based on counts of cases as of March 31, June 30, September 30, and December 31 of the previous year.

(3) Twenty-five percent of the state money must be allocated based on the average monthly number of assistance units in the county receiving AFDC-UP for the period ending December 31 of the previous year.

(4) Fifteen percent of the state money must be allocated at the discretion of the commissioner based on participation levels for ~~targeted~~ target group members in each county.

(d) No more than 15 percent of the money allocated under paragraph (b) and no more than 15 percent of the money allocated under paragraph (c) may be used for administrative activities.

(e) At least 55 percent of the money allocated to counties under paragraph (c) must be used for employment and training services for caretakers in the ~~targeted~~ target groups, and up to 45 percent of the money may be used for employment and training services for ~~non-targeted~~ nontarget caretakers. One hundred percent of the money allocated to counties for case management services must be used to provide those services to caretakers in the ~~targeted~~ target groups.

(f) Money appropriated to cover the nonfederal share of costs for bilingual case management services to refugees for the employment and training programs under this section are allocated to counties based on each county's proportion of the total statewide number of AFDC refugee cases. However, counties with less than one percent of the statewide number of AFDC refugee cases do not receive an allocation.

(g) Counties and the department of jobs and training, and entities under contract with either the department of jobs and training or the department of human services for provision of Project STRIDE related services shall bill the commissioner of human services for any expenditures incurred by the county, the county's employment and training service provider, or the department of jobs and training that may be reimbursed by federal money. The commissioner of human services shall bill the United States Department of Health and Human Services and the United States Department of Agriculture for the reimbursement and appropriate the reimbursed money to the county, the department of jobs and training, or employment and training service provider that submitted the original bill. The reimbursed money must be used to expand employment and training services.

(h) The commissioner of human services shall review county expenditures of case management and employment and training block grant money at the end of the ~~fourth~~ ^{third} quarter of the biennium and each quarter after that, and may reallocate unencumbered or unexpended money allocated under this section to those counties that can demonstrate a need for additional money. Reallocation of funds must be based on the formula set forth in paragraph (a), excluding the counties that have not demonstrated a need for additional funds.

(i) The county agency may continue to provide case management and supportive services to a participant for up to 90 days after the participant loses AFDC eligibility and may continue providing a specific employment and training service for the duration of that service to a participant if funds for the service are obligated or expended prior to the participant losing AFDC eligibility.

(j) One hundred percent of the money appropriated for an unemployed parent work experience program under section 256.737 must be allocated to counties based on the average monthly number of assistance units in the county receiving AFDC-UP for the period ending December 31 of the previous year.

Sec. 9. Minnesota Statutes 1992, section 256.736, is amended by adding a subdivision to read:

Subd. 19. [EVALUATION.] In order to evaluate the services provided under this section, the commissioner may randomly assign no more than 2,500 families to a control group. Families assigned to the control group shall not participate in services under this section, except that families participating in services under this section at the time they are assigned to the control group may continue such participation. Once assigned to the control group, a family must remain in that group for the duration of the evaluation period. The evaluation period shall coincide with the demonstration authorized in section 256.031, subdivision 3.

Sec. 10. [256.7366] [FEDERAL WAIVER.]

The commissioner of human services shall make changes in the state plan and seek waivers or demonstration authority needed to minimize the barriers to effective and efficient use of grant diversion under section 256.739 as a method of placing AFDC recipients in suitable employment. The commissioner shall implement the federally approved changes as soon as possible.

Sec. 11. Minnesota Statutes 1992, section 256.737, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT AND PURPOSE.] In order that persons receiving aid under this chapter may be assisted in achieving self-sufficiency by enhancing their employability through meaningful work experience and training and the development of job search skills, the commissioner of human services shall continue the pilot community work experience demonstration programs that were approved by January 1, 1984. The commissioner may establish additional community work experience programs in as many counties as necessary to comply with the participation requirements of the Family Support Act of 1988, Public Law Number 100-485. Programs established on or after July 1, 1989, must be operated on a volunteer basis and must be operated according to the Family Support Act of 1988, Public Law Number 100-485. To the degree required by federal law or regulation, each county agency must establish and operate a community work experience program to assist nonexempt caretakers in AFDC-UP households achieve self-sufficiency by enhancing their employability through participation in meaningful work experience and training and the development of job search skills. This subdivision does not apply to AFDC recipients participating in the Minnesota family investment plan under sections 256.031 to 256.0361.

Sec. 12. Minnesota Statutes 1992, section 256.737, subdivision 1a, is amended to read:

Subd. 1a. [COMMISSIONER'S DUTIES.] The commissioner shall: (a) assist counties in the design and implementation of these programs; (b) promulgate, in accordance with chapter 14, emergency rules necessary for the implementation of this section, except that the time restrictions of section 14.35 shall not apply and the rules may be in effect until June 30, 1993, unless superseded by permanent rules; (c) seek any federal waivers necessary for proper implementation of this section in accordance with federal law; and (d) prohibit the use of participants in the programs to do work that was part or all of the duties or responsibilities of an authorized public employee position established as of January 1, ~~1989~~ 1993. The exclusive bargaining representative shall be notified no less than 14 days in advance of any placement by the community work experience program. Written concurrence with respect to job duties of persons placed under the community work experience program shall be obtained from the appropriate exclusive bargaining representative. The appropriate oversight committee shall be given monthly lists of all job placements under a community work experience program.

Sec. 13. Minnesota Statutes 1992, section 256.737, subdivision 2, is amended to read:

Subd. 2. [PROGRAM REQUIREMENTS.] (a) Programs Worksites developed under this section are limited to projects that serve a useful public service such as: health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, community service, services to aged or disabled citizens, and child care. To the extent possible, the prior training, skills, and experience of a recipient must be used in making appropriate work experience assignments.

(b) As a condition to placing a person receiving aid to families with dependent children in a program under this subdivision, the county agency shall first provide the recipient the opportunity ~~to participate in the following services:~~

(1) for placement in suitable subsidized or unsubsidized employment through participation in job search under section 256.736, subdivision 14; or

(2) basic educational or vocational or occupational training for an identifiable job opportunity for placement in suitable employment through participation in on-the-job training under section 256.738 or grant diversion under section 256.739, if such employment is available.

(c) A recipient who has completed a caretaker referred to job search under section 256.736, subdivision 14, and who is unable has failed to secure suitable employment, and who is not enrolled in an approved training program may must participate in a community work experience program.

(d) The county agency shall limit the maximum number of hours any participant under this section may work in any month to:

(1) for counties operating an approved mandatory community work experience program as of January 1, 1993, who elect this method for countywide operations, a number equal to the amount of the aid to families with dependent children payable to the family divided by the greater of the federal minimum wage or the applicable state minimum wage; or

(2) for all other counties, a caretaker must participate 20 hours in any week with no less than 16 hours in any week spent participating in a work experience placement and no more than four of the hours spent in alternate activities as described in the caretaker's employability development plan. Caretakers participating under this clause may be allowed excused absences from the assigned job site of up to eight hours per month. For the purposes of this clause, "excused absence" means absence due to temporary illness or injury of the caretaker or a member of the caretaker's family, the unavailability of licensed child care or transportation needed to participate in the work experience placement, or a nonmedical emergency. For purposes of this clause, "emergency" has the meaning given it in section 256.736, subdivision 10a, paragraph (g), clause (3).

(e) After a participant has been assigned to a position under ~~this section paragraph (d), clause (1),~~ for nine months, the participant may not continue in that assignment unless the maximum number of hours a participant works is no greater than the amount of the aid to families with dependent children payable with respect to the family divided by the higher of (1) the federal minimum wage or the applicable state minimum wage, whichever is greater, or (2) the rate of pay for individuals employed in the same or similar occupations by the same employer at the same site.

(f) After each six months of a recipient's participation in an assignment, and at the conclusion of each assignment under this section, the county agency shall reassess and revise, as appropriate, each participant's employability development plan.

(g) Structured, supervised volunteer work with an agency or organization which is monitored by the county service provider may, with the approval of the commissioner of jobs and training, be used as a work experience placement.

Sec. 14. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 3. [EXEMPTIONS.] A caretaker is exempt from participation in a work experience placement under this section if the caretaker is exempt from participation in job search under section 256.736, subdivision 14, or the caretaker is suitably employed in a grant diversion or an on-the-job training placement. Caretakers who, as of October 1, 1993, are participating in an education or training activity approved under a Project STRIDE employability development plan are exempt from participation in a work experience placement until July 1, 1994.

Sec. 15. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 4. [GOOD CAUSE.] A caretaker shall have good cause for failure to cooperate if:

(1) the worksite participation adversely affects the caretaker's physical or mental health as verified by a physician, licensed or certified psychologist, physical therapist, vocational expert, or by other sound medical evidence; or

(2) the caretaker does not possess the skill or knowledge required for the work.

Sec. 16. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 5. [FAILURE TO COMPLY.] A caretaker required to participate under this section who has failed without good cause to participate shall be provided with notices, appeal opportunities, and offered a conciliation conference under the provisions of section 256.736, subdivision 4a, and shall be subject to the sanction provisions of section 256.736, subdivision 4, clause (6).

Sec. 17. Minnesota Statutes 1992, section 256.737, is amended by adding a subdivision to read:

Subd. 6. [FEDERAL REQUIREMENTS.] If the Family Support Act of 1988, Public Law Number 100-485, is revised or if federal implementation of that law is revised so that Minnesota is no longer obligated to operate a mandatory work experience program for AFDC-UP families, the commissioner shall operate the work experience program under this section as a volunteer program, and shall utilize the funding authorized for work experience to improve and expand the availability of other employment and training services authorized under this section.

Sec. 18. Minnesota Statutes 1992, section 256.74, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] The amount of assistance which shall be granted to or on behalf of any dependent child and mother or other needy eligible relative caring for the dependent child shall be determined by the county agency in accordance with rules promulgated by the commissioner and shall be sufficient, when added to all other income and support available to the child, to provide the child with a reasonable subsistence compatible with decency and health. The amount shall be based on the method of budgeting required in Public Law Number 97-35, section 2315, United States Code, title 42, section 602, as amended and federal regulations at Code of Federal Regulations, title 45, section 233. Nonrecurring lump sum income received by an assistance unit AFDC family must be budgeted in the normal retrospective cycle. ~~The number of months of ineligibility is determined by dividing the amount of the lump sum income and all other~~ When the family's income, after application of the applicable disregards, by exceeds the standard of need standard for the assistance unit family because of receipt of earned or unearned lump sum income, the family will be ineligible for the full number of months derived by dividing the sum of the lump sum income and other income by the monthly need standard for a family of that size. An amount Any income remaining after from this calculation is income in the first month following the period of eligibility ineligibility. If the total monthly income including the lump sum income is larger than the standard of need for a single month ~~The first month of ineligibility is the payment month that corresponds with the budget month in which the lump sum income was received. For purposes of applying the lump sum provision, family includes those persons defined in the Code of Federal Regulations, title 45, section 233.20(a)(3)(ii)(F). A period of ineligibility must be shortened when the standard of need increases and the amount the family would have received also changes, an amount is documented as stolen, an amount is unavailable because a member of the family left the household with that amount and has not~~

returned, an amount is paid by the family during the period of ineligibility to cover a cost that would otherwise qualify for emergency assistance, or the family incurs and pays for medical expenses which would have been covered by medical assistance if eligibility existed. In making its determination the county agency shall disregard the following from family income:

(1) all the earned income of each dependent child applying for AFDC if the child is a full-time student and all of the earned income of each dependent child receiving aid to families with dependent children AFDC who is a full-time student or is a part-time student, and who is not a full-time employee. A student is one who is attending a school, college, or university, or a course of vocational or technical training designed to fit students for gainful employment as well as and includes a participant in the Job Corps program under the Job Training Partnership Act (JTPA). Also, disregard all the earned income derived from the job training and partnership act (JTPA) for a of each dependent child for applying for or receiving AFDC when the income is derived from a program carried out under JTPA, except that disregard of earned income may not exceed six calendar months per calendar year, together with unearned income derived from the job training and partnership act;

(2) all educational grants and loans;

(3) the first \$90 of each individual's earned income. For self-employed persons, the expenses directly related to producing goods and services and without which the goods and services could not be produced shall be disregarded pursuant to rules promulgated by the commissioner;

(4) thirty dollars plus one-third of each individual's earned income for individuals found otherwise eligible to receive aid or who have received aid in one of the four months before the month of application. With respect to any month, the county welfare agency shall not disregard under this clause any earned income of any person who has: (a) reduced earned income without good cause within 30 days preceding any month in which an assistance payment is made; (b) refused without good cause to accept an offer of suitable employment; (c) left employment or reduced earnings without good cause and applied for assistance so as to be able later to return to employment with the advantage of the income disregard; or (d) failed without good cause to make a timely report of earned income in accordance with rules promulgated by the commissioner of human services. Persons who are already employed and who apply for assistance shall have their needs computed with full account taken of their earned and other income. If earned and other income of the family is less than need, as determined on the basis of public assistance standards, the county agency shall determine the amount of the grant by applying the disregard of income provisions. The county agency shall not disregard earned income for persons in a family if the total monthly earned and other income exceeds their needs, unless for any one of the four preceding months their needs were met in whole or in part by a grant payment. The disregard of \$30 and one-third of earned income in this clause shall be applied to the individual's income for a period not to exceed four consecutive months. Any month in which the individual loses this disregard because of the provisions of subclauses (a) to (d) shall be considered as one of the four months. An additional \$30 work incentive must be available for an eight-month period beginning in the month following the last month of the combined \$30 and one-third work incentive. This period must be in effect whether or not the person has earned income or is eligible for AFDC. To again qualify for the earned income disregards under this clause, the individual must not be a recipient of aid for a period of 12 consecutive months. When an assistance unit becomes ineligible for aid due to the fact that these disregards are no longer applied to income, the assistance unit shall be eligible for medical assistance benefits for a 12-month period beginning with the first month of AFDC ineligibility;

(5) an amount equal to the actual expenditures for the care of each dependent child or incapacitated individual living in the same home and receiving aid, not to exceed: (a) \$175 for each individual age two and older, and \$200 for each individual under the age of two, ~~when the family member whose needs are included in the eligibility determination is employed for 30 or more hours per week; or (b) \$174 for each individual age two or older, and \$199 for each individual under the age of two, when the family member whose needs are included in the eligibility determination is not employed throughout the month or when employment is less than 30 hours per week.~~ The dependent care disregard must be applied after all other disregards under this subdivision have been applied;

(6) the first \$50 per assistance unit of the monthly support obligation collected by the support and recovery (IV-D) unit. The first \$50 of periodic support payments collected by the public authority responsible for child support enforcement from a person with a legal obligation to pay support for a member of the assistance unit must be paid to the assistance unit within 15 days after the end of the month in which the collection of the periodic support payments occurred and must be disregarded when determining the amount of assistance. A review of a payment decision under this clause must be requested within 30 days after receiving the notice of collection of assigned support or within 90 days after receiving the notice if good cause can be shown for not making the request within the 30-day limit;

(7) that portion of an insurance settlement earmarked and used to pay medical expenses, funeral and burial costs, or to repair or replace insured property; and

(8) all earned income tax credit payments received by the family as a refund of federal income taxes or made as advance payments by an employer.

Sec. 19. Minnesota Statutes 1992, section 256.78, is amended to read:

256.78 [ASSISTANCE GRANTS RECONSIDERED.]

All assistance granted under sections 256.72 to 256.87 shall be reconsidered as frequently as may be required by the rules of the state agency. After such further investigation as the county agency may deem necessary or the state agency may require, the amount of assistance may be changed or assistance may be entirely withdrawn if the state or county agency find that the child's circumstances have altered sufficiently to warrant such action. ~~The period of ineligibility for AFDC which results when an assistance unit receives lump sum income must be reduced when:~~

~~(1) the assistance unit's standard of need increases due to changes in state law or due to changes in the size or composition of the assistance unit, so that the amount of aid the assistance unit would have received would have increased had it not become ineligible;~~

~~(2) the lump sum income, or a portion of it becomes unavailable to the assistance unit due to expenditures to avoid a life-threatening circumstance, theft, or dissipation which is beyond the family's control by a member of the family who is no longer part of the assistance unit when the lump sum income is not used to meet the needs of members of the assistance unit; or~~

~~(3) the assistance unit incurs and pays medical expenses for care and services specified in sections 256B.02, subdivision 8, and 256B.0625.~~

The county agency may for cause at any time revoke, modify, or suspend any order for assistance previously made. When assistance is thus revoked, modified, or suspended the county agency shall at once report to the state agency such decision together with supporting evidence required by the rules of the state agency. All such decisions shall be subject to appeal and review by the state agency as provided in section 256.045.

Sec. 20. Minnesota Statutes 1992, section 270B.14, subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURE TO COMMISSIONER OF HUMAN SERVICES.] (a) On the request of the commissioner of human services, the commissioner shall disclose return information regarding taxes imposed by chapter 290, and claims for refunds under chapter 290A, to the extent provided in paragraph (b) and for the purposes set forth in paragraph (c).

(b) Data that may be disclosed are limited to data relating to the identity, whereabouts, employment, income, and property of a person owing or alleged to be owing an obligation of child support.

(c) The commissioner of human services may request data only for the purposes of carrying out the child support enforcement program and to assist in the location of parents who have, or appear to have, deserted their children. Data received may be used only as set forth in section 256.978.

(d) The commissioner shall provide the records and information necessary to administer the supplemental housing allowance to the commissioner of human services.

(e) On the request of the commissioner of human services, the commissioner shall disclose property tax refund information to the extent necessary to determine eligibility for the telephone assistance plan under section 237.70, subdivision 4a.

Sec. 21. [EFFECTIVE DATE.]

Sections 1 to 4, 18, and 19 are effective July 1, 1993.

Sections 5 to 17 are effective October 1, 1993."

Delete the title and insert:

"A bill for an act relating to human services; modifying the STRIDE program; requiring a work component; modifying the aid to families with dependent children program; amending Minnesota Statutes 1992, sections 13.46, subdivision 2; 256.73, subdivisions 2, 3a, and 5; 256.736, subdivisions 10, 10a, 14, and 16, and by adding a subdivision; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; 256.74, subdivision 1; 256.78; and 270B.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 538, A bill for an act relating to housing; appropriating money for operating costs of transitional housing.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 554, A bill for an act relating to occupations and professions; requiring roofers to be licensed by the state; amending Minnesota Statutes 1992, sections 326.83, subdivisions 8 and 10; 326.89, subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 45.027, is amended by adding a subdivision to read:

Subd. 11. [ACTIONS AGAINST LAPSED LICENSE.] If a license lapses, is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the commissioner may institute a proceeding under this subdivision within two years after the license was last effective and enter a revocation or suspension order as of the last date on which the license was in effect, or impose a civil penalty as provided for in subdivision 6.

Sec. 2. Minnesota Statutes 1992, section 326.83, subdivision 4, is amended to read:

Subd. 4. [LICENSEE.] "Licensee" means a residential building contractor, remodeler, roofer, or specialty contractor licensed under sections 326.83 to 326.98.

Sec. 3. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 9a. [ROOFER.] "Roofer" means a person engaged in the business of doing work on residential real estate in roof coverings, roof sheathing, roof weatherproofing and insulation, and repair of roof systems, but not construction of new roof systems.

Sec. 4. Minnesota Statutes 1992, section 326.83, subdivision 10, is amended to read:

Subd. 10. [SPECIALTY CONTRACTOR.] "Specialty contractor" means a person other than a residential building contractor, remodeler, or material supplier in the business of contracting or offering to contract to make part of an improvement to residential real estate, ~~including roofing.~~

Sec. 5. [326.842] [ROOFERS.]

Roofers are subject to all of the requirements of sections 326.83 to 326.98.

Sec. 6. [TEMPORARY LICENSES AND FEES.]

Until March 31, 1994, the licensee fee for roofers is \$60 per year. Licensees will not be required to satisfy the examination requirement of Minnesota Statutes, section 326.89, subdivision 3, until April 4, 1994. Licenses will not be issued or renewed after that date if the examination requirement is not satisfied.

Any person issued a building contractor's or remodeler's license prior to the effective date of sections 1 to 6 may apply to the commissioner for a roofer's license in lieu of that license. The application must include the appropriate bond in the amount specified in Minnesota Statutes, section 326.94, as amended by section 5. The commissioner shall issue that applicant a roofer's license on the same basis as any of the amended licenses. The applicant must complete the examination as specified in Minnesota Statutes, section 326.89, by April 1, 1994.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to occupations and professions; authorizing actions against lapsed licenses; requiring roofers to be licensed by the state; providing for temporary licenses and fees; amending Minnesota Statutes 1992, sections 45.027, by adding a subdivision; and 326.83, subdivisions 4, 10, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 577, A bill for an act relating to crime victims; providing priority for payment of restitution obligations under the revenue recapture act; authorizing collection of restitution from inmate wages when the restitution is court ordered as a sanction for the conviction of an offense which is not the offense of commitment; authorizing the use of forfeited bail to pay delinquent restitution obligations; amending Minnesota Statutes 1992, sections 270A.10; 243.23, subdivision 3; 485.018, subdivision 5; and 611A.04, by adding a subdivision.

Reported the same back with the following amendments:

Pages 1 to 4, delete sections 2 to 4

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, delete lines 5 to 8

Page 1, line 9, delete everything before "amending"

Page 1, line 10, delete "sections" and insert "section" and delete everything after "270A.10" and insert a period

Page 1, delete lines 11 and 12

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 582, A bill for an act relating to capital improvements; authorizing bonds and appropriating money to acquire land in and for Sibley state park.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 591, A bill for an act relating to courts; conciliation court; adopting one body of law to govern conciliation courts; proposing coding for new law as Minnesota Statutes, chapter 491A; repealing Minnesota Statutes 1992, sections 487.30; 488A.12; 488A.13; 488A.14; 488A.15; 488A.16; 488A.17; 488A.29; 488A.30; 488A.31; 488A.32; 488A.33; and 488A.34; and Laws 1992, chapter 591, section 21.

Reported the same back with the following amendments:

Page 1, line 24, delete "\$5,000" and insert "\$6,000, or, on and after July 1, 1994, \$7,500"

Page 2, line 27, delete "\$5,000" and insert "\$6,000, or, on and after July 1, 1994, \$7,500"

Page 6, line 36, delete "award the"

Page 7, line 1, delete "opposing party" and insert "order" and after "\$250" insert "to be paid to the court" and after the period insert "If the removing party is eligible to proceed under section 563.01, the costs shall be waived unless the court finds that the appeal was brought in bad faith."

Page 9, lines 9 and 10, delete "; and Laws 1992, chapter 591, section 21"

Amend the title as follows:

Page 1, line 8, delete "; and Laws 1992, chapter 591, section 21"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 607, A bill for an act relating to game and fish; allowing all big game to be taken under a crossbow permit for hunters with disabilities; amending Minnesota Statutes 1992, section 97B.106.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 608, A bill for an act relating to agriculture; exempting certain nonprofit organizations from the requirement for a nursery stock dealer certificate; proposing coding for new law in Minnesota Statutes, chapter 18.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 611, A bill for an act relating to health care; creating the children's mental health integrated fund; establishing an integrated service system for delivering mental health services to children; creating local children's mental health collaboratives; extending the statewide task force; appropriating money; amending Minnesota Statutes 1992, sections 245.4873, subdivision 2, and by adding a subdivision; and 256B.0625, by adding subdivisions; Laws 1991, chapter 292, article 6, section 57, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 245.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 245.4873, subdivision 2, is amended to read:

Subd. 2. [STATE LEVEL; COORDINATION.] The state coordinating council consists of the commissioners or designees of commissioners of the departments of human services, health, education, state planning, and corrections, and a representative of the Minnesota district judges association juvenile committee, in conjunction with the commissioner of commerce or a designee of the commissioner. The members of the council shall annually alternate chairing the council beginning with the commissioner of human services and proceeding in the order as listed in this subdivision. The council shall meet at least quarterly to:

(1) educate each agency about the policies, procedures, funding, and services for children with emotional disturbances of all agencies represented;

(2) develop mechanisms for interagency coordination on behalf of children with emotional disturbances;

(3) identify barriers including policies and procedures within all agencies represented that interfere with delivery of mental health services for children;

(4) recommend policy and procedural changes needed to improve development and delivery of mental health services for children in the agency or agencies they represent;

(5) identify mechanisms for better use of federal and state funding in the delivery of mental health services for children; and

(6) ~~until February 15, 1992, prepare an annual report on the policy and procedural changes needed to implement a coordinated, effective, and cost efficient children's mental health delivery system.~~

~~This report shall be submitted to the legislature and the state mental health advisory council annually as part of the report required under section 245.487, subdivision 4. The report shall include information from each department represented on:~~

~~(1) the number of children in each department's system who require mental health services;~~

- (2) ~~the number of children in each system who receive mental health services;~~
- (3) ~~how mental health services for children are funded within each system;~~
- (4) ~~how mental health services for children could be coordinated to provide more effectively appropriate mental health services for children; and~~
- (5) recommendations for the provision of early screening and identification of mental illness in each system perform the duties required under sections 245.494 to 245.496.

Sec. 2. [245.491] [CITATION; DECLARATION OF PURPOSE.]

Subdivision 1. [CITATION.] Sections 245.491 to 245.496 may be cited as "the children's mental health integrated fund."

Subd. 2. [PURPOSE.] The legislature finds that children with emotional or behavioral disturbances or who are at risk of suffering such disturbances often require services from multiple service systems including mental health, social services, education, corrections, juvenile court, health, and jobs and training. In order to better meet the needs of these children, it is the intent of the legislature to establish an integrated children's mental health service system that:

- (1) allows local service decision makers to draw funding from a single local source so that funds follow clients and eliminates the need to match clients, funds, services, and provider eligibilities;
- (2) creates a local pool of state, local, and private funds to procure a greater medical assistance federal financial participation;
- (3) improves the efficiency of use of existing resources;
- (4) minimizes or eliminates the incentives for cost and risk shifting; and
- (5) increases the incentives for earlier identification and intervention.

The children's mental health integrated fund established under sections 245.491 to 245.496 must be used to develop and support this integrated mental health service system. In developing this integrated service system, it is not the intent of the legislature to limit any rights available to children and their families through existing federal and state laws.

Sec. 3. [245.492] [DEFINITIONS.]

Subdivision 1. [DEFINITIONS.] The definitions in this section apply to sections 245.491 to 245.496.

Subd. 2. [BASE LEVEL FUNDING.] "Base level funding" means funding received from state, federal, or local sources and expended across the local system of care in fiscal year 1993 for children's mental health services or for special education services for children with emotional or behavioral disturbances.

Subd. 3. [CHILDREN WITH EMOTIONAL OR BEHAVIORAL DISTURBANCES.] "Children with emotional or behavioral disturbances" includes children with emotional disturbances as defined in section 245.4871, subdivision 15, and children with emotional or behavioral disorders as defined in Minnesota Rules, part 3525.1329, subpart 1.

Subd. 4. [FAMILY.] "Family" has the definition provided in section 245.4871, subdivision 16.

Subd. 5. [INITIAL TARGET POPULATION.] "Initial target population" means a population of children that the local children's mental health collaborative agrees to serve in the start-up phase and who meet the criteria for the target population. The initial target population may be less than the target population.

Subd. 6. [INTEGRATED FUND.] "Integrated fund" is a pool of both public and private local, state, and federal resources, consolidated at the local level, to accomplish locally agreed upon service goals for the target population. The fund is used to help the local children's mental health collaborative to serve the mental health needs of children in the target population by allowing the local children's mental health collaboratives to develop and implement an integrated service system.

Subd. 7. [INTEGRATED SERVICE SYSTEM.] "Integrated service system" means a coordinated set of procedures established by the local children's mental health collaborative for coordinating services and actions across categorical systems and agencies that results in:

- (1) integrated funding;
- (2) outreach, early identification, and intervention across systems;
- (3) strong collaboration between parents and professionals in identifying children in the target population facilitating access to the integrated system, and coordinating care and services for these children;
- (4) a coordinated assessment process across systems that determines which children need multiagency care coordination and wraparound services;
- (5) multiagency plan of care; and
- (6) wraparound services.

Services provided by the integrated service system must meet the requirements set out in sections 245.487 to 245.4887. Children served by the integrated service system must be economically and culturally representative of children in the service delivery area.

Subd. 8. [INTEGRATED FUND TASK FORCE.] "The integrated fund task force" means the statewide task force established in Laws 1991, chapter 292, article 6, section 57.

Subd. 9. [INTERAGENCY EARLY INTERVENTION COMMITTEE.] "Interagency early intervention committee" refers to the committee established under section 120.17, subdivision 12.

Subd. 10. [LOCAL CHILDREN'S ADVISORY COUNCIL.] "Local children's advisory council" refers to the council established under section 245.4875, subdivision 5.

Subd. 11. [LOCAL CHILDREN'S MENTAL HEALTH COLLABORATIVE.] "Local children's mental health collaborative" means an entity formed by the contractual agreement of representatives of the local system of care including mental health services, social services, correctional services, education services, health services, and vocational services for the purpose of developing and governing an integrated service system. A local coordinating council or an interagency early intervention committee may serve as a local children's mental health collaborative if its representatives are capable of carrying out the duties of the local children's mental health collaborative set out in sections 245.491 to 245.496. Where a local coordinating council is not the local children's mental health collaborative, the local children's mental health collaborative must work closely with the local coordinating council in designing the integrated service system.

Subd. 12. [LOCAL COORDINATING COUNCIL.] "Local coordinating council" refers to the council established under section 245.4875, subdivision 6.

Subd. 13. [LOCAL SYSTEM OF CARE.] "Local system of care" has the definition provided in section 245.4871, subdivision 24.

Subd. 14. [MENTAL HEALTH SERVICES.] "Mental health services" has the definition provided in section 245.4871, subdivision 28.

Subd. 15. [MULTIAGENCY PLAN OF CARE.] "Multiagency plan of care" means a written plan of intervention and integrated services developed by a multiagency team in conjunction with the child and family based on their unique strengths and needs as determined by a multiagency assessment. The plan must outline measurable client outcomes and specific services needed to attain these outcomes, the agencies responsible for providing the specified services, funding responsibilities, timelines, the judicial or administrative procedures needed to implement the plan of care, the agencies responsible for initiating these procedures and designate one person with lead responsibility for overseeing implementation of the plan.

Subd. 16. [RESPITE CARE.] "Respite care" is planned routine care to support the continued residence of a child with emotional or behavioral disturbance with the child's family or long-term primary caretaker.

Subd. 17. [SERVICE DELIVERY AREA.] "Service delivery area" means the geographic area to be served by the local children's mental health collaborative and must include at a minimum a part of a county and school district or a special education cooperative.

Subd. 18. [START-UP FUNDS.] "Start-up funds" means the funds available to assist a local children's mental health collaborative in planning and developing the integrated service system for children in the target population and in setting up a local integrated fund.

Subd. 19. [STATE COORDINATING COUNCIL.] "State coordinating council" means the council established under section 245.4873, subdivision 2.

Subd. 20. [TARGET POPULATION.] "Target population" means children up to age 18 with an emotional or behavioral disturbance or who are at risk of suffering an emotional or behavioral disturbance as evidenced by a behavior or condition that affects the child's ability to function in a primary aspect of daily living including personal relations, living arrangements, work, school, and recreation, and a child who can benefit from:

- (1) multiagency service coordination and wraparound services; or
- (2) informal coordination of traditional mental health services provided on a temporary basis.

Children between the ages of 18 and 21 who meet this criteria may be included in the target population at the option of the local children's mental health collaborative.

Subd. 20. [WRAPAROUND SERVICES.] "Wraparound services" are alternative, flexible, coordinated, and highly individualized services that are based on a multiagency plan of care. These services are designed to build on the strengths and respond to the needs identified in the child's multiagency assessment and to improve the child's ability to function in the home, school, and community. Wraparound services may include, but are not limited to, respite services, services that assist the child or family in enrolling in or participating in recreational activities, assistance in purchasing otherwise unavailable items or services important to maintain a specific child in the family, and services that assist the child to participate in more traditional services and programs.

Sec. 4. [245.493] [LOCAL LEVEL COORDINATION.]

Subdivision 1. [REQUIREMENTS TO QUALIFY AS A LOCAL CHILDREN'S MENTAL HEALTH COLLABORATIVE.] In order to qualify as a local children's mental health collaborative and be eligible to receive start-up funds, the representatives of the local system of care, or at a minimum one county, one school district or special education cooperative, and one mental health entity must agree to the following:

- (1) to establish a local children's mental health collaborative and develop an integrated service system;
- (2) to meet the duties described in subdivision 2; and
- (3) to commit resources to providing services through the local children's mental health collaborative.

Subd. 2. [GENERAL DUTIES OF THE LOCAL CHILDREN'S MENTAL HEALTH COLLABORATIVES.] Each local children's mental health collaborative must:

(1) identify a service delivery area and an initial target population within that service delivery area. The initial target population must be economically and culturally representative of children in the service delivery area to be served by the local children's mental health collaborative. The size of the initial target population must also be economically viable for the service delivery area;

(2) develop and communicate to agencies in the local system of care eligibility criteria for services received through the local children's mental health collaborative and a process for determining eligibility. The process shall place strong emphasis on outreach to families, respecting the family role in identifying children in need, and valuing families as partners;

(3) seek to maximize federal revenues available to serve children in the target population by designating local expenditures for mental health services that can be matched with federal dollars and by designing services to meet the requirements for state and federal reimbursement;

(4) in consultation with the local children's advisory council and the local coordinating council, if it is not the local children's mental health collaborative, design, develop, and ensure implementation of an integrated service system and develop interagency agreements necessary to implement the system;

(5) expand membership to include representatives of other services in the local system of care;

(6) develop mechanisms for integrating funds to either expand the initial target population or expand services to the target population;

(7) create or designate a management structure for fiscal and clinical responsibility, data collection, outcome evaluation, and information flow;

(8) develop mechanisms for quality assurance, outcome management, and appeals;

(9) involve the family, and where appropriate the individual child, in developing multiagency service plans to the extent required in sections 120.17, subdivision 3a; 245.4871, subdivision 21; 245.4881, subdivision 4; 253B.03, subdivision 7; 257.071, subdivision 1; 260.191, subdivision 1e; and Minnesota Rules, parts 3525.0700 and 3525.2900;

(10) meet all standards and provide all mental health services as required in sections 245.487 to 245.4888 and ensure that the services provided are culturally appropriate;

(11) spend funds generated by the local children's mental health collaborative as required in sections 245.491 to 245.496;

(12) maintain base level funding for services for children with emotional or behavioral disturbances;

(13) explore methods and recommend changes needed at the state level to reduce duplication and promote coordination of services including the use of uniform forms for reporting, billing, and planning of services;

(14) provide documentation and meet reporting requirements requested by the state coordinating council and state agencies;

(15) negotiate contracts with state agencies and other funding sources for receipt of funds to further the goals of the local children's mental health collaborative;

(16) in designing and implementing the integrated service system, encourage public-private partnerships to increase efficiency, reduce redundancy, and promote quality of care; and

(17) if the county participant of the local children's mental health collaborative is also a provider of child welfare targeted case management as authorized by the 1993 legislature, then federal reimbursement received by the county for child welfare targeted case management provided to the target population must be directed to the integrated fund.

Sec. 5. [245.494] [STATE LEVEL COORDINATION.]

Subdivision 1. [STATE COORDINATING COUNCIL.] The state coordinating council, in consultation with the integrated fund task force, shall:

(1) assist local children's mental health collaboratives in meeting the requirements of sections 245.491 to 245.496; by seeking consultation and technical assistance from national experts and coordinating presentations and assistance from these experts to local children's mental health collaboratives;

(2) assist local children's mental health collaboratives in identifying an economically viable initial target population;

(3) develop methods to reduce duplication and promote coordinated services including uniform forms for reporting, billing, and planning of services;

(4) by September 1, 1994, develop a model multiagency plan of care that can be used by local children's mental health collaboratives in place of an individual education plan, individual family community support plan, individual family support plan, and an individual treatment plan;

(5) assist in the implementation and operation of local children's mental health collaboratives by facilitating the integration of funds, coordination of services, and measurement of results, and by providing other assistance as needed;

(6) by September 1, 1993, develop a procedure for awarding start-up funds. Development of this procedure shall be exempt from chapter 14;

(7) develop procedures and provide technical assistance to allow local children's mental health collaboratives to integrate resources for children's mental health services with other resources available to serve children in the target population in order to maximize federal participation and improve efficiency of funding;

(8) ensure that local children's mental health collaboratives and the services received through these collaboratives meet the requirements set out in sections 245.491 to 245.496;

(9) identify base level funding from state and federal sources across systems and work with local children's mental health collaboratives to determine local base level funding;

(10) develop mechanisms to ensure that start-up funds and any additional federal funds generated by local children's mental health collaboratives are spent as required in sections 245.491 to 245.496;

(11) explore ways to access additional federal funds and enhance revenues available to address the needs of the target population;

(12) develop a mechanism for identifying the state share of funding for services to children in the target population and for making these funds available on a per capita basis for services provided through the local children's mental health collaborative to children in the target population. Each year beginning January 1, 1994, forecast the growth in the state share and increase funding for local children's mental health collaboratives accordingly;

(13) identify data to be collected and outcome measures to be reported by local children's mental health collaboratives;

(14) identify barriers to integrated service systems that arise from data practices and make recommendations including legislative changes needed in the data privacy act to address these barriers;

(15) annually review the expenditures of local children's mental health collaboratives to ensure that funding for services provided to the target population continues from sources other than the federal funds earned under sections 245.491 to 245.496 and that federal funds earned are spent consistent with sections 245.491 to 245.496; and

(16) provide the integrated fund task force with information requested.

Subd. 2. [STATE COORDINATING COUNCIL REPORT.] Each year, beginning February 1, 1995, the state coordinating council must submit a report to the legislature on the status of the local children's mental health collaboratives. The report must include the number of local children's mental health collaboratives, the amount and type of resources committed to local children's mental health collaboratives, the additional federal revenue received as a result of local children's mental health collaboratives, the services provided, the number of children served, outcome indicators, the identification of barriers to additional collaboratives and funding integration, and recommendations for further improving service coordination and funding integration.

Subd. 3. [DUTIES OF THE COMMISSIONER OF HUMAN SERVICES.] The commissioner of human services, in consultation with the integrated fund task force, shall:

(1) separate all medical assistance, general assistance medical care, and MinnesotaCare resources devoted to mental health services including inpatient, outpatient, medication management, services under the rehabilitation option, and related physician services from the total health capitation under section 256B.69 and develop a separate contract for managing these mental health benefits that will require all contractors to:

(i) provide mental health services eligible for medical assistance reimbursement;

(ii) meet performance standards established by the commissioner of human services including providing services consistent with the requirements and standards set out in sections 245.487 to 245.488 and 245.491 to 245.496;

(iii) provide the commissioner of human services with data consistent with that collected under sections 245.487 to 245.4888; and

(iv) in service delivery areas where there is a local children's mental health collaborative for the target population defined by local children's mental health collaborative:

(A) participate in the local children's mental health collaborative;

(B) commit resources to local children's mental health collaboratives that are actuarially equivalent to resources received for the target population being served by local children's mental health collaboratives; and

(C) meet the requirements and the performance standards developed for local children's mental health collaboratives;

(2) develop a mechanism for integrating medical assistance resources for mental health service with resources for general assistance medical care, MinnesotaCare, and any other state and local resources available for services for children in the target population and develop a procedure for making these resources available for use by a local children's mental health collaborative;

(3) gather data needed to manage mental health care including evaluation data and data necessary to establish a separate capitation rate for children's mental health services if that option is selected;

(4) by January 1, 1994, develop a model contract for providers of mental health managed care that meets the requirements set out in sections 245.491 to 245.496 and 256B.69, and utilize this contract for all subsequent awards;

(5) by January 1, 1994, develop revenue enhancement or rebate mechanisms and procedures to certify expenditures made through local children's mental health collaboratives for mental health services that may be eligible for federal financial participation under medical assistance and other federal programs;

(6) provide technical assistance to help local children's mental health collaboratives certify local expenditures for federal financial participation;

(7) assist local children's mental health collaboratives in identifying an economically viable initial target population;

(8) seek all necessary federal waivers or approvals and recommend necessary legislation to enhance federal revenue, provide clinical and management flexibility, and otherwise meet the goals of local children's mental health collaboratives and request necessary state plan amendments to maximize the availability of medical assistance for activities undertaken by the local children's mental health collaborative;

(9) take all steps necessary to secure medical assistance reimbursement under the rehabilitation option for residential treatment wraparound services, therapeutic support of foster care, and for family community support services when these services are provided through a local children's mental health collaborative; and

(10) provide a mechanism to identify separately the reimbursement to a county for child welfare targeted case management provided to the target population for purposes of subsequent transfer by the county to the integrated fund.

Subd. 4. [RULEMAKING.] The commissioners of human services, health, education, and corrections shall adopt or amend rules as necessary to implement sections 245.491 to 245.496.

Subd. 5. [RULE MODIFICATION.] The commissioner of human services shall modify the service and claiming requirements set out in Minnesota Rules, parts 9505.0323 and 9520.0900 to 9520.0926, as it pertains to mental health, to correspond with similar provisions proposed under the Family Preservation Investment Project-Federal Revenue Enhancement Initiative.

Sec. 6. [245.495] [ADDITIONAL FEDERAL REVENUES.]

Each local children's mental health collaborative shall report expenditures eligible for federal reimbursement in a manner prescribed by the commissioner of human services under section 256.01, subdivision 2, clause (17). The commissioner of human services shall pay all funds earned by each local children's mental health collaborative to the

collaborative. Each local children's mental health collaborative must use these funds to expand the initial target population or to develop or provide mental health services through the local integrated service system to children in the target population. Funds may not be used to supplant funding for services to children in the target population.

For purposes of this section, "mental health services" are community-based, nonresidential services, which may include respite care, that are identified in the child's multiagency plan of care.

Sec. 7. [245.496] [IMPLEMENTATION.]

Subdivision 1. [APPLICATIONS FOR START-UP FUNDS FOR LOCAL CHILDREN'S MENTAL HEALTH COLLABORATIVES.] By September 1, 1993, the commissioner of human services shall publish the procedures for awarding start-up funds. Applications for local children's mental health collaboratives shall be obtained through the commissioner of human services and submitted to the state coordinating council. The application must state the amount of start-up funds requested by the local children's mental health collaborative and how the local children's mental health collaborative intends on using these funds.

Subd. 2. [DISTRIBUTION OF START-UP FUNDS.] By January 1, 1994, the state coordinating council must ensure distribution of start-up funds to local children's mental health collaboratives that meet the requirements established in section 245.493 and whose applications have been approved by the council. If the number of applications received exceed the number of local children's mental health collaboratives that can be funded, the funds must be geographically distributed across the state and preference must be given to collaboratives that include multiple counties, multiple school districts, the juvenile court and correctional systems, or other multiple government entities from the local system of care.

Subd. 3. [SUBMISSION AND APPROVAL OF LOCAL COLLABORATIVE PROPOSALS FOR INTEGRATED SYSTEMS.] By December 31, 1994, a local children's mental health collaborative that received start-up funds must submit to the state coordinating council its proposal for creating and funding an integrated service system for children in the target population. Within 60 days of receiving the local collaborative proposal the state coordinating council must review the proposal and notify the local children's mental health collaborative as to whether or not the proposal has been approved. If the proposal is not approved, the state coordinating council must indicate changes needed to receive approval.

Sec. 8: Minnesota Statutes 1992, section 256B.0625, is amended by adding a subdivision to read:

Subd. 32. [FAMILY COMMUNITY SUPPORT SERVICES.] Medical assistance covers family community support services as defined in section 245.4871, subdivision 17.

Sec. 9. Minnesota Statutes 1992, section 256B.0625, is amended by adding a subdivision to read:

Subd. 33. [THERAPEUTIC SUPPORT OF FOSTER CARE.] Medical assistance covers therapeutic support of foster care as defined in section 245.4871, subdivision 34.

Sec. 10. Minnesota Statutes 1992, section 256B.0625, is amended by adding a subdivision to read:

Subd. 34. [WRAPAROUND SERVICES.] Medical assistance covers wraparound services as defined in this chapter.

Sec. 11. Laws 1991, chapter 292, article 6, section 57, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE TASK FORCE.] The commissioner of human services shall convene a task force to study the feasibility of establishing an integrated children's mental health fund. The task force shall consist of mental health professionals, county social services personnel, service providers, advocates, and parents of children who have experienced episodes of emotional disturbance. The task force shall also include representatives of the children's mental health subcommittee of the state advisory council and local coordinating councils established under Minnesota Statutes, sections 245.487 to 245.4887. The task force shall include the commissioners of education, health, and human services; two members of the senate; and two members of the house of representatives. The task force shall examine all possible county, state, and federal sources of funds for children's mental health with a view to designing an integrated children's mental health fund, improving methods of coordinating and maximizing all funding sources, and increasing federal funding. Programs to be examined shall include, but not be limited to, the following: medical assistance, title IV-E of the social security act, title XX social service programs, chemical dependency programs, education and special education programs, and, for children with a dual diagnosis, programs for the developmentally

disabled. The task force may consult with experts in the field, as necessary. The task force shall make a preliminary report and recommendations on local coordination of funding sources by January 1, 1992, to facilitate the development of local protocols and procedures under subdivision 2. The task force shall submit a final report to the legislature by January 1, 1993, with its findings and recommendations. By January 1, 1994, the task force shall provide a report to the legislature with recommendations of the task force for promoting integrated funding and services for children's mental health. The report must include the following recommendations: (1) how to phase in all delivery systems, including the juvenile court and correctional systems; (2) how to expand the initial target population so that the state eventually has a statewide integrated children's mental health service system that integrates funding regardless of source for children with emotional or behavioral disturbances or those at risk of suffering such disturbances; (3) possible outcome measures of the local children's mental health collaboratives; and (4) for any necessary legislative changes in the data practices act. The task force shall continue through June 30, 1995, and shall advise and assist the state coordinating council and local children's mental health collaboratives as required in sections 245.491 to 245.496.

Sec. 12. Laws 1991, chapter 292, article 6, section 57, subdivision 3, is amended to read:

Subd. 3. ~~[FINAL REPORT.]~~ By February 15, 1993, the commissioner of human services shall provide a report to the legislature that describes the reports and recommendations of the statewide task force under subdivision 1 and of the local coordinating councils under subdivision 2, and provides the commissioner's recommendations for legislation or other needed changes.

Sec. 13. [APPROPRIATIONS.]

Subdivision 1. \$100,000 is appropriated from the general fund to the commissioner of human services for the biennium ending June 30, 1995, to be administered by the state coordinating council for consultation and technical assistance to local children's mental health collaboratives as provided in section 5.

Subd. 2. \$60,000 in fiscal year 1994 and \$60,000 in fiscal year 1995 are appropriated from the general fund to the commissioner of human services for additional staff to be assigned to the medical assistance program.

Subd. 3. \$800,000 is appropriated from the general fund to the state coordinating council to be available for the biennium ending June 30, 1995, for start-up funds for local children's mental health collaboratives.

Subd. 4. \$200,000 is appropriated from the general fund to the commissioner of human services for the biennium ending June 30, 1995, for four additional staff positions, one to be assigned to the state coordinating council, one to be assigned to the department of education, one to be assigned to the department of health, and one to remain at the department of human services.

Subd. 5. \$60,000 is appropriated from the general fund to the commissioner of human services for the biennium ending June 30, 1995, for one staff person to be assigned to the integrated fund task force.

Sec. 14. [EFFECTIVE DATE.]

Sections 8 and 9 are effective January 1, 1994."

Delete the title and insert:

"A bill for an act relating to health care; creating the children's mental health integrated fund; establishing an integrated service system for delivering mental health services to children; creating local children's mental health collaboratives; extending the statewide task force; appropriating money; amending Minnesota Statutes 1992, sections 245.4873, subdivision 2; and 256B.0625, by adding subdivisions; Laws 1991, chapter 292, article 6, section 57, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 245."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 639, A bill for an act relating to insurance; Medicare supplement; regulating coverages; conforming state law to federal requirements; making technical changes; amending Minnesota Statutes 1992, sections 62A.31, subdivisions 1, 4, and by adding a subdivision; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62A.39; 62A.436; and 62A.44, subdivision 2; Laws 1992, chapter 554, article 1, section 18.

Reported the same back with the following amendments:

Page 10, line 11, after the period insert:

"Subd. 1t. [NOTICE OF LACK OF DRUG COVERAGE.]"

Page 10, line 11, after "Each" insert "policy or"

Page 10, line 30, before the period insert ", except as permitted under subdivision 1b"

Page 11, line 19, delete "subject to" and insert "and"

Page 11, line 23, after "program" insert "or state law"

Page 14, line 20, reinstate "copayment"

Page 15, delete lines 4 to 10, and insert:

~~"(2) a minimum of 80 percent of usual and customary eligible medical expenses, not to exceed any charge limitation established by the Medicare program, and supplies not covered by Medicare part B. This does not include outpatient prescription drugs, not to exceed any charge limitation established by the Medicare program or state law;"~~

Page 34, line 20, after "date" insert ", except that subdivision 1r of section 1 applies to policies or certificates issued before or after that date"

Page 34, after line 21, insert:

"Sec. 12. [REVISOR INSTRUCTION.]

The revisor of statutes shall renumber Minnesota Statutes 1992, section 62A.31, subdivision 1a, as subdivision 5 of that section."

Page 34, line 22, delete "12" and insert "13"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 640, A bill for an act relating to insurance; property; regulating the FAIR plan; modifying its provisions; making various technical changes; amending Minnesota Statutes 1992, sections 65A.31; 65A.32; 65A.33, subdivisions 4, 5, and 6; 65A.34; 65A.35; 65A.36; 65A.37; 65A.375; 65A.38; 65A.39; 65A.40; 65A.41; and 65A.42; repealing Minnesota Statutes 1992, sections 65A.33, subdivision 8; and 65A.43.

Reported the same back with the following amendments:

Page 10, line 4, delete "to 60A.31"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 643, A bill for an act relating to commerce; making technical changes in the department's enforcement powers; regulating cosmetology; prescribing powers and duties; setting fees; amending Minnesota Statutes 1992, sections 45.011, subdivision 1, and by adding a subdivision; 45.027, subdivisions 1, 2, 5, 6, and 8; 155A.03, subdivision 1; 155A.05; 155A.06; 155A.07, subdivisions 2, 4, 7, and 8; 155A.08, subdivisions 2, 3, and 5; 155A.09, subdivisions 2, 5, 6, and 9; 155A.10; 155A.14; 155A.15; and 155A.16; proposing coding for new law in Minnesota Statutes, chapter 155A; repealing Minnesota Statutes 1992, sections 155A.06; 155A.09, subdivision 7; 155A.11; 155A.12; 155A.13; and 155A.18; Minnesota Rules, parts 2642.0310, subparts 3, 4, and 5; 2642.0330, subparts 3 and 4; 2642.0800; 2642.0810; 2644.0310, subparts 2, 3, and 4; 2644.0800; and 2644.0810.

Reported the same back with the following amendments:

Page 7, lines 11 and 12, restore the stricken language

Page 7, line 21, strike "and the council shall expire"

Page 7, line 22, delete "Minnesota Statutes 1990," and before the period insert "and the council shall expire on June 30, 1997"

Page 9, delete section 17

Page 12, line 7, delete "licensing period" and insert "year"

Page 13, lines 24 and 25, delete "155A.09, subdivision 7;"

Page 13, delete lines 26 and 27

Renumber the remaining sections

Amend the title as follows:

Page 1, line 9, delete ", 3,"

Page 1, lines 13 and 14, delete "155A.06; 155A.09, subdivision 7;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 654, A bill for an act relating to commerce; regulating corporate registrations and administrative dissolutions; regulating limited partnership registrations; regulating trademarks; regulating various lien filings; making various housekeeping changes relating to the powers and duties of the secretary of state; amending Minnesota Statutes 1992, sections 302A.821, subdivision 6; 303.13, subdivisions 1 and 2; 317A.823, subdivision 1; 317A.827, subdivision 3; 322A.70; 333.20, subdivision 3; 336.9-403; 514.27; 514.661, subdivision 4; 514.945, subdivision 1; 514.956, subdivision 3; and 514.960, subdivision 3.

Reported the same back with the following amendments:

Page 6, after line 12, insert:

"Sec. 7. Minnesota Statutes 1992, section 331A.07, is amended to read:

331A.07 [AFFIDAVIT OF PUBLICATION.]

No compensation shall be recoverable for publishing legal or official matter in any newspaper not qualified, until there is filed with the county auditor the affidavit of a person having knowledge of the facts, showing the name and location of the newspaper and the existence of conditions constituting its qualifications as a qualified newspaper as set forth in section 331A.02. If the matter published relates to proceedings in another county, a like affidavit must be filed with its auditor. The affidavit, if it states the required facts, shall be prima facie evidence of them and of the qualification. No compensation shall be recoverable for publishing legal or official matter in any newspaper unless the bill is accompanied by an affidavit of the publisher, ~~or printer in charge~~, of the newspaper or the publisher's designated agent, having knowledge of the facts, setting forth the fact that the newspaper has complied with all the requirements to constitute a legal newspaper. The affidavit must set forth the dates of the month and year and the day of the week upon which the legal or official matter was published in the newspaper. The affidavit must also include the publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to section 331A.06, the maximum charge allowable by law for the publication of the specific legal or official matter in question, and the rate actually charged for that publication."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon insert "regulating legal newspapers;"

Page 1, line 10, after "322A.70;" insert "331A.07;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 658, A bill for an act relating to transportation; requiring handicapped individual desiring to use paratransit services to obtain physician's statement certifying disability; imposing a penalty; amending Minnesota Statutes 1992, sections 174.255, by adding a subdivision; and 473.384, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [174.295] [ELIGIBILITY CERTIFICATION; PENALTY FOR FRAUDULENT STATEMENTS.]

Subdivision 1. [NOTICE.] A provider of special transportation service, as defined in section 174.29, receiving financial assistance under section 174.24, shall include on the application form for special transportation service, and on the eligibility certification form if different from the application form, a notice of the penalty for fraudulent certification under subdivision 4.

Subd. 2. [CERTIFIER STATEMENT.] A provider shall include on the application or eligibility certification form a place for the person certifying the applicant as eligible for special transportation service to sign, and the person certifying the applicant shall sign, stating that the certifier understands the penalty for fraudulent certification and that the certifier believes the applicant to be eligible.

Subd. 3. [APPLICANT STATEMENT.] A provider shall include on the application form a place for the applicant to sign, and the applicant shall sign, stating that the applicant understands the penalty for fraudulent certification and that the information on the application is true.

Subd. 4. [PENALTY.] A person is guilty of a misdemeanor if:

(1) the person fraudulently certifies to the special transportation service provider that the applicant is eligible for special transportation service; or

(2) the person obtains certification for special transportation service by misrepresentation or fraud.

Sec. 2. Minnesota Statutes 1992, section 473.386, is amended by adding a subdivision to read:

Subd. 2a. [ELIGIBILITY CERTIFICATION.] The board shall include the notice of penalty for fraudulent certification, and require the person certifying the applicant to sign the eligibility certification form and the applicant to sign the application form, as provided in section 174.295.

Sec. 3. [APPLICATION.]

Section 2 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to transportation; requiring certification of disability for disabled person to receive metropolitan paratransit service; imposing penalty; amending Minnesota Statutes 1992, section 473.386, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 174."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 659, A bill for an act relating to traffic regulations; directing commissioner of public safety to issue temporary permit immediately to applicant for special disabled license plates or parking certificate; providing penalty for unauthorized use of temporary permit; amending Minnesota Statutes 1992, sections 168.021, subdivisions 1, 1a, and 3; 169.345, subdivisions 3 and 4; and 169.346, subdivisions 1, 2, and 3.

Reported the same back with the following amendments:

Page 4, line 12, after "certificate" insert "or temporary permit"

Page 4, line 14, after "certificate" insert "or temporary permit"

Page 4, line 15, delete "temporary permit valid for 30 days" and insert "certificate"

Page 4, delete line 16 and insert "who has paid a fee for issuance of a temporary permit."

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 661, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

Reported the same back with the following amendments:

Page 5, line 18, after the period insert "A delivery of selected dairy products to a retailer in Minnesota is a sale at wholesale if an assessment required under section 32A.071 has not been paid."

Page 13, line 18, after "(2)" insert "only"

Page 13, line 19, after "documents" insert "that are necessary"

Page 20, lines 30 and 33, after "wholesale" insert "for ultimate retail sale"

Page 21, line 2, after "wholesale" insert "for ultimate retail sale"

Page 21, after line 3, insert:

"Subd. 2b. [EXEMPTION.] A processor that operates retail home delivery sales accounting for 50 percent or more of all sales of selected dairy products is exempt from the assessments under this section."

Page 25, after line 30, insert:

"Sec. 19. [SEVERABILITY.]

If any provision of Minnesota Statutes, section 32A.071, is held to be unconstitutional, then all of Minnesota Statutes, section 32A.071, is inoperative and of no effect. If Minnesota Statutes, section 32A.071, becomes inoperative and of no effect, the balance of this act is severable and remains in effect."

Page 25, line 31, delete "19." and insert "20."

Page 25, line 34, delete "20." and insert "21."

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.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 678, A bill for an act relating to labor management relations; establishing a grant program to support education in total quality management techniques in the small employer environment; appropriating money; amending Minnesota Statutes 1992, section 179.02, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 699, A bill for an act relating to natural resources; mineral leasing; environmental research and protection; exploratory mineral borings and data; lean ore stockpile removal; oil and gas well spacing, pooling, and unitization; amending Minnesota Statutes 1992, sections 92.50, subdivision 1; 93.001; 93.002, subdivisions 1 and 3; 93.25; 93.46, by adding a subdivision; 93.481, subdivisions 1 and 2; 103L.113; 103L.601, subdivision 1; 103L.605, subdivision 4; and 282.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 93.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 700, A bill for an act relating to labor; protecting interests of employees following railroad acquisitions; imposing a penalty; amending Minnesota Statutes 1992, sections 222.86, subdivision 3; 222.87, by adding a subdivision; and 222.88.

Reported the same back with the following amendments:

Page 2, line 13, delete ", 2, or 2a" and insert "or 2"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 824, A bill for an act relating to public safety; modifying excavation; modifying the notice requirement; amending Minnesota Statutes 1992, sections 116L.07, subdivision 2; and 216D.01, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 18, after the semicolon insert "or"

Page 2, line 20, strike the semicolon

Page 2, line 21, strike "or" and insert a period

Page 2, line 22, delete "(6)" and strike "planting of windbreaks, shelterbelts, and tree"

Page 2, strike lines 23 and 24 and insert:

"Sec. 3. Minnesota Statutes 1992, section 216D.04, subdivision 1, is amended to read:

Subdivision 1. [NOTICE OF EXCAVATION REQUIRED; CONTENTS.] (a) Except in an emergency, an excavator ~~or land surveyor shall, and a land surveyor may,~~ contact the notification center and provide an excavation or location notice at least 48 hours before beginning any excavation or boundary survey, excluding Saturdays, Sundays, and holidays. An excavation or boundary survey begins; for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in an excavation or boundary survey notice.

- (b) The excavation or boundary survey notice may be oral or written, and must contain the following information:
- (1) the name of the individual providing the excavation or boundary survey notice;
 - (2) the precise location of the proposed area of excavation or boundary survey;
 - (3) the name, address, and telephone number of the excavator or land surveyor or excavator's or land surveyor's company;
 - (4) the excavator's or land surveyor's field telephone number, if one is available;
 - (5) the type and the extent of the proposed excavation or boundary survey work;
 - (6) whether or not the discharge of explosives is anticipated; and
 - (7) the date and time when excavation or boundary survey is to commence."

Amend the title as follows:

Page 1, line 4, delete "and"

Page 1, line 5, after "5" insert "; and 216D.04, subdivision 1"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 834, A bill for an act relating to energy; abolishing certain duties of commissioner of public service relating to energy; amending Minnesota Statutes 1992, sections 216B.241, subdivision 2a; 216C.02, subdivision 1; and 216C.11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.61, subdivision 3, is amended to read:

Subd. 3. [SPECIAL REQUIREMENTS.] (a) [SPACE FOR COMMUTER VANS.] The code must require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

(b) [SMOKE DETECTION DEVICES.] The code must require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 299F.362 comply with the provisions of section 299F.362.

(c) [DOORS IN NURSING HOMES AND HOSPITALS.] The state building code may not require that each door entering a sleeping or patient's room from a corridor in a nursing home or hospital with an approved complete standard automatic fire extinguishing system be constructed or maintained as self-closing or automatically closing.

(d) [CHILD CARE FACILITIES IN CHURCHES; GROUND LEVEL EXIT.] A licensed day care center serving fewer than 30 preschool age persons and which is located in a below ground space in a church building is exempt from the state building code requirement for a ground level exit when the center has more than two stairways to the ground level and its exit.

(e) [CHILD CARE FACILITIES IN CHURCHES; VERTICAL ACCESS.] Until August 1, 1996, an organization providing child care in an existing church building which is exempt from taxation under section 272.02, subdivision 1, clause (5), shall have five years from the date of initial licensure under chapter 245A to provide interior vertical access, such as an elevator, to persons with disabilities as required by the state building code. To obtain the extension, the organization providing child care must secure a \$2,500 performance bond with the commissioner of human services to ensure that interior vertical access is achieved by the agreed upon date.

(f) [FAMILY AND GROUP FAMILY DAY CARE.] The commissioner of administration shall establish a task force to determine occupancy standards specific and appropriate to family and group family day care homes and to examine hindrances to establishing day care facilities in rural Minnesota. The task force must include representatives from rural and urban building code inspectors, rural and urban fire code inspectors, rural and urban county day care licensing units, rural and urban family and group family day care providers and consumers, child care advocacy groups, and the departments of administration, human services, and public safety.

By January 1, 1989, the commissioner of administration shall report the task force findings and recommendations to the appropriate legislative committees together with proposals for legislative action on the recommendations.

Until the legislature enacts legislation specifying appropriate standards, the definition of Group R-3 occupancies in the state building code applies to family and group family day care homes licensed by the department of human services under Minnesota Rules, chapter 9502.

(g) [MINED UNDERGROUND SPACE.] Nothing in the state building codes shall prevent cities from adopting rules governing the excavation, construction, reconstruction, alteration, and repair of mined underground space pursuant to sections 469.135 to 469.141, or of associated facilities in the space once the space has been created, provided the intent of the building code to establish reasonable safeguards for health, safety, welfare, comfort, and security is maintained.

(h) [ENCLOSED STAIRWAYS.] No provision of the code or any appendix chapter of the code may require stairways of existing multiple dwelling buildings of two stories or less to be enclosed.

(i) [DOUBLE CYLINDER DEAD BOLT LOCKS.] No provision of the code or appendix chapter of the code may prohibit double cylinder dead bolt locks in existing single-family homes, townhouses, and first floor duplexes used exclusively as a residential dwelling. Any recommendation or promotion of double cylinder dead bolt locks must include a warning about their potential fire danger and procedures to minimize the danger.

(j) [RELOCATED RESIDENTIAL BUILDINGS.] A residential building relocated within or into a political subdivision of the state need not comply with the state energy code or section 326.371 provided that, where available, an energy audit is conducted on the relocated building.

(k) [AUTOMATIC GARAGE DOOR OPENING SYSTEMS.] The code must require all residential buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82 and 325F.83.

(l) [EXIT SIGN ILLUMINATION.] For a new building on which construction is begun on or after October 1, 1993, or an existing building on which remodeling affecting 50 percent or more of the enclosed space is begun on or after October 1, 1993, the code must prohibit the use of internally illuminated exit signs whose electrical consumption during nonemergency operation exceeds 20 watts of resistive power ~~with a maximum total power consumption of 40 volt amperes (VA).~~ All other requirements in the code for exit signs must be complied with. ~~Power consumption in volt amperes is the resistive power divided by the power factor.~~

Sec. 2. Minnesota Statutes 1992, section 116C.54, is amended to read:

116C.54 [ADVANCE FORECASTING FORECAST REQUIREMENT.]

Subdivision 1. [REPORT.] Every utility which owns or operates, or plans within the next 15 years to own or operate large electric power generating plants or high voltage transmission lines shall develop forecasts as specified in this section. On or before July 1 of each even-numbered year, every such utility shall submit a report of its forecast to the board. The report may be appropriate portions of a single regional forecast or may be jointly prepared and submitted by two or more utilities and shall contain the following information:

- (1) Description of the tentative regional location and general size and type of all large electric power generating plants and high voltage transmission lines to be owned or operated by the utility during the ensuing 15 years or any longer period the board deems necessary;
- (2) Identification of all existing generating plants and transmission lines projected to be removed from service during any 15 year period or upon completion of construction of any large electric power generating plants and high voltage transmission lines;
- (3) Statement of the projected demand for electric energy for the ensuing 15 years and the underlying assumptions for this forecast, such information to be as geographically specific as possible where this demand will occur;
- (4) Description of the capacity of the electric power system to meet projected demands during the ensuing 15 years;
- (5) Description of the utility's relationship to other utilities and regional associations, power pools or networks; and
- (6) Other relevant information as may be requested by the board.

On or before July 1 of each odd-numbered year, a utility shall verify or submit revisions to items (1) and (2).

Subd. 2. [EXCEPTION.] Public electric utilities submitting advance forecasts containing all information specified in subdivision 1 as part of an integrated resource plan filed pursuant to public utilities commission rules shall be excluded from the annual reporting requirement of this section.

Sec. 3. Minnesota Statutes 1992, section 216B.241, subdivision 2a, is amended to read:

Subd. 2a. [ENERGY AND CONSERVATION ACCOUNT.] The commissioner shall deposit money contributed under subdivisions 1a and 1b in the energy and conservation account in the general fund. Money in the account is appropriated to the department for programs designed to meet the energy conservation needs of low-income persons and to make energy conservation improvements in areas not adequately served under subdivision 2. Interest on money in the account accrues to the account. ~~Using information collected under section 216C.02, subdivision 1, paragraph (b),~~ The commissioner shall, to the extent possible, allocate enough money to programs for low-income persons to assure that their needs are being adequately addressed. The commissioner shall request the commissioner of finance to transfer money from the account to the commissioner of jobs and training for an energy conservation program for low-income persons. In establishing programs, the commissioner shall consult political subdivisions and nonprofit and community organizations, especially organizations engaged in providing energy and weatherization assistance to low-income persons. At least one program must address the need for energy conservation improvements in areas in which a high percentage of residents use fuel oil or propane to fuel their source of home heating. The commissioner may contract with a political subdivision, a nonprofit or community organization, a public utility, a municipality, or a cooperative electric association to implement its programs.

Sec. 4. Minnesota Statutes 1992, section 216C.02, subdivision 1, is amended to read:

Subdivision 1. [POWERS.] (a) The commissioner may:

- (1) apply for, receive, and spend money received from federal, municipal, county, regional, and other government agencies and private sources;
- (2) apply for, accept, and disburse grants and other aids from public and private sources;
- (3) contract for professional services if work or services required or authorized to be carried out by the commissioner cannot be satisfactorily performed by employees of the department or by another state agency;
- (4) enter into interstate compacts to carry out research and planning jointly with other states or the federal government when appropriate;
- (5) upon reasonable request, distribute informational material at no cost to the public; and
- (6) enter into contracts for the performance of the commissioner's duties with federal, state, regional, metropolitan, local, and other agencies or units of government and educational institutions, including the University of Minnesota, without regard to the competitive bidding requirements of chapters 16A and 16B.

~~(b) The commissioner shall collect information on conservation and other energy-related programs carried on by other agencies, by public utilities, by cooperative electric associations, by municipal power agencies, by other fuel suppliers, by political subdivisions, and by private organizations. Other agencies, cooperative electric associations, municipal power agencies, and political subdivisions shall cooperate with the commissioner by providing information requested by the commissioner. The commissioner may by rule require the submission of information by other program operators. The commissioner shall make the information available to other agencies and to the public and, as necessary, shall recommend to the legislature changes in the laws governing conservation and other energy-related programs to ensure that:~~

- ~~(1) expenditures on the programs are adequate to meet identified needs;~~
- ~~(2) the needs of low-income energy users are being adequately addressed;~~
- ~~(3) duplication of effort is avoided or eliminated;~~
- ~~(4) a program that is ineffective is improved or eliminated; and~~
- ~~(5) voluntary efforts are encouraged through incentives for their operators.~~

~~The commissioner shall appoint an advisory task force to help evaluate the information collected and formulate recommendations to the legislature. The task force must include low-income energy users.~~

~~(c) By January 15 of each year, the commissioner shall report to the legislature on the projected amount of federal money likely to be available to the state during the next fiscal year, including grant money and money received by the state as a result of litigation or settlements of alleged violations of federal petroleum pricing regulations. The report must also estimate the amount of money projected as needed during the next fiscal year to finance a level of conservation and other energy-related programs adequate to meet projected needs, particularly the needs of low-income persons and households, and must recommend the amount of state appropriations needed to cover the difference between the projected availability of federal money and the projected needs.~~

Sec. 5. Minnesota Statutes 1992, section 216C.11, is amended to read:

216C.11 [ENERGY CONSERVATION INFORMATION CENTER.]

The commissioner shall establish an energy information center in the department's offices in St. Paul. The information center shall maintain a toll-free telephone information service and disseminate printed materials on energy conservation topics, including but not limited to, availability of loans and other public and private financing methods for energy conservation physical improvements, the techniques and materials used to conserve energy in buildings, including retrofitting or upgrading insulation and installing weatherstripping, the projected prices and availability of different sources of energy, and alternative sources of energy.

The energy information center shall serve as the official Minnesota alcohol fuels information center and shall disseminate information, printed, by the toll-free telephone information service, or otherwise on the applicability and technology of alcohol fuels.

The information center shall include information on the potential hazards of energy conservation techniques and improvements in the printed materials disseminated. The commissioner shall not be liable for damages arising from the installation or operation of equipment or materials recommended by the information center.

The information center shall use the information collected under section 216C.02, subdivision 1, to maintain a central source of information on conservation and other energy-related programs, including both programs required by law or rule and programs developed and carried on voluntarily. In particular, the information center shall compile and maintain information on policies covering disconnections or denials of fuel during cold weather adopted by public utilities and other fuel suppliers not governed by Minnesota Rules, parts 7820.1500 to 7820.2300, including the number of households disconnected or denied fuel and the duration of the disconnections or denials.

Sec. 6. Minnesota Statutes 1992, section 216C.17, subdivision 3, is amended to read:

Subd. 3. [DUPLICATION.] The commissioner shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication. Public electric utilities submitting advance forecasts containing all information specified in section 116C.54, subdivision 1, as part of an integrated resource plan filed pursuant to public utilities commission rules shall be excluded from the annual reporting requirement in subdivision 2.

Sec. 7. Minnesota Statutes 1992, section 216C.37, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] In this section:

(a) "Commissioner" means the commissioner of public service. ~~Upon passage of legislation creating a body known as the Minnesota public facilities authority, the duties assigned to the commissioner in this section are delegated to the authority.~~

(b) "Maxi-audit" means a detailed engineering analysis of energy-saving improvements to existing buildings or stationary energy-using systems, including (1) modifications to building structures; (2) heating, ventilating, and air conditioning systems; (3) operation practices; (4) lighting; and (5) other factors that relate to energy use. The primary purpose of the engineering analysis is to quantify the economic and engineering feasibility of energy-saving improvements that require capital expenditures or major operational modifications.

(c) "Energy conservation investments" ~~mean~~ means all capital expenditures that are associated with conservation measures identified in a maxi-audit or energy project study, and that have a ten-year or less payback period. ~~Public school districts that received a federal institutional building grant in 1984 to convert a heating system to wood, and that apply for an energy conservation investment loan to match a federal grant for wood conversion, shall be allowed to calculate payback of conservation measures based on the costs of the traditional fuel in use prior to the wood conversion.~~

(d) "Municipality" means any county, statutory or home rule charter city, town, school district, or any combination of those units operating under an agreement to jointly undertake projects authorized in this section.

(e) "Energy project study" means a study of one or more energy-related capital improvement projects analyzed in sufficient detail to support a financing application. At a minimum, it must include one year of energy consumption and cost data, a description of existing conditions, a description of proposed conditions, a detailed description of the costs of the project, and calculations sufficient to document the proposed energy savings.

Sec. 8. Minnesota Statutes 1992, section 299F.011, subdivision 4c, is amended to read:

Subd. 4c. [EXIT SIGN ILLUMINATION.] For a new building on which construction is begun on or after October 1, 1993, or an existing building on which remodeling affecting 50 percent or more of the enclosed space is begun on or after October 1, 1993, the uniform fire code must prohibit the use of internally illuminated exit signs whose electrical consumption during nonemergency operation exceeds 20 watts of resistive power with a maximum total power consumption of 40 volt amperes (VA). All other requirements in the code for exit signs must be complied with. Power consumption in volt amperes is the resistive power divided by the power factor.

Sec. 9. Minnesota Statutes 1992, section 446A.03, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] The Minnesota public facilities authority consists of the commissioner of trade and economic development, the commissioner of finance, ~~the commissioner of public service~~, the commissioner of the pollution control agency, and three additional members appointed by the governor from the general public with the advice and consent of the senate.

Sec. 10. Minnesota Statutes 1992, section 446A.10, subdivision 2, is amended to read:

Subd. 2. [OTHER RESPONSIBILITIES.] (a) The responsibilities for the health care equipment loan program under Minnesota Statutes 1986, section 116M.07, subdivisions 7a, 7b, and 7c; ~~the public school energy conservation loan program under section 216C.37~~; and the district heating and qualified energy improvement loan program under section 216C.36, are transferred from the Minnesota energy and economic development authority to the Minnesota public facilities authority. The commissioner of public service shall continue to administer the municipal energy grant

and loan programs under section 216C.36 ~~and the school energy loan program under section 216C.37~~ until the commissioner of trade and economic development has adopted rules to implement the financial administration of the programs as provided under ~~sections~~ section 216C.36, subdivisions 2, 3b, 3c, 8, 8a, and 11, ~~and 216C.37, subdivisions 1 and 8.~~

(b) Except as otherwise provided in this paragraph, section 15.039 applies to the transfer of responsibilities. The transfer includes 8-1/2 positions from the financial management division of the department of trade and economic development to the community development division of the department of trade and economic development. The commissioner of trade and economic development and the commissioner of public service shall determine which classified and unclassified positions associated with the responsibilities of the grant and loan programs under section 216C.36 and the school energy loan program under section 216C.37 are transferred to the commissioner of public service and which positions are transferred to the commissioner of trade and economic development in order to carry out the purposes of Laws 1987, chapter 386, article 3.

Sec. 11. [REPEALER.]

Minnesota Statutes 1992, section 216C.36, is repealed.

Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380, are repealed.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 and 8 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to energy conservation; updating the municipal energy conservation loan program; transferring authority for the energy conservation loan program from the public facilities authority to the department of public service; removing the commissioner of public service from the Minnesota public facilities authority; abolishing certain duties of commissioner of public service relating to energy; eliminating advance forecast reporting requirements for public electric utilities submitting advance forecasts in an integrated resource plan; eliminating the district heating loan program; amending Minnesota Statutes 1992, sections 16B.61, subdivision 3; 116C.54; 216B.241, subdivision 2a; 216C.02, subdivision 1; 216C.11; 216C.17, subdivision 3; 216C.37, subdivision 1; 299F.011, subdivision 4c; 446A.03, subdivision 1; and 446A.10, subdivision 2; repealing Minnesota Statutes 1992, section 216C.36; Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380."

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. 882, A bill for an act relating to outdoor recreation; creating the Lake Superior water trail; proposing coding for new law in Minnesota Statutes, chapter 85.

Reported the same back with the following amendments:

Page 1, line 15, after "agencies" insert "and private resorts"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 57, 95, 208, 232, 233, 250, 251, 264, 287, 295, 399, 427, 509, 513, 516, 554, 591, 607, 608, 639, 640, 643, 654, 659, 699, 700, 824 and 882 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 19 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Greenfield and Lourey introduced:

H. F. No. 1178, A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for voluntary commitments by health plans and providers to limit the rate of growth in total revenues; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.09, subdivisions 2, 5, and 8; 62J.15, subdivisions 1 and 2; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, and 7; 62J.33; 62L.02, subdivisions 16, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 4 and 6; 62L.09, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2 and 5; 136A.1357, subdivisions 1 and 4; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.1484, subdivisions 1 and 2; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9353, subdivisions 2, 3, 5, and 6; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, 7, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivision 1; 295.55, subdivision 4; 295.58; and 295.59; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 62N; 62O; 256; and 295; repealing Minnesota Statutes 1992, sections 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; and Laws 1992, chapter 549, article 9, section 19, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield introduced:

H. F. No. 1179, A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for voluntary commitments by health plans and providers to limit the rate of growth in total revenues; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.09, subdivisions 2, 5, and 8; 62J.15, subdivisions 1 and 2; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, and 7; 62J.33; 62L.02, subdivisions 16, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 4 and 6; 62L.09, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2 and 5; 136A.1357, subdivisions 1 and 4; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.1484, subdivisions 1 and 2; 214.16, subdivision 3;

256.9351, subdivision 3; 256.9353, subdivisions 2, 3, 5, and 6; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, 7, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivision 1; 295.55, subdivision 4; 295.58; and 295.59; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 62N; 62O; 256; and 295; repealing Minnesota Statutes 1992, sections 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; and Laws 1992, chapter 549, article 9, section 19, subdivision 2.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Greenfield introduced:

H. F. No. 1180, A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for voluntary commitments by health plans and providers to limit the rate of growth in total revenues; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.09, subdivisions 2, 5, and 8; 62J.15, subdivisions 1 and 2; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, and 7; 62J.33; 62L.02, subdivisions 16, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 4 and 6; 62L.09, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2 and 5; 136A.1357, subdivisions 1 and 4; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.1484, subdivisions 1 and 2; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9353, subdivisions 2, 3, 5, and 6; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, 7, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivision 1; 295.55, subdivision 4; 295.58; and 295.59; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 62N; 62O; 256; and 295; repealing Minnesota Statutes 1992, sections 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; and Laws 1992, chapter 549, article 9, section 19, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Dauids introduced:

H. F. No. 1181, A bill for an act relating to commerce; petroleum tank release compensation board; regulating reimbursement for consultant services; amending Minnesota Statutes 1992, section 115C.07, subdivision 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jefferson, Wagenius and Clark introduced:

H. F. No. 1182, A bill for an act relating to state lands; providing for the release of a state interest in certain property in the city of Minneapolis.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Simoneau introduced:

H. F. No. 1183, A bill for an act relating to animals; tightening laws prohibiting cruel treatment of certain animals; increasing certain penalties; amending Minnesota Statutes 1992, sections 343.21, subdivisions 9 and 10; and 346.44; proposing coding for new law in Minnesota Statutes, chapter 343.

The bill was read for the first time and referred to the Committee on Judiciary.

Farrell, Welle, Rukavina and Skoglund introduced:

H. F. No. 1184, A bill for an act relating to insurance; workers' compensation; modifying the board membership and administration of the workers' compensation assigned risk plan; establishing a market assistance plan; transferring supervisory authority over the workers' compensation reinsurance association to the commissioner of commerce; making the commissioner of commerce a board member of the state fund mutual insurance company; amending Minnesota Statutes 1992, sections 79.251, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 79.252, subdivisions 2, 5, and by adding a subdivision; and 176A.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 79.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Farrell introduced:

H. F. No. 1185, A bill for an act relating to workers' compensation; modifying provisions relating to charges by certain nursing homes; amending Minnesota Statutes 1992, section 176.136, subdivision 1b.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Sekhon; Munger; Johnson, V.; Wagenius and McCollum introduced:

H. F. No. 1186, A bill for an act relating to the environment; adding cross references for existing civil penalties for littering; amending Minnesota Statutes 1992, sections 85.20, subdivision 6; 115A.99; 169.421; 375.18, subdivision 14; and 412.221, subdivision 22.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Perlt, Beard and Goodno introduced:

H. F. No. 1187, A bill for an act relating to labor and employment; advisory councils; extending the expiration date of labor and employment related advisory councils; amending Minnesota Statutes 1992, sections 79.51, subdivision 4; 175.008; 178.02, subdivision 2; 182.656, subdivision 3; 268.363; and 326.41.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Mariani, Pugh, Tompkins, Weaver and Pawlenty introduced:

H. F. No. 1188, A bill for an act relating to metropolitan government; revitalizing and strengthening the metropolitan council's role in metropolitan area transportation and sewer systems planning; abolishing the regional transit board; creating a new metropolitan transit authority as an agency of the council; providing for the powers, duties, and administration of the metropolitan transit authority; authorizing the council to issue debt for the authority's activities and for transit; providing procedures for design, approval, and construction of light rail transit; abolishing the metropolitan transit commission; creating metro transit as an operating agency of the council; providing for the administration of metro transit; transferring functions of the metropolitan transit commission to metro transit; authorizing the metropolitan council to levy taxes to support metro transit's and the metropolitan transit authority's activities and for debt service; authorizing the commissioner of transportation to construct transit facilities in the metropolitan area with approval of the council; changing the administration of the metropolitan waste control commission; changing obsolete references; amending Minnesota Statutes 1992, sections 6.76; 15.0597, subdivision 1; 15A.081, subdivisions 1 and 7; 174.04; 174.22, by adding a subdivision; 174.23, subdivision 4; 174.24, subdivision 2; 174.32, subdivisions 2 and 3; 252.478, subdivision 2; 352.01, subdivision 2b; 352.75, subdivision 2; 352D.02, subdivision 1; 473.121, subdivision 11, and by adding subdivisions; 473.141, subdivision 2; 473.143; 473.146, subdivisions 1, 2, and 4; 473.1623, subdivision 2; 473.1631; 473.164, subdivision 3; 473.167, subdivision 1; 473.168, subdivision 2; 473.173, subdivisions 3 and 4; 473.181, subdivision 3; 473.223; 473.303, subdivision 4; 473.371, subdivision 1; 473.373, subdivisions 1, 1a, and by adding subdivisions; 473.375, subdivisions 1, 5, 8, 11, 13, and 17; 473.382; 473.384, subdivisions 3 and 7; 473.385, subdivision 2; 473.386, subdivisions 2 and 3; 473.388; 473.39; 473.391; 473.392; 473.399, subdivision 1; 473.3993; 473.3994; 473.3996; 473.3997; 473.3998; 473.405, subdivision 5; 473.4051; 473.408, subdivision

2a; 473.409; 473.415; 473.435; 473.436, subdivision 6; 473.446, subdivisions 1, 1a, 3, 7, and 8; 473.503; 473.504, subdivisions 8 and 9; 473.511, subdivision 4; 473.516, subdivisions 2 and 3; 473.517, subdivisions 6, 8, and 9; 473.521, subdivision 4; 473.523; 473.542; 473.543, subdivisions 1, 2, and 4; 473.547; 473.553, subdivision 4; 473.561; 473.595, subdivision 3; 473.811, subdivision 1a; 473.852, subdivision 8; and 629.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 174.22, subdivision 4; 473.121, subdivisions 14a and 15; 473.141, subdivisions 3, 4, 4a, and 5; 473.153; 473.161; 473.163; 473.373, subdivisions 4a, 5, 6, and 8; 473.375, subdivisions 7, 15, and 16; 473.377; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.399, subdivisions 2 and 3; 473.3991; 473.3994, subdivision 6; 473.404; 473.405, subdivision 2; 473.415, subdivision 1; 473.416; 473.417; 473.418; 473.436, subdivision 7; 473.445; 473.511, subdivision 5; and 473.535; Laws 1991, chapter 291, article 4, section 20.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Rest, Long, Bauerly and Abrams introduced:

H. F. No. 1189, A bill for an act relating to public financing for cleanup of polluted lands and for manufacturing development; authorizing manufacturing tax increment financing districts; modifying the computation of original tax capacity; imposing a state tax on contaminated properties; establishing a grant program for cleanup of polluted lands; allowing use of tax increments for environmental insurance and indemnification; authorizing the cities of Minnetonka and Hopkins to establish tax increment financing districts; establishing a dedicated account; appropriating money; amending Minnesota Statutes 1992, sections 273.11, subdivision 1, and by adding a subdivision; 275.065, subdivision 3; 276.04, subdivision 2; 469.174, subdivisions 19 and 20; 469.176, subdivision 4e; 469.177, subdivisions 1 and 8; proposing coding for new law in Minnesota Statutes, chapters 116; 270; and 469.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Trimble and Munger introduced:

H. F. No. 1190, A bill for an act relating to the Minnesota historical society; recodifying the historic sites act of 1965; proposing coding for new law in Minnesota Statutes, chapter 138; repealing Minnesota Statutes 1992, sections 138.025; 138.027; 138.52; 138.53; 138.55; 138.56; 138.58; 138.59; 138.60; 138.61; 138.62; 138.63; 138.64; 138.65; and 138.66.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pugh; Orenstein; Brown, C.; Bishop and Carruthers introduced:

H. F. No. 1191, A bill for an act relating to trusts; prohibiting trustees from exercising certain powers; proposing coding for new law in Minnesota Statutes, chapter 501B.

The bill was read for the first time and referred to the Committee on Judiciary.

Skoglund introduced:

H. F. No. 1192, A bill for an act relating to crime; diversion programs; requiring the bureau of criminal apprehension to maintain data on diversion program participants; requiring counties to plan and implement diversion programs for eligible felony offenders; amending Minnesota Statutes 1992, section 299C.46, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 401A.

The bill was read for the first time and referred to the Committee on Judiciary.

Tunheim introduced:

H. F. No. 1193, A bill for an act relating to taxation; aggregate material; modifying certain reporting requirements; changing the time when penalty for late payment begins; amending Minnesota Statutes 1992, section 298.75, subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Taxes.

Tunheim introduced:

H. F. No. 1194, A bill for an act relating to education; changing computations for purposes of sparsity and supplemental revenue; amending Minnesota Statutes 1992, section 124A.22, subdivisions 5 and 8.

The bill was read for the first time and referred to the Committee on Education.

Olson, K.; Pelowski; Ness; Carlson and Dorn introduced:

H. F. No. 1195, A bill for an act relating to education; requiring changes in college preparation requirements.

The bill was read for the first time and referred to the Committee on Education.

Johnson, R., and Rukavina introduced:

H. F. No. 1196, A bill for an act relating to retirement; teachers; calculation of annuities based upon the highest three years of service; amending Minnesota Statutes 1992, section 354.44, subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Johnson, A.; Lourey; Wejcman and Lasley introduced:

H. F. No. 1197, A bill for an act relating to health; authorizing the commissioner of health to award grants to school districts to establish adolescent health care centers; establishing standards for adolescent health care centers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 123.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rest; Rukavina; Anderson, I.; Blatz and Jaros introduced:

H. F. No. 1198, A bill for an act relating to taxation; providing that an annual decal fee is paid on vending machines and amusement devices in lieu of sales tax; proposing coding for new law in Minnesota Statutes, chapter 297A.

The bill was read for the first time and referred to the Committee on Taxes.

Reding, Solberg, Rest, Knickerbocker and Evans introduced:

H. F. No. 1199, A bill for an act relating to state government; the legislative commission on employee relations; modifying provisions relating to certain plans; ratifying certain salaries; amending Minnesota Statutes 1992, section 43A.18, subdivision 4; repealing Minnesota Statutes 1992, section 43A.24, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dempsey; Bettermann; Olson, M., and Delmont introduced:

H. F. No. 1200, A bill for an act relating to crimes; requiring a mandatory minimum term of imprisonment for not less than two years in cases involving possession of firearms or display of dangerous weapons; amending Minnesota Statutes 1992, section 609.11, subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Bauerly, Wagenius, Vellenga and Kelso introduced:

H. F. No. 1201, A bill for an act relating to education; establishing an early intervention reading program to help underachieving first grade students develop effective reading strategies; requiring teacher applicants to complete a reading course; permitting teachers renewing their license to receive credit for reading seminars; permitting staff development revenue to be used for reading programs; amending Minnesota Statutes 1992, sections 125.05, subdivisions 1a and 2; and 126.70, subdivisions 1 and 2a; proposing coding for new law in Minnesota Statutes, chapter 121.

The bill was read for the first time and referred to the Committee on Education.

Bauerly, Kelso, Weaver and Dehler introduced:

H. F. No. 1202, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 748, Sartell.

The bill was read for the first time and referred to the Committee on Education.

Mahon, Garcia, Kelley and Ness introduced:

H. F. No. 1203, A bill for an act relating to state departments and agencies; providing for reports on advisory task forces committees and councils; providing for their expirations; eliminating certain advisory bodies; amending Minnesota Statutes 1992, sections 6.65; 15.059, subdivision 5, and by adding a subdivision; 16B.39, subdivision 1a; 41A.02, subdivision 1; 41A.04, subdivisions 2 and 4; 116J.975; 125.188, subdivision 3; 125.1885, subdivision 3; 129D.16; 148.235, subdivision 2; 246.017, subdivision 2; 246.56, subdivision 2; 256B.0629, subdivision 4; and 256B.433, subdivision 1; 299F.093, subdivision 1; repealing Minnesota Statutes 1992, sections 41.54; 41A.07; 43A.31, subdivision 4; 82.30, subdivision 1; 84.524, subdivisions 1 and 2; 85A.02, subdivision 4; 86A.10, subdivision 1; 116J.645; 116J.984, subdivision 11; 116N.05; 120.064, subdivision 6; 121.87; 145.93, subdivision 2; 148B.20, subdivision 2; 152.02, subdivision 11; 175.008; 184.23; 206.57, subdivision 3; 245.476, subdivision 4; 245.4885, subdivision 4; 256.9745; 256B.0629, subdivisions 1, 2, and 3; 256B.433, subdivision 4; 257.072, subdivision 6; 299F.092, subdivision 9; 299F.097; and 626.5592.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Greenfield, Davids, Nelson, Tompkins and Neary introduced:

H. F. No. 1204, A bill for an act relating to human services; changing definition of care plan; defining personal care services; adding amounts to home care services; providing an automatic adjustment for health care services; amending Minnesota Statutes 1992, sections 256B.0625, subdivision 19b; and 256B.0627, subdivisions 1, 4, 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark, McCollum, Mariani, Luther and Garcia introduced:

H. F. No. 1205, A bill for an act relating to courts; making the housing calendar consolidation projects in the second and fourth judicial districts permanent law; providing that the law requiring that fines collected for violations of building repair orders must be used for the housing calendar consolidation projects is permanent; amending Laws 1989, chapter 328, article 2, section 17; repealing Laws 1989, chapter 328, article 2, sections 18 and 19.

The bill was read for the first time and referred to the Committee on Judiciary.

Brown, C.; Carruthers; McGuire; Smith and Dawkins introduced:

H. F. No. 1206, A bill for an act relating to commerce; trade practices; regulating transfers and sales of recordings; prescribing penalties; amending Minnesota Statutes 1992, sections 325E.17; 325E.18; and 325E.19; proposing coding for new law in Minnesota Statutes, chapter 325E; repealing Minnesota Statutes 1992, section 325E.20.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Vellenga, Bauerly, Weaver, Kelso and Tomassoni introduced:

H. F. No. 1207, A bill for an act relating to education; providing for a comprehensive learning readiness program; appropriating money; amending Minnesota Statutes 1992, sections 121.831; and 124.2615, subdivision 3.

The bill was read for the first time and referred to the Committee on Education.

Orenstein, McGuire and Pugh introduced:

H. F. No. 1208, A bill for an act relating to peace officers; revising the complaint and investigation procedures of the peace officer standards and training board; amending Minnesota Statutes 1992, section 214.10, by adding subdivisions; repealing Minnesota Statutes 1992, section 214.10, subdivisions 4, 5, 6, and 7.

The bill was read for the first time and referred to the Committee on Judiciary.

Onnen introduced:

H. F. No. 1209, A bill for an act relating to human services; funding maternal and child health and social service programs; transferring the commissioner's duties for chemical dependency counseling to the commissioner of health; providing pilot projects for chemical dependency service needs; amending Minnesota Statutes 1992, sections 148C.01, subdivision 6; 148C.03, subdivisions 1 and 3; 148C.04, subdivisions 3 and 4; 148C.05, subdivision 2; 148C.06; 148C.10, subdivision 2; 148C.11, subdivisions 3 and 4; 252A.101, subdivision 7; 252A.111, subdivision 4; 254B.03, subdivision 1; 254B.06, subdivision 3; 257.801, subdivision 6; 257.803, subdivision 1; 525.539, subdivision 2; 525.551, subdivision 7; 525.56, subdivision 3; 525.591, subdivision 2; 525.60, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 1992, sections 254A.17, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey, Evans and Rukavina introduced:

H. F. No. 1210, A bill for an act relating to veterans affairs; appropriating money for the construction of a memorial honoring women military veterans.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Wenzel introduced:

H. F. No. 1211, A bill for an act relating to the state lottery; abolishing the authority of the state lottery board to authorize additional compensation for the director of the state lottery; amending Minnesota Statutes 1992, section 349A.03, subdivision 2; repealing Minnesota Statutes 1992, section 349A.03, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Rukavina; Solberg; Anderson, I.; Battaglia and Tomassoni introduced:

H. F. No. 1212, A bill for an act relating to natural resources; specifying certain royalty rates for state taconite or iron ore mining leases and lease extensions; proposing coding for new law in Minnesota Statutes, chapter 93.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Dawkins introduced:

H. F. No. 1213, A bill for an act relating to energy conservation; clarifying maximum energy consumption requirements for certain exit lamps; amending Minnesota Statutes 1992, sections 16B.61, subdivision 3; and 299F.011, subdivision 4c.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Gutknecht and Sparby introduced:

H. F. No. 1214, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; providing term limits for state offices.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Garcia, Mahon, Rest and Vellenga introduced:

H. F. No. 1215, A bill for an act relating to government financing in this state; providing state aid to certain taxing jurisdictions for loss of tax base due to public acquisition of property; amending Minnesota Statutes 1992, section 273.1398, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Taxes.

Rest introduced:

H. F. No. 1216, A bill for an act relating to housing; providing for a metropolitan community stabilization program; amending Minnesota Statutes 1992, sections 462A.21, by adding a subdivision; and 473.249, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

The bill was read for the first time and referred to the Committee on Housing.

Anderson, I., introduced:

H. F. No. 1217, A bill for an act relating to retirement; allowing certain elected local government officials to elect to participate in the public employees defined contribution plan.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Lynch introduced:

H. F. No. 1218, A bill for an act relating to wetlands; clarifying an exemption for aquacultural activities; amending Minnesota Statutes 1992, section 103G.2241.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Limmer, Carlson and Pawlenty introduced:

H. F. No. 1219, A bill for an act relating to education; creating education and training accounts; amending Minnesota Statutes 1992, sections 136A.121, by adding a subdivision; 289A.08, by adding a subdivision; and 289A.50, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136A.

The bill was read for the first time and referred to the Committee on Education.

Orenstein, Long, Simoneau, Vellenga and Osthoff introduced:

H. F. No. 1220, A bill for an act relating to crimes; prohibiting persons from interfering with access to medical facilities; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary.

Holsten, Workman, Brown, C., Stanius and Limmer introduced:

H. F. No. 1221, A bill for an act relating to corrections; authorizing prosecution of certain juveniles as serious youthful offenders when they commit serious felony offenses; requiring that convicted serious youthful offenders be committed to the commissioner of corrections until the age of 21; authorizing serious youthful offenders to be placed in any correctional facility; amending Minnesota Statutes 1992, sections 242.14; 242.18; 242.19; 242.195, subdivision 3; 242.44; 260.015, subdivision 5; 260.111, by adding a subdivision; 260.171, subdivisions 2 and 4; 260.173, subdivision 4; 260.181, subdivision 4; 609.055, subdivision 2, and by adding a subdivision; and 641.14; proposing coding for new law in Minnesota Statutes, chapters 242; 260; and 609.

The bill was read for the first time and referred to the Committee on Judiciary.

Kahn, Greiling and Reding introduced:

H. F. No. 1222, A bill for an act relating to retirement; creating an optional retirement plan for employees of the state historical society; amending Minnesota Statutes 1992, section 352.021, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 352F.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Milbert and Pugh introduced:

H. F. No. 1223, A bill for an act relating to the city of Inver Grove Heights; authorizing the extension of a tax increment financing district; authorizing the city to issue bonds in anticipation of the receipt of money from the state.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Milbert, Kahn, Ozment, McGuire and Pugh introduced:

H. F. No. 1224, A bill for an act appropriating money to the commissioner of trade and economic development to fund the international ringette tournament.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Trimble introduced:

H. F. No. 1225, A bill for an act relating to agriculture; providing for surcharges on registered pesticides; amending Minnesota Statutes 1992, section 18E.03, subdivision 5.

The bill was read for the first time and referred to the Committee on Agriculture.

Johnson, R.; Dorn; Pelowski and Opatz introduced:

H. F. No. 1226, A bill for an act relating to retirement; teachers retirement association; requiring payment of certain tax penalties relating to certain unpaid mandatory supplemental retirement plan distributions.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Lasley; Johnson, A.; Bauerly; Kelso and Ness introduced:

H. F. No. 1227, A bill for an act relating to education; providing media center revenue for eligible school districts; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 134.

The bill was read for the first time and referred to the Committee on Education.

Kahn introduced:

H. F. No. 1228, A bill for an act relating to retirement; public employees retirement association and Minneapolis employees retirement fund; providing for the retention of pension coverage for certain transferred employees.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Bertram, Stanius, Wenzel, Gruenes and Osthoff introduced:

H. F. No. 1229, A bill for an act relating to insurance; clarifying the application of a certain notice requirement regarding guaranty association protection to policies or contracts issued by fraternal benefit societies; amending Minnesota Statutes 1992, section 60C.22.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Bertram, Jaros, Tomassoni, Trimble and Ness introduced:

H. F. No. 1230, A bill for an act relating to education; changing the structure of the higher education merger by removing the technical colleges from the merger; amending Minnesota Statutes 1992, sections 136E.03; 136E.04, subdivisions 1 and 4; and 179A.10, subdivision 2; Laws 1991, chapter 356, article 9, sections 8, subdivisions 1 and 4; 9; and 14; repealing Minnesota Statutes 1992, section 136E.04, subdivision 4; and Laws 1991, chapter 356, article 9, sections 8, subdivision 6; and 11.

The bill was read for the first time and referred to the Committee on Education.

Murphy, Simoneau, Greenfield, Ozment and Johnson, R., introduced:

H. F. No. 1231, A bill for an act relating to occupations and professions; establishing a chemical dependency counseling licensing board; modifying effective dates of certain licensing requirements; providing for rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 148C.01, subdivisions 3, 6, and 7; 148C.02; 148C.03, subdivisions 1 and 2; 148C.035; 148C.04; 148C.05; 148C.06; 148C.07; 148C.09; 148C.10, subdivisions 1 and 2; 148C.11, subdivision 3; 214.01, subdivision 2; and 214.04, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sparby, Stanius, Milbert, Munger and Battaglia introduced:

H. F. No. 1232, A bill for an act relating to game and fish; limiting number of larger pike taken; amending Minnesota Statutes 1992, section 97C.401.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pelowski introduced:

H. F. No. 1233, A bill for an act relating to education; authorizing a lease levy for independent school district No. 861, Winona.

The bill was read for the first time and referred to the Committee on Education.

Pelowski; Johnson, A.; Tomassoni; Vellenga and Ness introduced:

H. F. No. 1234, A bill for an act relating to education; indicating that the legislature may specifically authorize a graduation rule after receiving an evaluation of outcome-based programs; amending Laws 1992, chapter 499, article 8, sections 32 and 33.

The bill was read for the first time and referred to the Committee on Education.

Skoglund, Wagenius, Hasskamp, Farrell and Wejcman introduced:

H. F. No. 1235, A bill for an act relating to lawyers; requesting the supreme court to adopt rules governing lawyer-client sexual relations.

The bill was read for the first time and referred to the Committee on Judiciary.

Rukavina; Anderson, I., and Tomassoni introduced:

H. F. No. 1236, A bill for an act relating to cooperatives; requiring certain rural electric cooperatives to obtain member approval prior to disposing of cooperative assets.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Neary; Brown, K.; Vickerman; Luther and Lourey introduced:

H. F. No. 1237, A bill for an act relating to human services; establishing grant programs for crisis nurseries and respite care; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lieder, Osthoff, Dauner, Kelso and Pauly introduced:

H. F. No. 1238, A bill for an act relating to traffic regulations; regulating disclosure and use of information in traffic accident reports; imposing penalties; amending Minnesota Statutes 1992, sections 13.82, subdivision 4; 169.09, subdivisions 7 and 13; and 260.161, subdivision 3.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Delmont; Rukavina; McGuire; Johnson, A., and Weaver introduced:

H. F. No. 1239, A bill for an act relating to alcoholic beverages; authorizing dispensing of liquor by an on-sale licensee at the National Sports Center in Blaine; amending Laws 1992, chapter 486, section 11.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Pelowski, Kelley, Bertram, McCollum and Kahn introduced:

H. F. No. 1240, A bill for an act relating to higher education; eliminating the higher education coordinating board; transferring functions; creating a higher education services office; modifying the higher education advisory council; appropriating money; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; 125.185, subdivision 4a; 126.663, subdivision 3; 126A.02, subdivision 2; 135A.09; 135A.10, subdivision 1; 136A.01; 136A.03; 136A.08; 136A.101, subdivisions 1, 2, and 3; 136A.15, subdivisions 3 and 4; 136A.16, subdivision 1; 136A.233, subdivision 2; 136A.62, subdivision 2; 136C.042, subdivision 1; and 298.2214, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136A; repealing Minnesota Statutes 1992, sections 135A.05; 135A.052, subdivision 3; 135A.06, subdivisions 2, 3, 4, 5, and 6; 135A.061; 135A.08; 135A.12, subdivision 5; 136A.02; 136A.04; 136A.041; 136A.043; 136A.134; 136A.234; 136A.70; 136A.85; 136A.86; 136A.87; and 136A.88.

The bill was read for the first time and referred to the Committee on Education.

Abrams introduced:

H. F. No. 1241, A bill for an act relating to legislature; changing the size of the legislature; restricting certain reapportionment procedures; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Lieder and Olson, E., introduced:

H. F. No. 1242, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Polk county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Abrams introduced:

H. F. No. 1243, A bill for an act relating to ethics in government; clarifying requirements for filing for the income tax check-off as a minor party; amending Minnesota Statutes 1992, section 10A.31, subdivision 3a.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Kahn, Rest, Swenson and Milbert introduced:

H. F. No. 1244, A bill for an act relating to metropolitan government; exempting regional park properties from taxation; providing for metropolitan council review of special assessments on regional park properties; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

McGuire and Carruthers introduced:

H. F. No. 1245, A bill for an act relating to data practices; providing for the collection, classification, and dissemination of data; proposing classifications of data as private and nonpublic; classifying certain licensing data, security service data, motor carrier operating data, and retirement data; amending Minnesota Statutes 1992, sections 13.32, subdivision 1; 13.41, subdivision 4; 13.42, subdivision 2; 13.46, subdivision 4; 13.643, by adding a subdivision; 13.72, by adding a subdivision; and 13.82, subdivisions 6 and 10; proposing coding for new law in Minnesota Statutes, chapter 13.

The bill was read for the first time and referred to the Committee on Judiciary.

McGuire introduced:

H. F. No. 1246, A bill for an act relating to juvenile court; providing for access to and dissemination of juvenile court records; amending Minnesota Statutes 1992, section 260.161, subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Judiciary.

McGuire, Delmont, Mariani, Carruthers and Swenson introduced:

H. F. No. 1247, A bill for an act relating to motor vehicles; increasing penalty for fraudulently allowing use or possession of certificate of title; establishing automobile theft prevention program and creating board; increasing penalty for falsely reporting crime; amending Minnesota Statutes 1992, sections 168A.30; and 609.505; proposing coding for new law in Minnesota Statutes, chapter 168A.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

McGuire introduced:

H. F. No. 1248, A bill for an act relating to civil commitment; clarifying time limitations for appeal under the civil commitment act; amending Minnesota Statutes 1992, sections 253B.18, by adding a subdivision; and 253B.23, subdivision 7.

The bill was read for the first time and referred to the Committee on Judiciary.

McGuire introduced:

H. F. No. 1249, A bill for an act relating to minors; expanding the circumstances under which minors can consent to mental health services; amending Minnesota Statutes 1992, section 144.343, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

Solberg introduced:

H. F. No. 1250, A bill for an act relating to taxation; property; providing for classification of certain unimproved property used to grow timber; amending Minnesota Statutes 1992, section 273.13, subdivision 33.

The bill was read for the first time and referred to the Committee on Taxes.

Mahon; Anderson, I.; Johnson, V.; Cooper and Pawlenty introduced:

H. F. No. 1251, A bill for an act relating to cities; allowing the use of self-insurance funds or pools to satisfy statutory bond requirements; amending Minnesota Statutes 1992, section 471.981, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Hausman introduced:

H. F. No. 1252, A bill for an act relating to energy; cogeneration and small power production; providing for establishment of prices paid for utilities' avoided capacity and energy costs; providing that the public utilities commission establish a preference for renewable resource energy production; requiring rulemaking; providing for a rulemaking exemption; amending Minnesota Statutes 1992, sections 216B.164, subdivision 4; 216B.2421, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Hausman introduced:

H. F. No. 1253, A bill for an act relating to energy; cogeneration and small power production; providing for establishment of prices paid for utilities' avoided capacity and energy costs; providing that the public utilities commission establish a preference for renewable resource energy production; requiring rulemaking; providing for a rulemaking exemption; amending Minnesota Statutes 1992, sections 216B.164, subdivision 4; and 216B.2421, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Mariani, Lieder, Gruenes, Onnen and Jefferson introduced:

H. F. No. 1254, A bill for an act relating to education; establishing a grant program to promote recruitment and retention initiatives by nursing training programs directed toward persons of color; establishing a grant program for nursing students who are persons of color; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

The bill was read for the first time and referred to the Committee on Education.

Carruthers, McGuire, Wagenius, Skoglund and Rhodes introduced:

H. F. No. 1255, A bill for an act relating to crime; requiring the sentencing guidelines commission to modify the calculation of certain criminal history scores.

The bill was read for the first time and referred to the Committee on Judiciary.

McCollum, Huntley, Clark, Hausman and Farrell introduced:

H. F. No. 1256, A bill for an act relating to economic development; providing for community development corporations; appropriating money; amending Minnesota Statutes 1992, sections 116J.982; and 462A.21, by adding a subdivision; repealing Minnesota Statutes 1992, section 116J.982, subdivisions 6a, 8, and 9.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McCollum, Pelowski, Asch, Opatz and Tomassoni introduced:

H. F. No. 1257, A bill for an act relating to state departments; abolishing the office of strategic and long-range planning and transferring certain responsibilities and personnel to other departments; amending Minnesota Statutes 1992, sections 116C.03, subdivisions 2, 4, and 5; 116C.712, subdivisions 3 and 5; 126A.02, subdivision 2; 145A.02, subdivision 16; 275.14; 299A.31, subdivision 1; 368.01, subdivision 1a; 373.40, subdivision 1; 477A.011, subdivisions 3 and 3a; and 477A.014, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1992, sections 4A.01; 4A.02; 4A.03; and 4A.04.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Van Dellen introduced:

H. F. No. 1258, A bill for an act relating to taxation; modifying the market value of property for confession of judgment; amending Minnesota Statutes 1992, section 279.37, subdivision 1a.

The bill was read for the first time and referred to the Committee on Taxes.

Jefferson, Wagenius and Clark introduced:

H. F. No. 1259, A bill for an act relating to the city of Minneapolis; extending authority to guarantee certain loans; amending Laws 1988, chapter 594, section 6, as amended.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Jefferson and Clark introduced:

H. F. No. 1260, A bill for an act relating to firearms; authorizing the cities of Minneapolis and St. Paul to enact regulations concerning assault rifles and semiautomatic weapons; amending Minnesota Statutes 1992, sections 624.711; 624.712, by adding subdivisions; and 624.717.

The bill was read for the first time and referred to the Committee on Judiciary.

Jennings; Johnson, V.; Lourey; Munger and Pelowski introduced:

H. F. No. 1261, A bill for an act relating to outdoor recreation; prohibiting motor sports areas on state lands without county board approval.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Greenfield introduced:

H. F. No. 1262, A bill for an act relating to health care cost containment; increasing the fine for failure to use a child passenger restraint system or seat belt; making failure to wear a seat belt a primary offense; increasing the tax on cigarettes; crediting a portion of the tax to a special account; prohibiting self-service of tobacco under certain circumstances; mandating a study of the required reporting of prenatal exposure to controlled substances; amending Minnesota Statutes 1992, sections 169.685, subdivision 5; 169.686, subdivision 1; 297.02, subdivision 1; 297.03, subdivision 5; and 297.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Asch, Bergson, Delmont, Goodno and Rhodes introduced:

H. F. No. 1263, A bill for an act relating to HIV and hepatitis B testing; extending denial of the right to refuse testing to inmates of local correctional authorities and persons held under custodial arrest; permitting vaccination of emergency services personnel in certain circumstances; amending Minnesota Statutes 1992, section 144.765.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Stanius, Gutknecht, Abrams and Asch introduced:

H. F. No. 1264, A bill for an act relating to health; modifying provisions relating to billing of Medicare beneficiaries; amending Minnesota Statutes 1992, section 62J.25.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Limmer, Rest, Swenson, Carruthers and Pugh introduced:

H. F. No. 1265, A bill for an act relating to crimes; imposing increased penalties on persons who operate a motorboat while intoxicated and who have previously been convicted of driving a motor vehicle while intoxicated; providing felony penalties for certain repeat DWI violators; amending Minnesota Statutes 1992, sections 86B.331, subdivision 5; 169.121, subdivision 3; and 169.129.

The bill was read for the first time and referred to the Committee on Judiciary.

Dorn, Ostrom, Kalis, Stanius and Kelso introduced:

H. F. No. 1266, A bill for an act relating to education; authorizing independent school district No. 77, Mankato, to use community service fund revenue for certain capital expenditure purposes.

The bill was read for the first time and referred to the Committee on Education.

Milbert, Stanius, Swenson, Kahn and Mahon introduced:

H. F. No. 1267, A bill for an act relating to metropolitan government; setting conditions for tax equivalent payments; amending Minnesota Statutes 1992, section 473.341.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Macklin introduced:

H. F. No. 1268, A bill for an act relating to consumer protection; providing for optional contracts for solid waste collection services; providing for penalties; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brown, K.; Davids; Tomassoni; Dauner and Klinzing introduced:

H. F. No. 1269, A bill for an act relating to housing; appropriating money for housing-related grants.

The bill was read for the first time and referred to the Committee on Housing.

Peterson introduced:

H. F. No. 1270, A bill for an act relating to campaign reform; banning caucus fund raisers during a legislative session; amending Minnesota Statutes 1992, section 10A.065, subdivisions 1 and 5.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Smith and Van Dellen introduced:

H. F. No. 1271, A bill for an act relating to watercraft; establishing a system of milfoil stamps and boat trailer surcharges to finance research and control of Eurasian water milfoil; directing use of the water recreation account; amending Minnesota Statutes 1992, sections 86B.415, subdivisions 7, 9, and by adding a subdivision; and 296.421, subdivision 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jefferson and Osthoff introduced:

H. F. No. 1272, A bill for an act relating to highways; allowing county state-aid highway money to be used for certain equipment for emergency responders; amending Minnesota Statutes 1992, section 162.08, subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Sparby, Bergson, Steensma, Dempsey and Battaglia introduced:

H. F. No. 1273, A bill for an act relating to veterans; authorizing the veterans homes board to define residency by board rule; amending Minnesota Statutes 1992, section 198.022.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Sparby, Steensma, Bertram, Skoglund and Waltman introduced:

H. F. No. 1274, A bill for an act relating to veterans; authorizing the legislature to hear and determine claims by patients at the Minnesota veterans homes; amending Minnesota Statutes 1992, section 3.738, subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Asch, Clark, Garcia and Wejcman introduced:

H. F. No. 1275, A bill for an act relating to housing; creating a mental illness crisis housing assistance account; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

The bill was read for the first time and referred to the Committee on Housing.

Johnson, R., and Olson, E., introduced:

H. F. No. 1276, A bill for an act relating to taxation; property; allowing certain relatives of the owners who occupy property to qualify as homestead; amending Minnesota Statutes 1992, section 273.124, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Sekhon, Lourey, Stanius and Simoneau introduced:

H. F. No. 1277, A bill for an act relating to health; requiring that the board of pharmacy keep certain information confidential; amending Minnesota Statutes 1992, section 151.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Murphy, Jaros, Huntley, Munger and Wenzel introduced:

H. F. No. 1278, A bill for an act relating to education; creating an additional equalization aid; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Johnson, R., introduced:

H. F. No. 1279, A bill for an act relating to the city of Bemidji; permitting a local sales tax.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Skoglund and Murphy introduced:

H. F. No. 1280, A bill for an act relating to criminal and juvenile justice information; providing for implementation and oversight of integrated criminal justice information systems; appropriating money; amending Minnesota Statutes 1992, section 241.012, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299C.

The bill was read for the first time and referred to the Committee on Judiciary.

Knickerbocker, Kelley and Abrams introduced:

H. F. No. 1281, A bill for an act relating to retirement; Minnetonka volunteer firefighters relief association; specifying alternative flexible service pension maximums.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Reding and Pelowski introduced:

H. F. No. 1282, A bill for an act relating to retirement; alternative retirement coverage for certain state university and community college teachers; amending Minnesota Statutes 1992, section 352D.02, by adding a subdivision; and Laws 1990, chapter 570, article 10, section 7.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Rodosovich introduced:

H. F. No. 1283, A bill for an act relating to retirement; Faribault fire consolidation account; providing a full postretirement adjustment in certain instances.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Orenstein, McCollum, Osthoff and Mariani introduced:

H. F. No. 1284, A bill for an act relating to education; post-secondary; adjusting funding for neighborhood learning centers offered by community colleges; amending Minnesota Statutes 1992, section 135A.03, subdivision 1a.

The bill was read for the first time and referred to the Committee on Education.

Sekhon; Johnson, V., and Munger introduced:

H. F. No. 1285, A bill for an act relating to natural resources; management of state-owned lands by the department of natural resources; amending Minnesota Statutes 1992, sections 84.0273; 84.632; 92.06, subdivision 1; 92.14, subdivision 2; 92.19; 92.29; 92.67, subdivision 5; 94.10; 94.11; 94.13; and 94.348, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Murphy, Sarna, Sparby and Lieder introduced:

H. F. No. 1286, A bill for an act relating to commerce; regulating prize notices; requiring certain disclosures by solicitors; providing for reimbursement in certain cases; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Johnson, R.; Knickerbocker; Bauerly; Reding and Weaver introduced:

H. F. No. 1287, A bill for an act relating to retirement; permitting teachers to purchase additional service credit; proposing coding for new law in Minnesota Statutes, chapters 354 and 354A.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Rukavina, Long, Carlson, Murphy and Rodosovich introduced:

H. F. No. 1288, A bill for an act relating to education; creating three accounts in the permanent university fund; making allocations from the accounts; amending Minnesota Statutes 1992, section 137.022, subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

HOUSE ADVISORIES

The following House Advisory was introduced:

Peterson and Wenzel introduced:

H. A. No. 3, A proposal to study income losses to farmers from inconsistent protein content and foreign matter tests on wheat.

The advisory was referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 146, A bill for an act relating to financial institutions; state banks; regulating the acquisition of a bank or savings association for operation as a detached facility; amending Minnesota Statutes 1992, section 49.34, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 215, 238, 274, 97, 186 and 275.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 273, 282, 300 and 419.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 215, A bill for an act relating to courts; providing that the county law library fee may be collected in petty misdemeanor cases; amending Minnesota Statutes 1992, sections 134A.09, subdivision 2a; and 134A.10, subdivisions 3 and 4.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 238, A bill for an act relating to agriculture; changing the bases for certain milk payments; amending Minnesota Statutes 1992, section 32.25, subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture.

S. F. No. 274, A bill for an act relating to crime; authorizing warrantless arrests for assaults committed against a person with whom the offender has a child or unborn child in common; amending Minnesota Statutes 1992, section 629.341, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 97, A bill for an act relating to health; clean indoor air; permitting the use of tobacco in public schools as part of a traditional Indian spiritual or cultural ceremony; amending Minnesota Statutes 1992, sections 144.4165; and 609.685, subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 186, A bill for an act relating to marriage dissolution; requiring more information on the notice to a public authority; amending Minnesota Statutes 1992, section 518.551, subdivision 5.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 275, A bill for an act relating to criminal procedure; venue of actions for illegal consumption of alcoholic beverages by minors; amending Minnesota Statutes 1992, sections 340A.503, subdivision 1, and by adding a subdivision; and 340A.902.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 273, A bill for an act relating to highways; changing description of legislative Route No. 279 in state trunk highway system after agreement to transfer part of old route to Dakota county.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

S. F. No. 282, A bill for an act relating to medical assistance; modifying hospital reimbursement rates; amending Minnesota Statutes 1992, section 256.969, subdivisions 9, 20, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 300, A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

The bill was read for the first time.

Bishop moved that S. F. No. 300 and H. F. No. 127, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 419, A bill for an act relating to health care; modifying and making corrections to the health right act; amending Minnesota Statutes 1992, sections 43A.317, subdivisions 2, 7, and 10; 62A.011, subdivision 3; 62A.021, subdivision 1; 62A.65, subdivision 5; 62J.04, subdivisions 2, 3, 4, 5, 6, and 7; 62J.09, subdivisions 1, 2, and 6; 62J.15, subdivision 2; 62J.17, subdivisions 2, 4, 5, and 6; 62J.19; 62J.23; 62J.29, subdivisions 1 and 4; 62J.30, subdivisions 4, 7, 8, and 10; 62J.31, subdivisions 2 and 3; 62J.32, subdivisions 1 and 4; 62J.34, subdivisions 2 and 3; 62L.02, subdivisions 8, 11, 15, and 16, and by adding a subdivision; 62L.03, subdivisions 2 and 5; 62L.05, subdivisions 1, 4, and 10; 62L.09, subdivision 2; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.17, subdivisions 1 and 4; 62L.19; 62L.20, subdivisions 1 and 2; 144.147, subdivision 4; 144.1481, subdivision 1; 256.045, subdivision 10; 256.9353, subdivisions 2, 6, and by adding a subdivision; 256.9354; 256.9355, subdivision 3; 256.9356, subdivision 2; 256.9357; 256B.0644; Laws 1992, chapter 549, articles 1, section 15; 2, sections 24 and 25; 3, section 24; and 4, section 18; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1992, sections 62J.05, subdivision 5; 62J.09, subdivision 3; and 62J.21.

The bill was read for the first time and referred to the Committee on Health and Human Services.

CONSENT CALENDAR

H. F. No. 70, A bill for an act relating to state lands; authorizing a conveyance to the city of St. Cloud of certain land owned by the state as a part of St. Cloud State University.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Dauids	Hausman	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dawkins	Holsten	Lasley	Neary	Reding	Tompkins
Asch	Dehler	Huntley	Leppik	Nelson	Rest	Trimble
Battaglia	Delmont	Jacobs	Lieder	Ness	Rhodes	Tunheim
Bauerly	Dempsey	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Beard	Dorn	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bergson	Erhardt	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bertram	Evans	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bettermann	Farrell	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bishop	Frerichs	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Blatz	Garcia	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, C.	Girard	Kalis	Mariani	Osthoff	Skoglund	Welle
Brown, K.	Goodno	Kelley	McCollum	Ostrom	Smith	Wenzel
Carlson	Greenfield	Kelso	McGuire	Ozment	Solberg	Winter
Carruthers	Greiling	Kinkel	Milbert	Pauly	Sparby	Wolf
Clark	Gruenes	Klinzing	Molnau	Pawlenty	Stanuis	Worke
Commers	Gutknecht	Knickerbocker	Morrison	Pelowski	Steensma	Workman
Cooper	Hasskamp	Koppendraye	Mosel	Perlt	Sviggum	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 298, A bill for an act relating to local government; creating the office of Anoka county coroner; appointing a physician as county coroner; appointing assistant coroners; designating deputy coroners; establishing the duties of the coroner.

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	Brown, K.	Erhardt	Hausman	Kelley	Lourey	Murphy
Anderson, I.	Carlson	Evans	Holsten	Kelso	Luther	Neary
Anderson, R.	Carruthers	Farrell	Hugoson	Kinkel	Lynch	Nelson
Asch	Clark	Frerichs	Huntley	Klinzing	Macklin	Ness
Battaglia	Commers	Garcia	Jacobs	Knickerbocker	Mahon	Olson, E.
Bauerly	Cooper	Girard	Jaros	Koppendraye	Mariani	Olson, K.
Beard	Dauner	Goodno	Jefferson	Krinkie	McCollum	Olson, M.
Bergson	Dauids	Greenfield	Jennings	Krueger	McGuire	Onnen
Bertram	Dawkins	Greiling	Johnson, A.	Lasley	Milbert	Opatz
Bettermann	Dehler	Gruenes	Johnson, R.	Leppik	Molnau	Orenstein
Bishop	Delmont	Gutknecht	Johnson, V.	Lieder	Morrison	Orfield
Blatz	Dempsey	Hasskamp	Kahn	Limmer	Mosel	Osthoff
Brown, C.	Dorn	Haukoos	Kalis	Lindner	Munger	Ostrom

Ozment	Pugh	Rukavina	Smith	Swenson	Vellenga	Winter
Pauly	Reding	Sarna	Solberg	Tomassoni	Vickerman	Wolf
Pawlenty	Rest	Seagren	Sparby	Tompkins	Wagenius	Worke
Pelowski	Rhodes	Sekhon	Stanius	Trimble	Waltman	Workman
Perlt	Rice	Simoneau	Steensma	Tunheim	Welle	Spk. Long
Peterson	Rodosovich	Skoglund	Sviggum	Van Dellen	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 461, A bill for an act relating to local government; authorizing cities to offer rewards for information leading to the apprehension, arrest, or conviction of alleged felons; proposing coding for new law in Minnesota Statutes, chapter 471.

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	Dauner	Haukoos	Koppendrayer	Mosel	Peterson	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Munger	Pugh	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Reding	Trimble
Asch	Dehler	Hugoson	Lasley	Neary	Rest	Tunheim
Battaglia	Delmont	Huntley	Leppik	Nelson	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rice	Vellenga
Beard	Dorn	Jaros	Limmer	Olson, E.	Rodosovich	Vickerman
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rukavina	Wagenius
Bertram	Evans	Jennings	Lourey	Olson, M.	Sarna	Waltman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Seagren	Weaver
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Sekhon	Wejcman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Simoneau	Welle
Brown, C.	Girard	Kahn	Mahon	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Smith	Winter
Carlson	Greenfield	Kelley	McCollum	Ozment	Solberg	Wolf
Carruthers	Greiling	Kelso	McGuire	Pauly	Sparby	Worke
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Stanius	Workman
Commers	Gutknecht	Klinzing	Molnau	Pelowski	Steensma	Spk. Long
Cooper	Hasskamp	Knickerbocker	Morrison	Perlt	Sviggum	

The bill was passed and its title agreed to.

H. F. No. 498, A bill for an act relating to St. Louis county; solid waste management; clarifying St. Louis county contracting authority to include management operations; modifying contracting procedure; amending Minnesota Statutes 1992, section 383C.807, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Asch	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Battaglia	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Bauerly	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Beard	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bergson	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bertram	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bettermann	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bishop	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Blatz	Girard	Kahn	Mahon	Orfield	Simoneau	Wejzman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Welle
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Wenzel
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Winter
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Wolf
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Worke
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steensma	Workman
Dauner	Haukoos	Koppendraye	Mosel	Perlt	Sviggum	Spk. Long

The bill was passed and its title agreed to.

Kelso was excused for the remainder of today's session.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Welle, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately preceding General Orders for today, Thursday, March 18, 1993:

S. F. No. 12 and H. F. No. 585.

SPECIAL ORDERS

S. F. No. 12 was reported to the House.

Onnen moved to amend S. F. No. 12, as follows:

Delete everything after line 1 and insert:

"requesting that Congress allow each state the right to determine and impose appropriate sanctions upon the driving privileges of drug offenders within state boundaries.

Whereas, while drug abuse remains a national and state problem, the imposition of federal highway fund sanctions upon states does not appropriately address or respond to this problem; and

Whereas, state officials are eminently more qualified to regulate and control the privilege of operating motor vehicles on roadways within their respective state jurisdictions; and

Whereas, the Tenth Amendment of the Constitution of the United States provides that: "The powers not designated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the State of Minnesota is concerned with drug abuse by its citizens and has enacted numerous laws and initiated programs aimed at reducing both the demand for and the supply of illegal drugs; and

Whereas, the State of Minnesota currently revokes the drivers' licenses of individuals driving a motor vehicle under the influence of drugs; and

Whereas, legislation which provides for the suspension of an individual's driver's license upon conviction of a drug-related offense has been introduced and is pending before the legislature, so that until further legislative action is taken on this measure the state legislature chooses to act immediately to prevent the loss of federal highway funds; and

Whereas, the revocation of a drug offender's license has not been shown to deter drug use; and

Whereas, Congress' actions to coerce states into passing ineffective laws are inappropriate; and

Whereas, Minnesota will continue to vigorously address the drug abuse problem in an effective and cost-efficient manner; *Now, Therefore*,

Be It Resolved by the Legislature of the State of Minnesota that:

(1) the Minnesota Legislature opposes enactment or enforcement in this state of a federally-mandated law relating to revocation, suspension, issuance, or reinstatement of drivers' licenses of convicted drug offenders as described in United States Code, title 23, section 104(a)(3)(a).

(2) Congress repeal United States Code, title 23, section 104(a)(2) and (3), and allow states the right to determine and impose appropriate sanctions upon driving privileges within state boundaries.

(3) this resolution is intended to satisfy the requirement under United States Code, title 23, section 104(a)(3)(b)(ii), which will protect the State of Minnesota from the loss of federal highway funds under United States Code, title 23, section 104(a)(3).

Be It Further Resolved that the Minnesota Legislature will continue its efforts in drug abuse education and enforcement programs that, based on Minnesota's experience, have a reasonable chance of actually reducing drug abuse.

Be It Further Resolved that the Secretary of State of the State of Minnesota is directed to prepare certified copies of this memorial and transmit them to the Governor for conveyance to the United States Secretary of Transportation."

A roll call was requested and properly seconded.

The question was taken on the Onnen amendment and the roll was called. There were 48 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Holsten	Lynch	Onnen	Stanius	Waltman
Asch	Erhardt	Hugoson	Macklin	Ozment	Steensma	Weaver
Bettermann	Girard	Koppendrayner	Molnau	Pawlenty	Sviggum	Wenzel
Blatz	Goodno	Krinkie	Mosel	Reding	Swenson	Wolf
Clark	Gruenes	Leppik	Nelson	Rhodes	Tunheim	Worke
Commers	Gutknecht	Limmer	Ness	Seagren	Van Dellen	Workman
Dehler	Haukoos	Lindner	Olson, M.	Smith	Vickerman	

Those who voted in the negative were:

Anderson, I.	Cooper	Huntley	Klinzing	Milbert	Pauly	Skoglund
Anderson, R.	Dauner	Jacobs	Knickerbocker	Morrison	Pelowski	Solberg
Battaglia	Davids	Jaros	Krueger	Munger	Peterson	Sparby
Bauerly	Dawkins	Jennings	Lasley	Murphy	Fugh	Tomassoni
Beard	Dorn	Johnson, A.	Lieder	Neary	Rest	Trimble
Bergson	Evans	Johnson, R.	Lourey	Olson, E.	Rice	Vellenga
Bertram	Farrell	Johnson, V.	Luther	Olson, K.	Rodosovich	Wagenius
Bishop	Garcia	Kahn	Mahon	Orenstein	Rukavina	Wejcman
Brown, K.	Greenfield	Kalis	Mariani	Orfield	Sarna	Welle
Carlson	Greiling	Kelley	McCollum	Osthoff	Sekhon	Winter
Carruthers	Hausman	Kinkel	McGuire	Ostrom	Simoneau	Spk. Long

The motion did not prevail and the amendment was not adopted.

S. F. No. 12, A bill for an act expressing the legislature's opposition to federal legislation requiring suspension of licenses for individuals convicted of violations of the federal Controlled Substances Act.

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 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Lasley	Neary	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Leppik	Nelson	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Battaglia	Dempsey	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dorn	Jacobs	Lourey	Olson, K.	Rukavina	Vellenga
Beard	Erhardt	Jaros	Luther	Olson, M.	Sarna	Vickerman
Bergson	Evans	Jennings	Lynch	Onnen	Seagren	Wagenius
Bertram	Farrell	Johnson, A.	Macklin	Opatz	Sekhon	Waltman
Bettermann	Frerichs	Johnson, R.	Mahon	Orenstein	Simoneau	Weaver
Bishop	Garcia	Johnson, V.	Mariani	Orfield	Skoglund	Wejcman
Blatz	Girard	Kahn	McCollum	Osthoff	Smith	Welle
Brown, C.	Goodno	Kalis	McGuire	Ostrom	Solberg	Wenzel
Brown, K.	Greenfield	Kelley	Milbert	Ozment	Sparby	Winter
Carlson	Greiling	Kinkel	Molnau	Pauly	Stanius	Wolf
Clark	Gruenes	Klinzing	Morrison	Pawlenty	Steensma	Worke
Commers	Gutknecht	Knickerbocker	Mosel	Pelowski	Sviggum	Workman
Cooper	Hasskamp	Koppendrayer	Munger	Peterson	Swenson	Spk. Long
Dauner	Haukoos	Krueger	Murphy	Pugh	Tomassoni	

Those who voted in the negative were:

Lindner

The bill was passed and its title agreed to.

H. F. No. 585 was reported to the House.

Clark moved to amend H. F. No. 585, the first engrossment, as follows:

Page 2, after line 3, insert "Sexual or affectional orientation' does not include a physical or sexual attachment to children by an adult."

The motion prevailed and the amendment was adopted.

Weaver and Abrams moved to amend H. F. No. 585, the first engrossment, as amended, as follows:

Page 6, after line 36, insert:

"Sec. 6. [363.021] [CONSTRUCTION OF LAW.]

Nothing in this chapter shall be construed to:

- (1) mean the state of Minnesota condones homosexuality or bisexuality or any equivalent lifestyle;
- (2) authorize the promotion of homosexuality or bisexuality in education institutions or require the teaching in education institutions of homosexuality or bisexuality as an acceptable lifestyle;
- (3) authorize or permit the use of numerical goals or quotas, or other types of affirmative action programs, with respect to homosexuality or bisexuality in the administration or enforcement of the provisions of this chapter; or
- (4) authorize the recognition of or the right of marriage between persons of the same sex."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

Limmer moved to amend the Weaver and Abrams amendment to H. F. No. 585, the first engrossment, as amended, as follows:

Page 1, line 8, of the Weaver and Abrams amendment, after "authorize" insert "or permit"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Weaver and Abrams amendment to H. F. No. 585, the first engrossment, as amended.

The motion prevailed and the amendment, as amended, was adopted.

Abrams and Weaver moved to amend H. F. No. 585, the first engrossment, as amended, as follows:

Page 6, line 30, delete everything after "facilities"

Page 6, delete line 31

Page 6, line 32, delete "established or maintained"

Page 6, line 35, delete "not substantially related" and insert "unrelated" and after "the" insert "religious and educational"

The motion prevailed and the amendment was adopted.

Abrams and Weaver moved to amend H. F. No. 585, the first engrossment, as amended, as follows:

Page 2, after line 16, insert:

"(3) A nonpublic service organization whose primary function is providing occasional services to minors, such as youth sports organizations, scouting organizations, boys' or girls' clubs, programs providing friends or role models for minors, youth theater, dance, music or artistic organizations, agricultural organizations for minors, and other youth organizations, with respect to qualifications of employees or volunteers based on sexual or affectional orientation,"

Page 2, line 17, strike "(3)" and insert "(4)"

Page 2, line 20, strike "(4)" and insert "(5)"

Page 2, line 25, strike "(5)" and insert "(6)"

Page 2, line 31, strike "(6)" and insert "(7)"

Page 2, line 36, strike "(7)" and insert "(8)"

Page 3, line 4, strike "(8)" and insert "(9)"

Page 6, after line 16, insert:

"Sec. 5. Minnesota Statutes 1992, section 363.02, subdivision 4, is amended to read:

Subd. 4. [PUBLIC ACCOMMODATIONS.] The provisions of section 363.03, subdivision 3, relating to sex, shall not apply to such facilities as restrooms, locker rooms, and other similar places. The provisions of section 363.03, subdivision 3, do not apply to employees or volunteers of a nonpublic service organization whose primary function is providing occasional services to minors, such as youth sports organizations, scouting organizations, boys' or girls' clubs, programs providing friends or role models for minors, youth theater, dance, music or artistic organizations, agricultural organizations for minors, and other youth organizations, with respect to qualifications based on sexual or affectional orientation.

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Tompkins moved to amend the Abrams and Weaver amendment to H. F. No. 585, the first engrossment, as amended, as follows:

Page 1, line 9, of the Abrams and Weaver amendment, after "youth organizations" insert "or who will work directly with minors in any setting"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 38 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Girard	Kalis	Macklin	Pawlenty	Tompkins	Worke
Bettermann	Gutknecht	Knickerbocker	Molnau	Smith	Van Dellen	Workman
Commers	Haukoos	Koppendrayner	Olson, K.	Stanius	Waltman	
Davids	Holsten	Krinkie	Olson, M.	Steensma	Wenzel	
Dehler	Hugoson	Linmer	Onnen	Sviggum	Winter	
Dempsey	Johnson, V.	Lindner	Ozment	Swenson	Wolf	

Those who voted in the negative were:

Abrams	Clark	Gruenes	Lasley	Neary	Reding	Trimble
Anderson, I.	Cooper	Hausman	Leppik	Nelson	Rest	Vellenga
Asch	Dauner	Huntley	Lieder	Ness	Rhodes	Vickerman
Battaglia	Dawkins	Jacobs	Lourey	Olson, E.	Rice	Wagenius
Bauerly	Delmont	Jaros	Luther	Opatz	Rodosovich	Weaver
Beard	Dorn	Jefferson	Mahon	Orenstein	Rukavina	Wejcman
Bergson	Erhardt	Jennings	Mariani	Orfield	Sarna	Welle
Bertram	Evans	Johnson, A.	McCollum	Osthoff	Seagren	Spk. Long
Bishop	Farrell	Johnson, R.	McGuire	Ostrom	Sekhon	
Blatz	Frerichs	Kahn	Milbert	Pauly	Simoneau	
Brown, C.	Garcia	Kelley	Morrison	Pelowski	Skoglund	
Brown, K.	Goodno	Kinkel	Mosel	Perlt	Solberg	
Carlson	Greenfield	Klinzing	Munger	Peterson	Sparby	
Carruthers	Greiling	Krueger	Murphy	Pugh	Tomassoni	

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Abrams and Weaver amendment and the roll was called. There were 108 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Abrams	Comners	Haukoos	Krueger	Munger	Pugh	Tomassoni
Anderson, I.	Cooper	Holsten	Lasley	Murphy	Reding	Tompkins
Anderson, R.	Dauner	Hugoson	Leppik	Ness	Rest	Van Dellen
Asch	Davids	Jacobs	Lieder	Olson, E.	Rhodes	Vickerman
Battaglia	Dehler	Jefferson	Limmer	Olson, K.	Rodosovich	Waltman
Bauerly	Dempsey	Jennings	Lindner	Olson, M.	Rukavina	Weaver
Beard	Dorn	Johnson, A.	Lourey	Onnen	Sarna	Welle
Bergson	Erhardt	Johnson, R.	Luther	Opatz	Seagren	Wenzel
Bertram	Evans	Johnson, V.	Lynch	Osthoff	Simoneau	Winter
Bettermann	Farrell	Kalis	Macklin	Ostrom	Smith	Wolf
Bishop	Frerichs	Kelley	Mahon	Ozment	Solberg	Worke
Blatz	Girard	Kinkel	McCollum	Pauly	Sparby	Workman
Brown, C.	Goodno	Klinzing	Milbert	Pawlenty	Stanius	
Brown, K.	Gruenes	Knickerbocker	Molnau	Pelowski	Steenasma	
Carlson	Gutknecht	Koppendrayer	Morrison	Perlt	Sviggum	
Carruthers	Hasskamp	Krinkie	Mosel	Peterson	Swenson	

Those who voted in the negative were:

Clark	Greenfield	Huntley	Kahn	Neary	Orfield	Vellenga
Dawkins	Greiling	Jaros	Mariani	Orenstein	Trimble	Wagenius
Delmont	Hausman					

The motion prevailed and the amendment was adopted.

Weaver and Abrams moved to amend H. F. No. 585, the first engrossment, as amended, as follows:

Page 30, after line 18, insert:

"Sec. 18. [363.20] [CRIMINAL CODE; EFFECT.]

Nothing in this chapter alters the provisions of chapter 609 or other law relating to criminal penalties."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Leppik, Abrams, Rhodes and Morrison moved to amend H. F. No. 585, the first engrossment, as amended, as follows:

Page 4, line 36, strike "or"

Page 5, line 16, after "contract" insert "; or

(c) the rental by a resident owner of a unit in a dwelling containing not more than two units, if the discrimination is on the basis of sexual orientation."

The motion prevailed and the amendment was adopted.

Tompkins moved to amend H. F. No. 585, the first engrossment, as amended, as follows:

Page 2, after line 35, insert:

"(7) The employment of any individual, with respect to qualifications based on sexual or affectional orientation, who will work directly with minors in any setting, including but not limited to education, child care, health care, or recreational activity."

Renumber the remaining clauses in the section

A roll call was requested and properly seconded.

The question was taken on the Tompkins amendment and the roll was called. There were 47 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Girard	Hugoson	Lindner	Ness	Stanius	Wenzel
Bettermann	Goodno	Johnson, V.	Lynch	Olson, M.	Steenasma	Winter
Commers	Gruenes	Kalis	Macklin	Onnen	Sviggum	Wolf
Dauner	Gutknecht	Knickerbocker	Molnau	Ozment	Swenson	Worke
Dauids	Hasskamp	Koppendrayer	Mosel	Pawlenty	Tompkins	Workman
Dehler	Haukoos	Krinkie	Murphy	Pelowski	Van Dellen	
Dempsey	Holsten	Limmer	Nelson	Seagren	Waltman	

Those who voted in the negative were:

Abrams	Bishop	Erhardt	Huntley	Kinkel	Mahon	Olson, E.
Anderson, I.	Blatz	Evans	Jacobs	Klinzing	Mariani	Opatz
Asch	Brown, C.	Farrell	Jaros	Krueger	McCollum	Orenstein
Battaglia	Brown, K.	Frerichs	Jefferson	Lasley	McGuire	Orfield
Bauerly	Carlson	Garcia	Jennings	Leppik	Milbert	Osthoff
Beard	Carruthers	Greenfield	Johnson, A.	Lieder	Morrison	Ostrom
Bergson	Clark	Greiling	Kahn	Lourey	Munger	Pauly
Bertram	Dawkins	Hausman	Kelley	Luther	Neary	Peterson

Pugh	Rice	Sekhon	Solberg	Trimble	Vickerman	Wejcman
Reding	Rodosovich	Simoneau	Sparby	Tunheim	Wagenius	Welle
Rest	Sarna	Skoglund	Tomassoni	Vellenga	Weaver	Spk. Long
Rhodes						

The motion did not prevail and the amendment was not adopted.

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 78 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Jaros	Mahon	Orenstein	Rice	Vellenga
Asch	Dawkins	Jefferson	Mariani	Orfield	Rodosovich	Wagenius
Battaglia	Delmont	Jennings	McCollum	Osthoff	Rukavina	Weaver
Bauerly	Dorn	Johnson, A.	McGuire	Ostrom	Sarna	Wejcman
Beard	Erhardt	Kahn	Milbert	Pauly	Sekhon	Welle
Bergson	Evans	Kelley	Morrison	Pawlenty	Simoneau	Spk. Long
Bishop	Farrell	Klinzing	Mosel	Pelowski	Skoglund	
Blatz	Garcia	Lasley	Munger	Perlt	Solberg	
Brown, C.	Greenfield	Leppik	Murphy	Pugh	Sparby	
Brown, K.	Greiling	Lieder	Neary	Reding	Tomassoni	
Carlson	Hausman	Lourey	Olson, E.	Rest	Trimble	
Carruthers	Huntley	Luther	Olson, K.	Rhodes	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Dehler	Haukoos	Knickerbocker	Molnau	Seagren	Vickerman
Anderson, R.	Dempsey	Holsten	Koppendrayer	Nelson	Smith	Waltman
Bertram	Frerichs	Hugoson	Krinkie	Ness	Stanius	Wenzel
Bettermann	Girard	Jacobs	Krueger	Olson, M.	Steensma	Winter
Commers	Goodno	Johnson, R.	Limmer	Onnen	Sviggum	Wolf
Cooper	Gruenes	Johnson, V.	Lindner	Opatz	Swenson	Worke
Dauner	Gutknecht	Kalis	Lynch	Ozment	Tompkins	Workman
Davids	Hasskamp	Kinkel	Macklin	Peterson	Tunheim	

The bill was passed, as amended, and its title agreed to.

GENERAL ORDERS

Welle moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Kelso moved that the name of Hausman be added as an author on H. F. No. 107. The motion prevailed.

Jacobs moved that the name of Wenzel be added as an author on H. F. No. 312. The motion prevailed.

Simoneau moved that the name of Jacobs be added as an author on H. F. No. 467. The motion prevailed.

Brown, C., moved that the names of Winter, Sparby and Steensma be added as authors on H. F. No. 568. The motion prevailed.

Pelowski moved that the name of Frerichs be added as an author on H. F. No. 740. The motion prevailed.

Jaros moved that the name of Rodosovich be added as an author on H. F. No. 769. The motion prevailed.

Jacobs moved that the name of Pelowski be added as chief author on H. F. No. 824. The motion prevailed.

Mosel moved that the name of Ness be added as an author on H. F. No. 1060. The motion prevailed.

Anderson, R., moved that the name of Nelson be added as an author on H. F. No. 1064. The motion prevailed.

Munger moved that the name of Ozment be added as chief author on H. F. No. 1092. The motion prevailed.

Milbert moved that the name of Munger be stricken and the name of Battaglia be added as an author on H. F. No. 1114. The motion prevailed.

Sarna moved that the name of Knickerbocker be added as chief author on H. F. No. 1137. The motion prevailed.

Wenzel, Long, Sviggum, Kinkel and Bergson introduced:

House Resolution No. 4, A house resolution commemorating the service to Minnesota and the nation of the National Guard members killed and injured at Camp Ripley.

SUSPENSION OF RULES

Wenzel moved that the rules be so far suspended that House Resolution No. 4 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 4

A house resolution commemorating the service to Minnesota and the nation of the National Guard members killed and injured at Camp Ripley.

Whereas, members of our country's armed services regularly accept risks to their personal safety in order to prepare for the work of defense; and

Whereas, we are grateful for their courage in facing these risks, and we mourn that any should be lost; and

Whereas, on March 13, 1992, five members of the Army National Guard lost their lives, and two were injured, in a tragic accident at Camp Ripley, Minnesota; and

Whereas, we mourn these dead:

Chief Warrant Officer 2 Mark H. Nelson of Bloomington, who enlisted in the North Dakota National Guard in 1980, served in the Minnesota Army National Guard since 1984, served as a pilot since 1988, and logged 750 hours of flight time;

Chief Warrant Officer 4 James A. Nichols of Apple Valley, who served as a pilot for 23 years, logged 2,600 hours of flight time, and was awarded the Army Aviation Badge, the Army Reserve Component Achievement Medal, the Armed Forces Reserve Medal, and the Army Service Ribbon;

Sergeant Larry D. Roalstad of Apple Valley, a veteran of the Navy Reserve who served as a mechanic in the Guard for six years, logged 50 hours of flight time, and earned the Army Service Ribbon, the Aircraft Crewman's Badge, the Non-Commissioned Officer Professional Development Ribbon, and the Minnesota Service Ribbon;

Chief Warrant Officer 2 Dale R. Schmidt of Mankato, who served in Colorado and Italy as an infantryman, entered the Guard in 1987, logged 1,400 hours of flight time, and received the Army Service Ribbon, the Army Achievement Medal, the Army Good Conduct Medal, the Overseas Service Ribbon, the Parachutist Badge, the Expert Infantry Badge, the Army Aviation Badge, and Non-Commissioned Officers Ribbon, and the Army Commendation Medal;

Sergeant James Teel of Eagan, who entered the Guard in 1984, logged 500 hours of flight time as a Utility Helicopter Crew Chief, and was awarded the Army Achievement Medal, the Army Service Ribbon, the Army Reserve Components Achievement Medal, the Minnesota Good Conduct Medal, and the Minnesota Service Ribbon; and

Whereas, we also stand ready to help the injured, John Millen of Eden Prairie and Roy Fhurong of Cottage Grove, and we pray for them and wish them a speedy recovery from their injuries; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that it commends these National Guard members for their years of dedicated service to Minnesota and the nation, their courage, and their fidelity; and that we express our gratefulness to them for their exemplary loyalty and duty in their service to our state and country.

Be It Further Resolved that the House of Representatives expresses its condolences to the families of the dead and the injured and stands with them in their sorrow.

Be It Further Resolved that the Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and that of the Speaker, and transmit them to the families of Roy D. Fhurong, James T. Millen, Mark H. Nelson, James A. Nichols, Larry D. Roalstad, Dale R. Schmidt, and James R. Teel.

Wenzel moved to amend House Resolution No. 4, as follows:

Page 1, line 11, delete "1992" and insert "1993"

The motion prevailed and the amendment was adopted.

Wenzel moved that House Resolution No. 4, as amended, be now adopted.

The question was taken on House Resolution No. 4, as amended, and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Carlson	Farrell	Hugoson	Knickerbocker	McCollum	Olson, M.
Anderson, I.	Carruthers	Frerichs	Huntley	Krinkie	McGuire	Onnen
Anderson, R.	Clark	Garcia	Jaros	Krueger	Milbert	Opatz
Asch	Commers	Girard	Jefferson	Lasley	Molnau	Orenstein
Battaglia	Cooper	Goodno	Jennings	Leppik	Morrison	Orfield
Bauerly	Dauner	Greenfield	Johnson, A.	Lieder	Mosel	Osthoff
Beard	Dauids	Greiling	Johnson, R.	Lindner	Munger	Ostrom
Bergson	Dawkins	Gruenes	Johnson, V.	Lourey	Murphy	Ozment
Bertram	Delmont	Gutknecht	Kahn	Luther	Neary	Pauly
Bettermann	Dempsey	Hasskamp	Kalis	Lynch	Nelson	Pawlenty
Blatz	Dorn	Haukoos	Kelley	Macklin	Ness	Pelowski
Brown, C.	Erhardt	Hausman	Kinkel	Mahon	Olson, E.	Perlt
Brown, K.	Evans	Holsten	Klinzing	Mariani	Olson, K.	Peterson

Pugh	Rodosovich	Simoneau	Stanius	Trimble	Wagenius	Winter
Reding	Rukavina	Skoglund	Sviggum	Tunheim	Waltman	Wolf
Rest	Sarna	Smith	Swenson	Van Dellen	Weaver	Worke
Rhodes	Seagren	Solberg	Tomassoni	Vellenga	Wejcman	Spk. Long
Rice	Sekhon	Sparby	Tompkins	Vickerman	Wenzel	

The motion prevailed and House Resolution No. 4, as amended, was adopted.

Dawkins moved that H. F. No. 1057 be recalled from the Committee on Taxes and be re-referred to the Committee on Local Government and Metropolitan Affairs. The motion prevailed.

Rest moved that H. F. No. 1189 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Taxes. The motion prevailed.

Brown, C., moved that H. F. No. 1206 be recalled from the Committee on Commerce and Economic Development and be re-referred to the Committee on Judiciary. The motion prevailed.

NOTICE PURSUANT TO RULE 1.16

Pursuant to Rule 1.16, Sviggum gave notice that he is requesting the return to the House of H. F. No. 27 from the Committee on Rules and Legislative Administration.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 22, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 22, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 22, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend William E. Akin, First Baptist Church, Albert Lea, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Dauids	Holsten	Lasley	Nelson	Rhodes	Van Dellen
Anderson, I.	Dawkins	Hugoson	Leppik	Ness	Rice	Vellenga
Anderson, R.	Dehler	Huntley	Lieder	Olson, E.	Rodosovich	Vickerman
Asch	Delmont	Jacobs	Limmer	Olson, K.	Rukavina	Wagenius
Battaglia	Dempsey	Jaros	Lindner	Olson, M.	Sarna	Waltman
Bauerly	Dorn	Jefferson	Lourey	Onnen	Seagren	Weaver
Beard	Erhardt	Jennings	Luther	Opatz	Sekhon	Wejcman
Bergson	Evans	Johnson, A.	Lynch	Orenstein	Simoneau	Welle
Bertram	Farrell	Johnson, R.	Macklin	Orfield	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, V.	Mahon	Osthoff	Smith	Winter
Bishop	Garcia	Kahn	Mariani	Ostrom	Solberg	Wolf
Blatz	Girard	Kalis	McCollum	Ozment	Sparby	Worke
Brown, C.	Goodno	Kelley	McGuire	Pauly	Stanius	Workman
Brown, K.	Greenfield	Kelso	Milbert	Pawlenty	Steensma	Spk. Long
Carlson	Greiling	Kinkel	Molnau	Pelowski	Sviggum	
Carruthers	Gruenes	Klinzing	Morrison	Perlt	Swenson	
Clark	Gutknecht	Knickerbocker	Mosel	Peterson	Tomassoni	
Commers	Hasskamp	Koppendrayner	Munger	Pugh	Tompkins	
Cooper	Haukoos	Krinkie	Murphy	Reding	Trimble	
Dauner	Hausman	Krueger	Neary	Rest	Tunheim	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Workman moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 300 and H. F. No. 127, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bishop moved that the rules be so far suspended that S. F. No. 300 be substituted for H. F. No. 127 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Carlson from the Committee on Education to which was referred:

H. F. No. 99, A bill for an act relating to local government; permitting the creation of regional public library districts; amending Minnesota Statutes 1992, sections 134.001, by adding a subdivision; and 134.351, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 134.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 111, A bill for an act relating to highways; designating the B. E. Grottum memorial highway in Jackson county; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 167, A bill for an act relating to economic development; creating Minnesota Business Finance, Inc. to provide capital for commercial borrowers through the Small Business Administration; providing for powers and duties of a board of directors and employees; transferring funds from the certified development company established under the department of trade and economic development to the new corporation; proposing coding for new law as Minnesota Statutes, chapter 116S; repealing Minnesota Statutes 1992, sections 41A.065 and 116J.985.

Reported the same back with the following amendments:

Page 2, after line 19, insert:

"For appointments to the board made on or after January 1, 1995, no more than seven of the members chosen by the membership may be of one gender."

Page 2, line 21, delete "1997" and insert "1995"

Page 4, line 10, after "plan" insert "for employees in the unclassified service"

Page 4, line 11, delete "for employees in the unclassified service"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 280, A bill for an act relating to economic development; establishing the affirmative enterprise program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the following amendments:

Page 1, line 19, delete "high unemployment:" and insert "economic need. The commissioner shall determine areas of economic need based on present and past levels of unemployment and population loss, and present and past reductions in industrial and business activity."

Page 1, lines 23 and 25, delete "recruits" and insert "employs"

Page 2, line 21, after the semicolon insert "and"

Page 2, line 23, delete "; and" and insert a period

Page 2, delete lines 24 and 25

Page 2, line 27, delete "for providing" and insert "by the business to provide"

Page 2, line 28, after "persons" insert "in conjunction with economic development"

Page 2, line 32, after "training" insert ", has a long-term business plan, and is working collaboratively with the local economic development authority or organization"

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.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 454, A bill for an act relating to economic development; requiring a report from the department of trade and economic development; amending Minnesota Statutes 1992, section 116f.58, subdivision 1.

Reported the same back with the following amendments:

Delete page 3, line 30, to page 4, line 7, and insert:

"(17) prepare, as part of biennial budget process with an annual interim summary for the legislature, performance measures for each business loan or grant program within the jurisdiction of the commissioner. Measures would include source of funds for each program, numbers of jobs proposed or promised at the time of application and the number of jobs created, estimated number of jobs retained, the average salary and benefits for the jobs resulting from the program, estimated number of jobs displaced, if any, and the number of projects approved."

Amend the title as follows:

Page 1, line 2, delete "report" and insert "summary of performance measures for business loan or grant programs"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 469, A bill for an act relating to drivers' licenses; providing that physical requirements to obtain school bus endorsement for driver's license are satisfied by possession of medical examiner's certificate required for commercial vehicle drivers; amending Minnesota Statutes 1992, section 171.321, subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 481, A bill for an act relating to housing; establishing a human services enterprise zone demonstration project; appropriating money.

Reported the same back with the following amendments:

Page 1, line 11, after "must" insert "design a program to"

Page 1, line 20, after "municipal," insert "county,"

Page 1, line 21, after "agencies," insert "school districts, post-secondary education institutions," and after "providers" insert "including representatives of organized labor"

Page 2, line 5, delete "results" and insert "implementation"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 499, A bill for an act relating to creditors remedies; regulating executions and garnishments; providing that executions and garnishments on child support judgments are effective until the judgments are satisfied; amending Minnesota Statutes 1992, sections 550.135, subdivision 10; 550.136, subdivisions 3, 4, and 5; 551.04, subdivisions 2 and 11; 551.06, subdivisions 3, 4, and 5; 571.72, subdivision 7; 571.73, subdivision 3; 571.922; and 571.923.

Reported the same back with the following amendments:

Page 4, after line 14, insert:

"Sec. 5. Minnesota Statutes 1992, section 550.143, subdivision 3, is amended to read:

Subd. 3. [EXEMPTION NOTICE.] If the levy is on funds of a judgment debtor who is a natural person and if the funds to be levied are held on deposit at any financial institution, the judgment creditor or its attorney shall provide the sheriff with two copies of an exemption notice, which must be substantially in the form set forth below. The sheriff shall serve both copies of the exemption notice on the financial institution, along with the writ of execution. Failure of the sheriff to serve the exemption notices renders the levy void, and the financial institution shall take no action. However, if this subdivision is being used to execute on funds that have previously been garnished in compliance with section 571.71, the judgment creditor is not required to serve additional exemption notices. In that event, the execution levy shall only be effective as to the funds that were subject to the prior garnishment. Upon receipt of the writ of execution and exemption notices, the financial institution shall retain as much of the amount due under section 550.04 as the financial institution has on deposit owing to the judgment debtor, but not more than 110 percent of the amount remaining due on the judgment.

STATE OF MINNESOTA
COUNTY OF
..... (Judgment Creditor)
..... (Judgment Debtor)
TO: Debtor

DISTRICT COURT
..... JUDICIAL DISTRICT

EXEMPTION NOTICE

An order for attachment, garnishment summons, or levy of execution (strike inapplicable language) has been served on (Bank or other financial institution where you have an account.)

Your account balance is \$.

The amount being held is \$.

However, all or a portion of the funds in your account will normally be exempt from creditors' claims if they are in one of the following categories:

(1) relief based on need. This includes: Aid to Families with Dependent Children (AFDC), AFDC-Emergency Assistance (AFDC-EA), Medical Assistance (MA), General Assistance (GA), General Assistance Medical Care (GAMC), Emergency General Assistance (EGA), Work Readiness, Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance;

(2) Social Security benefits (Old Age, Survivors, or Disability Insurance);

(3) unemployment compensation, workers' compensation, or veterans' benefits;

(4) an accident, disability, or retirement pension or annuity;

(5) life insurance proceeds;

(6) the earnings of your minor child and any child support paid to you; or

(7) money from a claim for damage or destruction of exempt property (such as household goods, farm tools, business equipment, a mobile home, or a car).

The following funds are also exempt:

(8) all earnings of a person in category (1);

(9) all earnings of a person who has received relief based on need, or who has been an inmate of a correctional institution, within the last six months;

(10) 75 percent of every debtor's after tax earnings; and

(11) all of a judgment debtor's after tax earnings below 40 times the federal minimum wage.

TIME LIMIT ON EXEMPTIONS AFTER DEPOSIT IN BANK:

Categories (10) and (11): 20 days

Categories (8) and (9): 60 days

All others: no time limit, as long as funds are traceable to the exempt source. (In tracing funds, the first-in, first-out method is used. This means money deposited first is spent first.) The money being sought by the judgment creditor is being held in your account to give you a chance to claim an exemption.

TO CLAIM AN EXEMPTION:

Fill out, sign, and mail or deliver one copy of the attached exemption claim form to the institution which sent you this notice and mail or deliver one copy to the judgment creditor's attorney. In the event that there is no attorney for the judgment creditor, then the notice shall be sent directly to the judgment creditor. The address for the judgment creditor's attorney or the judgment creditor is set forth below. Both copies must be mailed or delivered on the same day.

If the financial institution does not get the exemption claim back from you within 14 days of the date they mailed or gave it to you, they will be free to turn the money over to the sheriff or the judgment creditor. If you are going to claim an exemption, do so as soon as possible, because your money may be held until it is decided.

IF YOU CLAIM AN EXEMPTION:

- (1) nonexempt money can be turned over to the judgment creditor or sheriff;
- (2) the financial institution will keep holding the money claimed to be exempt; and
- (3) seven days after receiving your exemption claim, the financial institution will release the money to you unless before then it receives an objection to your exemption claim.

IF THE JUDGMENT CREDITOR OBJECTS TO YOUR EXEMPTION CLAIM:

the institution will hold the money until a court decides if your exemption claim is valid, BUT ONLY IF the institution gets a copy of your court motion papers asserting the exemption WITHIN TEN DAYS after the objection is mailed or given to you. You may wish to consult an attorney at once if the creditor objects to your exemption claim.

MOTION TO DETERMINE EXEMPTION:

At any time after your funds have been held, you may ask for a court decision on the validity of your exemption claim by filing a request for hearing which may be obtained at the office of the court administrator of the above court.

PENALTIES:

If you claim an exemption in bad faith, or if the judgment creditor wrongly objects to an exemption in bad faith, the court may order the person who acted in bad faith to pay costs, actual damages, attorney fees, and an additional amount of up to \$100.

.....
.....
.....
.....

Name and address of (Attorney
for) Judgment Creditor

EXEMPTION:

(a) Amount of exemption claim.

/ / I claim ALL the funds being held are exempt.

/ / I claim SOME of the funds being held are exempt.

The exempt amount is \$

(b) Basis for exemption.

Of the 11 categories listed above, I am in category number (If more than one category applies, you may fill in as many as apply.) The source of the exempt funds is the following:

.....
.....
.....

(If the source is a type of relief based on need, list the case number and county:

case number:

county:)

I hereby authorize any agency that has distributed relief to me or any correctional institution in which I was an inmate to disclose to the above named creditor or its attorney only whether or not I am or have been a recipient of relief based on need or an inmate of a correctional institute within the last six months.

I have mailed or delivered a copy of the exemption notice to the judgment creditor or judgment creditor's attorney if represented.

DEBTOR

DATED:

DEBTOR ADDRESS

Sec. 6. Minnesota Statutes 1992, section 550.37, subdivision 15, is amended to read:

Subd. 15. The earnings of the minor child of any debtor and any child support paid to any debtor or the proceeds thereof, by reason of any liability of such debtor not contracted for the special benefit of such minor child."

Page 5, after line 28, insert:

"Sec. 9. Minnesota Statutes 1992, section 551.05, subdivision 1a, is amended to read:

Subd. 1a. [EXEMPTION NOTICE.] If the writ of execution is being used by the attorney to levy funds of a judgment debtor who is a natural person and if the funds to be levied are held on deposit at any financial institution, the attorney for the judgment creditor shall serve with the writ of execution two copies of an exemption notice. The notice must be substantially in the form set forth below. Failure of the attorney for the judgment creditor to send the exemption notice renders the execution levy void, and the financial institution shall take no action. However, if this subdivision is being used to execute on funds that have previously been garnished in compliance with section 571.71, the attorney for judgment creditor is not required to serve an additional exemption notice. In that event, the execution levy shall only be effective as to the funds that were subject to the prior garnishment. Upon receipt of the writ of execution and exemption notices, the financial institution shall retain as much of the amount due under section 550.04 as the financial institution has on deposit owing to the judgment debtor, but not more than 100 percent of the amount remaining due on the judgment, or \$5,000, whichever is less.

The notice informing a judgment debtor that an execution levy has been used to attach funds of the judgment debtor to satisfy a claim must be substantially in the following form:

STATE OF MINNESOTA
County of
..... (Judgment Creditor)
..... (Judgment Debtor)
TO: Judgment Debtor

DISTRICT COURT
JUDICIAL DISTRICT

EXEMPTION NOTICE

An order for attachment, garnishment summons, or levy of execution (strike inapplicable language) has been served on (bank or other financial institution where you have an account).

Your account balance is \$

The amount being held is \$

However, all or a portion of the funds in your account will normally be exempt from creditors' claims if they are in one of the following categories:

- (1) relief based on need. This includes: Aid to Families with Dependent Children (AFDC), AFDC-Emergency Assistance (AFDC-EA), Medical Assistance (MA), General Assistance (GA), General Assistance Medical Care (GAMC), Emergency General Assistance (EGA), Work Readiness, Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance;

- (2) Social Security benefits (Old Age, Survivors, or Disability Insurance);
- (3) unemployment compensation, workers' compensation, or veterans' benefits;
- (4) an accident, disability, or retirement pension or annuity;
- (5) life insurance proceeds;
- (6) the earnings of your minor child and any child support paid to you; or
- (7) money from a claim for damage or destruction of exempt property (such as household goods, farm tools, business equipment, a mobile home, or a car).

The following funds are also exempt:

- (8) all earnings of a person in category (1);
- (9) all earnings of a person who has received relief based on need, or who has been an inmate of a correctional institution, within the last six months;
- (10) 75 percent of every judgment debtor's after tax earnings; or
- (11) all of a judgment debtor's after tax earnings below 40 times the federal minimum wage.

TIME LIMIT ON EXEMPTIONS AFTER DEPOSIT IN BANK:

Categories (10) and (11): 20 days

Categories (8) and (9): 60 days

All others: no time limit, as long as funds are traceable to the exempt source. (In tracing funds, the first-in, first-out method is used. This means money deposited first is spent first.) The money being sought by the judgment creditor is being held in your account to give you a chance to claim an exemption.

TO CLAIM AN EXEMPTION:

Fill out, sign, and mail or deliver one copy of the attached exemption claim form to the institution which sent you this notice and mail or deliver one copy to the judgment creditor's attorney. The address for the judgment creditor's attorney is set forth below. Both copies must be mailed or delivered on the same day.

If they do not get the exemption claim back from you within 14 days of the date they mailed or gave it to you, they will be free to turn the money over to the attorney for the judgment creditor. If you are going to claim an exemption, do so as soon as possible, because your money may be held until it is decided.

IF YOU CLAIM AN EXEMPTION:

- (1) nonexempt money can be turned over to the judgment creditor or sheriff;
- (2) the financial institution will keep holding the money claimed to be exempt; and
- (3) seven days after receiving your exemption claim, the financial institution will release the money to you unless before then it receives an objection to your exemption claim.

IF THE JUDGMENT CREDITOR OBJECTS TO YOUR EXEMPTION CLAIM:

the institution will hold the money until a court decides if your exemption claim is valid, BUT ONLY IF the institution gets a copy of your court motion papers asserting the exemption WITHIN TEN DAYS after the objection is mailed or given to you. You may wish to consult an attorney at once if the judgment creditor objects to your exemption claim.

MOTION TO DETERMINE EXEMPTION:

At any time after your funds have been held, you may ask for a court decision on the validity of your exemption claim by filing a request for hearing which may be obtained at the office of the court administrator of the above court.

PENALTIES:

If you claim an exemption in bad faith, or if the judgment creditor wrongly objects to an exemption in bad faith, the court may order the person who acted in bad faith to pay costs, actual damages, attorney fees, and an additional amount of up to \$100.

.....
.....
.....
.....
Name and address of (Attorney
for) Judgment Creditor

EXEMPTION:

(a) Amount of exemption claim.

// I claim ALL the funds being held are exempt.

// I claim SOME of the funds being held are exempt.

The exempt amount is \$

(b) Basis for exemption.

Of the 11 categories listed above, I am in category number (If more than one category applies, you may fill in as many as apply.) The source of the exempt funds is the following:

.....
.....
.....

(If the source is a type of relief based on need, list the case number and county:

case number: ;

county:)

I hereby authorize any agency that has distributed relief to me or any correctional institution in which I was an inmate to disclose to the above named judgment creditor's attorney only whether or not I am or have been a recipient of relief based on need or an inmate of a correctional institute within the last six months.

I have mailed or delivered a copy of the exemption notice to the judgment creditor's attorney.

.....
DEBTOR

DATED:

.....
.....
DEBTOR ADDRESS"

Page 8, after line 4, insert:

"Sec. 13. Minnesota Statutes 1992, section 570.025, subdivision 6, is amended to read:

Subd. 6. [NOTICE.] The respondent shall be served with a copy of the preliminary attachment order issued pursuant to this section together with a copy of all pleadings and other documents not previously served, including any affidavits upon which the claimant intends to rely at the subsequent hearing and a transcript of any oral testimony given at the preliminary hearing upon which the claimant intends to rely and a notice of hearing. Service shall be in the manner prescribed for personal service of a summons unless that service is impracticable or would be ineffective and the court prescribes an alternative method of service calculated to provide actual notice to the respondent.

The notice of hearing served upon the respondent shall be signed by claimant or the attorney for claimant and shall provide, at a minimum, the following information in substantially the following language:

NOTICE OF HEARING

To: (the respondent)

The (insert name of court) Court has ordered the sheriff to seize some of your property. The court has directed the sheriff to seize the following specific property: (insert list of property). (List other action taken by the court). Some of your property may be exempt from seizure. See the exemption notice below.

The Court issued this Order based upon the claim of (insert name of claimant) that (insert name of claimant) is entitled to a court order for seizure of your property to secure your payment of any money judgment that (insert name of claimant) may later be obtained against you and that immediate action was necessary.

You have the legal right to challenge (insert name of claimant) claims at a court hearing before a judge. The hearing will be held at the (insert place) on (insert date) at (insert time). You may attend the court hearing alone or with an attorney. After you have presented your side of the matter, the court will decide what should be done with your property until the lawsuit against you is finally decided.

IF YOU DO NOT ATTEND THIS HEARING, THE COURT MAY ORDER THE SHERIFF TO KEEP PROPERTY THAT HAS BEEN SEIZED.

EXEMPTION NOTICE

An order of attachment is being served upon you. Some of your property is exempt and cannot be seized. The following is a list of some of the more common exemptions. It is not complete and is subject to section 550.37, and other state and federal laws. If you have questions about an exemption, you should obtain competent legal advice.

1. A homestead or the proceeds from the sale of a homestead.
2. Household furniture, appliances, phonographs, radios, and televisions up to a total current value of \$4,500 at the time of attachment.
3. A manufactured (mobile) home used as your home.
4. One motor vehicle currently worth less than \$2,000 after deducting any security interests.
5. Farm machinery used by someone principally engaged in farming, or tools, machines, or office furniture used in your business or trade. This exemption is limited to \$5,000.
6. Relief based on need. This includes Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), Minnesota Supplemental Assistance, and General Assistance.
7. Social Security benefits.
8. Unemployment compensation, workers' compensation, or veterans' benefits.
9. An accident disability or retirement pension or annuity.
10. Life insurance proceeds or the earnings of your minor child and any child support paid to you.

11. Money from a claim for damage or destruction of exempt property (such as household goods, farm tools, business equipment, a manufactured (mobile) home, or a car).

Sec. 14. Minnesota Statutes 1992, section 570.026, subdivision 2, is amended to read:

Subd. 2. [SERVICE.] The claimant's motion to obtain an order of attachment together with the claimant's affidavit and notice of hearing shall be served in the manner prescribed for service of a summons in a civil action in district court unless that service is impracticable or would be ineffective and the court prescribes an alternative method of service calculated to provide actual notice to the respondent. If the respondent has already appeared in the action, the motion shall be served in the manner prescribed for service of pleadings subsequent to the summons. The date of hearing shall be fixed in accordance with Rule 6 of the Minnesota Rules of Civil Procedure, unless a different date is fixed by order of the court.

The notice of hearing served upon the respondent shall be signed by the claimant or the attorney for the claimant and shall provide, at a minimum, the following information in substantially the following language:

NOTICE OF HEARING

TO: (the respondent)

A hearing will be held (insert place) on (insert date) at (insert time) to determine whether the sheriff shall seize nonexempt property belonging to you to secure a judgment that may be entered against you.

You may attend the court hearing alone or with an attorney. After you have presented your side of the matter, the court will decide what should be done with your property until the lawsuit which has been commenced against you is finally decided.

If the court directs the sheriff to seize and secure the property while the lawsuit is pending, you may still keep the property until the lawsuit is decided if you file a bond in an amount set by the court.

IF YOU DO NOT ATTEND THIS HEARING, THE COURT MAY ORDER YOUR NONEXEMPT PROPERTY TO BE SEIZED.

EXEMPTION NOTICE

Some of your property is exempt and cannot be attached. The following is a list of some of the more common exemptions. It is not complete and is subject to section 550.37, and other state and federal laws. If you have questions about an exemption you should obtain competent legal advice.

1. A homestead or the proceeds from the sale of a homestead.
2. Household furniture, appliances, phonographs, radios, and televisions up to a total current value of \$4,500 at the time of attachment.
3. A manufactured (mobile) home used as your home.
4. One motor vehicle currently worth less than \$2,000 after deducting any security interests.
5. Farm machinery used by someone principally engaged in farming, or tools, machines, or office furniture used in your business or trade. This exemption is limited to \$5,000.
6. Relief based on need. This includes Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), Minnesota Supplemental Assistance, and General Assistance.
7. Social Security benefits.
8. Unemployment compensation, workers' compensation, or veterans' benefits.
9. An accident disability or retirement pension or annuity.

10. Life insurance proceeds or the earnings of your minor child and any child support paid to you.

11. Money from a claim for damage or destruction of exempt property (such as household goods, farm tools, business equipment, a manufactured (mobile) home, or a car)."

Page 9, after line 23, insert:

"Sec. 17. Minnesota Statutes 1992, section 571.912, is amended to read:

571.912 [FORM OF EXEMPTION NOTICE.]

The notice informing a debtor that an order for attachment, garnishment summons, or levy by execution has been used to attach funds of the debtor to satisfy a claim must be substantially in the following form:

STATE OF MINNESOTA	DISTRICT COURT
COUNTY OF	JUDICIAL DISTRICT
..... (Creditor)	
..... (Debtor)	
TO: Debtor	EXEMPTION NOTICE

An order for attachment, garnishment summons, or levy of execution (strike inapplicable language) has been served on (bank or other financial institution) where you have an account.

Your account balance is \$

The amount being held is \$

However, all or a portion of the funds in your account will normally be exempt from creditors' claims if they are in one of the following categories:

- (1) relief based on need. This includes: Aid to Families with Dependent Children (AFDC), AFDC-Emergency Assistance (AFDC-EA), Medical Assistance (MA), General Assistance (GA), General Assistance Medical Care (GAMC), Emergency General Assistance (EGA), Work Readiness, Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance;
- (2) Social Security benefits (Old Age, Survivors, or Disability Insurance);
- (3) unemployment compensation, workers' compensation, or veterans' benefits;
- (4) an accident, disability, or retirement pension or annuity;
- (5) life insurance proceeds;
- (6) the earnings of your minor child and any child support paid to you; or
- (7) money from a claim for damage or destruction of exempt property (such as household goods, farm tools, business equipment, a mobile home, or a car).

The following funds are also exempt:

- (8) all earnings of a person in category (1);
- (9) all earnings of a person who has received relief based on need, or who has been an inmate of a correctional institution, within the last six months;
- (10) 75 percent of every debtor's after tax earnings; and
- (11) all of a debtor's after tax earnings below 40 times the federal minimum wage.

TIME LIMIT ON EXEMPTIONS AFTER DEPOSIT IN BANK:

Categories (10) and (11): 20 days

Categories (8) and (9): 60 days

All others: no time limit, as long as funds are traceable to the exempt source. (In tracing funds, the first-in, first-out method is used. This means money deposited first is spent first.) The money being sought by the creditor is being held in your account to give you a chance to claim an exemption.

TO CLAIM AN EXEMPTION:

Fill out, sign, and mail or deliver one copy of the attached exemption claim form to the institution which sent you this notice and mail or deliver one copy to the creditor's attorney. In the event that there is no attorney for the creditor, then such notice shall be sent directly to the creditor. The address for the creditor's attorney or the creditor is set forth below. Both copies must be mailed or delivered on the same day.

If they do not get the exemption claim back from you within 14 days of the date they mailed or gave it to you, they will be free to turn the money over to the sheriff or the creditor. If you are going to claim an exemption, do so as soon as possible, because your money may be held until it is decided.

IF YOU CLAIM AN EXEMPTION:

- (1) nonexempt money can be turned over to the creditor or sheriff;
- (2) the financial institution will keep holding the money claimed to be exempt; and
- (3) seven days after receiving your exemption claim, the financial institution will release the money to you unless before then it receives an objection to your exemption claim.

IF THE CREDITOR OBJECTS TO YOUR EXEMPTION CLAIM:

The institution will hold the money until a court decides if your exemption claim is valid, BUT ONLY IF the institution gets a copy of your court motion papers asserting the exemption WITHIN TEN DAYS after the objection is mailed or given to you. You may wish to consult an attorney at once if the creditor objects to your exemption claim.

MOTION TO DETERMINE EXEMPTION:

At any time after your funds have been held, you may ask for a court decision on the validity of your exemption claim by filing a request for hearing which may be obtained at the office of the court administrator of the above court.

PENALTIES:

If you claim an exemption in bad faith, or if the creditor wrongly objects to an exemption in bad faith, the court may order the person who acted in bad faith to pay costs, actual damages, attorney fees, and an additional amount of up to \$100.

.....

Name and address of (Attorney for) Judgment Creditor

EXEMPTION:

(If you claim an exemption complete the following):

(a) Amount of exemption claim.

// I claim ALL the funds being held are exempt.

// I claim SOME of the funds being held are exempt.

The exempt amount is \$

(b) Basis for exemption.

Of the eleven categories listed above, I am in category number (If more than one category applies, you may fill in as many as apply.) The source of the exempt funds is the following:

.....
.....
.....

(If the source is a type of relief based on need, list the case number and county:

case number:

county:

I hereby authorize any agency that has distributed relief to me or any correctional institution in which I was an inmate to disclose to the above named creditor or its attorney only whether or not I am or have been a recipient of relief based on need or an inmate of a correctional institute within the last six months.

I have mailed or delivered a copy of the exemption notice to the creditor's attorney.

DATED:

.....
DEBTOR

.....
DEBTOR ADDRESS"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 5, after the semicolon insert "exempting child support payments from creditor's claims;"

Page 1, line 7, after the semicolon insert "550.143, subdivision 3; 550.37, subdivision 15;"

Page 1, line 8, after the semicolon insert "551.05, subdivision 1a;"

Page 1, line 9, after the first semicolon insert "570.025, subdivision 6; 570.026, subdivision 2;"

Page 1, line 10, before "571.922" insert "571.912;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 531, A bill for an act relating to housing; requiring owner to furnish a tenant with a copy of a written lease; requiring disclosure of inspection and condemnation orders; clarifying a tenant's abandonment of property; modifying procedure for tenant file disclosure by tenant screening services; modifying low-income housing; providing penalties; amending Minnesota Statutes 1992, sections 504.22, subdivision 2; 504.24; 504.29, by adding a subdivision; 504.30, subdivisions 1 and 4; 504.33, subdivision 5; 504.34, subdivisions 1 and 2; 566.17, subdivision 3; and 566.18, subdivisions 2 and 7; proposing coding for new law in Minnesota Statutes, chapter 504.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [504.012] [WRITTEN LEASE REQUIRED.]

An owner of a multiunit building, with 12 or more residential units, shall have a written lease for each unit rented to a residential tenant. The definitions of "owner," "tenant," and "building" in section 566.18 apply to this section.

Sec. 2. [504.015] [TENANT TO BE GIVEN COPY OF LEASE.]

Subdivision 1. [DEFINITIONS.] The definitions of "owner" and "tenant" in section 566.18 apply to this section.

Subd. 2. [COPY OF WRITTEN LEASE TO TENANT.] An owner shall give a tenant a copy of a written lease. An owner may obtain a signed and dated receipt, either as a separate document or an acknowledgment included in the lease agreement itself, from the tenant acknowledging that the tenant has received a copy of the lease. This signed receipt or acknowledgment is prima facie evidence that the tenant has received a copy of the lease.

Subd. 3. [LEGAL ACTION TO ENFORCE LEASE.] An owner shall not begin any legal action to enforce the lease, except for nonpayment of rent, malicious destruction of property, or a violation of section 504.181, unless the tenant has received a copy of the lease before the date of the alleged violation of the lease.

Sec. 3. Minnesota Statutes 1992, section 504.22, subdivision 2, is amended to read:

Subd. 2. (a) There shall be disclosed to the tenant either in the rental agreement or otherwise in writing prior to commencement of the tenancy the name and address of:

- (1) the person authorized to manage the premises; and
- (2) an owner of the premises or an agent authorized by the owner to accept service of process and receive and give receipt for notices and demands.

(b) When an owner of a building receives notice of a contract for deed cancellation under section 559.21 or notice of a mortgage foreclosure sale under chapter 580 or 582, the owner must disclose the notice to a tenant or a person prior to starting a new tenancy. Disclosure must be made before the owner signs a lease or accepts rent or a security deposit from a tenant or a prospective tenant. The notice must specify:

- (1) the name of the mortgagor and the mortgagee, and an assignee of the mortgagee;
- (2) the name of the person who holds the contract for deed;
- (3) the date of the foreclosure sale or contract for deed cancellation;
- (4) the time allowed for redemption by the mortgagor's personal representatives or assigns in the case of a foreclosure; and
- (5) the date by which the tenant must vacate the premises. For purposes of this subdivision, the term "building" does not include "manufactured home park" as defined in section 327C.01, subdivision 5.

(c) An owner of a building is not required to disclose notice of a mortgage foreclosure or contract for deed cancellation under paragraph (b) if the mortgagee or contract holder notifies the owner in writing that:

(1) leases existing at the end of the cancellation period or owner's period of redemption will be honored for the term of the lease. The mortgagee's or contract holder's notification to the owner may establish minimum rental rates, length of tenancy, or other terms and conditions for honoring leases that are new or renewed after the date of the notification; and

(2) tenancies on a month-to-month basis will not be terminated at the end of the cancellation period or owner's period of redemption provided the terms of the tenancy meet the minimum rental rates and other terms and conditions established in the mortgagee's or contract holder's notification to the owner.

(d) If an owner fails to abide by the terms and conditions established by the mortgagee or contract holder under paragraph (c), the owner must disclose notice of the foreclosure or contract for deed cancellation to the tenant or person prior to starting a new tenancy as required under paragraph (b).

(e) An owner's requirement to disclose under paragraph (b) does not apply if there is a receiver appointed under chapters 559 and 576.

(f) Except as provided in paragraphs (c) and (e), if an owner, agent, or other person acting under the owner's direction or control has failed to disclose notice of the mortgage foreclosure or contract for deed cancellation, as required under paragraph (b), the tenant is entitled to remedies provided by section 8.31, subdivision 3a, and other equitable relief as determined by the court.

Sec. 4. [504.246]. [DISCLOSURE REQUIRED FOR OUTSTANDING INSPECTION AND CONDEMNATION ORDERS.]

Subdivision 1. [DISCLOSURE TO TENANT.] (a) A landlord, agent, or person acting under the landlord's direction or control shall provide, except as provided in subdivision 3, a copy of all outstanding inspection orders specifying code violations issued under section 566.19, and all outstanding condemnation orders and declarations that the premises are unfit for human habitation to:

(1) a tenant, as defined in section 566.18, either by delivery or by United States mail, postage prepaid, within 72 hours of the receipt of the order or declaration by the landlord;

(2) a person before signing a lease or paying rent or a security deposit to begin a new tenancy; and

(3) a person prior to obtaining new ownership of the property subject to the order or declaration.

(b) A landlord, agent, or person acting under the landlord's direction or control shall disclose as required under paragraph (a) in the following manner:

(1) to all tenants or persons prior to starting a new tenancy in the building when the outstanding inspection or condemnation orders or declaration pertains to the building's common areas; and

(2) to the tenants or persons prior to starting a new tenancy in the unit or units for which the inspection or condemnation orders or declarations were issued.

Subd. 2. [PENALTY.] If the landlord, agent, or person acting under the landlord's direction or control violates this section, the tenant is entitled to remedies provided by section 8.31, subdivision 3a, and other equitable relief as determined by the court.

Subd. 3. [EXCEPTION.] A landlord, agent, or person acting under the landlord's direction or control will not be determined to have violated this section if:

(1) the landlord, agent, or person acting under the landlord's direction or control has received only an initial order to repair;

(2) the time allowed to complete the repairs, including any extension of the deadline, has not yet expired; and

(3) the landlord, agent, or person acting under the landlord's direction or control completes the repairs within the time given to repair, including any extension of the deadline.

Subd. 4. [LANDLORD'S DEFENSE.] A landlord, agent, or person acting under the landlord's direction or control shall have an affirmative defense against an action brought under this section when the landlord, agent, or person acting under the landlord's control proves disclosure actually was made as required under subdivision 1.

Sec. 5. Minnesota Statutes 1992, section 504.29, is amended by adding a subdivision to read:

Subd. 6. [PROPER IDENTIFICATION.] "Proper identification" means information generally considered sufficient to identify a person, including a Minnesota driver's license, a Minnesota identification card, other forms of identification provided by a unit of government, a notarized statement of identity with a specimen signature of the person, or other reasonable form of identification. A photocopy or facsimile of one of these forms of identification is sufficient for the purposes of this definition.

Sec. 6. Minnesota Statutes 1992, section 504.30, subdivision 1, is amended to read:

Subdivision 1. [DISCLOSURES REQUIRED.] (a) Upon request and proper identification, a tenant screening service must disclose the following information to an individual:

- (1) the nature and substance of all information in its files on the individual at the time of the request; and
- (2) the sources of the information.

A tenant screening service must make the disclosures to an individual without charge if information in a tenant report has been used within the past 30 days to deny the rental or increase the security deposit or rent of a residential housing unit to the individual. If the tenant report has not been used to deny the rental or increase the rent or security deposit of a residential housing unit within the past 30 days, the tenant screening service may impose a reasonable charge for making the disclosure required under this section. The tenant screening service must notify the tenant of the amount of the charge before furnishing the information. The charge may not exceed the amount that the tenant screening service would impose on each designated recipient of a tenant report, except that no charge may be made for notifying persons of the deletion of information which is found to be inaccurate or which can no longer be verified.

(b) Files maintained on a tenant must be disclosed promptly as established in clauses (1) to (4).

(1) A tenant file must be disclosed in person, at the location where the tenant screening service maintains its files, if the tenant appears in person and furnishes proper identification at that time.

(2) A tenant file must be disclosed by mail, if the tenant makes a written request with proper identification for a copy of the information contained in the tenant report and requests that the information be sent to a specified address. A disclosure made under this clause shall be deposited in the United States mail, postage prepaid, within five business days after the written request for disclosure is received by the tenant screening service. A tenant screening service complying with a request for disclosure under this clause shall not be liable for disclosures to third parties caused by mishandling mail, provided that the tenant file information is mailed to the address specified by the tenant in the request.

(3) A summary of the information in a tenant file must be disclosed by telephone, if the tenant has made a written request with proper identification for telephone disclosure.

(4) Information in a tenant's file required to be disclosed in writing under this subdivision may be disclosed in any other form including electronic means if authorized by the tenant and available from the tenant screening service.

Sec. 7. Minnesota Statutes 1992, section 504.30, subdivision 4, is amended to read:

Subd. 4. [COURT FILE INFORMATION.] (a) If a tenant screening service includes information from a court file on an individual in a tenant report, the outcome of the court proceeding must be accurately recorded in the tenant report, ~~unless the outcome is not provided by the court~~. Whenever the court supplies information from a court file on an individual, in whatever form, the court shall include information on the outcome of the court proceeding when it is available. The tenant screening service is not liable under section 504.31 if the tenant screening service reports complete and accurate information as provided by the court.

(b) A tenant screening service shall not provide tenant reports containing information on unlawful detainer actions, unless the tenant report accurately records the outcome of the proceeding or other disposition of the unlawful detainer action such as settlement, entry of a judgment, default, or dismissal of the action.

Sec. 8. Minnesota Statutes 1992, section 504.33, subdivision 5, is amended to read:

Subd. 5. [LOW-INCOME HOUSING.] (a) "Low-income housing" means either:

(1) rental housing with a rent less than or equal to 30 percent of 50 percent of the median income for the county in which the rental housing is located, adjusted by size; or

(2) rental housing occupied by households with income below 50 percent of the median income for the county in which the rental housing is located, adjusted by size.

Clause (2) shall not apply in Minneapolis and St. Paul unless the vacancy rate in the city is three percent or less.

(b) "Low-income housing" also includes rental housing that has been vacant for less than two years, that was low-income housing when it was last occupied, and that is not condemned as being unfit for human habitation by the applicable government unit.

Sec. 9. Minnesota Statutes 1992, section 504.34, subdivision 1, is amended to read:

Subdivision 1. [ANNUAL REPORT REQUIRED.] A government unit shall prepare ~~an annual~~ a housing impact report either:

(1) for each year in which the government unit displaces ten or more units of low-income housing in a city of the first class as defined in section 410.01; or

(2) when a specific project undertaken by a government unit for longer than one year displaces a total of ten or more units of low-income housing in a city of the first class as defined in section 410.01.

Sec. 10. Minnesota Statutes 1992, section 504.34, subdivision 2, is amended to read:

Subd. 2. [DRAFT ANNUAL HOUSING IMPACT REPORT.] A government unit subject to this section must prepare a draft annual housing impact report for review and comment by interested persons. The draft report must be completed by January 31 of the year immediately following a year in which the government unit has displaced ten or more units of low-income housing in a city. For a housing impact report required under subdivision 1, clause (2), the draft report must be completed by January 31 of the year immediately following the year in which the government unit has displaced a cumulative total of ten units of low-income housing in a city.

Sec. 11. Minnesota Statutes 1992, section 566.18, subdivision 2, is amended to read:

Subd. 2. [TENANT.] "Tenant" means any person who is occupying a dwelling in a building as defined in subdivision 7, under any agreement, lease, or contract, whether oral or written, and for whatever period of time, which requires the payment of ~~moneys~~ money or exchange of services as rent for the use of the dwelling unit, and all other regular occupants of that dwelling unit, and any resident of a manufactured home park.

Sec. 12. Minnesota Statutes 1992, section 566.18, subdivision 7, is amended to read:

Subd. 7. [BUILDING.] "Building" means:

(a) ~~any~~ a building used in whole or in part as a dwelling, including single family homes, multiple family units such as apartments, and structures containing both dwelling units and units used for nondwelling purposes, and also includes a manufactured home park, or

(b) ~~any~~ an unoccupied building which was previously used in whole or in part as a dwelling and which constitutes a nuisance under section 561.01.

Sec. 13. Laws 1989, chapter 328, article 2, section 17, subdivision 1, is amended to read:

Sec. 17. [HOUSING CALENDAR CONSOLIDATION ~~PILOT~~ PROJECT.]

Subdivision 1. [ESTABLISHMENT.] A ~~three-year pilot~~ project ~~may be~~ is established in the second and fourth judicial districts to consolidate the hearing and determination of matters related to residential rental housing and to ensure continuity and consistency in the disposition of cases.

Sec. 14. [REPEALER.]

Laws 1989, chapter 328, article 2, sections 18 and 19, are repealed.

Sec. 15. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1993, for new or renewed tenancy beginning on or after August 1, 1993.

Sections 13 and 14 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to housing; requiring owner to furnish a tenant with a copy of a written lease; requiring disclosure of contract for deed cancellation or mortgage foreclosure sale; requiring disclosure of inspection and condemnation orders; modifying procedure for tenant file disclosure by tenant screening services; modifying low-income housing; providing penalties; amending Minnesota Statutes 1992, sections 504.22, subdivision 2; 504.29, by adding a subdivision; 504.30, subdivisions 1 and 4; 504.33, subdivision 5; 504.34, subdivisions 1 and 2; and 566.18, subdivisions 2 and 7; Laws 1989, chapter 328, article 2, section 17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 504; repealing Laws 1989, chapter 328, article 2, sections 18 and 19."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 550, A bill for an act relating to economic development; adding the executive director of the higher education coordinating board to the Minnesota job skills partnership board; authorizing the use by the job skills partnership board of funds from any source for grants and dissemination of information; amending Minnesota Statutes 1992, sections 116L.03, subdivisions 1 and 2; and 116L.05, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 571, A bill for an act relating to education; authorizing certain contracts with school board members; amending Minnesota Statutes 1992, section 471.88, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 575, A bill for an act relating to natural resources; resolving claims raised by the Mille Lacs band of Chippewa regarding hunting, fishing, and gathering rights under treaty; authorizing sports fishing in treaty fishing zone for non-band members pursuant to band code; non-band harvest under band permit; authority to transfer land; compensation to counties; resort acquisition; condemnation authority; resolving issues through negotiated settlement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97A.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 592, A bill for an act relating to creditors' remedies; limiting the value of the homestead exemption; providing for the exemption of homestead insurance proceeds; amending Minnesota Statutes 1992, sections 510.02; and 510.07.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 510.01, is amended to read:

510.01 [HOMESTEAD DEFINED; EXEMPT; EXCEPTION.]

The house owned and occupied by a debtor as the debtor's dwelling place, together with the land upon which it is situated to the amount of area and value hereinafter limited and defined, shall constitute the homestead of such debtor and the debtor's family, and be exempt from seizure or sale under legal process on account of any debt not lawfully charged thereon in writing, except such as are incurred for work or materials furnished in the construction, repair, or improvement of such homestead, or for services performed by laborers or servants and as is provided in section 550.175."

Page 2, after line 17, insert:

"Sec. 4. Minnesota Statutes 1992, section 510.08, is amended to read:

510.08 [SELECTION AFTER LEVY.]

(a) If the premises so owned and occupied by the debtor or claimed under the debtor by another as exempt shall exceed the area herein prescribed, and the homestead shall not have been set apart as such and its boundaries defined, an attachment or execution may be levied upon the whole. Thereupon the person entitled to the benefits of such exemption shall deliver to the officer making the levy a description of the part claimed as exempt, and the remainder only shall be subject to the levy so made.

(b) If the premises so owned and occupied by the debtor or claimed under the debtor by another as exempt exceeds the value herein prescribed, an attachment or execution may be levied upon the whole.

Sec. 5. Minnesota Statutes 1992, section 550.175, subdivision 3, is amended to read:

Subd. 3. [DESIGNATION OF HOMESTEAD PROPERTY.] The debtor must designate the legal description of the homestead property to be sold separately and the debtor's estimate of the value of the property. The homestead property designated may include any amount of the property. The designation must conform to local zoning, include the dwelling occupied by the debtor, and be compact so that it does not unreasonably affect the value of the remaining property. The debtor must serve a copy of the designation on the executing creditor, the sheriff, and the county recorder by ten business days before the sale is scheduled.

Sec. 6. Minnesota Statutes 1992, section 550.175, subdivision 4, is amended to read:

Subd. 4. [SALE OF PROPERTY.] If the sheriff receives a homestead property designation under subdivision 3, the sheriff must offer and sell the designated homestead property, and the remaining property, separately, unless the executing creditor denies the right to the exemption, objects to the property designated, or claims the value exceeds the exemption. If dissatisfied with the homestead property designation or the debtor's valuation of the property, upon proper motion to the district court of the county in which any part of the property is located, the executing creditor is entitled to a court approved designation of the homestead and a court determination of value. The court shall either approve the debtor's designation or cause the property to be surveyed and order a homestead designation consistent with the standards of subdivision 3 and require an appraisal of fair market value, as applicable. The court's designation of the homestead property shall conform to the debtor's request to the extent not inconsistent with the standards of subdivision 3. The court, in determining appraised value, shall review any appraisals provided by the debtor and executing creditor and may require a court appointed independent appraisal. The appraisals shall evaluate the property's fair market value, net of reasonable costs of sale. If the court determines that the property claimed as a homestead exceeds in value the amount of the homestead exemption or if the court determines that the property cannot be divided without material injury, the court shall order the sale of the entire property, including the designated homestead. Out of the proceeds of the sale, the court shall pay the debtor the amount of the homestead exemption and apply the balance of the proceeds of the sale on the execution. At the sale, no bid shall be accepted unless it exceeds the amount of the homestead exemption and, in that case, the homestead shall be exempt. The cost of any court ordered survey or appraisal and of the sale shall be collected on the execution, if the debtor designated as the debtor's homestead a greater quantity of property, property of greater value than the debtor was entitled to, or designated a parcel that does not meet the standards of subdivision 3. In all other cases, the costs shall be borne by the executing creditor."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing for a court approved designation of homestead and homestead value in certain instances;"

Page 1, line 5, after "sections" insert "510.01;" and delete "and" and before the period insert "; 510.08; and 550.175, subdivisions 3 and 4"

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. 621, A bill for an act relating to human services; establishing a seven-day validity and nine-day replacement period for lost and stolen assistance warrants; authorizing an enhanced recoupment level in AFDC cases involving welfare fraud; integrating a client release as an inclusion in the combined application form; adding the food stamp program to the coverage of the financial transaction card fraud provision; creating and authorizing the use of commissioner's subpoenas; establishing the offense of food stamp trafficking; prescribing penalties; amending Minnesota Statutes 1992, sections 16A.45, by adding a subdivision; 256.73, subdivision 8; 256.983, subdivision 3; 393.07, subdivision 10; and 609.821, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1992, section 256.985.

Reported the same back with the following amendments:

Page 1, line 25, delete everything after the period

Page 1, delete lines 26 to 29

Page 3, line 30, after the period insert "Medical records that are not accessible to the commissioner shall not be made accessible through the use of this subpoena."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 667, A bill for an act relating to volunteer firefighter relief associations; modifying the corporate registration requirement for relief associations complying with fire state aid financial reporting requirements; amending Minnesota Statutes 1992, sections 69.051, by adding a subdivision; and 317A.823, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 15, after the period insert "The information provided must also include, for each volunteer firefighter relief association, the registered office address and the name of the person functioning as president."

Page 2, delete lines 21 and 22 and insert "presentation of the corporate registration. The secretary of state may reject the registration by the volunteer firefighter relief association. Rejection will occur if the information provided to the state auditor does not match the information in the records of the secretary of state. The volunteer firefighter relief association may amend the articles of incorporation as provided in sections 317A.131 to 317A.151 so that the information from the state auditor may be accepted for filing. The timely filing of an annual financial report and audit or an annual financial statement under section 69.051, subdivision 1 or 1a, does not relieve the volunteer firefighter relief association of the requirement to file amendments to the articles of incorporation directly with the secretary of state."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 806, A bill for an act relating to commerce; prohibiting smoking in designated nonsmoking hotel rooms; allowing reimbursement to innkeepers for actual costs resulting from violation; prescribing a penalty; proposing coding for new law in Minnesota Statutes, chapter 327.

Reported the same back with the following amendments:

Page 1, line 14, before "An" insert "Upon conviction,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 827, A bill for an act relating to highways; designating route as Wally Nelson Highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 828, A bill for an act relating to health; utilization review of health care; providing for chiropractic review; amending Minnesota Statutes 1992, section 62M.09, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 874, A bill for an act relating to traffic regulations; authorizing cities of the second class to establish programs for citizen enforcement of laws governing parking spaces for persons with disabilities; amending Minnesota Statutes 1992, section 169.346, subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 889, A bill for an act relating to economic development; clarifying provisions relating to the department of trade and economic development; clarifying the duties of the commissioner; amending Minnesota Statutes 1992, sections 17.49, subdivision 1; 18.024, subdivision 1; 86.72, subdivision 3; 86A.06; 86A.09, subdivisions 1, 2, 3, and 4; 92.35; 92.36; 103F.135, subdivision 1; 116J.01, by adding a subdivision; 116J.402; 116J.58, subdivision 1; 116J.61; 116J.68, subdivision 2; 116J.873, subdivisions 3 and 4; 116J.966, subdivision 1; 116J.980, subdivisions 1 and 2; 137.31, subdivision 6; 138.93, subdivision 4; 144.95, subdivision 7; 173.17; 216B.242; 216C.37, subdivision 1; 299A.01, subdivision 2; 446A.03, subdivision 1; 446A.10, subdivision 2; 473.857, subdivision 2; 473H.06, subdivision 5; and 641.24; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1992, sections 84.54; 86A.10; 116J.01, subdivision 3; 116J.615, subdivision 2; 116J.645; 116J.661; 116J.982; 116J.983; 116J.984; 301A.01; 301A.02; 301A.03; 301A.04; 301A.05; 301A.06; 301A.07; 301A.08; 301A.09; 301A.10; 301A.11; 301A.12; 301A.13; and 301A.14.

Reported the same back with the following amendments:

Page 7, line 4, delete "direct" and insert "be director of"

Page 7, line 18, after "increase" insert "resident and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 909, A bill for an act relating to transportation; ports and waterways; appropriating money for port development assistance program.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1023, A bill for an act relating to employment; modifying provisions relating to and renaming the Minnesota council for the blind and the consumer advisory council; establishing a rehabilitation advisory council for the blind; amending Minnesota Statutes 1992, sections 248.10; and 268A.02, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 17, after the period insert "No more than one-half of the members, plus one if the council has an odd number of members, may be of one gender."

Page 3, line 6, after the period insert "No more than one-half of the members, plus one if the council has an odd number of members, may be of one gender."

Page 3, line 14, after the period insert "The gender balance requirements of sections 1 and 2 apply only to appointments made after the effective dates of these sections."

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 111, 454, 469, 499, 571, 592, 667, 806, 827, 828, 874, 889 and 1023 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 300 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Pugh; Anderson, I.; Macklin and Osthoff introduced:

H. F. No. 1289, A bill for an act relating to transportation; establishing a paratransit demonstration project in Dakota county.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Workman; Smith; Holsten; Olson, M., and Molnau introduced:

H. F. No. 1290, A bill for an act proposing an amendment to the Minnesota Constitution, article XIV; dedicating net proceeds of motor vehicle excise tax; repealing that part of motor vehicle excise tax dedicated to local government trust fund; repealing Minnesota Statutes 1992, section 297B.09, subdivision 3.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Wagenius, Battaglia, Munger, Ozment and Trimble introduced:

H. F. No. 1291, A bill for an act relating to the environment; establishing an environmental cleanup program for landfills; imposing an additional property and casualty insurance premium tax; establishing a hazardous and problem products waste management tax; providing penalties; appropriating money; abolishing the metropolitan landfill contingency action trust fund; transferring trust fund assets; amending Minnesota Statutes 1992, sections 115.073; 115B.42; 383D.71, subdivision 1; 473.801, subdivisions 1 and 4; 473.841; 473.842, subdivision 1; and 473.843, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 60A; 115A; and 115B; repealing Minnesota Statutes 1992, sections 473.842, subdivisions 1a, 4a, and 5; 473.845; and 473.847.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Greenfield, Gruenes, Lourey, Asch and Kelley introduced:

H. F. No. 1292, A bill for an act relating to the physician license surcharge; requiring the commissioner of human services to seek a waiver to exclude certain physicians; amending Minnesota Statutes 1992, sections 147.02, subdivision 1; and 256.9657, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield and Clark introduced:

H. F. No. 1293, A bill for an act relating to commerce; real estate; regulating brokers and salespersons; requiring certain radon testing disclosures in connection with the sale of residential property; amending Minnesota Statutes 1992, section 82.19, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Greenfield introduced:

H. F. No. 1294, A bill for an act relating to medical assistance; increasing asset allowances; removing the 30-month limitation on prohibited transfers for medical assistance eligibility; requiring the commissioner of human services to seek necessary federal law changes or waivers; providing for medical assistance liens on real property; appropriating money; amending Minnesota Statutes 1992, sections 256B.059, subdivisions 3 and 5; and 256B.0595, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 514.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield, Lourey, Gruenes, Leppik and Simoneau introduced:

H. F. No. 1295, A bill for an act relating to dental services under the medical assistance, general assistance medical care, and MinnesotaCare programs; providing for payment of dental services on a prospective per capita basis; proposing coding for new law in Minnesota Statutes, chapter 256B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey introduced:

H. F. No. 1296, A bill for an act relating to Pine county; permitting the county board to extend certain temporary land use controls.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Reding, Jennings, Rhodes, Bertram and Stanius introduced:

H. F. No. 1297, A bill for an act relating to financial institutions; prohibiting certain deposits in financial institutions; amending Minnesota Statutes 1992, section 48.512, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Johnson, A.; Tunheim; Carlson; Olson, K., and Ozment introduced:

H. F. No. 1298, A bill for an act relating to education; requiring students to receive instruction in two one-credit courses in mathematics and science; permitting students to demonstrate their mastery of a required course prior to enrolling in or completing the course; amending Minnesota Statutes 1992, section 120.101, subdivision 6.

The bill was read for the first time and referred to the Committee on Education.

Milbert, Dempsey, Ozment, Commers and Pawlenty introduced:

H. F. No. 1299, A bill for an act relating to transportation; establishing a paratransit demonstration project in Dakota county.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Wagenius, Bishop, McGuire, Mariani and Skoglund introduced:

H. F. No. 1300, A bill for an act relating to crime prevention; firearms; authorizing cities in metropolitan counties and the metropolitan airports commission to adopt certain firearms regulations; amending Minnesota Statutes 1992, section 471.633.

The bill was read for the first time and referred to the Committee on Judiciary.

Greenfield and Skoglund introduced:

H. F. No. 1301, A bill for an act relating to insurance; the comprehensive health association; clarifying the duties of the association and the authority of the commissioner of commerce; increasing the cigarette and tobacco product taxes to defray the cost of claims made under coverages provided by the association; repealing obsolete language; appropriating money; amending Minnesota Statutes 1992, sections 62E.08; 62E.09; 62E.10, subdivision 9; 297.02, subdivision 1; 297.13, by adding a subdivision; and 297.32, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 62E; repealing Laws 1992, chapter 549, article 9, section 17.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Krueger; Olson, E.; Hugoson and Nelson introduced:

H. F. No. 1302, A bill for an act relating to taxation; property; allowing the reduced class rate on commercial and industrial property to apply to the first \$100,000 of market value on property in each county; amending Minnesota Statutes 1992, section 273.13, subdivision 24.

The bill was read for the first time and referred to the Committee on Taxes.

Neary, Long, Rest, Pauly and Rhodes introduced:

H. F. No. 1303, A bill for an act relating to taxation; property; providing for valuation of certain property that is not eligible for open space treatment; amending Minnesota Statutes 1992, section 273.112, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Brown, K.; Ostrom; Wagenius and Clark introduced:

H. F. No. 1304, A bill for an act relating to taxation; sales and use; exempting and providing for a refund for building materials used in construction or rehabilitation of affordable housing; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Trimble, Farrell, Mariani, Skoglund and Swenson introduced:

H. F. No. 1305, A bill for an act relating to crime prevention; clarifying scope of the Asian juvenile crime prevention grant program; appropriating money; amending Minnesota Statutes 1992, section 256.486, subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Judiciary....

Sparby; Mosel; Bauerly; Johnson, V., and Wenzel introduced:

H. F. No. 1306, A bill for an act relating to agriculture; changing eligibility and participation requirements for certain rural finance authority programs; authorizing an application fee; appropriating money; amending Minnesota Statutes 1992, sections 41B.03, subdivision 1, and by adding a subdivision; 41B.039, subdivision 2; and 41B.042, subdivision 4.

The bill was read for the first time and referred to the Committee on Agriculture.

Girard, Sviggum, Vickerman, Hugoson and Bettermann introduced:

H. F. No. 1307, A bill for an act relating to employment; eliminating the requirement that prevailing wages be paid under state contracts; amending Minnesota Statutes 1992, sections 240.091, subdivision 3; and 471.992, subdivision 1; repealing Minnesota Statutes 1992, sections 116J.871, subdivision 2; 177.41; 177.42; 177.43; 177.44; and 471.345, subdivision 7.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Ozment, Bauerly, Bettermann, Girard and Steensma introduced:

H. F. No. 1308, A bill for an act relating to agriculture; declaring ratitae to be livestock and raising ratitae to be an agricultural pursuit; defining ratitae farming as agricultural production for purposes of the sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; and 297A.01, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the first time and referred to the Committee on Agriculture.

Kinkel; Solberg; Anderson, R.; Krueger and Gruenes introduced:

H. F. No. 1309, A bill for an act relating to health; establishing a medical transportation allowance for nursing facilities; requiring a study of cost savings; amending Minnesota Statutes 1992, section 256B.431, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Mahon, Knickerbocker, Erhardt, Garcia and Pauly introduced:

H. F. No. 1310, A bill for an act relating to local government; permitting the cities of Bloomington, Edina, Richfield, Eden Prairie, and Minnetonka to establish a transportation demand management program.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Trimble, Frerichs, Hasskamp and Opatz introduced:

H. F. No. 1311, A bill for an act relating to local government; providing for the continuation of the Mississippi River parkway commission; amending Minnesota Statutes 1992, section 161.1419, subdivision 8.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Wenzel introduced:

H. F. No. 1312, A bill for an act relating to county jails; providing for the use of excess boarding fees; proposing coding for new law in Minnesota Statutes, chapter 641.

The bill was read for the first time and referred to the Committee on Judiciary.

Reding introduced:

H. F. No. 1313, A bill for an act relating to insurance; the comprehensive health association; modifying the funding mechanism of the association; granting eligibility for certain employees and dependents; amending Minnesota Statutes 1992, sections 62A.17, subdivision 4, and by adding a subdivision; 62A.20, by adding a subdivision; 62A.21, by adding a subdivision; 62E.02, subdivisions 2, 8, 13, and by adding a subdivision; 62E.11, subdivision 2, and by adding a subdivision; 62E.14, subdivision 3; 62E.141; 62L.03, subdivision 6; 62L.12, subdivisions 3 and 4; and 363.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62E.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Wejcman, Neary, McCollum, Evans and Carruthers introduced:

H. F. No. 1314, A bill for an act relating to crime; eliminating the defense of mistake of age or consent for persons who are prosecuted for a prostitution offense; amending Minnesota Statutes 1992, section 609.325, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Bertram, Steensma and Lasley introduced:

H. F. No. 1315, A bill for an act relating to traffic regulations; increasing fees for overweight trucks; authorizing permit to be issued for trailer or semitrailer exceeding 28-1/2 feet in three-vehicle combination; amending Minnesota Statutes 1992, sections 169.81, subdivision 2; and 169.86, subdivision 5.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Rodosovich, Simoneau, Bishop and Greenfield introduced:

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.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bauerly, Simoneau, Kinkel, Beard and Gruenes introduced:

H. F. No. 1317, A bill for an act relating to health-related occupations; requiring hearing instrument dispensers to be certified by the commissioner of health; requiring holders of temporary hearing instrument dispensing permits to be supervised by certified hearing instrument dispensers; authorizing cease and desist orders; providing for penalties; amending Minnesota Statutes 1992, sections 153A.13, subdivisions 4 and 5; 153A.14; 153A.15; and 153A.17; proposing coding for new law in Minnesota Statutes, chapter 214.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Anderson, I.; Workman; Jacobs; Bertram and Sviggum introduced:

H. F. No. 1318, A bill for an act relating to taxation; sales and use; providing an exemption to cities or counties for certain correctional facilities projects; appropriating money; amending Minnesota Statutes 1992, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Orenstein introduced:

H. F. No. 1319, A bill for an act relating to the city of Saint Paul; authorizing the city to impose a sales tax.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Lynch introduced:

H. F. No. 1320, A bill for an act relating to education; permitting the department of administration to approve leases with entities other than nonprofit organizations under the outcome-based school law; amending Minnesota Statutes 1992, section 120.064, subdivision 16.

The bill was read for the first time and referred to the Committee on Education.

Blatz, Lynch and Trimble introduced:

H. F. No. 1321, A bill for an act relating to taxation; property tax; excluding certain improvements for handicap accessibility; amending Minnesota Statutes 1992, section 273.11, subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, V., introduced:

H. F. No. 1322, A bill for an act relating to intoxicating liquor; authorizing Houston county to issue an on-sale intoxicating liquor license to establishments in Crooked Creek and Brownsville township.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Garcia, Simoneau, Luther, Vickerman and Cooper introduced:

H. F. No. 1323, A bill for an act relating to human services; establishing alternative care program pilot projects.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield, Simoneau, Luther, Vickerman and Cooper introduced:

H. F. No. 1324, A bill for an act relating to human services; changing requirements and reimbursement rates for the preadmission screening program; amending Minnesota Statutes 1992, sections 256B.0911, subdivisions 2, 3, 4, 6, 7, and by adding a subdivision; 256B.0913, subdivisions 12 and 14; and 256B.0915, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Brown, C., introduced:

H. F. No. 1325, A bill for an act relating to housing; modifying the definition of dwelling for smoke detection devices; amending Minnesota Statutes 1992, section 299F.362, subdivision 1.

The bill was read for the first time and referred to the Committee on Housing.

Brown, C., introduced:

H. F. No. 1326, A bill for an act relating to outdoor recreation; authorizing marking of canoe and boating routes on the Pomme de Terre river; amending Minnesota Statutes 1992, section 85.32, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Nelson, Kinkel, Tunheim, Krueger and Bettermann introduced:

H. F. No. 1327, A bill for an act appropriating money to the commissioner of trade and economic development for additional tourism advertising.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Mariani introduced:

H. F. No. 1328, A bill for an act relating to firearms; authorizing local law enforcement agencies to change reasonable fees for the processing of pistol transferee permits; amending Minnesota Statutes 1992, section 624.7131, subdivision 12, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Mariani and Smith introduced:

H. F. No. 1329, A bill for an act relating to taxation; providing that certain housing for the elderly and low- and moderate-income persons is exempt from taxation; amending Minnesota Statutes 1992, section 272.02, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Olson, K.; Vickerman and Winter introduced:

H. F. No. 1330, A bill for an act relating to human services; establishing a pilot project to downsize an intermediate care facility for persons with mental retardation and related conditions; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Wejzman, Kahn, Wagenius and Skoglund introduced:

H. F. No. 1331, A bill for an act relating to civilian review authorities; providing for access to certain data by complainants; authorizing complainants to attend hearings and be accompanied by a supportive person; amending Minnesota Statutes 1992, sections 13.43, subdivision 2; and 471.705, subdivision 1d.

The bill was read for the first time and referred to the Committee on Judiciary.

Bauerly, Carlson, Lasley, Vellenga and Seagren introduced:

H. F. No. 1332, A bill for an act relating to education; clarifying the process of planning and implementing a preK-12 and community education service delivery system; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Nelson; Anderson, R.; Rice; Neary and Stanius introduced:

H. F. No. 1333, A bill for an act relating to human services; increasing maximum medical assistance rates to cover the cost of one-to-one staffing for persons with severe behavioral needs; amending Minnesota Statutes 1992, section 252.46, subdivision 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bettermann and Erhardt introduced:

H. F. No. 1334, A bill for an act relating to commerce; possessory liens on motor vehicles to secure payment of storage costs; conditioning the lien on notice to lienholders listed on the certificate of title; amending Minnesota Statutes 1992, section 514.18, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Beard, Milbert, Trimble, Ozment and Blatz introduced:

H. F. No. 1335, A bill for an act relating to taxation; sales and use; exempting certain pollution control equipment; amending Minnesota Statutes 1992, section 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Wejzman, Kahn, Wagenius and Skoglund introduced:

H. F. No. 1336, A bill for an act relating to civilian review authorities; providing for subpoena powers; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the first time and referred to the Committee on Judiciary.

Solberg, Battaglia, Huntley and Tomassoni introduced:

H. F. No. 1337, A bill for an act relating to education; creating three accounts in the permanent university fund; making allocations from the accounts; amending Minnesota Statutes 1992, section 137.022, subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Anderson, R., for the Health and Housing Finance Division, introduced:

H. F. No. 1338, A bill for an act relating to capital improvements; Minneapolis veterans home; authorizing the issuance of state bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Capital Investment.

Hasskamp, Sparby, Kelso, Bertram and Tomassoni introduced:

H. F. No. 1339, A bill for an act relating to civil actions; specifying the responsibility of participants in recreational activities; proposing coding for new law as Minnesota Statutes, chapter 87A.

The bill was read for the first time and referred to the Committee on Judiciary.

Simoneau; Anderson, I.; Lourey; Luther and Holsten introduced:

H. F. No. 1340, A bill for an act relating to guardianship; providing for delegation of certain duties under the public guardianship for persons with mental retardation act; appropriating money; amending Minnesota Statutes 1992, section 252A.111, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gruenes and Anderson, R., introduced:

H. F. No. 1341, A bill for an act relating to health; providing exceptions to health care provider conflict of interest provisions; amending Minnesota Statutes 1992, section 62J.23, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Simoneau introduced:

H. F. No. 1342, A bill for an act relating to civil actions; regulating the apportionment of joint and several liability; amending Minnesota Statutes 1992, section 604.02, subdivision 1.

The bill was read for the first time and referred to the Committee on Judiciary.

McGuire introduced:

H. F. No. 1343, A bill for an act relating to crime; expanding definition of domestic abuse to include terroristic threats; allowing child abuse interviews to be conducted at a designated location; amending Minnesota Statutes 1992, sections 518B.01, subdivision 2; and 626.556, subdivision 10.

The bill was read for the first time and referred to the Committee on Judiciary.

Pugh, Murphy, Solberg, Wejcman and Bishop introduced:

H. F. No. 1344, A bill for an act relating to public defense; revising procedures governing operation of the public defense system; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 357.24; 609.5315, subdivision 5; 611.20; 611.25, subdivision 3, and by adding a subdivision; 611.26, subdivision 3; 611.27, subdivision 13; and 611.271; proposing coding for new law in Minnesota Statutes, chapter 611.

The bill was read for the first time and referred to the Committee on Judiciary.

Rest and Long introduced:

H. F. No. 1345, A bill for an act relating to taxation; sales and use; exempting certain materials and supplies used in constructing a satellite broadcasting facility; proposing coding for new law in Minnesota Statutes, chapter 297A.

The bill was read for the first time and referred to the Committee on Taxes.

Battaglia introduced:

H. F. No. 1346, A bill for an act relating to education; making grants to the Nett Lake school district for certain purposes; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Peterson; Anderson, I.; Osthoff and Girard introduced:

H. F. No. 1347, A bill for an act relating to utilities; prohibiting rate increases for telephone companies who provide multiparty service to more than two parties until they stop providing the multiparty service.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Cooper; Olson, E.; Girard; Dauner and Hugoson introduced:

H. F. No. 1348, A bill for an act relating to taxation; property; modifying the taxation of elevator facilities; amending Minnesota Statutes 1992, section 273.13, subdivision 24.

The bill was read for the first time and referred to the Committee on Taxes.

Greenfield, Bishop, Gutknecht, Asch and Skoglund introduced:

H. F. No. 1349, A bill for an act relating to health care; clarifying the uniform anatomical gift act; retroactively defining organ donation as the rendition of a service; amending Minnesota Statutes 1992, section 525.9221.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield and Hausman introduced:

H. F. No. 1350, A bill for an act relating to health; exempting the community nursing organization, a federal alternative Medicare payment model demonstration project, from regulation as a health maintenance organization.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Ness; Kelso; Olson, K.; Pelowski and Weaver introduced:

H. F. No. 1351, A bill for an act relating to education; requiring additional information in a school district's capital expenditures program; requiring the department of education to design a format for reporting the capital expenditures program; allowing the county facilities group to develop alternative proposals for meeting districts' facilities needs; providing a process for the development of statewide coordination and planning for education facilities; appropriating money; amending Minnesota Statutes 1992, sections 124.243, subdivision 1, and by adding a subdivision; and 373.42, subdivision 4.

The bill was read for the first time and referred to the Committee on Education.

Pelowski, Rodosovich, Ostrom, Ness and Dorn introduced:

H. F. No. 1352, A bill for an act relating to education; appropriating money for access to INTERNET.

The bill was read for the first time and referred to the Committee on Education.

Solberg and Lourey introduced:

H. F. No. 1353, A bill for an act relating to Aitkin county; permitting a local liquor and restaurant tax.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Winter and Peterson introduced:

H. F. No. 1354, A bill for an act relating to wetlands; leasing by the state; amending Minnesota Statutes 1992, section 97A.145, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Winter introduced:

H. F. No. 1355, A bill for an act relating to agriculture; declaring llamas to be livestock and raising llama to be an agricultural pursuit; defining llama farming as agricultural production for purposes of the sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; and 297A.01, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the first time and referred to the Committee on Agriculture.

Anderson, I.; Solberg and Rukavina introduced:

H. F. No. 1356, A bill for an act relating to capital improvements; expanding the area within which the national shooting sports center may be located; amending Laws 1989, chapter 300, article 1, section 19.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Solberg and Anderson, I., introduced:

H. F. No. 1357, A bill for an act relating to education; allowing transportation aid to be paid for the complete transportation of certain open enrollment pupils; directing a pupil's district of attendance to develop the pupil's individual education plan with the student's district of residence; amending Minnesota Statutes 1992, sections 120.062, subdivision 9; and 120.17, subdivision 2.

The bill was read for the first time and referred to the Committee on Education.

Dawkins, Kelley, Nelson and Blatz introduced:

H. F. No. 1358, A bill for an act relating to animals; setting standards for care of dogs and cats by pet dealers, breeders, and brokers; providing for seizure and disposition of certain animals that are suffering cruelty or neglect, are in danger, or are a significant health risk to animals or humans; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 346.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Mosel, Skoglund, Carruthers, Delmont and Wejcman introduced:

H. F. No. 1359, A bill for an act relating to search warrants; clarifying law with respect to service of search warrants; amending Minnesota Statutes 1992, sections 299D.03, subdivision 1; 626.05, subdivision 2; and 626.13.

The bill was read for the first time and referred to the Committee on Judiciary.

Jefferson introduced:

H. F. No. 1360, A bill for an act relating to Black Minnesotans; adding a liaison with the native African community to the staff of the council on Black Minnesotans; appropriating money; amending Minnesota Statutes 1992, section 3.9225, subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jefferson introduced:

H. F. No. 1361, A bill for an act relating to human services; providing for a pilot project to coordinate community violence prevention programs for African-American children; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sviggum introduced:

H. F. No. 1362, A bill for an act relating to state finance; changing methods for reporting on and preparing state agency budgets; providing for agency work force planning and reporting; changing the treatment of unused appropriations; providing for certain appropriations to be transferred; amending Minnesota Statutes 1992, sections 16A.011, subdivision 6, and by adding a subdivision; 16A.06, subdivision 4; 16A.10; 16A.11, subdivision 3; and 16A.28, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1992, sections 16A.011, subdivision 5; 16A.095, subdivision 3; 16A.123; and 16A.28, subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Anderson, I; Battaglia and Murphy introduced:

H. F. No. 1363, A bill for an act relating to 911 emergency telephone service; requiring automatic location identification and two dedicated circuits in each 911 emergency telephone service system; authorizing fee to fund enhanced 911 service; establishing 911 trust fund; amending Minnesota Statutes 1992, sections 403.01, by adding a subdivision; and 403.11; proposing coding for new law in Minnesota Statutes, chapter 403.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Huntley, Welle, Rodosovich and Worke introduced:

H. F. No. 1364, A bill for an act relating to human services; providing for the care and treatment of persons dislocated as the result of the closure of a regional treatment center; amending Minnesota Statutes 1992, section 246.0135.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Krueger, Kahn and Knickerbocker introduced:

H. F. No. 1365, A bill for an act relating to state government; revising laws governing the intergovernmental information systems advisory council; amending Minnesota Statutes 1992, section 16B.42.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Lieder, Simoneau, Lasley, Morrison and Osthoff introduced:

H. F. No. 1366, A bill for an act relating to transportation; authorizing road authorities to develop, finance, design, construct, improve, rehabilitate, own, and operate toll facilities and to enter into agreements with private operators for the construction, maintenance, and operation of toll facilities; proposing coding for new law in Minnesota Statutes, chapter 160.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Peterson, Cooper and Vellenga introduced:

H. F. No. 1367, A bill for an act relating to education; providing for part of a reorganized school district to attach to another district in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 122.

The bill was read for the first time and referred to the Committee on Education.

Peterson and Cooper introduced:

H. F. No. 1368, A bill for an act relating to education; allowing school districts with an interdistrict cooperation plan to receive four years of combination revenue; amending Minnesota Statutes, section 124.2725, subdivisions 4, 5, and 6.

The bill was read for the first time and referred to the Committee on Education.

Onnen, Steensma, Wenzel, Sviggum and Nelson introduced:

H. F. No. 1369, A bill for an act relating to crimes; requiring six-month revocation of driver's license of person convicted of a controlled substance offense involving use of motor vehicle; establishing six-month waiting period before the convicted person may receive limited license; amending Minnesota Statutes 1992, sections 171.17, subdivision 1; and 171.30, subdivision 2a.

The bill was read for the first time and referred to the Committee on Judiciary.

Trimble, Lynch, Bishop, Munger and Kalis introduced:

H. F. No. 1370, A bill for an act relating to metropolitan government; appropriating money to the metropolitan council for developing metropolitan water use plans.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 174, A bill for an act relating to occupations and professions; requiring manufactured home installers to be licensed by the state; amending Minnesota Statutes 1992, sections 326.83, subdivision 4, and by adding subdivisions; and 327.31, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 326.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 442, A bill for an act relating to education; appropriating money for a deficiency in HECB appropriations.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 227, A bill for an act relating to human services; modifying adult foster care license requirements; amending Minnesota Statutes 1992, section 245A.11, subdivision 2a.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Bauerly moved that the House concur in the Senate amendments to H. F. No. 227 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 227, A bill for an act relating to human services; modifying adult foster care license requirements; amending Minnesota Statutes 1992, section 245A.11, subdivision 2a.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Lasley	Ness	Rodosovich	Vellenga
Anderson, I.	Dawkins	Holsten	Leppik	Olson, K.	Rukavina	Vickerman
Anderson, R.	Dehler	Hugoson	Lieder	Olson, M.	Sarna	Wagenius
Battaglia	Delmont	Huntley	Limmer	Ornen	Seagren	Waltman
Bauerly	Dempsey	Jacobs	Lindner	Opatz	Sekhon	Weaver
Beard	Dorn	Jaros	Lourey	Orenstein	Simoneau	Wejcman
Bergson	Erhardt	Jefferson	Luther	Orfield	Skoglund	Welle
Bertram	Evans	Johnson, A.	Macklin	Osthoff	Smith	Wenzel
Bettermann	Farrell	Johnson, R.	Mahon	Ostrom	Solberg	Winter
Bishop	Frerichs	Johnson, V.	Mariani	Ozment	Sparby	Wolf
Blatz	Garcia	Kalis	McCollum	Pauly	Stanisus	Worke
Brown, C.	Girard	Kelley	McGuire	Pawlenty	Steensma	Workman
Brown, K.	Goodno	Kelso	Molnau	Pelowski	Sviggum	Spk. Long
Carlson	Greenfield	Kinkel	Morrison	Perlt	Swenson	
Carruthers	Greiling	Klinzing	Mosel	Peterson	Tomassoni	
Clark	Gruenes	Knickerbocker	Munger	Pugh	Tompkins	
Commers	Gutknecht	Koppendrayner	Murphy	Reding	Trimble	
Cooper	Haskamp	Krinkie	Neary	Rest	Tunheim	
Dauner	Haukoos	Krueger	Nelson	Rhodes	Van Dellen	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 40, A bill for an act relating to probate; establishing a durable power of attorney for health care; establishing duties of health care providers for the provision of life-sustaining health care; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Ms. Reichgott; Messrs. Knutson and Spear.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Bishop moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 40. The motion prevailed.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 729.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 729, A bill for an act relating to corrections; requiring the ombudsman to make biennial reports to the governor; amending Minnesota Statutes 1992, section 241.45, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

CONSENT CALENDAR

H. F. No. 208, A bill for an act relating to human rights; prohibiting discrimination against certain persons who have physical or sensory disabilities and who use service animals; clarifying certain language governing transportation of disabled persons; clarifying the commissioner's acceptance of charges; providing for office of administrative hearings costs to be charged in human rights cases; amending Minnesota Statutes 1992, sections 363.01, subdivisions 30a, 35, 41b, and by adding a subdivision; 363.03, subdivisions 2, 4, and 10; 363.071, by adding a subdivision; and 473.144.

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	Dauner	Haukoos	Krueger	Neary	Reding	Tompkins
Anderson, I.	Dauids	Hausman	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dawkins	Holsten	Leppik	Ness	Rhodes	Tunheim
Asch	Dehler	Hugoson	Lieder	Olson, E.	Rice	Van Dellen
Battaglia	Delmont	Huntley	Limmer	Olson, K.	Rodosovich	Vellenga
Bauerly	Dempsey	Jacobs	Lindner	Olson, M.	Rukavina	Vickerman
Beard	Dorn	Jaros	Lourey	Onnen	Sama	Wagenius
Bergson	Erhardt	Jefferson	Luther	Opatz	Seagren	Waltman
Bertram	Evans	Johnson, A.	Lynch	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, R.	Macklin	Orfield	Simoneau	Wejzman
Bishop	Frerichs	Johnson, V.	Mahon	Osthoff	Skoglund	Welle
Blatz	Garcia	Kalis	Mariani	Ostrom	Smith	Wenzel
Brown, C.	Girard	Kelley	McCollum	Ozment	Solberg	Winter
Brown, K.	Goodno	Kelso	McGuire	Pauly	Sparby	Wolf
Carlson	Greenfield	Kinkel	Molnau	Pawlenty	Stanius	Worke
Carruthers	Greiling	Klinzing	Morrison	Pelowski	Steensma	Workman
Clark	Gruenes	Knickerbocker	Mosel	Perlt	Sviggum	Spk. Long
Commers	Gutknecht	Koppendrayer	Munger	Peterson	Swenson	
Cooper	Hasskamp	Krinking	Murphy	Pugh	Tomassoni	

The bill was passed and its title agreed to.

H. F. No. 233, A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

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 3 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krinkie	Ness	Rice	Van Dellen
Anderson, I.	Dauids	Hausman	Krueger	Olson, E.	Rodosovich	Vellenga
Anderson, R.	Dawkins	Holsten	Lasley	Olson, K.	Rukavina	Vickerman
Asch	Dehler	Hugoson	Leppik	Olson, M.	Sarna	Wagenius
Battaglia	Delmont	Huntley	Lieder	Onnen	Seagren	Waltman
Bauerly	Dempsey	Jacobs	Lindner	Orenstein	Sekhon	Weaver
Beard	Dorn	Jaros	Lourey	Orfield	Simoneau	Wejcman
Bergson	Erhardt	Jefferson	Luther	Osthoff	Skoglund	Welle
Bertram	Evans	Jennings	Lynch	Ostrom	Smith	Wenzel
Bettermann	Farrell	Johnson, A.	Macklin	Ozment	Solberg	Winter
Bishop	Frerichs	Johnson, R.	Mahon	Pauly	Sparby	Wolf
Blatz	Garcia	Johnson, V.	Mariani	Pawlenty	Stanisus	Worke
Brown, C.	Girard	Kalis	McGuire	Pelowski	Steensma	Workman
Brown, K.	Goodno	Kelley	Molnau	Perlt	Sviggum	Spk. Long
Carlson	Greenfield	Kelso	Mosel	Peterson	Swenson	
Carruthers	Greiling	Kinkel	Munger	Pugh	Tomassoni	
Clark	Gruenes	Klinzing	Murphy	Reding	Tompkins	
Commers	Gutknecht	Knickerbocker	Neary	Rest	Trimble	
Cooper	Hasskamp	Koppendraye	Nelson	Rhodes	Tunheim	

Those who voted in the negative were:

Limmer McCollum Opatz

The bill was passed and its title agreed to.

H. F. No. 295, A bill for an act relating to utilities; authorizing utilities to make automatic annual rate adjustments for costs of conservation improvements; amending Minnesota Statutes 1992, section 216B.16, subdivision 6b.

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	Dauner	Haukoos	Krinkie	Murphy	Pugh	Tompkins
Anderson, I.	Dauids	Hausman	Krueger	Neary	Reding	Trimble
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Tunheim
Asch	Dehler	Hugoson	Leppik	Ness	Rhodes	Van Dellen
Battaglia	Delmont	Huntley	Lieder	Olson, E.	Rice	Vellenga
Bauerly	Dempsey	Jacobs	Limmer	Olson, K.	Rodosovich	Vickerman
Beard	Dorn	Jaros	Lindner	Olson, M.	Rukavina	Wagenius
Bergson	Erhardt	Jefferson	Lourey	Onnen	Seagren	Waltman
Bertram	Evans	Jennings	Luther	Opatz	Sekhon	Weaver
Bettermann	Farrell	Johnson, A.	Lynch	Orenstein	Simoneau	Wejcman
Bishop	Frerichs	Johnson, R.	Macklin	Orfield	Skoglund	Welle
Blatz	Garcia	Johnson, V.	Mahon	Osthoff	Smith	Wenzel
Brown, C.	Girard	Kalis	Mariani	Ostrom	Solberg	Winter
Brown, K.	Goodno	Kelley	McCollum	Ozment	Sparby	Wolf
Carlson	Greenfield	Kelso	McGuire	Pauly	Stanisus	Worke
Carruthers	Greiling	Kinkel	Molnau	Pawlenty	Steensma	Workman
Clark	Gruenes	Klinzing	Morrison	Pelowski	Sviggum	Spk. Long
Commers	Gutknecht	Knickerbocker	Mosel	Perlt	Swenson	
Cooper	Hasskamp	Koppendraye	Munger	Peterson	Tomassoni	

The bill was passed and its title agreed to.

H. F. No. 399, A bill for an act relating to commerce; unclaimed property; regulating certain notices and reports; amending Minnesota Statutes 1992, sections 345.41; and 345.42, subdivisions 2 and 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Holsten	Lasley	Nelson	Rhodes	Van Dellen
Anderson, I.	Dawkins	Hugoson	Leppik	Ness	Rice	Vellenga
Anderson, R.	Dehler	Huntley	Lieder	Olson, E.	Rodosovich	Vickerman
Asch	Delmont	Jacobs	Limmer	Olson, K.	Rukavina	Wagenius
Battaglia	Dempsey	Jaros	Lindner	Olson, M.	Sarna	Waltman
Bauerly	Dorn	Jefferson	Lourey	Ornen	Seagren	Weaver
Beard	Erhardt	Jennings	Luther	Opatz	Sekhon	Wejcman
Bergson	Evans	Johnson, A.	Lynch	Orenstein	Simoneau	Welle
Bertram	Farrell	Johnson, R.	Macklin	Orfield	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, V.	Mahon	Osthoff	Smith	Winter
Bishop	Garcia	Kahn	Mariani	Ostrom	Solberg	Wolf
Blatz	Girard	Kalis	McCollum	Ozment	Sparby	Worke
Brown, C.	Goodno	Kelley	McGuire	Pauly	Stanius	Workman
Brown, K.	Greenfield	Kelso	Milbert	Pawlenty	Steensma	Spk. Long
Carlson	Greiling	Kinkel	Molnau	Pelowski	Sviggum	
Carruthers	Gruenes	Klinzing	Morrison	Perlt	Swenson	
Clark	Gutknecht	Knickerbocker	Mosel	Peterson	Tomassoni	
Commers	Hasskamp	Koppendraye	Munger	Pugh	Tompkins	
Cooper	Haukoos	Krinkie	Murphy	Reding	Trimble	
Dauner	Hausman	Krueger	Neary	Rest	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 639, A bill for an act relating to insurance; Medicare supplement; regulating coverages; conforming state law to federal requirements; making technical changes; amending Minnesota Statutes 1992, sections 62A.31, subdivisions 1, 4, and by adding a subdivision; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62A.39; 62A.436; and 62A.44, subdivision 2; Laws 1992, chapter 554, article 1, section 18.

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 134 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bishop	Dauids	Garcia	Holsten	Kahn	Lasley
Anderson, I.	Blatz	Dawkins	Girard	Hugoson	Kalis	Leppik
Anderson, R.	Brown, C.	Dehler	Goodno	Huntley	Kelley	Lieder
Asch	Brown, K.	Delmont	Greenfield	Jacobs	Kelso	Limmer
Battaglia	Carlson	Dempsey	Greiling	Jaros	Kinkel	Lindner
Bauerly	Carruthers	Dorn	Gruenes	Jefferson	Klinzing	Lourey
Beard	Clark	Erhardt	Gutknecht	Jennings	Knickerbocker	Luther
Bergson	Commers	Evans	Hasskamp	Johnson, A.	Koppendraye	Lynch
Bertram	Cooper	Farrell	Haukoos	Johnson, R.	Krinkie	Macklin
Bettermann	Dauner	Frerichs	Hausman	Johnson, V.	Krueger	Mahon

Mariani	Nelson	Ostrom	Rhodes	Solberg	Van Dellen	Wolf
McCollum	Ness	Ozment	Rice	Sparby	Vellenga	Worke
McGuire	Olson, E.	Pauly	Rodosovich	Stanius	Vickerman	Workman
Milbert	Olson, K.	Pawlenty	Rukavina	Steensma	Wagenius	Spk. Long
Molnau	Olson, M.	Pelowski	Sarna	Sviggum	Waltman	
Morrison	Onnen	Perlt	Seagren	Swenson	Weaver	
Mosel	Opatz	Peterson	Sekhon	Tomassoni	Wejcman	
Munger	Orenstein	Pugh	Simoneau	Tompkins	Welle	
Murphy	Orfield	Reding	Skoglund	Trimble	Wenzel	
Neary	Osthoff	Rest	Smith	Tunheim	Winter	

The bill was passed and its title agreed to.

CALENDAR

S. F. No. 19, A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

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	Dauner	Haukoos	Krinkie	Murphy	Pugh	Tomassoni
Anderson, I.	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Asch	Dehler	Hugoson	Leppik	Ness	Rhodes	Tunheim
Battaglia	Delmont	Huntley	Lieder	Olson, E.	Rice	Van Dellen
Bauerly	Dempsey	Jacobs	Limmer	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lindner	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Lourey	Onnen	Sarna	Wagenius
Bertram	Evans	Johnson, A.	Luther	Opatz	Seagren	Waltman
Bettermann	Farrell	Johnson, R.	Lynch	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, V.	Macklin	Orfield	Simoneau	Wejcman
Blatz	Garcia	Kahn	Mahon	Osthoff	Skoglund	Welle
Brown, C.	Girard	Kalis	Mariani	Ostros	Smith	Wenzel
Brown, K.	Goodno	Kelley	McCollum	Ozment	Solberg	Winter
Carlson	Greenfield	Kelso	McGuire	Pauly	Sparby	Wolf
Carruthers	Greiling	Kinkel	Milbert	Pawlenty	Stanius	Worke
Clark	Gruenes	Klinzing	Molnau	Pelowski	Steensma	Workman
Commers	Gutknecht	Knickerbocker	Morrison	Perlt	Sviggum	Spk. Long
Cooper	Hasskamp	Koppendraye	Mosel	Peterson	Swenson	

The bill was passed and its title agreed to.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole with Long in the Chair for consideration of bills pending on General Orders of the day. 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. 74, 385, 443, 552, 584, 430, 576, 57, 95 and 251 were recommended to pass.

H. F. Nos. 134, 342, 651, 494, 507, 712, 232 and 250 were recommended for progress.

H. F. Nos. 243 and 132 were recommended for progress retaining their places on General Orders.

H. F. No. 64 was recommended for progress until Thursday, April 15, 1993.

S. F. No. 300 which it recommended to pass with the following amendment offered by Bishop:

Page 2, line 4, after "The" strike "commission may by rule provide for striking" and insert "removal of"

On the motion of Welle the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.06, the following roll call was taken in the Committee of the Whole:

The question was taken on the motion to recommend passage of H. F. No. 576, the first engrossment, and the roll was called. There were 85 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Huntley	Lasley	Murphy	Rest	Vellenga
Anderson, R.	Cooper	Jacobs	Leppik	Neary	Rhodes	Wagenius
Asch	Dawkins	Jaros	Lieder	Olson, E.	Rodosovich	Wejzman
Battaglia	Delmont	Jefferson	Limmer	Olson, K.	Rukavina	Welle
Bauerly	Erhardt	Jennings	Lourey	Opatz	Sarna	Wenzel
Beard	Evans	Johnson, A.	Luther	Orenstein	Sekhon	Winter
Bergson	Farrell	Johnson, R.	Mahon	Orfield	Simoneau	Spk. Long
Bertram	Garcia	Kahn	Mariani	Osthoff	Skoglund	
Bishop	Goodno	Kalis	McCollum	Ostrom	Solberg	
Brown, C.	Greenfield	Kelley	McGuire	Perlt	Sparby	
Brown, K.	Greiling	Kelso	Milbert	Peterson	Tomassoni	
Carlson	Hasskamp	Kinkel	Mosel	Pugh	Trimble	
Carruthers	Hausman	Krueger	Munger	Reding	Tunheim	

Those who voted in the negative were:

Abrams	Dempsey	Holsten	Lindner	Onnen	Stanius	Waltman
Bettermann	Dorn	Hugoson	Lynch	Ozment	Steensma	Weaver
Blatz	Frerichs	Johnson, V.	Molnau	Pauly	Sviggum	Wolf
Commers	Girard	Klinzing	Morrison	Pawlenty	Swenson	Worke
Dauner	Gruenes	Knickerbocker	Nelson	Pelowski	Tompkins	Workman
Dauids	Gutknecht	Koppendraye	Ness	Seagren	Van Dellen	
Dehler	Haukoos	Krinkie	Olson, M.	Smith	Vickerman	

The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 40:

Bishop, Skoglund and Orenstein.

MOTIONS AND RESOLUTIONS

Smith moved that his name be stricken as an author on H. F. No. 700. The motion prevailed.

Krueger moved that the name of Van Dellen be added as an author on H. F. No. 889. The motion prevailed.

Blatz moved that the name of Lourey be added as an author on H. F. No. 994. The motion prevailed.

Perlt moved that the name of Luther be added as an author on H. F. No. 1187. The motion prevailed.

Johnson, R., moved that the names of Ness, Osthoff and Reding be added as authors on H. F. No. 1196. The motion prevailed.

Onnen moved that the name of Smith be added as an author on H. F. No. 1209. The motion prevailed.

Lourey moved that the name of Trimble be added as an author on H. F. No. 1210. The motion prevailed.

Lynch moved that the name of Swenson be added as an author on H. F. No. 1218. The motion prevailed.

Peterson moved that the name of Sparby be added as an author on H. A. No. 3. The motion prevailed.

Solberg moved that H. F. No. 608, now on General Orders, be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

ADJOURNMENT

Welle moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, March 24, 1993. The motion prevailed.

Welle moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, March 24, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 24, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Scott A. Larson, Gustavus Adolphus Lutheran Church, Foley, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Perlt	Swiggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanius	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Steenasma	Spk. Long

A quorum was present.

Welle was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Bergson moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 23, 1993

The Honorable Dee Long
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 146, relating to financial institutions; state banks; regulating the acquisition of a bank or savings association for operation as a detached facility.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Time and</i> <i>Date Approved</i> 1993	<i>Date Filed</i> 1993
	146	7	3:10 p.m. March 23	March 23

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 151, A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1992, sections 367.03, subdivision 1; and 367.05, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 152, A bill for an act relating to towns; eliminating distribution of certain reports relating to town roads and bridges; amending Minnesota Statutes 1992, section 164.03, subdivision 4.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 238, A bill for an act relating to towns; providing that town elections may take place on the general election day; amending Minnesota Statutes 1992, sections 365.51, subdivisions 1 and 3; and 365.59.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1992, section 365.51, is amended by adding a subdivision to read:

Subd. 3a. [ALTERNATE DATE; METROPOLITAN TOWNS.] The governing body of a town located in the metropolitan area as defined by section 473.121 may, by resolution or ordinance, designate the first Tuesday after the first Monday in November of either the even-numbered or the odd-numbered year as the date of the town general election. Town supervisors elected at a November town general election shall serve four-year terms.

The ordinance or resolution changing the date of the town general election must include a plan to shorten or lengthen the terms of office to provide an orderly transition to the November election schedule.

The ordinance or resolution changing the date of the town general election is effective upon an affirmative vote of the voters of the town at the next town general election."

Amend the title as follows:

Page 1, line 2, after "that" insert "metropolitan"

Page 1, line 4, delete "subdivisions" and insert "subdivision"

Page 1, line 5, delete "and 3" and insert ", and by adding a subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on General Legislation, Veterans Affairs and Elections.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 299, A bill for an act relating to elections; changing requirements and procedures for maintaining precinct boundary data; appropriating money; amending Minnesota Statutes 1992, sections 204B.14, subdivisions 5 and 6; and 204B.146.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 323, A bill for an act relating to elections; providing uniform local election procedures; amending Minnesota Statutes 1992, sections 103C.305, subdivision 2; 123.33, subdivision 1; 205.065, subdivisions 1 and 2; 205.07, subdivision 1; 205.10, subdivision 1, and by adding a subdivision; 205.13, subdivision 1, and by adding a subdivision; 205.16, subdivisions 1 and 2; 205.17, subdivision 4; 205.175; 205A.03, subdivisions 1 and 2; 205A.04; 205A.05, subdivision 1; 205A.06, subdivision 1, and by adding a subdivision; 205A.09, subdivision 2; 365.51, subdivisions 1 and 3; and 367.03; proposing coding for new law in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 1992, sections 205.02, subdivision 2; 205.065, subdivision 3; 205.18; 205.20; and 205A.04, subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 29, insert:

"Sec. 3. Minnesota Statutes 1992, section 204B.14, subdivision 8, is amended to read:

Subd. 8. [COMBINED PRECINCT.] (a) Up to four contiguous municipalities located entirely outside the metropolitan area as defined in section 473.121, subdivision 2, that are contained in the same legislative district, congressional district, and county commissioner district may enter into a combination agreement to form one precinct for state and county election purposes, upon the approval of the county auditor. The governing body of each municipality proposing to enter into a combination agreement must provide the inhabitants of the municipality with published and posted notice of the proposed agreement three weeks before the second Tuesday in ~~March~~ May. A combination agreement must be approved by resolutions of all of the governing bodies of the combining municipalities on or before ~~the second Tuesday in March~~ June 1 of an election year. A copy of the combination agreement must be submitted to the county auditor for approval, on or before ~~May 1~~ June 10 of an election year.

(b) One or more of the municipalities in the combined precinct may withdraw from the combination by a resolution of the governing body of the withdrawing municipality, passed on or before the second Tuesday in ~~March~~ May of an election year. The withdrawing municipality shall file the resolution with the county auditor no later than ~~May 1~~ June 10 of an election year. The decision of any one municipality to withdraw from the combination agreement automatically dissolves the combination unless all the remaining municipalities continue to meet all the requirements of this subdivision.

(c) The combination agreement must specify the designated polling place and the municipal election officials or governing bodies responsible for appointing election judges and the chair of the election board, posting notices, preparing precinct maps, and carrying out other election duties required by law.

(d) In combining or separating, the municipalities must meet the time requirements specified in this section for changing precinct boundaries and in section 204B.16, subdivision 3, for designating a different polling place.

Sec. 4. Minnesota Statutes 1992, section 205.02, subdivision 2, is amended to read:

Subd. 2. [CITY ELECTIONS.] In all statutory and home rule charter cities, the primary, general and special elections held for choosing city officials and deciding public questions relating to the city shall be held as provided

in this chapter, except that ~~this section and~~ sections 205.065, subdivisions 2 ~~4~~ to 7; ~~205.07 to~~ 205.10, subdivision 2; 205.121; and ~~205.175 and 205.185~~ 205.17, subdivisions 2 and 3, do not apply to a city whose charter provides the manner of holding its primary, general or special elections."

Page 4, line 3, strike "statutory"

Page 5, line 22, after the first "the" insert "first Tuesday after the second Monday in September or the"

Page 5, after line 34 insert:

"Sec. 10. Minnesota Statutes 1992, section 205.10, is amended by adding a subdivision to read:

Subd. 1a. [BALLOT QUESTIONS; MAIL ELECTIONS.] A special election on a question on which the voters of the municipality are authorized by law or charter to pass judgment may be held at a time other than the dates specified in subdivision 1 if it is conducted by mail in the manner provided by section 204B.46."

Page 6, line 30, after the period insert "In municipalities nominating candidates at a municipal primary,"

Page 6, line 34, after the period insert "In all other municipalities, an affidavit of candidacy must be filed not more than 70 days and not less than 56 days before the municipal general election."

Page 7, lines 10 and 22, after "town" insert "not located within a metropolitan county as defined in section 473.121"

Page 11, after line 23, insert:

"Sec. 22. Minnesota Statutes 1992, section 205A.05, is amended by adding a subdivision to read:

Subd. 1a. [BALLOT QUESTIONS; MAIL ELECTIONS.] A special election on a question on which the voters of the school district are authorized by law to pass judgment may be held at a time other than the dates specified in subdivision 1 if it is conducted by mail in the manner provided by section 204B.46."

Page 12, line 11, before "Affidavits" insert "In school districts nominating candidates at a school district primary,"

Page 12, line 15, after the period insert "In all other school districts, affidavits of candidacy must be filed not more than 70 days and not less than 56 days before the school district general election."

Page 12, after line 36, insert:

"Sec. 26. Minnesota Statutes 1992, section 206.90, subdivision 6, is amended to read:

Subd. 6. [BALLOTS.] In precincts using optical scan voting systems, a single ballot card on which all ballot information is included must be printed in black ink on white or buff colored material except that marks not to be read by the automatic tabulating equipment may be printed in another color ink. If more than one ballot card is required, the cards must, so far as practicable, be of the same color as is required for paper ballots."

Page 15, line 2, delete "3 to 5" and insert "5 to 7"

Page 15, line 10, delete "15 to 17" and insert "18 to 20"

Page 15, line 20, delete "205.02, subdivision 2;"

Page 15, line 21, delete "and"

Page 15, line 22, before the comma insert "; and 410.21"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert "prescribing ballot colors;"

Page 1, line 5, after the first semicolon insert "204B.14, subdivision 8; 205.02, subdivision 2;"

Page 1, line 6, delete "a subdivision" and insert "subdivisions"

Page 1, line 10, before the semicolon insert ", and by adding a subdivision"

Page 1, line 11, after the second semicolon insert "206.90, subdivision 6;"

Page 1, line 14, delete everything after "sections"

Page 1, line 15, delete "2;" and delete "and"

Page 1, line 16, before the period insert "; and 410.21"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 328, A bill for an act relating to the organization and operation of state government; appropriating money for jobs and commerce, to departments and agencies, with certain conditions; providing for regulation of certain activities and practices; providing for certain rights-of-way; fixing and limiting accounts and fees; amending Minnesota Statutes 1992, sections 10A.21, subdivision 1; 10A.322, subdivision 4, and by adding a subdivision; 11A.21, subdivision 1; 16B.06, subdivision 2a; 59A.02, subdivision 3; 60A.14, subdivision 1; 60K.06; 60K.19, subdivision 8; 82.20, subdivisions 7 and 8; 82.21, subdivision 1, and by adding a subdivision; 82.22, subdivision 13; 82.34, subdivisions 3 and 4; 116J.617; 116L.03, subdivision 7; 155A.08, subdivision 3; 161.081; 161.39, by adding a subdivision; 169.121, subdivision 7; 169.123, subdivision 5a; 171.02, subdivision 1; 171.06, subdivision 2; 171.11; 171.22, subdivision 1; 174.02, by adding a subdivision; 237.295, subdivision 2, and by adding a subdivision; 239.011, subdivision 2; 239.10; 239.80, subdivisions 1 and 2; 268.022; 268.975; 268.978; 268.98; 345.41; 345.42, subdivisions 2 and 3; 359.01, subdivision 3; 359.02; 386.61, by adding a subdivision; 386.65; 386.66; 386.67; 386.68; and 386.69; proposing coding for new law in Minnesota Statutes, chapters 45; 116M; 239; 268; and 386; repealing Minnesota Statutes 1992, sections 10A.21, subdivisions 2 and 3; 171.20, subdivision 1; 239.52; 239.78; 268.977; 296.01, subdivision 4; 296.025, subdivision 1a; 296.026; 386.61, subdivision 3; 386.63; 386.64; and 386.70.

Reported the same back with the following amendments:

Page 2, line 9, delete "\$172,959,000" and insert "\$165,959,000" and delete "\$325,842,000" and insert "\$318,842,000"

Page 2, line 21, delete "1,296,669,000" and insert "1,289,669,000" and delete "2,574,106,000" and insert "2,567,106,000"

Page 5, line 26, delete "36,520,000" and insert "29,520,000"

Page 5, line 28, delete "35,643,000" and insert "28,643,000"

Page 5, line 35, delete "21,654,000" and insert "14,654,000"

Page 5, delete lines 47 to 51

Page 6, delete lines 7 to 12

Page 8, delete lines 46 to 58

Pages 26 to 37, delete sections 34 to 48

Page 59, delete lines 12 to 36

Page 60, delete lines 1 to 5

Page 60, line 6, delete "7" and insert "6"

Page 60, line 10, delete "8" and insert "7"

Pages 61 to 64, delete sections 72 to 76

Page 68, delete line 10, and insert "(a) Section 28 is effective the day"

Page 68, delete line 12

Page 68, line 13, delete "(c)" and insert "(b)"

Page 68, line 14, delete "(d)" and insert "(c)" and delete "54" and insert "39"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete everything after the first semicolon

Page 1, delete lines 13 to 15

Page 1, line 22, delete "345.41;"

Page 1, delete line 23

Page 1, line 24, delete "359.02;"

Page 1, line 26, delete "116M;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 349, A bill for an act relating to labor; establishing rights and duties in relation to union organization; providing that certain acts are an unfair labor practice; proposing penalties; amending Minnesota Statutes 1992, sections 179.12; 179A.07, by adding a subdivision; and 179A.13, subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 373, A bill for an act relating to labor; requiring arbitration in certain circumstances; establishing procedures; providing penalties; amending Minnesota Statutes 1992, sections 179.06, by adding a subdivision; and 179A.16, subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 3, delete "both parties have" and insert "the requesting party has"

Page 5, line 18, delete "both parties have" and insert "the requesting party has"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 383, A bill for an act relating to Dakota county; providing for the composition and powers of the county housing and redevelopment authority and the county extension committee; amending Minnesota Statutes 1992, section 383D.41, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383D.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 418, A resolution memorializing the President and Congress to retain the Grand Forks Air Force Base, Grand Forks, North Dakota.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 464, A bill for an act relating to the city of Deer River; establishing an office of the deputy registrar of motor vehicles.

Reported the same back with the following amendments:

Page 1, line 12, after the period insert "All other provisions regarding the appointment and operation of a deputy registrar office under Minnesota Statutes, section 168.33, and Minnesota Rules, chapter 7406, shall apply to the office."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 560, A bill for an act relating to transportation; providing for a hearing to resolve disputes over establishment of public pedestrian-bicycle trails over railroad tracks; amending Minnesota Statutes 1992, section 219.072.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 219.16, is amended to read:

219.16 [GRADE CROSSING DEFINED.]

The term "grade crossing" as used in this chapter means the intersection of a public highway ~~and~~ or public pedestrian-bicycle trail with the tracks of a railroad, however operated, on the same plane or level, except street railways within city limits."

Delete the title and insert:

"A bill for an act relating to railroads; redefining "grade crossing" to include an intersection of a public pedestrian-bicycle trail with railroad tracks; amending Minnesota Statutes 1992, section 219.16."

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 704, A bill for an act relating to water; requiring criteria for water deficiency declarations; prohibiting the use of groundwater for surface water level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; amending Minnesota Statutes 1992, sections 103G.261; 103G.265, subdivision 3; 103G.271, subdivisions 1, 7, and by adding a subdivision; 103G.291, by adding a subdivision; 103G.301, subdivision 1; 115.03, subdivision 1; 473.156, subdivision 1; 473.175, subdivision 1; 473.851; and 473.859, subdivisions 3, 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 9, line 22, delete ", including reuse as potable water"

Page 14, line 25, after "those" insert "municipal"

Page 16, line 1, delete "shall" and insert "may"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 720, A bill for an act relating to town roads; permitting cartways to be established on alternative routes; amending Minnesota Statutes 1992, section 164.08, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 723, A bill for an act relating to public employment; modifying provisions relating to contracting-out of services; amending Minnesota Statutes 1992, section 179A.23.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 739, A bill for an act relating to education; deleting the provision denying section 125.12 protection to licensed community education instructors; clarifying the meaning of "instruction offered on a noncredit basis" in excepting certain community education instructors from the definition of public employee; amending Minnesota Statutes 1992, sections 125.032, subdivision 2; and 179A.03, subdivision 14.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 179A.03, subdivision 14, is amended to read:

Subd. 14. [PUBLIC EMPLOYEE.] "Public employee" or "employee" means any person appointed or employed by a public employer except:

- (a) elected public officials;
- (b) election officers;
- (c) commissioned or enlisted personnel of the Minnesota national guard;
- (d) emergency employees who are employed for emergency work caused by natural disaster;
- (e) part-time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's appropriate unit;
- (f) employees whose positions are basically temporary or seasonal in character and: (1) are not for more than 67 working days in any calendar year; or (2) are not for more than 100 working days in any calendar year and the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment;
- (g) employees providing services for not more than two consecutive quarters to the state university board or the community college board under the terms of a professional or technical services contract as defined in section 16B.17, subdivision 1;
- (h) employees of charitable hospitals as defined by section 179.35, subdivision 3;
- (i) full-time undergraduate students employed by the school which they attend under a work-study program or in connection with the receipt of financial aid, irrespective of number of hours of service per week;
- (j) an individual who is employed for less than 300 hours in a fiscal year as an instructor in an adult vocational education program;

(k) an individual hired by a school district, the community college board, or the state university board, to teach one course for up to four credits for one quarter in a year.

The following individuals are public employees regardless of the exclusions of clauses (e) and (f):

(1) An employee hired by a school district, the community college board, or the state university board, except for employees hired at the university established in section 136.017 or for community services or community education instruction offered on a noncredit basis: (i) to replace an absent teacher or faculty member who is a public employee, where the replacement employee is employed more than 30 working days as a replacement for that teacher or faculty member; or (ii) to take a teaching position created due to increased enrollment, curriculum expansion, courses which are a part of the curriculum whether offered annually or not, or other appropriate reasons ("Instruction offered on a noncredit basis" means instruction for which the student does not receive higher education or post-secondary credits); and

(2) An employee hired for a position under clause (f)(1) if that same position has already been filled under clause (f)(1) in the same calendar year and the cumulative number of days worked in that same position by all employees exceeds 67 calendar days in that year. For the purpose of this paragraph, "same position" includes a substantially equivalent position if it is not the same position solely due to a change in the classification or title of the position.

Sec. 2. [EFFECTIVE DATE; REPORT.]

(a) Section 1 is effective July 1, 1993.

(b) The legislative commission on employee relations, in consultation with the department of education and affected persons, including community education and kindergarten through grade 12 instructors, shall submit a report to the education committees of the legislature by February 1, 1994, discussing the effects of including licensed community education instructors within the definition of teacher under Minnesota Statutes, section 125.12, subdivision 1 or 125.17, subdivision 1, paragraph (a), and the impact that will have on unemployment compensation issues, on shared employment contracts entered into between the kindergarten through grade 12 and community education systems.

Delete the title and insert:

"A bill for an act relating to education; clarifying the meaning of "instruction offered on a noncredit basis" in excepting certain community education instructors from the definition of public employee; requiring a report discussing the effect of including licensed community education instructors within the definition of teacher; amending Minnesota Statutes 1992, section 179A.03, subdivision 14."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 784, A bill for an act relating to elections; changing the time and date of the precinct caucuses; amending Minnesota Statutes 1992, section 202A.14, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 9, reinstate the first stricken "first" and delete "last"

Page 1, line 10, reinstate "March" and delete "February"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 811, A bill for an act relating to the city of Duluth; authorizing the Duluth housing and redevelopment authority to levy a property tax under general law; providing that a certain tax be listed on tax statements as a port authority levy; amending Minnesota Statutes 1992, sections 469.033, subdivision 6; and 469.053, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 812, A bill for an act relating to the city of Faribault; providing for the civil service status of certain officers.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 819, A bill for an act relating to public employment; permitting interest arbitration on retired public employee group insurance coverage for units of essential employees; amending Minnesota Statutes 1992, section 179A.16, subdivision 9.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 826, A bill for an act relating to insurance; workers' compensation; regulating the minimum deposit requirements for self-insurers; amending Minnesota Statutes 1992, section 79A.04, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 23, strike "a member" and insert "an Associate or Fellow"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 836, A bill for an act relating to game and fish; sale of licenses through subagents; amending Minnesota Statutes 1992, section 97A.485, subdivision 4.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 864, A bill for an act relating to waters; inspection of watercraft for exotic harmful species; closing of access points; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil penalties; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a, and by adding a subdivision; 84.968, subdivision 1; and 296.421, subdivisions 4 and 5; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "closing of access points;"

Page 1, line 8, delete "84.968, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1008, A bill for an act relating to employment; modifying provisions relating to the dislocated worker program; establishing rapid and expeditious response activities programs; providing for worker adjustment services plans; establishing dislocation event services grants; amending Minnesota Statutes 1992, sections 16B.06, subdivision 2a; 268.022, subdivision 2; 268.975, subdivisions 3, 4, 6, 7, 8, and by adding subdivisions; 268.976, subdivision 2; 268.978, subdivision 1; and 268.98; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1992, sections 268.978, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.06, subdivision 2a, is amended to read:

Subd. 2a. [EXCEPTION.] The requirements of subdivision 2 do not apply to state contracts distributing state or federal funds pursuant to the federal Economic Dislocation and Worker Adjustment Assistance Act, United States Code, title 29, section 1651 et seq., or sections 268.9771, 268.978, 268.9781, and 268.9782. For these contracts, the commissioner of jobs and training is authorized to directly enter into state contracts with approval of the governor's job training council and encumber available funds to ensure a rapid response to the needs of dislocated workers. The commissioner shall adopt internal procedures to administer and monitor funds distributed under these contracts.

Sec. 2. Minnesota Statutes 1992, section 268.022, subdivision 2, is amended to read:

Subd. 2. [DISBURSEMENT OF SPECIAL ASSESSMENT FUNDS.] (a) The money collected under this section shall be deposited in the state treasury and credited to a dedicated fund to provide for the dislocated worker programs established under sections 268.975 to 268.98; including vocational guidance, training, placement, and job development.

(b) All money in the dedicated fund is appropriated to the commissioner who must act as the fiscal agent for the money and must disburse the money for the purposes of this section, not allowing the money to be used for any other obligation of the state. All money in the dedicated fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for the other dedicated funds in the state treasury, except that all interest or net income resulting from the investment or deposit of money in the fund shall accrue to the fund for the purposes of the fund.

(c) No more than five percent of the dedicated funds collected in each fiscal year may be used by the department of jobs and training for its administrative costs.

(d) Reimbursement for costs related to collection of the special assessment shall be in an amount negotiated between the commissioner and the United States Department of Labor.

(e) The dedicated funds, less amounts under ~~paragraph~~ paragraphs (c), must and (d) shall be allocated as follows:

~~(1) 50 30 percent to be allocated according to paragraph (e) to the substate grantees under subchapter III of the Job Training Partnership Act, United States Code, title 29, section 1661a in proportion to each substate area's share of the federal allocated funds, to be used to assist dislocated workers under the standards in section 268.98;~~

~~(2) 50 percent to fund specific programs proposed under the state plan request for proposal process and recommended by the governor's job training council. This fund shall be used for state plan request for proposal programs addressing plant closings or layoffs regardless of size; and~~

~~(3) in fiscal years 1991, 1992, and 1993, any amounts transferred to the general fund or obligated before July 1, 1991, shall be excluded from the calculation under this paragraph.~~

~~(e) In the event that a substate grantee has obligated 100 percent of its formula allocated federal funds under subchapter III of the Job Training Partnership Act, United States Code, title 29, section 1651 et seq., and has demonstrated appropriate use of the funds to the governor's job training council, the substate grantee may request and the commissioner shall provide additional funds to the substate area in an amount equal to the federal formula allocated funds. When a substate grantee has obligated 100 percent of the additional funds provided under this section, and has demonstrated appropriate use of the funds to the governor's job training council, the substate grantee may request and the commissioner shall provide further additional funds in amounts equal to the federal formula allocated funds until the substate area receives its proportionate share of funds under paragraph (d), clause (1).~~

~~(f) By December 31 of each fiscal year each substate grantee and the governor's job training council shall report to the commissioner on the extent to which funds under this section are committed and the anticipated demand for funds for the remainder of the fiscal year. The commissioner shall reallocate those funds that the substate grantees and the council do not anticipate expending for the remainder of the fiscal year to be available for requests from other substate grantees or other dislocated worker projects proposed to the governor's job training council which demonstrate a need for additional funding.~~

~~(g) Due to the anticipated quarterly variations in the amounts collected under this section, the amounts allocated under paragraph (d) must be based on collections for each quarter. Any amount collected in the final two quarters of the fiscal year, but not allocated, obligated or expended in the fiscal year, shall be available for allocation, obligation and expenditure in the following fiscal year. annually to substate grantees for provision of expeditious response activities under section 268.9771 and worker adjustment services under section 268.9781; and~~

(2) 70 percent to be allocated to activities and programs authorized under sections 268.975 to 268.98.

(f) Any funds not allocated, obligated, or expended in a fiscal year shall be available for allocation, obligation, and expenditure in the following fiscal year.

Sec. 3. Minnesota Statutes 1992, section 268.975, subdivision 3, is amended to read:

Subd. 3. [DISLOCATED WORKER.] "Dislocated worker" means an individual who is a resident of Minnesota at the time employment ceased or was working in the state at the time employment ceased and:

(1) has been terminated or who has received a notice of termination from public or private sector employment, is eligible for or has exhausted entitlement to unemployment compensation, and is unlikely to return to the previous industry or occupation;

(2) has been terminated or has received a notice of termination of employment as a result of any plant closing or any substantial layoff at a plant, facility, or enterprise;

(3) has been long-term unemployed and has limited opportunities for employment or reemployment in the same or a similar occupation in the area in which the individual resides, including older individuals who may have substantial barriers to employment by reason of age; or

(4) has been self-employed, including farmers and ranchers, and is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters, subject to rules to be adopted by the commissioner; or

~~(5) has been terminated or who has received a notice of termination from employment with a public or nonprofit employer.~~

~~A dislocated worker must have been working in Minnesota at the time employment ceased.~~

Sec. 4. Minnesota Statutes 1992, section 268.975, subdivision 4, is amended to read:

Subd. 4. [ELIGIBLE ORGANIZATION.] "Eligible organization" means a local government unit, nonprofit organization, community action agency, business organization or association, or labor organization ~~that has applied for a prefeasibility grant under section 268.978.~~

Sec. 5. Minnesota Statutes 1992, section 268.975, subdivision 6, is amended to read:

Subd. 6. [PLANT CLOSING.] "Plant closing" means the announced or actual permanent ~~or temporary~~ shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, ~~if the shutdown results in an employment loss at the single site of employment during any 30-day period for (a) 50 or more employees excluding employees who work less than 20 hours per week; or (b) at least 500 employees who in the aggregate work at least 20,000 hours per week, exclusive of hours of overtime.~~

Sec. 6. Minnesota Statutes 1992, section 268.975, subdivision 7, is amended to read:

Subd. 7. [PREFEASIBILITY STUDY GRANT; GRANT.] "Prefeasibility study grant" ~~or "grant"~~ means the grant awarded under section 268.978.

Sec. 7. Minnesota Statutes 1992, section 268.975, subdivision 8, is amended to read:

Subd. 8. [SUBSTANTIAL LAYOFF.] "Substantial layoff" means a permanent reduction in the work force, which is not a result of a plant closing, and which results in an employment loss at a single site of employment during any 30-day period for (a) at least 50 employees excluding those employees that work less than 20 hours a week; or (b) at least 500 employees who in the aggregate work at least 20,000 hours per week, exclusive of hours of overtime.

Sec. 8. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 9. [SUBSTATE GRANTEE.] "Substate grantee" means the agency or organization designated to administer at the local level federal dislocated worker programs pursuant to the federal Job Training Partnership Act, United States Code, title 29, section 1501, et seq.

Sec. 9. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 10. [WORKER ADJUSTMENT SERVICES.] "Worker adjustment services" means the array of employment and training services designed to assist dislocated workers make the transition to new employment, including basic readjustment assistance, training assistance, and support services.

Sec. 10. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 11. [BASIC READJUSTMENT ASSISTANCE.] "Basic readjustment assistance" means employment transition services that include, but are not limited to: development of individual readjustment plans for participants; outreach and intake; early readjustment; job or career counseling; testing; orientation; assessment, including evaluation of educational attainment and participant interests and aptitudes; determination of occupational skills; provision of occupational information; job placement assistance; labor market information; job clubs; job search; job development; prelayoff assistance; relocation assistance; and programs conducted in cooperation with employers or labor organizations to provide early intervention in the event of plant closings or substantial layoffs.

Sec. 11. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 12. [TRAINING ASSISTANCE.] "Training assistance" means services that will enable a dislocated worker to become reemployed by retraining for a new occupation or industry, enhancing current skills, or relocating to employ existing skills. Training services include, but are not limited to: classroom training; occupational skill training; on-the-job training; out-of-area job search; relocation; basic and remedial education; literacy and English for training non-English speakers; entrepreneurial training; and other appropriate training activities directly related to appropriate employment opportunities in the local labor market.

Sec. 12. Minnesota Statutes 1992, section 268.975, is amended by adding a subdivision to read:

Subd. 13. [SUPPORT SERVICES.] "Support services" means assistance provided to dislocated workers to enable their participation in an employment transition and training program. Services include, but are not limited to: family care assistance, including child care; commuting assistance; housing and rental assistance; counseling assistance, including personal and financial; health care; emergency health assistance; emergency financial assistance; work-related tools and clothing; and other appropriate support services that enable a person to participate in an employment and training program.

Sec. 13. [268.9755] [GOVERNOR'S JOB TRAINING COUNCIL.]

Subdivision 1. [DEFINITION.] For purposes of sections 268.022 and 268.975 to 268.98, "governor's job training council" means the state job training coordinating council established under the federal Job Training Partnership Act, United States Code, title 29, section 1501, et seq.

Subd. 2. [DUTIES.] The governor's job training council shall provide advice to the commissioner on:

(1) the use of funds made available under section 268.022, including methods for allocation and reallocation of funds and the allocation of funds among employment and training activities authorized under sections 268.975 to 268.98;

(2) performance standards for programs and activities authorized under sections 268.975 to 268.98;

(3) approval of worker adjustment services plans and dislocation event services grants;

(4) establishing priorities for provision of worker adjustment services to eligible dislocated workers; and

(5) the effectiveness of programs and activities authorized in sections 268.975 to 268.98.

Sec. 14. Minnesota Statutes 1992, section 268.976, subdivision 2, is amended to read:

Subd. 2. [NOTICE.] (a) The commissioner shall encourage those business establishments considering a decision to effect a plant closing, substantial layoff, or relocation of operations located in this state to give notice of that decision as early as possible to the commissioner, the employees of the affected establishment, any employee organization representing the employees, and the local government unit in which the affected establishment is located.

This notice shall be in addition to any notice required under the Worker Adjustment and Retraining Notification Act, United States Code, title 29, section 2101.

(b) Notwithstanding section 268.975, subdivision 6, for purposes of this section, "plant closing" means the announced or actual permanent or temporary shutdown of a single site of employment, or one or more facilities or operating units within a single site of employment, if the shutdown results in an employment loss at the single site of employment during any 30-day period for 50 or more employees excluding employees who work less than 20 hours per week.

Sec. 15. [268.9771] [RAPID AND EXPEDITIOUS RESPONSE.]

Subdivision 1. [RESPONSIBILITY.] The commissioner shall respond quickly and effectively to announced or actual plant closings and substantial layoffs. Affected workers and employers, as well as appropriate business organizations or associations, labor organizations, substate grantees, state and local government units, and community organizations shall be assisted by the commissioner through either rapid response activities or expeditious response activities as described in this section to respond effectively to a plant closing or mass layoff.

Subd. 2. [COVERAGE.] Rapid response is to be provided by the commissioner where permanent plant closings or substantial layoffs affect at least 50 workers over a 30-day period as evidenced by actual separation from employment or by advance notification of a closing or layoff. Expeditious response is to be provided by worker adjustment services plan grantees in coordination with rapid response activities or where permanent plant closings and substantial layoffs are not otherwise covered by rapid response.

Subd. 3. [COORDINATION.] The commissioner and expeditious response grantees shall coordinate their respective rapid response and expeditious response activities. The roles and responsibilities of each shall be detailed in written agreements and address on-site contact with employer and employee representatives when notified of a plant closing or substantial layoff. The activities include formation of a community task force, collecting and disseminating information related to economic dislocation and available services to dislocated workers, providing basic readjustment assistance services to workers affected by a plant closure or substantial layoff, conducting a needs assessment survey of workers, and developing a plan of action responsive to the worker adjustment services needs of affected workers.

Subd. 4. [RAPID RESPONSE ACTIVITIES.] The commissioner shall be responsible for implementing the following rapid response activities:

(1) establishing on-site contact with employer and employee representatives within a short period of time after becoming aware of a current or projected plant closing or substantial layoff in order to:

(i) provide information on and facilitate access to available public programs and services; and

(ii) provide emergency assistance adapted to the particular closure or layoff;

(2) promoting the formation of a labor-management committee by providing:

(i) immediate assistance in the establishment of the labor-management committee;

(ii) technical advice and information on sources of assistance, and liaison with other public and private services and programs; and

(iii) assistance in the selection of worker representatives in the event no union is present;

(3) collecting and disseminating information related to economic dislocation, including potential closings or layoffs, and all available resources with the state for dislocated workers;

(4) providing or obtaining appropriate financial and technical advice and liaison with economic development agencies and other organizations to assist in effort to avert dislocations;

(5) disseminating information throughout the state on the availability of services and activities carried out by the dislocated worker unit;

(6) assisting the local community in developing its own coordinated response to a plant closing or substantial layoff and access to state economic development assistance; and

(7) promoting the use of prefeasibility study grants under section 268.978.

Subd. 5. [EXPEDITIOUS RESPONSE ACTIVITIES.] Grantees designated to provide worker adjustment services through worker adjustment services plans shall be responsible for implementing the following expeditious response activities:

(1) establishing on-site contact with employer and employee representatives, not otherwise covered under rapid response, within a short period of time after becoming aware of a current or projected plant closing or mass layoff in order to provide information on available public programs and services;

(2) obtaining appropriate financial and technical advice and liaison with local economic development agencies and other organizations to assist in efforts to avert dislocations;

(3) disseminating information on the availability of services and activities carried out by the grantee through its worker adjustment services plan;

(4) providing basic readjustment assistance services for up to 90 days following the initial on-site meeting with the employer and employee representatives;

(5) assisting the local community in the development of its own coordinated response to the closure or layoff and access to economic development assistance;

(6) facilitating the formation of a community task force, if appropriate, to formulate a service plan to assist affected dislocated workers from plant closings and mass layoffs;

(7) conducting surveys of workers, if appropriate, affected by plant closings or layoffs to identify worker characteristics and worker adjustment service needs; and

(8) facilitating access to available public or private programs and services, including the development of proposals to provide access to additional resources to assist workers affected by plant closings and substantial layoffs.

Sec. 16. Minnesota Statutes 1992, section 268.978, subdivision 1, is amended to read:

Subdivision 1. [PREFEASIBILITY STUDY GRANTS.] (a) The commissioner may make grants for up to \$10,000 \$15,000 to eligible organizations to provide an initial assessment of the feasibility of alternatives to plant closings or substantial layoffs. The alternatives may include employee ownership, other new ownership, new products or production processes, or public financial or technical assistance to keep a plant open. Two or more eligible organizations may jointly apply for a grant under this section.

(b) Interested organizations shall apply to the commissioner for the grants. As part of the application process, applicants must provide a statement of need for a grant, information relating to the work force at the plant, the area's unemployment rate, the community's and surrounding area's labor market characteristics, information of efforts to coordinate the community's response to the plant closing or substantial layoff, a timetable of the prefeasibility study, a description of the organization applying for the grant, a description of the qualifications of persons conducting the study, and other information required by the commissioner.

(c) The commissioner shall respond to the applicant within five working days of receiving the organization's application. The commissioner shall inform each organization that applied for but did not receive a grant the reasons for the grant not being awarded. The commissioner may request further information from those organizations that did not receive a grant, and the organization may reapply for the grant.

Sec. 17. [268.9781] [WORKER ADJUSTMENT SERVICES PLANS.]

Subdivision 1. [WORKER ADJUSTMENT SERVICES PLANS.] The commissioner shall establish and fund worker adjustment services plans that are designed to assist dislocated workers in their transition to new employment. Authorized grantees shall submit a worker adjustment services plan biennially, with an annual update, in a form and manner prescribed by the commissioner. The worker adjustment services plan shall include information required in substate plans established under the federal Job Training Partnership Act, United States Code, title 29, section 1501, et seq. and a detailed description of expeditious response activities to be implemented under the plan.

Subd. 2. [GRANTEES.] Entities authorized to submit a worker adjustment services plan include substate grantees and up to six additional eligible organizations. Criteria for selecting the six authorized nonsubstate grantee eligible organizations shall be established by the commissioner, in consultation with the governor's job training council. The criteria include, but are not limited to:

- (1) the capacity to deliver worker adjustment services;
- (2) an identifiable constituency from which eligible dislocated workers may be drawn;
- (3) a demonstration of a good faith effort to establish coordination agreements with substate grantees in whose geographic area the organization would be operating;
- (4) the capability to coordinate delivery of worker adjustment services with other appropriate programs and agencies, including educational institutions, employment service, human service agencies, and economic development agencies; and
- (5) sufficient administrative controls to ensure fiscal accountability.

Subd. 3. [COVERAGE.] (a) Persons eligible to receive worker adjustment services under this section include dislocated workers as defined in section 268.975, subdivision 3.

(b) Worker adjustment services available under this section shall also be available to additional dislocated workers as defined in section 268.975, subdivision 3a, when they can be provided without adversely affecting delivery of services to all dislocated workers.

Subd. 4. [SUBSTATE GRANTEE FUNDING.] (a) Funds allocated to substate grantees under section 268.022 for expeditious response activities and worker adjustment services under this section shall be allocated as follows:

(1) one-half of available funds shall be allocated to substate grantees based on an allocation formula prescribed by the commissioner, in consultation with the governor's job training council; and

(2) one-half of available funds shall be allocated based on need as demonstrated to the commissioner in consultation with the governor's job training council.

(b) The formula for allocating substate grantee funds must utilize the most appropriate information available to the commissioner to distribute funds in order to address the state's worker adjustment assistance needs. Information for the formula allocation may include, but is not limited to:

- (1) insured unemployment data;
- (2) unemployment concentrations;
- (3) plant closing and mass layoff data;
- (4) declining industries data;
- (5) farmer-rancher economic hardship data; and
- (6) long-term unemployment data.

(c) The commissioner shall establish a uniform procedure for reallocating substate grantee funds. The criteria for reallocating funds from substate grantees not expending their allocations consistent with their worker adjustment services plans to other substate grantees shall be developed by the commissioner in consultation with the governor's job training council.

Sec. 18. [268.9782] [DISLOCATION EVENT SERVICES GRANTS.]

Subdivision 1. [DISLOCATION EVENT SERVICES GRANTS.] The commissioner shall establish and fund dislocation event services grants designed to provide worker adjustment services to workers displaced as a result of larger plant closings and substantial layoffs. Grantees shall apply for a dislocation event services grant by submitting a proposal to the commissioner in a form and manner prescribed by the commissioner. The application must describe the demonstrated need for intervention, including the need for retraining, the workers to be served, the coordination of available local resources, the services to be provided, and the budget plan.

Subd. 2. [GRANTEES.] (a) Entities authorized to submit dislocation event services grants include substate grantees and other eligible organizations. Nonsubstate grantees shall demonstrate they meet criteria established by the commissioner, in consultation with the governor's job training council. The criteria include, but are not limited to:

(1) the capacity to deliver worker adjustment services;

(2) an ability to coordinate its activities with substate grantees in whose geographic area the organization will be operating;

(3) the capability to coordinate delivery of worker adjustment services with other appropriate programs and agencies, including educational institutions, employment service, human service agencies, and economic development agencies; and

(4) sufficient administrative controls to ensure fiscal accountability.

(b) For purposes of this section, the state job service may apply directly to the commissioner for a dislocation event services grant only if the effect of a plant closing or substantial layoff is statewide or results in the termination from employment of employees of the state of Minnesota.

Subd. 3. [COVERAGE.] Persons who may receive worker adjustment services under this section are limited to dislocated workers affected by plant closings and substantial layoffs involving at least 50 workers from a single employer.

Subd. 4. [FUNDING.] The commissioner, in consultation with the governor's job training council, may establish an emergency funding process for dislocation event services grants. No more than 20 percent of the estimated budget of the proposed grant may be awarded through this procedure. The grantee shall submit a formal dislocation event services grant application within 90 days of the initial award of emergency funding.

Sec. 19. Minnesota Statutes 1992, section 268.98, is amended to read:

268.98 [PERFORMANCE STANDARDS, REPORTING, COST LIMITATIONS.]

(a) Subdivision 1. [PERFORMANCE STANDARDS.] The commissioner shall establish performance standards for the programs and activities administered or funded through the rapid response program under section 268.977 sections 268.975 to 268.98. The commissioner may use, when appropriate, existing federal performance standards or, if the commissioner determines that the federal standards are inadequate or not suitable, may formulate new performance standards to ensure that the programs and activities of the rapid response program dislocated worker program are effectively administered.

(b) Not less than 20 percent of the funds expended under this section must be used to provide needs related payments and other supportive services as those terms are used in subchapter III of the Job Training Partnership Act, United States Code, title 29, section 1661d(b). This requirement does not apply to the extent that a program proposal requests less than 20 percent of such funds. At the end of the fiscal year, each substate grantee and each grant recipient shall report to the commissioner on the types of services funded under this paragraph and the amounts expended for such services. By January 15 of each year, the commissioner shall provide a summary report to the legislature.

Subd. 2. [REPORTS.] (a) Grantees receiving funds under sections 268.9771, 268.978, 268.9781, and 268.9782 shall report to the commissioner information on program participants, activities funded, and utilization of funds in a form and manner prescribed by the commissioner.

(b) The commissioner shall report quarterly to the governor's job training council information on prefeasibility study grants awarded, rapid response and expeditious response activities, worker adjustment services plans, and dislocation event services grants. Specific information to be reported shall be by agreement between the commissioner and the governor's job training council.

(c) The commissioner shall provide an annual report to the governor, legislature, and the governor's job training council on the administration of the programs funded under sections 268.9771, 268.978, 268.9781, and 268.9782.

Subd. 3. [COST LIMITATIONS.] (a) For purposes of sections 268.9781 and 268.9782, funds allocated to a grantee are subject to the following limitations:

(1) a maximum of 15 percent for administration in a worker adjustment services plan and ten percent in a dislocation event services grant;

(2) a minimum of 50 percent for provision of training assistance;

(3) a minimum of ten percent and maximum of 30 percent for provision of support services; and

(4) the balance used for provision of basic readjustment assistance.

(b) A waiver of the cost limitation on providing training assistance may be requested. The waiver may not permit less than 30 percent of the funds be spent on training assistance.

(c) The commissioner shall prescribe the form and manner for submission of an application for a waiver under paragraph (b). Criteria for granting a waiver shall be established by the commissioner in consultation with the governor's job training council.

Sec. 20. [REPEALER.]

Minnesota Statutes 1992, sections 268.977 and 268.978, subdivision 3, are repealed.

Sec. 21. [EFFECTIVE DATE.]

Sections 1 to 20 are effective July 1, 1993."

Amend the title as follows:

Page 1, line 13, after "sections" insert "268.977; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 1012, A bill for an act relating to drivers' licenses; increasing fees; increasing amount that may be retained for expenses; amending Minnesota Statutes 1992, section 171.06, subdivisions 2 and 4.

Reported the same back with the following amendments:

Page 2, line 22, strike "one-half of"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1151, A bill for an act relating to employment; requiring wage payments at certain times; amending Minnesota Statutes 1992, section 181.101.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 181.101, is amended to read:

181.101 [WAGES; HOW OFTEN PAID.]

Every employer shall must pay all wages due earned by an employee at least once every 30 days on a regular pay day designated in advance by the employer, ~~except that an employer may withhold an employee's check until the signed statement for that pay period stating the amount of gratuities is received, as provided in section 177.28, subdivision 4 regardless of whether the employee requests payment at longer intervals. Unless paid earlier, the wages earned during the first half of the first 30-day period become due on the first regular payday following the first day of work.~~ If wages due earned are not paid, the commissioner of labor and industry or the commissioner's representative may demand payment on behalf of an employee. If payment is not made within ten days of demand, the commissioner may charge and collect the wages due earned and a penalty in the amount of the employee's average daily earnings at the rate agreed upon in the contract of employment, not exceeding 15 days in all, for each day beyond the ten-day limit following the demand. Money collected by the commissioner must be paid to the employee concerned. This subdivision does not prevent an employee from prosecuting a claim for wages. For purposes of this section, "employee" includes a person who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of this section, wages are earned on the day an employee works."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1156, A bill for an act relating to health; modifying provisions relating to infectious waste; amending Minnesota Statutes 1992, sections 116.76, subdivision 14; 116.78, subdivisions 4 and 7; 116.79, subdivisions 1 and 4; 116.80, subdivisions 1 and 2; 116.81, subdivision 1; 116.82, subdivision 3; and 116.83, subdivisions 1 and 3; repealing Minnesota Statutes 1992, sections 116.76, subdivision 7; 116.79, subdivision 3; 116.81, subdivision 2; and 116.83, subdivision 2; Minnesota Rules, parts 4622.0100; 4622.0300; 4622.0400; 4622.0600; 4622.0700, subparts 10 and 12; 4622.1000; 4622.1050; 4622.1100; 4622.1150; and 4622.1200.

Reported the same back with the following amendments:

Page 6, line 27, after "12;" insert "4622.0900;"

Amend the title as follows:

Page 1, line 12, after "12;" insert "4622.0900;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1187, A bill for an act relating to labor and employment; advisory councils; extending the expiration date of labor and employment related advisory councils; amending Minnesota Statutes 1992, sections 79.51, subdivision 4; 175.008; 178.02, subdivision 2; 182.656, subdivision 3; 268.363; and 326.41.

Reported the same back with the following amendments:

Page 3, line 17, delete "1995" and insert "1997"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1269, A bill for an act relating to housing; appropriating money for housing-related grants.

Reported the same back with the following amendments:

Page 1, lines 8 and 9, delete "housing partnership" and insert "Minnesota Housing Partnership"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 151, 152, 323, 349, 373, 383, 418, 560, 739, 784, 812, 826, 836, 1008, 1151 and 1156 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Clark, Klinzing and Brown, K., introduced:

H. F. No. 1371, A bill for an act relating to community social services; establishing a pilot project of social support services for persons living in certain public high-rise communities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256E.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dehler introduced:

H. F. No. 1372, A bill for an act proposing an amendment to the Minnesota Constitution, article X, by adding a section; dedicating part of the sales tax to a local government trust fund.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Evans, Simoneau, Opatz and Anderson, I., introduced:

H. F. No. 1373, A bill for an act relating to taxation; providing alternative requirements for designation of assessors as accredited Minnesota assessors or senior accredited Minnesota assessors; proposing coding for new law in Minnesota Statutes, chapter 270.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Johnson, A., and Beard introduced:

H. F. No. 1374, A bill for an act relating to child labor standards; setting minimum age, maximum hour, curfew, permit, and other standards; appropriating money; amending Minnesota Statutes 1992, sections 181.85, subdivision 3; 181A.03, by adding a subdivision; 181A.06, subdivision 1; 181A.07; 181A.08, subdivision 1; 181A.09, subdivisions 1 and 2; 181A.12; proposing coding for new law in Minnesota Statutes, chapter 181A; repealing Minnesota Statutes 1992, sections 181A.04; 181A.05; 181A.09, subdivision 3; and 181A.11.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Simoneau, Pelowski, Gutknecht, Sviggum and Kalis introduced:

H. F. No. 1375, A bill for an act relating to workers' compensation; establishing individual security accounts; requiring certain information; imposing an individual security account assessment; establishing a revolving fund; determining reimbursable expenses; proposing coding for new law in Minnesota Statutes, chapter 79.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Carruthers; Anderson, I.; Osthoff; Pugh and Knickerbocker introduced:

H. F. No. 1376, A bill for an act relating to the metropolitan council; redrawing the boundaries of council districts; amending Minnesota Statutes 1992, sections 473.123, subdivision 3a, and by adding a subdivision; 473.141, subdivisions 2 and 4a; 473.373, subdivision 4a; 473.604, subdivision 1; and 473.703, subdivisions 1 and 2; repealing Minnesota Statutes 1992, section 473.123, subdivision 3b.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Carruthers, Long, Solberg and Rest introduced:

H. F. No. 1377, A bill for an act relating to state government; making certain telephone records and budgets public information; amending Minnesota Statutes 1992, section 3.055, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Carruthers moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1377 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Johnson, R., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abrams	Dauner	Haukoos	Koppendraye	Mosel	Perlt	Sviggum
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Swenson
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tomassoni
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Tompkins
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Trimble
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Tunheim
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Van Dellen
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Wejcman
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Sparby	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Stanisus	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Stensma	Spk. Long

Trimble moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The question recurred on the Carruthers motion and the roll was called. There were 130 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Lasley	Neary	Reding	Tompkins
Anderson, I.	Dehler	Hugoson	Leppik	Nelson	Rest	Trimble
Anderson, R.	Delmont	Huntley	Lieder	Ness	Rhodes	Tunheim
Asch	Dempsey	Jacobs	Limmer	Olson, E.	Rice	Van Dellen
Battaglia	Dorn	Jaros	Lindner	Olson, K.	Rodosovich	Vellenga
Bauerly	Erhardt	Jefferson	Lourey	Olson, M.	Rukavina	Vickerman
Beard	Evans	Jennings	Luther	Onnen	Sarna	Wagenius
Bergson	Farrell	Johnson, A.	Lynch	Opatz	Seagren	Waltman
Bertram	Frerichs	Johnson, R.	Macklin	Orenstein	Sekhon	Weaver
Bettermann	Garcia	Johnson, V.	Mahon	Orfield	Simoneau	Wejcman
Blatz	Girard	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Goodno	Kelley	McCollum	Ostrom	Smith	Winter
Brown, K.	Greenfield	Kelso	McGuire	Ozment	Solberg	Wolf
Carlson	Greiling	Kinkel	Milbert	Pauly	Sparby	Worke
Carruthers	Gruenes	Klinzing	Molnau	Pawlenty	Stanisus	Workman
Clark	Gutknecht	Knickerbocker	Morrison	Pelowski	Stensma	Spk. Long
Commers	Hasskamp	Koppendraye	Mosel	Perlt	Sviggum	
Cooper	Haukoos	Krinkie	Munger	Peterson	Swenson	
Dauner	Hausman	Krueger	Murphy	Pugh	Tomassoni	

Those who voted in the negative were:

Bishop Davids Kahn

The motion prevailed.

Carruthers moved that the Rules of the House be so far suspended that H. F. No. 1377 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 1377 was read for the second time.

Weaver moved to amend H. F. No. 1377, as follows:

Page 2, line 3, delete "and" and insert a comma and after the second "expenses" insert ", and itemized expenses of each legislative committee"

The motion prevailed and the amendment was adopted.

Krinkie was excused for the remainder of today's session.

Sviggum moved to amend H. F. No. 1377, as amended, as follows:

Page 1, after line 24, insert:

"Sec. 2. [3.125] [LEGISLATURE; APPROPRIATIONS.]

The budget of and each appropriation to all constitutional officers, the legislature, the house of representatives, the senate, or their committees or commissions shall be submitted to and considered by the appropriate committees of the legislature in the same manner as the budget and appropriations for an executive department."

Re-number the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Carruthers moved to amend the Sviggum amendment to H. F. No. 1377, as amended, as follows:

Page 1, line 5, of the Sviggum amendment, delete "committees or"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called.

Trimble moved that those not voting be excused from voting. The motion prevailed.

There were 82 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Cooper	Jacobs	Krueger	Neary	Pugh	Steensma
Anderson, R.	Dauner	Jaros	Lasley	Nelson	Reding	Tomassoni
Asch	Dawkins	Jefferson	Lieder	Olson, E.	Rest	Trimble
Battaglia	Delmont	Jennings	Lourey	Olson, K.	Rice	Tunheim
Bauerly	Dorn	Johnson, A.	Luther	Opatz	Rodosovich	Vellenga
Beard	Evans	Johnson, R.	Mahon	Orenstein	Rukavina	Wagenius
Bertram	Farrell	Kahn	Mariani	Orfield	Sarna	Wejcman
Brown, C.	Garcia	Kalis	McCollum	Osthoff	Sekhon	Wenzel
Brown, K.	Greenfield	Kelley	McGuire	Ostrom	Simoneau	Winter
Carlson	Greiling	Kelso	Milbert	Pelowski	Skoglund	Spk. Long
Carruthers	Hasskamp	Kinkel	Mosel	Perlt	Solberg	
Clark	Huntley	Klinzing	Murphy	Peterson	Sparby	

Those who voted in the negative were:

Abrams	Dehler	Gutknecht	Leppik	Ness	Seagren	Vickerman
Bergson	Dempsey	Haukoos	Limmer	Olson, M.	Smith	Waltman
Bettermann	Erhardt	Holsten	Lindner	Onnen	Stanuis	Weaver
Bishop	Frerichs	Hugoson	Lynch	Ozment	Sviggum	Wolf
Blatz	Girard	Johnson, V.	Macklin	Pauly	Swenson	Worke
Commers	Goodno	Knickerbocker	Molnau	Pawlenty	Tompkins	Workman
Dauids	Gruenes	Koppendraye	Morrison	Rhodes	Van Dellen	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Sviggum amendment, as amended, and the roll was called.

Trimble moved that those not voting be excused from voting. The motion prevailed.

There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krueger	Murphy	Pugh	Tomassoni
Anderson, I.	Dauids	Hausman	Lasley	Neary	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rest	Trimble
Asch	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Luther	Onnen	Sarna	Wagenius
Bertram	Evans	Johnson, A.	Lynch	Opatz	Seagren	Waltman
Bettermann	Farrell	Johnson, R.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, V.	Mahon	Orfield	Simoneau	Wejcman
Blatz	Garcia	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kalis	McCollum	Ostrom	Smith	Winter
Brown, K.	Goodno	Kelley	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelso	Milbert	Pauly	Sparby	Worke
Carruthers	Greiling	Kinkel	Molnau	Pawlenty	Stanuis	Workman
Clark	Gruenes	Klinzing	Morrison	Pelowski	Steensma	Spk. Long
Commers	Gutknecht	Knickerbocker	Mosel	Perlt	Sviggum	
Cooper	Hasskamp	Koppendraye	Munger	Peterson	Swenson	

The motion prevailed and the amendment, as amended, was adopted.

Worke and Asch moved to amend H. F. No. 1377, as amended, as follows:

Page 1, after line 24, insert:

"Sec. 2. [3.105] [TELEPHONE USE; APPROVAL.]

Each representative, senator, constitutional officer, judge, and head of an executive department or agency shall approve the person's own telephone bill each month by signing the bill as evidence of the person's approval of the accuracy of the bill."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Weaver moved to amend H. F. No. 1377, as amended, as follows:

Page 2, after line 32, insert:

"Sec. 7. Minnesota Statutes 1992, section 16A.281, is amended to read:

16A.281 [APPROPRIATIONS TO LEGISLATURE EXEMPT.]

Except as provided in this section, section 16A.28 does not apply applies to appropriations made to the legislature, the senate, the house of representatives or its committees or commissions. An appropriation made to the legislature, the senate, the house of representatives, or a legislative commission or committee other than a standing committee, if not spent during the first year, may be spent during the second year of a biennium. An unexpended balance remaining at the end of a biennium lapses and shall be returned to the fund from which appropriated. An appropriation made to the legislature, the senate, the house of representatives, or a standing committee for all or part of a biennium may be spent in either year of the biennium or the year before or after the biennium."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Haukoos moved to amend the Weaver amendment to H. F. No. 1377, as amended, as follows:

Page 1, line 18, of the Weaver amendment, strike "or the year before or after the biennium"

The motion did not prevail and the amendment to the amendment was not adopted.

CALL OF THE HOUSE LIFTED

Trimble moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

The question recurred on the Weaver amendment and the roll was called. There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Holsten	Lindner	Onnen	Seagren	Waltman
Bergson	Farrell	Hugoson	Lynch	Orenstein	Smith	Weaver
Bettermann	Frerichs	Jennings	Macklin	Ozment	Sparby	Winter
Bishop	Girard	Johnson, V.	Milbert	Pauly	Stanius	Wolf
Blatz	Goodno	Klinzing	Molnau	Pawlenty	Sviggum	Worke
Commers	Gruenes	Knickerbocker	Morrison	Pelowski	Swenson	Workman
Dauner	Gutknecht	Koppendraye	Mosel	Peterson	Tompkins	
Davids	Hasskamp	Leppik	Ness	Rest	Van Dellen	
Dehler	Haukoos	Lieder	Olson, E.	Rhodes	Vellenga	
Dempsey	Hausman	Limmer	Olson, M.	Rodosovich	Vickerman	

Those who voted in the negative were:

Anderson, I.	Carruthers	Huntley	Kinkel	Murphy	Reding	Trimble
Anderson, R.	Clark	Jacobs	Krueger	Neary	Rice	Tunheim
Asch	Cooper	Jaros	Lasley	Nelson	Rukavina	Wagenius
Battaglia	Dawkins	Jefferson	Lourey	Olson, K.	Sarna	Wejcman
Bauerly	Delmont	Johnson, A.	Luther	Opatz	Sekhon	Wenzel
Beard	Dorn	Johnson, R.	Mahon	Orfield	Simoneau	Spk. Long
Bertram	Evans	Kahn	Mariani	Osthoff	Skoglund	
Brown, C.	Garcia	Kalis	McCollum	Ostrom	Solberg	
Brown, K.	Greenfield	Kelley	McGuire	Perlt	Steensma	
Carlson	Greiling	Kelso	Munger	Pugh	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Smith moved to amend H. F. No. 1377, as amended, as follows:

Page 2, after line 32 insert:

"Sec. 7. Minnesota Statutes 1992, section 16A.18, is amended to read:

16A.18 [ACCOUNTING, PAYROLL FOR COURTS, ~~LEGISLATURE.~~]

The judicial ~~and legislative branches are~~ branch is not required to use the state accounting system or a computerized payroll system."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Smith amendment and the roll was called. There were 50 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Johnson, V.	Molnau	Pauly	Sviggum	Worke
Bettermann	Girard	Knickerbocker	Morrison	Pawlenty	Swenson	Workman
Blatz	Goodno	Koppendrayer	Mosel	Pelowski	Tompkins	
Commers	Gruenes	Leppik	Nelson	Rhodes	Van Dellen	
Davids	Gutknecht	Limmer	Ness	Seagren	Vickerman	
Dehler	Haukoos	Lindner	Olson, M.	Smith	Waltman	
Dempsey	Holsten	Lynch	Onnen	Stanius	Weaver	
Erhardt	Hugoson	Macklin	Ozment	Steensma	Wolf	

Those who voted in the negative were:

Anderson, I.	Clark	Hausman	Kinkel	Munger	Pugh	Tomassoni
Anderson, R.	Cooper	Huntley	Klinzing	Murphy	Reding	Trimble
Asch	Dauner	Jacobs	Krueger	Neary	Rest	Tunheim
Battaglia	Dawkins	Jaros	Lasley	Olson, E.	Rice	Vellenga
Bauerly	Delmont	Jefferson	Lieder	Olson, K.	Rodosovich	Wagenius
Beard	Dorn	Jennings	Lourey	Opatz	Rukavina	Wejcman
Bergson	Evans	Johnson, A.	Luther	Orenstein	Sarna	Wenzel
Bertram	Farrell	Johnson, R.	Mahon	Orfield	Sekhon	Winter
Brown, C.	Garcia	Kahn	Mariani	Osthoff	Simoneau	Spk. Long
Brown, K.	Greenfield	Kalis	McCollum	Ostrom	Skoglund	
Carlson	Greiling	Kelley	McGuire	Perlt	Solberg	
Carruthers	Hasskamp	Kelso	Milbert	Peterson	Sparby	

The motion did not prevail and the amendment was not adopted.

Swenson; Johnson, V.; Weaver; Pugh and Carruthers moved to amend H. F. No. 1377, as amended, as follows:

Page 2, line 36, delete "Ramsey"

Page 3, line 1, delete "county attorney or the" and after "general" insert ", any county attorney, or the United States attorney under the appropriate federal rules of procedure."

The motion prevailed and the amendment was adopted.

H. F. No. 1377, A bill for an act relating to state government; making certain telephone records and budgets public information; amending Minnesota Statutes 1992, section 3.055, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3; and 10.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Blatz	Dawkins	Girard	Hugoson	Kalis	Lieder
Anderson, I.	Brown, C.	Dehler	Goodno	Huntley	Kelley	Limmer
Anderson, R.	Brown, K.	Delmont	Greenfield	Jacobs	Kelso	Lindner
Asch	Carlson	Dempsey	Greiling	Jaros	Kinkel	Lourey
Battaglia	Carruthers	Dorn	Gruenes	Jefferson	Klinzing	Luther
Bauerly	Clark	Erhardt	Gutknecht	Jennings	Knickerbocker	Lynch
Beard	Commers	Evans	Hasskamp	Johnson, A.	Koppendrayer	Macklin
Bergson	Cooper	Farrell	Haukoos	Johnson, R.	Krueger	Mahon
Bertram	Dauner	Frerichs	Hausman	Johnson, V.	Lasley	Mariani
Bettermann	Davids	Garcia	Holsten	Kahn	Leppik	McCollum

McGuire	Ness	Ostrom	Rest	Skoglund	Tompkins	Wejman
Milbert	Olson, E.	Ozment	Rhodes	Smith	Trimble	Wenzel
Molnau	Olson, K.	Pauly	Rice	Solberg	Tunheim	Winter
Morrison	Olson, M.	Pawlenty	Rodosovich	Sparby	Van Dellen	Wolf
Mosel	Onnen	Pelowski	Rukavina	Stanius	Vellenga	Worke
Munger	Opatz	Perit	Sarna	Steensma	Vickerman	Workman
Murphy	Orenstein	Peterson	Seagren	Sviggum	Wagenius	Spk. Long
Neary	Orfield	Pugh	Sekhon	Swenson	Waltman	
Nelson	Osthoff	Reding	Simoneau	Tomassoni	Weaver	

The bill was passed, as amended, and its title agreed to.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

Carruthers introduced:

H. F. No. 1378, A bill for an act relating to courts; authorizing district courts to transfer civil actions to courts outside this state upon consent of those courts; enacting the uniform transfer of litigation act; proposing coding for new law as Minnesota Statutes, chapter 552.

The bill was read for the first time and referred to the Committee on Judiciary.

Bertram introduced:

H. F. No. 1379, A bill for an act relating to retirement; judges' retirement fund; eliminating the offset of social security benefits for certain retired judges.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Bertram introduced:

H. F. No. 1380, A bill for an act relating to animal health; appropriating money for study of paratuberculosis in cattle.

The bill was read for the first time and referred to the Committee on Agriculture.

Steensma, Girard, Winter, Vickerman and Peterson introduced:

H. F. No. 1381, A bill for an act relating to capital improvements; appropriating money for the southern Minnesota rivers basin area II program; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Ness, Beard, Rukavina, Rhodes and Sarna introduced:

H. F. No. 1382, A bill for an act relating to insurance; workers' compensation; requiring disclosure of premium calculation and policy history figures and claims experience to employers; amending Minnesota Statutes 1992, section 79.60, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 79.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Lasley, Bauerly, Hausman, Seagren and Tunheim introduced:

H. F. No. 1383, A resolution memorializing the Congress of the United States to fund special education costs in the amount originally intended under Public Law Number 94-142.

The bill was read for the first time and referred to the Committee on Education.

Asch, Huntley, Rhodes, Evans and Greiling introduced:

H. F. No. 1384, A bill for an act relating to local government; regulating tanning facilities; requiring warning notices; authorizing local units of government to license and otherwise regulate these facilities; establishing record keeping and reporting requirements; prescribing penalties and providing remedies; proposing coding for new law in Minnesota Statutes, chapter 461.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Steensma, Hugoson, Kalis, Mosel and Trimble introduced:

H. F. No. 1385, A bill for an act relating to agriculture; renaming the commissioner and department of agriculture as the commissioner and department of agriculture, food, and land stewardship; clarifying the commissioner's authority and responsibilities; appropriating money for a study; amending Minnesota Statutes 1992, sections 17.01; and 17.013; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the first time and referred to the Committee on Agriculture.

Simoneau introduced:

H. F. No. 1386, A bill for an act relating to civil actions; including arbitration awards under the collateral source statute; amending Minnesota Statutes 1992, section 548.36, subdivisions 1, 2, 3, and 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Anderson, I.; Rukavina; Osthoff; Vellenga and Ozment introduced:

H. F. No. 1387, A bill for an act relating to employment; independent contractors; requiring contractors to treat certain independent contractors as employees; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Peterson; Olson, E., and Johnson, V., introduced:

H. F. No. 1388, A bill for an act relating to taxation; property; allowing the reduced class rate on commercial and industrial property to apply to the first \$100,000 of market value on property in each county; amending Minnesota Statutes 1992, section 273.13, subdivision 24.

The bill was read for the first time and referred to the Committee on Taxes.

McGuire, Swenson, Mariani, Macklin and Pugh introduced:

H. F. No. 1389, A bill for an act relating to data practices; providing that donor information from the University of Minnesota and state universities is private or nonpublic data; providing that information on a donor's financial circumstances or gift giving is private or nonpublic data; amending Minnesota Statutes 1992, section 13.792.

The bill was read for the first time and referred to the Committee on Judiciary.

Jaros introduced:

H. F. No. 1390, A bill for an act relating to the legislature; reducing its size; amending Minnesota Statutes 1992, section 2.021.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Peterson, Munger, Trimble, Reding and Stanius introduced:

H. F. No. 1391, A bill for an act relating to state parks; camping facilities adjacent to wildlife management areas; proposing coding for new law in Minnesota Statutes, chapter 85.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Waltman introduced:

H. F. No. 1392, A bill for an act relating to human services; requiring a pilot project in Wabasha county to downsize two existing intermediate care facilities for persons with mental retardation and related conditions.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Workman introduced:

H. F. No. 1393, A bill for an act relating to taxation; sales and use; exempting vegetable seeds; amending Minnesota Statutes 1992, section 297A.25, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Beard, Stanius, Pelowski, Workman and Orenstein introduced:

H. F. No. 1394, A bill for an act relating to taxation; allowing cities and towns to appeal to the county for review of certain county levies; proposing coding for new law in Minnesota Statutes, chapter 275.

The bill was read for the first time and referred to the Committee on Taxes.

Klinzing, Simoneau, Clark and Lourey introduced:

H. F. No. 1395, A bill for an act relating to housing; appropriating money for the housing trust fund.

The bill was read for the first time and referred to the Committee on Housing.

Simoneau introduced:

H. F. No. 1396, A bill for an act relating to public employment; providing that the local government pay equity act does not limit the ability of public employees to strike; requiring the commissioner of employee relations to consider the effects of strikes in determining whether political subdivisions are in conformity with the act; amending Minnesota Statutes 1992, sections 471.992, subdivision 1; and 471.9981, subdivision 6.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Mariani, Reding, Trimble and Dawkins introduced:

H. F. No. 1397, A bill for an act relating to retirement; St. Paul police relief association; authorizing an increase in the service pension and disability benefit amounts; authorizing a change in certain actuarial assumptions; amending Minnesota Statutes 1992, sections 69.77, subdivision 2b; 353B.07, subdivision 3; and 353B.08, subdivisions 6 and 7; Laws 1955, chapter 151, section 9, as amended.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Evans introduced:

H. F. No. 1398, A bill for an act relating to traffic regulations; defining residential roadways and establishing speed limits; amending Minnesota statutes 1992, sections 169.01, by adding a subdivision; 169.06, by adding a subdivision; and 169.14, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Smith introduced:

H. F. No. 1399, A bill for an act relating to consumer protection; regulating contracts for solid waste collection services; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lourey and Solberg introduced:

H. F. No. 1400, A bill for an act relating to education; extending time for school districts to transfer nonoperating funds; amending Laws 1991, chapter 265, article 8, section 14, as amended.

The bill was read for the first time and referred to the Committee on Education.

Lourey and Jennings introduced:

H. F. No. 1401, A bill for an act relating to human services; establishing an alternative grant application process for categorical social service programs in Pine county.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Anderson, I.; Battaglia; Sparby and Johnson, V., introduced:

H. F. No. 1402, A bill for an act relating to natural resources; amending requirements to mitigate wetlands; adding exemptions; extending interim rules; amending Minnesota Statutes 1992, sections 103G.222; 103G.2241; 103G.2242, subdivisions 1 and 2; 103G.2369, subdivision 2; and Laws 1991, chapter 354, article 7, section 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hausman introduced:

H. F. No. 1403, A bill for an act relating to energy conservation; providing alternative financing methods for municipalities to pay the costs of energy conservation investments; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 216C.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Evans, McCollum, Trimble, Wejcman and McGuire introduced:

H. F. No. 1404, A bill for an act relating to the city of New Brighton; permitting the city to acquire granular carbon without a bond.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bertram and Winter introduced:

H. F. No. 1405, A bill for an act relating to wetlands; extending dates for rule adoption and the prohibition on draining and filling; amending Minnesota Statutes 1992, section 103G.2369, subdivision 2; and Laws 1991, chapter 354, articles 6, section 22; and 7, section 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Olson, K.; Greiling; Ness; Carlson and Vellenga introduced:

H. F. No. 1406, A bill for an act relating to education; directing school districts to provide challenging instructional activities and experiences to students; amending Minnesota Statutes 1992, section 124A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 126.

The bill was read for the first time and referred to the Committee on Education.

Milbert, McGuire, Knickerbocker, Kahn and Osthoff introduced:

H. F. No. 1407, A bill for an act relating to occupations and professions; board of architecture, engineering, land surveying, landscape architecture, and certified interior designer; establishing a procedure for issuance, denial, revocation, and suspension of licenses; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 326.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Limmer introduced:

H. F. No. 1408, A bill for an act relating to agriculture; redefining terms in the plant pest act; amending Minnesota Statutes 1992, section 18.46, subdivisions 3 and 9, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

Dehler introduced:

H. F. No. 1409, A bill for an act relating to public employment; extending eligibility for insurance continuation for certain former public employees.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jacobs introduced:

H. F. No. 1410, A bill for an act relating to liquor; identification required for purchase or consumption; amending Minnesota Statutes 1992, section 340A.503, subdivision 6.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Johnson, A.; Vellenga; Tomassoni; Bauerly and Kelley introduced:

H. F. No. 1411, A bill for an act relating to the legislative commission on children, youth, and their families; authorizing the commission to hire staff; prescribing duties of other state officers; changing certain reporting requirements; directing the governor to consult with the commission when making certain program transfers; providing grants for community-based programs; appropriating money; amending Minnesota Statutes 1992, section 3.873, subdivisions 4, 5, 6, 7, and 9; proposing coding for new law in Minnesota Statutes, chapter 4.

The bill was read for the first time and referred to the Committee on Education.

Kelley; Johnson, A.; Vellenga; Greenfield and Klinzing introduced:

H. F. No. 1412, A bill for an act relating to children; coordinating county social services and school district services for children; expanding the target groups of children that must be served by community social service programs; requiring minimum expenditures by counties on social services for children and a separate children's plan; requiring the county board to collaborate with local school boards and community health boards in developing the children's social service plan; appropriating money; amending Minnesota Statutes 1992, sections 124A.29, subdivision 1; 256E.03, subdivision 2, and by adding a subdivision; 256E.08, subdivisions 1 and 5; and 256E.09; proposing coding for new law in Minnesota Statutes, chapter 124A.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Wenzel; Anderson, I.; Mosel and Nelson introduced:

H. F. No. 1413, A bill for an act relating to local government aids; establishing a separate formula for cities with a population of less than 2,500; amending Minnesota Statutes 1992, sections 477A.011, subdivision 1a, and by adding subdivisions; 477A.013, subdivisions 3, 5, and by adding a subdivision; and 477A.03, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Sparby and Lieder introduced:

H. F. No. 1414, A bill for an act relating to human services; requiring a pilot project to downsize an existing intermediate care facility for persons with mental retardation and related conditions; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sparby, Tunheim, Lieder, Dauner and Johnson, V., introduced:

H. F. No. 1415, A bill for an act relating to agriculture; modifying certain provisions relating to wheat and barley promotion orders; amending Minnesota Statutes 1992, sections 17.53, subdivisions 2, 8, and 13; 17.59, subdivision 2; and 17.63.

The bill was read for the first time and referred to the Committee on Agriculture.

Reding introduced:

H. F. No. 1416, A bill for an act relating to retirement; Austin fire department relief association; modifying health insurance coverage for spouses of certain retired firefighters; excluding Austin part-time on-call firefighters from the application of certain laws; permitting the reinstatement of certain survivor benefits; amending Laws 1992, chapter 455, section 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Winter introduced:

H. F. No. 1417, A bill for an act relating to health; providing podiatrists with equal access to hospitals and outpatient surgical centers; allowing podiatrists and dentists to use the designations "physician" and "surgeon"; amending Minnesota Statutes 1992, section 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Winter, Garcia, Lasley and Steensma introduced:

H. F. No. 1418, A bill for an act relating to motor carriers; specifying responsibility for workers' compensation coverage for certain persons who load or unload freight; prohibiting coercion of motor carriers in the loading and unloading of freight; providing for civil penalties; amending Minnesota Statutes 1992, section 221.036, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapters 176; and 221.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Battaglia, Rukavina and Anderson, I., introduced:

H. F. No. 1419, A bill for an act relating to Cook county; providing for the imposition of a sales tax and motor vehicle excise tax on sales transactions in Cook county; providing for the use of the sales tax revenues; authorizing the issuance of bonds to finance the expansion of and improvements to the North Shore hospital.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

McGuire introduced:

H. F. No. 1420, A bill for an act relating to probate; providing for determination of reasonable compensation for certain guardians and conservators; changing provisions for guardians and conservators of certain institutionalized persons; amending Minnesota Statutes 1992, sections 525.54, subdivision 3; 525.58, subdivision 4; and 525.703, subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Judiciary.

Johnson, A.; Brown, K., and Kelso introduced:

H. F. No. 1421, A bill for an act relating to health; requiring radon testing in schools and day cares; requiring a radon mitigation report by the commissioner of health; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Rhodes, Murphy, Bergson, Delmont and Macklin introduced:

H. F. No. 1422, A bill for an act relating to crime; expanding the scope of the requirement that sex offenders provide a DNA specimen; amending Minnesota Statutes 1992, section 609.3461.

The bill was read for the first time and referred to the Committee on Judiciary.

Farrell, Beard, Goodno and Bettermann introduced:

H. F. No. 1423, A bill for an act relating to unemployment compensation; modifying definitions; changing provisions relating to eligibility for and administration of unemployment compensation; amending Minnesota Statutes 1992, sections 268.04, subdivisions 4 and 12; 268.08, subdivisions 3 and 6; 268.09, subdivisions 1, 2, and 8; 268.10, subdivisions 2 and 6; 268.12, subdivision 12; 268.16, subdivision 4; and 268.161, subdivision 9.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Munger, Murphy, Ozment, Sparby and Jaros introduced:

H. F. No. 1424, A bill for an act relating to pollution control; exempting certain storage tanks from notification, environmental protection, and tank installer training and certification requirements; amending Minnesota Statutes 1992, section 116.47.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Johnson, V., and Munger introduced:

H. F. No. 1425, A bill for an act relating to game and fish; authorizing a program of agricultural crop protection assistance; expanding the use of deer license fees; authorizing the issuance of additional deer licenses to certain landowners and tenants; authorizing the commissioner of natural resources to allow the taking of multiple deer; authorizing an expanded firearms deer season; providing a license exemption for dark houses and fish houses on certain boundary waters; amending Minnesota Statutes 1992, sections 97A.075, subdivision 1; 97A.441, by adding a subdivision; 97B.301, subdivision 4; 97B.311; and 97C.355, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Greiling, Carlson, Vellenga, Long and Weaver introduced:

H. F. No. 1426, A bill for an act relating to education; establishing the coalition for education reform and accountability; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Hasskamp, Dawkins, Simoneau, Kahn and Stanius introduced:

H. F. No. 1427, A bill for an act relating to health; requiring the commissioner of health to provide information to the public regarding the effects of secondhand smoke on children; prohibiting smoking in family day care facilities; prohibiting the sale or furnishing of candy tobacco look-alike products to children; requiring the posting of signs warning of the effects of secondhand smoke; creating a children and smoking prevention account; appropriating money; amending Minnesota Statutes 1992, sections 144.392; 144.414, subdivision 2, and by adding a subdivision; and 144.416; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Evans, Asch, Bishop, Simoneau and Anderson, R., introduced:

H. F. No. 1428, A bill for an act relating to occupations and professions; dentistry; modifying a certain exception to the licensing requirements; establishing faculty, resident dentist, and specialty licenses; modifying a certain ground for disciplinary action; amending Minnesota Statutes 1992, sections 150A.01, by adding subdivisions; 150A.05, subdivision 2; 150A.06, by adding subdivisions; and 150A.08, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Krueger, Opatz, Abrams and Knickerbocker introduced:

H. F. No. 1429, A bill for an act relating to state government; creating an independent information policy office; transferring certain duties to the office; amending Minnesota Statutes 1992, sections 13.02, by adding a subdivision; 13.05, subdivision 2; 13.06, subdivisions 1, 4, 5, 6, and 7; 13.07; 15.17, subdivision 1; 15.171; 15.172; 15.173; 15.174; 16B.04, subdivision 2; 16B.40; 16B.41; 16B.42; 16B.43; 16B.44; and 16B.92; proposing coding for new law as Minnesota Statutes, chapter 15B; repealing Minnesota Statutes 1992, sections 13.02, subdivision 2; and 16B.41, subdivisions 3 and 4;

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Johnson, R., and Kahn introduced:

H. F. No. 1430, A bill for an act relating to retirement; correctional employees retirement plan of the Minnesota state retirement system; transferring various employment positions in the departments of corrections and human services from coverage by the general state employees retirement plan to the correctional employees retirement plan; amending Minnesota Statutes 1992, sections 352.91, by adding subdivisions; and 352.92, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Stanius and Vickerman introduced:

H. F. No. 1431, A bill for an act relating to human services; providing legislative findings concerning funding of services for persons with mental disabilities; requiring disclosure of certain information; mandating certain actions relating to competitive bidding and delivery of services; establishing an advisory council.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dempsey, Bettermann, Holsten and Battaglia introduced:

H. F. No. 1432, A bill for an act relating to pollution control; defining the qualified recipients for combined sewer overflow abatement assistance; providing for the issuance of bonds; appropriating money; amending Minnesota Statutes 1992, section 116.162, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Murphy, Pugh and Carruthers introduced:

H. F. No. 1433, A bill for an act relating to jury management; increasing the fee for jury trial requests; authorizing the supreme court to set the compensation and travel reimbursement of jurors; amending Minnesota Statutes 1992, sections 357.021, subdivision 2; and 593.48.

The bill was read for the first time and referred to the Committee on Judiciary.

Rice, Sarna, Jefferson, Kahn and Orfield introduced:

H. F. No. 1434, A bill for an act relating to the city of Minneapolis; requiring the community development agency to expend funds for neighborhood development; amending Laws 1980, chapter 595, by adding a section.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Clark; Jefferson; Johnson, A., and Anderson, I., introduced:

H. F. No. 1435, A bill for an act relating to metropolitan government; providing for minority representation on the metropolitan council; amending Minnesota Statutes 1992, section 473.123, subdivisions 1 and 2a.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Kelley introduced:

H. F. No. 1436, A bill for an act relating to the environment; appropriating money from the metropolitan landfill contingency trust fund to the commissioner of the pollution control agency for reimbursement to the city of Hopkins for remediation of methane at the city landfill; amending Laws 1991, chapter 182, section 7.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Lourey introduced:

H. F. No. 1437, A bill for an act relating to history; appropriating money for the Moose Lake Fire and Heritage Museum.

The bill was read for the first time and referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

Skoglund introduced:

H. F. No. 1438, A bill for an act relating to crime; conspiracy and accomplices; increasing penalties for soliciting a juvenile to commit a crime, aiding an offender who has committed a crime of violence, conspiring with two or more others to commit a crime of violence; imposing a penalty for an accomplice after-the-fact to a crime of violence; revising the crime of riot and increasing the penalty; repealing law imposing penalties for committing crimes for benefit of a gang; amending Minnesota Statutes 1992, sections 609.05, subdivision 1; 609.175, subdivision 2, and by adding a subdivision; 609.494; 609.495; and 609.71; repealing Minnesota Statutes 1992, section 609.229.

The bill was read for the first time and referred to the Committee on Judiciary.

Skoglund introduced:

H. F. No. 1439, A bill for an act relating to crime; creating a commission on nonfelony enforcement to review the proportionality and enforcement of petty misdemeanor, misdemeanor, and gross misdemeanor offenses; requiring a report.

The bill was read for the first time and referred to the Committee on Judiciary.

Winter and Reding introduced:

H. F. No. 1440, A bill for an act relating to state government; executive council; regulating depositories for state funds; amending Minnesota Statutes 1992, section 9.031, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 9; repealing Minnesota Statutes 1992, section 9.031, subdivisions 1, 2, 3, 4, 5, and 10.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Sviggum, Weaver, Hugoson, Molnau and Rhodes introduced:

H. F. No. 1441, A bill for an act relating to the legislature; requiring budget information; providing for appropriations; providing for various accounts; making the open meeting law apply to the legislature; amending Minnesota Statutes 1992, sections 16A.18; 16A.281; and 471.705, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 3.055.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Simoneau introduced:

H. F. No. 1442, A bill for an act relating to the city of Columbia Heights; exclusions from salary in computing police relief association retirement benefits; permitting a contribution with interest by a member for past service with the city; amending Laws 1977, chapter 374, section 8, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dawkins introduced:

H. F. No. 1443, A bill for an act relating to controlled substances; requiring the council on Black Minnesotans to study sentencing practices under the sentencing guidelines with respect to controlled substance offenses.

The bill was read for the first time and referred to the Committee on Judiciary.

Lourey, Jennings, Cooper and Nelson introduced:

H. F. No. 1444, A bill for an act relating to human services; increasing reimbursement rates for day training and habilitation services; requiring salary increases for personnel below top management; amending Minnesota Statutes 1992, section 252.24, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bettermann and Krueger introduced:

H. F. No. 1445, A bill for an act relating to industrial development; authorizing a grant to a nonprofit organization to promote expanding flexible collaborative manufacturing networks statewide; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Jefferson introduced:

H. F. No. 1446, A bill for an act relating to economic development; creating an urban challenge grant program; requiring rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116M.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lieder, Trimble, Asch, Mahon and Morrison introduced:

H. F. No. 1447, A bill for an act relating to higher education; eliminating the higher education coordinating board; transferring functions; creating a higher education services office; modifying the higher education advisory council; appropriating money; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; 125.185, subdivision 4a; 126.663, subdivision 3; 126A.02, subdivision 2; 135A.09; 135A.10, subdivision 1; 136A.01; 136A.03; 136A.08; 136A.101, subdivisions 1, 2, and 3; 136A.15, subdivisions 3 and 4; 136A.16, subdivision 1; 136A.233, subdivision 2; 136A.62, subdivision 2; 136C.042, subdivision 1; and 298.2214, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136A; repealing Minnesota Statutes 1992, sections 135A.05; 135A.052, subdivision 3; 135A.06, subdivisions 2, 3, 4, 5, and 6; 135A.061; 135A.08; 135A.12, subdivision 5; 136A.02; 136A.04; 136A.041; 136A.043; 136A.134; 136A.234; 136A.70; 136A.85; 136A.86; 136A.87; and 136A.88.

The bill was read for the first time and referred to the Committee on Education.

HOUSE ADVISORIES

The following House Advisory was introduced:

Solberg, Rice, Krueger, Kahn and Bishop introduced:

H. A. No. 4, A proposal to study the ratio of managers and supervisors to other employees in state government.

The advisory was referred to the Committee on Governmental Operations and Gambling.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 29, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 29 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 29, A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Bertram	Cooper	Erhardt	Greiling	Huntley	Kahn
Anderson, I.	Bettermann	Dauner	Evans	Gruenes	Jacobs	Kalis
Anderson, R.	Blatz	Davids	Farrell	Güt knecht	Jaros	Kelley
Asch	Brown, K.	Dawkins	Frerichs	Hasskamp	Jefferson	Kelso
Battaglia	Carlson	Dehler	Garcia	Haukoos	Jennings	Kinkel
Bauerly	Carruthers	Delmont	Girard	Hausman	Johnson, A.	Klinzing
Beard	Clark	Dempsey	Goodno	Holsten	Johnson, R.	Knickerbocker
Bergson	Commers	Dorn	Greenfield	Hugoson	Johnson, V.	Koppendrayer

Krueger	Mariani	Olson, E.	Pelowski	Seagren	Tompkins	Winter
Lasley	McCollum	Olson, M.	Perlt	Sekhon	Trimble	Wolf
Leppik	McGuire	Onnen	Peterson	Simoneau	Tunheim	Worke
Lieder	Milbert	Opatz	Pugh	Skoglund	Van Dellen	Workman
Limmer	Molnau	Orenstein	Reding	Smith	Vellenga	Spk. Long
Lindner	Morrison	Orfield	Rest	Solberg	Vickerman	
Lourey	Mosel	Osthoff	Rhodes	Sparby	Wagenius	
Luther	Munger	Ostrom	Rice	Stanius	Waltman	
Lynch	Neary	Ozment	Rodosovich	Steensma	Weaver	
Macklin	Nelson	Pauly	Rukavina	Swenson	Wejzman	
Mahon	Ness	Pawlenty	Sarna	Tomassoni	Wenzel	

Those who voted in the negative were:

Sviggum

The bill was repassed, as amended by the Senate, and its title agreed to.

CONSENT CALENDAR

Trimble moved that the bills on the Consent Calendar for today be continued. The motion prevailed.

CALENDAR

Trimble moved that the bills on the Calendar for today be continued. The motion prevailed.

GENERAL ORDERS

Trimble moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Tunheim moved that the name of Bauerly be stricken and the name of Dauner be added as an author on H. F. No. 634. The motion prevailed.

Jennings moved that the names of Kalis and Dempsey be added as authors on H. F. No. 795. The motion prevailed.

Reding moved that the name of Haukoos be added as an author on H. F. No. 964. The motion prevailed.

McGuire moved that the name of Munger be added as an author on H. F. No. 1067. The motion prevailed.

Johnson, A., moved that the name of Greiling be added as an author on H. F. No. 1197. The motion prevailed.

Greenfield moved that the name of Luther be added as an author on H. F. No. 1262. The motion prevailed.

Peterson moved that the name of Greiling be added as an author on H. F. No. 1270. The motion prevailed.

Orenstein moved that the name of Mariani be added as an author on H. F. No. 1319. The motion prevailed.

Skoglund and Long introduced:

House Resolution No. 5, A house resolution relating to management and administrative practices of the House of Representatives.

SUSPENSION OF RULES

Skoglund moved that the rules be so far suspended that House Resolution No. 5 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 5

A house resolution relating to management and administrative practices of the House of Representatives.

Whereas, there has been a serious breakdown in controls over the use of WATS lines made available to members; and

Whereas, the breakdown led to fraudulent charges to the state of Minnesota; and

Whereas, the Attorney General and others are investigating matters relating to the WATS lines; and

Whereas, the House of Representatives is responsible for maintaining effective controls over its own business; and

Whereas, the House of Representatives is determined to maintain and institute administrative practices that meet high standards for integrity, reliability, and accountability; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota that the Speaker of the House shall appoint a special committee of six members, three from each caucus, which shall:

- (1) review management and administrative practices of the house;
- (2) report to the House by April 14, 1993, on the practices which permitted the breakdown in controls and the extent to which such practices have been changed;
- (3) recommend additional improvements in management practices that it deems are necessary;
- (4) develop a plan for future oversight of the management and practices of the House; and
- (5) recommend actions to be taken by the House to implement the recommendation and plan developed by the committee, no later than December 31, 1993.

Skoglund moved to amend House Resolution No. 5, as follows:

Page 1, line 19, delete "six" and "three" and insert "eight" and "four"

The motion prevailed and the amendment was adopted.

Goodno moved to amend House Resolution No. 5, as amended, as follows:

Page 1, line 18, delete "a"

Page 1, line 19, delete everything before ", which" and insert "four members from the majority caucus and the minority leader shall appoint four members from the minority caucus, to a special committee of eight members"

A roll call was requested and properly seconded.

The question was taken on the Goodno amendment and the roll was called. There were 40 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Haukoos	Limmer	Olson, M.	Stanius	Waltman
Bettermann	Erhardt	Holsten	Lindner	Onnen	Swiggum	Wolf
Blatz	Frerichs	Hugoson	Lynch	Ozment	Swenson	Worke
Commers	Girard	Johnson, V.	Macklin	Pawlenty	Tompkins	Workman
Davids	Goodno	Koppendraye	Molnau	Seagren	Van Dellen	
Dehler	Gutknecht	Leppik	Ness	Smith	Vickerman	

Those who voted in the negative were:

Anderson, I.	Cooper	Huntley	Knickerbocker	Munger	Perlt	Solberg
Anderson, R.	Dauner	Jacobs	Krueger	Murphy	Peterson	Sparby
Asch	Dawkins	Jaros	Lasley	Neary	Pugh	Steensma
Battaglia	Delmont	Jefferson	Lieder	Nelson	Reding	Tomassoni
Bauerly	Dorn	Jennings	Lourey	Olson, E.	Rest	Trimble
Beard	Evans	Johnson, A.	Luther	Olson, K.	Rhodes	Tunheim
Bergson	Farrell	Johnson, R.	Mahon	Opatz	Rice	Vellenga
Bertram	Garcia	Kahn	Mariani	Orenstein	Rodosovich	Wagenius
Brown, C.	Greenfield	Kalis	McCollum	Orfield	Rukavina	Wejzman
Brown, K.	Greiling	Kelley	McGuire	Osthoff	Sarna	Wenzel
Carlson	Gruenes	Kelso	Milbert	Ostrom	Sekhon	Winter
Carruthers	Hasskamp	Kinkel	Morrison	Pauly	Simoneau	Spk. Long
Clark	Hausman	Klinzing	Mosel	Pelowski	Skoglund	

The motion did not prevail and the amendment was not adopted.

Skoglund moved that House Resolution No. 5, as amended, be now adopted.

The question was taken on House Resolution No. 5, as amended, and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krueger	Murphy	Pugh	Tomassoni
Anderson, I.	Dawkins	Holsten	Lasley	Neary	Reding	Tompkins
Anderson, R.	Dehler	Hugoson	Leppik	Nelson	Rest	Trimble
Asch	Delmont	Huntley	Lieder	Ness	Rhodes	Tunheim
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Evans	Jennings	Luther	Onnen	Sarna	Wagenius
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Seagren	Waltman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Sekhon	Weaver
Blatz	Garcia	Johnson, V.	Mahon	Orfield	Simoneau	Wejzman
Brown, C.	Girard	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Smith	Winter
Carlson	Greenfield	Kelley	McGuire	Ozment	Solberg	Wolf
Carruthers	Greiling	Kelso	Milbert	Pauly	Sparby	Worke
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Stanius	Workman
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Steensma	Spk. Long
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Swiggum	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Swenson	

The motion prevailed and House Resolution No. 5, as amended, was adopted.

Dawkins moved that H. F. No. 2 be recalled from the Committee on Education and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Bertram moved that H. F. No. 1405 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Agriculture. The motion prevailed.

Wenzel moved that H. F. No. 1393 be recalled from the Committee on Taxes and be re-referred to the Committee on Agriculture. The motion prevailed.

Skoglund moved that the names of Kelley and Asch be added as authors on House Resolution No. 5. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

Pursuant to House Resolution No. 5, the Speaker announced the appointment of the following members to the Special Committee on House Management and Administrative Practices:

Pugh, Chair; Asch; Bishop; Dorn; Gruenes; Pauly; Pawlenty and Rest.

ADJOURNMENT

Trimble moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, March 25, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-EIGHTH SESSION -- 1993

TWENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 25, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Carey Olson, Pastor of Bloomington Baptist Church, Bloomington, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Murphy	Pugh	Tomassoni
Anderson, I.	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Asch	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Luther	Onnen	Sarna	Wagenius
Bertram	Evans	Jennings	Lynch	Opatz	Seagren	Waitman
Bettermann	Farrell	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, R.	Mahon	Orfield	Simoneau	Wejcman
Blatz	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ostrom	Smith	Winter
Brown, K.	Goodno	Kalis	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelley	Milbert	Pauly	Sparby	Worke
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Stanisus	Workman
Clark	Gruenes	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Mosel	Perlt	Sviggum	
Cooper	Hasskamp	Kruckerbocker	Munger	Peterson	Swenson	

A quorum was present.

Krinkie, Leppik and Welle were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Lindner moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 2, A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivision 5; 124A.29, subdivision 1; 124C.46, subdivision 1; and 126.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; and 121.

Reported the same back with the following amendments:

Page 2, line 23, delete "community service" and insert "works"

Page 2, line 25, delete "community service" and insert "works"

Page 3, lines 5 and 7, delete "SERVICE" and insert "WORKS"

Page 3, lines 5, 8, 15, and 17, delete "service" and insert "works"

Page 3, line 12, delete everything after the period

Page 3, delete line 13

Page 3, line 14, delete everything before "The"

Page 3, line 18, delete "31" and insert "16" and delete "the"

Page 3, delete line 19 and insert "eight persons appointed by the governor from among"

Page 3, line 20, delete "each of" and delete "department of administration,"

Page 3, line 29, delete everything after "remaining" and insert "eight members from among representatives of the following groups:"

Page 3, line 30, delete "labor" and insert "private and public sector labor unions" and delete "out-of-school and"

Page 3, line 31, delete "out-of-work youth,"

Page 3, line 35, after the comma insert "public or nonprofit organizations experienced in youth employment and training," and after "and" insert "volunteer administrators, or"

Page 4, line 5, before "The" insert "(a)" and delete "service" and insert "works"

Page 4, line 13, delete "commissioner of"

Page 4, line 14, delete "education under section 13, subdivision 2," and insert "youth apprenticeship council"

Page 4, line 15, delete "and work-based learning"

Page 4, line 16, after "methods" insert "of instruction"

Page 4, line 17, after "with" insert "the youth apprenticeship council,"

Page 4, line 18, delete the first "and" and after "employers" insert ", and labor unions"

Page 4, line 19, delete ", work-based learning,"

Page 4, line 22, delete "community service" and insert "works"

Page 4, after line 28, insert:

"(b) Nothing in this act precludes an organization from independently seeking public or private funding to accomplish purposes similar to those described in paragraph (a)."

Page 4, line 29, delete "COMMUNITY SERVICE" and insert "WORKS"

Page 4, line 30, delete "community service" and insert "works"

Page 4, line 31, delete "community service" and insert "works"

Page 4, line 32, delete ", and" and insert ". The program"

Page 4, line 33, delete everything after "displace" and insert "existing programs and services, existing funding of programs or services, or existing employment and employment opportunities. No eligible organization may terminate, lay off, or reduce the hours of work of an employee to place or hire a program participant. No eligible organization may place or hire an individual for a project if an employee is on lay off from the same or a substantially equivalent position."

Page 4, delete line 34

Page 4, line 35, delete "COMMUNITY SERVICE" and insert "WORKS"

Page 5, lines 2, 4, 10, 16, and 18, delete "service" and insert "works"

Page 5, line 7, delete "community service" and insert "works"

Page 5, line 11, delete "shall" and insert "may"

Page 9, line 31, delete "service" and insert "works"

Page 10, lines 14, 28, and 36, delete "service" and insert "works"

Page 11, line 14, delete "community service" and insert "works"

Page 11, lines 19, 26, 29, and 32, delete "service" and insert "works"

Page 11, line 22, delete "." and insert "seven" and after the period insert "To the extent that administrative costs are less than seven percent, an amount equal to the difference between the percent expended and seven percent shall be applied to the local match requirement in this section."

Page 11, lines 33 and 34, delete "June 30, 1997" and insert "January 1, 1998"

Page 16, lines 16 and 34, delete "service" and insert "works"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 72, A bill for an act relating to forfeiture; authorizing cities to enact certain forfeiture ordinances; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 609.531, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purpose of sections 609.531 to 609.5317, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a weapon used in the furtherance of a crime and defined as a dangerous weapon under section 609.02, subdivision 6.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the bureau of criminal apprehension, the Minnesota state patrol, a county sheriff's department, the suburban Hennepin regional park district park rangers, the department of natural resources division of enforcement, the University of Minnesota police department, or a city or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter;

(2) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 617.246; ~~or~~ a gross misdemeanor or felony violation of section 609.891; or any violation of section 609.324.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Sec. 2. Minnesota Statutes 1992, section 609.531, subdivision 4, is amended to read:

Subd. 4. [SEIZURE.] (a) Except as otherwise provided in paragraph (c), property subject to forfeiture under sections 609.531 to 609.5317 may be seized by the appropriate agency upon process issued by any court having jurisdiction over the property. Property may be seized without process if:

(1) the seizure is incident to a lawful arrest or a lawful search;

(2) the property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding under this chapter; or

(3) the appropriate agency has probable cause to believe that the delay occasioned by the necessity to obtain process would result in the removal or destruction of the property and that:

(i) the property was used or is intended to be used in commission of a felony or other designated offense; or

(ii) the property is dangerous to health or safety.

(b) If property is seized without process under clause (3), subclause (i), the county attorney or the county attorney's designee must institute a forfeiture action under section 609.5313 as soon as is reasonably possible.

(c) A conveyance device used to commit a violation of section 609.324 may only be seized by the appropriate agency upon process issued by a court having jurisdiction over the property.

Sec. 3. Minnesota Statutes 1992, section 609.531, subdivision 6a, is amended to read:

Subd. 6a. [FORFEITURE A CIVIL PROCEDURE; CONVICTION RESULTS IN PRESUMPTION.] (a) An action for forfeiture is a civil in rem action and is independent of any criminal prosecution, except as provided in this subdivision. The appropriate agency handling the forfeiture has the benefit of the evidentiary presumption of section 609.5314, subdivision 1, but otherwise bears the burden of proving the act or omission giving rise to the forfeiture by clear and convincing evidence, except that in cases arising under section 609.5312, the designated offense may only be established by a felony level criminal conviction; a gross misdemeanor conviction under section 609.891; or a conviction under section 609.324.

(b) A court may not issue an order of forfeiture under section 609.5311 while the alleged owner of the property is in custody and related criminal proceedings are pending against the alleged owner. For forfeiture of a motor vehicle, the alleged owner is the registered owner according to records of the department of public safety. For real property, the alleged owner is the owner of record. For other property, the alleged owner is the person notified by the prosecuting authority in filing the forfeiture action.

Sec. 4. Minnesota Statutes 1992, section 609.5312, subdivision 1, is amended to read:

Subdivision 1. [PROPERTY SUBJECT TO FORFEITURE.] All personal property is subject to forfeiture if it was used or intended for use to commit or facilitate the commission of a designated offense; except that when the designated offense is a violation of section 609.324, only the conveyance device used to commit the offense is subject to forfeiture. All money and other property, real and personal, that represent proceeds of a designated offense, and all contraband property, are subject to forfeiture, except as provided in this section.

Sec. 5. Minnesota Statutes 1992, section 609.5313, is amended to read:

609.5313 [FORFEITURE BY JUDICIAL ACTION; PROCEDURE.]

The forfeiture of property under sections 609.5311 and 609.5312 is governed by this section. A separate complaint must be filed against the property stating the act, omission, or occurrence giving rise to the forfeiture and the date and place of the act or occurrence. The county attorney shall notify the owner or possessor of the property of the action, if known or readily ascertainable. The action must be captioned in the name of the county attorney or the county attorney's designee as plaintiff and the property as defendant. Where the designated offense is not a felony and the county attorney is not responsible for criminal prosecution of the designated offense, the prosecuting attorney shall be the county attorney's designee.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective August 1, 1993, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crime; expanding the forfeiture law to apply to the prostitution crime; permitting forfeiture of the conveyance device used to commit the offense; prohibiting seizure of the conveyance device without process issued by a court; amending Minnesota Statutes 1992, sections 609.531, subdivisions 1, 4, and 6a; 609.5312, subdivision 1; and 609.5313."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 87, A bill for an act relating to transportation; defining personal transportation service; allowing provision of telephone caller identification service for certain commercial carriers of passengers; amending Minnesota Statutes 1992, section 221.011, subdivision 34; proposing coding for new law in Minnesota Statutes, chapter 237.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 1, line 23, delete "Sec. 2" and insert "Section 1"

Page 1, line 26, delete "for-profit" and insert "for-hire"

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before "allowing"

Page 1, line 5, delete everything after the semicolon

Page 1, delete line 6

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Regulated Industries and Energy.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 90, A bill for an act relating to insurance; accident and health; regulating coverage for the use of off-label drugs; amending Minnesota Statutes 1992, sections 43A.23, subdivision 1; and 62A.011, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Health and Human Services without further recommendation.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 272, A bill for an act relating to state departments; abolishing department of public safety and transferring certain responsibilities and personnel to other agencies; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 13.99, subdivision 82; 15.01; 15A.081, subdivision 1; 16B.14; 16B.54, subdivision 2; 43A.05, subdivision 4; 43A.34, subdivision 4; 65B.28, subdivision 2; 161.125, subdivision 3; 161.20, subdivision 4; 161.465; 168.011, by adding subdivisions; 168.126, subdivision 3; 168.325; 169.751; 169.783, subdivision 1; 170.23; 170.24; 171.015; 216C.19, subdivision 1; 218.031, subdivision 2; 270.73, subdivision 1; 297B.01, subdivision 3; 297C.09; 297C.10, subdivision 1; 299A.02; 299A.30, subdivision 1; 299A.31, subdivision 1; 299A.331, subdivision 1; 299A.38, subdivision 1; 299C.01, subdivisions 2 and 4; 299C.06; 299C.13; 299C.50; 299F.01, subdivision 2; 299L.01, subdivision 1; 340A.201; 347.51, subdivision 2a; 349.151, subdivision 2; 352B.01, subdivision 2; 360.0752, subdivision 7; 360.0753, subdivision 6; 611A.20, subdivision 2; 624.7151; 626.5531, subdivision 2; 626.562, subdivision 1; and 634.16; repealing Minnesota Statutes 1992, sections 168.325, subdivision 4; 171.015, subdivisions 1 and 5; 270B.12, subdivision 4; 299A.01; 299C.01, subdivision 1; and 299F.01, subdivisions 1 and 3; Laws 1987, chapter 315, section 4, subdivision 2; Laws 1990, chapters 571, section 39; and 594, article 3, sections 6 and 7.

Reported the same back with the following amendments:

Page 2, line 21, delete "24" and insert "six"

Page 3, line 20, after the second "and" insert "seven positions from"

Page 3, line 29, delete "and"

Page 3, line 31, before the period insert "; and

(6) 16 positions from the office of information systems management"

Page 3, after line 31, insert:

"Possession of the department's minicomputer system and equipment is transferred to the office of the attorney general. Computer applications supporting functions not transferred to the office of the attorney general are transferred to the applicable receiving agencies. For programs not transferred to the office of the attorney general, the commissioner of transportation shall make the necessary arrangements for the effective management of the department's information systems. The commissioner of transportation may lease time and services on the minicomputer system transferred to the attorney general, and shall compensate the attorney general for the leased time and services from funds appropriated to the commissioner for driver and vehicle services."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 436, A bill for an act relating to medical assistance; modifying hospital reimbursement rates; amending Minnesota Statutes 1992, section 256.969, subdivisions 9, 20, and by adding subdivisions.

Reported the same back with the following amendments:

Page 3, after line 23, insert:

"(d) The provisions of paragraphs (a), (b), and (c) are effective only when federal matching funds are not available for all adjustments under this subdivision and it is necessary to implement ratable reductions under section 256.969, subdivision 9b."

Page 6, after line 17, insert:

"This subdivision is effective only when federal matching funds are not available for all adjustments under this subdivision and it is necessary to implement ratable reductions under section 256.969, subdivision 9b."

Page 6, line 19, before "Effective" insert "(a)"

Page 6, after line 24, insert:

"(b) Paragraph (a) is effective only when federal matching funds are not available for all adjustments under this subdivision and it is necessary to implement ratable reductions under Minnesota Statutes, section 256.969, subdivision 9b."

Sec. 7. [HOSPITAL REIMBURSEMENT FOR INPATIENT SERVICES.]

The commissioner may consider indigent care payments as disproportionate population adjustments for eligible hospitals, if so permitted by the secretary of health and human services."

Page 6, line 25, delete "7" and insert "8"

Page 6, line 26, delete "6" and insert "7"

Page 6, line 27, after the period, insert "Sections 1 to 6 are effective only when federal matching funds are not available for all disproportionate population adjustments and it is necessary to implement ratable reductions under Minnesota Statutes, section 256.969, subdivision 9b."

With the recommendation that when so amended the bill pass.

The report was adopted.

Battaglia from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 661, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

Reported the same back with the following amendments:

Page 20, line 16, strike "price"

Page 21, line 8, delete everything after the headnote

Page 21, delete lines 9 to 11 and insert "All selected dairy products sold by a dairy marketer or retailer having 25 percent or more of all sales of selected dairy products as home delivery retail sales or sales to hospitals, public or nonpublic schools, residential care facilities or institutions, or nursing homes are exempt from assessment under this section."

Page 26, after line 2, insert:

"Sec. 19. [RETURN OF CERTAIN ASSESSMENTS.]

Any balance that may exist in the Minnesota class I premium equalization fund on the effective date of this act must be returned to processors in proportion to their contributions to the balance."

Page 26, line 14, delete "that" and insert "section 14 is effective retroactive to April 1, 1993, and"

Renumber sections in sequence

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.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 795, A bill for an act relating to insurance; no-fault auto; excluding certain vehicles from the right of indemnity granted by the no-fault act; amending Minnesota Statutes 1992, section 65B.53, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 877, A bill for an act relating to the environment; increasing and extending the motor vehicle transfer fee; establishing a grant program for the purpose of examining management alternatives for motor vehicle shredder residue; requiring the pollution control agency to address management of shredder residue; appropriating money; amending Minnesota Statutes 1992, sections 115A.90, by adding a subdivision; and 115A.908; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the following amendments:

Page 1, line 14, delete "MOTOR VEHICLE" and delete "Motor vehicle"

Page 1, line 16, delete "and" and insert ", an appliance, or other source of recyclable steel after" and delete "or" and insert "and"

Page 2, line 15, delete "MOTOR VEHICLE"

Page 2, line 17, delete everything before "The"

Page 2, lines 19 to 20, delete "for recycling and other interested persons" and insert ", appliances, and other sources of recyclable steel"

Page 2, line 20, delete "establish standards for" and insert "study" and delete "motor"

Page 2, line 21, delete "vehicle"

Page 2, line 22, delete "establish standards that"

Page 2, line 25, delete "In setting standards,"

Page 2, line 26, delete "to land disposal"

Page 2, delete lines 31 to 34

Page 2, line 35, delete "MOTOR VEHICLE"

Page 3, line 2, after "vehicles" insert ", appliances, and other sources of recyclable steel"

Page 3, line 4, delete "or" and insert "and"

Page 3, line 9, delete everything after "exceed" and insert "\$250,000 or 75 percent of the total cost of the studies proposed in the grant application, whichever is less."

Page 3, line 25, delete "\$500,000" and insert "\$250,000" and after "appropriated" insert "in each of fiscal years 1994 and 1995"

Page 3, line 28, delete "motor vehicle"

Page 3, line 29, after the period insert "The unencumbered balance remaining in the first year does not cancel but is available for the second year and"

Page 3, line 31, delete "1994" and insert "1995"

Page 3, line 34, delete "establishing" and insert "studying"

Page 3, line 35, delete "standards for motor vehicle" and insert "of" and after "residue" insert "from motor vehicles, appliances, and other sources of recyclable steel"

Amend the title as follows:

Page 1, line 5, delete "motor vehicle" and before the semicolon insert "from steel recycling processes"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 991, A bill for an act relating to utilities; repealing the authority of a municipality to acquire the property of another electric service provider through eminent domain; repealing Minnesota Statutes 1992, section 216B.47.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 216B.44, is amended to read:

216B.44 [MUNICIPAL SERVICE TERRITORY EXTENSIONS.]

Notwithstanding the provisions of sections 216B.38 to 216B.42, whenever a municipality which owns and operates an electric utility (a) extends its corporate boundaries through annexation or consolidation, or (b) determines to extend its service territory within its existing corporate boundaries, the municipality shall thereafter furnish electric service to these areas unless the area is already receiving electric service from an electric utility, in which event, the municipality may purchase the facilities of the electric utility serving the area. The municipality acquiring the facilities shall pay to the electric utility formerly serving the area the appropriate value of its properties within the area which payment may be by exchange of other electric utility property outside the municipality on an appropriate basis giving due consideration to revenue from and value of the respective properties. In the event the municipality and the electric utility involved are unable to agree as to the terms of the payment or exchange, the municipality or the electric utility may file an application with the commission requesting that the commission determine the appropriate terms for the exchange or sale. After notice and hearing, the commission shall determine appropriate terms for an exchange, or in the event no appropriate properties can be exchanged, the commission shall fix and determine the appropriate value of the property within the annexed area, and the transfer shall be made as directed by the commission. In making that determination the commission shall consider the original cost of the property, less depreciation, loss of revenue to the utility formerly serving the area, expenses resulting from integration of facilities, and other appropriate factors. Until the determination by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner. However, the electric utility being displaced, serving the annexed area, shall not extend service to any additional points of delivery within the annexed area if the commission, after notice and hearing, with due consideration of any unnecessary duplication of facilities, shall determine that the extension is not in the public interest.

When property of an electric utility located within an area annexed to a municipality which owns and operates an electric utility is proposed to be acquired by the municipality, ratification by the electors is not required.

When property of an electric utility located within the existing corporate boundaries of a municipality that currently operates a municipal electric utility is proposed to be included within the service territory of the municipal electric utility, ratification by the electors is not required.

The procedures for municipal service territory extensions in sections 216B.44 to 216B.465 are the exclusive means for a municipality to acquire the property of a public utility. A municipality is precluded from acquiring the property of a public utility by use of eminent domain authority granted in other law."

Page 1, line 10, delete "Section 1 is" and insert "Sections 1 and 2 are"

Page 1, line 11, delete "applies" and insert "apply"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "the" and insert "general"

Page 1, line 4, after the semicolon insert "providing exclusive means for municipality to acquire property of public utility; amending Minnesota Statutes 1992, section 216B.44;"

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. 1000, A bill for an act relating to insurance; no-fault auto; regulating priorities of coverage for motor vehicles used in the for-hire transportation of passengers; amending Minnesota Statutes 1992, section 65B.47, subdivision 1a.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Transportation and Transit without further recommendation.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1058, A bill for an act relating to landlord and tenant; restricting recovery if tenant owes rent; modifying owner's obligation to furnish rent certificate; allowing recovery under parol leases; allowing expedited proceedings; imposing penalties; amending Minnesota Statutes 1992, sections 290A.19; 504.02, subdivision 1, and by adding a subdivision; 566.03, by adding a subdivision; and 566.06; proposing coding for new law in Minnesota Statutes, chapters 290A; 504; and 566.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 504.02, subdivision 1, is amended to read:

Subdivision 1. [ACTION TO RECOVER.] (a) In case of a lease of real property, when the landlord has a subsisting right of reentry for the failure of the tenant to pay rent the landlord may bring an action to recover possession of the property and such action is equivalent to a demand for the rent and a reentry upon the property; but if, at any time before possession has been delivered to the plaintiff on recovery in the action, the lessee or a successor in interest as to the whole or any part of the property pays to the plaintiff or brings into court the amount of the rent then in arrears, with interest and costs of the action, and an attorney's attorney fee not exceeding \$5, and performs the other covenants on the part of the lessee, the lessee or successor may be restored to the possession and hold the property according to the terms of the original lease unless an action is pending under section 566.03, subdivision 5, for recovery of the property alleging a material violation of the lease.

(b) If the tenant has paid to the plaintiff or brought into court the amount of rent in arrears but is unable to pay the interest, costs of the action, and attorney fees required by this subdivision, the court may permit the defendant to pay these amounts into court and be restored to possession within the same period of time, if any, which the court stays the issuance of the writ of restitution pursuant to section 566.09.

(c) Prior to or after commencement of an action to recover possession for nonpayment of rent, the parties may agree only in writing that partial payment of rent in arrears which is accepted by the landlord prior to issuance of the order granting restitution of the premises pursuant to section 566.09 may be applied to the balance due and does not waive the landlord's action to recover possession of the premises for nonpayment of rent.

(d) Rental payments under this subdivision must first be applied to rent claimed as due in the complaint from prior rental periods before applying any payment toward rent claimed in the complaint for the current rental period, unless the court finds that under the circumstances the claim for rent from prior rental periods has been waived.

Sec. 2. [504.257] [UNLAWFUL DESTRUCTION OR NONPAYMENT; DAMAGES.]

An action may be brought for willful and malicious destruction of leased residential rental property. The prevailing party may recover actual damages, costs, and reasonable attorney fees, as well as other equitable relief as determined by the court.

Sec. 3. Minnesota Statutes 1992, section 566.03, is amended by adding a subdivision to read:

Subd. 5. (a) An action for recovery of the premises may combine the allegation of nonpayment of rent and the allegation of material violation of the lease, which shall be heard as alternative grounds.

(b) In cases where rent is outstanding, a tenant is not required to pay into court the amount of rent in arrears, interest, and costs as required under section 504.02 to defend against an allegation by the landlord that the tenant has committed a material violation of the lease.

(c) If the landlord does not prevail in proving material violation of the lease, and the landlord has also alleged that rent is due, the tenant shall be permitted to present defenses to the court that the rent is not owing. The tenant shall be given up to seven days of additional time to pay any rent determined by the court to be due. The court may order the tenant to pay rent and any costs determined to be due directly to the landlord or to be deposited with the court.

Sec. 4. [566.051] [EXPEDITED PROCEEDINGS.]

A landlord, agent, or other person acting under the landlord's direction or control may request expedited temporary relief by bringing an action under section 609.748 or Minnesota Rules of Civil Procedure, rule 65.01, in conjunction with a complaint filed under section 566.05."

Delete the title and insert:

"A bill for an act relating to landlord and tenant; modifying action to recover leased premises; providing for actions for destruction of leased residential rental property; allowing expedited proceedings; amending Minnesota Statutes 1992, sections 504.02, subdivision 1; and 566.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 504; and 566."

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. 1100, A bill for an act relating to insurance; regulating the health coverage reinsurance association; amending Minnesota Statutes 1992, sections 62L.02, by adding a subdivision; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 2, 4, 6, and 7; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.19; and 62L.20, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1159, A bill for an act relating to the city of Saint Paul; providing for a housing rehabilitation program; authorizing the issuance of general obligation bonds.

Reported the same back with the following amendments:

Page 5, line 7, after the period insert "Except for properties that are part of a lease purchase program, the city or authority shall not own projects financed under this section for more than two years."

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.

Clark from the Committee on Housing to which was referred:

H. F. No. 1275, A bill for an act relating to housing; creating a mental illness crisis housing assistance account; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

Reported the same back with the following amendments:

Page 1, line 18, after "income" insert "as determined by the department of housing and urban development"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1325, A bill for an act relating to housing; modifying the definition of dwelling for smoke detection devices; amending Minnesota Statutes 1992, section 299F.362, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 436, 795, 991, 1058, 1100 and 1325 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Farrell, Long, Skoglund and Wagenius introduced:

H. F. No. 1448, A bill for an act relating to family law; modifying provisions dealing with the administration, computation, and enforcement of child support; imposing penalties; amending Minnesota Statutes 1992, sections 214.101, subdivision 1; 349A.08, subdivision 8; 508.25; 518.551, subdivisions 5, 12, and by adding a subdivision; 518.64, subdivision 1; and 609.375, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 256; 518; and 609; repealing Minnesota Statutes 1992, section 609.37.

The bill was read for the first time and referred to the Committee on Judiciary.

Lasley; Rhodes; Kelso; Johnson, A., and Osthoff introduced:

H. F. No. 1449, A bill for an act relating to motor vehicles; requiring licensing of certain persons engaged in commercial practices related to new motor vehicles; providing for service of process for certain alleged violations; providing civil penalty; amending Minnesota Statutes 1992, section 168.27, subdivision 2, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Trimble introduced:

H. F. No. 1450, A bill for an act relating to game and fish; authorizing expenditure of RIM funds for restoration of fish and wildlife habitat; amending Minnesota Statutes 1992, section 84.95, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Trimble introduced:

H. F. No. 1451, A bill for an act relating to the state lottery; requiring the director to conduct lottery games with tickets sold only at locations in St. Paul; providing that net proceeds from such games be used only for youth programs in St. Paul; amending Minnesota Statutes 1992, section 349A.10, subdivisions 3 and 5; proposing coding for new law in Minnesota Statutes, chapter 349A.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Klinzing and Brown, C., introduced:

H. F. No. 1452, A bill for an act relating to health; establishing grants to community health boards for programs designed to coordinate childhood screenings and improve public health outcomes; appropriating money; amending Minnesota Statutes 1992, section 145A.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Tunheim introduced:

H. F. No. 1453, A bill for an act relating to retirement; establishing an effective retirement date for a retired teachers retirement association member.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Ness introduced:

H. F. No. 1454, A bill for an act relating to the city of Hutchinson; permitting the city to erect certain signs.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Lynch, Simoneau, Trimble, Gruenes and Stanius introduced:

H. F. No. 1455, A bill for an act relating to services for the hearing impaired; authorizing the commissioner of human services to fund a pilot project to provide independent living skills training and support services for persons who are hearing impaired; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256C.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Peterson, Simoneau, Greenfield and Stanius introduced:

H. F. No. 1456, A bill for an act relating to human services; requiring the commissioner of human services to set uniform payment rates for alternative care services; amending Minnesota Statutes 1992, section 256B.0913, subdivision 14.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Kinkel introduced:

H. F. No. 1457, A bill for an act relating to education; increasing the number of higher education representatives on the state board of teaching; amending Minnesota Statutes 1992, sections 125.183, subdivisions 1 and 3; and 125.184, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Simoneau, Kalis, Rice, Limmer and Osthoff introduced:

H. F. No. 1458, A bill for an act relating to traffic regulations; increasing fine for speeding violation; appropriating money for highway work zone safety enforcement and public education efforts; amending Minnesota Statutes 1992, section 169.14, subdivision 5d.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Milbert and Pugh introduced:

H. F. No. 1459, A bill for an act relating to education; reserving funds for severance pay; expanding the uses of capital expenditure facilities revenue; changing the general education revenue reduction calculation; amending Minnesota Statutes 1992, sections 121.912, subdivision 5; 124.243, subdivision 6; and 124A.26, subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Cooper; Jennings; Anderson, R.; Solberg and Gruenes introduced:

H. F. No. 1460, A bill for an act relating to medical assistance; increasing reimbursement rates for life support transportation.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Luther, Bergson, Tomassoni, Bertram and Delmont introduced:

H. F. No. 1461, A bill for an act relating to state government; creating an advisory council on youth athletics; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 240A.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Murphy, Jaros and Rukavina introduced:

H. F. No. 1462, A bill for an act relating to public defenders; making district public defenders eligible for state health, life insurance, and dental benefits; amending Minnesota Statutes 1992, section 43A.24, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Jennings introduced:

H. F. No. 1463, A bill for an act relating to soil and water conservation; permitting soil and water conservation districts to levy taxes; providing for state aid to soil and water conservation districts; appropriating money; amending Minnesota Statutes 1992, section 103C.331, subdivision 16, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings introduced:

H. F. No. 1464, A bill for an act relating to state government; eliminating the use of reorganization orders to transfer appropriations, powers, or duties; amending Minnesota Statutes 1992, section 16B.37, subdivisions 1 and 2; repealing Minnesota Statutes 1992, section 16B.37, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jennings, Gruenes, Jacobs, Bauerly and Kelso introduced:

H. F. No. 1465, A bill for an act relating to utilities; requiring public service corporations to notify owners of real property subject to easements held by the corporations of the location of and restrictions on the easements; proposing coding for new law in Minnesota Statutes, chapter 300.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Pauly introduced:

H. F. No. 1466, A bill for an act relating to minerals; establishing and empowering a legislative task force on minerals; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bertram introduced:

H. F. No. 1467, A bill for an act relating to hospital districts; permitting hospital districts to establish subordinate hospital boards; amending Minnesota Statutes 1992, section 447.32, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bertram introduced:

H. F. No. 1468, A bill for an act relating to human services; allowing counties to prioritize eligible groups for purposes of distributing funds related to the sliding fee child care program; amending Minnesota Statutes 1992, section 256H.10, subdivision 3; repealing Minnesota Statutes 1992, section 256H.03, subdivision 2b.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bertram introduced:

H. F. No. 1469, A bill for an act relating to taxation; sales; exempting sales to political subdivisions of repair parts for fire trucks and emergency rescue vehicles; amending Minnesota Statutes 1992, section 297A.25, subdivision 11.

The bill was read for the first time and referred to the Committee on Taxes.

Wenzel, Bertram, Kalis, Mosel and Girard introduced:

H. F. No. 1470, A bill for an act relating to public employment; requiring the department of education to retain a certain position; requiring certain qualifications.

The bill was read for the first time and referred to the Committee on Education.

Onnen introduced:

H. F. No. 1471, A bill for an act relating to health; providing for health care cost containment; limiting health carrier premium increases; requiring cost sharing; providing information on prescription drug costs; amending Minnesota Statutes 1992, section 256B.063; proposing coding for new law in Minnesota Statutes, chapter 62A.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dehler introduced:

H. F. No. 1472, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 738, Holdingford.

The bill was read for the first time and referred to the Committee on Education.

Battaglia introduced:

H. F. No. 1473, A bill for an act relating to community colleges; authorizing the state board to construct student residences; authorizing revenue bonds.

The bill was read for the first time and referred to the Committee on Education.

Brown, C.; Anderson, I., and Pugh introduced:

H. F. No. 1474, A bill for an act relating to county records; providing for the use of certain fees; amending Minnesota Statutes 1992, section 357.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Jennings introduced:

H. F. No. 1475, A bill for an act relating to liquor; authorizing an on-sale liquor license in Dalbo township of Isanti county.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Murphy; Winter; Anderson, I., and Jacobs introduced:

H. F. No. 1476, A bill for an act relating to taxation; property; phasing in assessment increases in certain cases; amending Minnesota Statutes 1992, section 273.11, subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Gruenes, Klinzing, Bauerly and Opatz introduced:

H. F. No. 1477, A bill for an act relating to human services; changing the geographic grouping of Sherburne county.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gruenes, Bertram and Bettermann introduced:

H. F. No. 1478, A bill for an act relating to taxation; aggregate material; changing the time when penalty for late payment begins; amending Minnesota Statutes 1992, section 298.75, subdivisions 4 and 5.

The bill was read for the first time and referred to the Committee on Taxes.

Jaros introduced:

H. F. No. 1479, A bill for an act relating to the city of Duluth; authorizing the establishment of a special service district in the city; authorizing provision of special services in the district; providing for the levy and collection of special service charges.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bergson; Opatz; Johnson, A., and Rodosovich introduced:

H. F. No. 1480, A bill for an act relating to state government; appointments of department heads and members of administrative boards and agencies; clarifying procedures and requirements; amending Minnesota Statutes 1992, sections 15.0575, subdivision 4; 15.06, subdivision 5; and 15.066, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Anderson, I., introduced:

H. F. No. 1481, A bill for an act relating to highways; directing the commissioner to plant trees along state highways; proposing coding for new law in Minnesota Statutes, chapter 161.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Lourey, Vellenga and Simoneau introduced:

H. F. No. 1482, A bill for an act relating to health; requiring licensure to practice naturopathy; providing for conditions of licensure; qualifications and exemptions; establishing a state board of naturopathic examiners; providing for rulemaking; providing for discipline and penalties; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Mariani introduced:

H. F. No. 1483, A bill for an act relating to education; providing for a grant process for Upward Bound programs; requiring reports; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Simoneau, Gutknecht and Asch introduced:

H. F. No. 1484, A bill for an act relating to attorney fees in medical malpractice cases; limiting the amount of noneconomic damages; allowing both plaintiffs and defendants equal access to the provider in a medical malpractice action; establishing liability based on proportion of fault; amending Minnesota Statutes 1992, sections 549.01; 595.02, subdivision 5; and 604.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 548.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lieder; Olson, E.; Tunheim and Bauerly introduced:

H. F. No. 1485, A bill for an act relating to education; authorizing an additional exception to the capital expenditure facilities fund balance reduction; amending Minnesota Statutes 1992, section 124.243, subdivision 2a.

The bill was read for the first time and referred to the Committee on Education.

Trimble; Anderson, I.; Johnson, A., and Leppik introduced:

H. F. No. 1486, A bill for an act relating to libraries; requiring the metropolitan council to conduct a study of metropolitan area libraries and library systems and report to the legislature.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Reding, Wenzel, Davids, Peterson and Jennings introduced:

H. F. No. 1487, A bill for an act relating to insurance; regulating minimum loss ratios for noncomprehensive policies; amending Minnesota Statutes 1992, section 62A.135.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sparby; Tunheim; Pelowski; Johnson, V., and Reding introduced:

H. F. No. 1488, A bill for an act relating to agriculture; providing compensation for crops and livestock damaged by wildlife; establishing a procedure for damage claims; appropriating money; amending Minnesota Statutes 1992, section 97A.475, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 17.

The bill was read for the first time and referred to the Committee on Agriculture.

Sparby; Battaglia; Anderson, I.; Solberg and Stanius introduced:

H. F. No. 1489, A bill for an act relating to game and fish; allowing the baiting of deer under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 97B.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Stanis introduced:

H. F. No. 1490, A bill for an act relating to health occupations; requiring the board of podiatric medicine to adopt rules governing podiatric assistants; amending Minnesota Statutes 1992, section 153.02.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Reding introduced:

H. F. No. 1491, A bill for an act relating to horse racing; adjusting the out-of-season simulcasting set-aside; providing for the continuation of horsepersons' organizations; amending Minnesota Statutes 1992, section 240.13, subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Orfield introduced:

H. F. No. 1492, A bill for an act relating to the environment; authorizing administrative penalty orders for violations of provisions relating to hazardous chemical reporting requirements; amending Minnesota Statutes 1992, section 299K.10, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Perlt; Olson, E.; Anderson, I.; Wejcman and Bettermann introduced:

H. F. No. 1493, A bill for an act relating to counties; allowing counties to impose fees or interest on late payments; amending Minnesota Statutes 1992, section 373.41.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Orfield introduced:

H. F. No. 1494, A bill for an act relating to the environment; imposing criminal penalties for knowing violations of air pollution requirements; amending Minnesota Statutes 1992, section 609.671, subdivisions 9 and 12.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jacobs introduced:

H. F. No. 1495, A bill for an act relating to child labor; changing penalty provisions of the child labor law; amending Minnesota Statutes 1992, section 181A.12.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Greenfield introduced:

H. F. No. 1496, A bill for an act relating to health; clarifying the scope of confidentiality of records of review organizations; amending Minnesota Statutes 1992, section 145.64, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Greenfield introduced:

H. F. No. 1497, A bill for an act relating to health; modifying the definition of review organization; amending Minnesota Statutes 1992, section 145.61, subdivision 5, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Orfield introduced:

H. F. No. 1498, A bill for an act relating to retirement; Minneapolis and St. Paul teachers retirement fund associations; changing member and employer contribution rates; requiring additional funding support from the state of Minnesota, the city of Minneapolis, and the city of St. Paul; establishing an additional investment related postretirement adjustment mechanism for the St. Paul teachers retirement fund association; amending Minnesota Statutes 1992, section 354A.12, subdivisions 1, 2a, and by adding a subdivision; repealing Minnesota Statutes 1992, section 354A.12, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Cooper, Simoneau, Jennings, Clark and Stanius introduced:

H. F. No. 1499, A bill for an act relating to consumer protection; providing for training requirements for manual or mechanical therapy; requiring diagnosis of a person's condition before therapy; providing for rulemaking; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 146.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Pelowski and Mahon introduced:

H. F. No. 1500, A bill for an act relating to state government; reports to the legislature; prohibiting standing requirements for periodic reports; amending Minnesota Statutes 1992, section 3.195, by adding a subdivision; repealing Minnesota Statutes 1992, section 3.195, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Jaros, Pugh, Osthoff and Jacobs introduced:

H. F. No. 1501, A bill for an act relating to tax increment financing; exempting redevelopment districts from certain reductions in aid; changing procedures for determination of tax capacity; providing an option for receiving first increment; changing certain limits on expenditures for redevelopment and renewal and renovation districts; changing the maximum duration of redevelopment districts; providing for consultation with the county commissioner of the proposed district; amending Minnesota Statutes 1992, sections 273.1399, subdivision 1; 469.174, subdivision 4; 469.175, subdivision 1, and by adding a subdivision; 469.176, subdivision 1; 469.1763, by adding a subdivision; and 469.177, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Taxes.

HOUSE ADVISORIES

The following House Advisory was introduced:

Swenson; Osthoff; McCollum; Johnson, V., and Lieder introduced:

H. A. No. 5, A proposal to study disposition of license plates on transfer of motor vehicle ownership.

The advisory was referred to the Committee on Transportation and Transit.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 97, A bill for an act relating to labor relations; regulating public employment labor relations; modifying the definition of a confidential employee; amending Minnesota Statutes 1992, section 179A.03, subdivision 4.

PATRICK E. FLAHAVER, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 358, A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 3.9741; 10A.01, subdivision 18; 10A.49, subdivisions 2 and 3; 11A.23, subdivision 1; 13.32, subdivisions 3 and 5; 13.791; 13.99, subdivision 82; 16B.06, subdivision 2a; 18C.551, subdivision 3; 43A.317, subdivision 9; 60A.74, subdivision 6; 62A.44, subdivision 2; 62J.21; 65B.09, subdivision 1; 79.251, subdivision 6; 79A.01, subdivision 1; 80C.18, subdivision 1; 80E.09, subdivision 2; 86B.321, subdivision 1; 103G.293; 116R.01, subdivision 6; 120.064, subdivision 6; 123.39, subdivision 8d; 144.878, subdivision 2; 148B.06, subdivision 2; 148C.11, subdivision 4; 168.187, subdivision 26; 169.797, subdivision 1; 240.011; 245A.18; 256B.0644; 256B.19, subdivision 1a; 268.071, subdivision 3; 289A.20, subdivision 4; 290.9201, subdivision 7; 290A.03, subdivision 13; 325E.0681, subdivision 9; 326.43; 349.151, subdivision 2; 349.19, subdivision 6; 349.31, subdivision 1; 352.03, subdivision 16; 352C.021, subdivision 6; 357.11; 471.617, subdivision 1; 473.516, subdivision 1; 473.704, subdivision 17; 473.811, subdivisions 6, 7, 8, and 9; 475.66, subdivision 3; 477A.13; 480.15, subdivision 9; 480.059, subdivision 7; 525.9221; 551.04, subdivision 14; 600.02; 609.3471; 626.556, subdivision 10; and 626.861, subdivision 3; repealing Minnesota Statutes 1992, sections 61A.011, subdivision 8; 240.01, subdivision 14; 240.011, subdivision 1; 334.011, subdivision 4; and 480.0591, subdivision 3; Laws 1991, chapter 254, article 3, section 21.

PATRICK E. FLAHAVER, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

PATRICK E. FLAHAVER, Secretary of the Senate

Clark moved that the House refuse to concur in the Senate amendments to H. F. No. 585, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 234, 247, 371, 567, 98, 99, 192, 229 and 235.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 789, 281, 283, 313 and 434.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 234, A bill for an act relating to juvenile justice; defining "child in need of protection or services" and "child abuse"; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

The bill was read for the first time.

Johnson, R., moved that S. F. No. 234 and H. F. No. 264, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 247, A bill for an act relating to medical records; clarifying a patient's right of access to medical records; amending Minnesota Statutes 1992, section 144.335, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

S. F. No. 371, A resolution memorializing the President and Congress to retain the Grand Forks Air Force Base, Grand Forks, North Dakota.

The bill was read for the first time.

Sparby moved that S. F. No. 371 and H. F. No. 418, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 567, A bill for an act relating to elections; changing registration, filing, boundary change, ballot preparation, canvassing, system testing, and notice requirements and procedures; changing certain duties of election officials; clarifying certain language; adding to reimbursable expenses; amending Minnesota Statutes 1992, sections 201.071, subdivision 1; 201.081; 201.11; 201.13, subdivision 2, and by adding a subdivision; 201.15; 204B.06, subdivisions 4 and 6; 204B.14, subdivision 4; 204B.16, by adding a subdivision; 204B.46; 204C.06, subdivision 1; 204C.31, subdivision 2; 204C.32; 204D.04, subdivision 2; 204D.11, subdivisions 2, 3, and 6; 204D.24, subdivision 2; 204D.27, subdivision 11; 206.83; 206.90, subdivision 6; 207A.02, subdivision 1; 207A.10, subdivision 2; 211B.11, subdivision 1; 211B.14; and 365.51, subdivision 2.

The bill was read for the first time.

Delmont moved that S. F. No. 567 and H. F. No. 509, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 98, A bill for an act relating to towns; eliminating distribution of certain reports relating to town roads and bridges; amending Minnesota Statutes 1992, section 164.03, subdivision 4.

The bill was read for the first time.

Cooper moved that S. F. No. 98 and H. F. No. 152, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 99, A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1992, sections 367.03, subdivision 1; and 367.05, subdivision 1.

The bill was read for the first time.

Cooper moved that S. F. No. 99 and H. F. No. 151, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 192, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 229, A bill for an act relating to watercraft; mirror requirements for watercraft towing persons on various devices; amending Minnesota Statutes 1992, section 86B.313, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 235, A bill for an act relating to state lands; authorizing release of a reversionary interest in certain state lands conveyed to the city of St. Peter.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 789, A bill for an act relating to the city of St. Paul; validating an approval of special laws.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

S. F. No. 281, A bill for an act relating to taxation; providing for payment of certain in-lieu taxes; amending Minnesota Statutes 1992, sections 97A.061, subdivisions 2 and 3; and 477A.14.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 283, A bill for an act relating to state lands; authorizing the conveyance of state land in St. Louis county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 313, A bill for an act relating to Dakota county; providing for the composition and powers of the county housing and redevelopment authority and the county extension committee; amending Minnesota Statutes 1992, section 383D.41, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383D.

The bill was read for the first time.

Pugh moved that S. F. No. 313 and H. F. No. 383, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 434, A bill for an act relating to traffic regulations; making technical changes and clarifications; prohibiting buses from following too closely; providing exceptions to restrictions on installing television screens in motor vehicles; providing for auxiliary lights when headlights are obstructed by snowplow blade; requiring use of shoulder belt when motor vehicle is so equipped; providing exception for law enforcement vehicles for restriction on objects hanging between driver and windshield; abolishing authority for designating official stations for adjusting vehicle lights and brakes; amending Minnesota Statutes 1992, sections 169.14, subdivision 10; 169.18, subdivisions 5 and 8; 169.471, subdivision 1; 169.56, subdivisions 3, 4, and by adding a subdivision; 169.60; 169.686, subdivision 1; and 169.71, subdivision 1; repealing Minnesota Statutes 1992, section 169.77.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

CONSENT CALENDAR

H. F. No. 111, A bill for an act relating to highways; designating the B. E. Grottum memorial highway in Jackson county; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendraye	Murphy	Pugh	Tomassoni
Anderson, I.	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Asch	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Luther	Onnen	Sarna	Wagenius
Bertram	Evans	Jennings	Lynch	Opatz	Seagren	Waltman
Bettermann	Farrell	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, R.	Mahon	Orfield	Simoneau	Wejcman
Blatz	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ostrom	Smith	Winter
Brown, K.	Goodno	Kalis	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelley	Milbert	Pauly	Sparby	Worke
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Stanius	Workman
Clark	Gruenes	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Mosel	Perlt	Sviggum	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Swenson	

The bill was passed and its title agreed to.

H. F. No. 469, A bill for an act relating to drivers' licenses; providing that physical requirements to obtain school bus endorsement for driver's license are satisfied by possession of medical examiner's certificate required for commercial vehicle drivers; amending Minnesota Statutes 1992, section 171.321, subdivision 2.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hausman	Koppendraye	Murphy	Reding	Tomassoni
Anderson, I.	Dehler	Holsten	Krueger	Neary	Rest	Tompkins
Anderson, R.	Delmont	Hugoson	Lasley	Nelson	Rhodes	Trimble
Asch	Dempsey	Huntley	Lieder	Ness	Rice	Tunheim
Battaglia	Dorn	Jacobs	Limmer	Olson, E.	Rodosovich	Van Dellen
Beard	Erhardt	Jaros	Lindner	Olson, K.	Rukavina	Vellenga
Bergson	Evans	Jefferson	Lourey	Olson, M.	Sarna	Vickerman
Bertram	Farrell	Jennings	Luther	Onnen	Seagren	Wagenius
Bettermann	Frerichs	Johnson, A.	Lynch	Opatz	Sekhon	Waltman
Bishop	Garcia	Johnson, R.	Macklin	Orenstein	Simoneau	Weaver
Brown, K.	Girard	Johnson, V.	Mahon	Ostrom	Skoglund	Wejcman
Carlson	Goodno	Kahn	Mariani	Ozment	Smith	Wenzel
Carruthers	Greenfield	Kalis	McCollum	Pauly	Solberg	Winter
Clark	Greiling	Kelley	McGuire	Pawlenty	Sparby	Wolf
Commers	Gruenes	Kelso	Milbert	Pelowski	Stanius	Worke
Cooper	Gutknecht	Kinkel	Molnau	Perlt	Steenma	Workman
Dauner	Hasskamp	Klinzing	Morrison	Peterson	Sviggum	Spk. Long
Dauids	Haukoos	Knickerbocker	Mosel	Pugh	Swenson	

The bill was passed and its title agreed to.

H. F. No. 827, A bill for an act relating to highways; designating route as Wally Nelson Highway; amending Minnesota Statutes 1992, section 161.14, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Blatz	Dehler	Greenfield	Jaros	Klinzing	Macklin
Anderson, I.	Brown, C.	Delmont	Greiling	Jefferson	Knickerbocker	Mahon
Anderson, R.	Brown, K.	Dempsey	Gruenes	Jennings	Koppendraye	Mariani
Asch	Carlson	Dorn	Gutknecht	Johnson, A.	Krueger	McCollum
Battaglia	Carruthers	Erhardt	Hasskamp	Johnson, R.	Lasley	McGuire
Bauerly	Clark	Evans	Haukoos	Johnson, V.	Lieder	Milbert
Beard	Commers	Farrell	Hausman	Kahn	Limmer	Molnau
Bergson	Cooper	Frerichs	Holsten	Kalis	Lindner	Morrison
Bertram	Dauner	Garcia	Hugoson	Kelley	Lourey	Mosel
Bettermann	Dauids	Girard	Huntley	Kelso	Luther	Murphy
Bishop	Dawkins	Goodno	Jacobs	Kinkel	Lynch	Neary

Nelson	Osthoff	Pugh	Seagren	Steensma	Vellenga	Wolf
Ness	Ostrom	Reding	Sekhon	Sviggum	Vickerman	Worke
Olson, E.	Ozment	Rest	Simoneau	Swenson	Wagenius	Workman
Olson, K.	Pauly	Rhodes	Skoglund	Tomassoni	Waltman	Spk. Long
Olson, M.	Pawlenty	Rice	Smith	Tompkins	Weaver	
Onnen	Pelowski	Rodosovich	Solberg	Trimble	Wejcman	
Opatz	Perlt	Rukavina	Sparby	Tunheim	Wenzel	
Orenstein	Peterson	Sarna	Stanuis	Van Dellen	Winter	

The bill was passed and its title agreed to.

CALENDAR

H. F. No. 74, A bill for an act relating to local government; authorizing the city of Minneapolis, special school district No. 1, the city library board, and the city park and recreation board to impose residency requirements.

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 76 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dauner	Jefferson	Mariani	Orenstein	Rice	Tompkins
Anderson, R.	Dorn	Jennings	McGuire	Orfield	Rodosovich	Trimble
Battaglia	Evans	Johnson, A.	Milbert	Osthoff	Rukavina	Tunheim
Bauerly	Farrell	Johnson, R.	Morrison	Ostrom	Sarna	Van Dellen
Beard	Garcia	Johnson, V.	Mosel	Pauly	Simoneau	Wagenius
Bergson	Goodno	Kahn	Munger	Pawlenty	Skoglund	Weaver
Bertram	Greenfield	Kalis	Nelson	Pelowski	Solberg	Wejcman
Bishop	Gruenes	Kelso	Ness	Perlt	Sparby	Wenzel
Brown, C.	Gutknecht	Kinkel	Olson, E.	Peterson	Stanuis	Winter
Clark	Hasskamp	Krueger	Olson, K.	Pugh	Steensma	Spk. Long
Cooper	Jaros	Lieder	Opatz	Reding	Tomassoni	

Those who voted in the negative were:

Abrams	Davids	Haukoos	Koppendrayer	Mahon	Rest	Vickerman
Asch	Dawkins	Holsten	Lasley	McCollum	Rhodes	Waltman
Bettermann	Dehler	Hugoson	Limner	Molnau	Seagren	Wolf
Blatz	Dempsey	Huntley	Lindner	Murphy	Sekhon	Worke
Brown, K.	Erhardt	Jacobs	Lourey	Neary	Smith	Workman
Carlson	Frerichs	Kelley	Luther	Olson, M.	Sviggum	
Carruthers	Girard	Klinzing	Lynch	Onnen	Swenson	
Commers	Greiling	Krickerbocker	Macklin	Ozment	Vellenga	

The bill was passed and its title agreed to.

H. F. No. 385, A bill for an act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Krueger	Nelson	Rest	Trimble
Anderson, I.	Davids	Hausman	Lasley	Ness	Rhodes	Tunheim
Anderson, R.	Dawkins	Holsten	Lieder	Olson, E.	Rice	Van Dellen
Asch	Dehler	Hugoson	Limmer	Olson, K.	Rodosovich	Vellenga
Battaglia	Deimont	Huntley	Lindner	Olson, M.	Rukavina	Vickerman
Bauerly	Dempsey	Jacobs	Lourey	Onnen	Sarna	Wagenius
Beard	Dorn	Jaros	Luther	Opatz	Seagren	Waltman
Bergson	Erhardt	Jefferson	Lynch	Orenstein	Sekhon	Weaver
Bertram	Evans	Jennings	Macklin	Orfield	Simoneau	Wejcman
Bettermann	Farrell	Johnson, A.	Mahon	Osthoff	Skoglund	Wenzel
Bishop	Frerichs	Johnson, R.	Mariani	Ostrom	Smith	Winter
Blatz	Garcia	Johnson, V.	McCollum	Ozment	Solberg	Wolf
Brown, C.	Girard	Kalis	McGuire	Pauly	Sparby	Worke
Brown, K.	Goodno	Kelley	Molnau	Pawlenty	Stanius	Workman
Carlson	Greenfield	Kelso	Morrison	Pelowski	Steensma	Spk. Long
Carruthers	Greiling	Kinkel	Mosel	Perlt	Sviggum	
Clark	Gruenes	Klinzing	Munger	Peterson	Swenson	
Commers	Gutknecht	Knickerbocker	Murphy	Pugh	Tomassoni	
Cooper	Hasskamp	Koppendraye	Neary	Reding	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 443, A bill for an act relating to taxation; abolishing certain local government levy limitations; amending Minnesota Statutes 1992, sections 12.26, subdivision 2; 18.022, subdivision 2; 18.111, subdivision 1; 88.04, subdivision 3; 103B.635, subdivision 2; 103B.691, subdivision 2; 103G.625, subdivision 3; 138.053; 164.04, subdivision 3; 164.05, subdivision 1; 174.27; 193.145, subdivision 2; 237.35; 268A.06, subdivision 2; 375.167, subdivision 1; 375A.13, subdivision 2; 383A.03, subdivision 4; 383A.411, subdivision 5; 383B.245; 383C.42, subdivision 1; 398.16; 410.06; 412.251; 412.531, subdivision 1; 449.06; 449.08; 450.19; 459.06, subdivision 1; 459.14, subdivision 2; 465.54; 469.053, subdivision 7; 469.188; 471.191, subdivision 2; 471.24; 471.57, subdivision 1; 471.61, subdivisions 1 and 2a; and 473.711, subdivision 2; Laws 1933, chapter 423, section 2; Laws 1943, chapters 196, section 6, as amended; 367, section 1, as amended; 510, section 1; Laws 1947, chapters 224, section 1; 340, section 4; Laws 1949, chapters 215, section 2; 252, section 1; and 668, section 1; Laws 1953, chapters 154, section 3; and 545, section 2; Laws 1957, chapters 213, section 1; and 629, section 1; Laws 1959, chapters 298, section 2; 520, section 1; and 556, section 1, as amended; Laws 1961, chapters 80, section 1; 81, section 1; 82, section 1; 151, section 1; 209, section 4; 317, section 1; 352, section 1, as amended; 616, section 1, subdivision 1; and 643, section 1; Laws 1961, extra session chapter 33, section 3; Laws 1963, chapters 29, section 1; 56, section 1; 103, section 1; and 603, section 1; Laws 1965, chapters 6, section 2, as amended; 442, section 1; 451, section 2; 512, section 1, subdivision 1; 527, section 1; and 617, section 1; Laws 1967, chapters 501, section 1; 526, section 1, subdivision 3; 542, section 1, subdivision 3; 611, section 1; 660, section 2, subdivision 2; and 758, section 1; Laws 1969, chapters 192, section 1, as amended; 534, section 2; 538, section 6, as amended; 602, section 1, subdivision 2; 652, section 1; 659, section 3; and 730, section 1; Laws 1971, chapters 404, section 1; 424, section 1; 573, sections 1 and 2, as amended; and 876, section 3; Laws 1973, chapter 81, section 1; Laws 1977, chapter 61, section 8; Laws 1979, chapters 1, section 3; 303, article 10, section 15, subdivision 2, as amended; and 253, section 3; Laws 1981, chapter 281, section 1; Laws 1983, chapter 326, section 17, subdivision 1; Laws 1984, chapters 380, section 1; and 502, article 13, section 8; Laws 1985, chapters 181, section 1; 289, sections 1, 3, 5, subdivision 1, and 6, subdivision 1; Laws 1986, chapters 392, section 1; and 399, article 1, section 1, as amended; Laws 1988, chapters 517, section 1; and 640, section 3; Laws 1990, chapter 604, article 3, sections 59, subdivision 1, and 60; repealing Minnesota Statutes 1992, sections 373.40, subdivision 6; 469.053, subdivision 6; 469.107, subdivision 1; 471.1921; and 471.63, subdivision 2; Laws 1915, chapter 316, section 1, as amended; Laws 1939, chapter 219, section 1; Laws 1941, chapter 451, section 1; Laws 1961, chapters 30, section 1; 119, section 1; 276, section 1; and 439, section 1; Laws 1963, chapter 228, section 1; Laws 1971, chapters 168; 356, section 2; 515, section 1; and 770; Laws 1973, chapter 445, section 1; Laws 1974, chapter 209; Laws 1977, chapter 246; Laws 1982, chapter 523, article XII, section 8; Laws 1984, chapter 502, article 13, section 10, as amended; Laws 1986, chapter 399, article 1, section 4; Laws 1989, First Special Session chapter 1, article 5, section 50, as amended; Laws 1990, chapter 604, article 3, sections 50 and 55; and Laws 1991, chapters 3, section 2, subdivision 3; and 291, article 4, section 21.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Holsten	Lieder	Ness	Rhodes	Tunheim
Anderson, I.	Davids	Hugoson	Limmer	Olson, E.	Rice	Van Dellen
Anderson, R.	Dawkins	Huntley	Lindner	Olson, K.	Rodosovich	Vellenga
Asch	Dehler	Jacobs	Lourey	Olson, M.	Rukavina	Vickerman
Battaglia	Dempsey	Jaros	Luther	Onnen	Sarna	Wagenius
Bauerly	Dorn	Jefferson	Lynch	Opatz	Seagren	Waltman
Beard	Erhardt	Jennings	Macklin	Orenstein	Sekhon	Weaver
Bergson	Evans	Johnson, A.	Mahon	Orfield	Simoneau	Wejcman
Bertram	Farrell	Johnson, R.	Mariani	Osthoff	Skoglund	Wenzel
Bettermann	Garcia	Johnson, V.	McCollum	Ostrom	Smith	Winter
Bishop	Girard	Kalis	McGuire	Ozment	Solberg	Wolf
Blatz	Goodno	Kelley	Milbert	Pauly	Sparby	Worke
Brown, C.	Greenfield	Kelso	Molnau	Pawlenty	Stanius	Workman
Brown, K.	Greiling	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Carlson	Gruenes	Klinzing	Mosel	Perlt	Sviggum	
Carruthers	Gutknecht	Knickerbocker	Munger	Peterson	Swenson	
Clark	Hasskamp	Koppendrayer	Murphy	Pugh	Tomassoni	
Commers	Haukoos	Krueger	Neary	Reding	Tompkins	
Cooper	Hausman	Lasley	Nelson	Rest	Trimble	

The bill was passed and its title agreed to.

H. F. No. 552, A bill for an act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; amending Minnesota Statutes 1992, sections 580.23, subdivision 1; and 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, I.	Davids	Holsten	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dawkins	Hugoson	Lieder	Ness	Rhodes	Tunheim
Asch	Dehler	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Battaglia	Delmont	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Bauerly	Dempsey	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Beard	Dorn	Jefferson	Luther	Onnen	Sarna	Wagenius
Bergson	Erhardt	Jennings	Lynch	Opatz	Seagren	Waltman
Bertram	Evans	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bettermann	Farrell	Johnson, R.	Mahon	Orfield	Simoneau	Wejcman
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Blatz	Girard	Kahn	McCollum	Ostrom	Smith	Winter
Brown, C.	Goodno	Kalis	McGuire	Ozment	Solberg	Wolf
Brown, K.	Greenfield	Kelley	Milbert	Pauly	Sparby	Worke
Carlson	Greiling	Kelso	Molnau	Pawlenty	Stanius	Workman
Carruthers	Gruenes	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Clark	Gutknecht	Klinzing	Mosel	Perlt	Sviggum	
Commers	Hasskamp	Knickerbocker	Munger	Peterson	Swenson	
Cooper	Haukoos	Koppendrayer	Murphy	Pugh	Tomassoni	

The bill was passed and its title agreed to.

H. F. No. 584, A bill for an act relating to utilities; regulating telephone services to communication-impaired persons; amending Minnesota Statutes 1992, sections 237.49; 237.50, subdivision 3; 237.51, subdivision 2; and 237.52, subdivision 2; repealing Laws 1987, chapter 308, section 8.

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 122 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Krueger	Nelson	Rhodes	Trimble
Anderson, I.	Davids	Holsten	Lasley	Ness	Rice	Tunheim
Anderson, R.	Dawkins	Hugoson	Lieder	Olson, E.	Rodosovich	Van Dellen
Asch	Delmont	Huntley	Limmer	Olson, K.	Rukavina	Vellenga
Battaglia	Dempsey	Jacobs	Lindner	Olson, M.	Sarna	Vickerman
Bauerly	Dorn	Jaros	Lourey	Onnen	Seagren	Wagenius
Beard	Erhardt	Jennings	Luther	Opatz	Sekhon	Weaver
Bergson	Evans	Johnson, A.	Lynch	Orenstein	Simoneau	Wejcman
Bertram	Farrell	Johnson, R.	Macklin	Orfield	Skoglund	Wenzel
Bettermann	Garcia	Johnson, V.	Mahon	Osthoff	Smith	Winter
Bishop	Girard	Kahn	Mariani	Ostrom	Solberg	Wolf
Brown, C.	Goodno	Kalis	McCollum	Ozment	Sparby	Worke
Brown, K.	Greenfield	Kelley	McGuire	Pawlenty	Stanius	Workman
Carlson	Greiling	Kelso	Milbert	Pelowski	Steenasma	Spk. Long
Carruthers	Gruenes	Kinkel	Molnau	Peterson	Sviggum	
Clark	Gutknecht	Klinzing	Morrison	Pugh	Swenson	
Commers	Hasskamp	Knickerbocker	Mosel	Reding	Tomassoni	
Cooper	Haukoos	Koppendrayar	Munger	Rest	Tompkins	

Those who voted in the negative were:

Dehler Waltman

The bill was passed and its title agreed to.

S. F. No. 300, A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Lasley	Nelson	Rest	Trimble
Anderson, I.	Davids	Holsten	Lieder	Ness	Rhodes	Tunheim
Anderson, R.	Dawkins	Hugoson	Limmer	Olson, E.	Rice	Van Dellen
Asch	Dehler	Huntley	Lindner	Olson, K.	Rodosovich	Vellenga
Battaglia	Delmont	Jacobs	Lourey	Olson, M.	Rukavina	Vickerman
Bauerly	Dempsey	Jaros	Luther	Onnen	Sarna	Wagenius
Beard	Dorn	Jennings	Lynch	Opatz	Seagren	Waltman
Bergson	Erhardt	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bertram	Evans	Johnson, R.	Mahon	Orfield	Simoneau	Wejcman
Bettermann	Farrell	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Bishop	Garcia	Kahn	McCollum	Ostrom	Smith	Winter
Blatz	Girard	Kalis	McGuire	Ozment	Solberg	Wolf
Brown, C.	Goodno	Kelley	McGuire	Pauly	Sparby	Worke
Brown, K.	Greenfield	Kelso	Molnau	Pawlenty	Stanius	Workman
Carlson	Greiling	Kinkel	Morrison	Pelowski	Steenasma	Spk. Long
Carruthers	Gruenes	Klinzing	Mosel	Perlt	Sviggum	
Clark	Gutknecht	Knickerbocker	Munger	Peterson	Swenson	
Commers	Hasskamp	Koppendrayar	Murphy	Pugh	Tomassoni	
Cooper	Haukoos	Krueger	Neary	Reding	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 430, A bill for an act relating to human services; requiring the department of health and human services to develop plans to reduce duplication and paperwork in reviews conducted.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Krueger	Neary	Reding	Trimble
Anderson, I.	Dauids	Holsten	Lasley	Nelson	Rest	Tunheim
Anderson, R.	Dawkins	Hugoson	Lieder	Ness	Rhodes	Van Dellen
Asch	Dehler	Huntley	Limmer	Olson, E.	Rice	Vellenga
Battaglia	Delmont	Jacobs	Lindner	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jaros	Lourey	Olson, M.	Rukavina	Wagenius
Beard	Dorn	Jefferson	Luther	Onnen	Sarna	Waltman
Bergson	Erhardt	Jennings	Lynch	Opatz	Seagren	Weaver
Bertram	Evans	Johnson, A.	Macklin	Orenstein	Sekhon	Wejcman
Bettermann	Farrell	Johnson, R.	Mahon	Orfield	Simoneau	Wenzel
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Winter
Blatz	Girard	Kahn	McCollum	Ostrom	Smith	Wolf
Brown, C.	Goodno	Kalis	McGuire	Ozment	Solberg	Worke
Brown, K.	Greenfield	Kelley	Milbert	Pauly	Sparby	Workman
Carlson	Greiling	Kelso	Molnau	Pawlenty	Steensma	Spk. Long
Carruthers	Gruenes	Kinkel	Morrison	Pelowski	Sviggum	
Clark	Gutknecht	Klinzing	Mosel	Perlt	Swenson	
Commers	Hasskamp	Knickerbocker	Munger	Peterson	Tomassoni	
Cooper	Haukoos	Koppendrayer	Murphy	Pugh	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 576, A bill for an act relating to state government; providing for appointments to advisory task forces, councils, and committees, administrative boards, and agencies; clarifying reporting requirements and term limits; amending Minnesota Statutes 1992, sections 15.014, subdivision 2; 15.0575, subdivision 2; 15.059, subdivision 2; 15.0597, subdivisions 2, 4, 5, and 7; and 214.09, subdivision 2.

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 87 yeas and 43 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Huntley	Krueger	Murphy	Rest	Tomassoni
Anderson, R.	Cooper	Jacobs	Lasley	Neary	Rhodes	Trimble
Asch	Dawkins	Jaros	Lieder	Olson, E.	Rice	Tunheim
Battaglia	Delmont	Jefferson	Limmer	Olson, K.	Rodosovich	Vellenga
Bauerly	Dempsey	Jennings	Lourey	Opatz	Rukavina	Wagenius
Beard	Erhardt	Johnson, A.	Luther	Orenstein	Sarna	Wejcman
Bergson	Evans	Johnson, R.	Mahon	Orfield	Sekhon	Wenzel
Bertram	Farrell	Kahn	Mariani	Osthoff	Simoneau	Winter
Bishop	Goodno	Kalis	McCollum	Ostrom	Skoglund	Spk. Long
Brown, C.	Greenfield	Kelley	McGuire	Perlt	Solberg	
Brown, K.	Greiling	Kelso	Milbert	Peterson	Sparby	
Carlson	Hasskamp	Kinkel	Mosel	Pugh	Stanisus	
Carruthers	Hausman	Knickerbocker	Munger	Reding	Steensma	

Those who voted in the negative were:

Abrams	Dorn	Holsten	Lynch	Olson, M.	Seagren	Vickerman
Bettermann	Frerichs	Hugoson	Macklin	Onnen	Smith	Waltman
Blatz	Girard	Johnson, V.	Molnau	Ozment	Sviggum	Weaver
Commers	Gruenes	Klinzing	Morrison	Pauly	Swenson	Wolf
Dauner	Gutknecht	Koppendrayner	Nelson	Pawlenty	Tompkins	Worke
Davids	Haukoos	Lindner	Ness	Pelowski	Van Dellen	Workman
Dehler						

The bill was passed and its title agreed to.

H. F. No. 57, A bill for an act relating to traffic regulations; making technical corrections; clarifying situations when certain school bus signals should not be used; providing evidentiary presumption regarding school buses; clarifying definition of special transportation as not including transportation of children by school bus; limiting weight of vehicles that may be towed by holder of class B driver's license; providing for revocation of school bus driver endorsement; amending Minnesota Statutes 1992, sections 169.443, subdivision 3; 169.444, subdivision 7; 171.01, subdivision 24; 171.02, subdivision 2; and 171.17, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Murphy	Pugh	Tomassoni
Anderson, I.	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Asch	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Luther	Onnen	Sarna	Wagenius
Bertram	Evans	Jennings	Lynch	Opatz	Seagren	Waltman
Bettermann	Farrell	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, R.	Mahon	Orfield	Simoneau	Wejzman
Blatz	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ostrom	Smith	Winter
Brown, K.	Goodno	Kalis	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelley	Milbert	Pauly	Sparby	Worke
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Stanius	Workman
Clark	Gruenes	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Mosel	Perlt	Sviggum	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Swenson	

The bill was passed and its title agreed to.

H. F. No. 95, A bill for an act relating to public lands; authorizing independent school district No. 577 of Willow River to sell certain lands to correct an erroneous boundary assumption.

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	Dauner	Haukoos	Koppendraye	Murphy	Pugh	Tomassoni
Anderson, I.	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Asch	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Luther	Ornen	Sarna	Wagenius
Bertram	Evans	Jennings	Lynch	Opatz	Seagren	Waltman
Bettermann	Farrell	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, R.	Mahon	Orfield	Simoneau	Wejcman
Blatz	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ostrom	Smith	Winter
Brown, K.	Goodno	Kalis	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelley	Milbert	Pauly	Sparby	Worke
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Stanius	Workman
Clark	Gruenes	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Mosel	Perlt	Sviggum	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Swenson	

The bill was passed and its title agreed to.

H. F. No. 251, A bill for an act relating to child abuse reporting; expanding the definition of "neglect" to include failure to provide a child with necessary education; amending Minnesota Statutes 1992, section 626.556, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Lieder	Ness	Rhodes	Tunheim
Asch	Delmont	Huntley	Limmer	Olson, E.	Rice	Van Dellen
Battaglia	Dempsey	Jacobs	Lindner	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lourey	Olson, M.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Luther	Ornen	Sarna	Wagenius
Bertram	Evans	Jennings	Lynch	Opatz	Seagren	Waltman
Bettermann	Farrell	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Bishop	Frerichs	Johnson, R.	Mahon	Orfield	Simoneau	Wejcman
Blatz	Garcia	Johnson, V.	Mariani	Osthoff	Skoglund	Wenzel
Brown, C.	Girard	Kahn	McCollum	Ostrom	Smith	Winter
Brown, K.	Goodno	Kalis	McGuire	Ozment	Solberg	Wolf
Carlson	Greenfield	Kelley	Milbert	Pauly	Sparby	Worke
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Stanius	Workman
Clark	Gruenes	Kinkel	Morrison	Pelowski	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Mosel	Perlt	Sviggum	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Swenson	
Dauner	Haukoos	Koppendraye	Murphy	Pugh	Tomassoni	

The bill was passed and its title agreed to.

GENERAL ORDERS

Trimble moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Cooper moved that the names of Davids and Peterson be added as authors on H. F. No. 867. The motion prevailed.

Pugh moved that his name be stricken as an author on H. F. No. 978. The motion prevailed.

Carruthers moved that the name of Smith be added as an author on H. F. No. 1377. The motion prevailed.

Peterson moved that the name of Brown, K., be added as an author on H. F. No. 1388. The motion prevailed.

Lourey moved that the name of Lasley be added as an author on H. F. No. 1401. The motion prevailed.

Anderson, I., moved that the name of Wenzel be added as an author on H. F. No. 1402. The motion prevailed.

Bertram moved that the name of Wenzel be added as an author on H. F. No. 1405. The motion prevailed.

Johnson, V., moved that the name of Peterson be added as an author on H. F. No. 1425. The motion prevailed.

Greenfield moved that S. F. No. 282 be recalled from the Committee on Health and Human Services and together with H. F. No. 436, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

Ozment moved that H. F. No. 1156, now on Technical General Orders, be re-referred to the Committee on Health and Human Services. The motion prevailed.

Beard moved that H. F. No. 877 be recalled from the Committee on Taxes and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance. The motion prevailed.

Wejcman moved that H. F. No. 1058, now on Technical General Orders, be re-referred to the Committee on Judiciary. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 585:

Clark, Orenstein and Bishop.

ADJOURNMENT

Trimble moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, March 29, 1993. The motion prevailed.

Trimble moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, March 29, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 29, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Patrick Wall of the Order of St. Benedict, Church of St. Elizabeth Ann Seton, Hastings, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Dauids	Holsten	Lasley	Nelson	Rhodes	Van Dellen
Anderson, I.	Dawkins	Hugoson	Leppik	Ness	Rice	Vellenga
Anderson, R.	Dehler	Huntley	Lieder	Olson, E.	Rodosovich	Vickerman
Asch	Delmont	Jacobs	Limmer	Olson, K.	Rukavina	Wagenius
Battaglia	Dempsey	Jaros	Lindner	Olson, M.	Sarna	Waltman
Bauerly	Dorn	Jefferson	Lourey	Onnen	Seagren	Weaver
Beard	Erhardt	Jennings	Luther	Opatz	Sekhon	Wejcman
Bergson	Evans	Johnson, A.	Lynch	Orenstein	Simoneau	Welle
Bertram	Farrell	Johnson, R.	Macklin	Orfield	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, V.	Mahon	Osthoff	Smith	Winter
Bishop	Garcia	Kahn	Mariani	Ostrom	Solberg	Wolf
Blatz	Girard	Kalis	McCollum	Ozment	Sparby	Worke
Brown, C.	Goodno	Kelley	McGuire	Pauly	Stanius	Workman
Brown, K.	Greenfield	Kelso	Milbert	Pawlenty	Steensma	Spk. Long
Carlson	Greiling	Kinkel	Molnau	Pelowski	Sviggum	
Carruthers	Gruenes	Klinzing	Morrison	Perlt	Swenson	
Clark	Gutknecht	Knickerbocker	Mosel	Peterson	Tomassoni	
Commers	Hasskamp	Koppendrayner	Munger	Pugh	Tompkins	
Cooper	Haukoos	Krinkie	Murphy	Reding	Trimble	
Dauner	Hausman	Krueger	Neary	Rest	Tunheim	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollum moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 98 and H. F. No. 152, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Cooper moved that S. F. No. 98 be substituted for H. F. No. 152 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 99 and H. F. No. 151, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Cooper moved that S. F. No. 99 be substituted for H. F. No. 151 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 234 and H. F. No. 264, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Johnson, R., moved that the rules be so far suspended that S. F. No. 234 be substituted for H. F. No. 264 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 282 and H. F. No. 436, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Greenfield moved that the rules be so far suspended that S. F. No. 282 be substituted for H. F. No. 436 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 313 and H. F. No. 383, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Pugh moved that S. F. No. 313 be substituted for H. F. No. 383 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 371 and H. F. No. 418, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Sparby moved that S. F. No. 371 be substituted for H. F. No. 418 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 567 and H. F. No. 509, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Delmont moved that S. F. No. 567 be substituted for H. F. No. 509 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 25, 1993

The Honorable Dee Long
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 442, relating to education; appropriating money for a deficiency in HECB appropriations.

H. F. No. 227, relating to human services; modifying adult foster care license requirements.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1993 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Time and</i> <i>Date Approved</i> 1993	<i>Date Filed</i> 1993
12		Resolution No. 1	3:35 p.m. March 25	March 25
	442	8	3:28 p.m. March 25	March 25
	227	10	3:30 p.m. March 25	March 25

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 26, 1993

The Honorable Dee Long
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 174, relating to occupations and professions; requiring manufactured home installers to be licensed by the state.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F.</i> <i>No.</i>	<i>H.F.</i> <i>No.</i>	<i>Session Laws</i> <i>Chapter No.</i>	<i>Time and</i> <i>Date Approved</i> 1993	<i>Date Filed</i> 1993
	174	9	2:15 p.m. March 26	March 26

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 5, A bill for an act relating to transportation; authorizing the issuance of state transportation bonds; appropriating the proceeds for grants to political subdivisions for bridge construction and reconstruction.

Reported the same back with the following amendments:

Page 2, after line 26, insert:

"Sec. 3. [LIGHT RAIL TRANSIT CONSTRUCTION FUNDING.]

Subdivision 1. [APPROPRIATION.] After approval by the metropolitan council of the application for federal financial assistance for construction of light rail transit facilities on the central corridor between the cities of Minneapolis and St. Paul, \$..... is appropriated from the fund to the commissioner of transportation for the state costs of construction.

Subd. 2. [BOND SALE.] To provide the money appropriated in this section from the fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$..... in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Page 2, line 28, delete "and 2" and insert "to 3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, before the period insert "; authorizing issuance of state bonds to finance state share of costs of light rail transit facilities"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 43, A bill for an act relating to transportation; allocating funding for town bridges replaced by culverts when replacement does not exceed \$20,000; amending Minnesota Statutes 1992, section 161.082, subdivision 2a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 161.082, subdivision 2a, is amended to read:

Subd. 2a. [TOWN BRIDGES AND CULVERTS; TOWN ROAD ACCOUNT.] An amount equal to 25 percent of the county turnback account must be expended, within counties having two or more towns, on town road bridge structures that are ten feet or more in length and on town road culverts that replace existing town road bridges. In addition, if the present bridge structure is less than ten feet in length but a hydrological survey indicates that the replacement bridge structure or culvert must be ten feet or more in length, then the bridge or culvert is eligible for

replacement funds. In addition, if a culvert that replaces a deficient bridge is in a county comprehensive water plan approved by the board of water and soil resources and the department of natural resources, the costs of the culvert and roadway grading other than surfacing are eligible for replacement funds up to the cost of constructing a replacement bridge. The expenditures on bridge structures and culverts may be on a matching basis, and if on a matching basis, not more than 90 percent of the cost of a bridge structure or culvert may be paid from the county turnback account. When bridge approach construction work exceeds \$10,000 in costs, or as determined by the county engineer that the cost of the replacement culverts alone will not exceed \$20,000, the town shall be eligible for financial assistance from the town bridge account. Financial assistance shall be limited to 90 percent of the cost of the bridge approach work that is in excess of \$10,000 and shall be requested by resolution of the county board and shall be limited to:

(1) 100 percent of the cost of the bridge approach work that is in excess of \$10,000; or

(2) 100 percent of the cost of the replacement culverts when the cost does not exceed \$20,000 and the town board agrees to be responsible for all the other costs, which may include costs for structural removal, installation, and permitting. The replacement structure design and costs shall be approved and certified by the county engineer, but need not be subsequently approved by the department of transportation.

An amount equal to 47.5 percent of the county turnback account must be set aside as a town road account and distributed as provided in section 162.081."

Delete the title and insert:

"A bill for an act relating to transportation; allocating funding for town bridges replaced by culverts when replacement does not exceed \$20,000; amending Minnesota Statutes 1992, section 161.082, subdivision 2a."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 103, A bill for an act relating to appropriations; appropriating money for a visitor center at Fort Snelling state park.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 113, A bill for an act relating to traffic regulations; specifying that a pedestrian lawfully in a crosswalk with pedestrian control signals must be given the right-of-way by all vehicles; amending Minnesota Statutes 1992, section 169.06, subdivision 6.

Reported the same back with the following amendments:

Page 1, delete lines 22 to 24, and insert:

"(c) A pedestrian crossing a roadway in conformity with this section is lawfully within the intersection and, when in a crosswalk, is lawfully within the crosswalk."

Page 1, after line 24, insert:

"Sec. 2. [LEGISLATIVE INTENT.]

The legislature intends section 1 to be a clarification of an ambiguity in Minnesota Statutes, chapter 169, relating to the rights and responsibilities of pedestrians and motor vehicle operators. Section 1 may not be construed to increase or decrease the rights or responsibilities of pedestrians or motor vehicle operators under that chapter."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 129, A bill for an act relating to marriage dissolution; maintenance; applying child support enforcement actions to actions to enforce maintenance; expanding notice of rights of parties in dissolution or separation proceeding; requiring child support order to assign responsibility for child's medical coverage; clarifying visitation rights; requiring dissolution judgment or decree to provide notice about principal residence; amending Minnesota Statutes 1992, sections 214.101, subdivisions 1 and 4; 289A.50, subdivision 5; 518.17, subdivision 3; 518.171, subdivision 1; 518.175, subdivision 6; 518.177; 518.55; 518.551, subdivision 12; 518.583; 518.611, subdivision 2; and 518.641, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

Reported the same back with the following amendments:

Page 2, delete section 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "289A.50, subdivision 5;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 477, A bill for an act relating to traffic regulations; increasing the fine for child passenger restraint system violations; amending Minnesota Statutes 1992, section 169.685, subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 504, A bill for an act relating to housing; changing the property tax classification of certain lease purchase property; allowing a county authority to operate certain public housing projects without a city resolution; providing that a housing and redevelopment authority may make down payment assistance loans; changing minimum amounts for certain contract letting procedures; changing requirements for general obligation revenue bonds; amending Minnesota Statutes 1992, sections 273.13, subdivision 25; 469.005, subdivision 1; 469.012, by adding a subdivision; 469.015, subdivisions 1 and 2; and 469.034, subdivision 2.

Reported the same back with the following amendments:

Pages 1 to 9, delete section 1

Page 12, delete lines 33 and 34

Page 12, line 35, delete "3" and insert "2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "changing the property tax"

Page 1, delete line 3

Page 1, line 11, delete "273.13, subdivision 25;"

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. 506, A bill for an act relating to employee relations; permitting the commissioner of the department of employee relations to conduct experimental or research projects to improve human resource management practices; providing for the use of facsimile machines in certain circumstances; eliminating the career executive service; amending Minnesota Statutes 1992, sections 13.67; 43A.04, subdivision 9; 43A.21, subdivision 3; and 43A.32, subdivision 2; repealing Minnesota Statutes 1992, section 43A.21, subdivision 5.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 2

Page 4, after line 2, insert:

"Sec. 4. [PILOT PROJECTS.]

Subdivision 1. [RESPONSIBILITY AND AUTHORITY.] The commissioner of employee relations shall meet and confer with affected exclusive representatives of state employees to design pilot projects that will improve human resource practices in the state civil service within the executive branch. The commissioner may also cooperate in projects with the legislative and judicial branches and may conduct projects affecting unrepresented positions and employees. The authority in this section does not apply to employees of constitutional officers, except upon agreement of the affected constitutional officer.

Subd. 2. [TASK FORCE.] To further projects under this section, the commissioner shall establish a task force to propose and review pilot projects affecting employees and positions represented by exclusive representatives. The task force must consist of a representative of each of the ten exclusive representatives of employees in the executive branch and no more than an equal number of management representatives. The task force may use a facilitator as necessary. The task force shall consider projects to improve human resource practices and may also consider innovation projects that introduce total quality management practices or that empower employees in the workplace. The impact of job security and retraining efforts in the organization of work may also be examined as may any other practices, procedures, or theories designed to improve service to the customers of state agencies and to taxpayers in general.

Subd. 3. [PROJECT TEAMS.] For projects conducted in particular departments or agencies or affecting only employees represented by one or more exclusive representatives, the task force shall designate a pilot project team of affected parties made up equally from among exclusive representatives or their representatives and representatives of management. The task force or project teams may also involve or consult with representatives of other affected groups as necessary.

Subd. 4. [WAIVERS.] For purposes of projects to be conducted under this section, if the task force determines that a project could be implemented only by waiving any provision in Minnesota Statutes, sections 43A.07, 43A.08, 43A.17, 43A.20, 43A.21, and 43A.36, or associated personnel rules or administrative procedures, the task force may recommend such a waiver to the commissioner who may grant or deny their request. For projects affecting unrepresented positions and employees in the executive branch, the commissioner may waive any provision in sections 43A.07, 43A.08, 43A.17, 43A.20, 43A.21, and 43A.36, or associated personnel rules or administrative procedures as the commissioner determines necessary. The commissioner may also grant waivers to Minnesota Statutes, sections 43A.19 and 43A.191 and associated rules and procedures, to the extent necessary to enhance affirmative action efforts. If these affirmative action waivers affect represented employees, they may be granted only upon recommendation of the task force. If the task force proposes or is asked to consider a pilot or research project that could only be implemented by waiving one or more terms of a collective bargaining agreement or otherwise affecting a term or condition of employment subject to Minnesota Statutes, chapter 179A, the waiver must be agreed to by the affected exclusive representative. If the commissioner waives any provision in sections 43A.07, 43A.08, 43A.17, 43A.19 to 43A.21, and 43A.36, associated rules or administrative procedures on request of the task force, or if an affected exclusive representative agrees to a waiver of one or more terms of a collective bargaining agreement, the results of a project conducted under the waiver must be measured and monitored by the task force.

Subd. 5. [REPORTING.] The commissioner must notify the legislative commission on employee relations prior to conducting any projects under this section. The commissioner must report to the legislative commission on employee relations any results from these projects by September 1, 1993, September 1, 1994, and September 1, 1995.

Subd. 6. [REPEALER.] This section is repealed June 30, 1995."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "permitting" and insert "requiring"

Page 1, line 4, delete "experimental or research" and insert "pilot"

Page 1, line 5, delete "management"

Page 1, line 9, delete "43A.04, subdivision 9;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 528, A bill for an act relating to traffic regulations; making technical changes and clarifications; prohibiting buses from following too closely; providing exceptions to restrictions on installing television screens in motor vehicles; providing for auxiliary lights when headlights are obstructed by snowplow blade; requiring use of shoulder belt when motor vehicle is so equipped; providing exception for law enforcement vehicles to restriction on objects hanging between driver and windshield; abolishing authority for designating official stations for adjusting vehicle lights and brakes; amending Minnesota Statutes 1992, sections 169.14, subdivision 10; 169.18, subdivisions 5 and 8; 169.471, subdivision 1; 169.56, subdivisions 3, 4, and by adding a subdivision; 169.60; 169.686, subdivision 1; and 169.71, subdivision 1; repealing Minnesota Statutes 1992, section 169.77.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 569, A bill for an act relating to drivers' licenses; requiring drivers' licenses and identification cards to be less susceptible to alteration; amending Minnesota Statutes 1992, section 171.07, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Anderson, I, from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 622, A bill for an act relating to metropolitan government; providing long-term protection of agricultural land in the metropolitan area; amending Minnesota Statutes 1992, sections 473H.01, subdivision 2; 473H.02, subdivision 4; 473H.03, subdivisions 1, 4, 5, and 6; 473H.04, subdivisions 1, 2, and 3; 473H.05, subdivision 1; 473H.06, subdivision 5; 473H.07; 473H.08, subdivision 3; 473H.11; and 473H.12; repealing Minnesota Statutes 1992, section 473H.02, subdivision 5.

Reported the same back with the following amendments:

Page 1 to 6, delete sections 1 to 13

Page 6, lines 33 and 34, reinstate the stricken language and delete the new language

Page 7, line 5, after "preserves" insert "after the effective date of this act"

Page 7, line 6, after the period insert "For agricultural preserves established after December 1, 1993, in which the land on 75 percent or more of its perimeter abuts the metropolitan urban service area, the protection against assessments in this section for storm sewer and public road systems does not apply."

For purposes of this section, "public storm water sewer systems" means any wholly or partially piped system which is owned, operated, and maintained by the authority, that is designed to carry storm water runoff, surface water, or other drainage solely for the benefit of land which is not in agricultural preserves."

Page 7, delete lines 25 to 27

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to metropolitan government; providing long-term protection of agricultural land in the metropolitan area; amending Minnesota Statutes 1992, sections 473H.11; and 473H.12."

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 623, A bill for an act relating to transportation; requiring metropolitan area highway projects' environmental impact statements to address economic, social, and demographic efforts; requiring the revision of the state transportation plan to establish objectives and policies for the health of the fully developed part of the metropolitan area; prohibiting federal section 9 money from being used for highways; requiring the metropolitan council's transportation policy plan to require comparison of highways to transit and effects of highways on land use and housing; providing that the transit goals include stabilizing and enhancing the health of the metropolitan area; amending Minnesota Statutes 1992, sections 116D.04, by adding a subdivision; 174.03, subdivision 1a; 473.146, subdivision 3; 473.167, subdivision 1; 473.371; proposing coding for new law in Minnesota Statutes, chapter 174.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 174.03, subdivision 1a, is amended to read:

Subd. 1a. [REVISION OF STATE TRANSPORTATION PLAN.] The commissioner shall revise the state transportation plan by July 1, 1993, and by July 1 of each odd-numbered year thereafter. Before final adoption of a revised plan, the commissioner shall hold a hearing to receive public comment on the plan. The revised state transportation plan must:

(1) incorporate the goals of the state transportation system in section 174.01; and

(2) establish objectives, policies, and strategies for achieving those goals; and

(3) establish transportation objectives, policies, and strategies for the metropolitan area, as defined in section 473.121, subdivision 2, to help stabilize and enhance the social and economic health of the central cities, the fully developed area, and the metropolitan area as a whole.

Sec. 2. [174.49] [USE OF FEDERAL BLOCK GRANT TRANSIT FUNDS; RESTRICTION.]

The commissioner of transportation may not spend any money received from the United States under United States Code, title 49, section 1607a, otherwise known as section 9, for a project for the construction, reconstruction, or improvement of a trunk highway, unless the trunk highway project is ancillary to the planning, acquisition, construction, or improvement of public transit facilities.

Sec. 3. Minnesota Statutes 1992, section 473.146, subdivision 3, is amended to read:

Subd. 3. [TRANSPORTATION CHAPTER OF THE DEVELOPMENT GUIDE.] The transportation chapter must include policies relating to all transportation forms and be designed to promote the legislative determinations, policies, and goals set forth in section 473.371. In addition to the requirements of subdivision 1 regarding the contents of the policy plan, the nontransit element of the transportation chapter must include the following:

(1) a statement of the needs and problems of the metropolitan area with respect to the functions covered, including the present and prospective demand for and constraints on access to regional business concentrations and other major activity centers and the constraints on and acceptable levels of development and vehicular trip generation at such centers;

(2) the objectives of and the policies to be forwarded by the policy plan;

(3) a general description of the physical facilities and services to be developed;

(4) a statement as to the general location of physical facilities and service areas;

(5) a general statement of timing and priorities in the development of those physical facilities and service areas;

(6) a detailed statement, updated every two years, of timing and priorities for improvements and expenditures needed on the metropolitan highway system; and

(7) a general statement on the level of public expenditure appropriate to the facilities;

(8) procedures for determining whether the need to be met by any highway project that involves capacity improvement could be met at less cost, with less traffic congestion, and less environmental impact by transit improvements within the same transportation corridor; and

(9) provisions for consideration of the effects of highway projects in conjunction with land use and housing, including low- and moderate-income housing, on the social and economic isolation of low-income populations from growing economic opportunities in the developing suburban areas, within the area immediately affected by the project and within the entire metropolitan area.

The council shall develop the nontransit element in consultation with the transportation advisory board and shall transmit the results to the state department of transportation.

Sec. 4. Minnesota Statutes 1992, section 473.167, subdivision 1, is amended to read:

Subdivision 1. [~~CONTROLLED ACCESS HIGHWAYS~~ ARTERIAL OR COLLECTOR ROUTES: COUNCIL APPROVAL.] Before acquiring land for or constructing a ~~controlled access street or highway that the council functionally classifies as an arterial or collector route~~ in the area, the state transportation department or local government unit proposing the acquisition or construction shall submit to the council a statement describing the proposed project. The statement must be in the form and detail required by the council. Immediately upon receipt of the statement, the council shall transmit a copy to the regional transit board, which shall review and evaluate the project in relationship to the board's implementation plan and report its recommendations and comments to the council. The council shall also review the statement to ascertain its consistency with its policy plan and the development guide. No project may be undertaken unless the council determines that it is consistent with the policy plan and implementation plan. This approval is in addition to the requirements of any other statute, ordinance or rule.

Sec. 5. Minnesota Statutes 1992, section 473.167, is amended by adding a subdivision to read:

Subd. 1a. [APPROVAL RESTRICTIONS.] (a) "Sector" means any contiguous area in which a highway project is proposed or which is to be served by a proposed highway project, as defined by the council on a case-by-case basis.

(b) The council may not:

(1) approve a proposed highway project or plan that will provide new or increased highway capacity to any sector of the metropolitan area, unless the council finds that at least 50 percent of the cities and towns in the metropolitan urban service area in the sector and freestanding growth centers in the sector are certified by the council as meeting the comprehensive choice housing requirements established by the council as required by law; and

(2) approve a proposed highway project or plan to provide new or increased highway access to a city or town, unless the council has certified the city or town as complying with the comprehensive choice housing requirements established by the council as required by law.

Sec. 6. Minnesota Statutes 1992, section 473.371, is amended to read:

473.371 [POLICY; GOALS.]

Subdivision 1. [POLICY.] The legislature finds that, for the provision of essential mobility and transportation options in the metropolitan area, for the encouragement of alternatives to the single-occupant vehicle and for the development of transportation service designed to meet public needs efficiently and effectively, there is a need for the creation of regional transit programs and agencies with the powers and duties prescribed by law.

Subd. 2. [GOALS.] The goals of sections 473.371 to 473.449 are as follows:

- (a) to provide, to the greatest feasible extent, a basic level of mobility for all people in the metropolitan area;
- (b) to arrange to the greatest feasible extent for the provision of a comprehensive set of transit and paratransit services to meet the needs of all people in the metropolitan area;
- (c) to cooperate with private and public transit providers to assure the most efficient and coordinated use of existing and planned transit resources; and

(d) to maintain public mobility in the event of emergencies or energy shortages; and

(e) to help stabilize and enhance the social and economic health of the metropolitan area by ensuring to the greatest feasible extent comprehensive transit services including, but not limited to, service connecting the central cities to areas with employment opportunities and services.

Sec. 7. [APPLICATION.]

Sections 3, 4, 5, and 6 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to transportation; including in state transportation plan and development guide certain matters relating to metropolitan area; prohibiting federal block grant funds from being spent on trunk highways unless ancillary to public transit facilities; prohibiting acquisition or construction of certain streets and highways unless consistent with metropolitan policy and implementation plans; requiring compliance with comprehensive choice housing requirements before metropolitan council may approve proposed highway project or plan; amending Minnesota Statutes 1992, sections 174.03, subdivision 1a; 473.146, subdivision 3; 473.167, subdivision 1, and by adding a subdivision; and 473.371; proposing coding for new law in Minnesota Statutes, chapter 174."

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 648, A bill for an act relating to Itasca county; permitting the county to consolidate the offices of auditor and treasurer.

Reported the same back with the following amendments:

Page 1, line 7, after the comma insert "or the Polk county board of commissioners,"

Page 2, line 14, after "effect" insert "separately for each county"

Page 2, line 15, before "in" insert "or the Polk county board,"

Amend the title as follows:

Page 1, line 2, delete "Itasca county" and insert "counties" and delete "the county" and insert "Itasca and Polk counties"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 671, A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

Reported the same back with the following amendments:

Page 1, line 17, delete "473.202" and insert "2, subdivision 3, clause (4)"

Page 1, line 23, delete "allotment" and insert "objectives under section 2, subdivision 3, clause (4)"

Page 2, line 36, after the first comma insert "and" and delete ", and 100 percent"

Page 3, line 14, delete "OBJECTIVES;"

Page 3, line 15, delete "and objectives governing opportunities"

Page 3, line 16, after "for" insert "establishing" and after "housing" insert "allotments"

Page 3, line 25, delete "and objectives"

Page 3, lines 30 and 31, delete "by working cooperatively with other" and insert a period

Page 3, line 31, after "agencies" insert "shall work cooperatively with the council"

Page 4, line 1, after the second "area" insert a period

Page 4, delete lines 2 to 28 and insert:

"Using the most current and reliable information available, the council shall develop a formula for allocating the metropolitan area's comprehensive choice housing needs to cities and towns within the metropolitan urban service area and freestanding growth centers. The formula developed by the council shall include the following factors:

(i) distribution of housing units by value or rent and the proportion of those units affordable to households earning 30 percent, 50 percent, and 80 percent of median income considering housing tenure, type, and availability;

(ii) income distribution of households considering the number of households with incomes that are 30 percent, 50 percent, and 80 percent of median income, and the proportion of those households paying more than 30 percent of their household income on housing and housing-related expenses;

(iii) job base, considering those jobs that provide employment opportunities for lower-income households and the ratio of jobs to households;

(iv) future development potential considering vacant land, the council's forecasts of households and employment, and the annual deviation from the council's forecasts resulting from variation in overall housing construction in the metropolitan area;

(v) future redevelopment potential in cities and towns with inadequate supplies of vacant land to meet their allocation needs, considering age and value of housing, and redevelopment plans of cities and towns; and

(vi) cities' and towns' current and past efforts to provide and sanction housing or housing assistance for low-income households;"

Page 4, line 31, after the semicolon insert "for the purpose of determining substantial compliance with comprehensive choice housing allotments, full credit shall be given for current and past efforts to provide affordable and comprehensive choice housing."

Page 5, line 3, delete "adequate and realistic opportunities for"

Page 5, line 10, after the second "and" insert ", to the extent of available resources,"

Page 5, lines 16 and 17, delete "low- and moderate-income"

Page 5, line 17, after "housing" insert "affordable to individuals and households at 30 percent, 50 percent, and 80 percent of median income"

Page 5, line 22, delete "procedures" and insert "rules"

Page 5, line 28, delete "shall" and insert "may"

Page 5, line 29, delete ". The counseling services must" and insert "to"

Page 6, line 6, after "allotment" insert "under subdivision 3, clause (2)"

Page 6, lines 9 and 10, delete "are in compliance with the comprehensive choice housing allotment" and insert "have taken all actions required by council rules adopted under subdivision 3, clause (4), or have achieved their comprehensive choice allotments under subdivision 3, clause (2)"

Page 6, line 31, delete "for a"

Page 6, delete line 32

Page 6, line 33, delete everything before "that"

Page 6, line 34, delete "access" and delete "to" and insert "or access for"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 673, A bill for an act relating to animals; prohibiting certain species; imposing a penalty; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 35.

Reported the same back with the following amendments:

Page 1, line 11, delete "the following species"

Page 1, line 14, after the semicolon insert "and"

Page 2, line 13, delete everything after "officer"

Page 2, line 14, delete "animal health"

Page 2, line 19, delete "board of animal health, the"

Page 2, line 20, delete the comma

Page 2, line 25, delete "gross"

Page 2, line 26, delete "EURASIAN WILD PIG" and insert "PROHIBITED SPECIES"

Page 2, line 28, delete "Eurasian wild pigs" and insert "prohibited species"

Page 2, lines 29 and 30, delete "Eurasian wild pigs" and insert "prohibited species"

Page 2, line 31, delete "June" and insert "August"

Page 2, line 32, delete "Eurasian wild pigs" and insert "prohibited species"

Page 2, line 33, delete "Eurasian wild pigs" and insert "prohibited species"

Page 2, line 34, delete "July" and insert "September"

Page 2, line 35, delete "Eurasian wild pigs" and insert "prohibited species"

Page 3, line 4, delete "Eurasian wild pigs" and insert "prohibited species"

With the recommendation that when so amended the bill be re-referred to the Committee on Agriculture without further recommendation.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 680, A bill for an act relating to the St. Anthony Falls heritage board; permitting the chair of the Hennepin board of commissioners to designate a representative to the board; amending Minnesota Statutes 1992, section 138.763, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, strike "13" insert "17"

Page 1, line 14, after "the" insert "house of representatives appointed by the speaker, the senate appointed by the rules committee, the"

Delete the title and insert:

"A bill for an act relating to the St. Anthony Falls heritage board; providing for the composition of the board; amending Minnesota Statutes 1992, section 138.763, subdivision 1."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 704, A bill for an act relating to water; requiring criteria for water deficiency declarations; prohibiting the use of groundwater for surface water level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; amending Minnesota Statutes 1992, sections 103G.261; 103G.265, subdivision 3; 103G.271, subdivisions 1, 7, and by adding a subdivision; 103G.291, by adding a subdivision; 103G.301, subdivision 1; 115.03, subdivision 1; 473.156, subdivision 1; 473.175, subdivision 1; 473.851; and 473.859, subdivisions 3, 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 2, line 10, delete "including, but not"

Page 2, delete lines 11 to 15

Page 2, line 16, delete everything before the period

Page 3, line 17, after "construction" insert "and mineland"

Page 4, line 3, delete "(b)" and insert "(c)"

Page 4, line 23, delete "CONTINGENCY" and insert "EMERGENCY"

Page 4, line 24, after "supplier" insert "serving more than 1,000 people" and delete "a contingency" and insert "an emergency"

Page 4, line 28, after "suppliers" insert "serving more than 1,000 people"

Page 4, line 31, after "suppliers" insert "serving more than 1,000 people"

Page 5, line 3, after "suppliers" insert "serving more than 1,000 people"

Page 9, line 22, delete "water" and insert "wastewater"

Page 11, line 23, delete "continually"

Page 11, line 25, after "base" insert "utilizing existing data and information"

Page 14, lines 25 and 26, delete "for those municipal communities served by groundwater,"

Page 15, line 36, delete "effectiveness" and insert "status"

Amend the title as follows:

Page 1, line 6, delete "contingency" and insert "emergency"

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. 804, A bill for an act relating to health; providing an exception to the contested case hearing process required for changing the service area of an ambulance service; amending Minnesota Statutes 1992, section 144.802, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 948, A bill for an act relating to commerce; modifying the definition of business license; regulating residential building contractors and remodelers; providing licensing requirements; prescribing the powers and duties of the commissioner; establishing a contractor's recovery fund; amending Minnesota Statutes 1992, sections 116J.70, subdivision 2a; 326.83, subdivisions 4, 6, 7, 8, 10, and by adding subdivisions; 326.84, subdivisions 1 and 3; 326.85, subdivision 1; 326.86; 326.87, subdivision 2; 326.88; 326.89, subdivisions 2, 3, and by adding subdivisions; 326.90; 326.91, subdivisions 1 and 2; 326.92, subdivisions 1 and 3; 326.93, subdivision 1; 326.94, subdivision 2; 326.97, subdivision 1, and by adding a subdivision; 326.99; and 326.991; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1992, sections 326.84, subdivision 2; 326.94, subdivision 1; and 326.991, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 116J.70, subdivision 2a, is amended to read:

Subd. 2a. [LICENSE; EXCEPTIONS.] "Business license" or "license" does not include the following:

(1) any occupational license or registration issued by a licensing board listed in section 214.01 or any occupational registration issued by the commissioner of health pursuant to section 214.13;

(2) any license issued by a county, home rule charter city, statutory city, township, or other political subdivision;

(3) any license required to practice the following occupation regulated by the following sections:

(a) abstracters regulated pursuant to chapter 386;

(b) accountants regulated pursuant to chapter 326;

(c) adjusters regulated pursuant to chapter 72B;

(d) architects regulated pursuant to chapter 326;

(e) assessors regulated pursuant to chapter 270;

(f) attorneys regulated pursuant to chapter 481;

(g) auctioneers regulated pursuant to chapter 330;

(h) barbers regulated pursuant to chapter 154;

(i) beauticians regulated pursuant to chapter 155A;

(j) boiler operators regulated pursuant to chapter 183;

(k) chiropractors regulated pursuant to chapter 148;

(l) collection agencies regulated pursuant to chapter 332;

(m) cosmetologists regulated pursuant to chapter 155A;

(n) dentists, registered dental assistants, and dental hygienists regulated pursuant to chapter 150A;

(o) detectives regulated pursuant to chapter 326;

(p) electricians regulated pursuant to chapter 326;

(q) embalmers regulated pursuant to chapter 149;

(r) engineers regulated pursuant to chapter 326;

(s) insurance brokers and salespersons regulated pursuant to chapter 60A;

(t) certified interior designers regulated pursuant to chapter 326;

(u) midwives regulated pursuant to chapter 148;

(v) morticians regulated pursuant to chapter 149;

(w) nursing home administrators regulated pursuant to chapter 144A;

- (x) optometrists regulated pursuant to chapter 148;
- (y) osteopathic physicians regulated pursuant to chapter 147;
- (z) pharmacists regulated pursuant to chapter 151;
- (aa) physical therapists regulated pursuant to chapter 148;
- (bb) physicians and surgeons regulated pursuant to chapter 147;
- (cc) plumbers regulated pursuant to chapter 326;
- (dd) podiatrists regulated pursuant to chapter 153;
- (ee) practical nurses regulated pursuant to chapter 148;
- (ff) professional fund raisers regulated pursuant to chapter 309;
- (gg) psychologists regulated pursuant to chapter 148;
- (hh) real estate brokers, salespersons, and others regulated pursuant to chapters 82 and 83;
- (ii) registered nurses regulated pursuant to chapter 148;
- (jj) securities brokers, dealers, agents, and investment advisers regulated pursuant to chapter 80A;
- (kk) steamfitters regulated pursuant to chapter 326;
- (ll) teachers and supervisory and support personnel regulated pursuant to chapter 125;
- (mm) veterinarians regulated pursuant to chapter 156;
- (nn) water conditioning contractors and installers regulated pursuant to chapter 326;
- (oo) water well contractors regulated pursuant to chapter 156A;
- (pp) water and waste treatment operators regulated pursuant to chapter 115;
- (qq) motor carriers regulated pursuant to chapter 221;
- (rr) professional corporations regulated pursuant to chapter 319A;
- (ss) real estate appraisers regulated pursuant to chapter 82B;
- (tt) residential building contractors, residential remodelers, and specialty contractors regulated pursuant to chapter 326;
- (4) any driver's license required pursuant to chapter 171;
- (5) any aircraft license required pursuant to chapter 360;
- (6) any watercraft license required pursuant to chapter 86B;
- (7) any license, permit, registration, certification, or other approval pertaining to a regulatory or management program related to the protection, conservation, or use of or interference with the resources of land, air, or water, which is required to be obtained from a state agency or instrumentality; and
- (8) any pollution control rule or standard established by the pollution control agency or any health rule or standard established by the commissioner of health or any licensing rule or standard established by the commissioner of human services.

Sec. 2. Minnesota Statutes 1992, section 326.83, subdivision 4, is amended to read:

Subd. 4. [LICENSEE.] "Licensee" means a residential building contractor; or residential remodeler, or specialty contractor licensed under sections 326.83 to 326.98 326.991.

Sec. 3. Minnesota Statutes 1992, section 326.83, subdivision 6, is amended to read:

Subd. 6. [PUBLIC MEMBER.] "Public member" means a person who is not, and never was, a residential ~~builder,~~ building contractor, residential remodeler, or specialty contractor or the spouse of such person, or a person who has no, or never has had a, material financial interest in acting as a residential building contractor, residential remodeler, or specialty contractor or a directly related activity.

Sec. 4. Minnesota Statutes 1992, section 326.83, subdivision 7, is amended to read:

Subd. 7. [RESIDENTIAL REMODELER.] "Residential remodeler" means a person in the business of contracting or offering to contract with an owner to improve existing residential real estate by providing two or more special skills as defined in this section. ~~A remodeler has two or more special skills.~~

Sec. 5. Minnesota Statutes 1992, section 326.83, subdivision 8, is amended to read:

Subd. 8. [RESIDENTIAL BUILDING CONTRACTOR.] "Residential building contractor" means a person in the business of building residential real estate, or of contracting or offering to contract with an owner to improve build residential real estate, by providing two or more special skills as defined in this section. ~~A residential building contractor may also contract or offer to contract with an owner to improve existing residential real estate.~~

Sec. 6. Minnesota Statutes 1992, section 326.83, subdivision 10, is amended to read:

Subd. 10. [SPECIALTY CONTRACTOR.] "Specialty contractor" means a person ~~other than a residential building contractor, remodeler, or material supplier~~ in the business of contracting or offering to contract to make part of an improvement to build or improve residential real estate, including roofing by providing one special skill as defined in this section.

Sec. 7. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 11. [SPECIAL SKILL.] "Special skill" means one of the following eight categories:

(a) [EXCAVATION.] Excavation includes work in any of the following areas:

- (1) excavation;
- (2) trenching;
- (3) grading;
- (4) site grading; and
- (5) septic systems.

(b) [MASONRY AND CONCRETE.] Masonry and concrete includes work in any of the following areas:

- (1) drain systems;
- (2) poured walls;
- (3) slabs and poured-in-place footings;
- (4) masonry walls;
- (5) masonry fireplaces;

(6) masonry veneer; and

(7) water resistance and waterproofing.

(c) [CARPENTRY.] Carpentry includes work in any of the following areas:

(1) rough framing;

(2) finish carpentry;

(3) siding;

(4) doors, windows, and skylights;

(5) exterior covering;

(6) porches and decks;

(7) wood foundations;

(8) insulation and vapor barrier;

(9) drywall installation, excluding taping and finishing;

(10) cabinet and counter top installation;

(11) wood floors;

(12) installation of roofing materials, excluding roofing; and

(13) soffit, fascia, and trim.

(d) [INTERIOR FINISHING.] Interior finishing includes work in any of the following areas:

(1) floor covering;

(2) wood floors;

(3) cabinet and counter top installation;

(4) insulation and vapor barriers;

(5) interior or exterior painting;

(6) ceramic, marble, and quarry tile;

(7) ornamental guardrail and installation of prefabricated stairs; and

(8) wallpapering.

(e) [EXTERIOR FINISHING.] Exterior finishing includes work in any of the following areas:

(1) siding;

(2) doors, skylights, and windows;

(3) soffit, fascia, and trim;

(4) exterior plaster and stucco;

(5) painting; and

(6) rain carrying systems, including gutters and down spouts.

(f) [DRYWALL AND PLASTER.] Drywall and plaster includes work in any of the following areas:

(1) installation;

(2) taping;

(3) finishing;

(4) interior plaster;

(5) painting; and

(6) wallpapering.

(g) [ROOFING.] Roofing includes work in any of the following areas:

(1) roof coverings;

(2) roof sheathing;

(3) roof weatherproofing and insulation; and

(4) repair of roof support system, but not construction of new roof support system.

(h) [GENERAL INSTALLATION SPECIALTIES.] Installation includes work in any of the following areas:

(1) garage doors and openers;

(2) pools, spas, and hot tubs;

(3) fireplaces and wood stoves;

(4) asphalt paving and seal coating;

(5) exterior plaster and stucco; and

(6) ornamental guardrail and prefabricated stairs.

Sec. 8. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 12. [PERSON.] "Person" means a natural person, firm, partnership, limited liability company, corporation, or association, and the officers, directors, employees, or agents of that person.

Sec. 9. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 13. [QUALIFYING PERSON.] "Qualifying person" means the individual who fulfills the examination and education requirements for licensure on behalf of the licensee.

Sec. 10. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 14. [GROSS ANNUAL RECEIPTS.] "Gross annual receipts" means the total amount derived from residential contracting or remodeling activities, and must not be reduced by cost of goods sold, expenses, losses, or any other amount.

Sec. 11. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 15. [AFFILIATE.] An "affiliate" of another person means any person directly or indirectly controlling, controlled by, or under common control with the other person.

Sec. 12. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 16. [OWNER.] Except in section 326.91, subdivision 1, "owner" means a person who has any legal or equitable interest in real property. For purposes of sections 326.83 to 326.991, "owner" does not include a residential building contractor or residential remodeler who constructs or improves its own property for purposes of speculation. A residential building contractor or residential remodeler will be presumed to be building or improving for purposes of speculation if it constructs or improves more than one property within any 12-month period.

Sec. 13. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

Subd. 17. [LESSEE.] "Lessee" means one who rents residential real estate pursuant to a written lease agreement of at lease one year's duration.

Sec. 14. Minnesota Statutes 1992, section 326.84, subdivision 1, is amended to read:

Subdivision 1. [PERSONS REQUIRED TO BE LICENSED.] A person who meets the definition of a residential remodeler as defined in section 326.83, subdivision 7, or a residential building contractor as defined in section 326.83, subdivision 8, must be licensed as a residential building contractor or residential remodeler.

Subd. 1a. [PERSONS WHO MAY BE LICENSED.] A person who meets the definition of a specialty contractor as defined in section 326.83, subdivision 10, may be licensed as a residential building contractor or residential remodeler unless required to be licensed by the state as a specialty contractor.

Subd. 1b. [PROHIBITION.] Except as provided in subdivision 3, no person may engage in the work of a persons required to be licensed by subdivision 1 may act or hold themselves out as residential building contractor, remodeler, or specialty contractor contractors or residential remodelers for compensation without a valid license issued by the commissioner. The commissioner shall recommend which types of one skill competency or single special skill groups must be licensed as specialty contractors and report to the legislature by January 31, 1992, with the recommended types of specialty groups, the licensing procedures, and potential continuing education requirements.

Subd. 1c. [LICENSING CRITERIA.] The examination and education requirements for licensure under sections 326.84 to 326.991 must be fulfilled by a qualifying person designated by the potential licensee. If the qualifying person is a managing employee, the qualifying person must be an employee who is regularly employed by the licensee and is actively engaged in the business of residential contracting or residential remodeling on behalf of the licensee. For a sole proprietorship, the qualifying person must be the proprietor or managing employee. For a partnership, the qualifying person must be a general partner or managing employee. For a limited liability company, the qualifying person must be a chief manager or managing employee. For a corporation, the qualifying person must be a chief executive officer or managing employee. A qualifying person for a corporation may act as a qualifying person for one additional corporation if one of the following conditions exists:

(1) there is a common ownership of at least 25 percent of each licensed corporation for which the person acts in a qualifying capacity; or

(2) one corporation is a subsidiary of another corporation for which the same person acts in a qualifying capacity. "Subsidiary," as used in this section, means a corporation of which at least 25 percent is owned by the parent corporation.

Sec. 15. Minnesota Statutes 1992, section 326.84, subdivision 3, is amended to read:

Subd. 3. [~~EXCEPTIONS~~ EXEMPTIONS.] The license requirement does not apply to:

(1) an employee of a licensee performing work for the licensee;

(2) a material person, manufacturer, or retailer furnishing finished products, materials, or articles of merchandise who does not install or attach the items;

(3) an owner or owners of residential real estate ~~who improve the residential real estate or~~ who build or improve a structure on the residential real estate and who do the work themselves or jointly with the owner's own employees or agents. This exemption does not apply to a person who engages in a pattern of building or improving real estate for purposes of resale. Such a pattern is presumed to exist if the person sells more than one property so built or improved within any 12-month period;

(4) an architect or engineer engaging in professional practice as defined in this chapter;

(5) a person engaging in any project by one or more contracts, for which the aggregate contract price, including labor, materials, installation, and all other items, is less than \$2,500. ~~The \$2,500 limit may be exceeded by the unlicensed person if the person's whose~~ total gross annual receipts from projects regulated under this section do not exceed \$15,000;

(6) a mechanical contractor, ~~plumber, or electrician;~~

(7) a person ~~doing excavation for the installation of an on site sewage treatment system;~~

(8) all specialty contractors that were required to be licensed by the state before the effective date of Laws 1991, chapter 306, sections 7 to 22, and a plumber, electrician, or other person whose profession is otherwise subject to statewide licensing, when engaged in the activity which is the subject of licensure;

(9) ~~(8) specialty contractors that are not required to be licensed, as determined by the legislature, who provide only one special skill as defined in section 326.83;~~

(9) a school district, or a technical college governed under chapter 136C; and

(10) manufactured housing installers.

To qualify for the exemption in clause (5), a person must obtain a certificate of exemption from licensing from the commissioner.

A certificate of exemption will be issued upon the applicant's filing with the commissioner, an affidavit stating that the applicant does not expect to exceed \$15,000 in gross annual receipts derived from contracting activities during the calendar year for which the exemption is requested.

To renew the exemption in clause (5), the applicant must file an affidavit stating that the applicant did not exceed \$15,000 in gross annual receipts during the past calendar year, and the applicant does not expect to exceed \$15,000 in gross annual receipts during the calendar year for which the exemption is requested.

If a person, operating under the exemption in clause (5), exceeds \$15,000 in gross receipts during any calendar year, the person must immediately surrender the exemption certificate and apply for the appropriate license. The person must remain licensed until such time as the person's gross annual receipts during a calendar year fall below \$15,000. The person may then apply for this exemption for the next calendar year.

Sec. 16. Minnesota Statutes 1992, section 326.85, subdivision 1, is amended to read:

Subdivision 1. [BUILDERS STATE ADVISORY COUNCIL.] The commissioner shall appoint seven ~~eight~~ persons to the builders state advisory council. At least three members of the council must reside in greater Minnesota, as defined in section 116O.02, subdivision 5. At least one member of the council must be a residential building contractor, one a residential remodeler, one a specialty contractor, one a representative of the commissioner, one a local building official, and one a public member and one a representative of organized labor designated by the AFL-CIO, this member shall not be subject to the membership term limits under section 15.059.

Sec. 17. Minnesota Statutes 1992, section 326.86, is amended to read:

326.86 [FEES.]

Subdivision 1. [LICENSING FEE.] The licensing fee for residential building contractors and remodelers persons licensed pursuant to sections 326.83 to 326.991 is ~~\$60 for the license period ending March 31, 1993, and \$75 for each year thereafter.~~ The commissioner may adjust the fees under section 16A.128 to recover the costs of administration

and enforcement. ~~The commissioner shall establish licensing fees for specialty contractors under section 16A.128. The fees must be limited to the cost of license administration and enforcement and must be deposited in the state treasury and credited to the general fund. A fee of \$25 will be charged for a duplicate license or an amended license reflecting a change of business name, address, or qualifying person.~~

Subd. 2. [LOCAL SURCHARGE.] A local government unit may place a surcharge in an amount no greater than \$5 on each building permit that requires a licensed residential building contractor, residential remodeler, or specialty contractor for the purpose of license verification. The local government may verify a license by telephone or facsimile machine.

Sec. 18. Minnesota Statutes 1992, section 326.87, subdivision 2, is amended to read:

Subd. 2. [HOURS.] A licensee qualifying person of a ~~general residential contractor or remodeler licensee~~ must provide proof of completion of 15 seven hours for each two year license period. ~~Continuing real estate hours and continuing general residential contractor or remodeler hours must be granted for the same course if it meets the guidelines for an approved course in each license program of continuing education per year. To the extent the commissioner considers it appropriate, courses or parts of courses may be considered to satisfy both continuing education requirements under this section and continuing real estate education requirements.~~

Sec. 19. [326.875] [NOTICE OF CHANGE.]

Written notice must be given to the commissioner by each licensee of any change in personal name, trade name, qualifying person, address or business location not later than 15 business days after the change. The commissioner shall issue an amended license, if required, for the unexpired period.

Sec. 20. Minnesota Statutes 1992, section 326.88, is amended to read:

326.88 [TEMPORARY LICENSES LOSS OF QUALIFYING PERSON.]

~~A temporary license must be issued to residential building contractors, remodelers, or specialty contractors if the person who obtained a license under section 326.84, subdivision 2, clause (2) or (3), leaves the partnership or corporation because of death, disability, retirement, or position change. A temporary license expires after one year and may not be renewed. Upon the departure or disqualification of a licensee's qualifying person because of death, disability, retirement, position change, or other reason, the licensee must notify the commissioner within 15 business days. The licensee shall have 120 days from the departure of the qualifying person to obtain a new qualifying person. Failure to secure a new qualifying person within 120 days will result in the automatic termination of the license.~~

Sec. 21. Minnesota Statutes 1992, section 326.89, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] The application must include the following information regarding the applicant:

- (1) ~~Minnesota workers' compensation insurance account number certificate;~~
- (2) employment insurance account number;
- (3) certificate of liability insurance;
- (4) type of license requested;

~~(4) (5) name and address of the applicant if the applicant is a sole proprietorship; name and address of each partner if the applicant is a partnership; or name and address of each of the corporate officers, directors, and all shareholders holding more than five percent of the outstanding stock in the corporation;~~

(i) name and address of the applicant's qualifying person, if other than applicant; and

(ii) if the applicant is a sole proprietorship, the name and address of the sole proprietor; if applicant is a partnership, the name and address of each partner; if the applicant is a limited liability company, the name and address of each governor and manager; if applicant is a corporation, the name and address of each of the corporate officers, directors, and all shareholders holding more than ten percent of the outstanding stock in the corporation;

~~(5)~~ (6) whether the applicant or qualifying person has ever been licensed in this or any other state and has had a professional or vocational license refused, suspended, or revoked, or has been the subject of any administrative action;

~~(6)~~ (7) whether the applicant, qualifying person, or any of its the applicant's corporate or partnership directors, limited liability company governors, officers, limited or general partners, managers, or all shareholders holding more than five ten percent of the outstanding stock share of the corporation that have been issued, or all members holding more than ten percent of the voting power of the membership interests that have been issued, has been convicted of a crime that either related directly to the business for which the license is sought or involved fraud, misrepresentation, or misuse of funds; has suffered a judgment in a civil action involving fraud, misrepresentation, negligence, or breach of contract, or conversion within the ten years prior to the submission of the application; or has had any government license or permit suspended or revoked as a result of an action brought by a federal, state, or local governmental unit or agency in this or any other state;

~~(7)~~ the applicant's education and experience as they relate to the requested type of license; and

(8) the applicant's and qualifying person's business history for the past five years and whether the applicant or qualifying person has ever filed for bankruptcy or protection from creditors or has any unsatisfied judgments against the applicant: or qualifying person; and

(9) whether the qualifying person is the qualifying person for more than one licensee.

For purposes of this subdivision, "applicant" includes employees who exercise management or policy control over the residential contracting and remodeling activities in the state of Minnesota, including affiliates, partners, directors, governors, officers, limited or general partners, managers, all shareholders holding more than ten percent of the shares that have been issued, a shareholder holding more than ten percent of the voting power of the shares that have been issued, or all members holding more than ten percent of the membership interests that have been issued or more than ten percent of the voting power of the membership interests that have been issued.

The commissioner may require further information as the commissioner deems appropriate to administer the provisions and further the purposes of this chapter.

Sec. 22. Minnesota Statutes 1992, section 326.89, subdivision 3, is amended to read:

Subd. 3. [EXAMINATION.] ~~All individual applicants~~ Each qualifying person must satisfactorily complete a written examination for the type of license requested. The commissioner may establish the examination qualifications, including related education experience and education, the examination procedure, and the examination for each licensing group. The examination must include at a minimum the following areas:

(1) appropriate knowledge of technical terms commonly used and the knowledge of reference materials and code books to be used for technical information; and

(2) understanding of the general principles of business management and other pertinent state laws.

Each examination must be designed for the specified type of license requested. The council shall advise the commissioner on the grading, monitoring, and updating of examinations.

Sec. 23. Minnesota Statutes 1992, section 326.89, is amended by adding a subdivision to read:

Subd. 3a. [ELIGIBILITY.] Any person may take the license examination. After satisfactorily completing the examination, an individual may be designated as the qualifying person for a licensee at any time, if the individual has also fulfilled the continuing education requirements set forth in section 326.87 in the manner required for the qualifying person of a licensee.

Sec. 24. Minnesota Statutes 1992, section 326.89, is amended by adding a subdivision to read:

Subd. 6. [ADDITIONAL LICENSING REQUIREMENTS.] As an alternative to denying an application for licensure pursuant to section 326.91, subdivision 1, the commissioner may, as a condition of licensure and based upon information received pursuant to section 326.89, subdivision 2, clauses (6), (7), and (8), or a finding pursuant to section 326.91, subdivision 1, clauses (1) to (9), impose additional insurance, bonding, reporting, record keeping, and other requirements on the applicant as are necessary to protect the public.

Sec. 25. Minnesota Statutes 1992, section 326.90, is amended to read:

326.90 [LOCAL LICENSE PROHIBITED.]

Except as provided in section 326.991, a political subdivision may not require a ~~residential building contractor, remodeler, or specialty contractor~~ person licensed under sections 326.83 to 326.991 to also be licensed under any ordinance, law, rule, or regulation of the political subdivision. This section does not prohibit charges for building permits or other charges not directly related to licensure.

Sec. 26. Minnesota Statutes 1992, section 326.91, subdivision 1, is amended to read:

Subdivision 1. [CAUSE.] The commissioner may by order deny, suspend, or revoke any license or may censure a licensee, and may impose a civil penalty as provided for in section 45.027, subdivision 6, if the commissioner finds that the order is in the public interest, and that the applicant ~~or licensee~~, or affiliate of an applicant or licensee, or other agent, owner, partner, director, governor, shareholder, member, officer, qualifying person, or managing employee of the applicant or licensee or any person occupying a similar status or performing similar functions:

(1) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(2) has engaged in a fraudulent, deceptive, or dishonest practice;

(3) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the business;

(4) has failed to reasonably supervise employees, agents, subcontractors, or salespersons, or has performed negligently or in breach of contract, so as to cause injury or harm to the public;

(5) has violated or failed to comply with any provision of sections 326.83 to 326.98 or any rule or order under sections 326.83 to 326.98;

(6) has been shown to be incompetent, untrustworthy, or financially irresponsible;

(7) has been convicted of a violation of the state building code;

(8) has failed to use the proceeds of any payment made to the licensee for the construction of, or any improvement to, residential real estate, as defined in section 326.83, subdivision 9, for the payment of labor, skill, material, and machinery contributed to the construction or improvement, knowing that the cost of any labor performed, or skill, material, or machinery furnished for the improvement remains unpaid; ~~or~~

(9) has not furnished to the person making payment either a valid lien waiver as to any unpaid labor performed, or skill, material, or machinery furnished for an improvement, or a payment bond in the basic amount of the contract price for the improvement conditioned for the prompt payment to any person or persons entitled to payment; or

(10) has engaged in conduct which was the basis for a contractor's recovery fund payment pursuant to section 326.975, which payment has not been reimbursed.

Sec. 27. Minnesota Statutes 1992, section 326.91, subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATIVE ACTION.] Section 45.027 applies to any action taken by the commissioner in connection with the administration of sections 326.83 to ~~326.98~~ 326.991.

Nothing in this section prevents the commissioner from denying, suspending, revoking, or restricting a license, or from censuring a licensee based on acts or omissions not specifically enumerated in this subdivision.

Sec. 28. Minnesota Statutes 1992, section 326.92, subdivision 1, is amended to read:

Subdivision 1. [MISDEMEANOR.] A person required to be licensed under sections 326.83 to ~~326.98~~ 326.991 who performs unlicensed work ~~as a residential building contractor, remodeler, or specialty contractor~~ is guilty of a misdemeanor.

Sec. 29. Minnesota Statutes 1992, section 326.92, subdivision 3, is amended to read:

Subd. 3. [COMMISSIONER ACTION.] The commissioner may bring actions, including cease and desist actions, against ~~an unlicensed or licensed residential building contractor, remodeler, or specialty contractor~~ any person licensed or required to be licensed under sections 326.83 to 326.991 to protect the public health, safety, and welfare.

Sec. 30. Minnesota Statutes 1992, section 326.93, subdivision 1, is amended to read:

Subdivision 1. [LICENSE.] A nonresident of Minnesota may be licensed as a residential building contractor, ~~or residential remodeler, or specialty contractor~~ upon compliance with all the provisions of sections 326.83 to ~~326.98~~ 326.991.

Sec. 31. Minnesota Statutes 1992, section 326.94, subdivision 2, is amended to read:

Subd. 2. [INSURANCE.] ~~Residential building contractors, remodelers, and specialty contractors~~ Licensees must have public liability insurance with limits of at least \$100,000 per occurrence ~~and, which must include at least \$10,000 property damage insurance coverage.~~ The commissioner may increase the minimum amount of insurance required ~~based on the type of license and the annual gross receipts of the licensee for any licensee or class of licensees if the commissioner considers it to be in the public interest and necessary to protect the interests of Minnesota consumers.~~

Sec. 32. [326.951] [DISCLOSURES.]

If a licensee sells or offers to sell residential property, constructed by the licensee, which is or has been occupied by the licensee, the licensee must, prior to entering into a binding purchase agreement, provide to the buyer a written disclosure which states that any claims that arise as a result of the licensee's construction of the property; (1) will not be covered under the statutory warranty established by chapter 327A, and (2) if the licensee has occupied the residential property for one year or more, will not be eligible for reimbursement from the contractor's recovery fund.

Sec. 33. Minnesota Statutes 1992, section 326.97, subdivision 1, is amended to read:

Subdivision 1. [APPROVAL RENEWAL.] Licensees whose applications have been properly and timely filed and who have not received notice of denial of renewal are considered to have been approved for renewal and may continue to transact business whether or not the renewed license has been received. ~~Application for renewal of a license is required every two years after the initial issuance.~~ Applications are timely if received or postmarked by ~~December 15~~ March 1 of the year ~~prior to the~~ renewal year. Applications must be made on a form approved by the commissioner.

Sec. 34. Minnesota Statutes 1992, section 326.97, is amended by adding a subdivision to read:

Subd. 1a. [ANNUAL RENEWAL.] Any license issued or renewed after August 1, 1993, must be renewed annually.

Sec. 35. [326.975] [CONTRACTOR'S RECOVERY FUND.]

(a) In addition to any other fees, each applicant shall pay a fee to the contractor's recovery fund. The contractor's recovery fund is created in the state treasury and must be administered by the commissioner in the manner and subject to all the requirements and limitations provided by section 82.34 with the following exceptions:

(1) each licensee who renews a license shall pay in addition to the appropriate renewal fee an additional fee which shall be credited to the contractor's recovery fund. The amount of the fee shall be based on the licensee's gross annual receipts for the calendar or fiscal year immediately preceding the renewal, on the following scale:

<u>Fee</u>	<u>Gross Receipts</u>
<u>\$100</u>	<u>under \$1,000,000</u>
<u>\$150</u>	<u>\$1,000,000 to \$5,000,000</u>
<u>\$200</u>	<u>over \$5,000,000</u>

Any person who receives a new license shall pay a fee based on the same scale;

(2) the sole purpose of this fund is to compensate any aggrieved owner or lessee of residential property who obtains a final judgment in any court of competent jurisdiction against a licensee licensed under section 326.84, on

grounds of fraudulent, deceptive, or dishonest practices, conversion of funds, or failure of performance arising directly out of any transaction when the judgment debtor was licensed and performed any of the activities enumerated under section 326.83, subdivision 11, on the owner's residential property or on residential property rented by the lessee, or on new residential construction which was never occupied prior to purchase by the owner, or which was occupied by the licensee for less than one year prior to purchase by the owner, and which cause of action arose on or after March 31, 1994; and

(3) nothing may obligate the fund for more than \$50,000 per claimant, nor more than \$50,000 per licensee.

(b) Should the commissioner pay from the contractor's recovery fund any amount in settlement of a claim or toward satisfaction of a judgment against a licensee, the license shall be automatically suspended upon the effective date of an order by the court authorizing payment from the fund. No licensee shall be granted reinstatement until the licensee has repaid in full, plus interest at the rate of 12 percent a year, twice the amount paid from the fund on the licensee's account, and has obtained a surety bond issued by an insurer authorized to transact business in this state in the amount of at least \$40,000.

Sec. 36. Minnesota Statutes 1992, section 326.99, is amended to read:

326.99 [INITIAL TEMPORARY LICENSES.]

Residential building contractors and residential remodelers must obtain a temporary license, which is effective as of January 1, 1992. The commissioner may stagger the temporary licenses so that approximately one-half of the licenses will expire on March 31, 1993, and the other one-half on March 31, 1994. For residential building contractors and remodelers whose initial temporary license expires March 31, 1993, the commissioner upon receipt of a written request and upon payment of the appropriate license renewal fee by the licensee shall extend the examination deadline until March 31, 1994. In 1994, in addition to the established examination sites, and at no additional costs to the examination candidate, the examination must be made available at least once at five additional sites throughout the state. The additional examination sites must be located whenever possible at public schools or technical colleges.

Sec. 37. Minnesota Statutes 1992, section 326.991, is amended to read:

326.991 [EXEMPTION EXCEPTION.]

Subdivision 1. The license requirement under section 326.84 does not apply to a residential building contractor, residential remodeler, or specialty contractor licensed by the city of St. Paul or the city of Minneapolis and who is performing work within the legal boundaries of one of those municipalities. The two cities shall adopt and administer the tests for the residential building contractors and remodelers established in section 326.89 within six months of the effective date of the rules establishing the examinations.

This subdivision expires March 31, 2000.

Subd. 2. The commissioner may by rule establish a procedure for contract with the city of Minneapolis and the city of St. Paul to administer this licensing program on a contract basis.

Sec. 38. [MANUFACTURED HOME INSTALLERS.]

Manufactured home installers as defined in Minnesota Statutes, section 326.83, subdivision 4b, are not subject to Minnesota Statutes, section 326.975. Manufactured home installers as defined in Minnesota Statutes, section 326.83, subdivision 4b, are subject to Laws 1991, chapter 306, section 18, except that the bond requirement shall be \$2,500.

Sec. 39. [REPEALER.]

Minnesota Statutes 1992, sections 326.84, subdivision 2; and 326.94, subdivision 1, are repealed.

Sec. 40. [EFFECTIVE DATE.]

Section 15 is effective August 1, 1993, but the certificate of exemption requirement for those persons claiming an exemption pursuant to clause (5) of section 15 shall not be effective until March 31, 1994."

Amend the title as follows:

Page 1, line 18, after the semicolon insert "and"

Page 1, line 19, delete "; and 326.991, subdivision 1"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1045, A bill for an act relating to natural resources; regulating timber sales; increasing the value of sales requiring executive council approval and maximum lot value on auction sales; permitting the modification of timber permits damaged by natural cause; amending Minnesota Statutes 1992, section 90.031, subdivision 4; 90.041, by adding a subdivision; 90.101, subdivision 1; 90.121; and 90.201, by adding subdivisions.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 1052, A bill for an act relating to transportation; requiring a comprehensive second-phase study of high-speed rail; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

Reported the same back with the following amendments:

Page 2, line 5, delete "\$500,000" and insert "\$....." and after "appropriated" insert "from the general fund"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1152, A bill for an act relating to natural resources; providing for the prevention and suppression of wildfires in forest areas; providing penalties; amending Minnesota Statutes 1992, sections 88.01, subdivisions 2, 6, 8, 15, and by adding subdivisions; 88.02; 88.03; 88.04; 88.041; 88.05; 88.06; 88.065; 88.067; 88.08; 88.09, subdivision 2; 88.10; 88.11, subdivision 2; 88.12; 88.14; 88.15; 88.16; 88.17, subdivision 1, and by adding a subdivision; 88.18; 88.22; and 88.76; proposing coding for new law in Minnesota Statutes, chapter 88; repealing Minnesota Statutes 1992, sections 88.01, subdivision 23; 88.17, subdivision 2; and 88.19; and Laws 1992, chapter 556, sections 10 and 11; and Minnesota Rules, parts 7005.0705; 7005.0715; 7005.0725; 7005.0735; and 7005.0745.

Reported the same back with the following amendments:

Page 2, after line 16, insert:

"Sec. 5. Minnesota Statutes 1992, section 88.01, subdivision 23, is amended to read:

Subd. 23. [OPEN FIRE.] "Open fire" or "open burning" means a fire burning in matter, whether concentrated or dispersed, which is not contained within a fully enclosed firebox, structure or vehicle and from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct or chimney."

Page 7, line 26, reinstate the stricken "township"

Page 8, delete lines 6 to 8

Page 15, line 14, reinstate the stricken language

Page 15, lines 17 and 18, after the stricken "as" insert "or" and reinstate the stricken "town fire warden,"

Page 15, line 26, before "conservation" insert "town fire warden,"

Page 20, lines 27 and 28, delete "88.01, subdivision 23;"

Page 20, line 31, delete "and" and before the comma insert "; 7005.0755; 7005.0765; 7005.0766; 7005.0767; 7005.0775; 7005.0785; 7005.0795; 7005.0796; 7005.0805; and 7005.0815"

ReNUMBER the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 6, after the comma insert "23,"

Page 1, line 13, delete "88.01, subdivision 23;"

Page 1, line 16, delete "and" and before the period insert "; 7005.0755; 7005.0765; 7005.0766; 7005.0767; 7005.0775; 7005.0785; 7005.0795; 7005.0796; 7005.0805; and 7005.0815"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1164, A bill for an act relating to water law; making miscellaneous technical corrections to water law; amending Minnesota Statutes 1992, sections 103F.215, subdivision 1; 103F.221, subdivision 1; 103G.005, subdivisions 14, 15, and 18; 103G.105; 103G.111, subdivision 1; 103G.121, subdivision 1; 103G.135; 103G.261; 103G.271, subdivision 2; 103G.275, subdivision 1; 103G.295, subdivision 4; 103G.315, subdivisions 12 and 15; and 103G.611, subdivision 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 43, 113, 129, 477, 504, 506, 528, 622, 623, 648, 680, 704, 804, 1152 and 1164 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 98, 99, 234 and 282 were read for the second time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Greenfield moved that the rule therein be suspended and an urgency be declared so that S. F. No. 282 be given its third reading and be placed upon its final passage. The motion prevailed.

Greenfield moved that the Rules of the House be so far suspended that S. F. No. 282 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 282, A bill for an act relating to medical assistance; modifying hospital reimbursement rates; amending Minnesota Statutes 1992, section 256.969, subdivisions 9, 20, and by adding subdivisions.

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	Dauner	Haukoos	Koppendraye	Munger	Peterson	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Murphy	Pugh	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Neary	Reding	Tompkins
Asch	Dehler	Hugoson	Lasley	Nelson	Rest	Trimble
Battaglia	Delmont	Huntley	Lieder	Ness	Rhodes	Tunheim
Bauerly	Dempsey	Jacobs	Limmer	Olson, E.	Rice	Vellenga
Beard	Dom	Jaros	Lindner	Olson, K.	Rodosovich	Vickerman
Bergson	Erhardt	Jefferson	Lourey	Olson, M.	Rukavina	Wagenius
Bertram	Evans	Jennings	Luther	Onnen	Sarna	Waltman
Bettermann	Farrell	Johnson, A.	Lynch	Opatz	Seagren	Weaver
Bishop	Frerichs	Johnson, R.	Macklin	Orenstein	Sekhon	Wejcman
Blatz	Garcia	Johnson, V.	Mahon	Orfield	Simoneau	Welle
Brown, C.	Girard	Kahn	Mariani	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Smith	Winter
Carlson	Greenfield	Kelley	McGuire	Ozment	Solberg	Wolf
Carruthers	Greiling	Kelso	Milbert	Pauly	Sparby	Worke
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Stanius	Workman
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Steensma	Spk. Long
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Sviggum	

The bill was passed and its title agreed to.

SECOND READING OF SENATE BILLS, Continued

S. F. Nos. 313, 371 and 567 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Weaver, Seagren, Vellenga, Carlson and Bauerly introduced:

H. F. No. 1502, A bill for an act relating to education; permitting money in the alcohol-impaired driver education account to be used for education programs to prevent gambling; amending Minnesota Statutes 1992, section 171.29, subdivision 2.

The bill was read for the first time and referred to the Committee on Education.

Sparby; Johnson, R.; Munger; Brown, C., and Nelson introduced:

H. F. No. 1503, A bill for an act relating to health; water wells; requiring that well inspectors be qualified as licensed well contractors; amending Minnesota Statutes 1992, section 1031.101, subdivision 4.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Lourey, Koppendrayner, Lasley, Hugoson and Jennings introduced:

H. F. No. 1504, A bill for an act relating to the environment; appropriating money for grants to the east central solid waste commission for payments on bonds issued for a composting facility.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings, Rukavina, Cooper and Brown, C., introduced:

H. F. No. 1505, A bill for an act relating to human services; requiring increases in rates for salaries of employees of intermediate care facilities for persons with mental retardation, home and community-based waivered services, developmental achievement centers, and semi-independent living services programs; amending Minnesota Statutes 1992, sections 245.465, subdivision 2; 252.24, by adding a subdivision; 252.275, by adding a subdivision; 252.28, by adding a subdivision; 256B.491, subdivision 3; and 268A.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Brown, C.; Solberg; Bettermann; Limmer and Grëiling introduced:

H. F. No. 1506, A bill for an act relating to higher education; eliminating the higher education coordinating board; transferring functions; creating a higher education services office; modifying the higher education advisory council; appropriating money; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; 125.185, subdivision 4a; 126.663, subdivision 3; 126A.02, subdivision 2; 135A.09; 135A.10, subdivision 1; 136A.01; 136A.03; 136A.08; 136A.101, subdivisions 1, 2, and 3; 136A.15, subdivisions 3 and 4; 136A.16, subdivision 1; 136A.233, subdivision 2; 136A.62, subdivision 2; 136C.042, subdivision 1; and 298.2214, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136A; repealing Minnesota Statutes 1992, sections 135A.05; 135A.052, subdivision 3; 135A.06, subdivisions 2, 3, 4, 5, and 6; 135A.061; 135A.08; 135A.12, subdivision 5; 136A.02; 136A.04; 136A.041; 136A.043; 136A.134; 136A.234; 136A.70; 136A.85; 136A.86; 136A.87; and 136A.88.

The bill was read for the first time and referred to the Committee on Education.

Lourey introduced:

H. F. No. 1507, A bill for an act relating to human services; adding an exception to group residential housing rate; amending Minnesota Statutes 1992, section 256I.03, subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Pugh and Reding introduced:

H. F. No. 1508, A bill for an act relating to public employees; setting salaries for administrative law judge supervisors, chief and assistant chief administrative law judges, and workers' compensation judges; amending Minnesota Statutes 1992, sections 15A.081, subdivision 1; 15A.083, subdivisions 6a, 7, and by adding a subdivision; and 43A.18, subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Brown, C., introduced:

H. F. No. 1509, A bill for an act relating to the legislature; providing for budget resolutions; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Brown, C., introduced:

H. F. No. 1510, A bill for an act relating to public defense; extending the date of the law exempting counties from paying certain costs relating to public defense; amending Minnesota Statutes 1992, section 611.27, subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Greiling, Solberg, Vellenga, Limmer and Jefferson introduced:

H. F. No. 1511, A bill for an act relating to education; requiring school districts to adopt racial harassment and violence policies; amending Minnesota Statutes 1992, sections 127.455; and 127.46.

The bill was read for the first time and referred to the Committee on Education.

Wejcman and Clark introduced:

H. F. No. 1512, A bill for an act relating to human rights; requiring priority handling of certain employment discrimination cases; amending Minnesota Statutes 1992, section 363.06, subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Clark, Wejcman, Dawkins and Orfield introduced:

H. F. No. 1513, A bill for an act relating to minority data; establishing a minority data net demonstration project; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Pugh; Brown, C.; Bishop; Solberg and Frerichs introduced:

H. F. No. 1514, A bill for an act relating to civil actions; providing that the statute of limitations in section 541.051 governs materials incorporated into an improvement to real property; amending Minnesota Statutes 1992, section 336.2-725.

The bill was read for the first time and referred to the Committee on Judiciary.

Jefferson introduced:

H. F. No. 1515, A bill for an act relating to economic development; creating the urban initiative board to encourage urban development; providing for a grant program; requiring the board to adopt rules; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116M.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Pelowski introduced:

H. F. No. 1516, A bill for an act relating to state buildings; approval of construction plans by the commissioner of administration; removing an exception for buildings and structures under control of the state university board; amending Minnesota Statutes 1992, section 16B.31, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Hausman, Jacobs and Sarna introduced:

H. F. No. 1517, A bill for an act relating to energy; providing for energy audits of rental property; changing requirements for utility billing practices by manufactured home park owners; authorizing tenants in single-metered multiunit residential buildings to pay utility service and deduct the payments from rent due; providing remedies; requiring landlords to disclose certain energy information to prospective tenants; amending Minnesota Statutes 1992, sections 216C.31; 327C.04, subdivision 3; 504.185, subdivision 1, and by adding a subdivision; and 504.22, by adding a subdivision; repealing Minnesota Statutes 1992, section 327C.04, subdivision 4.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

McCollum introduced:

H. F. No. 1518, A bill for an act relating to yard waste; allowing placement of household quantities of shrub and tree waste in certain mixed municipal solid waste; amending Minnesota Statutes 1992, section 115A.931.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Beard, Long, Munger and Wenzel introduced:

H. F. No. 1519, A resolution memorializing Congress to consider the impact of the North American Free Trade Agreement on state sovereignty, the need for full legislative deliberation, and the withdrawal of NAFTA from the current fast-track procedures.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Rice, Jaros, Clark, Dawkins and Jefferson introduced:

H. F. No. 1520, A bill for an act relating to taxation; income; providing an income tax credit for improvements made to certain residential property; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 290 and 462C.

The bill was read for the first time and referred to the Committee on Taxes.

Osthoff, Lieder and Mariani introduced:

H. F. No. 1521, A bill for an act relating to transportation; increasing payment to ethanol producers and repealing tax credit; changing wetland replacement requirement for highway projects; defining highway and highway purpose; allocating federal surface transportation program funds; expanding basis for municipal census determinations; changing requirements for oxygenated gasoline use and content; increasing motor fuel tax and indexing rate; imposing a transportation tax on motor vehicle sales and apportioning tax revenues; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; 103G.222; 160.02, subdivision 7, and by adding a subdivision; 161.085; 162.09, subdivision 4; 174.32, subdivisions 2 and 5; 239.791, subdivisions 1 and 2; 296.02, subdivision 1b, and by adding a subdivision; 297B.02, by adding a subdivision; 297B.09, subdivision 1; and 473.446, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 1992, sections 161.086; and 296.02, subdivisions 7 and 8.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Clark and Simoneau introduced:

H. F. No. 1522, A bill for an act relating to insurance; accident and health; requiring coverage for blood lead tests; 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.

Reding, for the Committee on Financial Institutions and Insurance, introduced:

H. F. No. 1523, A bill for an act relating to insurance; establishing and regulating the life and health guaranty association; providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 61B; repealing Minnesota Statutes 1992, sections 61B.01; 61B.02; 61B.03; 61B.04; 61B.05; 61B.06; 61B.07; 61B.08; 61B.09; 61B.10; 61B.11; 61B.12; 61B.13; 61B.14; 61B.15; and 61B.16.

The bill was read for the first time and laid over one day.

Rest introduced:

H. F. No. 1524, A bill for an act relating to taxation; providing conditions and requirements for the issuance of public debt and for the financial obligations of authorities; exempting certain securities from registration requirements; amending certain property tax imposition disclosure provisions; providing an exemption from the mortgage registration tax; amending Minnesota Statutes 1992, sections 80A.15, subdivision 1; 275.065, subdivision 7; 275.60; 275.61; 287.04; 447.45, subdivision 2; and 501B.25.

The bill was read for the first time and referred to the Committee on Taxes.

Perlt, Pugh, Farrell, Bishop and Delmont introduced:

H. F. No. 1525, A bill for an act relating to occupations and professions; abstracters; providing for certain applicants to be exempt from the bond and liability insurance requirement; amending Minnesota Statutes 1992, section 386.66.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Dauner introduced:

H. F. No. 1526, A bill for an act relating to education; authorizing an operating debt levy; amending Minnesota Statutes 1992, section 124.914, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Steensma, Winter and Vellenga introduced:

H. F. No. 1527, A bill for an act relating to education; providing for school district elections in independent school district Nos. 404, 408, and 583.

The bill was read for the first time and referred to the Committee on Education.

Lasley introduced:

H. F. No. 1528, A bill for an act relating to state lands; releasing certain reversionary interests of the state to independent school district No. 911, Cambridge; amending Laws 1963, chapter 350, section 3.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hausman and Peterson introduced:

H. F. No. 1529, A bill for an act relating to state government; reorganizing, consolidating, and restructuring state agencies and departments; requiring establishment of worker participation committees before agency restructuring; creating the department of environmental protection and conservation, the board of environmental review, and the office of assistance and public advocacy; transferring all powers and duties of the pollution control agency, the department of natural resources, the environmental quality board, the board of water and soil resources, the office of waste management, the harmful substances compensation board, the petroleum tank release compensation board, and the agricultural chemical response compensation board; transferring certain powers and duties of the departments of agriculture, health, public safety, trade and economic development, and transportation; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 15A.081, subdivision 1; and 43A.045; proposing coding for new law as Minnesota Statutes, chapters 100A; and 100B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Perlt introduced:

H. F. No. 1530, A bill for an act relating to elections; designating judicial seats by number or position, rather than by the name of the incumbent; amending Minnesota Statutes 1992, section 204B.36, subdivision 4.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Johnson, R.; Pelowski; Reding; Knickerbocker and Jefferson introduced:

H. F. No. 1531, A bill for an act relating to state government; creating a state board of pension investment; prescribing its powers and duties; transferring authority from the state board of investment; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 18; 11A.01; 11A.02, subdivisions 2 and 4; 11A.04; 11A.041; 11A.07, subdivision 5; 11A.08, subdivisions 1 and 2; 11A.09; 11A.13, subdivision 1; 11A.14, subdivision 3; 79.251, subdivision 7; 352.05; 353.05; 354.06, subdivision 1; 356.218, subdivision 1; 356A.01, subdivision 23; 356A.02, subdivision 1; 356A.11, subdivision 1; 422A.06, subdivision 8; and 490.123, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 11B; repealing Minnesota Statutes 1992, section 11A.14, subdivision 5.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Lynch, Hasskamp, Garcia, Bettermann and Ozment introduced:

H. F. No. 1532, A bill for an act relating to education; providing for skilled school interpreters; proposing coding for new law in Minnesota Statutes, chapter 125.

The bill was read for the first time and referred to the Committee on Education.

McCollum, Trimble, Rest, Blatz and Orfield introduced:

H. F. No. 1533, A bill for an act relating to taxation; providing that certain property is classified as a homestead while undergoing renovation; amending Minnesota Statutes 1992, section 273.124, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Lynch, Workman, Hugoson, Girard and Limmer introduced:

H. F. No. 1534, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, and article V, sections 2 and 4; placing limits on the terms of office of legislators and executive officers.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Bergson, Carruthers, Luther, Orfield and Weaver introduced:

H. F. No. 1535, A bill for an act relating to highways; appropriating money to the commissioner of transportation for payment of a loan to the city of Brooklyn Park from the metropolitan council's right-of-way acquisition loan fund for costs related to proposed trunk highway No. 610.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Haukoos, Krueger, Knickerbocker, Kahn and Van Dellen introduced:

H. F. No. 1536, A bill for an act relating to state government; providing for the composition of the legislative advisory commission; providing for review of certain projects; amending Minnesota Statutes 1992, sections 3.30, subdivision 2; 7.09, subdivision 1; 298.2211, subdivision 3; 298.2213, subdivision 4; 298.223, subdivision 2; 298.28, subdivision 7; and 298.296, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dehler, Dempsey and Morrison introduced:

H. F. No. 1537, A bill for an act relating to cities; providing for petitions in support of certain public contracts; amending Minnesota Statutes 1992, section 412.221, subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bergson, Bertram, Hasskamp, Gutknecht and Abrams introduced:

H. F. No. 1538, A bill for an act relating to taxation; providing that certain income earned for service in the armed forces is exempt from taxation; amending Minnesota Statutes 1992, section 290.01, subdivision 19b.

The bill was read for the first time and referred to the Committee on Taxes.

Murphy introduced:

H. F. No. 1539, A bill for an act relating to local government; providing for water service from the city of Duluth to the cities of Proctor and Hermantown and the town of Rice Lake; providing an appeal process; amending Laws 1981, chapter 354, section 4.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Ostrom, Dorn and Rodosovich introduced:

H. F. No. 1540, A bill for an act relating to human services; establishing a program at the St. Peter regional treatment center for persons committed as psychopathic personalities; authorizing capital spending; authorizing issuance of bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 253.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Winter and Steensma introduced:

H. F. No. 1541, A bill for an act relating to Nobles county; permitting the consolidation of the offices of auditor and treasurer.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Bertram, Kalis, Steensma and Nelson introduced:

H. F. No. 1542, A bill for an act relating to agriculture; making changes in the laws on pesticides and agricultural chemicals; amending Minnesota Statutes 1992, sections 18B.01, by adding subdivisions; 18B.14, subdivision 2; 18B.31, subdivision 1; 18B.36, subdivision 2; 18B.37, subdivision 2; 18C.005, subdivisions 13 and 35; 18C.115, subdivision 2; 18C.211, subdivision 1; 18C.215, subdivision 2; and 18C.305, subdivision 2; repealing Minnesota Statutes 1992, sections 18B.07, subdivision 3; 18C.211, subdivision 3; and 18C.215, subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture.

Greiling, Hausman and McGuire introduced:

H. F. No. 1543, A bill for an act relating to environmental education; appropriating money.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Winter and Steensma introduced:

H. F. No. 1544, A bill for an act relating to taxation; property; deferring certain value on homesteads damaged by a disaster; amending Minnesota Statutes 1992, sections 273.11, subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Sviggum introduced:

H. F. No. 1545, A bill for an act relating to state government; restructuring the executive branch to improve efficiency; providing for the grouping of related functions under secretaries; authorizing the consolidation of functions; providing for the termination of advisory councils, task forces, and boards; consolidating the administrative functions related to certain boards; transferring certain powers and duties; abolishing certain departments and agencies; appropriating money; amending Minnesota Statutes 1992, sections 8.06; 15.01; 15.059, subdivision 5; 15.06, subdivisions 1 and 8; 15A.081, subdivision 1; 16B.37, subdivision 2; 84.01, subdivisions 1 and 3; 84.027, by adding a subdivision; 116.01; 116.02, subdivision 5; 116.03, subdivisions 1 and 2; 214.001, subdivision 1; 214.04, subdivision 1,

and by adding subdivisions; 216A.01; 216A.03, subdivision 1, and by adding a subdivision; 349.12, subdivision 6; and 349.151, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 4; and 15; repealing Minnesota Statutes 1992, sections 103B.101, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 10, and 11; 116.02, subdivisions 1, 2, 3, and 4; 116.03, subdivision 6; 116.04; 214.04, subdivision 3; 216A.06; and 240.02.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Lourey introduced:

H. F. No. 1546, A bill for an act relating to human services; establishing an information center for traumatic injury; requiring a study of medical education and continuing medical education requirements related to treatment of persons with traumatic brain injury and traumatic spinal cord injury; appropriating money; amending Minnesota Statutes 1992, section 171.29, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268.

The bill was read for the first time and referred to the Committee on Health and Human Services.

McGuire introduced:

H. F. No. 1547, A bill for an act relating to Ramsey county; providing for functional consolidation of streets, highways, and roads in Ramsey county; providing for state-aid funding; amending Minnesota Statutes 1992, sections 162.09, by adding a subdivision; and 383A.16, subdivision 2, and by adding subdivisions; repealing Minnesota Statutes 1992, section 383A.16, subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Dawkins and Orenstein introduced:

H. F. No. 1548, A bill for an act relating to crime reduction; service learning and work-based learning; promoting youth service; developing youth community service and work-based learning programs; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Judiciary.

Wagenius introduced:

H. F. No. 1549, A bill for an act relating to the environment; providing protection from liability for releases of hazardous substances to lenders and owners for redevelopment of property under an approved cleanup plan; providing authority to issue "no-association determinations"; creating a pollution abatement loan and grant program in the department of trade and economic development; providing for loan repayment by municipalities; authorizing the issuance of bonds and the making of loans and grants; authorizing the establishment of pollution tax increment districts; exempting certain pollution districts from certain reductions in aid; changing procedures for determination of tax capacity; providing an option for receiving increment; allowing an authority to establish a guaranty or indemnification fund; appropriating money; amending Minnesota Statutes 1992, sections 115B.175, subdivision 6, and by adding a subdivision; 273.1399, subdivision 1; 469.174, subdivisions 4, 9, and by adding subdivisions; 469.175, subdivision 1, and by adding a subdivision; 469.176, subdivisions 1, 4, and by adding a subdivision; 469.1763, by adding a subdivision; and 469.177, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 115B; 116J; and 469.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Hausman introduced:

H. F. No. 1550, A bill for an act relating to energy; providing for renewable energy production incentives; providing for low-income consideration in setting certain utility rates; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1992, section 216B.16, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216C.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Skoglund and Bishop introduced:

H. F. No. 1551, A bill for an act relating to courts; authorizing the commissioner of revenue to disclose certain tax information to the court for purposes of determining public defender eligibility; providing for funding of a screener-collector position in the eighth judicial district; authorizing payment of fines and other financial obligations of criminal defendants by credit card; appropriating money; amending Minnesota Statutes 1992, sections 270B.14, by adding a subdivision; 357.021, subdivision 1a; and 609.101, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609.

The bill was read for the first time and referred to the Committee on Judiciary.

Hasskamp, Rice, Lourey and Bergson introduced:

H. F. No. 1552, A bill for an act relating to veterans; appropriating money for the nurse statue.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Kahn and Brown, C., introduced:

H. F. No. 1553, A bill for an act relating to pollution control; eliminating the pollution control agency board; creating the technical advisory council; expanding the duties of the commissioner; amending Minnesota Statutes 1992, sections 116.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1992, sections 116.02, subdivisions 2, 3, and 4.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bettermann, Limmer, Carlson, Dorn and Trimble introduced:

H. F. No. 1554, A bill for an act relating to education; abolishing the higher education board; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; and 179A.10, subdivision 2; repealing Minnesota Statutes 1992, sections 136E.01; 136E.02; 136E.03; 136E.04; and 136E.05; and Laws 1991, chapter 356, article 9, sections 8, 9, 10, 11, 12, 13, and 14.

The bill was read for the first time and referred to the Committee on Education.

Hausman and Weaver introduced:

H. F. No. 1555, A bill for an act relating to state government; consolidating and coordinating state environmental and natural resource programs; reorganizing and restructuring state agencies and departments; creating the sustainable environmental policy board; creating the department of environmental protection; adding powers and duties to the department of natural resources; transferring all the powers and duties of the environmental quality board, the pollution control agency, the board of water and soil resources, the office of waste management, the harmful substances compensation board, the petroleum tank release compensation board, and the Minnesota public facilities authority, and abolishing these agencies; transferring certain powers and duties of the departments of administration, commerce, trade and economic development, and the metropolitan council; requiring further studies and reports; amending Minnesota Statutes 1992, sections 15.01; 15A.081, subdivision 1; 84.01, subdivisions 1 and 3; 84.027, by adding a subdivision; 103B.3355; 103D.101, subdivision 2; 115B.25, subdivision 2; 115B.28, subdivisions 1 and 4; 115B.35, subdivisions 1, 4, 5, and 6; 115C.07, subdivision 3; 115C.10, subdivision 1; 116.01; 116.02, subdivision 5; 116.03, subdivisions 1 and 2; 116C.01; 116C.02; 116C.03, subdivisions 1, 2, and 3a; 116C.04, subdivision 2; 116C.24, subdivisions 2, 2a, and 3; 116C.25; 116C.34; 144.871, subdivision 5; 326.71, subdivision 5; 446A.02, subdivision 3; 446A.04, subdivisions 1 and 5; 446A.07, subdivisions 4, 5, and 6; 446A.071, subdivisions 3, 4, and 5; 446A.10, by adding a subdivision; 473.811, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116C; repealing Minnesota Statutes 1992, sections 103B.101, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, and 10; 103B.205, subdivision 2; 103B.305, subdivision 2; 103B.3363, subdivision 2; 103C.101, subdivision 12; 103D.011, subdivision 5; 115A.03, subdivisions 8a and 22a; 115A.055; 115B.27; 115C.07, subdivisions 1 and 2; 115D.03, subdivision 4; 116.02, subdivisions 1, 2, 3, and 4; 116.03, subdivision 6; 116.04; 446A.02, subdivision 2; and 446A.03.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Luther, Simoneau, Ozment and Weaver introduced:

H. F. No. 1556, A bill for an act relating to health; consolidating and modifying enforcement remedies; providing penalties; amending Minnesota Statutes 1992, sections 103I.345, subdivision 1; 116.75; 116.76, subdivision 1; 116.77; 116.82, subdivision 3; 144.71, subdivision 1; 145A.07, subdivision 1; 326.37, subdivision 1; 327.16, subdivision 6; 327.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1992, sections 103I.701; 103I.705; 116.83; 144.1211; 144.386, subdivision 4; 144.73, subdivisions 2, 3, and 4; 144.76; 157.081; 326.43; 326.53, subdivision 2; 326.63; 326.78, subdivisions 4, 6, 7, and 8; 326.79; 326.80; 327.18; and 327.24, subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bauerly, Bertram, Koppendrayner, Nelson and Wenzel introduced:

H. F. No. 1557, A bill for an act relating to agriculture; modifying the over-order premium milk price; amending Minnesota Statutes 1992, section 32A.071, subdivisions 2, 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Agriculture.

Erhardt, Goodno, Sarna, Morrison and Pauly introduced:

H. F. No. 1558, A bill for an act relating to utilities; expanding duties of chair of public utilities commission; amending Minnesota Statutes 1992, section 216A.03, subdivision 3a.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Neary, Osthoff, Frerichs and Johnson, A., introduced:

H. F. No. 1559, A bill for an act relating to transportation; establishing a county state-aid highway dispute resolution board; changing the county state-aid fund apportionment formula and the composition of the screening board; amending Minnesota Statutes 1992, sections 162.02, subdivisions 3a, 7, 8, and by adding a subdivision; 162.06, subdivision 4; 162.08, subdivision 9; and 162.155; proposing coding for new law in Minnesota Statutes, chapter 162; repealing Minnesota Statutes 1992, section 162.07.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Vellenga, Rest, Leppik, Long and Anderson, I., introduced:

H. F. No. 1560, A bill for an act relating to education; restructuring educational finance; appropriating money; amending Minnesota Statutes 1992, sections 124A.70; and 124A.72; proposing coding for new law in Minnesota Statutes, chapter 124A; repealing Minnesota Statutes 1992, sections 124A.70, subdivisions 3 and 4; 124A.71; and chapters 124; 124A; 124B; 124C; and 124D.

The bill was read for the first time and referred to the Committee on Education.

Krueger introduced:

H. F. No. 1561, A bill for an act relating to state government; providing for review of agency strategic plans, outcome measures, and data collection efforts; providing for the establishment of goals, outcome measures, and incentive systems for state programs; providing for worker participation committees; providing options for employees following restructuring; amending Minnesota Statutes 1992, sections 3.971, by adding a subdivision; and 43A.045; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 298, A bill for an act relating to local government; creating the office of Anoka county coroner; appointing a physician as county coroner; appointing assistant coroners; designating deputy coroners; establishing the duties of the coroner.

H. F. No. 341, A bill for an act relating to business corporations; making various technical changes; amending Minnesota Statutes 1992, sections 302A.011, subdivisions 26, 38, 53, and by adding a subdivision; 302A.105; 302A.111, subdivisions 3 and 4; 302A.115, subdivision 1; 302A.117, subdivision 1; 302A.123, subdivision 3; 302A.133; 302A.135, subdivisions 1 and 3; 302A.137; 302A.153; 302A.171, subdivision 2; 302A.231, subdivision 3; 302A.233; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 2; 302A.401, subdivisions 1 and 3; 302A.402, subdivisions 1, 2, and by adding a subdivision; 302A.403, subdivisions 2 and 4; 302A.413, subdivisions 4 and 9; 302A.423, subdivision 2; 302A.435, subdivisions 1 and 3; 302A.437, subdivision 2; 302A.447, subdivisions 2 and 3; 302A.449, subdivision 1; 302A.461, subdivision 4; 302A.463; 302A.471, subdivision 3; 302A.473, subdivisions 4 and 7; 302A.501, subdivision 1; 302A.521, subdivision 6; 302A.551, subdivision 1; 302A.553, subdivision 1; 302A.559, subdivision 1; 302A.613, subdivisions 2 and 3; 302A.621, subdivision 6; 302A.641, subdivision 1; 302A.671, subdivision 3; 302A.673, subdivisions 1 and 3; 302A.711, subdivisions 1 and 2; and 302A.901, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

The Senate has appointed as such committee:

Mr. Spear; Ms. Reichgott and Mr. Belanger.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 159, A bill for an act relating to education; extending the time for school districts that have received capital loans to enter into construction contracts; amending Minnesota Statutes 1992, section 124.431, subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Tunheim moved that the House concur in the Senate amendments to H. F. No. 159 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 159, A bill for an act relating to education; extending the time for school districts receiving capital loans prior to April 1, 1993, to enter into construction contracts.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Munger	Pugh	Tompkins
Anderson, I.	Davids	Hausman	Krinkie	Murphy	Reding	Trimble
Anderson, R.	Dawkins	Holsten	Krueger	Neary	Rest	Tunheim
Asch	Dehler	Hugoson	Lasley	Nelson	Rhodes	Van Dellen
Battaglia	Delmont	Huntley	Leppik	Ness	Rice	Vellenga
Bauerly	Dempsey	Jacobs	Lieder	Olson, E.	Rodosovich	Vickerman
Beard	Dorn	Jaros	Limmer	Olson, K.	Rukavina	Wagenius
Bergson	Erhardt	Jefferson	Lindner	Olson, M.	Sarna	Waltman
Bertram	Evans	Jennings	Lourey	Onnen	Seagren	Weaver
Bettermann	Farrell	Johnson, A.	Luther	Opatz	Sekhon	Wejzman
Bishop	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Welle
Blatz	Garcia	Johnson, V.	Macklin	Orfield	Skoglund	Wenzel
Brown, C.	Girard	Kahn	Mahon	Osthoff	Smith	Winter
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Solberg	Wolf
Carlson	Greenfield	Kelley	McGuire	Pauly	Stanius	Worke
Carruthers	Greiling	Kelso	Milbert	Pawlenty	Steensma	Workman
Clark	Gruenes	Kinkel	Molnau	Pelowski	Sviggum	Spk. Long
Commers	Gutknecht	Klinzing	Morrison	Pert	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Peterson	Tomassoni	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 145, A bill for an act relating to occupations and professions; modifying board of medical practice requirements for licensure by reciprocity; amending Minnesota Statutes 1992, section 147.03, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Steensma moved that the House concur in the Senate amendments to H. F. No. 145 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 145, A bill for an act relating to occupations and professions; modifying board of medical practice requirements for licensure by reciprocity; amending Minnesota Statutes 1992, section 147.03, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Mosel	Peterson	Tomassoni
Anderson, I.	Davids	Hausman	Krinkie	Munger	Pugh	Tompkins
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Reding	Trimble
Asch	Dehler	Hugoson	Lasley	Neary	Rest	Tunheim
Battaglia	Delmont	Huntley	Leppik	Nelson	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rice	Vellenga
Beard	Dorn	Jaros	Limmer	Olson, E.	Rodosovich	Vickerman
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rukavina	Wagenius
Bertram	Evans	Jennings	Lourey	Olson, M.	Sarna	Waltman
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Seagren	Weaver
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Sekhon	Wejzman
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Simoneau	Welle
Brown, C.	Girard	Kahn	Mahon	Orfield	Skoglund	Wenzel
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Smith	Winter
Carlson	Greenfield	Kelley	McCollum	Ostrom	Solberg	Wolf
Carruthers	Greiling	Kelso	McGuire	Pauly	Stanius	Workman
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Stensma	Spk. Long
Commers	Gutknecht	Klinzing	Molnau	Pelowski	Sviggum	
Cooper	Hasskamp	Kruickerbocker	Morrison	Perl	Swenson	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 50, 262, 306 and 903.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 50, A bill for an act relating to traffic regulations; authorizing operation of recreational vehicle combinations with certain restrictions; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; and 169.81, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

S. F. No. 262, A bill for an act relating to the city of Saint Paul; authorizing the city by ordinance to prepare, adopt, and amend design districts and design framework, to establish a design advisory committee, and to establish design review procedures to preserve and enhance the city's appearance and environmental quality.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

S. F. No. 306, A bill for an act relating to state government; appointments of department heads and members of administrative boards and agencies; clarifying procedures and requirements; amending Minnesota Statutes 1992, sections 15.0575, subdivision 4; 15.06, subdivision 5; and 15.066, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

S. F. No. 903, A bill for an act relating to public employees; authorizing a local police civil service commission to adopt rules allowing the striking of a name on the civil service eligible register after a one-year period; amending Minnesota Statutes 1992, section 419.06.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

CONSENT CALENDAR

H. F. No. 836, A bill for an act relating to game and fish; sale of licenses through subagents; amending Minnesota Statutes 1992, section 97A.485, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Munger	Reding	Trimble
Anderson, I.	Davids	Hausman	Krinkie	Murphy	Rest	Turheim
Anderson, R.	Dawkins	Holsten	Krueger	Neary	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lasley	Nelson	Rice	Vellenga
Battaglia	Delmont	Huntley	Leppik	Ness	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Lieder	Olson, E.	Rukavina	Wagenius
Beard	Dorn	Jaros	Limmer	Olson, K.	Sarna	Waltman
Bergson	Erhardt	Jefferson	Lindner	Olson, M.	Seagren	Weaver
Bertram	Evans	Jennings	Lourey	Onnen	Sekhon	Wejzman
Bettermann	Farrell	Johnson, A.	Luther	Opatz	Simoneau	Welle
Bishop	Frerichs	Johnson, R.	Lynch	Orenstein	Skoglund	Wenzel
Blatz	Garcia	Johnson, V.	Macklin	Osthoff	Smith	Winter
Brown, C.	Girard	Kahn	Mahon	Ostrom	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Pauly	Stanius	Worke
Carlson	Greenfield	Kelley	McGuire	Pawlenty	Steensma	Workman
Carruthers	Greiling	Kelso	Milbert	Pelowski	Sviggum	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Perl	Swenson	
Commers	Gutknecht	Klinzing	Morrison	Peterson	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Mosel	Pugh	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 1100, A bill for an act relating to insurance; regulating the health coverage reinsurance association; amending Minnesota Statutes 1992, sections 62L.02, by adding a subdivision; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 2, 4, 6, and 7; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.19; and 62L.20, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bertram	Brown, C.	Clark	Davids	Dempsey
Anderson, I.	Bauerly	Bettermann	Brown, K.	Commers	Dawkins	Dorn
Anderson, R.	Beard	Bishop	Carlson	Cooper	Dehler	Erhardt
Asch	Bergson	Blatz	Carruthers	Dauner	Delmont	Evans

Farrell	Jacobs	Krinkie	Molnau	Osthoff	Sarna	Van Dellen
Frerichs	Jaros	Krueger	Morrison	Ostrom	Seagren	Vellenga
Garcia	Jefferson	Lasley	Mosel	Ozment	Sekhon	Vickerman
Girard	Jennings	Leppik	Munger	Pauly	Simoneau	Wagenius
Goodno	Johnson, A.	Lieder	Murphy	Pawlenty	Skoglund	Waltman
Greenfield	Johnson, R.	Limmer	Neary	Pelowski	Smith	Weaver
Greiling	Johnson, V.	Lindner	Nelson	Perlt	Solberg	Wejcman
Gruenes	Kahn	Lourey	Ness	Peterson	Stanius	Welle
Gutknecht	Kalis	Luther	Olson, E.	Pugh	Steensma	Wenzel
Hasskamp	Kelley	Lynch	Olson, K.	Reding	Sviggum	Winter
Haukoos	Kelso	Macklin	Olson, M.	Rest	Swenson	Wolf
Hausman	Kinkel	Mahon	Onnen	Rhodes	Tomassoni	Worke
Holsten	Klinzing	McCollum	Opatz	Rice	Tompkins	Workman
Hugoson	Knickerbocker	McGuire	Orenstein	Rodosovich	Trimble	Spk. Long
Huntley	Koppendrayner	Milbert	Orfield	Rukavina	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 1325; A bill for an act relating to housing; modifying the definition of dwelling for smoke detection devices; amending Minnesota Statutes 1992, section 299F.362, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tompkins
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Trimble
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Tunheim
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Van Dellen
Beard	Dorn	Jaros	Limmer	Olson, E.	Rice	Vellenga
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Vickerman
Bertram	Evans	Jennings	Lourey	Olson, M.	Rukavina	Wagenius
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Sarna	Waltman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Seagren	Weaver
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Sekhon	Wejcman
Brown, C.	Girard	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Smith	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Solberg	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Stanius	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Steensma	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Sviggum	Spk. Long

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Greenfield, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately preceding General Orders for today, Monday, March 29, 1993:

H. F. Nos. 134, 264 and 882.

SPECIAL ORDERS

H. F. No. 134 was reported to the House.

Greenfield, Cooper, Stanius and Gruenes offered an amendment to H. F. No. 134.

Vellenga requested a division of the Greenfield et al amendment to H. F. No. 134.

The first portion of the Greenfield et al amendment to H. F. No. 134, reads as follows:

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1992, section 147.081, subdivision 3, is amended to read:

Subd. 3. [PRACTICE OF MEDICINE DEFINED.] For purposes of this chapter, a person not exempted under section 147.09 is "practicing medicine" or engaged in the "practice of medicine" if the person does any of the following:

- (1) advertises, holds out to the public, or represents in any manner that the person is authorized to practice medicine in this state;
- (2) offers or undertakes to prescribe, give, or administer any drug or medicine for the use of another;
- (3) offers or undertakes to prevent or to diagnose, correct, or treat in any manner or by any means, methods, devices, or instrumentalities, any disease, illness, pain, wound, fracture, infirmity, deformity or defect of any person;
- (4) offers or undertakes to perform any surgical operation including any invasive or noninvasive procedures involving the use of a laser or laser assisted device, upon any person;
- (5) offers to undertake to use hypnosis for the treatment or relief of any wound, fracture, or bodily injury, infirmity, or disease; or
- (6) uses in the conduct of any occupation or profession pertaining to the diagnosis of human disease or conditions, the designation "doctor of medicine," "medical doctor," "doctor of osteopathy," "osteopath," "osteopathic physician," "physician," "surgeon," "M.D.," "D.O.," or any combination of these designations."

Renumber the sections accordingly

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "modifying the definition of practice of medicine;"

Page 1, line 8, after "sections" insert "147.081, subdivision 3;"

The motion prevailed and the first portion of the Greenfield et al amendment was adopted.

The second portion of the Greenfield et al amendment to H. F. No. 134, as amended, reads as follows:

Page 4, after line 2, insert:

"Subd. 2. [EXCEPTION TO AUTHORITY.] Notwithstanding subdivision 1 of this section, a licensed optometrist may not prescribe or administer

(1) any topical legend drugs to treat or manage glaucoma; or

(2) topical steroids or steroidal combinations to treat post-operative cataracts or other post-operative eye conditions."

Page 4, line 3, delete "2" and insert "3"

Renumber the sections accordingly

A roll call was requested and properly seconded.

The Speaker called Bauerly to the Chair.

The question was taken on the second portion of the Greenfield et al amendment and the roll was called. There were 51 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Gruenes	Leppik	Olson, M.	Sarna	Winter
Asch	Delmont	Gutknecht	Limmer	Orenstein	Stanius	Wolf
Battaglia	Dorn	Holsten	Luther	Orfield	Tompkins	Workman
Bishop	Erhardt	Jennings	Lynch	Osthoff	Trimble	
Brown, C.	Evans	Kahn	Mariani	Pawlenty	Van Dellen	
Carruthers	Farrell	Kalis	McCollum	Rhodes	Vickerman	
Commers	Girard	Kelley	McGuire	Rice	Wagenius	
Cooper	Greenfield	Krinkie	Murphy	Rodosovich	Weaver	

Those who voted in the negative were:

Anderson, I.	Dawkins	Jacobs	Lieder	Olson, E.	Rest	Tomassoni
Anderson, R.	Dehler	Jaros	Lindner	Olson, K.	Rukavina	Tunheim
Bauerly	Dempsey	Jefferson	Lourey	Onnen	Seagren	Vellenga
Bead	Frerichs	Johnson, A.	Macklin	Opatz	Sekhon	Waltman
Bergson	Garcia	Johnson, R.	Mahon	Ostrom	Simoneau	Wejzman
Bertram	Goodno	Johnson, V.	Milbert	Ozment	Skoglund	Welle
Bettermann	Greiling	Kelso	Molnau	Pauly	Smith	Wenzel
Blatz	Hasskamp	Kinkel	Morrison	Pelowski	Solberg	Worke
Brown, K.	Haukoos	Klinzing	Mosel	Perlt	Sparby	
Carlson	Hausman	Koppendrayner	Neary	Peterson	Steensma	
Clark	Hugoson	Krueger	Nelson	Pugh	Sviggum	
Dauner	Huntley	Lasley	Ness	Reding	Swenson	

The motion did not prevail and the second portion of the Greenfield et al amendment was not adopted.

Hasskamp moved to amend H. F. No. 134, as amended, as follows:

Page 2, line 34, delete "and"

Page 2, after line 34, insert:

"(4) successful completion of one year of clinical experience supervised by a licensed ophthalmologist in the examination, diagnosis and treatment of glaucoma with topical legend drugs; and"

Page 2, line 35, delete "(4)" and insert "(5)"

The motion did not prevail and the amendment was not adopted.

H. F. No. 134, A bill for an act relating to occupations and professions; requiring licensed optometrists to be certified by the board of optometry to prescribe topical legend drugs; authorizing the prescription of topical legend drugs by licensed optometrists who are board certified; requiring reports; modifying the definition of practice of medicine; amending Minnesota Statutes 1992, sections 147.081, subdivision 3; 148.572; 148.574; 151.01, subdivision 23; and 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 102 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dehler	Jefferson	Limmer	Nelson	Pugh	Tunheim
Anderson, R.	Dempsey	Jennings	Lindner	Ness	Reding	Vellenga
Bauerly	Evans	Johnson, A.	Lourey	Olson, E.	Rest	Vickerman
Beard	Frerichs	Johnson, R.	Luther	Olson, K.	Rodosovich	Waltman
Bergson	Garcia	Johnson, V.	Lynch	Onnen	Rukavina	Weaver
Bertram	Goodno	Kalis	Macklin	Opatz	Sekhon	Wejcman
Bettermann	Greiling	Kelley	Mahon	Orenstein	Simoneau	Welle
Blatz	Hasskamp	Kelso	Mariani	Orfield	Skoglund	Wenzel
Brown, K.	Haukoos	Kinkel	Milbert	Ostrom	Smith	Winter
Carlson	Hausman	Klinzing	Molnau	Ozment	Solberg	Wolf
Clark	Holsten	Knickerbocker	Morrison	Pauly	Sparby	Worke
Commers	Hugoson	Koppendraye	Mosel	Pawlenty	Steensma	Workman
Dauner	Huntley	Krueger	Munger	Pelowski	Sviggum	
Davids	Jacobs	Lasley	Murphy	Perlt	Swenson	
Dawkins	Jaros	Lieder	Neary	Peterson	Tomassoni	

Those who voted in the negative were:

Abrams	Carruthers	Farrell	Krinkie	Osthoff	Stanius
Asch	Cooper	Girard	Leppik	Rhodes	Tompkins
Battaglia	Delmont	Greenfield	McCullum	Rice	Trimble
Bishop	Dorn	Gruenes	McGuire	Sarna	Van Dellen
Brown, C.	Erhardt	Gutknecht	Olson, M.	Seagren	Wagenius

The bill was passed, as amended, and its title agreed to.

H. F. No. 882, A bill for an act relating to outdoor recreation; creating the Lake Superior water trail; proposing coding for new law in Minnesota Statutes, chapter 85.

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	Dauner	Haukoos	Koppendraye	Mosel	Peterson	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Munger	Pugh	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Reding	Tompkins
Asch	Dehler	Hugoson	Lasley	Neary	Rest	Trimble
Battaglia	Delmont	Huntley	Leppik	Nelson	Rhodes	Tunheim
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rice	Van Dellen
Beard	Dorn	Jaros	Limmer	Olson, E.	Rodosovich	Vellenga
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rukavina	Vickerman
Bertram	Evans	Jennings	Lourey	Olson, M.	Sarna	Wagenius
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Seagren	Waltman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Sekhon	Weaver
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Simoneau	Wejcman
Brown, C.	Girard	Kahn	Mahon	Orfield	Skoglund	Welle
Brown, K.	Goodno	Kalis	Mariani	Ostrom	Smith	Wenzel
Carlson	Greenfield	Kelley	McCullum	Ozment	Solberg	Winter
Carruthers	Greiling	Kelso	McGuire	Pauly	Sparby	Wolf
Clark	Gruenes	Kinkel	Milbert	Pawlenty	Stanius	Worke
Commers	Gutknecht	Klinzing	Molnau	Perlt	Steensma	Workman
Cooper	Hasskamp	Knickerbocker	Morrison		Sviggum	

The bill was passed and its title agreed to.

The Speaker resumed the Chair.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 18, A bill for an act relating to government data practices; providing that criminal history data is public; providing that a record of conviction of certain crimes prevents an individual from obtaining a foster care license; amending Minnesota Statutes 1992, sections 13.87, subdivision 2; and 245A.04, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 245A.04, subdivision 3b, is amended to read:

Subd. 3b. [RECONSIDERATION OF DISQUALIFICATION.] (a) Within 30 days after receiving notice of disqualification under subdivision 3a, the individual who is the subject of the study may request reconsideration of the notice of disqualification. The individual must submit the request for reconsideration to the commissioner in writing. The individual must present information to show that:

- (1) the information the commissioner relied upon is incorrect; or
- (2) the subject of the study does not pose a risk of harm to any person served by the applicant or license holder.

(b) The commissioner may set aside the disqualification if the commissioner finds that the information the commissioner relied upon is incorrect or the individual does not pose a risk of harm to any person served by the applicant or license holder. The commissioner shall review the consequences of the event or events that could lead to disqualification, whether there is more than one disqualifying event, the vulnerability of the victim at the time of the event, the time elapsed without a repeat of the same or similar event, and documentation of successful completion by the individual studied of training or rehabilitation pertinent to the event. In reviewing a disqualification, the commissioner must give preeminent weight to the safety of each person to be served by the license holder or applicant over the interests of the license holder or applicant.

(c) Unless the information the commissioner relied on in disqualifying an individual is incorrect, the commissioner may not set aside the disqualification of an individual who seeks a license under Minnesota Rules, parts 9502.0300 to 9502.0445 to provide family day care for children, 9545.0010 to 9545.0260 to provide foster care for children in the provider's own home, or 9555.5050 to 9555.6265 to provide foster care or day care services for adults in the provider's own home if:

(1) less than ten years have passed since the discharge of the sentence imposed for the offense; and the individual has been convicted of manslaughter in the first or second degrees, criminal vehicular homicide, aiding suicide, aiding attempted suicide, felony violations of assault in the first, second, third, or fourth degrees, terroristic threats, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, arson in the first or second degrees, riot, burglary in the first or second degrees, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, unlawfully owning, possessing, or operating a machine gun, controlled substance crime in the first or second degree, controlled substance crime in the third degree as described in section 152.023, subdivision 1, clause (3) or (4), or subdivision 2, clause (4), controlled substance crime in the fourth degree as described in section 152.024, subdivision 1, clause (2), (3), or (4), great bodily harm caused by distribution of drugs, mistreatment of persons confined, mistreatment of residents or patients, abduction, manslaughter of an unborn child in the first or second degree, assault of an unborn child in the first, second, or third degree, injury or death of an unborn child in the commission of a crime, possession of pictorial representations of a minor, disseminating or displaying harmful material to minors, malicious punishment of a child, or neglect or endangerment of a child; or an attempt or conspiracy to commit any of these offenses, as each of these offenses is defined in Minnesota Statutes; or of an offense in any other state, the elements of which are reasonably similar to the elements of any of the foregoing offenses;

(2) regardless of how much time has passed since the discharge of the sentence imposed for the offense, the individual was convicted of murder in the first, second, or third degrees, murder of an unborn child in the first, second, or third degrees, soliciting, inducement, or promotion of prostitution while acting as other than a prostitute or patron, receiving profit derived from prostitution while acting as other than a prostitute or patron, criminal sexual conduct in the first, second, third, or fourth degree, solicitation of children to engage in sexual conduct, use of minors in a sexual performance, or incest, or of an offense in any other state, the elements of which are substantially similar to any of the foregoing offenses;

(3) within the seven years preceding the study, the individual committed an act that constitutes maltreatment of a child under section 626.556, subdivision 10e, and that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence; or

(4) within the seven years preceding the study, the individual was determined under section 626.557 to be the perpetrator of a substantiated incident of abuse of a vulnerable adult that resulted in substantial bodily harm as defined in section 609.02, subdivision 7a, or substantial mental or emotional harm as supported by competent psychological or psychiatric evidence.

In the case of any ground for disqualification under paragraph (b), clauses (1) to (4), if the act was committed by an individual other than the applicant or license holder residing in the applicant's or license holder's home, the applicant or license holder may seek reconsideration when the individual who committed the act no longer resides in the home.

The disqualification periods provided under paragraph (c), clauses (1), (3), and (4) are the minimum applicable disqualification periods. The commissioner may determine that an individual should continue to be disqualified from licensure because the license holder or applicant poses a risk of harm to a person served by that individual after the minimum disqualification period has passed.

(e) (d) The commissioner shall respond in writing to all reconsideration requests within 15 working days after receiving the request for reconsideration. If the disqualification is set aside, the commissioner shall notify the applicant or license holder in writing of the decision.

(e) (e) Except as provided in subdivision 3c, the commissioner's decision to grant or deny a reconsideration of disqualification under this subdivision, or to set aside or uphold the results of the study under subdivision 3, is the final administrative agency action.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1, paragraph (b), clauses (1), (3), and (4) apply only to initial license applications made on or after that date.

As soon as practicable but not later than one year after the effective date of this section, the commissioner shall review all disqualifications which were set aside under Minnesota Statutes, section 245A.04, subdivision 3b, and all variances which were granted under section 245A.04, subdivision 9, before the effective date of this section in the case of a license holder:

(1) who holds a type of license listed in section 245A.04, subdivision 3b, paragraph (c);

(2) who obtained such a license before the effective date of this section; and

(3) who himself or herself or employee, or an individual residing in whose home:

(i) was convicted of a crime listed in section 245A.04, subdivision 3b, paragraph (c), clause (1); or

(ii) was found to be the perpetrator of substantiated maltreatment or abuse under section 245A.04, subdivision 3b, paragraph (c), clause (3) or (4).

The purpose of the review is to determine whether or not the license holder or anyone residing in the license holder's home poses any risk of harm to any person served by the license holder. In conducting this review the commissioner must give preeminent weight to the safety of each person served by the license holder over the interests of the license holder."

Delete the title and insert:

"A bill for an act relating to government data practices; providing that a record of conviction of certain crimes and other determinations disqualify an individual from obtaining certain human services licenses; amending Minnesota Statutes 1992, section 245A.04, subdivision 3b."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 931, A bill for an act relating to motor fuels; changing formula for payments made to producers of ethanol; increasing oxygenate level requirements for gasoline; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; and 239.791, subdivisions 1 and 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 116.07, subdivision 4a, is amended to read:

Subd. 4a. [PERMITS.] The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, or for the sources or emissions of noise pollution.

The pollution control agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the storage, collection, transportation, processing, or disposal of waste, or for the installation or operation of any system or facility, or any part thereof, related to the storage, collection, transportation, processing, or disposal of waste.

The pollution control agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

Persons who wish to assist the pollution control agency in expediting review of their permit applications may offer to fund the hiring of a qualified contractor to assist in the permit process or to pay overtime costs of pollution control agency staff. The commissioner may accept these funds if, in the judgment of the commissioner, the funding will allow the pollution control agency to manage a permit backlog in a fair and expeditious manner. The commissioner has the sole discretion to decide whether to hire a qualified contractor for a particular permit and, if so, which contractor. The decision to issue, deny, or continue a permit shall be made by the pollution control agency in accordance with the rules it has established for permits. Qualified contractor in this paragraph means a person who is able to demonstrate expertise in the permit issues, is able to perform the duties required by the pollution control agency, and does not have a conflict or the appearance of conflict with the permit work to be performed.

Sec. 2. Minnesota Statutes 1992, section 116J.876, subdivision 1, is amended to read:

Subdivision 1. [TERMS.] For the purposes of this section and sections 116J.8761 to ~~116J.8769~~ 116J.8770, the terms defined in this section have the meanings given them.

Sec. 3. Minnesota Statutes 1992, section 116J.876, is amended by adding a subdivision to read:

Subd. 9a. [ETHANOL LOAN.] "Ethanol loan" means a loan enrolled by the commissioner under the terms of section 116J.8770.

Sec. 4. Minnesota Statutes 1992, section 116J.876, subdivision 12, is amended to read:

Subd. 12. [PROGRAM.] "Program" means the capital access program created by sections 116J.876 to ~~116J.8769~~ 116J.8770.

Sec. 5. [116J.8770] [ETHANOL LOANS.]

(a) The commissioner may enroll loans in the program to provide capital for ethanol production facilities using money appropriated or transferred to the capital access account specifically for the purposes of this section. Except for limits on premium transfers under paragraph (b), all provisions of the capital access program apply to loans enrolled under this section. In enrolling loans under this section, the commissioner shall consult with the commissioner of agriculture and use the expertise, as appropriate, of the department of agriculture. Loans enrolled under this section must be approved in consultation with the commissioner of agriculture. The commissioner of agriculture must provide consultation in a timely manner so that the commissioner can meet the requirements of section 116J.8764, subdivision 2. The commissioner of agriculture may also assist the commissioner in providing technical assistance under section 116J.8766, subdivision 4.

(b) Loans enrolled under this section are not subject to the transfer limits of section 116J.8765, subdivision 3. The commissioner may transfer up to \$500,000 into the reserve funds of all lenders participating in the program over any three-year period in connection with any one borrower or group of borrowers for capital for a single ethanol facility.

Sec. 6. Minnesota Statutes 1992, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM OXYGEN CONTENT REQUIRED.] A person responsible for the product shall comply with the following requirements:

(a) After October 31, ~~1992~~ 1993, gasoline sold or offered for sale in a carbon monoxide control area, and during a carbon monoxide control period, must contain at least ~~two~~ 2.7 percent oxygen by weight.

(b) After October 31, 1995, gasoline sold or offered for sale at any time in a carbon monoxide control area must contain at least ~~two~~ 2.7 percent by oxygen by weight with an average of three percent.

(c) After October 31, 1997, all gasoline sold or offered for sale in Minnesota must contain at least ~~two~~ 2.7 percent oxygen by weight with an average of three percent.

Sec. 7. Minnesota Statutes 1992, section 239.791, subdivision 2, is amended to read:

Subd. 2. [AVERAGE OXYGEN CONTENT REQUIRED.] After October 31, ~~1992~~ 1993, the total amount of gasoline distributed, transported, delivered, sold, or offered for sale by a registered oxygenate blender, during each annual carbon monoxide control period, in each carbon monoxide control area, must contain an average of ~~2.7~~ three percent oxygen by weight.

Sec. 8. [APPROPRIATION.]

\$1,000,000 is appropriated from the account established under Minnesota Statutes, section 41A.09, to the capital access account for the purposes of sections 2 to 5. This amount may not be used for any purpose other than the purposes of sections 2 to 5. The amount does not cancel but is available until expended.

Sec. 9. [EFFECTIVE DATE.]

Sections 2 to 5 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to motor fuels; increasing oxygenate level requirements for gasoline; enhancing capital access program; appropriating money; amending Minnesota Statutes 1992, sections 116.07, subdivision 4a; 116J.876, subdivisions 1, 12, and by adding a subdivision; and 239.791, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 116J."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation and Transit.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1395, A bill for an act relating to housing; appropriating money for the housing trust fund.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Hugoson moved that his name be stricken as an author on H. F. No. 856. The motion prevailed.

Bertram moved that the name of Peterson be shown as chief author on H. F. No. 931. The motion prevailed.

Milbert moved that the name of Asch be added as an author on H. F. No. 1025. The motion prevailed.

Johnson, V., moved that the name of Waltman be added as an author on H. F. No. 1425. The motion prevailed.

Jennings moved that the name of Lasley be added as an author on H. F. No. 1475. The motion prevailed.

Ness moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Thursday, March 11, 1993, when the vote was taken on the final passage of H. F. No. 341." The motion prevailed.

Trimble moved that H. F. No. 1451 be recalled from the Committee on General Legislation, Veterans Affairs and Elections and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Lasley moved that H. F. No. 1528 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Osthoff moved that S. F. No. 434 be recalled from the Committee on Transportation and Transit and together with H. F. No. 528, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

Greenfield moved that H. F. No. 436 be returned to its author. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Local Government and Metropolitan Affairs: Remove the name of Anderson, I., as Chair and add the name of Brown, C., as Chair.

Rules and Legislative Administration: Remove the name of Welle and add the name of Anderson, I., and remove the name of Welle as Chair and add the name of Anderson, I., as Chair.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, March 31, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, March 31, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 31, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Dr. Donald M. Meisel, House Chaplain.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Krinkie	Munger	Peterson	Swenson
Anderson, I.	Davids	Hausman	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dawkins	Holsten	Lasley	Neary	Reding	Trimble
Asch	Dehler	Hugoson	Leppik	Nelson	Rest	Tunheim
Battaglia	Delmont	Huntley	Lieder	Ness	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Limmer	Olson, E.	Rice	Vellenga
Beard	Dorn	Jaros	Lindner	Olson, K.	Rodosovich	Vickerman
Bergson	Erhardt	Jefferson	Lourey	Olson, M.	Rukavina	Wagenius
Bertram	Evans	Jennings	Luther	Onnen	Sarna	Waltman
Bettermann	Farrell	Johnson, R.	Lynch	Opatz	Seagren	Weaver
Bishop	Frerichs	Johnson, V.	Macklin	Orenstein	Sekhon	Wejcman
Blatz	Garcia	Kahn	Mahon	Orfield	Simoneau	Welle
Brown, C.	Girard	Kalis	Mariani	Osthoff	Skoglund	Wenzel
Brown, K.	Goodno	Kelley	McCollum	Ostrom	Smith	Winter
Carlson	Greenfield	Kelso	McGuire	Ozment	Solberg	Wolf
Carruthers	Greiling	Kinkel	Milbert	Pauly	Sparby	Worke
Clark	Gruenes	Klinzing	Molnau	Pawlenty	Stanius	Spk. Long
Commers	Gutknecht	Knickerbocker	Morrison	Pelowski	Steenma	
Cooper	Hasskamp	Koppendraye	Mosel	Perlt	Sviggum	

A quorum was present.

Johnson, A.; Tompkins and Workman were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Sekhon moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORTS OF CHIEF CLERK

S. F. No. 434 and H. F. No. 528, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Morrison moved that S. F. No. 434 be substituted for H. F. No. 528 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1993</i>	<i>Date Filed 1993</i>
19		11	4:52 p.m. March 29	March 29

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 238, A bill for an act relating to towns; providing that metropolitan town elections may take place on the general election day; amending Minnesota Statutes 1992, sections 365.51, subdivision 1, and by adding a subdivision; and 365.59.

Reported the same back with the following amendments:

Page 2, line 9, delete "or lengthen"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 271, A bill for an act relating to elections; providing for a voter information program; appropriating money; amending Minnesota Statutes 1992, sections 204B.27, by adding subdivisions; and 211B.06, subdivision 2.

Reported the same back with the following amendments:

Page 1, delete lines 21 and 22

Page 1, line 23, delete "(5)" and insert "(4)"

Page 1, line 25, delete "(6)" and insert "(5)"

Page 2, line 1, delete "(7)" and insert "(6)"

Page 2, line 3, delete "(8)" and insert "(7)"

Page 2, line 5, delete "(9)" and insert "(8) information on the location of polling places and"

Page 2, line 14, after the period insert "All material submitted by candidates for publication in the voter's guide must be in a format specified by the secretary of state. The secretary of state may authorize candidates to submit material on electronic media accompanied by an exact paper copy."

Page 2, delete lines 15 to 19

Page 2, line 20, delete "circulated through the mails." and insert "The secretary of state shall inspect the information submitted for publication in the voter's guide to ensure compliance with this subdivision. The secretary of state shall reject and return immediately to the person submitting it any material that does not comply with this subdivision, that contains matter that, in the opinion of the secretary of state, is obscene, profane, scandalous, or defamatory, or that contains any language that may not be legally circulated through the mails. Rejected material may be revised and resubmitted to the secretary of state within the time period provided in this subdivision."

The secretary of state shall include the following statement on each page of the voter's guide that contains information submitted by a candidate: "The material on this page is published exactly as submitted by the candidates. The secretary of state has no authority to edit this material and is not responsible for its content."

Page 2, line 20, before "Nothing" insert a paragraph code

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 277, A bill for an act relating to agriculture; directing the commissioner of agriculture to promote farming of cervidae and maintain a data base on research and information; declaring farmed cervidae to be livestock and raising farmed cervidae to be an agricultural pursuit; prohibiting owners from allowing farmed cervidae to run at large; prescribing conditions for slaughter and sale of farmed cervidae as meat, fencing requirements, disease inspection, importation, and transportation requirements; requiring identification; prescribing conditions for farming cervidae; defining cervidae farming as agricultural production for purposes of sales tax; defining fencing for purposes of sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; 35.821, subdivision 4; and 297A.01, subdivisions 13 and 15; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [17.451] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 and 2.

Subd. 2. [FARMED CERVIDAE.] "Farmed cervidae" means members of the cervidae family that are:

(1) raised for the purpose of producing fiber, meat, or animal by-products or as breeding stock;

(2) held in a constructed enclosure designed to prevent escape; and

(3) registered in a manner approved by the board of animal health and marked or identified with a unique number or other system approved by the board.

Subd. 3. [OWNER.] "Owner" means a person who owns or is responsible for the raising of farmed cervidae.

Sec. 2. [17.452] [FARM-RAISED CERVIDAE.]

Subdivision 1. [PROMOTION AND COORDINATION.] (a) The commissioner shall promote the commercial raising of farmed cervidae and shall coordinate programs and rules related to the commercial raising of farmed cervidae. Farmed cervidae research, projects, and demonstrations must be reported to the commissioner before state appropriations for the research projects or demonstrations are encumbered. The commissioner shall maintain a data base of information on raising farmed cervidae.

(b) The commissioner shall appoint a farmed cervidae advisory committee to advise the commissioner on farmed cervidae issues. The advisory committee shall consist of representatives from the University of Minnesota, the commissioner of agriculture, the board of animal health, the commissioner of natural resources, the commissioner of trade and economic development, a statewide elk breeders association, a statewide deer breeders association, a statewide deer farmers association, and members of the house of representatives and the senate. The committee shall meet at least twice a year at the call of the commissioner of agriculture.

Subd. 2. [DEVELOPMENT PROGRAM.] The commissioner may establish a Minnesota development and aid program that may support applied research, demonstration, financing, marketing, promotion, breeding development, registration, and other services for owners.

Subd. 3. [REPORT.] The commissioner shall include information on farmed cervidae in the department's statistical reports on Minnesota agriculture.

Subd. 4. [FARMED CERVIDAE ARE LIVESTOCK.] Farmed cervidae are livestock and are not wild animals for purposes of game farm, hunting, or wildlife laws. Farmed cervidae and their products are farm products and livestock for purposes of financial transactions and collateral.

Subd. 5. [RAISING FARMED CERVIDAE IS AN AGRICULTURAL PURSUIT.] Raising farmed cervidae is agricultural production and an agricultural pursuit.

Subd. 6. [RUNNING AT LARGE PROHIBITED.] (a) An owner may not allow farmed cervidae to run at large. The owner must make all reasonable efforts to return escaped farmed cervidae to their enclosures as soon as possible. The owner must notify the commissioner of natural resources of the escape of farmed red deer if the farmed red deer are not returned or captured by the owner within 72 hours of their escape.

(b) An owner is liable for expenses of another person in capturing, caring for, and returning farmed cervidae that have left their enclosures if the person capturing the farmed cervidae contacts the owner as soon as possible.

(c) If an owner is unwilling or unable to capture escaped farmed cervidae, the commissioner of natural resources may destroy the escaped farmed cervidae under this paragraph if the escaped farmed cervidae are a threat to the health or population of native species. The commissioner must allow the owner to attempt to capture the escaped farmed cervidae prior to destroying the farmed cervidae. Farmed cervidae that are not captured by 14 days after escape may be destroyed.

(d) The owner must notify the commissioner of natural resources of the escape of farmed cervidae from a quarantined herd if the farmed cervidae are not returned to or captured by the owner within 72 hours of their escape. The escaped farmed cervidae from the quarantined herd may be destroyed by the commissioner of natural resources if the escaped farmed cervidae are a threat to the health or population of native species.

Subd. 7. [FARMING IN NATIVE ELK AREA.] A person may not raise farmed red deer in the native elk area without written approval of the commissioner of natural resources. The native elk area is the area north of U.S. Highway 2 and west of U.S. Highway 71 and trunk highway 72. The commissioner shall review the proposed farming operation and approve with any condition or deny approval based on risks to the native elk population.

Subd. 8. [SLAUGHTER.] Farmed cervidae must be slaughtered and inspected in accordance with the United States Department of Agriculture voluntary program for exotic animals, Code of Federal Regulations, title 9, part 352.

Subd. 9. [SALES OF FARMED CERVIDAE AND MEAT PRODUCTS.] Persons selling or buying farmed cervidae sold as livestock, sold for human consumption, or sold for slaughter must comply with chapters 17A, 31, 31A, and 31B.

Subd. 10. [FENCING.] (a) Farmed cervidae must be confined in a manner designed to prevent escape. Fencing must meet the requirements in this subdivision unless an alternative is specifically approved by the commissioner. The board of animal health shall follow the guidelines established by the United States Department of Agriculture in the program for eradication of bovine tuberculosis. Fencing must be of the following heights:

(1) for farmed deer, at least 75 inches; and

(2) for farmed elk, at least 90 inches.

(b) The farmed cervidae advisory committee shall establish guidelines designed to prevent the escape of farmed cervidae and other appropriate management practices.

(c) The commissioner of agriculture in consultation with the commissioner of natural resources shall adopt rules prescribing fencing criteria for farmed cervidae.

Subd. 11. [DISEASE INSPECTION.] Farmed cervidae herds are subject to chapter 35 and the rules of the board of animal health in the same manner as livestock and domestic animals, including provisions relating to importation and transportation.

Subd. 12. [IDENTIFICATION.] (a) Farmed cervidae must be identified by brands, markings, tags, collars, electronic implants, tattoos, or other means of identification approved by the board of animal health. The board shall authorize discrete permanent identification for farmed cervidae in public displays or other forums where visible identification is objectionable.

(b) Identification of farmed cervidae is subject to sections 35.821 to 35.831.

(c) The board of animal health shall register farmed cervidae upon request of the owner. The owner must submit the registration request on forms provided by the board. The forms must include sales receipts or other documentation of the origin of the cervidae. The board shall provide copies of the registration information to the commissioner of natural resources upon request. The owner must keep written records of the acquisition and disposition of registered farmed cervidae.

Subd. 13. [INSPECTION.] The commissioner of agriculture and the board of animal health may inspect farmed cervidae and farmed cervidae records. The commissioner of natural resources may inspect farmed cervidae and farmed cervidae records with reasonable suspicion that laws protecting native wild animals have been violated. The owner must be notified in writing at the time of the inspection of the reason for the inspection and informed in writing after the inspection of whether (1) the cause of the inspection was unfounded; or (2) there will be an ongoing investigation or continuing evaluation.

Subd. 14. [CONTESTED CASE HEARING.] A person raising farmed cervidae that is aggrieved with any decision regarding the farmed cervidae may request a contested case hearing under chapter 14.

Sec. 3. Minnesota Statutes 1992, section 17A.03, subdivision 5, is amended to read:

Subd. 5. [LIVESTOCK.] "Livestock" means cattle, sheep, swine, horses intended for slaughter, mules, farmed cervidae, as defined in section 17.451, subdivision 2, and goats.

Sec. 4. Minnesota Statutes 1992, section 31.51, subdivision 9, is amended to read:

Subd. 9. "Animal" means cattle, swine, sheep, goats, farmed cervidae, as defined in section 17.451, subdivision 2, horses, mules or other equines.

Sec. 5. Minnesota Statutes 1992, section 31A.02, subdivision 4, is amended to read:

Subd. 4. [ANIMALS.] "Animals" means cattle, swine, sheep, goats, farmed cervidae, as defined in section 17.451, subdivision 2, horses, equines, and other large domesticated animals, not including poultry.

Sec. 6. Minnesota Statutes 1992, section 31A.02, subdivision 10, is amended to read:

Subd. 10. [MEAT FOOD PRODUCT.] "Meat food product" means a product usable as human food and made wholly or in part from meat or a portion of the carcass of cattle, sheep, swine, farmed cervidae, as defined in section 17.451, subdivision 2, or goats. "Meat food product" does not include products which contain meat or other portions of the carcasses of cattle, sheep, swine, farmed cervidae, or goats only in a relatively small proportion or that historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the commissioner under the conditions the commissioner prescribes to assure that the meat or other portions of carcasses contained in the products are not adulterated and that the products are not represented as meat food products.

"Meat food product," as applied to products of equines, has a meaning comparable to that for cattle, sheep, swine, farmed cervidae, and goats.

Sec. 7. Minnesota Statutes 1992, section 31B.02, subdivision 4, is amended to read:

Subd. 4. [LIVESTOCK.] "Livestock" means live or dead cattle, sheep, swine, horses, mules, farmed cervidae, as defined in section 17.451, subdivision 2, or goats.

Sec. 8. Minnesota Statutes 1992, section 35.821, subdivision 4, is amended to read:

Subd. 4. [MARK.] "Mark" means a permanent identification cut from the ear or ears of a live animal and for farmed cervidae, as defined in section 17.451, subdivision 2, means a tag, collar, electronic implant, tattoo, or other means of identification approved by the board.

Sec. 9. Minnesota Statutes 1992, section 297A.01, subdivision 13, is amended to read:

Subd. 13. "Agricultural production," as used in section 297A.25, subdivision 9, includes, but is not limited to, horticulture; floriculture; raising of pets, fur bearing animals, research animals, farmed cervidae, as defined in section 17.451, subdivision 2, and horses.

Sec. 10. Minnesota Statutes 1992, section 297A.01, subdivision 15, is amended to read:

Subd. 15. "Farm machinery" means new or used machinery, equipment, implements, accessories, and contrivances used directly and principally in the production for sale, but not including the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains and bees and apiary products. "Farm machinery" includes:

(1) machinery for the preparation, seeding or cultivation of soil for growing agricultural crops and sod, harvesting and threshing of agricultural products, harvesting or mowing of sod, and certain machinery for dairy, livestock and poultry farms;

(2) barn cleaners, milking systems, grain dryers, automatic feeding systems and similar installations, whether or not the equipment is installed by the seller and becomes part of the real property;

(3) irrigation equipment sold for exclusively agricultural use, including pumps, pipe fittings, valves, sprinklers and other equipment necessary to the operation of an irrigation system when sold as part of an irrigation system, except irrigation equipment which is situated below ground and considered to be a part of the real property;

(4) logging equipment, including chain saws used for commercial logging; ~~and~~

(5) fencing used for the containment of farmed cervidae, as defined in section 17.451, subdivision 2; and

(6) primary and backup generator units used to generate electricity for the purpose of operating farm machinery, as defined in this subdivision, or providing light or space heating necessary for the production of livestock, dairy animals, dairy products, or poultry and poultry products.

Repair or replacement parts for farm machinery shall not be included in the definition of farm machinery.

Tools, shop equipment, grain bins, feed bunks, fencing material except fencing material covered by clause (5), communication equipment and other farm supplies shall not be considered to be farm machinery. "Farm machinery" does not include motor vehicles taxed under chapter 297B, snowmobiles, snow blowers, lawn mowers except those used in the production of sod for sale, garden-type tractors or garden tillers and the repair and replacement parts for those vehicles and machines.

Sec. 11. [EFFECTIVE DATE.]

This act is effective the day after final enactment. Sections 9 and 10 are effective for all open tax years."

Delete the title and insert:

"A bill for an act relating to agriculture; directing the commissioner of agriculture to promote farming of cervidae and maintain a data base on research and information; declaring farmed cervidae to be livestock and raising farmed cervidae to be an agricultural pursuit; prohibiting owners from allowing farmed cervidae to run at large; prescribing conditions for slaughter and sale of farmed cervidae as meat, fencing requirements, disease inspection, importation, and transportation requirements; requiring identification; prescribing conditions for farming cervidae; defining cervidae farming as agricultural production for purposes of sales tax; defining fencing for purposes of sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31.51, subdivision 9; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; 35.821, subdivision 4; and 297A.01, subdivisions 13 and 15; proposing coding for new law in Minnesota Statutes, chapter 17."

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.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 332, A bill for an act relating to controlled substances; medical care; allowing physicians to prescribe marijuana and Tetrahydrocannabinols for the treatment of any medical conditions; amending Minnesota Statutes 1992, sections 152.02, subdivisions 2 and 3; and 152.21, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1992, sections 152.21, subdivisions 1, 2, 3, 4, 5, and 7.

Reported the same back with the following amendments:

Page 5, line 16, before the period insert "and dispensed according to chapter 151. This provision is not intended to condone or promote the growing use or possession of marijuana or Tetrahydrocannabinols for purposes other than those specified in this section"

Page 6, after line 12, insert:

"Sec. 7. [SUNSET PROVISION.]

Sections 1 to 5 are repealed effective August 1, 1995."

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. 343, A bill for an act relating to unemployment compensation; allowing benefits to certain individuals separated from employment to avoid domestic abuse; amending Minnesota Statutes 1992, section 268.09, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DOMESTIC ABUSE AND UNEMPLOYMENT COMPENSATION: POLICY.]

The commissioner of jobs and training shall develop a policy to address the issue of employees forced to leave employment due to domestic abuse as defined in Minnesota Statutes, section 518B.01, subdivision 2, paragraph (a). The commissioner shall ensure that the public and the commissioner of human services are fully involved in developing the policy. The commissioner shall report the policy to the legislature by January 15, 1994, along with any recommendations for legislation. The department shall report to the labor-management relations committee of the house of representatives and the jobs, energy and community development committee for the senate bimonthly on its progress in developing the policy and its experience in implementing the policy."

Delete the title and insert:

"A bill for an act relating to unemployment compensation; requiring the development of a policy and reports on the issue of employees forced to leave employment due to domestic abuse."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 377, A bill for an act relating to elections; changing certain requirements and procedures for absentee and mail voting; amending Minnesota Statutes 1992, sections 203B.02, subdivisions 1 and 1a; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.07, subdivision 2; 203B.11, by adding a subdivision; 203B.12, subdivision 2, and by adding a subdivision; 203B.13, subdivisions 1 and 2; 203B.16, by adding a subdivision; 203B.19; 204B.45; proposing coding for new law in Minnesota Statutes, chapter 203B.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 2

Page 3, line 13, delete "voters" and insert "any person"

Page 3, lines 21 and 22, restore the stricken language

Page 3, line 27, after the period insert "An application submitted on behalf of a voter by a person other than the voter must be mailed or returned to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election."

Page 4, line 20, after "2" insert ", or when a replacement ballot has been requested by the voter for a ballot that has been spoiled or lost in transit"

Page 5, after line 17, insert:

"Sec. 6. Minnesota Statutes 1992, section 203B.08, subdivision 1, is amended to read:

Subdivision 1. [MARKING AND RETURN BY VOTER.] An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots or may be left with the county auditor or municipal clerk who transmitted the absentee ballots to the voter.

The voter may designate an agent to deliver in person the sealed absentee ballot return envelope to the county auditor or municipal clerk or to deposit the return envelope in the mail. An agent may deliver or mail the return envelopes of not more than three voters in any election. Any person designated as an agent who tampers with either the return envelope or the voted ballots or does not immediately mail or deliver the return envelope to the county auditor or municipal clerk is guilty of a felony.

Page 6, line 4, delete "with" and insert "will"

Page 9, line 34, after "residing" insert "temporarily"

Page 10, line 33, restore the stricken language and delete the new language

Page 10, line 35, after "auditor" insert "for approval"

Page 11, line 1, after the period insert "As a condition of approval, the county auditor may delegate the administration of the mail balloting to the requesting municipality, which shall bear the costs of the mail balloting so incurred."

Page 11, line 24, after "mailing" insert ", including but not limited to costs of labor, materials, and postage,"

Page 11, after line 36, insert:

"Sec. 18. [REPEALER.]

Minnesota Statutes 1992, section 203B.02, subdivision 1a, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert "imposing a penalty;"

Page 1, line 5, delete "subdivisions 1 and 1a" and insert "subdivision 1"

Page 1, line 7, after the semicolon insert "203B.08, subdivision 1;"

Page 1, line 11, before the period insert "; repealing Minnesota Statutes 1992, section 203B.02, subdivision 1a"

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. 415, A bill for an act relating to education; authorizing certain lower grades and certain programs to be located on any level of a school building if the building contains certain protections; amending Minnesota Statutes 1992, section 123.36, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CAPITAL IMPROVEMENT APPROPRIATIONS.]

The sums named in each section are appropriated from the bond proceeds fund, or other named fund, to the commissioner of education, to be spent to acquire and to better public land and buildings as specified in this act.

<u>Bond Proceeds Fund</u>	<u>\$ 6,000,000</u>
<u>General Fund</u>	<u>\$ 100,000</u>

Sec. 2. [GRANT COUNTY.]

\$6,000,000 is appropriated for a grant under Minnesota Statutes, sections 124.492 to 124.495, the cooperative secondary facilities grant act, to a group of school districts consisting of independent school district Nos. 209, Kensington; 262, Barrett; 263, Elbow Lake-Wendell; and 265, Hoffman.

Sec. 3. [ATWATER, COSMOS, GROVE CITY.]

\$100,000 is appropriated from the general fund to the commissioner of education for a grant and administrative expenses to facilitate planning for cooperation and combination, including facility needs, for a group of independent school districts including Nos. 341, Atwater; 461, Cosmos; and 464, Grove City.

Sec. 4. [BOND AUTHORIZATION CANCELLATION.]

The approval of a capital loan to independent school district No. 139, Rush City, authorized in Laws 1992, chapter 558, section 7, subdivision 6, is canceled.

Sec. 5. [BOND SALE.]

To provide the money appropriated in this act from the bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$6,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to education; authorizing funding for a cooperative secondary facilities grant; appropriating money for school building projects; authorizing state bonds."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 449, A bill for an act relating to education; independent school district No. 206, Alexandria; providing for the beginning of board terms.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 465, A bill for an act proposing an amendment to the Minnesota Constitution; article XI, section 5; providing for bonuses to veterans serving during the period of the Persian Gulf conflict.

Reported the same back with the following amendments:

Page 2, line 14, after "United States" insert "and were assigned to the Persian Gulf theatre"

Page 2, line 26, after "to" insert "Minnesota"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 489, A bill for an act relating to occupations and professions; boards of social work and marriage and family therapy; clarifying data classifications and providing certain immunities for supervisors and persons reporting violations; changing board membership; adding certain licensing requirements to the board of social work; amending Minnesota Statutes 1992, sections 13.99, subdivision 49; 148B.04, by adding subdivisions; 148B.08, subdivision 1, and by adding a subdivision; 148B.18, subdivisions 8 and 10; 148B.19, subdivisions 1 and 2; 148B.21, subdivisions 3, 4, 5, 6, and by adding a subdivision; 148B.26, subdivision 1; 148B.27, by adding a subdivision; and 148B.28, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 21, delete "Licensing" and insert "Certain licensing data"

Page 1, line 22, delete "reporting" and insert "data in reports" and delete "data"

Page 1, delete lines 26 to 29 and insert:

"Subd. 6. [CLASSIFICATION OF CERTAIN RESIDENCE ADDRESSES AND TELEPHONE NUMBERS.] Notwithstanding section 13.41, subdivision 2 or 4, the residence address and telephone number of an applicant or licensee are private data on individuals as defined in section 13.02, subdivision 12, if the applicant or licensee provides an alternative address and telephone number."

Page 2, line 2, delete "The" and insert "Notwithstanding section 13.41, subdivision 2 or 4, the information that an applicant or licensee provides to the board, on either an application for initial licensure or an application for licensure renewal, in response to the board's inquiries regarding an individual's background relating to the individual's fitness to practice are private data, except that a criminal conviction related directly to the regulated practice or disciplinary action by another state regulatory agency shall be public data."

Page 2, delete lines 3 to 7

Page 2, line 14, strike "All"

Page 2, line 24, delete "All of"

Page 4, line 32, delete "is of good moral character" and insert "has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board"

Page 5, line 11, delete "is of good moral character" and insert "has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board"

Page 5, line 29, delete "is of good moral character" and insert "has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board"

Page 6, line 18, delete "is of good moral character" and insert "has not engaged in conduct warranting a disciplinary action against a licensee. If the applicant has engaged in conduct warranting disciplinary action against a licensee, the board may issue a license only on the applicant's showing that the public will be protected through the issuance of a license with conditions or limitations approved by the board"

Page 7, line 1, strike "or"

Page 7, line 3, after "public" insert ", or is found to have engaged in unprofessional conduct, as established by statute, rule, or a consensus of expert social work opinion as reasonably necessary for the protection of the public interest"

Page 7, after line 26, insert:

"Sec. 18. [EFFECTIVE DATE.]

Section 2 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, delete "clarifying" and insert "providing for"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 566, A bill for an act relating to telecommunications; extending authority of public utilities commission to approve incentive regulation plans for certain telephone companies; amending Laws 1989, chapter 74, section 27.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 611, A bill for an act relating to health care; creating the children's mental health integrated fund; establishing an integrated service system for delivering mental health services to children; creating local children's mental health collaboratives; extending the statewide task force; appropriating money; amending Minnesota Statutes 1992, sections 245.4873, subdivision 2; and 256B.0625, by adding subdivisions; Laws 1991, chapter 292, article 6, section 57, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 245.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 634, A bill for an act relating to agriculture; clarifying procedures for the use of certain organisms; amending Minnesota Statutes 1992, sections 116C.91, subdivisions 3, 6, 7, and by adding a subdivision; and 116C.94.

Reported the same back with the following amendments:

Pages 1 and 2, delete sections 1 to 4

Page 4, delete lines 10 to 13

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 661, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 695, A bill for an act relating to cemeteries; prohibiting relocation of cemeteries without the trustees' or owners' consent; proposing coding for new law in Minnesota Statutes, chapters 306; and 307.

Reported the same back with the following amendments:

Page 1, line 12, before the period insert "and/or trustees"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 794, A bill for an act relating to veterans; providing for establishment of a veterans home in Fergus Falls; proposing coding for new law in Minnesota Statutes, chapter 198.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 934, A bill for an act relating to elections; requiring annual removal of registration cards of deceased registrants; requiring annual update of the statewide registration system; amending Minnesota Statutes 1992, section 201.13.

Reported the same back with the following amendments:

Page 1, lines 18 and 21, delete "November" and insert "July"

Page 2, line 6, delete "November" and insert "July"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 950, A bill for an act relating to the veterans homes board; requiring the board to apply for certain federal funding.

Reported the same back with the following amendments:

Page 1, line 6, delete "1" and insert "15"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 998, A bill for an act relating to occupations and professions; requiring crane operators to be licensed by the state; requiring rulemaking; establishing a crane operators examining board; providing penalties; amending Minnesota Statutes 1992, section 214.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 326.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1022, A bill for an act relating to workers' compensation; modifying provisions relating to adjustment of benefits; amending Minnesota Statutes 1992, section 176.645, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1025, A bill for an act relating to occupations and professions; regulating athletic trainers; establishing an advisory council; providing for registration; requiring fees; providing for rulemaking; imposing penalties; appropriating money; amending Minnesota Statutes 1992, section 116J.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 1050, A bill for an act relating to utilities; providing that primary fuel source determines whether power generating plant is a large energy facility for purposes of certificate of need process; amending Minnesota Statutes 1992, section 216B.2421, subdivision 2, and by adding a subdivision.

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. 1051, A bill for an act relating to utilities; requiring municipality to petition public utilities commission before it may furnish electric service while eminent domain proceedings are pending to acquire electric utility; amending Minnesota Statutes 1992, section 216B.47.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1063, A bill for an act relating to commerce; currency exchanges; changing the date for submission of license renewal applications; amending Minnesota Statutes 1992, section 53A.03.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1065, A bill for an act relating to agriculture; imposing licensing requirements for general merchandise storage warehouses; providing bond claim procedures; amending Minnesota Statutes 1992, sections 231.01, by adding a subdivision; 231.11; 231.12; 231.13; 231.14; 231.17; and 231.18; repealing Minnesota Statutes 1992, sections 231.19; 231.20; 231.21; 231.22; 231.23; 231.25; 231.26; 231.27; 231.29; 231.30; 231.31; and 231.33.

Reported the same back with the following amendments:

Page 1, line 14, after "means" insert ":

(a)"

Page 1, line 16, delete the semicolon and insert ":

(b)"

Page 1, line 17, delete "stores,"

Page 1, delete lines 18 to 21

Page 1, line 22, delete "displays, and exhibits," and insert "business places and institutions, public or private, when a part of the stock, equipment, supplies, or property of such establishments. It does not mean the storage of property of a business concern in the usual course of its business activities."

(c) articles"

Page 1, line 23, delete "usually" and insert "customarily"

Page 2, line 17, strike the comma and after the second "any" insert "household"

Page 2, line 18, strike ", wares, or merchandise,"

Page 3, line 10, before "goods" insert "household" and delete "or" and strike "wares"

Page 3, line 12, after "schedules" insert "of rates" and after "file" insert "with the commissioner"

Page 3, line 14, after "had" insert "household"

Page 3, line 16, after "such" insert "household"

Page 3, line 19, after "such" insert "household"

Page 3, line 29, after "any" insert "household" and delete "or" and strike "wares"

Page 3, line 30, after "schedule" insert "of rates"

Page 3, line 36, after "any" insert "household" and delete "or" and strike "wares"

Page 4, line 16, reinstate the stricken language

Page 4, line 17, reinstate the stricken "the applicant" and delete "the following amounts:"

Page 4, line 18, delete the new language and after the stricken "and" insert a period

Page 4, delete lines 19 to 35 and insert:

"The commissioner shall, after a study of the existing bonding structure and after consultation with the warehousing industry, adopt rules for bonding. The rules must be adopted by April 1, 1994."

Page 5, line 26, after "merchandise" insert "and household goods"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1066, A bill for an act relating to agriculture; repealing the hay and straw standards law; repealing Minnesota Statutes 1992, sections 25.46; and 25.47.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1074, A bill for an act relating to elections; requiring publication and posting of notice of filing dates by county auditors; amending Minnesota Statutes 1992, section 204B.33.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 1098, A bill for an act relating to mental health; authorizing interstate contracts between Wisconsin and Minnesota for the treatment of mentally ill persons who have been involuntarily committed; amending Minnesota Statutes 1992, section 245.50, subdivision 3, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 17, reinstate the stricken "have been committed involuntarily" and after the stricken "or" insert "in Minnesota under chapter 253B for treatment of mental illness or chemical dependency."

Page 1, strike line 18

Page 2, line 2, after "mentally ill" insert "or chemically dependent"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1102, A bill for an act relating to the environment; restructuring the hazardous waste generator tax; establishing the hazardous waste generator loan program; establishing the hazardous waste generator loan account; appropriating money; amending Minnesota Statutes 1992, sections 115B.22, by adding a subdivision; and 115B.24, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1992, sections 115B.21, subdivisions 4, 5, and 6; and 115B.22, subdivisions 1, 2, 3, 4, 5, and 6.

Reported the same back with the following amendments:

Page 3, line 8, before "disposal" insert "treatment or"

Page 3, line 22, delete the third comma

Page 3, line 23, delete the first "5,"

Amend the title as follows:

Page 1, line 11, after "4" delete ", 5,"

With the recommendation that when so amended 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. 1138, A bill for an act relating to agriculture; changing eligibility and participation requirements for certain rural finance authority programs; authorizing an application fee; amending Minnesota Statutes 1992, sections 41B.03, subdivision 1, and by adding a subdivision; 41B.039, subdivision 2; and 41B.042, subdivision 4.

Reported the same back with the following amendments:

Page 1, lines 13 to 16, delete the new language

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.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1149, A bill for an act relating to the agricultural finance authority; authorizing direct loans and participations; increasing the dollar limit; amending Minnesota Statutes 1992, sections 41B.02, by adding a subdivision; and 41B.043.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1177, A bill for an act relating to economic and social development; establishing a board of invention; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1184, A bill for an act relating to insurance; workers' compensation; modifying the board membership and administration of the workers' compensation assigned risk plan; establishing a market assistance plan; transferring supervisory authority over the workers' compensation reinsurance association to the commissioner of commerce; making the commissioner of commerce a board member of the state fund mutual insurance company; amending Minnesota Statutes 1992, sections 79.251, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 79.252, subdivisions 2, 5, and by adding a subdivision; and 176A.02, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 79.

Reported the same back with the following amendments:

Page 5, delete section 8

Page 6, line 4, delete "association" and insert "plan"

Page 6, line 5, after "the" insert "assigned risk plan" and delete "of" and insert a period

Page 6, line 6, delete "directors."

Page 6, line 7, delete "association" and insert "assigned risk plan"

Page 6, line 11, delete "association" and insert "assigned risk plan" and delete "plan of the" and insert "program."

Page 6, delete line 12

Page 6, line 20, delete the first "OF" and insert "ON"

Page 6, line 21, after "apply" insert "to" and after "issued" insert "by the assigned risk plan."

Page 6, delete line 22 and insert:

"Sec. 11. [79.2515] [MARKET ASSISTANCE PROGRAM; CREATION.]

The commissioner of commerce shall advise employers subject to the mandatory workers' compensation insurance requirements of section 176.181, subdivision 2, of those persons offering insurance coverage. The commissioner of commerce shall establish a program to assist employers in obtaining insurance coverage. The program shall include a committee appointed by the commissioner of commerce that is representative of insurance carriers and producers, employers, and the public. No less than one-half of the committee members shall represent workers' compensation insurers agents or brokers. The commissioner of commerce or the commissioner's designated representative shall serve as an ex officio member of the committee. The committee shall review and act upon all properly executed applications. If the committee finds that it cannot assist in securing insurance coverage, it shall notify the applicant in writing with a full explanation and recommendation for enhancing its ability to secure insurance."

Page 6, line 23, before "DISPOSITION" insert "MARKET ASSISTANCE PROGRAM;"

Page 6, line 25, after "application" insert "to the market assistance program"

Page 8, line 9, delete "plan" and insert "program" and delete "association" and insert "assigned risk plan"

Page 8, lines 12, 24, 31, and 32, delete "association" and insert "assigned risk plan"

Page 8, line 34, delete "plan" and insert "program"

Page 8, line 35, delete "association" and insert "assigned risk plan"

Page 9, line 5, delete "association" and insert "assigned risk plan"

Page 10, line 30, delete "This act is" and insert "Sections 1 to 16 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "plan" and insert "program"

With the recommendation that when so amended the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1185, A bill for an act relating to workers' compensation; modifying provisions relating to charges by certain nursing homes; amending Minnesota Statutes 1992, section 176.136, subdivision 1b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 79.60, subdivision 1, is amended to read:

Subdivision 1. [REQUIRED ACTIVITY.] Each insurer shall perform the following activities:

(a) Maintain membership in and report loss experience data to a licensed data service organization in accordance with the statistical plan and rules of the organization as approved by the commissioner;

(b) Establish a plan for merit rating which shall be consistently applied to all insureds, provided that members of a data service organization may use merit rating plans developed by that data service organization;

(c) Provide an annual report to the commissioner containing the information and prepared in the form required by the commissioner; ~~and~~

(d) Keep a record of the premiums and losses paid under each workers' compensation policy written in Minnesota in the form required by the commissioner;

(e) Notify each insured at the time of policy renewal or termination of the history of the policy, including:

(1) the premiums and losses paid under the policy with the losses allocated to medical benefits, rehabilitation benefits, indemnity benefits, legal and other costs of defending claims, and lump sum settlements;

(2) the amount of any reserves set for each reported injury;

(3) the administrative expense and profit on the policy, stated in both dollar amounts and as a percentage of the premium;

(4) the previous and present policy year's experience modification factor; and

(5) the claims history of the insured for the period the insured was a policyholder of the insurer, not to exceed five years; and

(f) Provide each insured and each employer the insurer offers to insure the following information to assist the employer in comparing the costs of insurance between and among insurers: (1) the gross premium application from the insurers manual of rates for each classification assigned to the employer; (2) the application of any experience modification factor; (3) the application of any premium discount or credit factor; (4) the application of any scheduled debit or credit derived from the insurers merit plan; and (5) any deviations from this process represented by underwriter judgment. If an insurer deviates from the classifications or rating plan of a data service organization, the insurer shall also disclose the data service organization classification and rating plan that most closely resembles the classification and base rate used by the insurer. If the commissioner licenses more than one data service organization, the insurer must disclose base rate and classification information for the data service organization in which the insurer maintains membership.

Sec. 2. [79.605] [COMMISSIONER; DISCLOSURE FORM.]

No later than September 30, 1993, the commissioner of commerce shall provide a uniform disclosure form that insurers shall use in providing the information required in section 1. The uniform disclosure form is not administrative rulemaking and is not subject to chapter 14.

Sec. 3. Minnesota Statutes 1992, section 176.091, is amended to read:

176.091 [MINOR EMPLOYEES.]

Except as provided in section 176.092, a minor employee has the same power to enter into a contract, make election of remedy, make any settlement, and receive compensation as an adult employee, subject to the power of the commissioner of the department of labor and industry, compensation judge, or workers' compensation court of appeals to require the appointment of a guardian for the minor employee to make such settlement and to receive moneys thereunder or under an award.

Sec. 4. [176.092] [GUARDIAN; CONSERVATOR.]

Subdivision 1. [WHEN REQUIRED.] An injured employee or a dependent under section 176.111 who is a minor or an incapacitated person as that term is defined in section 525.54, subdivision 2 or 3, shall have a guardian or conservator to represent the interests of the employee or dependent in obtaining compensation according to the provisions of this chapter. This section applies if the employee receives or is eligible for permanent total disability benefits, supplementary benefits, or permanent partial disability benefits or a dependent receives or is eligible for dependency benefits, or if the employee or dependent receives or is offered a lump sum that exceeds five times the statewide average weekly wage.

Subd. 2. [APPOINTMENT.] If an injured employee or dependent under section 176.111 does not have a guardian or conservator and the attorney representing the employee or dependent knows or has reason to believe the employee or dependent is a minor or an incapacitated person, the attorney shall, within 30 days, seek a probate court order appointing a guardian or conservator. If the employer, insurer, or special compensation fund in a matter involving a claim against the fund knows or has reason to believe the employee or dependent is a minor or is incapacitated, the employer, insurer, or special compensation fund shall notify the attorney representing the employee or dependent. If the employee or dependent has no attorney or the attorney fails to seek appointment of a guardian or conservator within 30 days of being notified under this subdivision, the employer or insurer shall seek the appointment in probate court and the special compensation fund shall notify the commissioner or a compensation judge for referral of the matter under subdivision 3. In the case of a minor who is not represented by an attorney, the commissioner shall refer the matter under subdivision 3.

Subd. 3. [REFERRAL.] When, in a proceeding before them, it appears to the commissioner, compensation judge, or, in cases upon appeal, the workers' compensation court of appeals, that an injured employee or a dependent is a minor or an incapacitated person without a guardian or conservator, the commissioner, compensation judge, or court of appeals shall refer the matter to probate court. The commissioner has no duty to monitor files at the department but must review a file for referral upon receiving a complaint that an injured employee or dependent is a minor or an incapacitated person without a guardian or conservator.

Subd. 4. [GUARDIAN, CONSERVATOR; POWERS, DUTIES.] A guardian or conservator of an injured employee or dependent shall have the powers and duties granted by the probate court including, but not limited to:

(1) representing the interests of the employee or dependent in obtaining compensation according to the provisions of this chapter;

(2) receiving monetary compensation benefits, including the amount of any award, settlement, or judgment; and

(3) acting as a fiduciary in distributing, managing, and investing monetary workers' compensation benefits.

Sec. 5. Minnesota Statutes 1992, section 176.111, subdivision 5, is amended to read:

Subd. 5. [PAYMENTS, TO WHOM MADE.] In death cases compensation payable to dependents is computed on the following basis and shall be paid to the persons entitled thereto or to a guardian or ~~such other person as the commissioner of the department of labor and industry, compensation judge, or workers' compensation court of appeals in cases upon appeal directs for the use and benefit of the person entitled thereto~~ conservator as required under section 176.092.

Sec. 6. Minnesota Statutes 1992, section 176.136, subdivision 1b, is amended to read:

Subd. 1b. [LIMITATION OF LIABILITY.] (a) The liability of the employer for treatment, articles, and supplies provided to an employee while an inpatient or outpatient at a small hospital shall be the hospital's usual and customary charge, unless the charge is determined by the commissioner or a compensation judge to be unreasonably excessive. A "small hospital," for purposes of this paragraph, is a hospital which has 100 or fewer licensed beds.

(b) The liability of the employer for the treatment, articles, and supplies that are not limited by subdivision 1a or 1c or paragraph (a) shall be limited to 85 percent of the provider's usual and customary charge, or 85 percent of the prevailing charges for similar treatment, articles, and supplies furnished to an injured person when paid for by the injured person, whichever is lower. On this basis, the commissioner or compensation judge may determine the reasonable value of all treatment, services, and supplies, and the liability of the employer is limited to that amount.

(c) No reduction in a provider's charges may be applied to a nursing home that participates in the medical assistance program and whose rates are established by the commissioner of human services.

Sec. 7. Minnesota Statutes 1992, section 176.521, subdivision 1, is amended to read:

Subdivision 1. [VALIDITY.] An agreement between an employee or an employee's dependent and the employer or insurer to settle any claim, which is not upon appeal before the court of appeals, for compensation under this chapter is valid where it has been executed in writing and signed by the parties and intervenors in the matter, and, where one or more of the parties is not represented by an attorney, the commissioner or a compensation judge has approved the settlement and made an award thereon. If the matter is upon appeal before the court of appeals or district court, the court of appeals or district court is the approving body. An agreement to settle any claim is not valid if a guardian or conservator is required under section 176.092 and an employee or dependent has no guardian or conservator.

Sec. 8. Minnesota Statutes 1992, section 176.521, subdivision 2, is amended to read:

Subd. 2. [APPROVAL.] Settlements shall be approved only if the terms conform with this chapter.

The commissioner, a compensation judge, the court of appeals, and the district court shall exercise discretion in approving or disapproving a proposed settlement.

The parties to the agreement of settlement have the burden of proving that the settlement is reasonable, fair, and in conformity with this chapter. A settlement agreement where both the employee or the employee's dependent and the employer or insurer are represented by an attorney shall be conclusively presumed to be reasonable, fair, and in conformity with this chapter except when the settlement purports to be a full, final, and complete settlement of an employee's right to medical compensation under this chapter or rehabilitation under section 176.102. A settlement which purports to do so must be approved by the commissioner, a compensation judge, or court of appeals.

The conclusive presumption in this subdivision is not available in cases involving an employee or dependent with a guardian or conservator.

The conclusive presumption in this subdivision applies to a settlement agreement entered into on or after January 15, 1982, whether the injury to which the settlement applies occurred prior to or on or after January 15, 1982.

Sec. 9. [525.6199] [GUARDIANSHIP, CONSERVATORSHIP; WORKERS' COMPENSATION PROCEEDINGS.]

Subdivision 1. [REFERRAL.] When a matter is referred under section 176.092, subdivision 3, the court shall determine whether the employee or dependent is a minor or an incapacitated person, shall appoint a guardian or conservator if the employee or dependent is a minor or an incapacitated person, and shall return the matter to the source of referral.

Subd. 2. [COURT OVERSIGHT.] The court shall oversee the use of monetary benefits paid to a guardian or conservator as provided in this chapter or under rule 145 of the general rules of practice for the district courts. There is a rebuttable presumption that a settlement or award approved by the commissioner of the department of labor and industry or a compensation judge is reasonable and fair to the employee or dependent.

Subd. 3. [COSTS.] Subject to the approval of the court, the insurer or self-insured employer shall pay the costs and a reasonable attorney fee of the employee or dependent associated with the appointment of a guardian or conservator required under section 176.092.

Sec. 10. [EFFECTIVE DATE; APPLICABILITY.]

Section 2 is effective the day following final enactment. Sections 3 to 5 and 7 to 9 are effective August 1, 1993, and apply to all monetary benefits paid on or after that date, without regard to the date of injury."

Delete the title and insert:

"A bill for an act relating to insurance; workers' compensation; requiring disclosure of premium calculation and policy history figures and claims experience to employers; requiring appointment of guardians and conservators for minors and incapacitated persons; modifying provisions relating to charges by certain nursing homes; amending Minnesota Statutes 1992, sections 79.60, subdivision 1; 176.091; 176.111, subdivision 5; 176.136, subdivision 1b; and 176.521, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 79; 176; and 525."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1186, A bill for an act relating to the environment; adding cross references for existing civil penalties for littering; amending Minnesota Statutes 1992, sections 85.20, subdivision 6; 115A.99; 169.421; 375.18, subdivision 14; and 412.221, subdivision 22.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1210, A bill for an act relating to veterans affairs; appropriating money for the construction of a memorial honoring women military veterans.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [WOMEN MILITARY VETERANS MEMORIAL.]

\$12,500 is appropriated from the general fund to the commissioner of veterans affairs to be donated to the Women in Military Service for America Memorial Foundation, also known as the WIMSA Memorial Foundation, for the purpose of constructing a memorial monument to women military veterans to be located at the entrance of Arlington National Cemetery, Arlington, Virginia.

The commissioner of veterans affairs shall notify immediately the chair of the WIMSA Memorial Foundation that such an appropriation has been authorized by the Minnesota legislature, and the commissioner shall transfer this appropriation to the WIMSA Memorial Foundation upon certification by the foundation that sufficient funding has been pledged to complete the construction of the memorial.

This appropriation does not cancel unless so directed by future legislation.

Sec. 2. [VIETNAM WOMEN'S MEMORIAL.]

\$12,500 is appropriated from the general fund to the commissioner of veterans affairs to be donated to the Vietnam Women's Memorial Project, Inc. for the purpose of constructing a memorial monument to American women who served in the Vietnam War as members of the United States armed forces, other government agencies, and civilian humanitarian organizations, to be located on the site of the Vietnam Veterans Memorial in Washington, D.C.

The commissioner of veterans affairs shall notify immediately the chair of Vietnam Women's Memorial Project that such an appropriation has been authorized by the Minnesota legislature, and the commissioner shall transfer this appropriation to that organization upon certification by the organization that sufficient funding has been pledged to complete the construction of the memorial.

This appropriation does not cancel unless so directed by future legislation.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective July 1, 1993."

Amend the title as follows:

Page 1, line 4, before the period insert "and a memorial to American women who served in the Vietnam War"

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.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1273, A bill for an act relating to veterans; authorizing the veterans homes board to define residency by board rule; amending Minnesota Statutes 1992, section 198.022.

Reported the same back with the following amendments:

Page 2, after line 2, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1274, A bill for an act relating to veterans; authorizing the legislature to hear and determine claims by patients at the Minnesota veterans homes; amending Minnesota Statutes 1992, section 3.738, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1387, A bill for an act relating to employment; independent contractors; requiring contractors to treat certain independent contractors as employees; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Page 2, line 27, after "contractors" insert "for construction work classified in standard industrial classification major groups 15, 16, and 17."

Page 2, line 29, after "business" insert "in construction work classified in standard industrial classification major groups 15, 16, and 17"

Page 2, line 30, after "associations," insert "limited liability companies,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1405, A bill for an act relating to wetlands; extending dates for rule adoption and the prohibition on draining and filling; amending Minnesota Statutes 1992, section 103G.2369, subdivision 2; and Laws 1991, chapter 354, articles 6, section 22; and 7, section 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1423, A bill for an act relating to unemployment compensation; modifying definitions; changing provisions relating to eligibility for and administration of unemployment compensation; amending Minnesota Statutes 1992, sections 268.04, subdivisions 4 and 12; 268.08, subdivisions 3 and 6; 268.09, subdivisions 1, 2, and 8; 268.10, subdivisions 2 and 6; 268.12, subdivision 12; 268.16, subdivision 4; and 268.161, subdivision 9.

Reported the same back with the following amendments:

Page 13, line 31, before the period insert ";

(s) Notwithstanding clauses (1)(a) and (15)(m), services performed as an officer of a township mutual insurance company or farmer's mutual insurance company operating pursuant to chapter 67A"

Page 14, line 31, before the semicolon insert "provided that 50 percent of the total of any such payments in excess of eight weeks shall be similarly allocated to the period immediately following the 28 days"

Page 29, delete line 9 and insert "civil, administrative, or contractual proceeding,"

Page 29, line 11, delete "action" and insert "proceeding"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1528, A bill for an act relating to state lands; releasing certain reversionary interests of the state to independent school district No. 911, Cambridge; amending Laws 1963, chapter 350, section 3.

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:

S. F. No. 215, A bill for an act relating to courts; providing that the county law library fee may be collected in petty misdemeanor cases; amending Minnesota Statutes 1992, sections 134A.09, subdivision 2a; and 134A.10, subdivisions 3 and 4.

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:

S. F. No. 729, A bill for an act relating to corrections; requiring the ombudsman to make biennial reports to the governor; amending Minnesota Statutes 1992, section 241.45, subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1523, 238, 343, 377, 449, 566, 661, 695, 934, 1022, 1050, 1051, 1063, 1065, 1066, 1074, 1098, 1184, 1185, 1186, 1273, 1274, 1387, 1423 and 1528 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 434, 215 and 729 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Neary and Beard introduced:

H. F. No. 1562, A bill for an act relating to highways; requiring designation of certain county state-aid highways as natural preservation routes; providing standards and procedures for reconstruction of those routes; amending Minnesota Statutes 1992, section 162.021, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Wejcman, Murphy, Skoglund and Bergson introduced:

H. F. No. 1563, A bill for an act relating to elections; authorizing the filing officer to keep from the ballot the name of a person who is a convicted felon, under guardianship, or found incompetent; amending Minnesota Statutes 1992, section 204B.10, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Hasskamp and Pauly introduced:

H. F. No. 1564, A bill for an act relating to health; providing a woman considering abortion the right to certain information before giving consent; 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.

Davids, Pelowski and Waltman introduced:

H. F. No. 1565, A bill for an act relating to state trails; extending the Blufflands trail system to additional cities; amending Minnesota Statutes 1992, section 85.015, subdivision 7.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Onnen and Brown, C., introduced:

H. F. No. 1566, A bill for an act relating to cemeteries; providing for burials in the winter season; proposing coding for new law in Minnesota Statutes, chapter 306.

The bill was read for the first time and referred to the Committee on General Legislation, Veterans Affairs and Elections.

Opatz, Bertram, Vellenga, Jacobs and Sarna introduced:

H. F. No. 1567, A bill for an act relating to state government; revising procedures dealing with professional and technical service contracts; appropriating money; amending Minnesota Statutes 1992, sections 15.061; 16A.11, by adding a subdivision; 16B.17; and 16B.19, subdivisions 2 and 10; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Steensma and Rhodes introduced:

H. F. No. 1568, A bill for an act relating to motor vehicles; extending validity period of nonresident temporary vehicle permits; amending Minnesota Statutes 1992, section 168.091, subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Clark, Munger, Wagenius and Trimble introduced:

H. F. No. 1569, A bill for an act relating to lead waste disposal; regulating the disposal of residential lead paint waste; authorizing rulemaking; providing for revocation of licenses in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 116.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Clark, Rest and Osthoff introduced:

H. F. No. 1570, A bill for an act relating to toxic lead cleanup funding; imposing a lead fee; establishing a lead fund; providing for a lead abatement credit; imposing a tax on the wholesale of paint; authorizing rulemaking; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 115C; and 290; 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.

Bergson; Garcia; Kahn; Johnson, R., and Huntley introduced:

H. F. No. 1571, A bill for an act relating to state government; revising procedures dealing with professional and technical service contracts; appropriating money; amending Minnesota Statutes 1992, sections 15.061; 16A.11, by adding a subdivision; 16B.17; and 16B.19, subdivisions 2 and 10; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Opatz, Perl, Bergson, Delmont and Krueger introduced:

H. F. No. 1572, A bill for an act relating to state government; revising procedures governing state contracts for professional, technical, and consultant services; limiting uses of funds saved from leaving positions vacant; limiting funds spent on certain contracts; amending Minnesota Statutes 1992, section 16B.17, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Rodosovich, Limmer, Morrison, Carlson and Kahn introduced:

H. F. No. 1573, A bill for an act relating to education; providing for the licensing and oversight of private business, trade, and correspondence schools by the higher education coordinating board; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 141; repealing Minnesota Statutes 1992, sections 141.21; 141.22; 141.23; 141.25; 141.26; 141.271; 141.28; 141.29; 141.30; 141.31; 141.32; 141.33; 141.34; 141.35; and 141.36.

The bill was read for the first time and referred to the Committee on Education.

Asch and Brown, C., introduced:

H. F. No. 1574, A bill for an act relating to local government; forbidding certain mailings and publications before certain elections; amending Minnesota Statutes 1992, section 471.68, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Rhodes; Murphy; Brown, C.; Swenson and Orenstein introduced:

H. F. No. 1575, A bill for an act relating to occupations and professions; clarifying the training requirements of private detectives and security guards; amending Minnesota Statutes 1992, sections 326.336, subdivision 2; and 326.3361, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Van Dellen and Krueger introduced:

H. F. No. 1576, A bill for an act relating to state government; requiring a study of the human services and K-12 education systems; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Clark introduced:

H. F. No. 1577, A bill for an act relating to child care; establishing a pilot child care apprenticeship program through the department of human services; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256H.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bauerly, Opatz and Gruenes introduced:

H. F. No. 1578, A bill for an act relating to liquor; issuance of off-sale licenses in adjoining counties; amending Minnesota Statutes 1992, section 340A.412, subdivision 3.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Rest introduced:

H. F. No. 1579, A bill for an act relating to public finance; changing procedures for allocating bonding authority; amending Minnesota Statutes 1992, sections 474A.047, subdivision 1; and 474A.061, subdivision 2a.

The bill was read for the first time and referred to the Committee on Housing.

Sekhon, Lourey, Asch and Pugh introduced:

H. F. No. 1580, A bill for an act relating to occupations and professions; board of psychology; extending deadline for previously qualified persons to be licensed; modifying reciprocity requirement; amending Minnesota Statutes 1992, section 148.921, subdivisions 2 and 3.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Hausman introduced:

H. F. No. 1581, A bill for an act relating to economic development; creating the urban initiative board to encourage urban development; providing for a grant program; requiring the board to adopt rules; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116M.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Hausman introduced:

H. F. No. 1582, A bill for an act relating to economic development; providing for creation of enterprise zones; providing incentives for business to locate within an enterprise zone; proposing coding for new law in Minnesota Statutes, chapter 469.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Abrams, Onnen, Blatz, Girard and Weaver introduced:

H. F. No. 1583, A bill for an act relating to elections; providing procedure for precinct caucuses; amending Minnesota Statutes 1992, section 202A.18, subdivision 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. 1584, A bill for an act relating to taxation; property; decreasing the class rate on residential nonhomestead and apartment property; amending Minnesota Statutes 1992, sections 273.13, subdivision 25; and 273.1398, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Skoglund, for the Committee on Judiciary, introduced:

H. F. No. 1585, A bill for an act relating to crime; imposing penalties for a variety of firearms-related offenses; expanding forfeiture provisions; revising and increasing penalties for stalking, harassment, and domestic abuse offenses; providing for improved training, investigation and enforcement of these laws; increasing penalties for and making revisions to certain controlled substance offenses; increasing penalties for crimes committed by groups; increasing penalties and improving enforcement of arson and related crimes; making certain changes to restitution and other crime victim laws; revising laws relating to law enforcement agencies, and state and local corrections agencies; requiring certain counties to establish pretrial diversion programs; revising and increasing penalties for a variety of other criminal laws; clarifying certain provisions for the new felony sentencing system; making technical corrections to sentencing statutes; appropriating money; amending Minnesota Statutes 1992, sections 13.87, subdivision 2; 16B.08, subdivision 7; 144A.04, subdivisions 4 and 6; 144A.11, subdivision 3a; 144B.08, subdivision 3; 152.021, subdivision 3; 152.022, subdivisions 1 and 3; 152.023, subdivisions 2 and 3; 152.024, subdivision 3; 152.025, subdivision 3; 152.026; 152.0971, subdivisions 1, 3, and by adding subdivisions; 152.0972, subdivision 1; 152.0973, subdivisions 2, 3, and by adding a subdivision; 152.0974; 152.18, subdivision 1; 168.346; 169.121, subdivision 3a; 169.222, subdivisions 1 and 6; 169.64, subdivision 3; 169.98, subdivision 1a; 214.10, by adding subdivisions; 238.16, subdivision 2; 241.09; 241.26, subdivision 5; 241.67, subdivision 2; 243.166, subdivision 1; 243.23, subdivision 3; 244.01, subdivision 8, and by adding a subdivision; 244.05, subdivisions 1b, 4, and 5; 244.065; 244.101; 244.14, subdivisions 2 and 3; 244.15, subdivision 1; 244.17, subdivision 3; 244.171, subdivisions 3 and 4; 244.172, subdivisions 1 and 2; 260.185, subdivisions 1 and 1a; 260.251, subdivision 1; 299A.35, subdivision 2; 299C.46, by adding a subdivision; 299D.03, subdivision 1; 299D.06; 299F.04, by adding a subdivision; 299F.811; 299F.815, subdivision 1; 388.23, subdivision 1; 390.11, by adding a subdivision; 390.32, by adding a subdivision; 401.02, subdivision 4; 471.633; 473.386, by adding a subdivision; 480.30; 485.018, subdivision 5; 518B.01, subdivisions 3, 6, 7, 9, and 14; 541.15; 609.02, subdivision 6; 609.0341, subdivision 1; 609.035; 609.05, subdivision 1; 609.06; 609.101, subdivisions 2, 3, and 4; 609.11; 609.135, subdivisions 1, 1a, and 2;

609.1352, subdivision 1; 609.14, subdivision 1; 609.15, subdivision 2; 609.152, subdivision 1; 609.175, subdivision 2, and by adding a subdivision; 609.184, subdivision 2; 609.196; 609.224, subdivision 2; 609.251; 609.341, subdivisions 10, 17, 18, and 19; 609.344, subdivision 1; 609.345, subdivision 1; 609.346, subdivisions 2, 2b, and 5; 609.3461; 609.378, subdivision 1; 609.494; 609.495; 609.531, subdivision 1; 609.5314, subdivision 1; 609.562; 609.563, subdivision 1; 609.576, subdivision 1; 609.582, subdivision 1a; 609.585; 609.605, subdivision 1, and by adding a subdivision; 609.66, subdivision 1a, and by adding subdivisions; 609.686; 609.71; 609.713, subdivision 1; 609.748, subdivisions 1, 2, 3, 5, 6, 8, and by adding a subdivision; 609.79, subdivision 1; 609.795, subdivision 1; 609.856, subdivision 1; 609.891, subdivision 2; 609.902, subdivision 4; 611A.031; 611A.0315; 611A.04, by adding a subdivision; 611A.06, subdivision 1; 624.712, subdivision 5; 624.713; 624.7131, subdivision 10; 624.7132, subdivisions 4 and 8; 624.714, subdivision 1; 626.05, subdivision 2; 626.13; 626.8451, subdivision 1a; 626A.05, subdivision 1; 626A.06, subdivisions 4, 5, and 6; 626A.10, subdivision 1; 626A.11, subdivision 1; 628.26; 629.291, subdivision 1; 629.34, subdivision 1; 629.341, subdivision 1; 629.342, subdivision 2; 629.72; 631.046, subdivision 1; 631.41; and 641.14; Laws 1991, chapter 279, section 41; Laws 1992, chapter 571, article 7, section 13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 121; 152; 174; 242; 244; 401; 609; and 624; repealing Minnesota Statutes 1992, sections 152.0973, subdivision 4; 214.10, subdivisions 4, 5, 6, and 7; 241.25; 609.02, subdivisions 12 and 13; 609.131, subdivision 1a; 609.229; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Steensma and Winter introduced:

H. F. No. 1586, A bill for an act relating to local government; requiring plans for full funding of any new mandates imposed on local governments; requiring sunset of mandates; providing for an inventory and analysis of mandates; proposing coding for new law in Minnesota Statutes, chapters 3 and 6.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Orenstein introduced:

H. F. No. 1587, A bill for an act relating to higher education; providing for grants through the higher education coordinating board for education about violence and abuse, collaboration among human services professionals, and for a higher education center on violence and abuse; appropriating money; amending Laws 1992, chapter 571, article 16, section 4.

The bill was read for the first time and referred to the Committee on Education.

Orfield introduced:

H. F. No. 1588, A bill for an act relating to metropolitan government; providing for an advisory council on metropolitan governance.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Molnau and Commers introduced:

H. F. No. 1589, A bill for an act relating to metropolitan government; providing for the discharge of transportation related duties; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Mariani introduced:

H. F. No. 1590, A bill for an act relating to post-secondary education; expanding the list of those included as students for purposes of appropriations; amending Minnesota Statutes 1992, section 135A.03, subdivision 7.

The bill was read for the first time and referred to the Committee on Education.

Frerichs introduced:

H. F. No. 1591, A bill for an act relating to the town of Rock Dell; authorizing adoption and enforcement of the state building code.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Smith, Worke, Holsten, Wolf and Seagren introduced:

H. F. No. 1592, A bill for an act relating to the legislature; requiring budget information; providing for appropriations; providing for various accounts; making the open meeting law apply to the legislature; amending Minnesota Statutes 1992, sections 16A.18; 16A.281; and 471.705, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 3.055.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Simoneau, Carruthers, Leppik, Gruenes and Farrell introduced:

H. F. No. 1593, A bill for an act relating to state government; correcting erroneous, ambiguous, obsolete, and omitted text and obsolete references; eliminating redundant, conflicting, and superseded provisions in Minnesota Rules; making technical corrections; correcting Minnesota Rules, parts 1200.0300; 1400.0500; 3530.0200; 3530.0300; 3530.1500; 3530.2614; 3530.2642; 4685.0100; 4685.3000; 4685.3200; 4692.0020; 5000.0400; 6105.0400; 6105.0410; 6105.0510; 6105.0630; 6105.0850; 6105.0870; 6105.1440; 6105.1460; 6105.1670; 7045.0075; 7411.7100; 7411.7400; 7411.7700; 7640.0140; 7856.2020; 7883.0100; 8130.3500; 8130.6500; 8800.1200; 8800.1400; 8800.3100; 8820.0600; 8820.2300; 9050.0040; 9050.0300; 9050.0500; 9050.0520; 9050.1070; 9505.0323; and 9505.2175; repealing Minnesota Rules, parts 1300.0100; 1300.0200; 1300.0300; 1300.0400; 1300.0500; 1300.0600; 1300.0700; 1300.0800; 1300.0900; 1300.0940; 1300.0942; 1300.0944; 1300.0946; 1300.0948; 1300.1000; 1300.1100; 1300.1150; 1300.1200; 1300.1300; 1300.1400; 1300.1500; 1300.1600; 1300.1700; 1300.1800; 1300.1900; 1300.2000; 4685.2600; 4692.0020, subpart 2; 4692.0045; 7856.0100, subpart 5; 8017.5000; 8115.0200; 8115.0300; 8115.0400; 8115.0500; 8115.0600; 8115.1000; 8115.1100; 8115.1200; 8115.1300; 8115.1400; 8115.1500; 8115.1600; 8115.1700; 8115.1800; 8115.1900; 8115.2000; 8115.2100; 8115.2200; 8115.2300; 8115.2400; 8115.2500; 8115.2600; 8115.2700; 8115.2800; 8115.2900; 8115.3000; 8115.4000; 8115.4100; 8115.4200; 8115.4300; 8115.4400; 8115.4500; 8115.4600; 8115.4700; 8115.4800; 8115.4900; 8115.5000; 8115.5100; 8115.5200; 8115.5300; 8115.5400; 8115.5500; 8115.5600; 8115.5700; 8115.5800; 8115.5900; 8115.6000; 8115.6100; 8115.6200; 8115.6300; 8115.6400; 8115.9900; 8120.0800; 8120.1400; 8120.1700; 8120.2800, subpart 1; 8120.5100, subpart 1; 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; 8150.0190; 8150.0200; 8150.0400; 8150.0500; 8150.0600; 8150.0700; 8150.1405; 8150.1410; 8150.1415; 8150.1420; 8150.1425; 8150.1430; 8150.1435; 8150.1440; 8150.1445; 8150.1505; 8150.1510; 8150.1515; 8150.1520; 8150.1525; 8150.1540; 8150.1545; 8150.1600; 8150.1800; 8150.1900; 8150.2000; 8150.2100; 8150.2205; 8150.2210; 8150.2300; and 8150.2400.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Koppendrayer, Haukoos, Vickerman, Molnau and Dehler introduced:

H. F. No. 1594, A bill for an act relating to the legislature; requiring budget information; providing for appropriations; providing for various accounts; making the open meeting law apply to the legislature; amending Minnesota Statutes 1992, sections 16A.18; 16A.281; and 471.705, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 3.055.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Commers, Dempsey, Davids, Bettermann and Lynch introduced:

H. F. No. 1595, A bill for an act relating to the legislature; requiring budget information; providing for appropriations; providing for various accounts; making the open meeting law apply to the legislature; amending Minnesota Statutes 1992, sections 16A.18; 16A.281; and 471.705, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 3.055.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Gruenes, Jennings, Stanius, Holsten and Rodosovich introduced:

H. F. No. 1596, A bill for an act relating to health care; allowing the state to temporarily authorize medical care savings accounts for covered employees.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Pugh introduced:

H. F. No. 1597, A bill for an act relating to retirement; public employees retirement association; authorizing repayment of refund and payment of contributions by members and retirees of the St. Paul supervisors' organization; mandating certain payment by the city of St. Paul.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Leppik and Cooper introduced:

H. F. No. 1598, A bill for an act relating to occupations and professions; establishing a system of licensure for acupuncture practitioners; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 148.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gruenes; Jennings; Stanius; Olson, M., and Rodosovich introduced:

H. F. No. 1599, A bill for an act relating to health; requiring the department of health to prepare a plan and proposed legislation authorizing medical care savings accounts.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Olson, M.; Onnen; Lindner; Dehler and Bettermann introduced:

H. F. No. 1600, A bill for an act relating to insurance; Medicare supplement; eliminating community rating; amending Minnesota Statutes 1992, section 62A.31, subdivision 1, as amended.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Frerichs, Krueger and Haukoos introduced:

H. F. No. 1601, A bill for an act relating to insurance; small employer health insurance coverage; modifying the definition of small employer; amending Minnesota Statutes 1992, section 62L.02, subdivision 26.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Mosel; Skoglund; Olson, E.; Evans and Steénsma introduced:

H. F. No. 1602, A bill for an act relating to crimes; prohibiting the installation of devices to observe or photograph a person in places where there is a reasonable expectation of privacy; amending Minnesota Statutes 1992, section 609.746, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Perlt, Krueger, Opatz, Bergson and Delmont introduced:

H. F. No. 1603, A bill for an act relating to state government; revising procedures dealing with professional and technical service contracts; appropriating money; amending Minnesota Statutes 1992, sections 15.061; 16A.11, by adding a subdivision; 16B.17; and 16B.19, subdivisions 2 and 10; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Clark and Vellenga introduced:

H. F. No. 1604, A bill for an act relating to public defense; authorizing grants to fund Indian child welfare defense corporations; amending Minnesota Statutes 1992, section 611.216, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Clark, Osthoff, Greenfield and Wejcman introduced:

H. F. No. 1605, A bill for an act relating to chemical dependency services; authorizing an alternative services pilot project; setting standards; clarifying the extent of detoxification transportation services; authorizing a detoxification program; appropriating money; amending Minnesota Statutes 1992, sections 254A.17, subdivision 3; and 256I.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 254A.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Delmont; Brown, C.; Skoglund; Murphy and Rhodes introduced:

H. F. No. 1606, A bill for an act relating to state government; revising procedures dealing with professional and technical service contracts; appropriating money; amending Minnesota Statutes 1992, sections 15.061; 16A.11, by adding a subdivision; 16B.17; and 16B.19, subdivisions 2 and 10; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Mariani and Leppik introduced:

H. F. No. 1607, A bill for an act relating to human services; requiring grants for demonstration programs, in counties participating in field trials under the Minnesota family investment plan, to promote the self-sufficiency of public assistance recipients; appropriating money; 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.

Clark introduced:

H. F. No. 1608, A bill for an act relating to housing; modifying replacement housing; amending Minnesota Statutes 1992, section 504.33, subdivision 7.

The bill was read for the first time and referred to the Committee on Housing.

Hausman and Kahn introduced:

H. F. No. 1609, A bill for an act relating to emergency services; mandating provision of emergency poison information services through the 911 telephone system; providing for funding; amending Minnesota Statutes 1992, sections 237.52, subdivision 3; 403.02, subdivision 4; 403.03; and 403.11, subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Rodosovich, for the Higher Education Finance Division, introduced:

H. F. No. 1610, 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.

The bill was read for the first time and referred to the Committee on Education.

Sviggum introduced:

H. F. No. 1611, A bill for an act relating to state government; providing for more effective delivery of environmental services through the consolidation and coordination of state environmental and natural resource programs; reorganizing and restructuring state agencies and departments; creating the office of secretary of the environment; creating the citizen advisory board on the environment; creating the department of environmental protection; renaming the department of natural resources the department of resource management and adding powers and duties; renaming the board of water and soil resources the local government advisory board on environmental services, specifying its duties, and transferring the powers and duties of the former board; transferring all the powers and duties of the environmental quality board, the pollution control agency, the office of waste management, the harmful substances compensation board, the petroleum tank release compensation board, and abolishing these agencies; transferring certain powers and duties of the departments of commerce, health, trade and economic development, and natural resources; authorizing certain studies; amending Minnesota Statutes 1992, sections 15.01; 15.06, subdivision 1; 15A.081, subdivision 1; 16B.37, subdivision 2; 84.01, subdivisions 1, 2, and 3; 84.027, by adding a subdivision; 84.028, subdivision 3; 84.081, subdivision 1; 103B.101, subdivisions 1, 2, 5, 7, 8, and 9; 103B.3355; 103D.101, subdivision 2; 115B.25, subdivision 2; 115B.28, subdivisions 1 and 4; 115B.35, subdivisions 1, 4, 5, and 6; 115C.07, subdivision 3; 115C.10, subdivision 1; 116.01; 116.02, subdivision 5; 116.03, subdivisions 1 and 2; 144.871, subdivision 5; and 326.71, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 4B; and 116; repealing Minnesota Statutes 1992, sections 84.083, subdivisions 2 and 3; 103B.101, subdivisions 3, 4, 10, and 11; 115A.03, subdivisions 8a and 22a; 115A.055; 115B.27; 115C.07, subdivisions 1 and 2; 115D.03, subdivision 4; 116.02, subdivisions 1, 2, 3, and 4; 116.03, subdivision 6; 116.04; 116C.03; 116C.22; 116C.23; 116C.24; 116C.25; 116C.26; 116C.27; 116C.28; 116C.29; 116C.30; 116C.31; 116C.32; 116C.33; and 116C.34.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

HOUSE ADVISORIES

The following House Advisories were introduced:

Wenzel introduced:

H. A. No. 6, A proposal for a study of responsibility and liability issues arising from stray voltage and electro-magnetic field damage to agricultural health and productivity.

The advisory was referred to the Committee on Agriculture.

Wenzel, Girard, Winter and Sparby introduced:

H. A. No. 7, A proposal to study the issue of swine production by corporations and cooperatives.

The advisory was referred to the Committee on Agriculture.

CONSENT CALENDAR

Anderson, I., moved that the bills on the Consent Calendar for today be continued. The motion prevailed.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 585

A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

March 30, 1993

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 585, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 585 be further amended as follows:

Page 1, line 20, delete "or affectional"

Page 1, line 24, delete "OR AFFECTIONAL" and delete "or"

Page 1, line 25, delete "affectional"

Page 2, line 3, delete "or affectional"

Page 2, line 15, delete "or affectional" and delete the third "or"

- Page 2, line 16, delete "affectional"
- Page 2, line 21, after "friends" insert ", counselors."
- Page 2, line 25, delete "or affectional"
- Page 5, line 15, delete "or affectional"
- Page 7, line 3, after "friends" insert ", counselors."
- Page 7, line 7, delete "or affectional"
- Page 7, line 22, delete "such" and insert "the"
- Page 8, line 11, delete "or"
- Page 8, line 12, delete "affectional"
- Page 8, line 25, delete "or affectional"
- Page 8, line 35, delete "or"
- Page 8, line 36, delete "affectional"
- Page 9, line 14, delete "or affectional"
- Page 10, line 8, delete "or"
- Page 10, line 9, delete "affectional"
- Page 10, line 18, delete "or affectional"
- Page 12, lines 7, 12, and 29, delete "or affectional"
- Page 13, line 8, delete "or"
- Page 13, line 9, delete "affectional"
- Page 13, line 15, delete "or"
- Page 13, line 16, delete "affectional"
- Page 13, line 19, delete "or"
- Page 13, line 20, delete "affectional"
- Page 13, line 32, delete "or affectional"
- Page 14, lines 13 and 25, delete "or affectional"
- Page 15, line 6, delete "or affectional"
- Page 16, line 6, delete "or affectional"
- Page 22, line 12, delete "or affectional"
- Page 25, line 29, delete "or affectional"
- Page 26, lines 7, 12, and 31, delete "or affectional"
- Page 27, lines 13 and 35, delete "or affectional"

Page 29, line 21, delete "or affectional"

Page 30, line 13, delete "or"

Page 30, line 14, delete "affectional"

Page 30, lines 24 and 35, delete "or affectional"

Page 31, line 3, delete "or"

Page 31, line 4, delete "affectional"

Page 31, lines 6, 10, and 14, delete "or affectional"

Amend the title as follows:

Page 1, line 3, delete "or"

Page 1, line 4, delete "affectional"

We request adoption of this report and repassage of the bill.

House Conferees: KAREN CLARK, HOWARD ORENSTEIN AND DAVE BISHOP.

Senate Conferees: ALLAN H. SPEAR, EMBER D. REICHGOTT AND WILLIAM V. BELANGER, JR.

Clark moved that the report of the Conference Committee on H. F. No. 585 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage 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	Carruthers	Hausman	Lieder	Murphy	Perit	Skoglund
Asch	Clark	Huntley	Lourey	Neary	Pugh	Solberg
Battaglia	Dawkins	Jaros	Luther	Olson, E.	Reding	Sparby
Bauerly	Delmont	Jefferson	Mahon	Olson, K.	Rest	Tomassoni
Beard	Dorn	Jennings	Mariani	Orenstein	Rhodes	Trimble
Bergson	Erhardt	Kahn	McCollum	Orfield	Rice	Van Dellen
Bishop	Evans	Kelley	McGuire	Osthoff	Rodosovich	Vellenga
Blatz	Farrell	Kelso	Milbert	Ostrom	Rukavina	Wagenius
Brown, C.	Garcia	Klinzing	Morrison	Pauly	Sarna	Weaver
Brown, K.	Greenfield	Lasley	Mosel	Pawlenty	Sekhon	Wejcman
Carlson	Greiling	Leppik	Munger	Pelowski	Simoneau	Spk. Long

Those who voted in the negative were:

Anderson, I.	Dehler	Haukoos	Knickerbocker	Molnau	Seagren	Waltman
Anderson, R.	Dempsey	Holsten	Koppendrayer	Nelson	Smith	Wenzel
Bertram	Frerichs	Hugoson	Krinkie	Ness	Stanius	Winter
Bettermann	Girard	Jacobs	Krueger	Olson, M.	Steensma	Wolf
Commers	Goodno	Johnson, R.	Limmer	Onnen	Sviggum	Worke
Cooper	Gruenes	Johnson, V.	Lindner	Opatz	Swenson	
Dauner	Gutknecht	Kalis	Lynch	Ozment	Tunheim	
Davids	Hasskamp	Kinkel	Macklin	Peterson	Vickerman	

The bill was repassed, as amended by Conference, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately following printed Special Orders for today, Wednesday, March 31, 1993:

H. F. Nos. 507, 643 and 654; S. F. No. 371; and H. F. Nos. 560, 812, 795 and 804.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Blatz moved that the names of Dawkins and Goodno be added as authors on H. F. No. 169. The motion prevailed.

Pauly moved that the name of Kelso be stricken and the name of Rest be added as an author on H. F. No. 969. The motion prevailed.

Bergson moved that the name of Brown, C., be added as an author on H. F. No. 1154. The motion prevailed.

Greiling moved that the names of Brown, K., and Evans be added as authors on H. F. No. 1543. The motion prevailed.

McGuire moved that the names of McCollum and Mariani be added as authors on H. F. No. 1547. The motion prevailed.

Wagenius moved that the name of Milbert be added as an author on H. F. No. 1549. The motion prevailed.

Steensma moved that H. F. No. 1527 be recalled from the Committee on Education and be re-referred to the Committee on General Legislation, Veterans Affairs and Elections. The motion prevailed.

Hausman moved that H. F. No. 1529 be recalled from the Committee on Governmental Operations and Gambling and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Murphy moved that H. F. No. 1539 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Regulated Industries and Energy. The motion prevailed.

Greiling moved that H. F. No. 1543 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Education. The motion prevailed.

Clark moved that H. F. No. 1569 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Thursday, April 1, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 1, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Dr. Donald M. Meisel, House Chaplain.

The roll was called and the following members were present:

Abrams	Davids	Hausman	Krinkie	Murphy	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rhodes	Turheim
Asch	Delmont	Huntley	Leppik	Ness	Rice	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Olson, E.	Rodosovich	Vellenga
Bauerly	Dorn	Jaros	Limmer	Olson, K.	Rukavina	Vickerman
Beard	Erhardt	Jefferson	Lindner	Olson, M.	Sarna	Wagenius
Bergson	Evans	Jennings	Lourey	Onnen	Seagren	Waltman
Bertram	Farrell	Johnson, A.	Luther	Opatz	Sekhona	Weaver
Bettermann	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Wejzman
Bishop	Garcia	Johnson, V.	Macklin	Osthoff	Skoglund	Welle
Blatz	Girard	Kahn	Mahon	Ostrom	Smith	Wenzel
Brown, C.	Goodno	Kalis	Mariani	Ozment	Solberg	Winter
Brown, K.	Greenfield	Kelley	McCollum	Pauly	Sparby	Wolf
Carlson	Greiling	Kelso	Milbert	Pawlenty	Stanius	Worke
Carruthers	Gruenes	Kinkel	Molnau	Pelowski	Steensma	Workman
Commers	Gutknecht	Klinzing	Morrison	Perit	Sviggum	Spk. Long
Cooper	Hasskamp	Knickerbocker	Mosel	Peterson	Swenson	
Dauner	Haukoos	Koppendraye	Munger	Pugh	Tomassoni	

A quorum was present.

Clark and McGuire were excused.

Orfield was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Opatz moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 37, A bill for an act relating to children; regulating exchange programs; requiring a host family background check; requiring certain documents before school enrollment; proposing coding for new law in Minnesota Statutes, chapter 121.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [121.72] [EXCHANGE STUDENTS.]

Subdivision 1. [HOST FAMILY BACKGROUND CHECK.] Before placing a child from another country with a host family, the placing agency must have a completed child protection background check on the host family, as specified in sections 299C.60 to 299C.64, except that the background check must determine whether the subject has been convicted of any felony. The placing agency must conduct the background check by contacting the bureau of criminal apprehension under sections 299C.60 to 299C.64, and the district court or court services agency in the county where the host family resides, to determine whether there are conviction records involving members of the host family. The placing agency must contact the department of public safety to determine whether it holds conviction records on any member of the host family. Notwithstanding any contrary court rule regarding access to data, the district court or court services agency must provide the conviction data specified to a placing agency upon request under this subdivision. The background check must be used by the placement agency in determining the suitability of the subject family to be a host family. The agency placing the child with a host family shall pay the cost of the background check. The entity performing a background check under this section shall charge the placing agency an amount equal to the actual cost of each check or \$10, whichever is less.

Subd. 2. [SCHOOL FILES.] Before a child who is an exchange student from another country may enroll in a public or nonpublic elementary, secondary, or post-secondary school in Minnesota, the school must have in its files a letter from a child placing agency stating:

- (1) that the child is a participant in an exchange program of the child placing agency;
- (2) that the host family has not been found to be objectionable by the child placing agency after completion of a background check under subdivision 1; and
- (3) the name and telephone number of a contact person at the child placing agency familiar with the child's case and the exchange program in which the child is participating."

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. 199, A bill for an act relating to insurance; workers' compensation; regulating the state fund mutual insurance company; requiring the workers' compensation reinsurance association to provide funds; amending Minnesota Statutes 1992, sections 176A.02, by adding a subdivision; 176A.11; proposing coding for new law in Minnesota Statutes, chapter 79.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 431, A bill for an act relating to metropolitan airports commission; providing for additional commissioners; amending Minnesota Statutes 1992, section 473.604, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 444, A bill for an act relating to local government; authorizing a local unit of government which self-insures health benefits for employees to enroll employees of the exclusive representative of its employees in those plans; amending Minnesota Statutes 1992, section 471.617, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 511, A bill for an act relating to housing and hotels; amending reasons for innkeeper ejection and refusal to admit persons; establishing parent or guardian responsibility for guests who are minors; establishing liability for damage to hotel or personal property or injury to persons; requiring notice; amending Minnesota Statutes 1992, sections 327.70, subdivision 3, and by adding a subdivision; and 327.73, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 327.

Reported the same back with the following amendments:

Page 2, lines 6 and 33, after "an" insert "obviously"

Page 3, lines 6 and 7, delete "or may bring in"

Page 3, line 7, after "property" insert "in"

Page 3, line 14, delete "in writing"

Page 3, delete lines 28 to 31

Page 4, line 6, after "(b)" insert ", if the parent or guardian provides a credit card or an advance cash deposit under section 327.73, subdivision 2, paragraph (b)"

Page 4, after line 10, insert:

"Sec. 6. Minnesota Statutes 1992, section 327.74, subdivision 1, is amended to read:

Subdivision 1. [PENALTY.] A person in a hotel who, by smoking or attempting to light or smoke cigarettes, cigars, pipes, or other smoking material, in any manner in which lighters or matches are used, negligently sets fire to a part of the building, or any furniture or furnishings within the building, so as to endanger life or property in any way or to any extent, is guilty of a gross misdemeanor."

Amend the title as follows:

Page 1, line 7, after the second semicolon insert "providing penalties;"

Page 1, line 9, delete the first "and" and after the second semicolon insert "and 327.74, subdivision 1;"

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. 580, A bill for an act relating to insurance; nonprofit health service plan corporations; regulating investments; amending Minnesota Statutes 1992, section 62C.10.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 588, A bill for an act relating to human rights; providing for protection for disabled persons in employment; clarifying permissible absenteeism under the "reasonable accommodation" clause; extending the time frame from 45 to 90 days for bringing a civil action after a "no probable cause" determination; providing for the right to a jury trial; amending Minnesota Statutes 1992, sections 363.01, subdivision 13; 363.02, subdivision 5; 363.03, subdivision 1; 363.14, subdivision 2; and 363.117.

Reported the same back with the following amendments:

Page 2, line 19, after the period insert "While"

Page 2, line 20, after "advice" insert ", relevant evidence of a significant specific, current risk may include opinions of medical doctors, rehabilitation counselors, or physical therapists who have expertise in the disability involved or direct knowledge of the individual with the disability"

Page 5, line 28, delete "temporary"

Page 7, after line 25, insert:

"Sec. 5. Minnesota Statutes 1992, section 550.37, subdivision 12a, is amended to read:

Subd. 12a. One motor vehicle to the extent of a value not exceeding \$2,000 or one motor vehicle to the extent of \$20,000 which has been modified, at a cost of not less than \$1,500, to accommodate the physical disability making a disabled person eligible for a certificate authorized by section 169.345."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 8, after the semicolon insert "changing an exemption from judgment for certain motor vehicles;"

Page 1, line 10, delete "and" and before the period insert "; and 550.37, subdivision 12a"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 655, A bill for an act relating to civil actions; authorizing appeals from the decisions of civil service commissions by both cities and their employees on the same basis and to the same extent; amending Minnesota Statutes 1992, section 480A.06, subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 665, A bill for an act relating to the hospital construction moratorium, making the moratorium permanent; amending Minnesota Statutes 1992, section 144.551, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 670, A bill for an act relating to insurance; health; regulating benefits for outpatient mental or nervous disorder treatment; amending Minnesota Statutes 1992, section 62A.152, subdivisions 2 and 3.

Reported the same back with the following amendments:

Page 2, line 4, delete "section" and insert "sections" and delete "if" and insert "clauses (1) to (5); and 245.4871, subdivision 27, clauses (1) to (5)"

Page 2, line 5, delete "licensed"

Page 2, line 30, delete "section" and insert "sections"

Page 2, line 31, delete "if licensed" and insert "clauses (1) to (5); and 245.4871"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 732, A bill for an act relating to law enforcement; exempting law enforcement agencies from the requirements of the criminal offender rehabilitation employment law; amending Minnesota Statutes 1992, section 364.09.

Reported the same back with the following amendments:

Page 1, line 10, before "law" insert "the licensing process for peace officers; to"

Page 1, line 11, after "agencies" insert "as defined in section 626.84, subdivision 1, paragraph (h)"

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. 747, A bill for an act relating to civil actions; providing for stay of a bond required of plaintiffs in certain actions against a public body; amending Minnesota Statutes 1992, section 562.02.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 562.02, is amended to read:

562.02 [CIVIL ACTIONS AFFECTING A PUBLIC BODY; SURETY BOND REQUIRED OF PLAINTIFF.]

Subdivision 1. [GENERAL REQUIREMENT.] Whenever any action at law or in equity is brought in any court in this state questioning directly or indirectly the existence of any condition or thing precedent to, or the validity of any action taken or proposed to be taken, by any public body or its officers or agents in the course of the authorization or sale, issuance or delivery of bonds, the making of a contract for public improvement or the validity of any proceeding to alter the organization of a school district in any manner, such public body may move the court for an order requiring the party, or parties, bringing such action to file a surety bond as hereinafter set forth. Three days' written notice of such motion shall be given. If the public body is not a party to the action, but if it deems that such action be injurious to the public interest and to the taxpayers, such public body may intervene or appear specially for the purpose of making such motion. If the court determines that loss or damage to the public or taxpayers may result from the pendency of the action or proceeding, the court may require such party, or parties, to file a surety bond, which shall be approved by the court, in such amount as the court may determine. The court must also consider whether the action presents substantial constitutional issues or substantial issues of statutory construction, and the likelihood of a party prevailing on these issues, when determining the amount of a bond and whether a bond should be required under this section or section 473.675. Such bond shall be conditioned for payment to the public body of any loss or damage which may be caused to the public body or taxpayers by such delay, to the extent of the penal sum of such bond, if such party, or parties, shall not prevail therein. If such surety bond is not filed within a reasonable time allowed therefor by the court, the action shall be dismissed with prejudice. If such party, or parties, file a bond as herein required and prevail in the action, any premium paid on the bond shall be repaid by or taxed against the public body.

Subd. 2. [APPEAL.] An order granting or denying a motion to require the filing of a surety bond under subdivision 1 or under section 473.675, subdivision 3, is an appealable order. The appeal must be directly to the supreme court for hearing at the earliest feasible opportunity consistent with the public interest in speedily resolving the matter. Appellate review of the order shall be de novo.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective August 1, 1993, and applies to orders entered under Minnesota Statutes, section 562.02, on and after that date."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "regulating the posting of a"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 846, A bill for an act relating to civil commitment; authorizing new procedures for return of certain patients who are absent from treatment facilities without authorization; amending Minnesota Statutes 1992, section 253B.23, subdivision 1a.

Reported the same back with the following amendments:

Page 1, line 26, delete "center" and insert "facility"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 879, A bill for an act relating to education; restricting eligibility for athletic participation for some students for one year following interdistrict transfer under open enrollment; amending Minnesota Statutes 1992, section 120.062, by adding a subdivision.

Reported the same back with the following amendments:

Page 2, lines 32 and 33, delete "this section" and insert "Minnesota Statutes, section 120.062"

With the recommendation that when so amended the bill pass.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 884, A bill for an act relating to housing; appropriating money for multiunit blighted rental property removal.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 893, A bill for an act relating to local government; specifying the prosecuting attorney for certain offenses; amending Minnesota Statutes 1992, section 487.25, subdivision 10.

Reported the same back with the following amendments:

Page 1, line 14, delete the first "1,000" and insert "500" and delete the second "1,000" and insert "500"

Page 1, line 17, after the comma insert "and with the approval of the board of county commissioners,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 898, A bill for an act relating to natural resources; clarifying, modifying, and expanding rulemaking authority and other powers and duties of the commissioner of natural resources relating to game and fish, wild rice, stromatolites, and cross-country ski passes; clarifying, modifying, and expanding provisions relating to the taking, purchase, sale, possession, and transportation of wild animals; regulating entry and uses on certain public lands and waters; providing for the expiration of certain commissioner's orders; providing an exemption from rulemaking requirements; authorizing emergency rules; providing penalties; amending Minnesota Statutes 1992, sections 84.14, subdivision 3; 84.1525, subdivision 2; 85.41, subdivision 2; 85.45; 97A.045, subdivision 4; 97A.055, by adding a subdivision; 97A.091, subdivisions 1 and 2; 97A.095, subdivision 2; 97A.105, subdivision 1, and by adding a subdivision; 97A.137; 97A.255, subdivision 2; 97A.401, subdivision 4; 97A.415, subdivision 2; 97A.431, subdivisions 1 and 4; 97A.433, subdivisions 1 and 4; 97A.435, subdivision 4; 97A.441, by adding a subdivision; 97A.451, by adding a subdivision; 97A.475, by adding a subdivision; 97A.485, subdivision 6, and by adding a subdivision; 97A.505, subdivision 5, and by adding a subdivision; 97A.535, subdivision 2; 97A.545, subdivisions 1, 2, 4, and by adding a subdivision; 97A.551, by adding a subdivision; 97B.425; 97B.671, subdivisions 1 and 2; 97B.711, subdivision 2, and by adding a subdivision; 97B.721; 97B.811, by adding a subdivision; 97C.025; 97C.051, subdivision 1; 97C.081, subdivisions 2, 3, and by adding a subdivision; 97C.205; 97C.311; 97C.331; 97C.345, subdivision 4, and by adding a subdivision; 97C.391, subdivision 1; 97C.405; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.805, subdivisions 1, 2, and 4; and 97C.865; Laws 1991, chapter 259, section 24; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; and 97C.

Reported the same back with the following amendments:

Page 4, line 14, after "a" insert "petty"

Page 4, after line 24, insert:

"Sec. 6. Minnesota Statutes 1992, section 97A.045, is amended by adding a subdivision to read:

Subd. 9. [NOTICE OF RULEMAKING.] In addition to notice requirements under chapter 14, the commissioner shall attempt to notify persons or groups of persons affected by rules adopted under the game and fish laws by public announcements, press releases, and other appropriate means as determined by the commissioner."

Page 5, delete lines 7 and 8 and insert:

"(2) an uncased bow."

Page 7, line 14, after "acquisition" insert "and disposal"

Page 10, delete section 26

Page 12, line 26, before the period, insert "unless otherwise provided by law"

Page 16, after line 15, insert:

"Sec. 45. [97B.928] [IDENTIFICATION OF TRAPS AND SNARES.]

Subdivision 1. [INFORMATION REQUIRED.] (a) A person may not set or place a trap or snare, other than on property owned or occupied by the person, unless the following information is affixed to the trap or snare in a manner that ensures that the information remains legible while the trap or snare is on the lands or waters:

- (1) the number and state of the person's driver's license;
- (2) the person's Minnesota identification card number; or
- (3) the person's name and mailing address.

(b) The commissioner may not prescribe additional requirements for identification of traps or snares.

Subd. 2. [PROVISIONS NOT TO APPLY.] From April 1 to August 31, the trap identification provisions of subdivision 1 do not apply to traps set for the taking of unprotected wild animals.

Subd. 3. [PENALTY.] A person who violates subdivision 1, paragraph (a), is guilty of a petty misdemeanor."

Page 21, line 7, delete everything before "game" and insert "protect"

Page 22, line 6, after "person" insert "engaged in a business providing services to a person taking fish"

Page 22, line 11, strike "cosignee" and insert "consignee"

Page 23, line 16, delete "6, 9, 10, 13, 18 to 22" and insert "7, 10, 11, 14, 19 to 23"

Page 23, line 26, before the period insert ", except that section 45 is effective August 1, 1993, and applies to violations occurring on or after that date"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 13, after "penalties;" insert "appropriating money;"

Page 1, line 16, after "4" insert ", and by adding a subdivision"

Page 1, lines 22 and 23, delete "97A.451, 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.

Carlson from the Committee on Education to which was referred:

H. F. No. 902, A bill for an act relating to education; making the state board of education the governing body for the center for arts education except for purposes of statewide resource and outreach programs and services; amending Minnesota Statutes 1992, sections 129C.10, subdivisions 1, 2, and by adding a subdivision; and 129C.15.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 129C.10, subdivision 1, is amended to read:

Subdivision 1. [GOVERNANCE.] The board of the Minnesota center for arts education shall consist of 15 persons, one of whom shall be knowledgeable in the field of special education. The members of the board shall be appointed by the governor with the advice and consent of the senate. At least one member must be appointed from each congressional district.

Sec. 2. Minnesota Statutes 1992, section 129C.10, is amended by adding a subdivision to read:

Subd. 3b. [APPEAL.] A parent who disagrees with a board action that adversely affects the academic program of an enrolled pupil may appeal the board's action to the state board of education within 30 days of the board's action. The decision of the state board of education shall be binding on the board. The board shall inform each pupil and parent at the time of enrolling of a parent's right to appeal a board action affecting the pupil's academic program.

Sec. 3. [APPLICABILITY.]

The requirement under section 1 that a board member be knowledgeable in the field of special education shall apply to appointments to the board made after the effective date of this act."

Delete the title and insert:

"A bill for an act relating to education; providing for governance of the center for arts education and for certain appeals from the governing body's action; amending Minnesota Statutes 1992, section 129C.10, subdivision 1, and by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 929, A bill for an act relating to taxation; providing for manufacturing opportunity districts in certain cities; providing tax credits and exemptions for certain industries located in a manufacturing opportunity district; proposing coding for new law in Minnesota Statutes, chapter 469.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [469.30] [DEFINITIONS.]

Subdivision 1. [GENERALLY.] For purposes of sections 1 to 7, the terms defined in this section have the meanings given them.

Subd. 2. [CITY.] "City" means a home rule charter or statutory city of the first or second class.

Subd. 3. [COMMISSIONER.] "Commissioner" means the commissioner of revenue.

Subd. 4. [ELIGIBLE CITY.] "Eligible city" means a city that has had a loss of at least 2,000 manufacturing or food processing jobs since 1978, as determined by the Minnesota department of jobs and training.

Subd. 5. [MANUFACTURING BUSINESS.] "Manufacturing business" means a business that: (1) creates, processes, or assembles durable goods, food products, or tangible products that are stored, shipped, distributed, and marketed for eventual wholesale or consumer sale; or (2) provides computer software, data processing, or other computer-related information services.

Subd. 6. [MANUFACTURING OPPORTUNITY DISTRICT.] "Manufacturing opportunity district" means the area in the city designated as such by the governing body of the city.

Subd. 7. [NEW OR EXPANDING MANUFACTURING BUSINESS.] "New or expanding manufacturing business" means a manufacturing business that: (1) has not operated within this state prior to the effective date of sections 1 to 7, and has not entered into a contract to build or lease a facility within the eligible city prior to the effective date of sections 1 to 7; or (2) exceeds the maximum number of full-time employees employed during the previous 36 months, and which adds a net increase of Minnesota based jobs to the employer.

Sec. 2. [469.31] [DESIGNATION OF MANUFACTURING OPPORTUNITY DISTRICTS.]

Subdivision 1. [CREATION.] The governing body of an eligible city may designate an area within the city as a manufacturing opportunity district.

Subd. 2. [AREA REQUIREMENTS.] The boundary of the district must be continuous. It must consist of properly zoned land consistent with the city's current land use plans. The area must include vacant or underutilized industrial lands, or tax-forfeited lands.

Subd. 3. [LIMITATION.] No area may be designated as a manufacturing opportunity district after December 31, 1997.

Sec. 3. [469.32] [BUSINESS INCENTIVES.]

Subdivision 1. [DESIGNATION OF BUSINESS INCENTIVES.] The governing body of an eligible city may designate any or all of the following business incentives to a new or expanding manufacturing business located in the manufacturing opportunity district:

- (1) a new or expanding manufacturing jobs credit as provided in section 4;
- (2) a targeted employee's job credit as provided in section 5;
- (3) a sales tax exemption as provided in section 6; and
- (4) a property tax exemption as provided in section 7.

Subd. 2. [CERTIFICATION; FINDINGS.] (a) To qualify for business incentives under this section, a new or expanding manufacturing business must certify to the governing body of the eligible city and the city must make findings that the new or expanding manufacturing business:

- (1) would not have located or expanded in Minnesota except for availability of business incentives under sections 1 to 7;
- (2) conforms to all local zoning, building, and environmental codes, and is in conformance with all rules and regulations of the Occupational Safety and Health Administration;
- (3) has an affirmative action and equal opportunity hiring program; and
- (4) meets any other qualifications required by the city, including but not limited to, developer contract requirements, agreements to minimum estimated market valuations for determining minimum property tax obligations, and reporting and certification requirements regarding the employment of eligible employees for which a tax credit is allowed under section 4 or 5.

(b) With the certification under paragraph (a), the new or expanding manufacturing business must submit any supporting data or documents required by the city to determine compliance with the requirements of the city.

Subd. 3. [LOCAL CONTRIBUTION.] An eligible city must make a local contribution equal to at least ten percent of any projected state contribution under subdivision 1, clauses (1) to (3). The city contribution may be in any form of redevelopment assistance.

Subd. 4. [NOTIFICATION OF COMMISSIONER.] Upon approval by the city of qualification of a new or expanding manufacturing business for tax incentives, the city shall notify the commissioner of the business certification and findings by the city under subdivision 2, the city's local contribution under subdivision 3, and the terms of any credits and exemptions granted by the city.

Sec. 4. [469.33] [NEW OR EXPANDING MANUFACTURING JOB CREDIT.]

Subdivision 1. [CREDIT ALLOWED.] If designated by the city as a business incentive under section 3, a corporation that is a new or expanding manufacturing business is allowed a credit against the taxes imposed under chapter 290. A credit is allowed for the first five years of business activity. The amount of the credit is determined by the governing body of the city, but must not exceed a maximum amount as follows:

- (1) for the first 12 months of operations, \$5,000 per eligible employee;
- (2) for months 13 to 24 of operations, \$4,000 per eligible employee;
- (3) for months 25 to 36 of operations, \$3,000 per eligible employee;
- (4) for months 37 to 48 of operations, \$2,000 per eligible employee; and
- (5) for months 49 to 60 of operations, \$1,000 per eligible employee.

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, "eligible employee" means:

(1) a permanent full-time employee of the new or expanding manufacturing business who is employed within the manufacturing opportunity district at the end of the taxable year in which the credit is claimed at annual wages exceeding \$15,000; and

(2) an individual who had an annual income in the 12 months immediately prior to employment by the eligible business, equal to or less than 80 percent of median income, adjusted for family size, for the county or metropolitan statistical area as determined by the department of housing and urban development; or

(3) a member of a group that is evidenced by a statistical disparity in employment opportunities as compared to all state residents. Targeted residents may include women, persons with disability, or specific minorities.

(b) "Wages" has the meaning given it under section 3121(b) of the Internal Revenue Code of 1986, as amended through December 31, 1992.

Subd. 3. [CARRY FORWARD.] The credit for the taxable year may not exceed the liability for tax. If the amount of the credit exceeds the liability for tax for the taxable year, the balance of the credit is a carryover credit to each of the next ten taxable years. The entire amount of the credit is a credit carryover to the earliest of the taxable years to which it may be carried and then to each successive year. The sum of the credit and carryover credits allowed in a taxable year may not exceed the liability for tax.

Subd. 4. [RECAPTURE.] If an eligible employee for which a credit is allowed under subdivision 1 is not employed by the new or expanding manufacturing business on a permanent full-time basis at annual wages exceeding \$15,000 for a period of 12 continuous months, the credit taken against the liability for tax under subdivision 1 must be repaid to the commissioner and no carryover credit is allowed.

Sec. 5. [469.34] [TARGETED EMPLOYEE'S JOB CREDIT.]

Subdivision 1. [CREDIT ALLOWED.] If designated by the city as a business incentive under section 3, a corporation that is a new or expanding manufacturing business is allowed a credit against the taxes imposed under chapter 290. A credit is allowed for the first five years of business activity. The credit is in addition to any credit allowed under section 4. The amount of the credit is determined by the governing body of the city, but must not exceed a maximum amount as follows:

- (1) for the first 12 months of operations, \$2,500 per eligible employee;
- (2) for months 13 to 24 of operations, \$2,000 per eligible employee;
- (3) for months 25 to 36 of operations, \$1,500 per eligible employee;
- (4) for months 37 to 48 of operations, \$1,000 per eligible employee; and
- (5) for months 49 to 60 of operations, \$500 per eligible employee.

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, "eligible employee" means a permanent full-time employee of the new or expanding manufacturing business who is employed within the manufacturing district at the end of the taxable year in which the credit is claimed at annual wages exceeding \$15,000. The employee must be 18 to 25 years of age, and have no more than a GED or high school diploma at the time the employee is first employed as a full-time permanent employee.

(b) "Wages" has the meaning given it under section 3121(b) of the Internal Revenue Code of 1986, as amended through December 31, 1992.

Subd. 3. [TRAINING.] To qualify for a credit under this section, the new or expanding manufacturing business must provide on-site training to the eligible employees. A plan for the training must be submitted to and approved by the governing body of the city. The training program must include an initial training program to teach the technical skills necessary to perform the job in a safe and productive manner, and must also include an ongoing training program to provide additional technical and general skills to help the eligible employee qualify for more advanced job opportunities and to keep pace with advances in new technologies.

Subd. 4. [CARRY FORWARD.] The credit for the taxable year may not exceed the liability for tax. If the amount of the credit exceeds the liability for tax for the taxable year, the balance of the credit is a carryover credit to each of the next ten taxable years. The entire amount of the credit is a credit carryover to the earliest of the taxable years to which it may be carried and then to each successive year. The sum of the credit and carryover credits allowed in a taxable year may not exceed the liability for tax.

Subd. 5. [RECAPTURE.] If an eligible employee for which a credit is allowed under subdivision 1 is not employed by the new or expanding manufacturing business on a permanent full-time basis at annual wages exceeding \$15,000 for a period of 12 continuous months, the credit taken against the liability for tax under subdivision 1 must be repaid to the commissioner and no carryover credit is allowed.

Sec. 6. [469.35] [SALES TAX EXEMPTION.]

If designated by the city as a business incentive under section 3, the purchase of capital equipment as defined in section 297A.01, subdivision 16, and construction materials and supplies used or consumed by a new or expanding manufacturing business within a manufacturing opportunity district are exempt from the tax imposed under chapter 297A. The exemption under this section does not include equipment, materials, or supplies, purchased by a contractor or subcontractor.

Sec. 7. [469.36] [TAX-FORFEITED LAND.]

If designated by the city as a business incentive under section 3, tax-forfeited land acquired by the city, housing redevelopment authority, or port authority of the city within a manufacturing opportunity district is exempt from property taxes, penalties, and interest that accrued before and during the period of forfeiture.

Sec. 8. [REPORT.]

On or before January 15, 1996, the commissioner of revenue shall evaluate the program under sections 1 to 7 and submit the evaluation along with recommendations to the chair of the senate committee on taxes and tax laws and the chair of the house tax committee."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 961; A bill for an act relating to health; modifying lead abatement requirements; licenses and fees; establishing disposal methods; providing penalties; amending Minnesota Statutes 1992, section 144.871, subdivisions 2, 3, 6, 7a, and by adding subdivisions; 144.872, subdivisions 2 and 3; 144.873, subdivision 2; 144.874, subdivisions 1, 3, 4, and 6; 144.876, by adding subdivisions; 144.878, subdivisions 2 and 5; and Minnesota Rules, chapter 4761; proposing coding for new law in Minnesota Statutes, chapters 116 and 144; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; and 144.878, subdivision 2a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Article 1
Lead Abatement

Section 1. Minnesota Statutes 1992, section 256B.0625, subdivision 14, is amended to read:

Subd. 14. [DIAGNOSTIC, SCREENING, AND PREVENTIVE SERVICES.] (a) Medical assistance covers diagnostic, screening, and preventive services.

(b) "Preventive services" include services related to pregnancy, including services for those conditions which may complicate a pregnancy and which may be available to a pregnant woman determined to be at risk of poor pregnancy outcome. Preventive services available to a woman at risk of poor pregnancy outcome may differ in an amount, duration, or scope from those available to other individuals eligible for medical assistance.

(c) "Screening services" include, but are not limited to, blood lead tests.

Sec. 2. Minnesota Statutes 1992, section 144.871, subdivision 2, is amended to read:

Subd. 2. [ABATEMENT.] "Abatement" means removal of, replacement of, or encapsulation of deteriorated paint, bare soil, dust, drinking water, or other lead-containing materials that are or may become readily accessible during the lead abatement process and pose an immediate threat of actual lead exposure to people.

Sec. 3. Minnesota Statutes 1992, section 144.871, subdivision 6, is amended to read:

Subd. 6. [ELEVATED BLOOD LEAD LEVEL.] "Elevated blood lead level" in a child ~~no more than six years old before the sixth birthday~~ or in a pregnant woman means a blood lead level that exceeds the federal Centers for Disease Control guidelines for preventing lead poisoning in young children, unless the commissioner finds that a lower concentration is necessary to protect public health.

Sec. 4. Minnesota Statutes 1992, section 144.871, subdivision 7a, is amended to read:

Subd. 7a. [HIGH RISK FOR TOXIC LEAD EXPOSURE.] "High risk for toxic lead exposure" means ~~either a census tract that meets one or more of the following criteria:~~

(1) ~~that a census tract where~~ elevated blood lead levels have been diagnosed in a population of children or pregnant women;

(2) ~~without blood lead data, that a population of children or pregnant women resides in:~~

(i) a census tract with many residential structures known to have or suspected of having deteriorated lead-based paint; or

(ii) (3) a census tract with a median soil lead concentration greater than 100 parts per million for any sample collected according to Minnesota Rules, part 4761.0400, subpart 8, and rules adopted under section 144.878, ~~or~~

(3) ~~the priorities adopted by the commissioner under section 144.878, subdivision 2, shall apply to this subdivision.~~

Sec. 5. Minnesota Statutes 1992, section 144.871, subdivision 7b, is amended to read:

Subd. 7b. [PRIMARY PREVENTION FOR TOXIC LEAD EXPOSURE.] "Primary prevention for toxic lead exposure" means ~~performance of swab team services, encapsulation, and removal and replacement abatement, including lead cleanup and health education, before children develop elevated blood lead levels.~~ includes any or all of the following:

(1) education of the general public in populations where children under six years of age and pregnant women have been identified with blood lead levels greater than nine micrograms per deciliter;

(2) education for property owners and renters concerning in-place management of potential lead hazards to create lead-safe housing;

(3) in-place management of potential lead hazards using swab team services or property owner or renter lead abatement activities; and

(4) encapsulation, and removal and replacement abatement where necessary to make the residence lead safe.

Sec. 6. Minnesota Statutes 1992, section 144.871, is amended by adding a subdivision to read:

Subd. 7c. [LEAD INSPECTOR.] "Lead inspector" means a person who has successfully completed a training course in investigation of residences for possible sources of lead exposure and who is licensed by the commissioner under section 144.877 to perform this activity.

Sec. 7. Minnesota Statutes 1992, section 144.871, subdivision 9, is amended to read:

Subd. 9. [SWAB TEAM.] "Swab team" means a person or persons who implement in-place management of lead exposure sources, ~~which includes.~~ Swab team services include any or all of the following:

(1) covering or replacing bare soil that has a lead concentration of 100 parts per million, and establishing safe exterior play and garden areas; removing lead dust by washing, vacuuming, and cleaning the interior of residential property;

(2) other means that immediately protect children who engage in mouthing or pica behavior from lead sources, including cleanup and health education, advice and assistance to help a family locate and move to a temporary lead-safe residence while abatement is being completed, or to help a family locate and move to alternate lead-safe housing when abatement is not completed by the property owner, and any other assistance necessary to meet the family's immediate needs as a result of the relocation;

(3) removing loose paint and paint chips and installing guards to protect intact paint;

(3) removing lead dust by washing, vacuuming, and cleaning the interior of residential property including carpets;
and

(4) other means, including cleanup and health education, that immediately protect children who engage in mouthing or pica behavior from lead sources covering or replacing bare soil that has a lead concentration of 100 parts per million, and establishing safe exterior play and garden areas.

Sec. 8. Minnesota Statutes 1992, section 144.871, is amended by adding a subdivision to read:

Subd. 7d. [PERSON.] "Person" has the meaning given in Minnesota Statutes, section 103I.005, subdivision 16.

Sec. 9. Minnesota Statutes 1992, section 144.871, is amended by adding a subdivision to read:

Subd. 10. [VENOUS BLOOD SAMPLE.] "Venous blood sample" means a quantity of blood drawn from a vein.

Sec. 10. Minnesota Statutes 1992, section 144.872, subdivision 2, is amended to read:

Subd. 2. [HOME ASSESSMENTS.] (a) The commissioner shall, within available federal or state appropriations, contract with boards of health, who may determine priority for responding to cases of elevated blood lead levels, to conduct assessments to determine sources of lead contamination in the residences of pregnant women whose blood

lead levels are at least ten micrograms per deciliter and of children whose blood lead levels are at least 20 micrograms per deciliter or whose blood lead levels persist in the range of 15 to 19 micrograms per deciliter for 90 days after initial identification to the board of health or the commissioner. Assessments must be conducted within five working days of the board of health receiving notice that the criteria in this subdivision have been met. The commissioner or boards of health must be notified of all violations of standards under section 144.878, subdivision 2, that are identified during a home assessment.

(b) The commissioner or boards of health must identify the known addresses for the previous 12 months of the child or pregnant woman with elevated blood lead levels and notify the property owners at those addresses. The commissioner may also collect information on the race, sex, and family income of children and pregnant women with elevated blood lead levels.

(c) Within the limits of appropriations, a board of health shall conduct home assessments for children and pregnant women whose confirmed blood lead levels are in the range of ten to 19 micrograms per deciliter.

(d) The commissioner shall also provide educational materials on all sources of lead to boards of health to provide education on ways of reducing the danger of lead contamination. The commissioner may provide laboratory or field lead testing equipment to a board of health or may reimburse a board of health for direct costs associated with assessments.

Sec. 11. Minnesota Statutes 1992, section 144.872, subdivision 3, is amended to read:

Subd. 3. [SAFE HOUSING.] The commissioner shall, within the limits of available appropriations, contract with boards of health for safe housing to be used in meeting relocation requirements in section 144.874, subdivision 4. The commissioner shall, within available federal or state appropriations, award grants to boards of health for the purposes of paying housing and relocation costs under section 144.874, subdivision 4.

Sec. 12. Minnesota Statutes 1992, section 144.872, subdivision 4, is amended to read:

Subd. 4. [LEAD CLEANUP EQUIPMENT AND MATERIAL GRANTS.] (a) Within the limits of available state or federal appropriations, funds shall be made available under a grant program to nonprofit community-based organizations in areas at high risk for toxic lead exposure. Grantees shall use the money to purchase lead cleanup equipment and educational materials, and to pay for training for staff and volunteers for lead abatement certification. Grantees may work with licensed lead abatement contractors and certified trainers in order to meet the requirements of this program receive training necessary for certification under section 144.876, subdivision 1. Lead cleanup equipment shall include: high efficiency particle accumulator and wet vacuum cleaners, drop cloths, secure containers, respirators, scrapers, dust and particle containment material, and other cleanup and containment materials to remove loose paint and plaster, patch loose paint and plaster, control household dust, wax floors, clean carpets and sidewalks, and cover bare soil.

(b) Upon certification, the grantees grantee's staff and volunteers may make equipment and educational materials available to residents and property owners and instruct them on the proper use. Equipment shall be made available to low-income households on a priority basis at no fee, and other households on a sliding fee scale. Equipment shall not be made available to any person, licensed lead abatement contractor, or certified trainer who charges or intends to charge a fee for services performed using equipment or materials purchased by a nonprofit community-based organization through a grant obtained under this subdivision.

Sec. 13. Minnesota Statutes 1992, section 144.872, is amended by adding a subdivision to read:

Subd. 5. [SWAB TEAMS.] The commissioner shall, within the limits of available appropriations or grants under section 268.92, provide or contract with boards of health for swab teams to reduce residential lead exposure at the residences of children and pregnant women newly identified as having elevated blood lead levels. Boards of health may determine priority for responding to cases of elevated blood lead levels.

Sec. 14. Minnesota Statutes 1992, section 144.873, subdivision 2, is amended to read:

Subd. 2. [TEST OF CHILDREN IN HIGH RISK AREAS.] Within limits of available state and federal appropriations, the commissioner shall promote and subsidize a blood lead test of all children under six years of age before the sixth birthday who live in all areas of high risk for toxic lead exposure that are currently known or subsequently identified. Within the limits of available appropriations, the commissioner shall conduct surveys, especially soil assessments larger than a residence, as defined by the commissioner, to determine probable sources of lead exposure in greater Minnesota communities where a case of elevated blood lead levels has been reported.

Surveys conducted under this subdivision must consist of evaluating census tracts to determine whether or not they are at high risk for toxic lead exposure. The evaluation shall consist of a priority response determination under section 144.878, subdivision 2a. In making this evaluation, the commissioner shall:

- (1) conduct a soil survey in the manner provided for under Minnesota Rules, part 4761.0400, subpart 8; and
- (2) evaluate housing quality, if data is available.

The commissioner may also conduct a blood lead screening of children under six years of age within the census tract.

Sec. 15. Minnesota Statutes 1992, section 144.873, subdivision 3, is amended to read:

Subd. 3. [STATEWIDE LEAD SCREENING.] Statewide lead screening by blood lead assays in conjunction with routine blood tests analyzed by laboratories that meet the center for disease control laboratory proficiency standards, by atomic absorption equipment, or other equipment with equivalent or better accuracy shall be advocated used by boards of health.

Sec. 16. Minnesota Statutes 1992, section 144.874, subdivision 1, is amended to read:

Subdivision 1. [RESIDENCE ASSESSMENT.] (a) A board of health must conduct a timely assessment of a residence and all common areas, if the residence is located in a building with two or more residential units, within five working days of receiving notification that the criteria in this subdivision have been met, as confirmed by lead analysis of a venous blood sample, to determine sources of lead exposure if:

- (1) a pregnant woman in the residence is identified as having a blood lead level of at least ten micrograms of lead per deciliter of whole blood;
- (2) a child in the residence is identified as having a blood lead level at or above 20 micrograms per deciliter; or
- (3) a child in the residence is identified as having a blood lead level that persists in the range of 15 to 19 micrograms per deciliter for 90 days after initial identification.

(b) Within the limits of available state and federal appropriations, a board of health shall also conduct home assessments for children whose confirmed blood lead levels are in the range of ten to 19 micrograms per deciliter. A board of health may assess a residence even if none of the three criteria in this subdivision are met.

(c) If a child regularly spends several hours per day at one or more other sites such as another residence, such as or a residential or commercial child care facility, the board of health must also assess the other residence sites. The board of health shall have one additional day to complete the assessment for each additional site.

(d) The board of health must conduct the residential assessment according to rules adopted by the commissioner according to under section 144.878. A board of health must have residence assessments performed by lead inspectors licensed by the commissioner according to rules adopted under section 144.878. A board of health may observe the performance of lead abatement in progress and may enforce the provisions of sections 144.871 to 144.879 under section 144.878.1. The staff complement of the department of health shall be increased by two full-time equivalent positions who shall be lead inspectors.

Sec. 17. Minnesota Statutes 1992, section 144.874, subdivision 2, is amended to read:

Subd. 2. [RESIDENTIAL LEAD ASSESSMENT GUIDE.] (a) The commissioner of health shall develop or purchase a residential lead assessment guide that enables parents and other caregivers to assess the possible lead sources present and that suggests lead abatement actions. The guide must provide information on safe abatement and disposal methods, sources of equipment, and telephone numbers for additional information to enable the persons to either perform the abatement or to intelligently select an abatement contractor. In addition, the guide must:

- (1) meet the requirements of Minnesota laws and rules;
- (2) be understandable at not more than an eighth grade reading level;

(3) include information on all necessary safety precautions for all lead source cleanup; and

(4) be the best available educational material.

(b) A board of health must provide the residential lead assessment guide at no cost to:

(1) parents and other caregivers of children who are identified as having blood lead levels of at least ten micrograms per deciliter; and

(2) all property owners and occupants who are issued housing code orders requiring disruption abatement of lead sources, and all occupants of those residences.

(c) A board of health must provide the residential lead assessment guide on request to owners or ~~tenants~~ occupants of residential property within the jurisdiction of the board of health.

Sec. 18. Minnesota Statutes 1992, section 144.874, subdivision 3, is amended to read:

Subd. 3. [SWAB TEAMS; LEAD ASSESSMENT; LEAD ABATEMENT ORDERS.] A board of health must order a property owner to perform abatement on a lead source that exceeds a standard adopted according to section 144.878 at the residence of a child with an elevated blood lead level or a pregnant woman with a blood lead level of at least ten micrograms per deciliter. Lead abatement orders must require that any source of damage, such as leaking roofs, plumbing, and windows, must be repaired or replaced, as needed, to prevent damage to lead-containing interior surfaces. The board of health is not required to pay for lead abatement. With each lead abatement order, the board of health must coordinate with swab team abatement and provide a residential lead abatement guide.

Sec. 19. Minnesota Statutes 1992, section 144.874, is amended by adding a subdivision to read:

Subd. 3a. [SWAB TEAM SERVICES.] After issuing abatement orders for a residence of a child or pregnant women with elevated blood lead levels, the commissioner or a board of health must send a swab team within five working days to the residence to perform swab team services as defined in section 144.871, subdivision 9. If the commissioner or board of health provides swab team services after an assessment, but before the issuance of an abatement order, swab team services do not need to be repeated after the issuance of an abatement order. Swab team services are not considered completed until the reassessment required under subdivision 6 shows no violation of one or more of the standards under section 144.878, subdivision 2. If assessments and abatement orders are conducted at times when weather or soil conditions do not permit the assessment or abatement of lead in soil, the residences shall have their soil assessed and abated, if necessary, at the first opportunity that weather and soil conditions allow.

Sec. 20. Minnesota Statutes 1992, section 144.874, subdivision 4, is amended to read:

Subd. 4. [RELOCATION OF RESIDENTS.] (a) A board of health must ensure that residents are relocated from rooms or dwellings during abatement that generates leaded dust, such as removal or disruption of lead-based paint or plaster that contains lead. Residents must be allowed to return to the residence or dwelling after completion of abatement. A board of health shall use grant funds under section 144.872, subdivision 3, in cooperation with local housing agencies, to pay for moving costs and rent for a temporary residence for any low-income resident temporarily relocated during lead abatement, not to exceed \$250 per household. For purposes of this section, "low-income resident" means any resident whose gross household income is at or below 185 percent of the federal poverty level.

(b) Any resident of rental property who is notified by the board of health to vacate the premises during lead abatement notwithstanding any rental agreement or lease provisions:

(1) shall not be required to pay rent due the landlord for the period of time the tenant must vacate the premises; and

(2) may elect to immediately terminate the tenancy effective on the date the tenant vacates the premises for lead abatement, and shall not be liable for any further rent or other charges due under the terms of the tenancy.

(c) A landlord of rental property in which tenants must vacate the premises during lead abatement must:

(1) allow a tenant to return to the dwelling after lead abatement and retesting, as required under subdivision 6, is completed unless the tenant has elected to terminate the tenancy under paragraph (b); and

(2) return any security deposit due under section 504.20 to any tenant who terminates tenancy under paragraph (b) within five days of the date the tenant vacates the unit.

(d) In any proceeding brought under chapter 566 for the restitution of the premises on the ground of nonpayment of rent, it shall be a defense thereto if the tenant establishes by a preponderance of the evidence that the plaintiff increased the tenant's rent as a penalty, in whole or in part, due to the landlord's receipt of an order from a board of health that lead abatement is required, provided that the tenant tender to the court or to the plaintiff the amount of rent due and payable under the terms of the tenant's original obligation and this subdivision. If the notice of rent increase was served within 90 days of the date the landlord receives notice of an order for lead abatement, the burden of proving that the notice was not served as a penalty, in whole or in part, for a retaliatory purpose shall rest with the plaintiff.

Sec. 21. Minnesota Statutes 1992, section 144.874, subdivision 5, is amended to read:

Subd. 5. [WARNING NOTICE; FINE.] A warning notice must be posted on all entrances to properties for which an order to abate a lead source has been issued by a board of health. A person who unlawfully removes a warning notice posted under this section shall be subject to a \$250 fine. This The warning notice must be at least 8-1/2 by 11 inches in size and must include the following language, or substantially similar language:

(a) "This property contains dangerous amounts of lead to which children under age six and pregnant women should not be exposed."

(b) "It is unlawful to remove or deface this warning. ~~This warning may be removed only upon the direction of the board of health.~~"

(c) "Persons who remove or deface this warning shall be subject to a \$250 fine. This warning may be removed only upon the direction of the board of health."

Sec. 22. Minnesota Statutes 1992, section 144.874, subdivision 6, is amended to read:

Subd. 6. [SERVICES AND RETESTING REQUIRED.] After completion of swab team services and the abatement as ordered, including any repairs ordered by a local housing or building inspector, the board of health must retest the residence to assure the violations no longer exist. The board of health is not required to test a residence after lead abatement that was not ordered by the board of health.

Sec. 23. Minnesota Statutes 1992, section 144.874, subdivision 9, is amended to read:

Subd. 9. [PRIMARY PREVENTION.] Although children who are found to already have elevated blood lead levels must have the highest priority for intervention, the commissioner shall pursue primary prevention ~~of lead poisoning~~ for toxic lead exposure within the limits of appropriations.

Sec. 24. Minnesota Statutes 1992, section 144.874, is amended by adding a subdivision to read:

Subd. 11a. [LEAD ABATEMENT DIRECTIVES.] In order to achieve statewide consistency in the application of lead abatement standards, the commissioner shall issue program directives that interpret the application of rules under section 144.878 in ambiguous or unusual lead abatement situations. These directives are guidelines to local boards of health. The commissioner shall periodically review the evaluation of lead abatement orders and the program directives to determine if the rules under section 144.878 need to be amended to reflect new understanding of lead abatement practices and methods.

Sec. 25. Minnesota Statutes 1992, section 144.876, is amended by adding a subdivision to read:

Subd. 4. [NOTICE OF ABATEMENT.] At least five days before starting work at each lead abatement worksite, a lead abatement contractor shall give written notice to the commissioner and the board of health.

Sec. 26. [144.877] [LEAD INSPECTORS; LICENSING.]

Subdivision 1. [LICENSE REQUIRED.] A lead inspector must obtain a license within 180 days of the effective date of this section and must renew it annually. The license must be readily available at assessment sites for inspection by the commissioner or by staff of a board of health with jurisdiction over a work site. A license cannot be transferred.

Subd. 2. [LICENSE APPLICATION.] An application for license or license renewal must be on a form provided by the commissioner and must include:

(1) a \$50 nonrefundable fee, in the form of a check;

(2) evidence that the applicant has successfully completed a lead inspector training course approved in subdivision 6, or has, within the previous 180 days, successfully completed an initial lead inspection training course.

The fee required in this subdivision is waived for an employee of a board of health.

Subd. 3. [LICENSE RENEWAL.] A license is valid for one year from the issuance date unless the commissioner revokes it. An applicant must successfully complete either an initial lead inspection training course or an annual refresher lead inspection training course to apply for license renewal.

Subd. 4. [LICENSE REPLACEMENT.] A licensed lead inspector may obtain a replacement license by reapplying for a license. A replacement expires on the same date as the original license. A nonrefundable \$25 fee is required with each replacement application.

Subd. 5. [DENIAL OF LICENSE APPLICATION.] The commissioner may deny an application, revoke, or impose limitations or conditions on a license, if the applicant or licensed lead inspector:

(1) violates rules adopted under sections 144.871 to 144.879;

(2) submits an application that is incomplete, inaccurate, or lacks the required fee, or submits an invalid check;

(3) obtains a license, certificate, or approval through error, fraud, or cheating;

(4) provides false or fraudulent information on forms;

(5) aids or allows an unlicensed or uncertified person to engage in activities for which a license or certificate is required;

(6) endangers public health or safety;

(7) has been convicted during the previous five years of a felony or gross misdemeanor related to residential lead assessment or residential lead abatement; or

(8) has been convicted during the previous five years of a violation of section 270.72, 325F.69, or 325F.71.

An application for licensure that has been denied may be resubmitted when the reasons for denial have been corrected. A person whose license is revoked may not apply for a license within one year of the date of revocation. After one year, the application requirements must be followed by an applicant for a license, certificate, or course approval. An applicant who submits an approvable application within 60 days of initial denial is not required to pay a second fee.

Subd. 6. [APPROVAL OF LEAD INSPECTION COURSE.] A lead inspection course sponsored by the United States Environmental Protection Agency is an approved course for the purpose of this section.

Subd. 7. [LEAD INSPECTION; RULES.] The commissioner may adopt rules to implement this section. The commissioner may also approve lead inspector courses offered by groups other than those approved by the United States Environmental Protection Agency and shall charge a fee to cover the costs of approving courses.

Sec. 27. Minnesota Statutes 1992, section 144.878, subdivision 2, is amended to read:

Subd. 2. [LEAD STANDARDS AND ABATEMENT METHODS.] (a) The commissioner shall adopt rules establishing standards and abatement methods for lead in paint, dust, and drinking water in a manner that protects public health and the environment for all residences, including residences also used for a commercial purpose. ~~The commissioner shall adopt priorities for providing abatement services to areas defined to be at high risk for toxic lead exposure. In adopting priorities, the commission shall consider the number of children and pregnant women diagnosed with elevated blood levels and the median concentration of lead in the soil. The commissioner shall give priority to areas having the largest population of children and pregnant women having elevated blood lead levels, areas with the highest median soil lead concentration, and areas where it has been determined that there are large numbers of residences that have deteriorating paint.~~ The commissioner shall differentiate between intact paint and deteriorating paint. The commissioner and political subdivisions shall require abatement of intact paint only if the commissioner or political subdivision finds that the intact paint is on a chewable or lead-dust producing surface that is a known source or reasonably expected to be a source of actual lead exposure to a specific person. In adopting rules under this subdivision, the commissioner shall require the best available technology for lead abatement methods, paint stabilization, and repainting.

(b) The commissioner of health shall adopt standards and abatement methods for lead in bare soil on playgrounds and residential property in a manner to protect public health and the environment. The commissioner shall adopt a maximum standard of 100 parts of lead per million in bare soil, unless it is proven that a different standard provides greater protection of public health.

(c) The commissioner of the pollution control agency shall adopt rules to ensure that removal of exterior lead-based coatings from residential property by abrasive blasting methods ~~and disposal of any hazardous waste are~~ is conducted in a manner that protects public health and the environment.

(d) All standards adopted under this subdivision must provide adequate reasonable margins of safety that are consistent with a detailed review of scientific evidence and an emphasis on overprotection rather than underprotection when the scientific evidence is ambiguous. The rules must apply to any individual performing or ordering the performance of lead abatement.

(e) No unit of local government may have an ordinance or regulation governing lead abatement methods for lead in paint, dust, or soil for residences and residential land that require a different lead abatement method than the lead abatement standards established under sections 144.871 to 144.879.

Sec. 28. Minnesota Statutes 1992, section 144.878, subdivision 2a, is amended to read:

Subd. 2a. [PRIORITIES FOR RESPONSE ACTION.] ~~By January 1, 1988,~~ The commissioner of health must adopt new rules establishing the a priority list of census tracts at high risk for toxic lead exposure for primary prevention response actions. The rules must consider the potential for children's contact with the soil and the existing level of lead in the soil and may consider the relative risk to the public health, the size of the population at risk, and blood lead levels of resident populations. In establishing the list, the commissioner shall award points under this subdivision to each census tract on which information is available. The priority for primary prevention response actions in census tracts at high risk for toxic lead exposure shall be based on the cumulative points awarded to each census tract. A greater number of points means a higher priority. If a tie occurs in the number of points, priority shall be given to the census tract with the higher percentage of population with blood lead levels greater than ten micrograms of lead per deciliter. All local governmental units and boards of health shall follow the priorities under this subdivision. The commissioner shall revise and update the priority list at least every five years. Points shall be awarded to each census tract for each criteria, considered independently, defined in section 144.871, subdivision 7a. Points shall be awarded as follows:

(a) In a census tract where at least 20 children have been screened in the last five years, one point shall be awarded for each five percent of children who were under six years old at the time they were screened for lead in blood and whose blood lead level exceeds ten micrograms of lead per deciliter. An additional point shall be awarded if one percent of the children had blood levels greater than 20 micrograms per deciliter of blood. Two points shall be awarded to a census tract, where the blood lead screening has been inadequate, that is contiguous with a census tract where more than ten percent of the children under six years of age have blood lead levels exceeding ten micrograms per deciliter.

(b) One point shall be awarded for every five percent of housing that is defined as dilapidated or deteriorated by the planning department or similar agency of the city in which the housing is located. Where data is available by neighborhood or section within a city, the percent of dilapidated or deteriorated housing shall apply equally to each census tract within the neighborhood or section.

(c) One point shall be awarded for every 100 parts per million of lead soil, based on the median soil lead values of foundation soil samples, calculated on 100 parts per million intervals, or fraction thereof. For the cities of St. Paul and Minneapolis, the commissioner shall use the June 1988 census tract version of the houseside map entitled "Distribution of Household Lead Content of Soil Dust in the Twin Cities," prepared by the center for urban and regional affairs. Where the map displays a census tract that is crossed by two or more intervals, the commissioner shall make a reasoned determination of the median foundation soil lead value for that tract. Values for census tracts may be updated by surveying the tract according to the procedures under Minnesota Rules, part 4761.0400, subpart 8.

Sec. 29. Minnesota Statutes 1992, section 144.878, subdivision 5, is amended to read:

Subd. 5. [LEAD ABATEMENT CONTRACTORS AND EMPLOYEES.] The commissioner shall adopt rules to license lead abatement contractors, to certify employees of lead abatement contractors who perform abatement, and to certify lead abatement trainers who provide lead abatement training for contractors, employees, or other lead abatement trainers. The rules must include standards and procedures for on the job training for swab teams. A person who performs painting, renovation, rehabilitation, remodeling, or other residential work that is not lead abatement need not be a licensed lead abatement contractor. However, a person who performs work that removes intact paint on residences built before February 27, 1978, must determine whether lead sources are present and whether the planned work would be lead abatement as defined in section 144.871, subdivision 2. This determination may be made by quantitative chemical analysis, X-ray fluorescence analyzer, or chemical spot test using sodium rhodizonate. If lead sources are identified, the work must be performed by a licensed lead abatement contractor. An owner of an owner-occupied residence with one or two units is not subject to the requirements under this subdivision. All lead abatement training must include a hands-on component and instruction on the health effects of lead exposure, the use of personal protective equipment, workplace hazards and safety problems, abatement methods and work practices, decontamination procedures, cleanup and waste disposal procedures, lead monitoring and testing methods, and legal rights and responsibilities. The commissioner shall adopt rules to approve lead abatement training courses and to charge a fee for approval. At least 30 days before publishing initial notice of proposed rules under this subdivision on the licensing of lead abatement contractors, the commissioner shall submit the rules to the chairs of the health and human services committees in the house of representatives and the senate, and to any legislative committee on licensing created by the legislature.

Sec. 30. [144.8781] [ENFORCEMENT.]

Subdivision 1. [CEASE AND DESIST ORDER.] (a) The commissioner may issue an order requiring a person to cease lead abatement if the commissioner determines that a condition exists that poses an immediate danger to the public health. For purposes of this subdivision, an immediate danger to the public health exists if the commissioner determines that:

- (1) lead abatement is being performed in a manner that violates applicable state or federal law or related rules;
- (2) the person performing lead abatement is not currently licensed or certified as required by rules adopted under sections 144.871 to 144.879; or
- (3) the lead abatement contractor has not given prior written notice required by section 144.876 to the commissioner and board of health.

(b) An order to cease lead abatement is effective for a maximum of 60 days. Following issuance of the order, the commissioner shall provide the contractor or individual with an opportunity for a hearing under the contested case provisions of chapter 14. Within ten days of the hearing, the commissioner shall decide whether to rescind, modify, or reissue the previous order. A modified or reissued order is effective for a maximum of 60 days from the date of modification or reissuance.

Subd. 2. [ORDER FOR CORRECTIVE ACTION.] (a) The commissioner may issue an order requiring a person violating sections 144.871 to 144.879 or a rule adopted under sections 144.871 to 144.879 to take the corrective action the commissioner determines will accomplish the purpose of the project and prevent future violation. The order for corrective action shall state the conditions that constitute the violation, the specific statute or rule violated, and the time by which the violation must be corrected.

(b) If the person believes that the information contained in the commissioner's order for corrective action is in error, the person may ask the commissioner to reconsider the parts of the order that are alleged to be in error. The request must be in writing, delivered to the commissioner by certified mail within five working days of receipt of the order, and:

- (1) specify which parts of the order for corrective action are alleged to be in error;
- (2) explain why they are in error; and
- (3) provide documentation to support the allegation of error.

The commissioner shall respond to a request made under this subdivision within 15 working days after receipt of the request. A request for reconsideration does not stay the order for corrective action but the commissioner may provide additional time to comply with the order after reviewing the request. The commissioner's disposition of a request for reconsideration is final.

Subd. 3. [INJUNCTIVE RELIEF.] In addition to any other remedy provided by law, the commissioner may bring an action for injunctive relief in the district court in Ramsey county or, at the commissioner's discretion, in the district court in the county in which the lead abatement is being undertaken, to halt the work or an activity connected with it. A temporary restraining order or other injunctive relief may be granted by the court if continuation of the lead abatement or an activity connected with it would result in an imminent risk of harm to any person.

Subd. 4. [PENALTIES.] (a) A person who violates any of the requirements of sections 144.871 to 144.879 or any requirement, rule, or order issued under this section is subject to a civil penalty of not more than \$5,000 per day of violation. Penalties may be recovered in a civil action in the name of the state brought by the attorney general.

(b) The commissioner may issue an order assessing a penalty of not more than \$5,000 per violation to any person who violates any of the requirements of sections 144.871 to 144.879 or any requirement, rule, or order issued under this section. A person subject to an administrative penalty order may request a contested case hearing under chapter 14 within 20 days from date of receipt of the penalty order. If the penalty order is not contested within 20 days of receipt, it becomes final and may not be contested.

(c) The amount of penalty shall be based on the past history of violations, the severity of violation, the culpability of the person, and other relevant factors.

(d) Penalties assessed under sections 144.871 to 144.879 shall be paid to the commissioner for deposit in the general fund. Unpaid penalties shall be increased to 125 percent of the original assessed amount if not paid within 60 days after the penalty order becomes final. After 60 days, interest shall accrue on the unpaid penalty balance at the rate established in section 549.09.

Subd. 5. [MISDEMEANOR PENALTY.] A person is guilty of a misdemeanor and may be sentenced to payment of a fine of not more than \$700, imprisonment for not more than 30 days, or both, for each violation if that person:

- (1) hinders or delays the commissioner or the commissioner's authorized representative in the performance of the duty to enforce sections 144.871 to 144.879;
- (2) undertakes lead abatement without a current, valid license;
- (3) refuses to make a license or certificate accessible to either the commissioner or the commissioner's authorized representative;
- (4) employs a person to do lead abatement who does not have a valid certificate;
- (5) fails to report lead abatement as required by section 144.876; or
- (6) makes a false material statement related to a license, certificate, report, or other documents required under sections 144.871 to 144.879.

Subd. 6. [DISCRIMINATION.] A person who discriminates against or otherwise sanctions an employee who complains to or cooperates with the commissioner in administering sections 144.871 to 144.879 is guilty of a misdemeanor.

Sec. 31. [SWAB TEAM PILOT STUDY.]

By, the commissioner of health shall conduct or contract for two studies of the effectiveness of swab teams for residential lead abatement. The studies must be conducted in two cities of the first class, in neighborhoods that are at high risk of toxic lead exposure under Minnesota Statutes, section 144.871, subdivision 7a, that also have a high percentage of rental property, a population with incomes below the city average, and a concentrated Native American or other minority populations. The commissioner shall report the results of the study to the legislature by

Sec. 32. [APPROPRIATION; LEAD FUND.]

\$...... is appropriated from the lead fund to the commissioner of health to be available until June 30, 1995. Of this sum, \$...... is for contracts with boards of health to provide safe housing, under Minnesota Statutes, section 144.878, subdivision 3, to meet the relocation requirements of residential lead abatement. \$...... shall be used for grants to nonprofit community-based organizations, in areas at high risk for toxic lead exposure, for lead cleanup equipment and material grants under Minnesota Statutes, section 144.872, subdivision 4.

Sec. 33. [REPEALER.]

Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; and 144.878, subdivision 2a, are repealed.

Sec. 34. [EFFECTIVE DATE.]

Sections 1 to 26 are effective the day following final enactment.

Article 2
Lead Abatement Programs

Section 1. [268.92] [LEAD ABATEMENT PROGRAM.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them.

(a) "Certified worker" means a lead abatement worker certified by the commissioner of health under section 144.878, subdivision 5.

(b) "Certified trainer" means a lead trainer certified by the commissioner of health under section 144.878, subdivision 5.

(c) "Certified worker" means a lead abatement worker certified by the commissioner of health under section 144.878, subdivision 5.

(d) "Commissioner" means the commissioner of health.

(e) "Eligible organization" means a licensed contractor, certified trainer, city, board of health, community health department, community action agency as defined in section 268.52, or community development corporation.

(f) "High risk for toxic lead exposure" has the meaning given in section 144.871, subdivision 7a.

(g) "Licensed contractor" means a contractor licensed by the department of health under section 144.876.

(h) "Removal and replacement abatement" means lead abatement on residential property that requires retrofitting and conforms to the rules established under section 144.878.

(i) "Swab team" has the meaning given in section 144.871, subdivision 9.

Subd. 2. [GRANTS; ADMINISTRATION.] The commissioner may make demonstration and training grants to eligible organizations for programs to train workers for swab teams and removal and replacement abatement, and to provide swab team services and removal and replacement abatement for residential property.

Grants awarded under this section must be made in consultation with the commissioners of the department of health, and the housing finance agency, and representatives of neighborhood groups from areas at high risk for toxic lead exposure, a labor organization, the lead coalition, and the legal aid society. The consulting team shall review grant applications and recommend awards to eligible organizations that meet requirements for receiving a grant under this section.

Subd. 3. [APPLICANTS.] (a) Interested eligible organizations may apply to the commissioner for grants under this section. Two or more eligible organizations may jointly apply for a grant. Applications must provide information requested by the commissioner, including at least the information required to assess the factors listed in paragraph (d).

(b) With grant awards under this section, the commissioner of health must contract under section 144.872 with boards of health to provide one swab team in each city of the first class and two swab teams for the remainder of the state. Swab teams, administered by the commissioner of health, that are not engaged daily in fulfilling the requirements of section 144.872, subdivision 5, must deliver swab team services in census tracts known to be at high risk for toxic lead exposure.

(c) Any additional grants shall be made to establish swab teams for primary prevention, without environmental lead testing, in census tracts at high risk for toxic lead exposure.

(d) In evaluating grant applications, the commissioner shall consider the following criteria:

(1) the use of licensed contractors and certified lead abatement workers for residential lead abatement;

(2) the participation of neighborhood groups and individuals, as swab team members, in areas at high risk for toxic lead exposure;

(3) plans for the provision of primary prevention through swab team services in areas at high risk for toxic lead exposure on a census tract basis without environmental lead testing;

(4) plans for supervision, training, career development, and postprogram placement of swab team members;

(5) plans for resident and property owner education on lead safety;

(6) plans for distributing cleaning supplies to area residents and educating residents and property owners on cleaning techniques;

(7) cost estimates for training, swab team services, equipment, monitoring, and administration;

(8) measures of program effectiveness; and

(9) coordination of program activities with other federal, state, and local public health, job training, apprenticeship, and housing renovation programs including the emergency jobs program under sections 268.672 to 268.881.

Subd. 4. [LEAD ABATEMENT CONTRACTORS.] (a) Eligible organizations and licensed lead abatement contractors may participate in the lead abatement program. An organization receiving a grant under this section must assure that all participating contractors are licensed and that all swab team, and removal and replacement employees are certified by the department of health under section 144.878, subdivision 5. Organizations and licensed contractors may distinguish between interior and exterior services in assigning duties and may participate in the program by:

(1) providing on-the-job training for swab teams;

(2) providing swab team services to the commissioner of health to meet the requirements of section 144.872;

(3) providing removal and replacement abatement using skilled craft workers;

(4) providing primary prevention, without environmental lead testing, in census tracts at high risk for toxic lead exposure;

(5) providing lead dust cleaning supplies, as described in section 144.872, subdivision 4, to residents; or

(6) instructing residents and property owners on appropriate lead control techniques.

(b) Participating licensed contractors must:

(1) demonstrate proof of workers' compensation and general liability insurance coverage;

(2) be knowledgeable about lead abatement requirements established by the department of housing and urban development and the occupational safety and health administration;

(3) demonstrate experience with on-the-job training programs;

(4) demonstrate an ability to recruit employees from areas at high risk for toxic lead exposure; and

(5) demonstrate experience in working with low-income clients.

Subd. 5. [LEAD ABATEMENT EMPLOYEES.] Each worker engaged in swab team services or removal and replacement abatement in programs established under this section must have blood lead concentrations below 15 micrograms per deciliter as determined by a baseline blood lead screening. Any organization receiving a grant under this section is responsible for lead screening and must assure that all workers in lead abatement programs, receiving grant funds under this section, meet the standards established in this subdivision. Grantees must use appropriate workplace procedures to reduce risk of elevated blood lead levels. Grantees and participating contractors must report all employee blood lead levels that exceed 15 micrograms per deciliter to the commissioner of health.

Subd. 6. [ON-THE-JOB TRAINING COMPONENT.] (a) Programs established under this section must provide on-the-job training for swab teams. Training methods must follow procedures established under section 144.873, subdivision 5.

(b) Swab team members must receive monetary compensation equal to the prevailing wage as defined in section 177.42, subdivision 6, for comparable jobs in the licensed contractor's principal business.

Subd. 7. [REMOVAL AND REPLACEMENT COMPONENT.] (a) Programs established under this section must identify if a need exists for removal and replacement abatement in residential properties. All removal and replacement abatement must be done using least-cost methods that meet the standards of section 144.878, subdivision 2. Removal and replacement abatement must be done by licensed lead abatement contractors. All craft work that requires a state license must be supervised by a person with a state license in the craft work being supervised.

(b) The program design must:

(1) identify the need for trained swab team workers and removal and replacement abatement workers;

(2) describe plans to involve appropriate groups in designing methods to meet the need for trained lead abatement workers; and

(3) include an examination of how program participants may achieve certification as a part of the work experience and training component. Certification may be achieved through licensing, apprenticeship, or other education programs.

Subd. 8. [PROGRAM BENEFITS.] As a condition of providing lead abatement under this section, an organization may require a property owner to not increase rents on a property solely as a result of a substantial improvement made with public funds under the programs in this section.

Subd. 9. [REQUIREMENTS OF ORGANIZATIONS RECEIVING GRANTS.] An eligible organization that is awarded a training and demonstration grant under this section shall prepare and submit a progress report to the commissioner by February 15, 1994.

Subd. 10. [REPORT.] The commissioner shall prepare and submit a lead abatement program report to the legislature and the governor by March 15, 1994, and every two years thereafter. At a minimum, the report must describe the programs that received grants under this section, and make recommendations for program changes.

Sec. 2. Minnesota Statutes 1992, section 462A.03, subdivision 15, is amended to read:

Subd. 15. [REHABILITATION.] "Rehabilitation" means the repair, reconstruction, or improvement of existing residential housing with the object of making such residential housing decent, safe, sanitary and more desirable to live in, of greater market value or in conformance with state, county, or city health, housing, building, fire prevention, and housing maintenance codes, and lead and other public standards applicable to housing, as determined by the agency.

Sec. 3. [APPROPRIATION.]

\$...... is appropriated from the lead fund to the commissioner of health for the purposes of section 1. The unencumbered balance remaining in the first year does not cancel but is available for the second year."

Delete the title and insert:

"A bill for an act relating to health; modifying lead abatement requirements; licenses and fees; establishing enforcement procedures and disposal methods; establishing grant programs; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 144.871, subdivisions 2, 6, 7a, 7b, 9, and by adding subdivisions; 144.872, subdivisions 2, 3, 4, and by adding a subdivision; 144.873, subdivisions 2 and 3; 144.874, subdivisions 1, 2, 3, 4, 5, 6, 9, and by adding subdivisions; 144.876, by adding a subdivision; 144.878, subdivisions 2, 2a, and 5; 256B.0625, subdivision 14; and 462A.03, subdivision 15; proposing coding for new law in Minnesota Statutes, chapters 144; and 268; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; and 144.878, subdivision 2a."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 976, A bill for an act relating to counties; authorizing a county to transfer funds to and enter into contracts with community action agencies; amending Minnesota Statutes 1992, section 375.18, by adding a subdivision.

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. 994, A bill for an act relating to children; foster care and adoption placement; specifying time limits for compliance with placement preferences; setting standards for changing out-of-home placement; requiring notice of certain adoptions; amending Minnesota Statutes 1992, sections 257.071, subdivision 1a; 259.255; 259.28, subdivision 2; 259.455; and 260.181, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 259.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [257.0651] [COMPLIANCE WITH INDIAN CHILD WELFARE ACT.]

Sections 257.066 to 257.075 must be construed consistently with the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901, et seq.

Sec. 2. Minnesota Statutes 1992, section 257.071, subdivision 1, is amended to read:

Subdivision 1. [PLACEMENT; PLAN.] A case plan shall be prepared within 30 days after any child is placed in a residential facility by court order or by the voluntary release of the child by the parent or parents.

For purposes of this section, a residential facility means any group home, family foster home or other publicly supported out-of-home residential facility, including any out-of-home residential facility under contract with the state, county or other political subdivision, or any agency thereof, to provide those services.

For the purposes of this section, a case plan means a written document which is ordered by the court or which is prepared by the social service agency responsible for the residential facility placement and is signed by the parent or parents, or other custodian, of the child, the child's legal guardian, the social service agency responsible for the residential facility placement, and, if possible, the child. The document shall be explained to all persons involved in its implementation, including the child who has signed the document, and shall set forth:

(1) The specific reasons for the placement of the child in a residential facility, including a description of the problems or conditions in the home of the parent or parents which necessitated removal of the child from home;

(2) The specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions identified in clause (1), and the time period during which the actions are to be taken;

(3) The financial responsibilities and obligations, if any, of the parents for the support of the child during the period the child is in the residential facility;

(4) The visitation rights and obligations of the parent or parents or other relatives as defined in section 260.181, if such visitation is consistent with the best interest of the child, during the period the child is in the residential facility;

(5) The social and other supportive services to be provided to the parent or parents of the child, the child, and the residential facility during the period the child is in the residential facility;

(6) The date on which the child is expected to be returned to the home of the parent or parents;

(7) The nature of the effort to be made by the social service agency responsible for the placement to reunite the family; and

(8) Notice to the parent or parents that placement of the child in foster care may result in termination of parental rights but only after notice and a hearing as provided in chapter 260.

The parent or parents and the child each shall have the right to legal counsel in the preparation of the case plan and shall be informed of the right at the time of placement of the child. The child shall also have the right to a guardian ad litem. If unable to employ counsel from their own resources, the court shall appoint counsel upon the request of the parent or parents or the child or the child's legal guardian. The parent or parents may also receive assistance from any person or social service agency in preparation of the case plan.

After the plan has been agreed upon by the parties involved, the foster parents shall be fully informed of the provisions of the case plan.

When an agency accepts a child for placement, the agency shall determine whether the child has had a physical examination by or under the direction of a licensed physician within the 12 months immediately preceding the date when the child came into the agency's care. If there is documentation that the child has had such an examination within the last 12 months, the agency is responsible for seeing that the child has another physical examination within one year of the documented examination and annually in subsequent years. If the agency determines that the child has not had a physical examination within the 12 months immediately preceding placement, the agency shall ensure that the child has the examination within 30 days of coming into the agency's care and once a year in subsequent years.

Sec. 3. Minnesota Statutes 1992, section 257.071, subdivision 1a, is amended to read:

Subd. 1a. [PROTECTION OF HERITAGE OR BACKGROUND.] The authorized child placing agency shall ensure that the child's best interests are met by giving due consideration of the child's race or ethnic heritage in making a family foster care placement. The authorized child placing agency shall place a child, released by court order or by voluntary release by the parent or parents, in a family foster home selected by following the preferences described in section 260.181, subdivision 3.

The agency shall notify the parents and the child, if the child is at least 12 years old, that the placement preferences will be followed unless the parents or the child, if the child is at least 12 years old, request that the preferences not be followed. For purposes of ensuring compliance with this subdivision, the agency shall ask the parents for information about the child's relatives, as defined in section 260.181, subdivision 3, who may be available to provide care for the child, and about the child's race or ethnicity. The agency shall document in the case record efforts to locate relatives and other efforts made to comply with this subdivision.

If the parents or the child, if the child is at least 12 years old, request that the placement preferences not be followed, there is a rebuttable presumption that the request is in the best interests of the child. If the agency opposes the request, it has the burden of proving that the request is not in the best interests of the child.

In instances where a child ~~from a family of color~~ is placed in a family foster home of a different racial or ethnic background, the local social service agency shall review the placement after 30 days and each 30 days thereafter for the first six months to determine if there is another available placement that would better satisfy the requirements of this subdivision. When the child has been placed outside the home for longer than six months, the child may be placed in a different family foster home only if the new placement is in the child's best interests.

Sec. 4. Minnesota Statutes 1992, section 257.072, subdivision 7, is amended to read:

Subd. 7. [DUTIES OF CHILD-PLACING AGENCIES.] Each authorized child-placing agency must:

(1) develop and follow procedures for implementing the order of preference prescribed by section 260.181, subdivision 3, and the Indian Child Welfare Act, United States Code, title 25, sections 1901 to 1923;

(a) In implementing the order of preference, an authorized child-placing agency may disclose private or confidential data, as defined in section 13.02, to relatives of the child for the purpose of locating a suitable placement. The agency shall disclose only data that is necessary to facilitate implementing the preference. If a parent makes an explicit request that the relative preference not be followed, the agency shall bring the matter to the attention of the court to ~~determine whether the parent's request is consistent with the best interests of the child~~ and the agency shall not contact relatives unless if ordered to do so by the juvenile court; and

(b) In implementing the order of preference, the authorized child-placing agency shall develop written standards for determining the suitability of proposed placements. The standards need not meet all requirements for foster care licensing, but must ensure that the safety, health, and welfare of the child is safeguarded. In the case of an Indian child, the standards to be applied must be the prevailing social and cultural standards of the Indian child's community, and the agency shall defer to tribal judgment as to suitability of a particular home when the tribe has intervened pursuant to the Indian Child Welfare Act;

(2) have a written plan for recruiting minority adoptive and foster families. The plan must include (a) strategies for using existing resources in minority communities, (b) use of minority outreach staff wherever possible, (c) use of minority foster homes for placements after birth and before adoption, and (d) other techniques as appropriate;

(3) have a written plan for training adoptive and foster families of minority children;

(4) if located in an area with a significant minority population, have a written plan for employing minority social workers in adoption and foster care. The plan must include staffing goals and objectives;

(5) ensure that adoption and foster care workers attend training offered or approved by the department of human services regarding cultural diversity and the needs of special needs children; and

(6) develop and implement procedures for implementing the requirements of the Indian Child Welfare Act and the Minnesota Indian family preservation act.

Sec. 5. Minnesota Statutes 1992, section 257.072, is amended by adding a subdivision to read:

Subd. 9. [RULES.] The commissioner of human services shall adopt rules to establish standards for conducting relative searches and determining the suitability of proposed relative placements. The standards need not impose on relatives all the requirements for foster care licensing but must ensure that the child's health, safety, and welfare are safeguarded.

Sec. 6. Minnesota Statutes 1992, section 259.255, is amended to read:

259.255 [PROTECTION OF HERITAGE OR BACKGROUND.]

(a) The policy of the state of Minnesota is to ensure that the best interests of the child are met by requiring due consideration of the child's race or ethnic heritage in adoption placements. For purposes of intercountry adoptions, due consideration is deemed to have occurred if the appropriate authority in the child's country of birth has approved the placement of the child.

(b) In the adoptive placement that commences not later than 12 months after the child has been placed outside the home, the authorized child placing agency shall give preference, in the absence of good cause to the contrary, to placing the child with (a) (1) a relative or relatives of the child, or, if that would be detrimental to the child or a relative is not available, (b) (2) a family with the same racial or ethnic heritage as the child, or, if that is not feasible, (c) (3) a family of different racial or ethnic heritage from the child which is knowledgeable and appreciative of the child's racial or ethnic heritage.

~~If the child's genetic parent or parents explicitly request that the preference described in clause (a) or clauses (a) and (b) not be followed, the authorized child placing agency shall honor that request consistent with the best interests of the child.~~

If the child's genetic parent or parents request that the preferences in clause (1) or clauses (1) and (2) not be followed, there is a rebuttable presumption that the request is in the best interests of the child. The authorized child-placing agency must notify a court reviewing an adoptive placement under section 259.28 of any request made by the parents under this paragraph. The authorized child-placing agency has the burden of proving that the request is not in the best interests of the child.

If the child's genetic parent or parents express a preference for placing the child in an adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause (a) (1) or (b) (2), the agency shall place the child with a family that also meets the genetic parent's religious preference. Only if no family is available that is described in clause (a) (1) or (b) (2) may the agency give preference to a family described in clause (c) (3) that meets the parent's religious preference. The agency must notify the court that reviews the adoptive placement under section 259.28 of any religious preference expressed by a parent under this paragraph.

(c) In an adoptive placement that commences more than 12 months after the child has been placed outside the home, the authorized child placing agency shall place the child according to the best interests standard in section 259.256.

Sec. 7. [259.256] [BEST INTERESTS IN CERTAIN CASES; STANDARD FOR CHILD-PLACING AGENCY AND COURT.]

In an adoptive placement that commences more than 12 months after a child has been placed outside the home, the authorized child placing agency making the placement and the court reviewing the adoption placement must be governed by the best interests of the child as defined in this section. A court transferring legal custody or appointing a guardian of a child who has been placed outside the home for more than 12 months must be governed by the best interests of the child as defined in this section. The "best interests of the child" means all relevant factors to be considered and evaluated. These factors must include, but are not limited to:

(1) the wishes of the genetic parent or parents as to placement;

(2) the relationship between the child and relatives, and the child and any other person who may significantly affect the child's best interests;

(3) the child's adjustment to home, school, and community and the ability to adjust to a proposed home, school, and community;

(4) the child's religious, racial, or ethnic background and the ability of the proposed family to be appreciative of and knowledgeable about, the child's religious, racial, or ethnic heritage, and to continue raising and educating the child in that heritage;

(5) the capacity and disposition of the proposed family to give the child love, affection, and guidance;

(6) the reasonable preference of the child, if the court deems the child of sufficient age to express a preference; and

(7) the length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity and stability for the child.

Sec. 8. [259.2565] [NOTICE REGARDING ADOPTION OF CERTAIN CHILDREN.]

If a child who has been placed outside the home for more than 12 months becomes available for adoption, the agency with guardianship of the child must give the notice provided in this section to any adult with whom the child is currently residing, any adult with whom the child has resided for one year or longer in the past, and any adults who have maintained a relationship or exercised visitation with the child as identified in the agency case plan for the child. The notice shall state that an adoptive home is sought for the child and that any individual receiving the notice may apply to adopt the child within one month after receiving the notice.

Sec. 9. Minnesota Statutes 1992, section 259.28, subdivision 2, is amended to read:

Subd. 2. [PROTECTION OF HERITAGE OR BACKGROUND.] (a) The policy of the state of Minnesota is to ensure that the best interests of children are met by requiring due consideration of the child's race or ethnic heritage in adoption placements. For purposes of intercountry adoptions, due consideration is deemed to have occurred if the appropriate authority in the child's country of birth has approved the placement of the child.

(b) In reviewing an adoptive placement of a child who was placed outside the home not longer than 12 months before the adoptive placement began, the court shall consider preference, and the preferences specified in this subdivision in determining an appropriate adoption. The court shall give preference, in the absence of good cause to the contrary, to ~~(a)~~ (1) a relative or relatives of the child, or, if that would be detrimental to the child or a relative is not available, to ~~(b)~~ (2) a family with the same racial or ethnic heritage as the child, or if that is not feasible, to ~~(e)~~ (3) a family of different racial or ethnic heritage from the child that is knowledgeable and appreciative of the child's racial or ethnic heritage.

If the child's genetic parent or parents explicitly request that the preference described in clause (a) or in clauses (a) and (b) not be followed, the court shall honor that request consistent with the best interests of the child.

If the child's genetic parent or genetic parents request that the preferences in clause (1) or clauses (1) and (2) not be followed, there is a rebuttable presumption that the request is in the best interests of the child. A party opposed to the request has the burden of proving that the request is not in the best interests of the child.

If the child's genetic parent or parents express a preference for placing the child in an adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause ~~(a)~~ (1) or ~~(b)~~ (2), the court shall place the child with a family that also meets the genetic parent's religious preference. Only if no family is available as described in clause ~~(a)~~ (1) or ~~(b)~~ (2) may the court give preference to a family described in clause ~~(e)~~ (3) that meets the parent's religious preference.

(c) In reviewing an adoptive placement of a child who was placed outside the home for more than 12 months before the adoptive placement began, the court shall be governed by the best interests standard in section 259.256.

Sec. 10. Minnesota Statutes 1992, section 259.28, is amended by adding a subdivision to read:

Subd. 3. [COMPLIANCE WITH INDIAN CHILD WELFARE ACT.] The provisions of this chapter must be construed consistently with the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901, et seq.

Sec. 11. Minnesota Statutes 1992, section 259.455, is amended to read:

259.455 [FAMILY RECRUITMENT.]

Each authorized child placing agency shall make special efforts to recruit an adoptive family from among the child's relatives, ~~except as authorized in section 259.28, subdivision 2,~~ and among families of the same racial or ethnic heritage in the manner and to the extent provided in section 259.255. Special efforts include contacting and working with community organizations and religious organizations, utilizing local media and other local resources, and conducting outreach activities. The agency may accept any gifts, grants, offers of services, and other contributions to use in making special recruitment efforts.

Sec. 12. Minnesota Statutes 1992, section 260.012, is amended to read:

260.012 [DUTY TO ENSURE PLACEMENT PREVENTION AND FAMILY REUNIFICATION; REASONABLE EFFORTS; NOTICE TO PARENTS OF PLACEMENT PREFERENCE.]

(a) If a child in need of protection or services is under the court's jurisdiction, the court shall ensure that reasonable efforts including culturally appropriate services by the social service agency are made to prevent placement or to eliminate the need for removal and to reunite the child with the child's family at the earliest possible time, consistent with the best interests, safety, and protection of the child. In the case of an Indian child, in proceedings under sections 260.172, 260.191, and 260.221 the juvenile court must make findings and conclusions consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901 et seq., as to the provision of active efforts. If a child is under the court's delinquency jurisdiction, it shall be the duty of the court to ensure that reasonable efforts are made to reunite the child with the child's family at the earliest possible time, consistent with the best interests of the child and the safety of the public.

(b) "Reasonable efforts" means the exercise of due diligence by the responsible social service agency to use appropriate and available services to meet the needs of the child and the child's family in order to prevent removal of the child from the child's family; or upon removal, services to eliminate the need for removal and reunite the family. Services may include those listed under section 256F.07, subdivision 3, and other appropriate services available in the community. The social service agency has the burden of demonstrating that it has made reasonable efforts.

(c) The juvenile court, in proceedings under sections 260.172, 260.191, and 260.221 shall make findings and conclusions as to the provision of reasonable efforts. When determining whether reasonable efforts have been made, the court shall consider whether services to the child and family were:

- (1) relevant to the safety and protection of the child;
- (2) adequate to meet the needs of the child and family;
- (3) culturally appropriate;
- (4) available and accessible;
- (5) consistent and timely; and
- (6) realistic under the circumstances.

(d) This section does not prevent out-of-home placement for treatment of a child with a mental disability when the child's diagnostic assessment or individual treatment plan indicates that appropriate and necessary treatment cannot be effectively provided outside of a residential or inpatient treatment program.

(e) In proceedings under section 260.172, 260.191, 260.192, or 260.221, the court shall notify the parents and the child, if the child is at least 12 years old, of the placement preferences in section 260.181 and that the placement preferences will be followed unless the parent or the child, if the child is at least 12 years old, requests that they not be followed.

Sec. 13. Minnesota Statutes 1992, section 260.181, subdivision 3, is amended to read:

Subd. 3. [PROTECTION OF HERITAGE OR BACKGROUND.] (a) The policy of the state is to ensure that the best interests of children are met by requiring due consideration of the child's race or ethnic heritage in foster care placements.

~~The court;~~ (b) In transferring legal custody of any child who is in the custody of a parent or has been removed from the parent's custody for six months or less or appointing a guardian for ~~the~~ such a child under the laws relating to juvenile courts, ~~the court~~ shall place the child, in the following order of preference, in the absence of good cause to the contrary, in the legal custody or guardianship of an individual who ~~(a) (1)~~ (1) is the child's relative, or if that would be detrimental to the child or a relative is not available, who ~~(b) (2)~~ (2) is of the same racial or ethnic heritage as the child, or if that is not possible, who ~~(c) (3)~~ (3) is knowledgeable and appreciative of the child's racial or ethnic heritage. The court may require the county welfare agency to continue efforts, for six months after the date of the child's removal from a parent's custody, to find a guardian of the child's racial or ethnic heritage when such a guardian is not immediately available. For purposes of this subdivision, "relative" includes members of a child's extended family and important friends with whom the child has resided or had significant contact.

~~If the child's genetic parent or parents explicitly request that the preference described in clause (a) or in clauses (a) and (b) not be followed, the court shall honor that request consistent with the best interests of the child.~~

If the child's parents request that the preferences in clause (1) or clauses (1) and (2) not be followed, there is a rebuttable presumption that the request is in the best interests of the child. A party opposed to the request has the burden of proving that the request is not in the best interests of the child.

If the child's genetic parent or parents express a preference for placing the child in a foster or adoptive home of the same or a similar religious background to that of the genetic parent or parents, in following the preferences in clause ~~(a) (1) or (b) (2)~~ (1) or (2), the court shall order placement of the child with an individual who meets the genetic parent's religious preference. Only if no individual is available who is described in clause ~~(a) (1) or (b) (2)~~ (1) or (2) may the court give preference to an individual described in clause ~~(c) (3)~~ (3) who meets the parent's religious preference.

(c) In transferring legal custody or appointing a guardian of a child who has been removed from the custody of parents for more than six months, the court shall be governed by the best interests standard in section 259.256.

Sec. 14. Minnesota Statutes 1992, section 260.191, subdivision 1a, is amended to read:

Subd. 1a. [WRITTEN FINDINGS.] Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered, and shall also set forth in writing the following information:

- (a) Why the best interests of the child are served by the disposition ordered;
- (b) What alternative dispositions were considered by the court and why such dispositions were not appropriate in the instant case;
- ~~(c) In the case of a child of minority racial or minority ethnic heritage, How the court's disposition complies with the requirements of section 260.181, subdivision 3, relating to protection of heritage or background; and~~
- (d) Whether reasonable efforts consistent with section 260.012 were made to prevent or eliminate the necessity of the child's removal and to reunify the family after removal. The court's findings must include a brief description of what preventive and reunification efforts were made and why further efforts could not have prevented or eliminated the necessity of removal.

If the court finds that the social services agency's preventive or reunification efforts have not been reasonable but that further preventive or reunification efforts could not permit the child to safely remain at home, the court may nevertheless authorize or continue the removal of the child.

Sec. 15. Minnesota Statutes 1992, section 260.191, subdivision 1d, is amended to read:

Subd. 1d. [PARENTAL VISITATION.] If the court orders that the child be placed outside of the child's home or present residence, it shall set reasonable rules for supervised or unsupervised parental visitation that contribute to the objectives of the court order and the maintenance of the familial relationship. No parent may be denied visitation unless the court finds at the disposition hearing that the visitation would act to prevent the achievement of the order's objectives or that it would endanger the child's physical or emotional well-being. The court shall set reasonable rules for visitation for any relatives as defined in section 260.181, subdivision 3, if visitation is consistent with the best interests of the child.

Sec. 16. Minnesota Statutes 1992, section 260.191, subdivision 1e, is amended to read:

Subd. 1e. [CASE PLAN.] For each disposition ordered, the court shall order the appropriate agency to prepare a written case plan developed after consultation with any foster parents, and consultation with and participation by the child and the child's parent, guardian, or custodian, guardian ad litem, and tribal representative if the tribe has intervened. The case plan shall comply with the requirements of section 257.071, where applicable. The case plan shall, among other matters, specify the actions to be taken by the child and the child's parent, guardian, foster parent, or custodian to comply with the court's disposition order, and the services to be offered and provided by the agency to the child and the child's parent, guardian, or custodian. The court shall review the case plan and, upon approving it, incorporate the plan into its disposition order. The court may review and modify the terms of the case plan in the manner provided in subdivision 2. For each disposition ordered, the written case plan shall specify what reasonable efforts shall be provided to the family. The case plan must include a discussion of:

(1) the availability of appropriate prevention and reunification services for the family to prevent the removal of the child from the home or to reunify the child with the family after removal;

(2) any services or resources that were requested by the child or the child's parent, guardian, foster parent, or custodian since the date of initial adjudication, and whether those services or resources were provided or the basis for denial of the services or resources;

(3) the need of the child and family for care, treatment, or rehabilitation;

(4) the need for participation by the parent, guardian, or custodian in the plan of care for the child;

(5) the visitation rights and obligations of the parent or other relatives, as defined in section 260.181, subdivision 3, during any period when the child is placed outside the home; and

(6) a description of any services that could prevent placement or reunify the family if such services were available.

A party has a right to request a court review of the reasonableness of the case plan upon a showing of a substantial change of circumstances.

Sec. 17. [EFFECTIVE DATE; APPLICATION.]

Sections 1 to 16 are effective August 1, 1993, for changes in out-of-home placement, for adoptive placements, for transferring legal custody of a child, and for guardianship appointments occurring on or after the effective date."

Delete the title and insert:

"A bill for an act relating to children; foster care and adoption placement; specifying time limits for compliance with placement preferences; setting standards for changing out-of-home placement; requiring notice of certain adoptions; clarifying certain language; requiring compliance with certain law; providing for rules; amending Minnesota Statutes 1992, sections 257.071, subdivision 1 and 1a; 257.072, subdivision 7, and by adding a subdivision; 259.255; 259.28, subdivision 2, and by adding a subdivision; 259.455; 260.012; 260.181, subdivision 3; and 260.191, subdivisions 1a, 1d, and 1e; proposing coding for new law in Minnesota Statutes, chapters 257; and 259."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1018, A bill for an act relating to limited liability companies; requiring biennial registration; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 322B.

Reported the same back with the following amendments:

Page 3, delete section 2

Amend the title as follows:

Page 1, line 3, delete "appropriating money;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1026, A bill for an act relating to the city of Garrison; establishing a dedicated fund to meet city expenses to pay for construction of a city sewer system; permitting a one percent local sales tax upon approval by the city council; providing for a sunset on the tax.

Reported the same back with the following amendments:

Page 1, line 18, after "construction" insert "and maintenance"

Delete page 1, line 21 to page 2, line 3

Renumber the remaining subdivisions

Amend the title as follows:

Page 1, line 4, after "construction" insert "and maintenance"

Page 1, line 6, delete "; providing for a sunset on the tax"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1057, A bill for an act relating to taxation; authorizing the commissioner of revenue to deduct debts owed by one political subdivision to another from aids payable to the debtor; amending Minnesota Statutes 1992, section 270.66, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1058, A bill for an act relating to landlord and tenant; modifying action to recover leased premises; providing for actions for destruction of leased residential rental property; allowing expedited proceedings; amending Minnesota Statutes 1992, sections 504.02, subdivision 1; and 566.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 504; and 566.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1081, A bill for an act relating to commerce; regulating collection agencies; modifying prohibited practices; requiring notification to the commissioner upon certain employee terminations; repealing inconsistent surety bond and term and fee rules; regulating credit services organizations; modifying registration and bond requirements; modifying enforcement powers; amending Minnesota Statutes 1992, sections 332.37; 332.54, subdivision 1, and by adding subdivisions; 332.55; and 332.59; proposing coding for new law in Minnesota Statutes, chapter 332; repealing Minnesota Rules, parts 2870.1300; and 2870.1600.

Reported the same back with the following amendments:

Page 3, delete lines 16 to 27 and insert:

"(15) when a debtor has a listed telephone number, enlist the aid of a neighbor or third party to request that the debtor contact the licensee, except a person who resides with the debtor or a third party with whom the debtor has authorized the licensee to place the request. This clause does not apply to a call back message left at the debtor's place of employment which is limited to the licensee's telephone and the collector's name;

(16) when attempting to collect a debt, fail to provide the debtor with the full name of the collection agency as it appears on its license;

(17) collect any money from a debtor that is not reported to a creditor or fail to return any amount of overpayment from a debtor to the debtor or to the state of Minnesota pursuant to the requirements of chapter 345;"

Page 3, delete lines 31 to 34 and insert:

"(19) when initially contacting a Minnesota debtor by mail, to include a disclosure on the contact notice, in a type size or font which is equal to or larger than the largest other type of type size or font used in the text of the notice. The disclosure must state: "This collection agency is licensed by the Minnesota Department of Commerce."

Page 5, delete lines 18 to 24

Page 5, line 25, delete "9" and insert "8"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1095, A bill for an act relating to insurance; regulating investments, assets and liabilities, and annual statements of companies; providing for continuance of coverage upon liquidation; modifying the definition of resident for purposes of the Minnesota insurance guaranty association; regulating dividends and other distributions of insurance holding company systems; regulating risk retention groups; enacting the NAIC model legislation; amending Minnesota Statutes 1992, sections 60A.11, subdivision 9; 60A.12, subdivision 3; 60A.13, subdivisions 1 and 6; 60A.23, subdivision 4; 60B.22, subdivision 1; 60C.03, subdivision 7; 60D.20, subdivisions 2 and 4; 60E.01; 60E.02, subdivisions 9 and 12; 60E.03; 60E.04, subdivisions 1, 2, 3, 4, 7, 8, 11, and by adding a subdivision; 60E.05; 60E.07; 60E.08; 60E.09; 60E.10; 60E.12; and 60E.13; proposing coding for new law in Minnesota Statutes, chapters 60A and 60E; repealing Minnesota Statutes 1992, sections 60A.07, subdivision 5d; 60A.12, subdivision 10; 60B.24; and 60E.11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 60A.11, subdivision 9, is amended to read:

Subd. 9. [GENERAL CONSIDERATIONS.] The following considerations apply in the interpretation of this section:

(a) This section applies to the investments of insurance companies other than life insurance companies;

(b) The purpose of this section is to protect and further the interests of policyholders, claimants, creditors and the public by providing standards for the development and administration of programs for the investment of the assets of domestic companies. These standards and the investment programs developed by companies must take into account the safety of company's principal, investment yield and growth, stability in the value of the investment, the liquidity necessary to meet the company's expected business needs, and investment diversification;

(c) All financial terms relating to insurance companies have the meanings assigned to them under statutory accounting methods. All financial terms relating to noninsurance companies have the meanings assigned to them under generally accepted accounting principles;

(d) Investments must be valued in accordance with the valuation procedures established by the National Association of Insurance Commissioners, unless the commissioner requires or finds another method of valuation reasonable under the circumstances. Another method of valuation permitted by the commissioner must be at least as conservative as those prescribed in the association's manual. Other invested assets must be valued according to the procedures promulgated by the National Association of Insurance Commissioners', if not addressed in another section, unless the commissioner requires or finds another method of valuation reasonable under the circumstances;

(e) A company may elect to hold an investment which qualifies under more than one subdivision, under the subdivision of its choice. Nothing herein prevents a company from electing to hold an investment under a subdivision different from the one in which it previously held the investment; and

(f) An investment which qualifies under any provision of the law governing investments of insurance companies when acquired will continue to be a qualified investment for as long as it is held by the insurance company.

Sec. 2. Minnesota Statutes 1992, section 60A.12, subdivision 3, is amended to read:

Subd. 3. [VALUATION OF EVIDENCES OF INDEBTEDNESS.] All bonds or other evidences of debt, having a fixed term and rate, held by an insurance company or fraternal benefit society authorized to do business in this state may, if amply secured and not in default as to principal and interest, be valued as follows: If purchased at par, at the par value; if purchased above or below par, on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield, in the meantime, the effective rate of interest at which the purchase was made; provided, that the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase; ~~and, provided, that the commissioner shall have full discretion in determining the method of calculating values according to the foregoing rule.~~ If the notes or bonds secured by mortgage or trust deed in the nature thereof which the federal housing administrator has insured, or made a commitment to insure, are purchased above par, they may, if not in default as to principal and interest, be valued during the first five years after purchase on the basis of the purchase price adjusted in equal annual installments to bring the value to par at the end of five years.

Sec. 3. [60A.129] [LOSS RESERVE CERTIFICATION AND ANNUAL AUDIT.]

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Qualified actuary," except as it relates to subdivision 2, paragraph (c), for companies authorized to provide life insurance coverage under section 60A.06, subdivision 1, clause (4), is a person who is either:

(1) a member in good standing of the Casualty Actuarial Society; or

(2) a member in good standing of the American Academy of Actuaries who has been approved as qualified for signing casualty loss reserve opinions by the Casualty Practice Council of the American Academy of Actuaries; or

(3) a person who otherwise has competency in loss reserve evaluation as demonstrated to the satisfaction of the insurance regulatory official of the domiciliary state. In such case, at least 90 days prior to the filing of its annual statement, the insurer must request approval that the person be deemed qualified and that request must be approved or denied. The request must include the NAIC Biographical form and a list of all loss reserve opinions issued in the last three years by this person.

(b) For purposes of subdivision 2, paragraph (c), a qualified actuary for companies authorized to write life insurance coverage under section 60A.06, subdivision 1, clause (4), shall be:

(1) a member in good standing of the American Academy of Actuaries;

(2) qualified to sign statements of actuarial opinion for life and health insurance company annual statements in accordance with the American Academy of Actuaries qualification standards for actuaries signing these statements;

(3) familiar with the valuation requirements applicable to life and health insurance companies.

(c) A qualified actuary as defined by this subdivision is an individual who:

(1) has not been found by the commissioner, or if so found has subsequently been reinstated as a qualified actuary, following appropriate notice and hearing to have:

(i) violated any provision of, or any obligation imposed by, the state insurance law or other law in the course of the actuary's dealings as a qualified actuary;

(ii) been found guilty of fraudulent or dishonest practices;

(iii) demonstrated incompetency, lack of cooperation, or untrustworthiness to act as a qualified actuary; or

(iv) submitted to the commissioner during the past five years, pursuant to this chapter, an actuarial opinion that the commissioner rejected because it did not meet the provisions of this chapter including standards set by the actuarial standards board;

(2) has resigned or been removed as an actuary within the past five years as a result of acts or omissions indicated in any adverse report on examination or as a result of failure to adhere to generally acceptable actuarial standards of the American Academy of Actuaries; and

(3) has not failed to notify the commissioner of any action taken by any commissioner of any other state similar to that under clause (1).

(d) "Accountant" and "independent public accountant" mean an independent certified public accountant or accounting firm in good standing with the American Institute of Certified Public Accountants and in all states in which the accountant or firm is licensed to practice. For Canadian and British companies, the term means a Canadian-chartered or British-chartered accountant.

Subd. 2. [LOSS RESERVE CERTIFICATION.] (a) Each domestic company engaged in providing the types of coverage described in section 60A.06, subdivision 1, clause (1), (2), (3), (5)(b), (6), (8), (9), (10), (11), (12), (13), or (14); must have its loss reserves certified by a qualified actuary. The company must file the certification with the commissioner within 30 days of completion of the certification, but not later than June 1. The actuary providing the certification must not be an employee of the company. This subdivision does not apply to township mutual companies, or to other domestic insurers having less than \$1,000,000 of premiums written in any year and fewer than 1,000 policyholders. The commissioner may allow an exception to the stand alone certification where it can be demonstrated that a company in a group has a pooling or 100 percent reinsurance agreement used in a group which substantially affects the solvency and integrity of the reserves of the company, or where it is only the parent company of a group which is licensed to do business in Minnesota. If these circumstances exist, the company may file a written request with the commissioner for an exception. Companies writing reinsurance alone are not exempt from this requirement. The certification must contain the following statement: "The loss reserves and loss expense reserves have been examined and found to be calculated in accordance with generally accepted actuarial principles and practices and are fairly stated."

(b) Each foreign company engaged in providing the types of coverage described in section 60A.06, subdivision 1, clause (1), (2), (3), (5)(b), (6), (8), (9), (10), (11), (12), (13), or (14), required by this section to file an annual audited financial report, whose total net earned premium for Schedule P, Part 1A to Part 1H plus Part 1R, (Schedule P, Part 1A to Part 1H plus Part 1R, Column 4, current year premiums earned, from the company's most currently filed annual statement) is equal to one-third or more of the company's total net earned premium (Underwriting and Investment Exhibit, Part 2, Column 4, total line, of the annual statement) must have a reserve certification by a qualified actuary at least every three years. In the year that the certification is due, the company must file the certification with the commissioner within 30 days of completion of the certification, but not later than June 1. The actuary providing the certification must not be an employee of the company. Companies writing reinsurance alone are not exempt from this requirement. The certification must contain the following statement: "The loss reserves and loss expense reserves have been examined and found to be calculated in accordance with generally accepted actuarial principles and practices and are fairly stated."

(c) Each company providing life and/or health insurance coverages described in section 60A.06, subdivision 1, clause (4) or (5)(a), required by this section to file an audited annual financial report, whose premiums and annuity considerations (net of reinsurance) from Accident and Health equal one-third or more of the company's total premiums and annuity considerations (net of reinsurance), as reported in the summary of operations, must have its aggregate reserve for accident and health policies and liability for policy and contract claims for Accident and Health certified by a qualified actuary at least once every three years. The actuary providing the certification must not be an employee of the company. Companies writing reinsurance alone are not exempt from this requirement. The certification must contain the following statement: "The policy and contract claims reserves for Accident and Health have been examined and found to be calculated in accordance with generally accepted actuarial principles and practices and are fairly stated."

Subd. 3. [ANNUAL AUDIT.] (a) Every insurance company doing business in this state, including fraternal benefit societies, reciprocal exchanges, service plan corporations licensed pursuant to chapter 62C, and legal service plans licensed pursuant to chapter 62G, unless exempted by the commissioner pursuant to subdivision 4, paragraph (a) or by subdivision 7 shall have an annual audit of the financial activities of the most recently completed fiscal year performed by an independent certified public accountant as prescribed by the commissioner, and shall file the report of this audit with the commissioner on or before June 30 for the year ending December 31.

Extensions of the June 30 filing date may be granted by the commissioner for 30-day periods upon a showing by the insurer and its independent certified public accountant of the reasons for requesting the extension and a determination by the commissioner of good cause for the extension.

The request for extension must be submitted in writing not less than ten days before the due date in sufficient detail to permit the commissioner to make an informed decision with respect to the requested extension.

(b) Insurers filing audited financial reports in another state under the other state's requirements of audited financial reports which have been found by the commissioner to be substantially similar to these requirements are exempt from this subdivision if a copy of the audited financial report, the evaluation of accounting procedures, and systems of internal control report, which are filed with the other state, are filed with the commissioner in accordance with the filing dates specified in paragraphs (a) and (i), (Canadian insurers may submit accountants' reports as filed with the Canadian Dominion Department of Insurance); and a copy of any notification of adverse financial condition report filed with the other state is filed with the commissioner within the time specified in paragraph (h).

(c)(i) The annual audited financial report shall report, in conformity with statutory accounting practices required or permitted by the commissioner of insurance of the state of domicile, the financial condition of the insurer as of the end of the most recent calendar year and the results of its operations, changes in financial position, and changes in capital and surplus for the year ended. The annual audited financial report shall include a report of an independent certified public accountant; a balance sheet reporting admitted assets, liabilities, capital, and surplus; a statement of gain or loss from operations; a statement of cash flows; a statement of changes in capital and surplus; any notes to financial statements; and any additional information that the commissioner may from time to time require to be disclosed.

(ii) The notes required under item (i), shall be those required by generally accepted accounting principles and shall include reconciliation of differences, if any, between the audited statutory financial statements and the annual statement filed under section 60A.13, subdivision 1, with a written description of the nature of these differences; and a narrative explanation of all significant intercompany transactions and balances.

(iii) The financial statements included in the audited financial report shall be prepared in a form and using language and groupings substantially the same as the relevant sections of the annual statement of the insurer filed with the commissioner. The financial statement shall be comparative, presenting the amounts as of December 31 of the current year and the amounts as of the immediately preceding December 31. In the first year in which an insurer is required to file an audited financial report, the comparative data may be omitted. The amounts may be rounded to the nearest \$1,000, and all insignificant amounts may be combined.

(d) Each insurer required by this section to file an annual audited financial report must notify the commissioner in writing of the name and address of the certified public accountant or accounting firm retained to conduct the annual audit within 60 days after becoming subject to the annual audit requirement. The insurer shall obtain from the accountant a letter which states that the accountant is aware of the provisions that relate to accounting and financial matters in the insurance laws and the rules of the insurance regulatory authority of the state of domicile. The letter shall affirm that the opinions on the financial statements will be expressed in terms of their conformity to the statutory accounting practices prescribed or other permitted by that insurance regulatory authority, unless exceptions to these practices are appropriate. The letter shall specify all exceptions believed to be appropriate. A copy of this letter shall be filed with the commissioner.

(e) If an accountant who was not the accountant for the immediately preceding filed audited financial report is engaged to audit the insurer's financial statements, the insurer shall notify the commissioner of this event within 30 days of the date the accountant is engaged. The insurer shall also furnish the commissioner with a separate letter stating whether in the 24 months preceding this engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure, which, if not resolved to the satisfaction of the former accountant, would have caused that person to make reference to the subject matter of the disagreement in connection with the opinion. The insurer shall also in writing request the former accountant to furnish a letter addressed to the insurer stating whether the accountant agrees with the statements contained in the insurer's letter and, if not, stating the reasons for any disagreement. The insurer shall furnish this responsive letter from the former accountant to the commissioner together with its own.

(f) The commissioner shall not recognize any person or firm as an independent certified public accountant that is not in good standing with the American Institute of Certified Public Accountants and in all states in which the accountant is licensed to practice, or for a Canadian or British company, that is not a chartered accountant. Except as otherwise provided, a certified public accountant shall be recognized as independent as long as the person conforms to the standards of the person's profession. The commissioner, after notice and hearing under chapter 14, may find that the accountant is not independent for purposes of expressing an opinion on the financial statements in the annual audited financial report. The commissioner may require the insurer to replace the accountant with another whose relationship with the insurer is independent.

(g) Financial statements furnished under paragraph (a), shall be examined by an independent certified public accountant. The examination of the insurer's financial statements shall be conducted in accordance with generally accepted auditing standards and consideration should be given to other procedures illustrated in the Financial Condition Examiners Handbook, in the Examiners Handbook, issued by the National Association of Insurance Commissioners as the independent certified public accountant considers necessary.

(h) The insurer required to furnish the annual audited financial report shall require the independent certified public accountant to immediately notify in writing an executive officer and all directors of the insurer of the final determination by that independent certified public accountant that the insurer has materially misstated its financial condition as reported to the commissioner as of the balance sheet date currently under examination or that the insurer does not meet the minimum capital and surplus requirement of section 60A.07 as of that date. An executive officer or director of an insurer required to file an annual audited financial report who received a notification of adverse financial condition from the accountant shall make a written report to the commissioner of the existence of the materially misstated financial condition or the failure to meet the minimum capital and surplus requirements of the commissioner within three business days of the notification. If the accountant becomes aware of facts which might have affected this report after the date of the audited financial report filed under this section, the accountant shall take the action prescribed by Professional Standards issued by the American Institute of Certified Public Accountants.

(i) In addition to the annual audited financial report, each insurer shall furnish the commissioner with a report of the evaluation performed by the accountant, in connection with the examination, of the accounting procedures of the insurer and its system of internal control. A report of the evaluation by the accountant of the accounting procedures of the insurer and its system of internal control, including any remedial action taken or proposed, shall be filed annually by the insurer with the division within 60 days after the filing of the annual audited financial report. This report on internal control shall be in the form prescribed by generally accepted auditing standards.

(j) Workpapers are the records kept by the independent certified public accountant of the procedures followed, tests performed, information obtained, and conclusions reached pertinent to the examination of the financial statements of an insurer. Workpapers may include work programs, analyses, memoranda, letters of confirmation and representation, management letters, abstracts of company documents, and schedules or commentaries prepared or obtained by the independent certified public accountant in the course of the examination of the financial statements of an insurer and that support the accountant's opinion. Every insurer required to file an audited financial report shall require the accountant, through the insurer, to make available for review by the examiners the workpapers prepared in the conduct of the examination. The insurer shall require that the accountant retain the audit workpapers for a period of not less than five years after the period reported upon. In the conduct of the periodic review by the examiners, it shall be agreed that photocopies of pertinent audit workpapers may be made and retained by the department of commerce. These copies shall be part of the commissioner's workpapers.

(k) With the commissioner's approval, an insurer may comply with this section by filing the requisite reports that have been prepared in accordance with generally accepted accounting principles if the notes to the financial statements include a reconciliation of differences between net income and capital and surplus on the annual statement filed pursuant to section 60A.13, subdivision 1, and comparable totals on the audited financial statements, and a written description of the nature of these differences.

(l)(i) In the case of Canadian and British insurers, the annual audited financial report means the annual statement of total business on the form filed by these companies with their domiciliary supervision authority and duly audited by an independent chartered accountant.

(ii) For these insurers, the letter required in paragraph (d), shall state that the accountant is aware of the requirements relating to the annual audited statement filed with the commissioner under paragraph (a), and shall affirm that the opinion expressed is in conformity with those requirements.

(m) The audit report of the independent certified public accountant that performs the audit of an insurer's annual statement as required under paragraph (a), shall contain a statement as to whether anything, in connection with the audit, came to the accountant's attention that caused the accountant to believe that the insurer failed to adopt and consistently apply the valuation procedures as required by sections 60A.122 and 60A.123.

Subd. 4. [EXAMINATIONS.] (a) The commissioner or a designated representative shall determine the nature, scope, and frequency of examinations under this section conducted by examiners under section 60A.031. These examinations may cover all aspects of the insurer's assets, condition, affairs, and operations and may include and be supplemented by audit procedures performed by independent certified public accountants. Scheduling of examinations will take into account all relevant matters with respect to the insurer's condition, including results of the National Association of Insurance Commissioner, Insurance Regulatory Information Systems, changes in management, results of market conduct examinations, and audited financial reports. The type of examinations performed by examiners under this section shall be compliance examinations, targeted examinations, and comprehensive examinations.

(b) Compliance examinations will consist of a review of the accountant's workpapers defined under this section and a general review of the insurer's corporate affairs and insurance operations to determine compliance with the Minnesota insurance laws and the rules of the department of commerce. The examiners may perform alternative or additional examination procedures to supplement those performed by the accountant when the examiners determine that the procedures are necessary to verify the financial condition of the insurer.

(c) Targeted examinations may cover limited areas of the insurer's operations as the commissioner may deem appropriate.

(d) Comprehensive examinations will be performed when the report of the accountant as provided for in subdivision 3, paragraph (g), the notification required by subdivision 3, paragraph (h), the results of compliance or targeted examinations, or other circumstances indicate in the judgment of the commissioner or a designated representative that a complete examination of the condition and affairs of the insurer is necessary.

(e) Upon completion of each targeted, compliance, or comprehensive examination, the examiner appointed by the commissioner shall make a full and true report on the results of the examination. Each report shall include a general description of the audit procedures performed by the examiners and the procedures of the accountant that the examiners may have utilized to supplement their examination procedures and the procedures that were performed by the registered independent certified public accountant if included as a supplement to the examination.

Subd. 5. [CONSOLIDATED FILING.] (a) The commissioner may allow an exception to the stand alone loss reserve certification required by subdivision 2, and audited financial statements required by subdivision 3, paragraph (a), where it can be demonstrated that a company in a group has a pooling or 100 percent reinsurance agreement used in a group which substantially affects the solvency and integrity of the reserves of the company or where it is only the parent company of a group which is licensed to do business in Minnesota. If these circumstances exist, then the company may file a written application to file loss reserve certification and a report of an annual audit. This application shall be for a specified period.

(b) A consolidated annual audit filing shall include an organizational chart of the companies together with a columnar consolidated or combining worksheet. Amounts shown on the audited consolidated or combined financial statement shall be shown on the worksheet. Amounts for each insurer shall be stated separately. Noninsurance operations may be shown on the worksheet on a combined or individual basis. Explanations of consolidating or eliminating entries shall be shown on the worksheet. A reconciliation of any differences between the amounts shown in the individual insurer columns of the worksheet and comparable amounts shown on the annual statement of the insurers shall be included on the worksheet.

Subd. 6. [PENALTIES.] No annual statement, report, or document related to the business of insurance shall be filed with the commissioner or issued to the public if it is signed by anyone who is represented in the instrument as an "actuary" or "accountant," unless the person is qualified as defined by this section. A violation of this subdivision is a violation of section 72A.19 and punishable in accordance with section 72A.25.

Subd. 7. [EXEMPTIONS.] (a) Upon written application of any company, the commissioner may grant an exemption from compliance with the provisions of this section. In order to receive an exemption, a company must demonstrate to the satisfaction of the commissioner that compliance would constitute a financial hardship upon the company. An exemption may be granted at any time and from time to time for specified periods. Within ten days from the denial of an insurer's written request for an exemption, the insurer may request in writing a hearing on its application for an exemption. This hearing shall be held in accordance with chapter 14. Upon written application of any insurer, the commissioner may permit an insurer to file annual audited financial reports on some basis other than a calendar year basis for a specified period. No exemption shall be granted until the insurer presents an alternative method satisfying the purposes of this section. Within ten days from a denial of a written request for an exemption, the insurer may request in writing a hearing on its application. The hearing shall be held in accordance with chapter 14.

(b) This section applies to all insurers, unless otherwise indicated, required to file an annual audit by subdivision 3, paragraph (a), except insurers having less than \$1,000,000 of direct written premiums in any year and fewer than 1,000 policyholders in this state at the end of any year, are exempt from this section for that year.

Sec. 4. Minnesota Statutes 1992, section 60A.13, subdivision 1, is amended to read:

Subdivision 1. [ANNUAL STATEMENTS REQUIRED.] Every insurance company, including fraternal benefit societies, and reciprocal exchanges, doing business in this state, shall transmit to the commissioner, annually, on or before March 1, the appropriate verified National Association of Insurance Commissioners' annual statement blank, prepared in accordance with the association's instructions handbook and following those accounting procedures and practices prescribed by the association's accounting practices and procedures manual, unless the commissioner requires or finds another method of valuation reasonable under the circumstances. Another method of valuation permitted by the commissioner must be at least as conservative as those prescribed in the association's manual. In addition, the commissioner may require the filing of any other information determined to be reasonably necessary for the continual enforcement of these laws. The statement may be limited to the insurer's business and condition in the United States unless the commissioner finds that the business conducted outside the United States may detrimentally affect the interests of policyholders in this state. The statements shall also contain a verified schedule showing all details required by law for assessment and taxation. The statement or schedules shall be in the form and shall contain all matters the commissioner may prescribe, and it may be varied as to different types of insurers so as to elicit a true exhibit of the condition of each insurer.

Sec. 5. Minnesota Statutes 1992, section 60A.13, subdivision 6, is amended to read:

Subd. 6. [COMPANY OR AGENT CANNOT CONTINUE BUSINESS UNLESS STATEMENT IS FILED.] No company shall transact any new business in this state after May thirty-first in any year unless it shall have previously transmitted its annual statement to the commissioner and filed a copy of its statement with the National Association of Insurance Commissioners. The commissioner may by order annually require that each insurer pay the required fee to the National Association of Insurance Commissioners for the filing of annual statements, but the fee shall not be more than 50 percent greater than the fee set by the National Association of Insurance Commissioners on January 1, 1984. Failure to file the annual statement with the commissioner or the National Association of Insurance Commissioners is a violation of section 72A.061, subdivision 1. The fee shall be based on the relative premium volume of each insurer. The commissioner's order shall not be subject to chapter 14.

Sec. 6. Minnesota Statutes 1992, section 60A.23, subdivision 4, is amended to read:

Subd. 4. [DIVIDENDS; LIMITATIONS.] ~~No domestic stock company shall declare a dividend either in cash or stock, except from its actual net surplus computed as required by law in its annual statement; nor shall any such company which has ceased to do new business divide any portion of its assets, except surplus, until it shall have performed or canceled its policy obligations. It may declare and pay, annually, semiannually or quarterly from its surplus, cash dividends of not more than ten percent of its capital stock and surplus in any year and, if the dividends in any one year are less than ten percent, the difference may be made up in any subsequent year or years from surplus accumulations. It may pay such dividend as the directors deem prudent out of any surplus remaining after charging, in addition to all liabilities except unearned premiums, an amount equal to the whole amount of premiums on unexpired risks and deducting from the assets all securities and accounts receivable on which no part of the principal or interest has been paid within the preceding year, or for which foreclosure or suit has been commenced, or upon which judgment obtained has remained more than two years unsatisfied and on which interest has not been paid, and also deducting all liens due and unpaid on any of its property. Stock companies shall follow the dividend limitation and reporting requirements set forth in chapter 60D.~~

Sec. 7. Minnesota Statutes 1992, section 60B.22, subdivision 1, is amended to read:

Subdivision 1. [LENGTH OF CONTINUED COVERAGE.] All insurance policies or similar contracts of coverage issued by the insurer shall continue in force:

- (a) For a period of ~~15~~ 30 days from the date of entry of the liquidation order;
- (b) Until the normal expiration of the policy or contract coverage;
- (c) Until the insured has replaced the coverage with equivalent coverage in another insurer; or
- (d) Until the liquidator has effected a transfer of the policy or contract obligation pursuant to section 60B.25, clause (8), whichever time is less.

Sec. 8. Minnesota Statutes 1992, section 60C.03, subdivision 7, is amended to read:

Subd. 7. [RESIDENT.] "Resident" means:

(a) An individual person who fixes habitation in this state without any intention of removing therefrom and who, whenever absent therefrom, intends to return; or

(b) Any other person whose principal place of business is located in this state at the time of the insured event; ~~or~~

~~(c) A person whose principal place of business is in Wisconsin, Iowa, North Dakota, or South Dakota, but who maintains substantial business in Minnesota.~~

Sec. 9. Minnesota Statutes 1992, section 60D.20, subdivision 2, is amended to read:

Subd. 2. [DIVIDENDS AND OTHER DISTRIBUTIONS.] (a) Subject to the limitations and requirements of this subdivision, the board of directors of any domestic insurer within an insurance holding company system may authorize and cause the insurer to declare and pay any dividend or distribution to its shareholders as the directors deem prudent from the earned surplus of the insurer. An insurer's earned surplus, also known as unassigned funds, shall be determined in accordance with the accounting procedures and practices governing preparation of its annual statement, minus 25 percent of earned surplus attributable to unrealized capital gains. Dividends which are paid from sources other than an insurer's earned surplus or are extraordinary dividends or distributions may be paid only as provided in paragraphs (d), (e), and (f).

(b) The insurer shall notify the commissioner within five business days following declaration of a dividend declared pursuant to paragraph (a) and at least ten days prior to its payment. The commissioner shall promptly consider the notification filed pursuant to this paragraph, taking into consideration the factors described in subdivision 4.

(c) The commissioner shall review at least annually the dividends paid by an insurer pursuant to paragraph (a) for the purpose of determining if the dividends are reasonable based upon (1) the adequacy of the level of surplus as regards policyholders remaining after the dividend payments, and (2) the quality of the insurer's earnings and extent to which the reported earnings include extraordinary items, such as surplus relief reinsurance transactions and reserve destrengthening.

(d) No domestic insurer shall pay any extraordinary dividend or make any other extraordinary distribution to its shareholders until: (1) 30 days after the commissioner has received notice of the declaration of it and has not within the period disapproved the payment; or (2) the commissioner has approved the payment within the 30-day period.

~~(b) (e) For purposes of this section, an extraordinary dividend or distribution includes any dividend or distribution of cash or other property, whose fair market value together with that of other dividends or distributions made within the preceding 12 months exceeds the greater of (1) ten percent of the insurer's surplus as regards policyholders as of the 31st day of December next preceding; or (2) the net gain from operations of the insurer, if the insurer is a life insurer, or the net income, if the insurer is not a life insurer, not including realized capital gains, for the 12-month period ending the 31st day of December next preceding, but does not include pro rata distributions of any class of the insurer's own securities. In determining whether a dividend or distribution is extraordinary, an insurer other than a life insurer may carry forward net income from the previous two calendar years that has not already been paid out as dividends. This carry forward is computed by taking the net income from the second and third preceding calendar years, not including realized capital gains, less dividends paid in the second and immediate preceding calendar years.~~

~~(e) (f) Notwithstanding any other provision of law, an insurer may declare an extraordinary dividend or distribution that is conditional upon the commissioner's approval, and the declaration shall confer no rights upon shareholders until: (1) the commissioner has approved the payment of such a dividend or distribution; or (2) the commissioner has not disapproved the payment within the 30-day period referred to above.~~

Sec. 10. Minnesota Statutes 1992, section 60D.20, subdivision 4, is amended to read:

Subd. 4. [ADEQUACY OF SURPLUS.] For purposes of this chapter, in determining whether an insurer's surplus as regards policyholders is reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs, the following factors, among others, must be considered:

- (1) the size of the insurer as measured by its assets, capital and surplus, reserves, premium writings, insurance in force and other appropriate criteria;
- (2) the extent to which the insurer's business is diversified among the several lines of insurance;
- (3) the number and size of risks insured in each line of business;
- (4) the extent of the geographical dispersion of the insurer's insured risks;
- (5) the nature and extent of the insurer's reinsurance program;
- (6) the quality, diversification and liquidity of the insurer's investment portfolio;
- (7) the recent past and projected future trend in the size of the insurer's investment portfolio;
- (8) the surplus as regards policyholders maintained by other comparable insurers;
- (9) the adequacy of the insurer's reserves; and
- (10) the quality and liquidity of investments in affiliates. The commissioner may treat any such investment as a disallowed asset for purposes of determining the adequacy of surplus as regards policyholders whenever in the commissioner's judgment the investment so warrants; and

(11) the quality of the insurer's earnings and the extent to which the reported earnings include extraordinary items, such as surplus relief reinsurance transactions and reserve destrengthening.

Sec. 11. Minnesota Statutes 1992, section 60E.01, is amended to read:

60E.01 [PURPOSE.]

The purpose of sections 60E.01 to 60E.14 is to regulate the formation and operation of risk retention groups and purchasing groups in this state formed under the federal Liability Risk Retention Act of 1986, to the extent permitted by that law.

Sec. 12. Minnesota Statutes 1992, section 60E.02, subdivision 9, is amended to read:

Subd. 9. [PLAN OF OPERATION OR FEASIBILITY STUDY.] "Plan of operation" or "feasibility study" means an analysis that presents the expected activities and results of a risk retention group including, at a minimum:

(1) information sufficient to verify that its members are engaged in business or activities similar or related with respect to the liability to which the members are exposed by virtue of any related, similar or common business, trade, product, services, premises, or operations;

(2) for each state in which it intends to operate, the coverages, deductibles, coverage limits, rates, and rating classification systems for each line of insurance the group intends to offer;

(3) historical and expected loss experience of the proposed members and national experience of similar exposures to the extent that this experience is reasonably available;

(4) pro forma financial statements and projections;

(5) appropriate opinions by a qualified, independent casualty actuary, including a determination of minimum premium or participation levels required to commence operations and to prevent a hazardous financial condition;

(6) identification of management, underwriting and claims procedures, marketing methods, managerial oversight methods, investment policies, and reinsurance agreements; and

(7) identification of each state in which the risk retention group has obtained, or sought to obtain, a charter and license, and a description of its status in each state; and

(8) other matters prescribed by the commissioner for liability insurance companies authorized by the insurance laws of the state.

Sec. 13. Minnesota Statutes 1992, section 60E.02, subdivision 12, is amended to read:

Subd. 12. [RISK RETENTION GROUP.] "Risk retention group" means a corporation or other limited liability association ~~formed under the laws of a state, Bermuda, or the Cayman Islands:~~

(1) whose primary activity consists of assuming and spreading all, or a portion, of the liability exposure of its group members;

(2) which is organized for the primary purpose of conducting the activity described under clause (1);

(3) which:

(a) is chartered and licensed as a liability insurance company and authorized to engage in the business of insurance under the laws of a state; or

(b) before January 1, 1985, was chartered or licensed and authorized to engage in the business of insurance under the laws of Bermuda or the Cayman Islands and, before that date, had certified to the insurance commissioner of at least one state that it satisfied the capitalization requirements of the state, except that the group shall be considered to be a risk retention group only if it has been engaged in business continuously since that date and only for the purpose of continuing to provide insurance to cover product liability or completed operations liability, as such terms were defined in the Product Liability Risk Retention Act of 1981 before the date of the enactment of the Risk Retention Act of 1986;

(4) which does not exclude a person from membership in the group solely to provide for members of the group a competitive advantage over that person;

(5) which:

(a) has as its members only persons who have an ownership interest in the group and which has as its owners only persons who are members who are provided insurance by the risk retention group; or

(b) ~~has as its sole member and sole owner an organization which is owned by persons who are provided insurance by the risk retention group~~ has as its members only persons who comprise the membership of the risk retention group and which has as its owners only persons who comprise the membership of the risk retention group and who are provided insurance by that group;

(6) whose members are engaged in businesses or activities similar or related with respect to the liability of which the members are exposed by virtue of any related, similar, or common business trade, product, services, premises, or operations;

(7) whose activities do not include the provision of insurance other than:

(a) liability insurance for assuming and spreading all or a portion of the liability of its group members; and

(b) reinsurance with respect to the liability of any other risk retention group, or any members of the other group, which is engaged in businesses or activities so that the group or member meets the requirement described in clause (6) from membership in the risk retention group which provides the reinsurance; and

(8) the name of which includes the phrase "risk retention group."

Sec. 14. Minnesota Statutes 1992, section 60E.03, is amended to read:

60E.03 [RISK RETENTION GROUPS CHARTERED IN THIS STATE.]

A risk retention group ~~seeking to be chartered in this state must~~ shall be chartered and licensed as a to write only liability insurance company ~~authorized by the insurance laws of this state pursuant to sections 60E.01 to 60E.14 and,~~ except as provided elsewhere in sections 60E.01 to 60E.14, must comply with all of the laws, rules, and requirements applicable to insurers chartered and licensed in this state and with section 60E.04 to the extent those requirements are not a limitation on laws, rules, or requirements of this state. ~~Before it may offer insurance in a state, a risk retention group shall also submit for approval to the commissioner of commerce a plan of operation or a feasibility study and revisions of the plan or study if the group intends to offer additional lines of liability insurance.~~

Notwithstanding any other provision to the contrary, all risk retention groups chartered in this state shall file with the department and the National Association of Insurance Commissioners (NAIC), an annual statement in a form prescribed by the NAIC, and in diskette form if required by the commissioner, and completed in accordance with its instructions and the NAIC accounting practices and procedures manual.

Before it may offer insurance in a state, each risk retention group shall also submit for approval to the commissioner of commerce a plan of operation or feasibility study. The risk retention group shall submit an appropriate revision in the event of any subsequent material change in any item of the plan of operation or feasibility study, within ten days of a change. The group shall not offer any additional kinds of liability insurance, in this state or in any other state, until a revision of the plan or study is approved by the commissioner.

At the time of filing its application for charter, the risk retention group shall provide to the commissioner in summary form the following information: the identity of the initial members of the group, the identity of those individuals who organized the group or who will provide administrative services or otherwise influence or control the activities of the group, the amount and nature of initial capitalization, the coverages to be afforded, and the states in which the group intends to operate. Upon receipt of this information, the commissioner shall forward the information to the National Association of Insurance Commissioners.

Providing notification to the NAIC is in addition to and shall not be sufficient to satisfy the requirements of section 60E.04 or any other sections of this chapter.

Sec. 15. Minnesota Statutes 1992, section 60E.04, subdivision 1, is amended to read:

Subdivision 1. [REGULATION.] Risk retention groups chartered and licensed in states other than this state and seeking to do business as a risk retention group in this state must observe and abide by the laws of this state as set forth in subdivisions 2 to 12.

Sec. 16. Minnesota Statutes 1992, section 60E.04, subdivision 2, is amended to read:

Subd. 2. [NOTICE OF OPERATIONS AND DESIGNATION OF COMMISSIONER AS AGENT.] (a) Before offering insurance in this state, a risk retention group shall submit to the commissioner on a form prescribed by the NAIC:

(1) a statement identifying the state or states in which the risk retention group is chartered and licensed as a liability insurance company, date of chartering, its principal place of business, and other information including information on its membership, the commissioner may require to verify that the risk retention group is qualified under section 60E.02, subdivision 12;

(2) a copy of its plan of operations or a feasibility study and revisions of the plan or study submitted to ~~its~~ the state of domicile in which the risk retention group is chartered and licensed; provided, however, that the provision relating to the submission of a plan of operation or a feasibility study shall not apply with respect to a line or classification of liability insurance that was defined in the Product Liability Risk Retention Act of 1981 before October 27, 1986, and was offered before that date by a risk retention group that had been chartered and operating for not less than three years before that date; ~~and.~~

~~(3)~~ (b) The risk retention group shall submit a copy of any revision to its plan of operation or feasibility study required by section 60E.03 at the same time that the revision is submitted to the commissioner of its chartering state.

(c) The risk retention group shall submit a statement of registration, for which a filing fee shall be determined by the commissioner, that designates the commissioner as its agent for the purpose of receiving service of legal documents or process.

Sec. 17. Minnesota Statutes 1992, section 60E.04, subdivision 3, is amended to read:

Subd. 3. [FINANCIAL CONDITION.] A risk retention group doing business in this state shall submit to the commissioner:

(1) a copy of the group's financial statement submitted to ~~its~~ the state of domicile in which the risk retention group is chartered and licensed, which shall be certified by an independent public accountant and contain a statement of opinion on loss and loss adjustment expense reserves made by a member of the American Academy of Actuaries or a qualified loss reserve specialist, under criteria established by the National Association of Insurance Commissioners;

(2) a copy of each examination of the risk retention group as certified by the commissioner or public official conducting the examination;

(3) upon request by the commissioner, a copy of any information or document pertaining to any outside audit performed with respect to the risk retention group; and

(4) the information required to verify its continuing qualification as a risk retention group under section 60E.02, subdivision 12.

Sec. 18. Minnesota Statutes 1992, section 60E.04, subdivision 4, is amended to read:

Subd. 4. [TAXATION.] ~~(a) All premiums paid for coverages within this state to risk retention groups are subject to taxation at the same rate and subject to the same interest, fines, and penalties for nonpayment as that applicable to other insurers. Each risk retention group is liable for the payment of premium taxes and taxes on premiums of direct business for risks resident or located within this state, and shall report to the commissioner the net premiums written for risks resident or located within this state. The risk retention group shall be subject to taxation, and any applicable taxation-related fines and penalties, on the same basis as a foreign admitted insurer.~~

~~(b) To the extent agents or brokers are utilized, they shall report and pay the taxes for the premiums for risks which they have placed with or on behalf of a risk retention group not chartered in this state. The agents or brokers are subject to the provisions of sections 60A.195 to 60A.209. To the extent licensed agents or brokers are utilized pursuant to section 60E.12, they shall report to the commissioner the premiums for direct business for risks resident or located within this state which the licensees have placed with or on behalf of a risk retention group not chartered in this state.~~

~~(c) To the extent agents or brokers are not utilized or fail to pay the tax, each risk retention group shall pay the tax for risks insured within the state. Each risk retention group shall report all premiums paid to it for risks insured within the state and shall be subject to the same interest, fines, and penalties for nonpayment as that applicable to foreign admitted insurers. To the extent that insurance agents or brokers are utilized pursuant to section 60E.12, each agent or broker shall keep a complete and separate record of all policies procured from each risk retention group, which shall be open to examination by the commissioner; as provided in section 60A.031. These records shall, for each policy and each kind of insurance provided, include the following:~~

- ~~(1) the limit of liability;~~
- ~~(2) the time period covered;~~
- ~~(3) the effective date;~~
- ~~(4) the name of the risk retention group which issued the policy;~~
- ~~(5) the gross premium charged; and~~
- ~~(6) the amount of return premiums, if any.~~

Sec. 19. Minnesota Statutes 1992, section 60E.04, subdivision 7, is amended to read:

Subd. 7. [EXAMINATION REGARDING FINANCIAL CONDITION.] A risk retention group must submit to an examination by the commissioner to determine its financial condition if the commissioner of the jurisdiction in which the group is chartered and licensed has not initiated an examination or does not initiate an examination within ~~ten business~~ 60 days after a request by the commissioner of commerce. The examination must be coordinated to avoid unjustified repetition and conducted in an expeditious manner and in accordance with the National Association of Insurance Commissioner's Examiner Handbook.

Sec. 20. Minnesota Statutes 1992, section 60E.04, subdivision 8, is amended to read:

Subd. 8. [NOTICE TO PURCHASERS.] An application form for insurance from a risk retention group and the front and declaration pages of a policy issued by a risk retention group must contain in 10 point type on the front page and the declaration page, the following notice:

NOTICE

This policy is issued by your risk retention group. Your risk retention group may not be subject to all of the insurance laws and rules of your state. State insurance insolvency guaranty funds are not available for your risk retention group.

Sec. 21. Minnesota Statutes 1992, section 60E.04, subdivision 11, is amended to read:

Subd. 11. [PROHIBITED COVERAGE.] No risk retention group may offer. The terms of an insurance policy issued by a risk retention group shall not provide, or be construed to provide, coverage prohibited by the insurance laws or rules of this state statute or declared unlawful by the highest court of this the state whose law applies to the policy.

Sec. 22. Minnesota Statutes 1992, section 60E.04, is amended by adding a subdivision to read:

Subd. 13. [PENALTIES.] A risk retention group that violates any provision of this chapter is subject to fines and penalties including revocation of its right to do business in this state, applicable to licensed insurers generally.

Sec. 23. Minnesota Statutes 1992, section 60E.05, is amended to read:

60E.05 [COMPULSORY ASSOCIATIONS.]

No risk retention group shall be required or permitted to join or contribute financially to an insurance insolvency guaranty fund, or similar mechanism, in this state, nor shall any risk retention group, or its insureds, or claimants against its insureds receive a benefit from the fund for claims arising out of the operations of the risk retention group.

A risk retention group shall participate in this state's joint underwriting associations and mandatory liability pools as provided by chapters 60A to 72A and 340A. When a purchasing group obtains insurance covering its members' risks from an insurer not authorized in this state or a risk retention group, no such risks, wherever resident or located, shall be covered by any insurance guaranty fund or similar mechanism in this state.

When a purchasing group obtains insurance covering its members' risks from an authorized insurer, only risks resident or located in this state shall be covered by the Minnesota guaranty association under chapter 60C.

Notwithstanding chapter 62I, the commissioner may require or exempt a risk retention group from participation in any mechanism established or authorized under the law of this state for the equitable apportionment among insurers of liability insurance losses and expenses incurred on policies written through this mechanism, and the risk retention group shall submit sufficient information to the commissioner to enable the commissioner to apportion on a nondiscriminatory basis the risk retention group's proportionate share of these losses and expenses.

Sec. 24. Minnesota Statutes 1992, section 60E.07, is amended to read:

60E.07 [PURCHASING GROUPS; EXEMPTION FROM CERTAIN LAWS RELATING TO THE GROUP PURCHASE OF INSURANCE.]

A purchasing group meeting the criteria established under the Federal Liability Risk Retention Act of 1986 is exempt from any law of this state relating to the creation of groups for the purchase of insurance, prohibition of group purchasing or any law that would discriminate against a purchasing group or its members. In addition, an insurer is exempt from any law of this state that prohibits providing, or offering to provide, to a purchasing group or its members advantages based on their loss and expense experience not afforded to other persons with respect to rates, policy forms, coverages, or other matters. A purchasing group is subject to all other applicable laws of this state, and its insurer or insurers are subject to all applicable laws of this state, except that a purchasing group and its insurer or insurers are exempt, in regard to liability insurance for the purchasing group, from any law that would:

(1) prohibit the establishment of a purchasing group;

(2) make it unlawful for an insurer to provide or offer to provide insurance on a basis providing, to a purchasing group or its members, advantages based on their loss and expense experience not afforded to other persons with respect to rates, policy forms, coverages, or other matters;

(3) prohibit a purchasing group or its members from purchasing insurance on a group basis described in clause (2);

(4) prohibit a purchasing group from obtaining insurance on a group basis because the group has not been in existence for a minimum period of time or because any member has not belonged to the group for a minimum period of time;

(5) require that a purchasing group must have a minimum number of members, common ownership or affiliation, or certain legal form;

(6) require that a certain percentage of a purchasing group must obtain insurance on a group basis;

(7) otherwise discriminate against a purchasing group or any of its members; or

(8) require that any insurance policy issued to a purchasing group or any of its members be countersigned by an insurance agent or broker residing in this state.

Sec. 25. Minnesota Statutes 1992, section 60E.08, is amended to read:

60E.08 [NOTICE AND REGISTRATION REQUIREMENTS OF PURCHASING GROUPS.]

Subdivision 1. [NOTICE TO COMMISSIONER.] A purchasing group that intends to do business in this state shall, prior to doing business, furnish notice to the commissioner on forms prescribed by the NAIC which shall:

(1) identify the state in which the group is domiciled;

(2) identify all other states in which the group intends to do business;

(3) specify the lines and classifications of liability insurance which the purchasing group intends to purchase;

~~(3)~~ (4) identify the insurance company or companies from which the group intends to purchase its insurance and the domicile of the company;

~~(4)~~ (5) specify the method by which, and the person or persons, if any, through whom insurance will be offered to its members whose risks are resident or located in this state;

(6) identify the principal place of business of the group; and

~~(5)~~ (7) provide other information required by the commissioner to verify that the purchasing group is qualified under section 60E.02, subdivision 11.

Subd. 2. [NOTICE OF CHANGE.] A purchasing group shall, within ten days, notify the commissioner of any changes in any items set forth in subdivision 1.

Subd. 3. [SERVICE OF PROCESS.] The purchasing group shall register with and designate the commissioner or other appropriate authority as its agent solely for the purpose of receiving service of legal documents or process for which a filing fee shall be determined by the commissioner. These requirements do not apply to a purchasing group that only purchases insurance that was authorized under the federal Product Liability Risk Retention Act of 1981, and that in any state of the United States:

(1) was domiciled before April 2, 1986, and is domiciled on and after October 27, 1986, in any state of the United States;

(2) before October 27, 1986, purchased insurance from an insurance carrier licensed in any state, and since October 27, 1986, purchased its insurance from an insurance carrier licensed in any state; and

(3) was a purchasing group under the requirements of the federal Product Liability Retention Act of 1981 before October 27, 1986; and

~~(4) does not purchase insurance that was not authorized for purposes of an exemption under the act referred to in clause (3), as in effect before October 27, 1986.~~

Subd. 4. [ADDITIONAL INFORMATION.] Each purchasing group that is required to give notice pursuant to subdivision 1 shall also furnish information required by the commissioner to:

- (1) verify that the entity qualifies as a purchasing group;
- (2) determine where the purchasing group is located; and
- (3) determine appropriate tax treatment.

Sec. 26. Minnesota Statutes 1992, section 60E.09, is amended to read:

60E.09 [RESTRICTIONS ON INSURANCE PURCHASED BY PURCHASING GROUPS.]

A purchasing group may not purchase insurance from a risk retention group that is not chartered in a state or from an insurer not admitted in the state in which the purchasing group is located, unless the purchase is effected through a licensed agent or broker acting pursuant to the surplus lines laws and regulations of the state.

A purchasing group which obtains liability insurance from an insurer not admitted in this state or a risk retention group shall inform each of the members of the group which have a risk resident or located in this state that the risk is not protected by an insurance insolvency guaranty fund in this state, and that the risk retention group or insurer may not be subject to all insurance laws and regulations of this state.

No purchasing group may purchase insurance providing for a deductible or self-insured retention applicable to the group as a whole, however, coverage may provide for a deductible or self-insured retention applicable to individual members.

Purchases of insurance by purchasing groups are subject to the same standards regarding aggregate limits which are applicable to all purchases of group insurance.

Sec. 27. [60E.095] [PURCHASING GROUP TAXATION.]

Premium taxes and taxes on premiums paid for coverage of risks resident or located in this state by a purchasing group or any members of the purchasing groups shall be:

- (1) imposed at the same rate and subject to the same interest, fines, and penalties as that applicable to premium taxes and taxes on premiums paid for similar coverage from a similar insurance source by other insureds; and
- (2) paid first by the insurance source, and if not by the source by the agent or broker for the purchasing group, and if not by the agent or broker then by the purchasing group, and if not by the purchasing group then by each of its members.

Sec. 28. Minnesota Statutes 1992, section 60E.10, is amended to read:

60E.10 [ADMINISTRATIVE AND PROCEDURAL AUTHORITY REGARDING RISK RETENTION GROUPS AND PURCHASING GROUPS.]

The commissioner of commerce may use any of the powers established under the insurance laws ~~and rules~~ of this state to enforce the laws ~~and rules~~ of this state ~~so long as these powers are not specifically preempted by the Product Liability Risk Retention Act of 1981, as amended by the Risk Retention Amendments of 1986.~~ This includes, but is not limited to, the commissioner's administrative authority to investigate, issue subpoenas, conduct depositions and hearings, issue orders, ~~and impose penalties, and seek injunctive relief.~~ With regard to an investigation, administrative proceedings, or litigation, the commissioner can rely on the procedural ~~law and rules~~ laws of the state. The injunctive authority of the commissioner in regard to risk retention groups is restricted by the requirement that an injunction be issued by a court of competent jurisdiction.

Sec. 29. Minnesota Statutes 1992, section 60E.12, is amended to read:

60E.12 [DUTY ON AGENTS OR BROKERS TO OBTAIN LICENSE.]

~~A person acting, or offering to act, as an agent or broker for a risk retention group or purchasing group, that solicits members, sells insurance coverage, purchases coverage for its members located within the state or otherwise does business in this state shall, before commencing this activity, obtain a license from the commissioner.~~

Subdivision 1. [RISK RETENTION GROUPS.] No person, firm, association, or corporation shall act or aid in any manner in soliciting, negotiating, or procuring liability insurance in this state from a risk retention group unless the person, firm, association, or corporation is licensed as an insurance agent or broker in accordance with chapter 60K.

Subd. 2. [PURCHASING GROUPS.] (a) No person, firm, association, or corporation shall act or aid in any manner in soliciting, negotiating, or procuring liability insurance in this state for a purchasing group from an authorized insurer or a risk retention group chartered in a state unless the person, firm, association, or corporation is licensed as an insurance agent or broker in accordance with chapter 60K.

(b) No person, firm, association, or corporation shall act or aid in any manner in soliciting, negotiating, or procuring liability insurance coverage in this state for any member of a purchasing group under a purchasing group's policy unless the person, firm, association, or corporation is licensed as an insurance agent or broker in accordance with chapter 60K.

(c) No person, firm, association, or corporation shall act or aid in any manner in soliciting, negotiating, or procuring liability insurance from an insurer not authorized to do business in this state on behalf of a purchasing group located in this state unless the person, firm, association, or corporation is licensed as a surplus lines agent or excess line broker in accordance with sections 60A.195 to 60A.209.

Subd. 3. [AGENT OR BROKER RESIDENCE REQUIREMENT.] For purposes of acting as an agent or broker for a risk retention group or purchasing group pursuant to subdivisions 1 and 2, the requirement of residence in this state do not apply.

Subd. 4. [NOTICE TO INSURED.] Every person, firm, association, or corporation licensed pursuant to chapter 60A, on business placed with risk retention groups or written through a purchasing group, shall inform each prospective insured of the provisions of the notice required by section 60E.04, subdivision 8, in the case of a risk retention group and section 60E.09 in the case of a purchasing group.

Sec. 30. Minnesota Statutes 1992, section 60E.13, is amended to read:

60E.13 [BINDING EFFECT OF ORDERS ISSUED IN UNITED STATES DISTRICT COURT.]

An order issued by any district court of the United States enjoining a risk retention group from soliciting or selling insurance, or operating, in a state, or in all states or in a territory or possession of the United States, upon a finding that the group is in a hazardous financial condition or financially impaired condition shall be enforceable in the courts of the state.

Sec. 31. [TRANSITIONAL PROVISIONS.]

(a) In addition to complying with the requirements of Minnesota Statutes, section 60E.04, a risk retention group operating in this state before the effective date of this act shall, within 30 days after that date, comply with the provisions of Minnesota Statutes, section 60F.04, subdivision 2, paragraph (a).

(b) A purchasing group which was doing business in this state before the enactment of this act shall, within 30 days after the effective date of this act, furnish notice to the commissioner pursuant to Minnesota Statutes, section 60E.08, subdivision 1, and furnish the information required pursuant to Minnesota Statutes, section 60E.08, subdivisions 2 and 3.

Sec. 32. [REPEALER.]

Minnesota Statutes 1992, sections 60A.07, subdivision 5d; 60A.12, subdivision 10; 60B.24; and 60E.11, are repealed."

Delete the title and insert:

"A bill for an act relating to insurance; regulating investments, assets and liabilities, and annual statements of companies; providing for continuance of coverage upon liquidation; modifying the definition of resident for purposes of the Minnesota insurance guaranty association; regulating dividends and other distributions of insurance holding company systems; regulating risk retention groups; enacting the NAIC model legislation; amending Minnesota Statutes 1992, sections 60A.11, subdivision 9; 60A.12, subdivision 3; 60A.13, subdivisions 1 and 6; 60A.23, subdivision 4; 60B.22, subdivision 1; 60C.03, subdivision 7; 60D.20, subdivisions 2 and 4; 60E.01; 60E.02, subdivisions 9 and 12; 60E.03; 60E.04, subdivisions 1, 2, 3, 4, 7, 8, 11, and by adding a subdivision; 60E.05; 60E.07; 60E.08; 60E.09; 60E.10; 60E.12; and 60E.13; proposing coding for new law in Minnesota Statutes, chapters 60A and 60E; repealing Minnesota Statutes 1992, sections 60A.07, subdivision 5d; 60A.12, subdivision 10; 60B.24; and 60E.11."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1137, A bill for an act relating to real estate; regulating fees, licenses, and agreements; requiring certain disclosures; providing for meetings of the real estate appraiser advisory board; changing terms; regulating fees and licenses; amending Minnesota Statutes 1992, sections 82.17, subdivision 4, and by adding subdivisions; 82.19, subdivision 5, and by adding subdivisions; 82.20, subdivisions 7, 8, and 15; 82.21, subdivision 1, and by adding a subdivision; 82.22, subdivisions 6 and 13; 82.24, subdivision 1; 82.27, subdivision 1; 82.33, subdivision 2, and by adding subdivisions; 82.34, subdivisions 3 and 4; 82B.02, by adding a subdivision; 82B.05, subdivision 5; 82B.09, subdivision 1; 82B.11; 82B.14; 82B.19, subdivision 2; and 507.45, subdivision 4; Laws 1992, chapter 555, article 1, section 12; proposing coding for new law in Minnesota Statutes, chapter 82; repealing Minnesota Statutes 1992, section 82.22, subdivision 7; Minnesota Rules, part 2805.1200.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 82.17, subdivision 4, is amended to read:

Subd. 4. "Real estate broker" or "broker" means any person who:

(a) for another and for commission, fee or other valuable consideration or with the intention or expectation of receiving the same directly or indirectly lists, sells, exchanges, buys or rents, manages, or offers or attempts to negotiate a sale, option, exchange, purchase or rental of an interest or estate in real estate, or advertises or holds out as engaged in these activities;

(b) for another and for commission, fee or other valuable consideration or with the intention or expectation of receiving the same directly or indirectly negotiates or offers or attempts to negotiate a loan, secured or to be secured by a mortgage or other encumbrance on real estate;

(c) for another and for commission, fee or other valuable consideration or with the intention or expectation of receiving the same directly or indirectly lists, sells, exchanges, buys, rents, manages, offers or attempts to negotiate a sale, option, exchange, purchase or rental of any business opportunity or business, or its good will, inventory, or fixtures, or any interest therein;

(d) for another and for commission, fee or other valuable consideration or with the intention or expectation of receiving the same directly or indirectly offers, sells or attempts to negotiate the sale of property that is subject to the registration requirements of chapter 83, concerning subdivided land;

(e) engages in the business of charging an advance fee or contracting for collection of a fee in connection with any contract whereby the person undertakes to promote the sale of real estate through its listing in a publication issued primarily for this purpose; for another and for commission, fee, or other valuable consideration or with the intention or expectation of receiving the same, promotes the sale of real estate by advertising it in a publication issued primarily for this purpose, if the person:

(1) negotiates on behalf of any party to a transaction;

(2) disseminates any information regarding the property to any party or potential party to a transaction subsequent to the publication of the advertisement, except that in response to an initial inquiry from a potential purchaser, the person may forward additional written information regarding the property which has been prepared prior to the publication by the seller or broker or a representative of either;

(3) counsels, advises, or offers suggestions to the seller or a representative of the seller with regard to the marketing, offer, sale, or lease of the real estate, whether prior to or subsequent to the publication of the advertisement;

(4) counsels, advises, or offers suggestions to a potential buyer or a representative of the seller with regard to the purchase or rental of any advertised real estate; or

(5) engages in any other activity otherwise subject to licensure under this chapter;

(f) engages wholly or in part in the business of selling real estate to the extent that a pattern of real estate sales is established, whether or not the real estate is owned by the person. A person shall be presumed to be engaged in the business of selling real estate if the person engages as principal in five or more transactions during any 12-month period, unless the person is represented by a licensed real estate broker or salesperson;

(g) offers or makes more than five loans secured by real estate during any 12-month period and who is not a bank, savings bank, mutual savings bank, building and loan association, or savings and loan association organized under the laws of this state or the United States, trust company, trust company acting as a fiduciary, or other financial institution subject to the supervision of the commissioner of commerce, or mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs, or approved or certified by the administrator of the Farmers Home Administration, or approved or certified by the Federal Home Loan Mortgage Corporation, or approved or certified by the Federal National Mortgage Association.

Sec. 2. Minnesota Statutes 1992, section 82.17, is amended by adding a subdivision to read:

Subd. 11. [DUAL AGENCY.] "Dual agency" means a situation in which a licensee owes a duty to more than one party to the transaction.

Circumstances which establish dual agency include the following:

(1) when one licensee represents both the buyer and the seller in a real estate transaction; or

(2) when two or more licensees, licensed to the same broker, each represent a party to the transaction.

Sec. 3. Minnesota Statutes 1992, section 82.17, is amended by adding a subdivision to read:

Subd. 12. [RESIDENTIAL REAL PROPERTY OR RESIDENTIAL REAL ESTATE.] "Residential real property" or "residential real estate" means property occupied by, or intended to be occupied by, one to four families as their residence.

Sec. 4. Minnesota Statutes 1992, section 82.19, is amended by adding a subdivision to read:

Subd. 4a. [SELF-SERVING PROVISION PROHIBITED.] No purchase agreement, earnest money contract, or similar contract for the purchase, rental, or lease of real property may contain any hold harmless clause or arbitration clause which addresses the rights or liabilities of persons required to be licensed pursuant to this chapter unless the person required to be licensed is a principal in the transaction.

This does not prohibit separate and independent written agreements between any of the parties and persons required to be licensed pursuant to this chapter.

Sec. 5. Minnesota Statutes 1992, section 82.19, subdivision 5, is amended to read:

Subd. 5. [DISCLOSURE REGARDING REPRESENTATION OF PARTIES.] (a) No person licensed pursuant to this chapter or who otherwise acts as a real estate broker or salesperson shall represent any party ~~or parties~~ to a real estate transaction or otherwise act as a real estate broker or salesperson unless that person makes an affirmative written disclosure ~~to all parties to the transaction~~ as to which party that person represents in the transaction. In a residential real property transaction, the disclosure must be made at the first substantive contact between the licensee and the party or potential party to the transaction. The disclosure shall be printed ~~in at least 6 point bold type on the purchase agreement and acknowledged by separate signatures of the buyer and seller as a separate document, and acknowledged by the signature of the buyer, seller, or customer.~~

(b) The disclosure required by this subdivision must be made by the licensee ~~prior to any offer being made to or accepted by the buyer. A change in licensee's representation that makes the initial disclosure incomplete, misleading, or inaccurate requires that a new disclosure be made at once.~~ with respect to any residential property transaction:

(1) when representing the seller, at the signing of a listing agreement;

(2) when representing the buyer, at the signing of a buyer's broker agreement;

(3) as to all other parties (potential buyers or sellers) who are not represented by the licensee, before discussion of financial information or the commencement of negotiations, which could affect that party's bargaining position in the transaction.

A change in the licensee's representation, including dual agency, that makes the initial disclosure required by this paragraph incomplete, misleading, or inaccurate requires that a new disclosure be made at once.

(c) The seller may, in the listing agreement, authorize the seller's broker to disburse part of the broker's compensation to other brokers, including the buyer's brokers solely representing the buyer. A broker representing a buyer shall make known to the seller or the seller's agent the fact of the agency relationship before any showing or negotiations are initiated.

Sec. 6. Minnesota Statutes 1992, section 82.19, is amended by adding a subdivision to read:

Subd. 8. [CLOSING SERVICES.] No real estate broker, salesperson, or closing agent shall require a person to use any particular lender, licensed attorney, real estate broker, real estate salesperson, real estate closing agent, or title company in connection with a residential real estate closing.

Sec. 7. [82.195] [LISTING AGREEMENTS.]

Subdivision 1. [REQUIREMENT.] Licensees shall obtain a signed listing agreement from the owner of real property or from another person authorized to offer the property for sale or lease before advertising to the general public that the real property is available for sale or lease.

For the purposes of this section "advertising" includes placing a sign on the owner's property that indicates that the property is being offered for sale or lease.

Subd. 2. [CONTENTS.] All listing agreements must be in writing and must include:

(1) a definite expiration date;

(2) a description of the real property involved;

(3) the list price and any terms required by the seller;

(4) the amount of any compensation or commission or the basis for computing the commission;

(5) a clear statement explaining the events or conditions that will entitle a broker to a commission;

(6) information regarding an override clause, if applicable, including a statement to the effect that the override clause will not be effective unless the licensee supplies the seller with a protective list within 72 hours after the expiration of the listing agreement;

(7) the following notice in not less than ten point boldface type immediately preceding any provision of the listing agreement relating to compensation of the licensee:

"NOTICE: THE COMMISSION RATE FOR THE SALE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND ITS CLIENT."

(8) if the broker chooses to represent both buyers and sellers in connection with residential property transactions, a "dual agency" disclosure statement;

(9) a notice requiring the seller to indicate in writing whether it is acceptable to the seller to have the licensee arrange for closing services or whether the seller wishes to arrange for others to conduct the closing. The notice must also include the disclosure of any controlled business arrangement, as the term is defined in United States Code, title 12, section 1602, between the licensee and the real estate closing agent through which the licensee proposes to arrange closing services; and

(10) for residential listings, a notice stating that after the expiration of the listing agreement, the seller will not be obligated to pay the licensee a fee or commission if the seller has executed another valid listing agreement pursuant to which the seller is obligated to pay a fee or commission to another licensee for the sale, lease, or exchange of the real property in question. This notice may be used in the listing agreement for any other type of real estate.

Subd. 3. [PROHIBITED PROVISIONS.] Except as otherwise provided in subdivision 4, paragraph (b), licensees shall not include in a listing agreement a holdover clause, automatic extension, or any similar provision, or an override clause the length of which is more than six months after the expiration of the listing agreement.

Subd. 4. [OVERRIDE CLAUSES.] (a) Licensees shall not seek to enforce an override clause unless a protective list has been furnished to the seller within 72 hours after the expiration of the listing agreement.

(b) A listing agreement may contain an override clause of up to two years in length when used in conjunction with the purchase or sale of a business. The length of the override clause must be negotiable between the licensee and the seller of the business. The protective list provided in connection with the override clause must include the written acknowledgment of each party named on the protective list, that the business which is the subject of the listing agreement was presented to that party by the licensee.

Subd. 5. [PROTECTIVE LISTS.] A broker or salesperson has the burden of demonstrating that each person on the protective list has, during the period of the listing agreement, either made an affirmative showing of interest in the property by responding to an advertisement or by contacting the broker or salesperson involved or has been physically shown the property by the broker or salesperson. For the purpose of this section, the mere mailing or other distribution by a licensee of literature setting forth information about the property in question does not, of itself, constitute an affirmative showing of interest in the property on the part of a subsequent purchaser.

For listings of nonresidential real property which do not contain the notice described in subdivision 2, clause (10), the protective list must contain the following notice in boldface type:

"IF YOU RELIST WITH ANOTHER BROKER WITHIN THE OVERRIDE PERIOD AND THEN SELL YOUR PROPERTY TO ANYONE WHOSE NAME APPEARS ON THIS LIST, YOU COULD BE LIABLE FOR FULL COMMISSIONS TO BOTH BROKERS. IF THIS NOTICE IS NOT FULLY UNDERSTOOD, SEEK COMPETENT ADVICE."

Sec. 8. [82.196] [BUYER'S BROKER AGREEMENTS.]

Subdivision 1. [REQUIREMENTS.] Licensees shall obtain a signed buyer's broker agreement from a buyer before performing any acts as a buyer's representative.

Subd. 2. [CONTENTS.] All buyer's broker agreements must be in writing and must include:

(1) a definite expiration date;

(2) the amount of any compensation or commission, or the basis for computing the commission;

(3) a clear statement explaining the services to be provided to the buyer by the broker, and the events or conditions that will entitle a broker to a commission or other compensation;

(4) a provision for cancellation of the agreement by either party upon terms agreed upon by the parties;

(5) information regarding an override clause, if applicable, including a statement to the effect that the override clause will not be effective unless the licensee supplies the buyer with a protective list within 72 hours after the expiration of the buyer's broker agreement;

(6) the following notice in not less than ten point bold face type immediately preceding any provision of the buyer's broker agreement relating to compensation of the licensee:

"NOTICE: THE COMMISSION RATE FOR THE PURCHASE, LEASE, RENTAL, OR MANAGEMENT OF REAL PROPERTY IS NEGOTIABLE AND SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND ITS CLIENT.";

(7) if the broker chooses to represent both buyers and sellers, a "dual agency" disclosure statement; and

(8) for buyer's broker agreements which involve residential real property, a notice stating that after the expiration of the buyer's broker agreement, the buyer will not be obligated to pay the licensee a fee or commission if the buyer has executed another valid buyer's broker agreement pursuant to which the buyer is obligated to pay a fee or commission to another licensee for the purchase, lease, or exchange of real property.

Subd. 3. [PROHIBITED PROVISIONS.] Licensees shall not include in a buyer's broker agreement a holdover clause, automatic extension, or any other similar provision, or an override clause the length of which is more than six months after the expiration of the buyer's broker agreement.

Subd. 4. [OVERRIDE CLAUSES.] Licensees shall not seek to enforce an override clause unless a protective list has been furnished to the buyer within 72 hours after the expiration of the buyer's broker agreement.

Subd. 5. [PROTECTIVE LISTS.] A licensee has the burden of demonstrating that each property on the protective list has been shown to the buyer, or specifically brought to the attention of the buyer, during the time the buyer's broker agreement was in effect.

Subd. 6. [APPLICATION.] This section applies only to residential real property transactions.

Sec. 9. [82.197] [DISCLOSURE REQUIREMENTS.]

Subdivision 1. [AGENCY DISCLOSURE.] The listing agreement or a buyer's broker agreement must include a clear and complete explanation of how the broker will represent the interests of the seller or buyer, and, if the broker represents both sellers and buyers, state how that representation would be altered in a dual agency situation, and require the seller or buyer to choose whether to authorize the broker to initiate any transaction which would give rise to dual agency. Disclosure to a customer of a licensee's agency relationship with other parties must be made at a time and in a manner sufficient to protect the customer's bargaining position.

Subd. 2. [CREATION OF DUAL AGENCY.] If circumstances create a dual agency situation, the broker must make full disclosure to all parties to the transaction as to the change in relationship of the parties to the broker due to dual agency. A broker, having made full disclosure, must obtain the consent of all parties to these circumstances before accepting the dual agency.

Subd. 3. [SCOPE AND EFFECT.] The requirements for disclosure of agency relationships set forth in this chapter are intended only to establish a minimum standard for regulatory purposes, and are not intended to abrogate common law.

Subd. 4. [AGENCY DISCLOSURE FORMS.] (a) Disclosures of agency relationships shall be made in substantially the form set forth in paragraphs (b) to (e):

(b) ADDENDUM TO LISTING AGREEMENT

....(Broker).... will be representing you as your broker in the sale of your property located at This relationship is called an agency. As your agent,(Broker).... owes you the duties of loyalty, obedience, disclosure, confidentiality, reasonable care and diligence, and full accounting. However,(Broker).... also represents buyers looking for properties. If a buyer represented by(Broker).... becomes interested in your property, a dual agency will be created. This means that(Broker).... will owe the same duties to the buyer that we owe to you. This conflict of interest will prohibit(Broker).... from advocating exclusively on your behalf when attempting to effect the sale of your property. Dual agency will limit the level of representation which(Broker).... can provide.

If a dual agency should arise, you will need to agree that confidential information about price, terms, and motivation will still be kept confidential unless you instruct(Broker).... in writing to disclose specific information about you or your property. All other information will be shared. Regardless of whether a dual agency occurs,(Broker).... must disclose to the buyer any material facts of which(Broker).... is aware that may adversely and significantly affect the buyer's use or enjoyment of the property. In addition,(Broker).... must disclose to both parties any information of which(Broker).... is aware that a party will not perform in accordance with the terms of the purchase agreement or similar written agreement to convey real estate.

....(Broker).... cannot act as a dual agent unless both you and the buyer agree to the dual agency after it is disclosed to you. By agreeing to a possible dual agency, you will be giving up the right to exclusive representation in an in-house transaction. However, if you should decide not to agree to a possible dual agency, and you want(Broker).... to represent you, you may give up the opportunity to sell your property to buyers represented by(Broker)....

SELLER'S INSTRUCTIONS TO BROKER

Having read and understood this information about dual agency, you now instruct(Broker).... as follows:

.... Seller agrees to dual agency representation and will consider offers made by buyers represented by(Broker)....

.... Seller does not agree to dual agency representation and will not consider offers made by buyers represented by(Broker)....

..... Seller	..... <u>(Broker)</u>
.....	BY:
Seller	Salesperson
Dated:	

(c) ADDENDUM TO BUYER REPRESENTATION AGREEMENT

....(Broker).... will be representing you as your broker to assist you in finding and purchasing a property. This relationship is called an agency. As your agent,(Broker).... owes you the duties of loyalty, obedience, disclosure, confidentiality, reasonable care and diligence, and full accounting. However,(Broker).... also represents sellers by listing their property for sale. If you become interested in a property listed by(Broker)...., a dual agency will be created. This means that(Broker).... will owe the same duties to the seller that(Broker).... owes to you. This conflict of interest will prohibit(Broker).... from advocating exclusively on your behalf when attempting to effect the purchase of the property. Dual agency will limit the level of representation(Broker).... can provide.

If a dual agency should arise, you will need to agree that confidential information about price, terms, and motivation will still be kept confidential unless you instruct(Broker).... in writing to disclose specific information about you. All other information will be shared. Regardless of whether a dual agency occurs,(Broker).... must disclose to the buyer any material facts of which(Broker).... is aware that may adversely and significantly affect the buyer's use or enjoyment of the property. In addition,(Broker).... must disclose to both parties any information of which(Broker).... is aware that a party will not perform in accordance with the terms of the purchase agreement or similar written agreement to convey real estate.

....(Broker).... cannot act as a dual agent unless both you and the seller agree to the dual agency after it is disclosed to you. By agreeing to a possible dual agency, you will be giving up the right to exclusive representation in an in-house transaction. However, if you should decide not to agree to a possible dual agency, and you want(Broker).... to represent you, you may give up the opportunity to purchase the properties listed by(Broker)....

BUYER'S INSTRUCTIONS TO BROKER

Having read and understood this information about dual agency, you now instruct(Broker).... as follows:

.... Buyer will agree to a dual agency representation and will consider properties listed by(Broker)....

.... Buyer will not agree to a dual agency representation and will not consider properties listed by(Broker)....

.....
Buyer
.....
Buyer
Dated:

.....
(Broker)
.....
BY:

Salesperson

(d) DISCLOSURE TO CUSTOMER

Before(Broker).... begins to assist you in finding and purchasing a property, we must disclose to you that(Broker).... will be representing the seller in the transaction.

....(Broker).... will disclose to you all material facts about the property of which(Broker).... is aware, that could adversely and significantly affect your use or enjoyment of the property.(Broker).... will also assist you with the mechanics of the transaction.

When it comes to the price and terms of an offer,(Broker).... will ask you to make the decision as to how much to offer for any property and upon what terms and conditions.(Broker).... can explain your options to you, but the ultimate decision is yours.(Broker).... will attempt to show you properties in the price range and category you desire so that you will have information on which to base your decision.

....(Broker).... will present to the seller any written offer that you ask(Broker).... to present.(Broker).... asks you to keep to yourself any information about the price or terms of your offer, or your motivation for making an offer, that you do not want the seller to know.(Broker).... would be required, as the seller's agent, to disclose this information to the seller. You should carefully consider sharing any information with(Broker).... that you do not want disclosed to the seller.

.....
Customer
.....
Customer
Dated:

.....
(Broker)
.....
BY:

Salesperson

(e) DISCLOSURE TO BUYER AND SELLER AT TIME OF OFFER TO PURCHASE

....(Broker).... represents the seller at the property located at

....(Broker).... also represents a buyer who offered to purchase the seller's property.

When(Broker).... represents both the buyer and the seller in a transaction, a dual agency is created. This means that(Broker).... and its agents owe a fiduciary duty to both buyer and seller. Because buyer and seller may have conflicting interests,(Broker).... and its agents are prohibited from advocating exclusively for either party.

....(Broker).... cannot represent both the buyer and seller in this transaction unless both the buyer and seller agree to this dual agency.

Buyer and seller acknowledge and agree that:

1. Confidential information communicated to(Broker).... which regards price, terms, or motivation to buy or sell will remain confidential unless buyer or seller instructs(Broker).... in writing to disclose this information about the buyer or seller. Other information will be shared.

2.(Broker).... and its salespersons will disclose to buyer all material facts of which they are aware which could adversely and significantly affect the buyer's use or enjoyment of the property or any intended use of the property of which(Broker).... or its salespersons are aware (this disclosure is required by law whether or not a dual agency is involved).

3.(Broker).... and its salespersons will disclose to both parties all information of which they are aware that either party will not perform in accordance with the terms of the purchase agreement or other written agreement to convey real estate (this disclosure is required by law whether or not a dual agency is involved).

4.(Broker).... and its salespersons will not represent the interests of either party to the detriment of the other.

5. Within the limits of dual agency,(Broker).... and its salespersons will work diligently to facilitate the mechanics of the sale.

With the knowledge and understanding of the explanation above, buyer and seller authorize and instruct(Broker).... and its salespersons to act as dual agents in this transaction.

.....
Buyer
.....
Buyer
Date:

.....
Seller
.....
Seller
Date:

Subd. 5. [APPLICATION.] The disclosures required by subdivision 4 apply only to residential real property transactions.

Sec. 10. Minnesota Statutes 1992, section 82.20, subdivision 15, is amended to read:

Subd. 15. [EXEMPTION.] The following persons, when acting as closing agents, are exempt from the requirements of sections 82.19 and 82.24 unless otherwise required in this section or chapter:

- (1) a direct employee of a title company, or a person who has an agency agreement with a title company in which the agent agrees to perform closing services on the title company's behalf and the title company assumes responsibility for the actions of the agent as if the agent were a direct employee of the title company;
- (2) a licensed attorney or a direct employee of a licensed attorney;
- (3) a licensed real estate broker or salesperson;
- (4) a direct employee of a licensed real estate broker if the broker maintains all funds received in connection with the closing services in the broker's trust account; and
- (5) any bank, trust company, savings and loan association, credit union, industrial loan and thrift company, regulated lender under chapter 56, public utility, or land mortgage or farm loan association organized under the laws of this state or the United States, when engaged in the transaction of businesses within the scope of its corporate powers as provided by law.

Sec. 11. Minnesota Statutes 1992, section 82.21, subdivision 1, is amended to read:

Subdivision 1. [AMOUNTS.] The following fees shall be paid to the commissioner:

- (a) A fee of \$100 per year for each initial individual broker's license, and a fee of \$50 per year for each ~~annual~~ renewal thereof;
- (b) A fee of \$50 per year for each initial salesperson's license, and a fee of \$20 per year for each ~~annual~~ renewal thereof;
- (c) A fee of \$55 per year for each initial real estate closing agent license, and a fee of \$30 per year for each ~~annual~~ renewal;

(d) A fee of \$100 per year for each initial corporate or partnership license, and a fee of \$50 per year for each annual renewal thereof;

(e) A fee ~~not to exceed~~ of \$40 per year for payment to the education, research and recovery fund in accordance with section 82.34;

(f) A fee of \$20 for each transfer;

(g) A fee of \$50 for a corporation or partnership name change;

(h) A fee of \$10 for an agent name change;

(i) A fee of \$20 for a license history;

(j) A fee of \$10 for a duplicate license;

(k) A fee of \$50 for license reinstatement;

(l) A fee of \$20 for reactivating a corporate or partnership license without land;

(m) A fee of \$100 for course coordinator approval; and

(n) A fee of ~~\$10~~ \$20 for each hour or fraction of one hour of course approval sought.

Sec. 12. Minnesota Statutes 1992, section 82.21, is amended by adding a subdivision to read:

Subd. 2a. [BROKER PAYMENT CONSOLIDATION.] For all license renewal fees, recovery fund renewal fees, and recovery fund assessments pursuant to this section and section 82.34, the broker must remit the fees or assessments for the company, broker, and all salespersons licensed to the broker, in the form of a single check.

Sec. 13. Minnesota Statutes 1992, section 82.22, subdivision 6, is amended to read:

Subd. 6. [INSTRUCTION; NEW LICENSES.] (a) ~~After January 1, 1987,~~ Every applicant for a salesperson's license shall be required to successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner before taking the examination specified in subdivision 1. ~~After January 1, 1987,~~ Every applicant for a salesperson's license shall be required to successfully complete an additional course of study in the real estate field consisting of 60 hours of instruction approved by the commissioner, of which three hours shall consist of training in state and federal fair housing laws, regulations, and rules, before filing an application for the license. ~~Every salesperson licensed after January 1, 1987,~~ shall, within one year of licensure, be required to successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner.

~~(b) After December 31, 1983, and before January 1, 1987, every applicant for a salesperson's license shall be required to successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner before taking the examination specified in subdivision 1. After December 31, 1983, and before January 1, 1987, every applicant for a salesperson's license shall be required to successfully complete an additional course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner before filing an application for the license. Every salesperson licensed after December 31, 1983, and before January 1, 1987, shall, within one year of the date a license was first issued, be required to successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner.~~

(e) The commissioner may approve courses of study in the real estate field offered in educational institutions of higher learning in this state or courses of study in the real estate field developed by and offered under the auspices of the national association of realtors, its affiliates, or private real estate schools. The commissioner shall not approve any course offered by, sponsored by, or affiliated with any person or company licensed to engage in the real estate business. The commissioner may by rule prescribe the curriculum and qualification of those employed as instructors.

~~(d) After January 1, 1988,~~ (c) An applicant for a broker's license must successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner, of which three hours shall consist of training in state and federal fair housing laws, regulations, and rules. The course must have been completed within six months prior to the date of application for the broker's license.

~~(e) After August 1, 1989,~~ (d) An applicant for a real estate closing agent's license must successfully complete a course of study relating to closing services consisting of eight hours of instruction approved by the commissioner.

Sec. 14. Minnesota Statutes 1992, section 82.22, subdivision 13, is amended to read:

Subd. 13. [CONTINUING EDUCATION.] (a) ~~After July 1, 1987,~~ All real estate salespersons and all real estate brokers shall be required to successfully complete 15 hours of real estate education, either as a student or a lecturer, in courses of study approved by the commissioner, each year after their initial annual renewal date or after the expiration of their currently assigned three year continuing education due date. All salespersons and brokers shall report continuing education on an annual basis no later than ~~June 30, 1990~~ May 31. Hours in excess of 15 earned in any one year may be carried forward to the following year.

(b) The commissioner shall adopt rules defining the standards for course and instructor approval, and may adopt rules for the proper administration of this subdivision.

(c) Any program approved by Minnesota continuing legal education shall be approved by the commissioner of commerce for continuing education for real estate brokers and salespeople if the program or any part thereof relates to real estate.

(d) As part of the continuing education requirements of this section, the commissioner shall require that all real estate brokers and salespersons receive at least two hours of training every even-numbered year in courses in state and federal fair housing laws, regulations, and rules, or other antidiscrimination laws.

Sec. 15. Minnesota Statutes 1992, section 82.24, subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] (a) All trust funds received by a broker or the broker's salespeople or closing agents shall be deposited forthwith upon receipt in a trust account, maintained by the broker for such purpose in a bank, savings and loan association, credit union, or an industrial loan and thrift company with deposit liabilities designated by the broker or closing agent, except as such money may be paid to one of the parties pursuant to express written agreement between the parties to a transaction. The depository bank shall be a Minnesota bank or trust company or any foreign bank and shall authorize the commissioner to examine its records of such deposits upon demand by the commissioner. The industrial loan and thrift company shall be organized under chapter 53. The savings and loan association or credit union shall be organized under the laws of any state or the United States.

(b) All trust accounts opened or maintained pursuant to requirements of paragraph (a) must be established through the use of an employer identification number. Any trust account currently identified with a broker's personal social security number must be changed to reflect the broker's employer's identification number rather than the broker's personal social security number.

Sec. 16. Minnesota Statutes 1992, section 82.27, subdivision 1, is amended to read:

Subdivision 1. The commissioner may by order deny, suspend or revoke any license or may censure a licensee if the commissioner finds (1) that the order is in the public interest, and (2) that the applicant or licensee or, in the case of a broker, any officer, director, partner, employee or agent or any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker or closing agent or controlled by the broker or closing agent:

(a) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(b) has engaged in a fraudulent, deceptive, or dishonest practice;

(c) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the real estate business;

(d) has failed to reasonably supervise brokers, salespersons, or closing agents so as to cause injury or harm to the public;

(e) has violated or failed to comply with any provision of this chapter or any rule or order under this chapter; or

(f) has, in the conduct of the licensee's affairs under the license, been shown to be incompetent, untrustworthy, or financially irresponsible; or

(g) has acted on behalf of any party to a transaction, where the licensee has a conflict of interest that may affect the licensee's ability to represent that party, without the knowledge and consent of the party.

Sec. 17. Minnesota Statutes 1992, section 82.33, subdivision 2, is amended to read:

Subd. 2. No person required by this chapter to be licensed shall be entitled to or may bring or maintain any action in the courts for any commission, fee or other compensation with respect to the purchase, sale, lease or other disposition or conveyance of real property, or with respect to the negotiation or attempt to negotiate any sale, lease or other disposition or conveyance of real property unless there is a written agreement with the person ~~bringing or maintaining the action~~ required to be licensed.

Sec. 18. Minnesota Statutes 1992, section 82.33, is amended by adding a subdivision to read:

Subd. 3. No person required by this chapter to be licensed shall be entitled to bring any action to recover any commission, fee, or other compensation with respect to the purchase, sale, lease, or other disposition or conveyance of residential real property, or with respect to the negotiation or attempt to negotiate any sale, lease, or other disposition or conveyance of residential real property unless the person's agency relationships have been disclosed to the parties to the transaction in accordance with the requirements of this chapter.

Sec. 19. Minnesota Statutes 1992, section 82.33, is amended by adding a subdivision to read:

Subd. 4. No person required to be licensed by this chapter may maintain an action in the courts of this state to enforce any provision of a purchase agreement, earnest money contract, or similar contract for the purchase, rental, or lease of real property if the provision to be enforced violates section 82.19, subdivision 4a.

Sec. 20. Minnesota Statutes 1992, section 82.34, subdivision 3, is amended to read:

Subd. 3. [FEE FOR REAL ESTATE FUND.] Each real estate broker, real estate salesperson, and real estate closing agent entitled under this chapter to renew a license shall pay in addition to the appropriate renewal fee a further fee of \$25 per year which shall be credited to the real estate education, research, and recovery fund. Any person who receives a an initial license shall pay the fee of \$50 in addition to all other fees payable.

Sec. 21. Minnesota Statutes 1992, section 82.34, subdivision 7, is amended to read:

Subd. 7. When any aggrieved person obtains a final judgment in any court of competent jurisdiction regardless of whether the judgment has been discharged by a bankruptcy court against an individual licensed under this chapter, on grounds of fraudulent, deceptive, or dishonest practices, or conversion of trust funds arising directly out of any transaction when the judgment debtor was licensed and performed acts for which a license is required under this chapter, or performed acts permitted by section 327B.04, subdivision 5, the aggrieved person may, upon the judgment becoming final, and upon termination of all proceedings, including reviews and appeals, file a verified application in the court in which the judgment was entered for an order directing payment out of the fund of the amount of actual and direct out of pocket loss in the transaction, but excluding any attorney's fees, interest on the loss and on any judgment obtained as a result of the loss, up to the sum of \$150,000 of the amount unpaid upon the judgment, provided that nothing in this chapter shall be construed to obligate the fund for more than \$150,000 per claimant, per transaction, subject to the limitations set forth in subdivision 14, regardless of the number of persons aggrieved or parcels of real estate involved in the transaction, provided that regardless of the number of claims against a licensee, nothing in this chapter may obligate the fund for more than \$250,000 per licensee. An aggrieved person who has a cause of action under section 80A.23 shall first seek recovery as provided in section 80A.05, subdivision 5, before the commissioner may order payment from the recovery fund. For purposes of this section, persons who are joint tenants or tenants in common are deemed to be a single claimant. A copy of the verified application shall be served upon the commissioner and upon the judgment debtor, and a certificate or affidavit of service filed with the court. For the purpose of this section, "aggrieved person" shall not include a licensee unless (1) the licensee is acting in the capacity of principal in the sale of interests in real property owned by the licensee; or (2) the licensee is acting in the capacity of principal in the purchase of interests in real property to be owned by the licensee. Under no circumstances shall a licensee be entitled to payment under this section for the loss of a commission or similar fee.

For the purposes of this section, recovery is limited to transactions where the property involved is intended for the direct personal habitation or commercial use of the buyer.

Except for securities permitted to be sold by a licensee pursuant to section 82.19, subdivision 7, for any action commenced after July 1, 1993, recovery under this section is not available where the buyer's participation is for investment purposes only, and is limited to providing capital to fund the transaction.

Sec. 22. Minnesota Statutes 1992, section 82B.02, is amended by adding a subdivision to read:

Subd. 14. [TRANSACTION VALUE.] "Transaction value" means:

(1) for loans or other extensions of credit, the amount of the loan or extension of credit;

(2) for sales, leases, purchases, and investments in or exchanges of real property, the market value of the real property interest involved; and

(3) for the pooling of loans or interests in real property for resale or purchase, the amount of the loan or market value of the real property calculated with respect to each such loan or interest in real property.

Sec. 23. Minnesota Statutes 1992, section 82B.05, subdivision 5, is amended to read:

Subd. 5. [CONDUCT OF MEETINGS.] Places of regular board meetings must be decided by the vote of members. Written notice must be given to each member of the time and place of each meeting of the board at least ten days before the scheduled date of regular board meetings. The board shall establish procedures for emergency board meetings and other operational procedures, subject to the approval of the commissioner.

The members of the board shall elect a chair from among the members to preside at board meetings.

A quorum of the board is eight members.

~~The board shall meet at least quarterly, except that a meeting may be canceled, subject to the approval by the commissioner if as determined by a majority vote of the members determine that the meeting is not necessary or a call of the commissioner.~~

~~The commissioner or a majority of the members may schedule additional meetings as necessary.~~

Sec. 24. Minnesota Statutes 1992, section 82B.11, is amended to read:

82B.11 [CLASSES OF LICENSE.]

Subdivision 1. [GENERALLY.] There are five classes of license for real estate appraisers.

Subd. 2. [STATE REGISTERED REAL PROPERTY APPRAISER.] When a net income capitalization analysis is not required by the uniform standards of professional appraisal practice, a state registered real property appraiser may appraise residential real property or agricultural property.

Subd. 3. [FEDERAL RESIDENTIAL LICENSED REAL PROPERTY APPRAISER.] A federal residential licensed real property appraiser may appraise noncomplex one to four residential units property or agricultural property having a transaction value less than \$1,000,000 and complex one to four residential units or agricultural property having a transaction value less than \$250,000.

Subd. 4. [CERTIFIED ~~FEDERAL~~ RESIDENTIAL REAL PROPERTY APPRAISER.] A certified ~~federal~~ residential real property appraiser may appraise one to four residential units property or agricultural property without regard to transaction value or complexity.

Subd. 5. [CERTIFIED ~~FEDERAL~~ GENERAL REAL PROPERTY APPRAISER.] A certified ~~federal~~ general real property appraiser may appraise all types of real property.

Subd. 6. [TEMPORARY PRACTICE.] The commissioner shall issue a license for temporary practice as a real estate appraiser under subdivision 3, 4, or 5 to a person certified or licensed by another state if:

(1) the property to be appraised is part of a federally-related transaction and the person is licensed to appraise property limited to the same transaction value or complexity provided in subdivision 3, 4, or 5;

(2) the appraiser's business is of a temporary nature; and

(3) the appraiser registers with the commissioner to obtain a temporary license ~~prior to~~ before conducting appraisals within the state.

Sec. 25. Minnesota Statutes 1992, section 82B.14, is amended to read:

82B.14 [EXPERIENCE REQUIREMENT.]

(a) A license under section 82B.11, subdivision 3, 4, or 5, may not be issued to a person who does not have the equivalent of two years of experience in real property appraisal supported by adequate written reports or file memoranda.

(b) Each applicant for license under section 82B.11, subdivision 3, 4, or 5, shall give under oath a detailed listing of the real estate appraisal reports or file memoranda for each year for which experience is claimed by the applicant. Upon request, the applicant shall make available to the commissioner for examination, a sample of appraisal reports that the applicant has prepared in the course of appraisal practice.

(c) Applicants may not receive credit for experience accumulated while unlicensed, if the experience is based on activities which required a license under this section.

Sec. 26. Minnesota Statutes 1992, section 82B.19, subdivision 2, is amended to read:

Subd. 2. [RULES.] (a) The commissioner may adopt rules to assure that persons renewing their licenses as licensed real estate appraisers have current knowledge of real property appraisal theories, practices, and techniques that will provide a high degree of service and protection to those members of the public with whom they deal in a professional relationship under authority of their license. ~~The rules must include the following:~~

~~(1) policies and procedures for obtaining approval of courses of instruction;~~

~~(2) standards, monitoring methods, and systems for recording attendance to be employed by course sponsors as a prerequisite to approval of courses for credit; and~~

~~(3) coordination with real estate continuing education requirements so that as the commissioner considers courses or parts of courses appropriate they may be used to satisfy both real estate and appraiser continuing education requirements.~~

(b) To the extent the commissioner considers it appropriate, courses or parts of courses may be considered to satisfy both continuing education requirements under this section and continuing real estate education requirements.

(c) As a prerequisite for course approval, sponsors shall submit proposed monitoring methods, and systems for recording attendance sufficient to ensure that participants receive course credit only for portions actually attended.

Sec. 27. Minnesota Statutes 1992, section 507.45, subdivision 4, is amended to read:

Subd. 4. [CHOICE OF CLOSING AGENT; LISTING NOTICE; RULES.] (a) No real estate salesperson, broker, attorney, auctioneer, builder, title company, financial institution, or other person making a mortgage loan may require a person to use any particular licensed attorney, real estate broker, real estate salesperson, or real estate closing agent in connection with a residential real estate closing.

(b) All listing agreements must include a notice informing sellers of their rights under this subdivision. The notice must require the seller to indicate in writing whether it is acceptable to the seller to have the licensee arrange for closing services or whether the seller wishes to arrange for others to conduct the closing. The notice must also include the disclosure of any controlled business arrangement, as the term is defined in United States Code, title 12, section 1602, between the licensee and the real estate closing agent through which the licensee proposes to arrange closing services.

~~(c) The commissioner of commerce may adopt rules under chapter 14 to implement, administer, and enforce this subdivision.~~

Sec. 28. Laws 1992, chapter 555, article 1, section 12, is amended to read:

Sec. 12. [PENDING CLAIMS.]

The change in the per year limit contained in section 6 does not apply to a ~~cause-of-action~~ civil or administrative proceeding that was commenced before August 1, 1992.

Sec. 29. [REVISOR INSTRUCTION.]

The revisor shall change terms in Minnesota Statutes and Minnesota Rules to reflect the changes in the names of the five classes of licenses for real estate appraisers made in section 24.

Sec. 30. [REPEALER.]

(a) Minnesota Statutes 1992, sections 82.22, subdivision 7; and 462A.201, subdivision 5, are repealed.

(b) Minnesota Rules, part 2805.1200, is repealed.

Sec. 31. [EFFECTIVE DATE.]

Sections 1 to 9, 18, 19, and 30 are effective October 1, 1993.

Sections 10 to 17, 20 to 27, and 29 are effective July 1, 1993.

Section 28 is effective retroactive to the effective date of the section being amended."

Amend the title as follows:

Page 1, line 9, delete "subdivisions 7, 8, and" and insert "subdivision"

Page 1, line 13, delete "4" and insert "7"

Page 1, lines 14 and 15, delete "82B.09, subdivision 1;"

Page 1, line 19, delete "section" and insert "sections" and after the semicolon insert "and 462A.201, subdivision 5;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1147, A bill for an act relating to the city of Floodwood and the towns of Floodwood, Van Buren, Halden, Cedar Valley, Ness, Arrowhead, Fine Lakes, and Prairie Lake, and unorganized territory 52-21; authorizing establishment of a joint ambulance district and imposition of a tax to finance the district.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1153, A bill for an act relating to civil actions; clarifying the limits on recovery for economic loss caused by components of manufactured goods; amending Minnesota Statutes 1992, section 604.10.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 1174, A bill for an act relating to health; changing the membership requirements of the board of nursing; amending Minnesota Statutes 1992, section 148.181, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1179, A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for voluntary commitments by health plans and providers to limit the rate of growth in total revenues; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.09, subdivisions 2, 5, and 8; 62J.15, subdivisions 1 and 2; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, and 7; 62J.33; 62L.02, subdivisions 16, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 4 and 6; 62L.09, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2 and 5; 136A.1357, subdivisions 1 and 4; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.1484, subdivisions 1 and 2; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9353, subdivisions 2, 3, 5, and 6; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, 7, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivision 1; 295.55, subdivision 4; 295.58; and 295.59; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 62N; 62O; 256; and 295; repealing Minnesota Statutes 1992, sections 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; and Laws 1992, chapter 549, article 9, section 19, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 5, delete "allows" and insert "allow"

Page 3, line 5, delete "8" and insert "7"

Page 4, line 14, delete "may" and insert "shall"

Page 4, line 15, delete everything after the first comma

Page 4, line 16, delete "(1)"

Page 4, line 20, delete the semicolon, and insert ". The commissioner may include in the rules the following:"

Page 4, delete lines 26 to 30

Renumber the remaining clauses

Page 6, delete lines 12 to 14

Pages 8 and 9, delete section 6, and insert:

"Sec. 6. [62N.06] [PERMITTED NETWORK STRUCTURE.]

Subdivision 1. [NONPROFIT CORPORATION.] A corporation organized under chapter 317A may operate one or more integrated service networks. A corporation that operates one or more integrated service networks is governed by chapter 317A, except in the case of a conflict with this chapter, in which case this chapter governs. The corporation shall not engage in activities unrelated to integrated service networks, without the prior written approval of the commissioner. An entity that is not a corporation organized under chapter 317A shall not operate a network but may establish and own a corporation organized under chapter 317A to operate one or more networks.

Subd. 2. [SEPARATE ACCOUNTING REQUIRED.] A corporation operating more than one integrated service network must maintain separate accounting and record keeping procedures, acceptable to the commissioner, for each integrated service network."

Page 9, delete section 7, and insert:

"Sec. 7. [62N.065] [UNREASONABLE EXPENSES.]

Integrated service networks are subject to section 62D.19, on the same basis as health maintenance organizations.

Sec. 8. [62N.07] [PURPOSE.]

The legislature finds that previous cost containment efforts have focused on reducing benefits and services, eliminating access to certain provider groups, and otherwise reducing the level of care available. Under a system of overall spending controls, these cost containment approaches will, in the absence of controls on cost shifting, shift costs from the payor to the consumer, to government programs, and to providers in the form of uncompensated care. The legislature further finds that the integrated service network benefit package should be designed to promote coordinated, cost-effective delivery of all health services an enrollee needs without cost shifting. The legislature further finds that affordability of health coverage is a high priority and that lower cost coverage options should be made available through the use of copayments, coinsurance, and deductibles to reduce premium costs rather than through the exclusion of services or providers.

Sec. 9. [62N.075] [COVERED SERVICES.]

(a) An integrated service network must provide to each person enrolled a comprehensive set of appropriate and necessary health services. For purposes of this chapter, "appropriate and necessary" means services needed to maintain the enrollee in good health including as a minimum, but not limited to, emergency care, inpatient hospital and physician care, outpatient health services, and preventative health services. The commissioner may modify this definition to reflect changes in community standards, development of practice parameters, new technology assessments, and other medical innovations. These services must be delivered by authorized practitioners acting within their scope of practice. An integrated service network is not responsible for health services that are not appropriate and necessary.

(b) A network may define benefit levels through the use of consumer cost sharing but remains financially accountable for costs of the full set of comprehensive health services required.

(c) A network may offer any Medicare supplement, Medicare select, or other Medicare-related product otherwise permitted for any type of health plan in this state. Each Medicare-related product may be offered only in full compliance with the requirements in chapters 62A, 62D, and 62E that apply to that category of product.

(d) Networks must comply with all continuation and conversion of coverage requirements applicable to health maintenance organizations under state or federal law.

(e) Networks must comply with sections 62A.047, 62A.27, and any other coverage of newborn infants, dependent children who do not reside with a covered person, handicapped children and dependents, and adopted children. A network providing dependent coverage must comply with section 62A.302."

Page 10, line 3, delete "needed" and insert "comprehensive health"

Page 10, line 4, delete "by rules adopted by the"

Page 10, line 5, delete "commissioner,"

Page 10, line 6, delete everything after the period

Page 10, delete lines 7 to 11

Page 10, line 13, delete "needed" and insert "appropriate and necessary health"

Page 10, after line 15, insert:

"Sec. 11. [62N.085] [ESTABLISHMENT OF STANDARDIZED BENEFIT PLANS.]

The commissioner of health shall adopt emergency and permanent rules to establish not more than five standardized benefit plans which must be offered by integrated service networks. The plans must comply with the requirements of sections 62N.07 to 62N.08 and the other requirements of this chapter. The plans must encompass a range of cost sharing options from (1) lower premium costs combined with higher enrollee cost sharing, to (2) higher premium costs combined with lower enrollee cost sharing. A network may offer additional benefits in its discretion.

Sec. 12. [62N.087] [COST SHARING.]

(a) A network may define benefit levels through the use of consumer cost sharing. For the purposes of this chapter, "consumer cost sharing" means copayments, deductibles, coinsurance, and other out-of-pocket expenses paid by the individual consumer of health care services.

(b) The following principles apply to cost sharing in an integrated service network:

(1) consumers must have a voice in decisions regarding cost sharing, and the process for establishing consumer cost sharing should have consumer representation and input;

(2) consumer cost sharing must be administratively feasible and consistent with efforts to reduce the overall administrative burden of the health care system;

(3) cost sharing must be based on income and an enrollee's ability to pay for services and should not create a barrier to access to appropriate and effective services;

(4) cost sharing must be capped at a predetermined annual limit to protect individuals and families from financial catastrophe and to protect individuals with substantial health care needs;

(5) child health supervision services, immunizations, prenatal care, and other prevention services must not be subjected to cost sharing; and

(6) additional requirements for networks should be established to assist enrollees for whom an inducement in addition to the elimination of cost sharing is necessary in order to encourage them to use cost-effective preventive services. These requirements may include the provision of educational information, assistance or guidance, and opportunities for responsible decision making by enrollees that minimize potential out-of-pocket costs."

Page 10, delete section 9

Page 11, line 23, after the period insert "The rules must be consistent with Minnesota Rules, parts 9505.5200 to 9505.5260 governing participation by health maintenance organizations in public health care programs."

Page 11, line 28, after "commissioner" insert a comma

Page 11, line 33, after "entity" insert a comma

Page 15, line 11, delete "days" and insert "days"

Page 20, delete lines 28 to 36

Page 21, delete lines 1 to 13

Page 21, line 16, delete "An entity" and insert "A corporation" and delete "under"

Page 21, line 17, delete everything before "is"

Pages 21 and 22, delete section 18 and insert:

"Sec. 21. [62N.18] [INSOLVENCY.]

Subdivision 1. [EFFECTS ON ENROLLEES.] Corporations that operate an integrated service network are not members of the life and health insurance guaranty association under chapter 61B. When a corporation operating a network becomes insolvent, its enrollees have the right to receive the same alternative coverage provided by the comprehensive health association under section 62D.181 to enrollees in insolvent health maintenance organizations.

Subd. 2. [NOTICE TO ENROLLEES.] Prospective enrollees in an integrated service network must be given, prior to their commitment to enroll, a written notice, on a form approved by the commissioner, describing the effects of, and their rights in the event of, an insolvency of the corporation operating the network."

Page 22, line 23, delete "services" and insert "service"

Page 23, line 11, delete "greater" and insert "lesser"

Page 23, line 13, delete "and" and insert "or"

Page 23, delete lines 14 to 18, and insert:

"(2) an amount equal to at least 16-2/3 percent of the sum of all expenditures expected to be incurred in the network's first 12 months of operation or, for an existing network, at least 16-2/3 percent of the sum of all expenditures incurred in the most recent calendar year."

Page 23, lines 22, 24, 28 and 31, delete "1" and insert "2"

Page 23, delete lines 34 to 36

Page 24, delete lines 1 to 8

Renumber the subdivisions in sequence

Page 24, line 26, delete "pledge real" and insert "assume all or any part of a network's net worth requirement by issuing to the network a promissory note fully"

Page 24, delete line 27

Page 24, line 30, after the period insert "A promissory note fully secured as described in this subdivision counts toward the net worth requirement in the amount of the note."

Page 24, line 31, after "appraisal" insert "of the real estate securing the promissory note"

Page 26, line 9, delete everything after "must" and insert "include the hold harmless provision stated in section 62D.123, subdivision 1"

Page 26, delete line 10

Page 26, line 11, delete everything before the period

Page 28, line 31, delete "RULES" and insert "IMPLEMENTATION"

Page 28, line 32, after "(a)" insert "By January 1, 1994,"

Page 28, line 33, delete everything after "shall"

Page 28, delete lines 34 and 35

Page 28, line 36, delete everything before the period and insert "report to the legislature recommendations for the design and implementation of the all-payer system. The commissioner may use a consultant or other technical assistance to develop a design for the all-payer system" and delete "commissioner" and insert "commissioner's recommendations" and delete "in"

Page 29, line 1, delete "the rules"

Page 29, line 23, delete "eliminating" and insert "eliminate"

Page 29, delete lines 31 to 35, and insert:

"(b) On July 1, 1994, the regulated all-payer system shall begin to be phased in with full implementation by July 1, 1996. During the transition period, all premium rates and provider fees shall be set in accordance with sections 3 and 4."

Pages 29 and 30, delete section 3, and insert:

"Sec. 3. [620.04] [PROVIDER PRICE RESTRAINTS.]

Subdivision 1. [RESTRAINT.] No health care provider, as defined in section 62I.02, subdivision 8, shall on or after March 3, 1993, increase the price or other charge that it charges for any health care service provided to a Minnesota resident except as permitted under this section. This section does not apply to a price change agreed to by written contract prior to March 3, 1993. This section does not apply to health care services provided through integrated service networks. The commissioner of health shall enforce this section and has, for purposes of this section, all enforcement and rulemaking powers otherwise available to the commissioner.

Subd. 2. [CERTAIN INCREASES PERMITTED.] (a) On and after January 1, 1994, a health care provider as defined in section 62I.03, subdivision 8, may increase any price or other charge by no more than a percentage determined by adding five percentage points to the percentage change in the regional consumer price index for urban consumers for the most recent twelve month period for which that index is available as of November 1, 1993. The commissioner of health shall determine, announce, and publish in the state register, no later than December 1, 1993, the percentage increase permitted under this paragraph. To determine the amount of the maximum permitted increase in a price or charge, the percentage determined under this paragraph is applied to the price or charge used as of January 1, 1993.

(b) On or after January 1, 1995, an increase in a price or charge is permitted in addition to the increase permitted under paragraph (a). The permitted maximum increase is determined as under paragraph (a), except that the percentage is multiplied by .9 and is applied to the price or charge used as of January 1, 1994.

Sec. 4. [620.05] [HEALTH CARRIER PRICE RESTRAINTS.]

Subdivision 1. [RESTRAINT.] No health carrier, as defined in section 62A.011, shall increase the premiums, subscriber charges, enrollee fees or similar charges for its health plans on or after March 3, 1993, so as to increase its total revenues per Minnesota resident covered by its health plans, except as permitted under this section. This subdivision does not prohibit an increase in the charge for a particular health plan, so long as the health carrier's aggregate revenues per covered Minnesota resident for all of its health plans do not increase. This section does not apply to integrated service networks or to filings for rate increases or adjustments submitted to the commissioners of commerce or health prior to March 3, 1993.

Subd. 2. [CERTAIN INCREASES PERMITTED.] A health carrier may increase its charges on and after January 1, 1994, and on and after January 1, 1995, so as to increase its revenues per covered Minnesota resident, to the extent permitted under subdivision 4.

Subd. 3. [ENFORCEMENT.] The commissioners of health and commerce shall enforce this section with respect to the health carriers that each commissioner respectively regulates. Each commissioner has under this section all enforcement and rulemaking authority that the commissioner otherwise has with respect to the health carrier.

Subd. 4. [CERTAIN INCREASES PERMITTED.] Any increased charges under subdivision 2 must be approved in advance by the relevant commissioner under subdivision 3. The relevant commissioner shall disapprove any requested increase in revenues per covered person, unless the health carrier provides actuarial analysis establishing, to the satisfaction of the commissioner, that the health carrier is fully passing on to its customers the health care provider price restraints provided under section 3. An increase in revenues permitted under subdivision 2 and this subdivision must not exceed the percentages provided under section 3 for health care providers. The commissioner may consider and take into account substantial changes in a health carrier's types of health plans and types of persons covered if necessary to prevent evasion of this section.

Subd. 5. [NEW PRODUCTS.] No health carrier may offer or issue a new health plan form or certificate form unless the health carrier has provided the relevant commissioner with actuarial analysis establishing, to the satisfaction of the commissioner, that the proposed charges or method of determining charges takes account of the price restraints on health care providers under section 3. This subdivision applies, without limitation, to products sold in the small employer market under chapter 62L. If a form covered by this subdivision has not, as of January 1, 1994 or January 1, 1995, been in existence during the entire previous calendar year, any revenue increase otherwise permitted by this section must be prorated, based upon the fraction of the prior calendar year in which the form was available for purchase."

Page 30, line 15, delete "4" and insert "5"

Page 84, line 9, after the period insert "A health carrier shall, at the time of first issuance or renewal of a health benefit plan or or after July 1, 1993, credit against any preexisting condition limitation or exclusion permitted under this section, the time period prior to July 1, 1993, during which an eligible employee or dependent was covered by qualifying existing coverage or qualifying prior coverage, if the person has maintained continuous coverage."

Page 87, after line 11, insert:

"Sec. 9. [REPEALER.]

Minnesota Statutes 1992, section 62L.09, subdivision 2, is repealed."

Page 87, line 12, delete "9" and insert "10"

Page 92, line 12, after the period insert "A health carrier shall, at the time of first issuance or renewal of a health plan on or after July 1, 1993, credit against any preexisting condition limitation or exclusion permitted under this section, the time period prior to July 1, 1993, during which the person was covered by qualifying existing coverage or qualifying prior coverage, as defined in section 62L.02, if the person has maintained continuous coverage."

Renumber the sections in sequence

Correct internal references

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Education.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1191, A bill for an act relating to trusts; prohibiting trustees from exercising certain powers; proposing coding for new law in Minnesota Statutes, chapter 501B.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1199, A bill for an act relating to state government; the legislative commission on employee relations; modifying provisions relating to certain plans; ratifying certain salaries; amending Minnesota Statutes 1992, section 43A.18, subdivision 4; repealing Minnesota Statutes 1992, section 43A.24, subdivision 3.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1992, section 15A.083, subdivision 4, is amended to read:

Subd. 4. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. The supreme court shall set the salary of the state court administrator and the salaries of district court administrators. The salary of the state court administrator or a district court administrator may not exceed the salary of a district court judge. If district court administrators die, the amounts of their unpaid salaries for the months in which their deaths occur must be paid to their estates. The salaries of the district administrators of the second, fourth, and sixth judicial districts may be supplemented by the appropriate county board in an amount not to exceed \$10,000 per year. The salary supplement may be made effective only until January 1, 1988. The salary of the state public defender shall be 95 percent of the salary of the attorney general.

Salary or Range
Effective
July 1,
1992 1994

Board on judicial standards
executive director

\$44,000 - ~~\$60,000~~ \$70,000"

Page 2, delete lines 18 to 26

Page 2, line 27, delete "Subd. 3." and insert "Subdivision 1."

Page 2, after line 30, insert:

"Subd. 2. [UNIT 1.] The collective bargaining agreement between the state of Minnesota and state bargaining unit 1, represented by the Minnesota law enforcement association, approved by the legislative commission on employee relations on March 26, 1993, is ratified.

Sec. 4. [SETTLEMENT DOCUMENTS.]

The department of employee relations must complete the uniform collective bargaining agreement settlement documents prescribed under Minnesota Statutes, section 179A.04, subdivision 3, clause (n), for collective bargaining agreements effective after June 30, 1993.

Sec. 5. [STUDY; RECOMMENDATIONS.]

The legislative commission on employee relations must study and make recommendations to the legislature regarding the criteria by which the community college system assigns positions in the professional employees unit, unit 214, to the classified or unclassified service. The report must be completed by February 1, 1994.

Page 2, line 35, before "Sections" insert "Section 1 is effective July 1, 1994." and delete "1 to 3" and insert "2 to 4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after "salaries" insert "and a bargaining agreement; requiring certain reports and documents"

Page 1, line 5, delete "section" and insert "sections 15A.083, subdivision 4; and"

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. 1220, A bill for an act relating to crimes; prohibiting persons from interfering with access to medical facilities; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 488A.101, is amended to read:

488A.101 [COUNTY ATTORNEY AS PROSECUTOR, NOTICE TO COUNTY.]

A municipality or other subdivision of government seeking to use the county attorney for violations enumerated in section 488A.10, subdivision 11 shall notify the county board of its intention to use the services of the county attorney at least 60 days prior to the adoption of board's annual budget each year. A municipality may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense on a case-by-case basis.

Sec. 2. [609.749] [INTERFERENCE WITH ACCESS TO MEDICAL FACILITIES; PENALTY.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(a) "Medical facility" means a hospital or other health institution licensed under sections 144.50 to 144.56 or defined under section 144.561, or an agency, clinic, or office operated under the direction of the commissioner of health or a community health board, as defined in section 145A.02.

(b) "Person" does not include:

(1) the chief executive officer of the medical facility;

(2) a designee of the chief executive officer of the medical facility;

(3) an agent of the medical facility; or

(4) a law enforcement officer.

Subd. 2. [OBSTRUCTING ACCESS PROHIBITED.] A person is guilty of a gross misdemeanor who, with the intent to inhibit or block access to a medical facility, physically obstructs or impedes, or attempts to obstruct or impede any individual's passage.

Subd. 3. [NOT APPLICABLE.] Nothing in this section shall be construed to impair the right of any individual or group to engage in speech protected by the United States Constitution or the Minnesota Constitution, including but not limited to peaceful and lawful picketing.

Subd. 4. [CIVIL REMEDIES.] (a) A party who is aggrieved by an act prohibited by this section may bring an action for damages, injunctive or declaratory relief, as appropriate, in district court against any person or entity who has violated or has conspired to violate this section.

(b) A party who prevails in a civil action under this subdivision is entitled to recover from the violator damages, costs, attorney's fees, and other relief as determined by the court. In addition to all other damages, the court may award to the aggrieved party a civil penalty of up to \$1,000 for each violation.

(c) The remedies provided by this subdivision are in addition to any other legal or equitable remedies the aggrieved party may have and are not intended to diminish or substitute for those remedies or to be exclusive.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment and apply to acts committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crimes; prohibiting persons from interfering with access to medical facilities; prescribing penalties; authorizing civil and equitable remedies; amending Minnesota Statutes 1992, section 488A.101; proposing coding for new law in Minnesota Statutes, chapter 609."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1280, A bill for an act relating to criminal and juvenile justice information; providing for implementation and oversight of integrated criminal justice information systems; appropriating money; amending Minnesota Statutes 1992, section 241.012, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299C.

Reported the same back with the following amendments:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1992, section 168.345, is amended by adding a subdivision to read:

Subd. 3. [REQUESTS FOR INFORMATION; SURCHARGE ON FEE.] The commissioner shall impose a surcharge of 25 cents on each fee charged by the commissioner under section 13.03, subdivision 3, for copies or electronic transmittal of public information concerning motor vehicle registrations. The commissioner shall forward the surcharges collected under this subdivision to the commissioner of finance on a monthly basis. Upon receipt, the commissioner of finance shall credit the surcharges to the general fund.

Sec. 2. Minnesota Statutes 1992, section 171.12, is amended by adding a subdivision to read:

Subd. 8. [REQUESTS FOR INFORMATION; SURCHARGE ON FEE.] The commissioner shall impose a surcharge of 25 cents on each fee charged by the commissioner under section 13.03, subdivision 3, for copies or electronic transmittal of public information concerning driver's license and Minnesota identification card applicants. The commissioner shall forward the surcharges collected under this subdivision to the commissioner of finance on a monthly basis. Upon receipt, the commissioner of finance shall credit the surcharges to the general fund.

Page 3, after line 27, insert:

"Sec. 4. Minnesota Statutes 1992, section 299C.10, is amended to read:

299C.10 [IDENTIFICATION DATA.]

Subdivision 1. [LAW ENFORCEMENT DUTY.] It is hereby made the duty of the sheriffs of the respective counties and of the police officers in cities of the first, second, and third classes, under the direction of the chiefs of police in such cities, to take or cause to be taken immediately finger and thumb prints, photographs, and such other identification data as may be requested or required by the superintendent of the bureau; of all persons arrested for a felony, gross misdemeanor, of all juveniles committing felonies as distinguished from those committed by adult offenders, of all persons reasonably believed by the arresting officer to be fugitives from justice, of all persons in whose possession, when arrested, are found concealed firearms or other dangerous weapons, burglar tools or outfits, high-power explosives, or articles, machines, or appliances usable for an unlawful purpose and reasonably believed by the arresting officer to be intended for such purposes, and within 24 hours thereafter to forward such fingerprint records and other identification data on such forms and in such manner as may be prescribed by the superintendent of the bureau of criminal apprehension.

Subd. 2. [LAW ENFORCEMENT EDUCATION.] The sheriffs and police officers who take finger and thumb prints must obtain training in the proper methods of taking and transmitting finger prints under this section consistent with bureau requirements.

Subd. 3. [BUREAU DUTY.] The bureau must enter in the criminal records system finger and thumb prints within five working days after they are received under this section."

Page 5, line 2, delete "a biennial" and insert "an annual"

Page 5, after line 22, insert:

"(6) two public defenders appointed by the board of public defense;"

Renumber the clauses in sequence

Page 5, line 30, delete "citizens" and insert "public members"

Page 5, lines 32 and 34, delete "a member" and insert "two members"

Page 6, lines 17 and 18, delete "\$....." and insert "\$25,000"

Page 6, lines 20 and 21, delete "for the purposes of" and insert "to reimburse local correctional agencies for costs incurred to comply with"

Page 6, line 21, delete "1" and insert "3"

Page 6, line 22, delete "\$....." and insert "\$110,000"

Page 6, line 23, delete "\$....." and insert "\$100,500"

Page 6, line 29, delete "\$....." and insert "\$174,600"

Page 6, line 30, delete "\$....." and insert "\$152,100"

Page 6, line 38, delete "\$....." and insert "\$129,200"

Page 6, line 39, delete "\$....." and insert "\$99,120"

Page 6, line 46, delete "\$....." and insert "\$125,000"

Page 7, after line 6, insert:

"Sec. 6. [REPEALER.]

Section 5 is repealed effective December 31, 1996."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "section 241.012" and insert "sections 168.345, by adding a subdivision; 171.12, by adding a subdivision; 241.021" and after "1," insert "and 299C.10;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1296, A bill for an act relating to Pine county; permitting the county board to extend certain temporary land use controls.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1353, A bill for an act relating to Aitkin county; permitting a local liquor and restaurant tax.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1419, A bill for an act relating to Cook county; providing for the imposition of a sales tax and motor vehicle excise tax on sales transactions in Cook county; providing for the use of the sales tax revenues; authorizing the issuance of bonds to finance the expansion of and improvements to the North Shore hospital.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1446, A bill for an act relating to economic development; creating an urban challenge grant program; requiring rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116M.

Reported the same back with the following amendments:

Page 4, line 35, delete "\$100,000" and insert "\$150,000"

Page 5, delete lines 9 to 11

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.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1454, A bill for an act relating to the city of Hutchinson; permitting the city to erect certain signs.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

S. F. No. 247, A bill for an act relating to medical records; clarifying a patient's right of access to medical records; amending Minnesota Statutes 1992, section 144.335, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 144.335, is amended by adding a subdivision to read:

Subd. 3b. [INDEPENDENT MEDICAL EXAMINATION.] The provisions of this section which apply to a patient and a patient's health records also apply to a subject of an independent medical examination and the subject's health records. Notwithstanding subdivision 3a, a provider may release health records created as part of an independent medical examination to the third party who requested or paid for the examination.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective the day following final enactment and applies to health records created before, on, or after that date. Nothing in section 1 creates a physician-patient relationship."

Delete the title and insert:

"A bill for an act relating to medical records; clarifying a patient's right of access to medical records; amending Minnesota Statutes 1992, section 144.335, by adding a subdivision."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

S. F. No. 419, A bill for an act relating to health care; modifying and making corrections to the health right act; amending Minnesota Statutes 1992, sections 43A.317, subdivisions 2, 7, and 10; 62A.011, subdivision 3; 62A.021, subdivision 1; 62A.65, subdivision 5; 62J.04, subdivisions 2, 3, 4, 5, 6, and 7; 62J.09, subdivisions 1, 2, and 6; 62J.15, subdivision 2; 62J.17, subdivisions 2, 4, 5, and 6; 62J.19; 62J.23; 62J.29, subdivisions 1 and 4; 62J.30, subdivisions 4, 7, 8, and 10; 62J.31, subdivisions 2 and 3; 62J.32, subdivisions 1 and 4; 62J.34, subdivisions 2 and 3; 62L.02, subdivisions 8, 11, 15, and 16, and by adding a subdivision; 62L.03, subdivisions 2 and 5; 62L.05, subdivisions 1, 4, and 10; 62L.09, subdivision 2; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.17, subdivisions 1 and 4; 62L.19; 62L.20, subdivisions 1 and 2; 144.147, subdivision 4; 144.1481, subdivision 1; 256.045, subdivision 10; 256.9353, subdivisions 2, 6, and by adding a subdivision; 256.9354; 256.9355, subdivision 3; 256.9356, subdivision 2; 256.9357; 256B.0644; Laws 1992, chapter 549, articles 1, section 15; 2, sections 24 and 25; 3, section 24; and 4, section 18; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1992, sections 62J.05, subdivision 5; 62J.09, subdivision 3; and 62J.21.

Reported the same back with the following amendments:

Page 40, line 30, delete "SUBROGATION" and insert "LIEN" and delete "commissioner" and insert "state agency"

Page 40, line 32, delete "commissioner" and insert "agency" and delete "care" and insert "the covered health services"

Page 40, lines 34 and 35, delete "injuries necessitating" and insert "the occurrence that necessitated the payment for the"

Page 40, line 35, after the period insert "All liens under this section shall be subject to the provisions of section 256.015."

Page 42, after line 5, insert:

"Subd. 1a. [COOPERATION.] To be eligible for MinnesotaCare, individuals must cooperate with the state agency to identify potentially liable third party payers and assist the state in obtaining third party payments. "Cooperation" includes, but is not limited to, identifying any third party who may be liable for care and services provided under MinnesotaCare to the enrollee, providing relevant information to assist the state in pursuing a potentially liable third party, and completing forms necessary to recover third party payments."

Page 55, after line 35, insert:

"Sec. 13. Minnesota Statutes 1992, section 144.1486, is amended to read:

144.1486 [RURAL COMMUNITY HEALTH CENTERS.]

The commissioner of health shall develop and implement a program to establish community health centers in rural areas of Minnesota that are underserved by health care providers. The program shall provide rural communities and community organizations with technical assistance, capital grants for start-up costs, and short-term assistance with operating costs. The technical assistance component of the program must provide assistance in review of practice management, market analysis, practice feasibility analysis, medical records system analysis, and scheduling and patient flow analysis. The program must: (1) include a local match requirement for state dollars received; (2) require local communities, through instrumentalities of the state of Minnesota or nonprofit boards comprised of local residents, to operate and own their community's health care program; (3) encourage the use of midlevel practitioners; and (4) incorporate a quality assurance strategy that provides regular evaluation of clinical performance and allows peer review comparisons for rural practices. The commissioner shall report to the legislature on implementation of the program by February 15, 1994."

Page 55, line 36, delete "13" and insert "14"

Page 56, line 1, delete "12" and insert "13"

Amend the title as follows:

Page 1, line 21, after "1," insert "144.1486;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Financial Institutions and Insurance.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 37, 199, 431, 444, 511, 580, 588, 655, 665, 670, 732, 747, 846, 879, 893, 902, 976, 994, 1018, 1058, 1095, 1153, 1174, 1191, 1220, 1296 and 1454 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lourey, Greiling, McGuire, Goodno and Perl introduced:

H. F. No. 1612, A bill for an act relating to ethics in government; establishing standards of conduct; changing duties of the ethical practices board; imposing penalties; amending Minnesota Statutes 1992, sections 10A.02, subdivision 12; 10A.09, subdivision 5; 13.99, subdivisions 4 and 5; and 43A.38; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1992, section 10A.02, subdivisions 11 and 11a.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Dempsey and Lindner introduced:

H. F. No. 1613, A bill for an act relating to the criminal code; amending Minnesota Statutes 1992, sections 609.1352, by adding a subdivision; and 609.346, subdivision 5.

The bill was read for the first time and referred to the Committee on Judiciary.

Lasley; Bauerly; Johnson, V.; Kelso and Olson, E., introduced:

H. F. No. 1614, A bill for an act relating to transportation and transit; providing for transit system throughout Minnesota; amending Minnesota Statutes 1992, section 123.39, subdivision 8b.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Van Dellen; Commers; Olson, M., and Bergson introduced:

H. F. No. 1615, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; providing for initiative and referendum.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Van Dellen, Abrams, Erhardt, Bergson and Rhodes introduced:

H. F. No. 1616, A bill for an act proposing an amendment to the Minnesota Constitution, article XI, section 1; providing limits on appropriations.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Leppik introduced:

H. F. No. 1617, A bill for an act relating to the institute for child and adolescent sexual health; requiring continuation of planning for the institute; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Sarna and Milbert introduced:

H. F. No. 1618, A bill for an act relating to commerce; regulating late fees charged by wire communication companies; proposing coding for new law in Minnesota Statutes, chapter 238.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

McCollum, Mariani, Garcia and Lieder introduced:

H. F. No. 1619, A bill for an act relating to transportation; authorizing cities to impose and collect transportation utility fees; providing for the determination of average trip generation ranges; providing for notice and appeal of fees; proposing coding for new law in Minnesota Statutes, chapter 465.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Waltman introduced:

H. F. No. 1620, A bill for an act relating to taxation; motor vehicle excise; exempting unmarked vehicles used by county sheriffs; exempting vehicles used by fire departments for initial response to medical emergencies; amending Minnesota Statutes 1992, section 297B.03.

The bill was read for the first time and referred to the Committee on Taxes.

Waltman introduced:

H. F. No. 1621, A bill for an act relating to shoreland management; authorizing municipalities to allow redevelopment of certain shoreland property on Lake Pepin; amending Minnesota Statutes 1992, section 103F.221, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Bergson, Trimble, Mahon, Rodosovich and Rhodes introduced:

H. F. No. 1622, A bill for an act relating to state government; revising procedures governing state contracts for professional, technical, and consultant services; limiting uses of funds saved from leaving positions vacant; limiting funds spent on certain contracts; amending Minnesota Statutes 1992, section 16B.17, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Haukoos, Simoneau, Stanius, Gruenes and Jennings introduced:

H. F. No. 1623, A bill for an act relating to shelters for battered women; transferring the funding and authority for administration of shelter programs to the commissioner of corrections; amending Minnesota Statutes 1992, sections 256.01, subdivision 2; 256D.04; 256D.05, subdivision 1; and 256D.06, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1992, section 256D.05, subdivisions 3 and 3a.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Bertram introduced:

H. F. No. 1624, A bill for an act relating to taxation; fermented malt beverages; changing the brewers credit; extending the credit to importers; amending Minnesota Statutes 1992, section 297C.02, subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Bertram and Krueger introduced:

H. F. No. 1625, A bill for an act relating to crime; expanding scope of registration provision for sex offenders to include other predatory offenders; amending Minnesota Statutes 1992, section 243.166, subdivisions 1, 2, 3, and 6.

The bill was read for the first time and referred to the Committee on Judiciary.

Ozment, Lynch, Greiling, McCollum and Tomassoni introduced:

H. F. No. 1626, A bill for an act relating to education; providing equalized program revenue for adults with disabilities; amending Minnesota Statutes 1992, sections 121.88, subdivision 7; and 124.2715, subdivisions 1, 2, and 3.

The bill was read for the first time and referred to the Committee on Education.

Asch, Opatz, Evans, Kalis and Rhodes introduced:

H. F. No. 1627, A bill for an act relating to agriculture; clarifying procedures for the use of certain organisms; amending Minnesota Statutes 1992, sections 116C.91, subdivisions 3, 6, 7, and by adding a subdivision; and 116C.94.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Kahn, Knickerbocker, Osthoff, Hausman and Jennings introduced:

H. F. No. 1628, A bill for an act relating to taxation; imposing a tax on the value of sports bookmaking bets; proposing coding for new law in Minnesota Statutes, chapter 349.

The bill was read for the first time and referred to the Committee on Taxes.

Delmont, Skoglund, Luther, Jacobs and Osthoff introduced:

H. F. No. 1629, A bill for an act relating to traffic regulations; increasing fine for speeding violation; appropriating money for highway work zone safety enforcement and public education efforts; amending Minnesota Statutes 1992, section 169.14, subdivision 5d.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Johnson, V., and Haukoos introduced:

H. F. No. 1630, A bill for an act relating to economic development; limiting certain daily payments; amending Minnesota Statutes 1992, section 469.011, subdivision 4.

The bill was read for the first time and referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

Dorn introduced:

H. F. No. 1631, A bill for an act relating to the city of Mankato; extending the duration of a tax increment financing district.

The bill was read for the first time and referred to the Committee on Taxes.

Tompkins and Pawlenty introduced:

H. F. No. 1632, A bill for an act relating to health; providing an exception to the nursing home moratorium for subacute care; allowing medical assistance coverage of subacute care; amending Minnesota Statutes 1992, sections 144A.071, subdivision 3; and 256B.431, subdivision 2e.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Blatz, Carruthers, Pugh and Smith introduced:

H. F. No. 1633, A bill for an act relating to motor vehicles; authorizing issuance of special arts license plates; creating special account for the arts; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 168.

The bill was read for the first time and referred to the Committee on Transportation and Transit.

Mosel, Vellenga, Bauerly and Onnen introduced:

H. F. No. 1634, A bill for an act relating to education; authorizing a fund transfer for the Glencoe school district.

The bill was read for the first time and referred to the Committee on Education.

Evans, Kahn, Jefferson, Krueger and Knickerbocker introduced:

H. F. No. 1635, A bill for an act relating to commerce; regulating registered combined charitable organizations; amending Minnesota Statutes 1992, section 309.501.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Pugh introduced:

H. F. No. 1636, A bill for an act relating to commerce; franchises; regulating actions; amending Minnesota Statutes 1992, section 80C.17, subdivisions 1 and 5.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Greiling, Carlson, Bergson and Ozment introduced:

H. F. No. 1637, A bill for an act relating to education; providing for the assignment of nonlicensed employees affected by school district consolidation to the newly created district; amending Minnesota Statutes 1992, section 122.23, subdivision 18, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Winter introduced:

H. F. No. 1638, A bill for an act relating to education; modifying the child care grant program administered by the higher education coordinating board; amending Minnesota Statutes 1992, section 136A.125, subdivisions 2, 4, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Wenzel introduced:

H. F. No. 1639, A bill for an act relating to agriculture; changing the bases for certain milk payments; amending Minnesota Statutes 1992, section 32.25, subdivision 1.

The bill was read for the first time and referred to the Committee on Agriculture.

Frerichs, Munger and Ozment introduced:

H. F. No. 1640, A bill for an act relating to solid waste; placing waste composting higher on the state's waste management hierarchy; setting recycling and waste composting goals; amending Minnesota Statutes 1992, section 115A.02; proposing coding for new law in Minnesota Statutes, chapter 115A.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Brown, C., introduced:

H. F. No. 1641, A bill for an act relating to education; validating a referendum levy.

The bill was read for the first time and referred to the Committee on Education.

Greiling, Vellenga, Leppik, Seagren and Kelley introduced:

H. F. No. 1642, A bill for an act relating to education; changing educational effectiveness; creating school improvement grants; creating requirements for financial training for school boards; changing training and experience revenue; creating cost-of-living revenue; creating school restructuring pilots and teacher compensation task forces; appropriating money; amending Minnesota Statutes 1992, sections 120.105; 121.918; 123.33, by adding a subdivision; 123.951; 124A.22, subdivisions 1, 4a, 4b, and by adding a subdivision; 124A.28, subdivision 1; 124A.29, subdivision 1; and 126.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 121.

The bill was read for the first time and referred to the Committee on Education.

Bauerly, Lasley, Vellenga, Bertram and Koppendrayner introduced:

H. F. No. 1643, A bill for an act relating to education; placing limits on financial arrangements for PSEO courses provided according to agreement; counting each PSEO student as a portion of a pupil unit; amending Minnesota Statutes 1992, sections 123.3514, subdivisions 6 and 6c; and 124.17, subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Mosel introduced:

H. F. No. 1644, A bill for an act relating to education; clarifying which cooperating districts are eligible to levy for severance and allowing certain districts to levy for severance; amending Minnesota Statutes 1992, section 124.2725, subdivision 15.

The bill was read for the first time and referred to the Committee on Education.

Krueger and Long introduced:

H. F. No. 1645, A bill for an act relating to state government; establishing an innovative program initiative to encourage innovation in state agencies; permitting waivers from certain statutes, rules, policies, and procedures; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16B.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Kahn, Osthoff and Knickerbocker introduced:

H. F. No. 1646, A bill for an act relating to gaming; authorizing the state lottery to operate video lottery terminals; prohibiting the sale of pull-tabs to the public; amending Minnesota Statutes 1992, sections 297A.259; 349.12, subdivisions 18, 21, 22, 23, 24, and 31; 349.163, subdivision 5; 349.168, subdivision 3; 349.212, subdivisions 1, 4, and 7; 349.2121, subdivisions 1, 2, and 2a; 349.2125, subdivision 1; 349A.01, subdivisions 7, 8, 11, 12, and by adding subdivisions; 349A.04; 349A.05; 349A.06, subdivisions 1, 5, 6, 8, 10, and by adding subdivisions; 349A.08, subdivisions 1, 5, and 8; 349A.09, subdivision 1; 349A.10, subdivisions 2, 3, and 4; 349A.11; 349A.12, subdivisions 1 and 2; 349A.13; 609.651, subdivision 1; and 609.75, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 349A; repealing Minnesota Statutes 1992, sections 349.163, subdivision 7; 349.172; 349.174; 349.19, subdivision 10; and 349.211, subdivision 2a.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Kahn, Bertram, Osthoff and Knickerbocker introduced:

H. F. No. 1647, A bill for an act relating to lawful gambling; authorizing the use of pull-tab dispensing devices; amending Minnesota Statutes 1992, sections 349.12, subdivision 18; 349.13; and 349.151, subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Kahn, Solberg, Osthoff, Knickerbocker and Pugh introduced:

H. F. No. 1648, A bill for an act relating to lawful gambling; authorizing and regulating the use of electronic pull-tab dispensing devices; imposing taxes; requiring the board to adopt rules; appropriating money to the commissioner of human services for compulsive gambling programs; amending Minnesota Statutes 1992, sections 349.12, subdivisions 18 and 32; 349.18, subdivision 1; and 349.212, subdivision 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 349.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Kelley, Pawlenty, Neary and Pugh introduced:

H. F. No. 1649, A bill for an act relating to state and local government; establishing the Minnesota information network; establishing the metropolitan public information network pilot program; authorizing rulemaking; proposing coding for new law as Minnesota Statutes, chapter 116S.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 203, A bill for an act relating to occupations and professions; board of medical practice; modifying requirements for licensing United States, Canadian, and foreign medical school graduates; providing for temporary permits; providing for residency permits; adding a requirement for students exempt from penalties for practicing without a license; adding to licensed professionals subject to reporting obligations; indemnifying board members, consultants, and persons employed by the board; adding registration requirements for physical therapists from other states and foreign-trained physical therapists; amending Minnesota Statutes 1992, sections 62A.46, subdivision 7; 147.02, subdivision 1, and by adding a subdivision; 147.03; 147.037, subdivision 1, and by adding a subdivision; 147.09; 147.111, subdivision 4; 147.121, subdivision 2; and 148.71, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 585, A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual or affectional orientation; amending Minnesota Statutes 1992, sections 363.01, subdivision 23, and by adding a subdivision; 363.02, subdivisions 1, 2, 4, and by adding a subdivision; 363.03, subdivisions 1, 2, 3, 4, 5, 7, 8, and 8a; 363.05, subdivision 1; 363.11; 363.115; and 363.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 363.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONSENT CALENDAR

S. F. No. 99, A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes-1992, sections 367.03, subdivision 1; and 367.05, subdivision 1.

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	Davids	Hausman	Krinkie	Murphy	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rhodes	Tunheim
Asch	Delmont	Huntley	Leppik	Ness	Rice	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Olson, E.	Rodosovich	Vellenga
Bauerly	Dorn	Jaros	Limmer	Olson, K.	Rukavina	Vickerman
Beard	Erhardt	Jefferson	Lindner	Olson, M.	Sarna	Wagenius
Bergson	Evans	Jennings	Lourey	Onnen	Seagren	Waltman
Bertram	Farrell	Johnson, A.	Luther	Opatz	Sekhon	Weaver
Bettermann	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Wejzman
Bishop	Garcia	Johnson, V.	Macklin	Osthoff	Skoglund	Welle
Blatz	Girard	Kahn	Mahon	Ostrom	Smith	Wenzel
Brown, C.	Goodno	Kalis	Mariani	Ozment	Solberg	Winter
Brown, K.	Greenfield	Kelley	McCollum	Pauly	Sparby	Wolf
Carlson	Greiling	Kelso	Milbert	Pawlenty	Stanius	Worke
Carruthers	Gruenes	Kinkel	Molnau	Pelowski	Steensma	Workman
Commers	Gutknecht	Klinzing	Morrison	Perlt	Sviggum	Spk. Long
Cooper	Hasskamp	Knickerbocker	Mosel	Peterson	Swenson	
Dauner	Haukoos	Koppendrayer	Munger	Pugh	Tomassoni	

The bill was passed and its title agreed to.

S. F. No. 98, A bill for an act relating to towns; eliminating distribution of certain reports relating to town roads and bridges; amending Minnesota Statutes 1992, section 164.03, subdivision 4.

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	Davids	Hausman	Krueger	Neary	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rhodes	Tunheim
Asch	Delmont	Huntley	Lieder	Olson, E.	Rice	Van Dellen
Battaglia	Dempsey	Jacobs	Limmer	Olson, K.	Rodosovich	Vellenga
Bauerly	Dorn	Jaros	Lindner	Olson, M.	Rukavina	Vickerman
Beard	Erhardt	Jefferson	Lourey	Onnen	Sarna	Wagenius
Bergson	Evans	Johnson, A.	Luther	Opatz	Seagren	Waltman
Bertram	Farrell	Johnson, R.	Lynch	Orenstein	Sekhon	Weaver
Bettermann	Frerichs	Johnson, V.	Macklin	Orfield	Simoneau	Wejcmán
Bishop	Garcia	Kahn	Mahon	Osthoff	Skoglund	Welle
Blatz	Girard	Kalis	Mariani	Ostrom	Smith	Wenzel
Brown, C.	Goodno	Kelley	McCollum	Ozment	Solberg	Winter
Brown, K.	Greenfield	Kelso	Milbert	Pauly	Sparby	Wolf
Carlson	Greiling	Kinkel	Molnau	Pawlenty	Stanius	Worke
Carruthers	Gruenes	Klinzing	Morrison	Pelowski	Steensma	Workman
Commers	Gutknecht	Knickerbocker	Mosel	Perlt	Sviggum	Spk. Long
Cooper	Hasskamp	Koppendraye	Munger	Peterson	Swenson	
Dauner	Haukoos	Krinkie	Murphy	Pugh	Tomassoni	

The bill was passed and its title agreed to.

S. F. No. 313; A bill for an act relating to Dakota county; providing for the composition and powers of the county housing and redevelopment authority and the county extension committee; amending Minnesota Statutes 1992, section 383D.41, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383D.

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	Davids	Hausman	Krinkie	Murphy	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rhodes	Tunheim
Asch	Delmont	Huntley	Leppik	Ness	Rice	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Olson, E.	Rodosovich	Vellenga
Bauerly	Dorn	Jaros	Limmer	Olson, K.	Rukavina	Vickerman
Beard	Erhardt	Jefferson	Lindner	Olson, M.	Sarna	Wagenius
Bergson	Evans	Jennings	Lourey	Onnen	Seagren	Waltman
Bertram	Farrell	Johnson, A.	Luther	Opatz	Sekhon	Weaver
Bettermann	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Wejcmán
Bishop	Garcia	Johnson, V.	Macklin	Orfield	Skoglund	Welle
Blatz	Girard	Kahn	Mahon	Ostrom	Smith	Wenzel
Brown, C.	Goodno	Kalis	Mariani	Ozment	Solberg	Winter
Brown, K.	Greenfield	Kelley	McCollum	Pauly	Sparby	Wolf
Carlson	Greiling	Kelso	Milbert	Pawlenty	Stanius	Worke
Carruthers	Gruenes	Kinkel	Molnau	Pelowski	Steensma	Workman
Commers	Gutknecht	Klinzing	Morrison	Perlt	Sviggum	Spk. Long
Cooper	Hasskamp	Knickerbocker	Mosel	Peterson	Swenson	
Dauner	Haukoos	Koppendraye	Munger	Pugh	Tomassoni	

The bill was passed and its title agreed to.

H. F. No. 113, A bill for an act relating to traffic regulations; specifying that a pedestrian lawfully in a crosswalk with pedestrian control signals must be given the right-of-way by all vehicles; amending Minnesota Statutes 1992, section 169.06, subdivision 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	Davids	Hausman	Krinkie	Murphy	Reding	Tompkins
Anderson, I.	Dawkins	Holsten	Krueger	Nearly	Rest	Trimble
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rhodes	Tunheim
Asch	Delmont	Huntley	Leppik	Ness	Rice	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Olson, E.	Rodosovich	Vellenga
Bauerly	Dorn	Jaros	Limmer	Olson, K.	Rukavina	Vickerman
Beard	Erhardt	Jefferson	Lindner	Olson, M.	Sarna	Wagenius
Bergson	Evans	Jennings	Lourey	Onnen	Seagren	Waltman
Bertram	Farrell	Johnson, A.	Luther	Opatz	Sekhon	Weaver
Bettermann	Frerichs	Johnson, R.	Lynch	Orenstein	Simoneau	Wejcmán
Bishop	Garcia	Johnson, V.	Macklin	Orfield	Skoglund	Welle
Blatz	Girard	Kahn	Mahon	Osthoff	Smith	Wenzel
Brown, C.	Goodno	Kalis	Mariani	Ostrom	Solberg	Winter
Brown, K.	Greenfield	Kelley	McCollum	Ozment	Sparby	Wolf
Carlson	Greiling	Kelso	Milbert	Pauly	Stanius	Worke
Carruthers	Gruenes	Kinkel	Molnau	Pawlenty	Steensma	Workman
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Sviggum	Spk. Long
Cooper	Hasskamp	Knickerbocker	Mosel	Perit	Swenson	
Dauner	Haukoos	Koppendraye	Munger	Pugh	Tomassoni	

The bill was passed and its title agreed to.

S. F. No. 434, A bill for an act relating to traffic regulations; making technical changes and clarifications; prohibiting buses from following too closely; providing exceptions to restrictions on installing television screens in motor vehicles; providing for auxiliary lights when headlights are obstructed by snowplow blade; requiring use of shoulder belt when motor vehicle is so equipped; providing exception for law enforcement vehicles to restriction on objects hanging between driver and windshield; abolishing authority for designating official stations for adjusting vehicle lights and brakes; amending Minnesota Statutes 1992, sections 169.14, subdivision 10; 169.18, subdivisions 5 and 8; 169.471, subdivision 1; 169.56, subdivisions 3, 4, and by adding a subdivision; 169.60; 169.686, subdivision 1; and 169.71, subdivision 1; repealing Minnesota Statutes 1992, section 169.77.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Bishop	Dehler	Goodno	Huntley	Kelley	Lieder
Anderson, I.	Blatz	Delmont	Greenfield	Jacobs	Kelso	Limmer
Anderson, R.	Brown, K.	Dempsey	Greiling	Jaros	Kinkel	Lindner
Asch	Carlson	Dorn	Gruenes	Jefferson	Klinzing	Lourey
Battaglia	Carruthers	Erhardt	Gutknecht	Jennings	Knickerbocker	Luther
Bauerly	Commers	Evans	Hasskamp	Johnson, A.	Koppendraye	Lynch
Beard	Cooper	Farrell	Haukoos	Johnson, R.	Krinkie	Macklin
Bergson	Dauner	Frerichs	Hausman	Johnson, V.	Krueger	Mahon
Bertram	Davids	Garcia	Holsten	Kahn	Lasley	Mariani
Bettermann	Dawkins	Girard	Hugoson	Kalis	Leppik	McCollum

Milbert	Olson, E.	Ozment	Rice	Solberg	Tunheim	Wenzel
Molnau	Olson, K.	Pauly	Rodosovich	Sparby	Van Dellen	Winter
Morrison	Olson, M.	Pawlenty	Rukavina	Stanius	Vellenga	Wolf
Mosel	Onnen	Pelowski	Sarna	Steensma	Vickerman	Worke
Munger	Opatz	Perl	Seagren	Sviggum	Wagenius	Workman
Murphy	Orenstein	Pugh	Sekhon	Swenson	Waltman	Spk. Long
Neary	Orfield	Reding	Simoneau	Tomassoni	Weaver	
Nelson	Osthoff	Rest	Skoglund	Tompkins	Wejcman	
Ness	Ostrom	Rhodes	Smith	Trimble	Welle	

The bill was passed and its title agreed to.

H. F. No. 648, A bill for an act relating to counties; permitting Itasca and Polk counties to consolidate the offices of auditor and treasurer.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krueger	Neary	Rest	Trimble
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rhodes	Tunheim
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rice	Van Dellen
Asch	Delmont	Huntley	Lieder	Olson, E.	Rodosovich	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, K.	Rukavina	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, M.	Sarna	Wagenius
Beard	Erhardt	Jefferson	Lourey	Onnen	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Opatz	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Orenstein	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orfield	Skoglund	Welle
Bishop	Garcia	Johnson, V.	Mahon	Osthoff	Smith	Wenzel
Blatz	Girard	Kahn	Mariani	Ostrom	Solberg	Winter
Brown, C.	Goodno	Kalis	McCollum	Ozment	Sparby	Wolf
Brown, K.	Greenfield	Kelley	Milbert	Pauly	Stanius	Worke
Carlson	Greiling	Kelso	Molnau	Pawlenty	Steensma	Workman
Carruthers	Gruenes	Klinzing	Morrison	Pelowski	Sviggum	Spk. Long
Commers	Gutknecht	Knickerbocker	Mosel	Perl	Swenson	
Cooper	Hasskamp	Koppendrayner	Munger	Pugh	Tomassoni	
Dauner	Haukoos	Krinkie	Murphy	Reding	Tompkins	

Those who voted in the negative were:

Kinkel

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 661.

H. F. No. 661 was reported to the House.

The Speaker called Bauerly to the Chair.

Steensma; Bauerly; Wenzel; Koppendraye; Cooper; Bertram; Mosel; Dauner; Olson, K.; Nelson; Reding; Winter; Molnau; Rukavina and Bettermann moved to amend H. F. No. 661, the second engrossment, as follows:

Page 17, after line 14, insert:

"Sec. 13. [32A.067] [SALES BELOW RETAIL COST PROHIBITED; EXCEPTION.]

(a) It is the intent of the legislature that small volume retailers of milk products in Minnesota receive protection from unfair competition and predatory pricing by large volume retailers. While the legislature views deregulation of the retail milk industry as desirable, it is the intent of the legislature to accomplish this goal with a minimum of negative impact upon small volume retailers.

(b) A retailer may not sell or offer for sale a selected dairy product at a retail price lower than the retailer's basic cost. A retailer may not use any method or device in the sale or offer for sale of a selected dairy product that results in a violation of this section. This prohibition does not apply to:

(i) a sale complying with section 325D.06, clauses (1) to (4); or

(ii) giving away selected dairy products free if the customer is not required to make a purchase."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

The question was taken on the Steensma et al amendment and the roll was called. There were 92 yeas and 38 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dawkins	Haukoos	Koppendraye	Nelson	Rodosovich	Wagenius
Anderson, R.	Dehler	Holsten	Krinkie	Ness	Rukavina	Waltman
Battaglia	Dempsey	Hugoson	Krueger	Olson, E.	Sarna	Wejcman
Bauerly	Dorn	Huntley	Lieder	Olson, K.	Sekhon	Welle
Beard	Evans	Jacobs	Lindner	Opatz	Simoneau	Wenzel
Bergson	Farrell	Jaros	Lourey	Orenstein	Skoglund	Winter
Bertram	Frerichs	Jefferson	Luther	Orfield	Solberg	Worke
Bettermann	Garcia	Johnson, A.	Mahon	Osthoff	Sparby	Spk. Long
Brown, C.	Girard	Johnson, R.	Mariani	Ostrom	Steensma	
Brown, K.	Goodno	Kalis	Molnau	Ozment	Swenson	
Carruthers	Greenfield	Kelley	Mosel	Pelowski	Tomassoni	
Cooper	Greiling	Kelso	Munger	Perlt	Tompkins	
Dauner	Gruenes	Kinkel	Murphy	Peterson	Vellenga	
Dauids	Hasskamp	Klinzing	Neary	Rice	Vickerman	

Those who voted in the negative were:

Abrams	Delmont	Knickerbocker	McCollum	Pawlenty	Smith	Wolf
Asch	Erhardt	Lasley	Milbert	Pugh	Stanius	Workman
Bishop	Gutknecht	Leppik	Morrison	Reding	Trimble	
Blatz	Hausman	Limmer	Olson, M.	Rest	Tunheim	
Carlson	Jennings	Lynch	Onnen	Rhodes	Van Dellen	
Commers	Johnson, V.	Macklin	Pauly	Seagren	Weaver	

The motion prevailed and the amendment was adopted.

H. F. No. 661, A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dauids	Hausman	Krinkie	Nelson	Reding	Tompkins
Anderson, R.	Dawkins	Holsten	Krueger	Ness	Rest	Trimble
Battaglia	Dehler	Hugoson	Lasley	Olson, E.	Rhodes	Tunheim
Bauerly	Delmont	Huntley	Lieder	Olson, K.	Rice	Van Dellen
Beard	Dempsey	Jacobs	Limmer	Olson, M.	Rodosovich	Vellenga
Bergson	Dorn	Jaros	Lindner	Onnen	Rukavina	Vickerman
Bertram	Evans	Jefferson	Lourey	Opatz	Sarna	Wagenius
Bettermann	Farrell	Jennings	Luther	Orenstein	Seagren	Waltman
Bishop	Frerichs	Johnson, A.	Lynch	Orfield	Sekhon	Weaver
Blatz	Garcia	Johnson, R.	Mahon	Ostrom	Simoneau	Wejzman
Brown, C.	Girard	Johnson, V.	Mariani	Ozment	Skoglund	Welle
Brown, K.	Greenfield	Kalis	Milbert	Pauly	Smith	Wenzel
Carlson	Greiling	Kelley	Molnau	Pawlenty	Solberg	Winter
Carruthers	Gruenes	Kelso	Mosel	Pelowski	Sparby	Worke
Commers	Gutknecht	Kinkel	Munger	Perlt	Steensma	Workman
Cooper	Hasskamp	Klinzing	Murphy	Peterson	Sviggum	Spk. Long
Dauner	Haukoos	Koppendrayer	Neary	Pugh	Swenson	

Those who voted in the negative were:

Abrams	Erhardt	Knickerbocker	Macklin	Morrison	Tomassoni
Asch	Goodno	Leppik	McCollum	Stanius	Wolf

The bill was passed, as amended, and its title agreed to.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Farrell moved that the names of Ness and Blatz be added as authors on H. F. No. 1185. The motion prevailed.

Rest moved that the name of Milbert be added as an author on H. F. No. 1189. The motion prevailed.

Trimble moved that the name of Steensma be added as chief author and the names of Mosel and Wenzel be added as authors on H. F. No. 1225. The motion prevailed.

McGuire moved that the name of Macklin be added as an author on H. F. No. 1420. The motion prevailed.

Neary moved that the name of Morrison be added as an author on H. F. No. 1559. The motion prevailed.

Hausman moved that the name of Van Dellen be added as an author on H. F. No. 1581. The motion prevailed.

Hausman moved that the name of Van Dellen be added as an author on H. F. No. 1582. The motion prevailed.

Orfield moved that the name of Greiling be added as an author on H. F. No. 1588. The motion prevailed.

Sviggum moved that the name of Bauerly be added as an author on H. F. No. 1611. The motion prevailed.

Van Dellen moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Monday, March 29, 1993, when the vote was taken on the final passage of S. F. No. 282." The motion prevailed.

Bertram moved that H. F. No. 893, now on Technical General Orders, be re-referred to the Committee on Judiciary. The motion prevailed.

Farrell moved that H. F. No. 1042 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Judiciary. The motion prevailed.

Mariani moved that H. F. No. 1159 be recalled from the Committee on Local Government and Metropolitan Affairs and be re-referred to the Committee on Taxes. The motion prevailed.

Rest moved that H. F. No. 1570 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Taxes. The motion prevailed.

Rest moved that H. F. No. 1579 be recalled from the Committee on Housing and be re-referred to the Committee on Taxes. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, April 5, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, April 5, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-EIGHTH SESSION -- 1993

THIRTIETH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 5, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Father Jeff Ethen, St. William Catholic Church, Parkers Prairie, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayner	Mosel	Perlt	Swenson
Anderson, I.	Davids	Hausman	Krinkie	Munger	Peterson	Tomassoni
Anderson, R.	Dawkins	Holsten	Krueger	Murphy	Pugh	Tompkins
Asch	Dehler	Hugoson	Lasley	Neary	Reding	Trimble
Battaglia	Delmont	Huntley	Leppik	Nelson	Rest	Tunheim
Bauerly	Dempsey	Jacobs	Lieder	Ness	Rhodes	Van Dellen
Beard	Dorn	Jaros	Limmer	Olson, E.	Rodosovich	Vellenga
Bergson	Erhardt	Jefferson	Lindner	Olson, K.	Rukavina	Vickerman
Bertram	Evans	Jennings	Lourey	Olson, M.	Sarna	Wagenius
Bettermann	Farrell	Johnson, A.	Luther	Onnen	Seagren	Waltman
Bishop	Frerichs	Johnson, R.	Lynch	Opatz	Sekhon	Weaver
Blatz	Garcia	Johnson, V.	Macklin	Orenstein	Simoneau	Wejcman
Brown, C.	Girard	Kahn	Mahon	Orfield	Skoglund	Welle
Brown, K.	Goodno	Kalis	Mariani	Osthoff	Smith	Wenzel
Carlson	Greenfield	Kelley	McCollum	Ostrom	Solberg	Winter
Carruthers	Greiling	Kelso	McGuire	Ozment	Sparby	Wolf
Clark	Gruenes	Kinkel	Milbert	Pauly	Stanius	Worke
Commers	Gutknecht	Klinzing	Molnau	Pawlenty	Steensma	Workman
Cooper	Hasskamp	Knickerbocker	Morrison	Pelowski	Sviggum	Spk. Long

A quorum was present.

Rice was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Klinzing moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Welle was excused for the remainder of today's session.

REPORTS OF STANDING COMMITTEES

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 7, A bill for an act relating to ambulance service personnel; establishing an ambulance service personnel longevity award and incentive program; imposing a driver's license surcharge; appropriating money; amending Minnesota Statutes 1992, section 171.06, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 144C.

Reported the same back with the following amendments:

Page 1, line 25, after "(a)" insert "Unless paragraph (c) applies."

Page 2, after line 23, insert:

"(c) The commissioner of employee relations shall review the options within state government for the most appropriate administration of pension plans or similar arrangements for emergency service personnel and recommend to the governor the most appropriate future pension plan or nonpension plan administrative arrangement for this chapter. If the governor concurs in the recommendation, the governor shall transfer the future administrative responsibilities relating to this chapter to that administrative agency."

Page 4, line 15, delete everything after the first "the" and insert "appropriation under section 144C.11"

Page 4, line 16, delete "under section 171.06, subdivision 2c"

Page 4, line 34, delete "contributions" and insert "contribution"

Page 4, line 36, delete everything after "Minnesota" and insert "is the appropriation under section 144C.11."

Page 5; delete line 1

Page 5, line 8, after the period insert "Amounts necessary to pay the ambulance service personnel longevity award are appropriated from the ambulance service personnel longevity award and incentive trust account to the commissioner of health."

Page 5, after line 20, insert:

"Subd. 3. [ADMINISTRATION EXPENSES.] The amount necessary to pay the expenses of administering the ambulance service longevity award and incentive program is appropriated from the trust account established under section 144C.03 to the commissioner of health. This appropriation may not exceed three percent of the annual appropriation under section 144C.11."

Page 6, line 1, delete everything after "and" and insert "that year's appropriation under section 144C.11, after deduction of administrative expenses, also must be allocated."

Page 6, delete line 2

Page 6, delete lines 13 to 16, and insert:

"(c) The appropriation under section 144C.11, after deduction of administrative expenses, must"

Page 7, line 24, delete "finance" and insert "health"

Page 8, line 13, after "kind" insert ", except as provided in section 518.58, 518.581, or 518.611"

Page 8, line 24, after "commissioner" insert "of health"

Page 8, delete section 11 and insert:

"Sec. 11. [144C.11] [ANNUAL APPROPRIATION.]

Annually, on September 1, \$1,560,000 is appropriated from the general fund to the ambulance service personnel longevity award and incentive trust account."

Page 9, line 2, before "APPROPRIATION" insert "FISCAL YEAR 1994"

Page 9, delete lines 3 to 17, and insert:

"Subdivision 1. \$40,000 is appropriated from the ambulance service personnel longevity award and incentive trust account to the commissioner of health to administer the ambulance service personnel longevity award and incentive program for fiscal year 1994.

Subd. 2. \$45,000 is appropriated from the ambulance service personnel longevity award and incentive trust account to the commissioner of health to redesign and consolidate the volunteer ambulance attendant reimbursement database, to establish the database for the personnel longevity award and incentive program, and to purchase computer equipment for fiscal year 1994."

Page 9, delete lines 19 to 21, and insert:

"Sections 1 to 4; 5, subdivisions 1 and 2; and 6, 7, 9, and 10 are effective July 1, 1993. Sections 5, subdivision 3; and 8 are effective July 1, 1994. Sections 11 and 12 are effective September 1, 1993."

Amend the title as follows:

Page 1, line 4, delete "imposing a driver's license"

Page 1, line 5, delete "surcharge;" and delete "amending Minnesota"

Page 1, delete line 6

Page 1, line 7, delete "subdivision;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 18, A bill for an act relating to government data practices; providing that a record of conviction of certain crimes and other determinations disqualify an individual from obtaining certain human services licenses; amending Minnesota Statutes 1992, section 245A.04, subdivision 3b.

Reported the same back with the following amendments:

Page 3, delete line 5

Page 3, line 7, delete everything before "neglect"

Page 3, line 8, after "child" insert ", or a gross misdemeanor offense of malicious punishment of a child"

Page 3, line 17, after "degrees" insert ", as set forth in sections 609.2661 to 609.2263" and before "soliciting" insert "a felony offense of malicious punishment of a child."

Page 3, line 23, delete the first "or" and insert "possession of pictorial representations of a minor as prohibited by section 617.247."

Page 4, line 4, delete "paragraph (b)."

Page 4, line 9, delete "paragraph (c)."

Page 4, after line 26, insert:

"Section 1 is effective the day after final enactment."

Page 4, line 27, delete "(b)" and insert "(c)"

Page 4, line 27, after "(1)" insert ", except in the case of conviction for neglect or endangerment of a child"

Page 5, delete lines 4 and 5, and insert:

"(3) who himself or herself, an individual residing in the license holder's home, or an employee of the license holder:"

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. 55, A bill for an act relating to retirement; authorizing a benefit increase for certain retired police officers, firefighters, and surviving spouses in the city of Eveleth.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Laws 1977, chapter 61, section 6, as amended by Laws 1981, chapter 68, section 39, is amended to read:

Sec. 6. [FINANCIAL REQUIREMENTS OF THE TRUST FUND.]

Commencing January 1, 1978, the city of Eveleth shall provide by annual levy an amount sufficient to pay the greater of either (a) an amount which when added to the investment income of the trust fund is sufficient to pay the benefits provided under the trust fund for the succeeding year as certified by the board of trustees of the trust fund; or (b) an amount equal to the level annual dollar amount sufficient to amortize the unfunded actuarial accrued liability of the trust fund by December 31, ~~1991~~ 1998, as determined by a qualified actuary in accordance with Minnesota Statutes, Sections 69.77, 356.215 and 356.216, ~~in the latest actuarial valuation.~~ The city of Eveleth may, at its cost, utilize the services of the actuary retained by the legislative commission on pensions and retirement to determine the trust unfunded actuarial accrued liability and amortization requirement.

The annual levy under this section shall not be included in any limitation as to rate or amount set by charter and shall be a special levy for purposes of Minnesota Statutes, Section 275.50, Subdivision 5. All revenues generated by the levy required under this section shall be transferred to the trust fund."

Page 1, line 15, delete "1" and insert "2"

Renumber the subsequent sections

Amend the title as follows:

Page 1, line 4, before the period insert "; amending Laws 1977, chapter 61, section 6, as amended"

With the recommendation that when so amended 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. 87, A bill for an act relating to transportation; allowing provision of telephone caller identification service for certain commercial carriers of passengers; proposing coding for new law in Minnesota Statutes, chapter 237.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [237.74] [CLASS SERVICE.]

Subdivision 1. [DEFINITION.] For purposes of this section, "CLASS" or "custom local area signaling service" means a custom calling telephone service that is enabled through the installation or use of Signaling System 7 and that allows a person answering a telephone call to view, retrieve, retain, or in any way have access to the telephone number, name, or any other information relating to the telephone from which the call is placed.

Subd. 2. [CLASS; TERMS AND CONDITIONS.] By January 1, 1994, the commission shall determine the terms and conditions under which CLASS services may be provided by telephone companies in this state.

Subd. 3. [CLASS; CAPABILITY AND OFFERING OF SERVICE.] Each telephone company that provides local telephone service to persons located in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington shall obtain the capability to offer CLASS services by January 1, 1995, unless the commission approves an extension to a date certain."

Amend the title as follows:

Page 1, line 2, delete "transportation" and insert "utilities"

Page 1, line 3, delete everything after "service"

Page 1, line 4, delete everything before the semicolon

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 94, A bill for an act relating to motor vehicles; exempting certain manufacturers of snowmobile trailers from being required to have a dealer's license to transport the trailers; amending Minnesota Statutes 1992, section 168.27, subdivision 22.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 157, A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees police and fire fund by two employees of the city of Minneapolis.

Reported the same back with the following amendments:

Page 3, line 22, delete "(a)"

Page 3, line 34, delete "city council" and insert "park and recreation board"

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. 270, A bill for an act relating to the city of St. Paul; authorizing payment of a refund to the estate of a certain deceased firefighter.

Reported the same back with the following amendments:

Page 1, line 7, before "personal" insert "applicable"

Page 1, line 8, after "association" insert "or the St. Paul fire department consolidation account, whichever applies."

Page 1, line 9, after "contributions" insert "and interest, as specified in Minnesota Statutes, section 423A.18, paragraph (b)."

Page 1, line 9, delete "estate" and insert "estates" and delete "a member" and insert "members" and after "who" insert "(1)"

Page 1, line 10, after "years" insert "; and (2) died on June 1, 1987, at the age of 60 years"

Page 1, line 12, delete "this instance" and insert "these instances"

Amend the title as follows:

Page 1, line 3, delete "a refund" and insert "refunds" and delete "estate" and insert "estates" and delete the second "a"

Page 1, line 4, delete "firefighter" and insert "firefighters"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 277, A bill for an act relating to agriculture; directing the commissioner of agriculture to promote farming of cervidae and maintain a data base on research and information; declaring farmed cervidae to be livestock and raising farmed cervidae to be an agricultural pursuit; prohibiting owners from allowing farmed cervidae to run at large; prescribing conditions for slaughter and sale of farmed cervidae as meat, fencing requirements, disease

inspection, importation, and transportation requirements; requiring identification; prescribing conditions for farming cervidae; defining cervidae farming as agricultural production for purposes of sales tax; defining fencing for purposes of sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31.51, subdivision 9; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; 35.821, subdivision 4; and 297A.01, subdivisions 13 and 15; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 281, A bill for an act relating to agriculture; board of animal health; regulating the imposition and collection of civil penalties; appropriating money; amending Minnesota Statutes 1992, section 35.95, subdivisions 1 and 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 316, A bill for an act relating to natural resources; requiring that iron mines and production facilities be maintained in salable operating condition; proposing coding for new law in Minnesota Statutes, chapter 93.

Reported the same back with the following amendments:

Page 1, line 17, after the period insert:

"The commissioner of natural resources may by administrative rule define "salable operating condition" for the purposes of this section."

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. 381, A bill for an act relating to education; revising the mailing requirement for notices of referendum revenue authorization elections; amending Minnesota Statutes 1992, section 124A.03, subdivision 2.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 403, A bill for an act relating to transportation; providing procedures for design, approval, and construction of light rail transit; establishing corridor management committee; providing for resolution of disputes; changing membership and responsibilities of the light rail transit joint powers board; amending Minnesota Statutes 1992, sections 174.32, subdivision 2; 473.167, subdivision 1; 473.373, subdivision 4a; 473.399, subdivision 1; 473.3993; 473.3994, subdivisions 2, 3, 4, 5, 7, and by adding subdivisions; 473.3996; 473.3997; 473.3998; 473.4051; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 1992, sections 473.399, subdivisions 2 and 3; 473.3991; 473.3994, subdivision 6; Laws 1991, chapter 291, article 4, section 20.

Reported the same back with the following amendments:

Page 6, line 13, strike "proposer" and insert "commissioner of transportation"

Page 12, line 23, strike "shall"

Page 12, line 24, before "prepare" insert "may"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 472, A bill for an act relating to game and fish; authorizing free deer permits for certain landowners or tenants; amending Minnesota Statutes 1992, section 97A.441, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 12, before the period insert "on the owner's or tenant's land"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 531, A bill for an act relating to housing; requiring owner to furnish a tenant with a copy of a written lease; requiring disclosure of contract for deed cancellation or mortgage foreclosure sale; requiring disclosure of inspection and condemnation orders; modifying procedure for tenant file disclosure by tenant screening services; modifying low-income housing; providing penalties; amending Minnesota Statutes 1992, sections 504.22, subdivision 2; 504.29, by adding a subdivision; 504.30, subdivisions 1 and 4; 504.33, subdivision 5; 504.34, subdivisions 1 and 2; and 566.18, subdivisions 2 and 7; Laws 1989, chapter 328, article 2, section 17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 504; repealing Laws 1989, chapter 328, article 2, sections 18 and 19.

Reported the same back with the following amendments:

Page 2, line 3, delete "An owner shall" and insert "In"

Page 2, line 4, delete "not begin" and delete "the" and insert "a written"

Page 2, line 5, after the first comma insert "disturbing the peace,"

Page 2, line 6, delete everything after the comma and insert "the owner's failure to comply with subdivision 2 is a prima facie defense which may be overcome by evidence that the tenant had actual knowledge of the term or terms of the lease upon which any legal action is based."

Page 2, delete lines 7 and 8

Page 2, delete section 3

Page 4, line 7, delete everything after "hours" and insert "after the time allowed to complete the repairs, including any extension of the deadline, has expired,"

Page 4, delete line 8

Page 9, line 19, delete "13 and 14" and insert "12 and 13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "requiring"

Page 1, delete line 4

Page 1, line 5, delete "mortgage foreclosure sale;"

Page 1, line 10, delete "504.22, subdivision 2;"

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. 619, A bill for an act relating to insurance; automobile; authorizing reparation obligors to offer medical expense benefits through managed care plans; requiring appropriate premium reductions; prohibiting discrimination in automobile policies; amending Minnesota Statutes 1992, sections 65B.49, subdivision 2; and 72A.20, subdivisions 22 and 23; proposing coding for new law in Minnesota Statutes, chapter 65B.

Reported the same back with the following amendments:

Page 1, line 14, after "provide" insert a comma

Page 2, line 4, after "through" insert "a health plan as defined in section 62A.011, subdivision 3, using"

Page 2, line 5, delete "or"

Page 2, line 7, delete the period and insert a semicolon

Page 2, after line 7, insert:

"(4) the comprehensive health association through a preferred provider network under section 62E.101; or

(5) a self-insured employer through a plan substantially similar to a plan described in clauses (1) to (4), as determined by the commissioner."

Page 3, delete section 4 and insert:

"Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective January 1, 1994, and apply to all plans of reparation security issued or renewed on or after that date."

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete "automobile policies;"

Page 1, line 8, delete "subdivisions" and insert "subdivision" and delete "and 23"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 671; A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 763, A bill for an act relating to game and fish; providing a definition and authorizing fish in the defined condition to be brought into the state; providing a penalty; requiring notice; amending Minnesota Statutes 1992, sections 97A.015, by adding a subdivision; and 97A.531.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 97A.015, is amended by adding a subdivision to read:

Subd. 26a. [IN-THE-ROUND.] "In-the-round" means fish with heads, tails, fins, skins, and scales intact.

Sec. 2. Minnesota Statutes 1992, section 97A.531, is amended to read:

97A.531 [SHIPMENT OF WILD ANIMALS TAKEN IN CANADA.]

Subdivision 1. [SHIPPING COUPONS.] (a) A person may ship, within or out of the state, wild animals lawfully taken and possessed in Canada and that have lawfully entered the state. The shipment must have the shipping coupons required for a shipment originating in the province where the animals were taken.

(b) The commissioner of natural resources may suspend the requirement of a Minnesota angling license to transport Canadian fish whenever Canadian laws imposing fees and work permits on nonresident anglers and guides are repealed.

Subd. 2. [CONDITION OF FISH.] Fish that are lawfully taken and possessed in Canada ~~may~~ must be brought into the state in-the-round for filleting and packing and may be transported within the state or out of the state only by a resident or nonresident possessing a Minnesota angling license. A violation of this subdivision is a misdemeanor, and in addition to any criminal penalty imposed, fish brought into or transported within the state contrary to this subdivision must be confiscated, and a penalty of \$10 for each fish must be imposed.

Subd. 3. [NOTICE.] Any advertisement of fishing resorts or facilities in Canada in printed or broadcast form originating or distributed within the state must contain a summary of the requirement of subdivision 2, and penalty for noncompliance.

Subd. 4. [CONDITIONS SUSPENDED.] The commissioner of natural resources may suspend the requirement of transporting fish "in the round" when brought into Minnesota from Canada whenever Canadian laws imposing fees and work permits on nonresident anglers and guides are repealed."

Delete the title and insert:

"A bill for an act relating to game and fish; required license to take and condition of fish brought into the state from Canada; authorizing suspension of requirements upon action by Canadian authorities; amending Minnesota Statutes 1992, sections 97A.015, by adding a subdivision; and 97A.531."

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 801, A bill for an act relating to traffic regulations; requiring operating procedures for hand-held traffic radar; amending Minnesota Statutes 1992, section 169.14, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 819, A bill for an act relating to public employment; permitting interest arbitration on retired public employee group insurance coverage for units of essential employees; amending Minnesota Statutes 1992, section 179A.16, subdivision 9.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 834, A bill for an act relating to energy conservation; updating the municipal energy conservation loan program; transferring authority for the energy conservation loan program from the public facilities authority to the department of public service; removing the commissioner of public service from the Minnesota public facilities authority; abolishing certain duties of commissioner of public service relating to energy; eliminating advance forecast reporting requirements for public electric utilities submitting advance forecasts in an integrated resource plan; eliminating the district heating loan program; amending Minnesota Statutes 1992, sections 16B.61, subdivision 3; 116C.54; 216B.241, subdivision 2a; 216C.02, subdivision 1; 216C.11; 216C.17, subdivision 3; 216C.37, subdivision 1; 299F.011, subdivision 4c; 446A.03, subdivision 1; and 446A.10, subdivision 2; repealing Minnesota Statutes 1992, section 216C.36; Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 835, A bill for an act relating to economic development; providing for concentrated area action plans; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116].

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Gambling.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 859, A bill for an act relating to natural resources; granting power to the commissioner of natural resources to give nominal gifts, acknowledge significant contributions and sell incidental advertising; amending Minnesota Statutes 1992, section 84.027, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 864, A bill for an act relating to waters; inspection of watercraft for exotic harmful species; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil penalties; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a, and by adding a subdivision; and 296.421, subdivisions 4 and 5; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 18.317, subdivision 3a, is amended to read:

Subd. 3a. [INSPECTION OF WATERCRAFT AND EQUIPMENT.] Licensed watercraft and associated equipment, including weed harvesters, that are removed from any waters of the state that the commissioner of natural resources identifies as being contaminated with Eurasian water milfoil, zebra mussels, or other water-transmitted exotic harmful species identified by the commissioner of natural resources, shall be randomly inspected between May 1 and October 15 for a minimum of 10,000 hours by personnel authorized by the commissioner of natural resources. Beginning in calendar year 1994, a minimum of 30,000 hours of random inspections shall be conducted per year.

Sec. 2. Minnesota Statutes 1992, section 18.317, is amended by adding a subdivision to read:

Subd. 6. [CIVIL PENALTY.] In addition to any criminal penalty for a violation of subdivision 1, 1a, or 3, the court may on its own motion, or shall on request of the commissioner of natural resources, impose a civil penalty of not less than \$100 nor more than \$2,000, dependent on the quantity of the ecologically harmful exotic species transported or placed into waters of the state. Penalties imposed under this subdivision shall be deposited in the aquatic nuisance species account in the special revenue fund and used for the stated purposes of that account.

Sec. 3. [84.9692] [CIVIL CITATIONS AND PENALTIES.]

Subdivision 1. [AUTHORITY TO ISSUE.] Conservation officers, peace officers, and other staff designated by the commissioner may issue citations to persons who:

(1) unlawfully transport ecologically harmful exotic species on a public road; or

(2) place a trailer or launch a watercraft with ecologically harmful species attached into waters of the state.

Subd. 2. [PENALTY AMOUNT.] (a) The citation must impose the following penalty amounts:

- (1) \$50 for transporting Eurasian water milfoil on a public road for each location;
- (2) \$150 for transporting zebra mussels on a public road;
- (3) \$300 for transporting live ruffe or live rusty crayfish on a public road;
- (4) \$1,000 for attempting to launch or launching a watercraft with Eurasian water milfoil or visible adult zebra mussels attached into noninfested waters;
- (5) \$100 for operating a watercraft in a marked limited infestation of Eurasian water milfoil other than as provided by law;
- (6) \$150 for intentionally damaging, moving, removing, or sinking a milfoil buoy; or
- (7) \$150 for launching or attempting to launch a watercraft with Eurasian water milfoil or visible zebra mussels into infested waters.

(b) For purposes of this subdivision, location means:

- (1) the exterior of the watercraft below the gunwales including all portions of the watercraft, propulsion system, swim platform, and any other portion of the watercraft existing on the outside of the boat;
- (2) any surface of a watercraft trailer;
- (3) any surface of a watercraft interior of the gunwales;
- (4) any water container including live wells, minnow buckets, or coolers which hold water; or
- (5) any other area where Eurasian water milfoil is found not previously described in clauses (1) to (4).

Subd. 3. [PAYMENT OF PENALTY.] If not appealed under subdivision 4, civil penalties are payable to the commissioner no later than 30 days after issuance. Fines collected under this section will be deposited in the aquatic nuisance species account established in section 296.421, subdivision 4b.

Subd. 4. [APPEALS.] Citations may be appealed under the procedures in section 116.072, subdivision 6, if the person requests a hearing by notifying the commissioner within 15 days after receipt of the citation. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 5. [ENFORCEMENT OF FIELD CITATIONS.] Field citations may be enforced under section 18.317.

Subd. 6. [CUMULATIVE REMEDY.] The authority of conservation officers to issue field citations is in addition to other remedies available under law, except that the state may not seek penalties under any other provision of law for the incident subject to the citation.

Sec. 4. Minnesota Statutes 1992, section 296.421, is amended by adding a subdivision to read:

Subd. 4b. [AQUATIC NUISANCE SPECIES ACCOUNT.] One-half of one percent of the gas tax shall be paid into the state treasury and credited to an aquatic nuisance species account in the special revenue fund for control, public awareness, law enforcement, monitoring, and research on nuisance exotic aquatic species in public waters.

Sec. 5. [CHEMICAL TREATMENT FEE.]

Notwithstanding any law or rule of the commissioner of natural resources, beginning January 1, 1994, the fee for a permit for chemical treatment of rooted aquatic vegetation shall be \$20 or less for each contiguous parcel of shoreline owned by an owner. This fee shall not be charged for permits issued in connection with lakewide Eurasian water milfoil control programs."

Delete the title and insert:

"A bill for an act relating to waters; inspection of watercraft for exotic harmful species; gasoline tax distribution; permit fee for aquatic vegetation control; authorizing civil penalties; appropriating money; amending Minnesota Statutes 1992, sections 18.317, subdivision 3a, and by adding a subdivision; and 296.421, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84."

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.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 892, A bill for an act relating to the environment; regulating toxic air emissions; increasing reporting requirements; establishing a toxic air contaminant program; providing for rulemaking; appropriating money; amending Minnesota Statutes 1992, sections 115D.07; 115D.08, subdivision 1; 299K.08, subdivision 2; and 438.08; proposing coding for new law in Minnesota Statutes, chapter 115D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 115D.07, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT TO PREPARE AND MAINTAIN A PLAN.] (a) Persons who operate a facility required by United States Code, title 42, section 11023, or section 299K.08, subdivision 3, to submit a toxic chemical release form shall prepare a toxic pollution prevention plan for that facility. The plan must contain the information listed in subdivision 2.

(b) Except for facilities that release less than a total of 10,000 pounds of toxic pollutants annually, the plan must be completed as follows:

(1) on or before July 1, 1991, for facilities having a two-digit standard industrial classification of 35 to 39;

(2) by January 1, 1992, for facilities having a two-digit standard industrial classification of 28 to 34; ~~and~~

(3) by January 1, 1995, for facilities required to report under section 299K.08, subdivision 3, that have a two-digit standard industrial classification of 01 to 50;

(4) by July 1, 1995, for facilities required to report under section 299K.08, subdivision 3, that have a two-digit standard industrial classification of 51 to 99; and

(5) by July 1, 1992, for all other persons required to prepare a plan under this subdivision.

(c) Except for facilities that release less than a total of 10,000 pounds of toxic pollutants annually, the plan must be completed for facilities that become subject to this subdivision after July 1, 1993, by six months after the first submittal for the facility under United States Code, title 42, section 11023, or section 299K.08, subdivision 3.

(d) Facilities that release less than a total of 10,000 pounds of toxic pollutants annually must complete their plans by July 1, 1992.

~~(e)~~ (e) Each plan must be updated every two years and must be maintained at the facility to which it pertains.

Sec. 2. Minnesota Statutes 1992, section 115D.07, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF PLAN.] (a) Each toxic pollution prevention plan must establish a program identifying the specific technically and economically practicable steps that could be taken during at least the three years following the date the plan is due, to eliminate or reduce the generation or release of toxic pollutants reported by the facility. Toxic pollutants resulting solely from research and development activities need not be included in the plan.

(b) At a minimum, each plan must include:

(1) the total quantity of each toxic pollutant brought into the facility during the preceding year in an amount subject to reporting under United States Code, title 42, section 11023;

(2) a policy statement articulating upper management support for eliminating or reducing the generation or release of toxic pollutants at the facility;

(3) a description of the current processes generating or releasing toxic pollutants that specifically describes the types, sources, and quantities of toxic pollutants currently being generated or released by the facility;

(4) a description of the current and past practices used to eliminate or reduce the generation or release of toxic pollutants at the facility and an evaluation of the effectiveness of these practices;

(5) an assessment of technically and economically practicable options available to eliminate or reduce the generation or release of toxic pollutants at the facility, including options such as changing the raw materials, operating techniques, equipment and technology, personnel training, and other practices used at the facility. The assessment may include a cost benefit analysis of the available options;

(6) a statement of objectives based on the assessment in clause (5) and a schedule for achieving those objectives. Wherever technically and economically practicable, the objectives for eliminating or reducing the generation or release of each toxic pollutant at the facility must be expressed in numeric terms. Otherwise, the objectives must include a clearly stated list of actions designed to lead to the establishment of numeric objectives as soon as practicable;

(7) an explanation of the rationale for each objective established for the facility;

(8) a listing of options that were considered not to be economically and technically practicable; and

(9) a certification, signed and dated by the facility manager and an officer of the company under penalty of section 609.63, attesting to the accuracy of the information in the plan.

Sec. 3. Minnesota Statutes 1992, section 115D.08, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT TO SUBMIT PROGRESS REPORT.] (a) All persons required to prepare a toxic pollution prevention plan under section 115D.07 shall submit an annual progress report to the commissioner that may be drafted in a manner that does not disclose proprietary information. Progress reports are due on October 1 of each year. The first progress reports are due in 1992.

(b) At a minimum, each progress report must include:

(1) the total quantity of each toxic pollutant brought into the facility during the reporting period in an amount subject to reporting under United States Code, title 42, section 11023;

(2) a summary of each objective established in the plan including the schedule for meeting the objective;

(3) a summary of progress made during the past year, if any, toward meeting each objective established in the plan including the quantity of each toxic pollutant eliminated or reduced;

(4) a statement of the methods through which elimination or reduction has been achieved;

(4) (5) if necessary, an explanation of the reasons objectives were not achieved during the previous year, including identification of any technological, economic, or other impediments the facility faced in its efforts to achieve its objectives; and

(5) (6) a certification, signed and dated by the facility manager and an officer of the company under penalty of section 609.63, attesting that a plan meeting the requirements of section 115D.07 has been prepared and also attesting to the accuracy of the information in the progress report.

(c) The commissioner shall provide the information in paragraph (b), clause (1), to the emergency response commission, which shall include the information in the annual toxic release inventory report.

Sec. 4. Minnesota Statutes 1992, section 115D.10, is amended to read:

115D.10 [TOXIC POLLUTION PREVENTION EVALUATION REPORT.]

The director, in cooperation with the commissioner and commission, shall report to the environment and natural resources committees of the legislature ~~annually~~ on progress being made in achieving the objectives of sections 115D.01 to 115D.12. The report must be submitted by December 15 of each odd-numbered year, beginning in 1992.

Sec. 5. Minnesota Statutes 1992, section 115D.12, subdivision 2, is amended to read:

Subd. 2. [FEES.] (a) Persons required by United States Code, title 42, section 11023, to submit a toxic chemical release form to the commission, and owners or operators of facilities listed in section 299K.08, subdivision 3, shall pay a pollution prevention fee of \$150 for each toxic pollutant reported released plus a fee based on the total pounds of toxic pollutants reported as released from each facility. Facilities reporting less than 25,000 pounds annually of toxic pollutants released per facility shall be assessed a fee of \$500. Facilities reporting annual releases of toxic pollutants in excess of 25,000 pounds shall be assessed a graduated fee at the rate of two cents per pound of toxic pollutants reported.

(b) Persons who generate more than 1,000 kilograms of hazardous waste per month but who are not subject to the fee under paragraph (a) must pay a pollution prevention fee of \$500 per facility. Hazardous waste as used in this paragraph has the meaning given it in section 116.06, subdivision 11, and Minnesota Rules, chapter 7045.

(c) Fees required under this subdivision must be paid to the director by January 1 of each year. The fees shall be deposited in the state treasury and credited to the environmental fund.

Sec. 6. [115D.14] [DEFINITIONS.]

Subdivision 1. [SCOPE.] As used in sections 6 to 8, the terms defined in this section have the meanings given.

Subd. 2. [AGENCY.] "Agency" means the pollution control agency.

Subd. 3. [INTEGRITY OF AQUATIC OR TERRESTRIAL ECOSYSTEMS.] "Integrity of aquatic or terrestrial ecosystems" means the maintenance of mutually beneficial species of plants and animals and of other natural characteristics so that the biological viability of the ecosystem is assured.

Subd. 4. [POLLUTION PREVENTION.] "Pollution prevention" has the meaning given in section 115D.03, subdivision 8.

Subd. 5. [REDUCTION.] "Reduction" has the meaning given in section 115D.03, subdivision 9.

Subd. 6. [TOXIC AIR CONTAMINANT.] "Toxic air contaminant" means an air contaminant that may cause or contribute to an increase in mortality or an increase in a chronic or acute illness, or which may pose a present or potential hazard to human health or the integrity of aquatic or terrestrial ecosystems.

Sec. 7. [115D.15] [TOXIC AIR CONTAMINANT PROGRAM.]

Subdivision 1. [IDENTIFY AND EVALUATE.] By January 1, 1994, the agency shall by rule identify toxic air contaminants.

Subd. 2. [HEALTH-BASED STANDARDS.] By January 1, 1995, the agency shall by rule establish health-based standards to control emissions into the ambient air of toxic air contaminants that are known or suspected to be carcinogenic, teratogenic, mutagenic, or otherwise toxic or injurious to humans.

Subd. 3. [ENVIRONMENTAL IMPACTS.] By January 1, 1995, the agency shall by rule establish standards to control emissions of toxic air contaminants that may endanger animals, fish, or plants or otherwise pose a significant threat to the integrity of the aquatic or terrestrial ecosystem.

Sec. 8. [115D.18] [REPORTS TO THE LEGISLATURE.]

Subdivision 1. [INITIAL REPORT.] By January 1, 1995, the agency must submit to the environment and natural resources committees of the legislature a report that includes:

(1) a five-year regulatory strategy to protect the public health and the environment from emissions of toxic air contaminants; and

(2) a list prioritizing and categorizing facilities emitting toxic air contaminants.

Subd. 2. [CONTINUING REPORTS.] Beginning January 1, 1997, and every two years thereafter, the agency shall submit to the legislative committees with jurisdiction over environment and natural resource issues a report that provides an update of the following:

(1) an analysis of the achievements, shortfalls, and resource needs of the agency's toxic air contaminant program;

(2) an analysis of the data collected from the agency's statewide monitoring and inventory program under section 116.454;

(3) an analysis of reductions in emissions of toxic air contaminants; and

(4) an updated list prioritizing and categorizing facilities emitting toxic air contaminants.

Sec. 9. Minnesota Statutes 1992, section 299K.08, is amended by adding a subdivision to read:

Subd. 3. [TOXIC CHEMICAL RELEASE REPORTING.] In addition to facilities specified in the federal act, the following facilities shall comply with the toxic chemical release reporting requirements of section 11023 of the federal act: facilities having a two-digit standard industrial classification of 10 to 14, 40, 42, 44 to 46, or 49; a three-digit standard industrial classification of 172, 505, 507, 508, 515, 517, 721, 806, 807, 822, or 824; or a four-digit standard industrial classification of 0782, 5191, 5198, 7342, 7384, 7389, 7532, 7623, 8734, or 9223.

Sec. 10. Minnesota Statutes 1992, section 438.08, is amended to read:

438.08 [MUNICIPALITIES TO FIGHT FIRES OUTSIDE OF LIMITS.]

The council or any other body of any municipality having control of its fire department may by resolution adopted by a five-sevenths vote authorize its fire department, or any portion thereof, to attend and serve at fires or hazardous waste releases outside of the limits of the municipality either within or without the state. In case the fire department is controlled by an individual this authorization shall be by written notice posted at the headquarters of the fire department. For purposes of this section, "hazardous waste" and "release" have the meanings given in section 115B.02, subdivisions 9 and 15.

Sec. 11. [RAILROAD TRACK EVALUATION.]

Subdivision 1. [LIST OF POTENTIAL HAZARDS.] The commissioner of public safety, in conjunction with the commissioner of transportation, shall establish a list of railroad track segments that constitute potential safety hazards, based on a derailment frequency analysis, site-specific operational and environmental characteristics, and any other concerns of the commissioners.

Subd. 2. [REPORT REQUIRED.] By February 1, 1994, the commissioners in subdivision 1 shall submit to the appropriate legislative committees a report that contains the list prepared under subdivision 1 and describes appropriate actions for the state to take to mitigate or eliminate the potential hazards and a schedule for taking these actions.

Sec. 12. [PROGRESS REPORT ON HEALTH-BASED STANDARDS.]

By January 1, 1994, the commissioner of the pollution control agency shall report to the legislative committees on environment and natural resources on the progress of rulemaking under section 7, subdivision 2.

Sec. 13. [APPROPRIATION.]

\$..... is appropriated from the environmental fund to the commissioner of the pollution control agency for the purposes of this act."

Delete the title and insert:

"A bill for an act relating to pollution; regulating toxic air emissions; appropriating money; amending Minnesota Statutes 1992, sections 115D.07, subdivisions 1 and 2; 115D.08, subdivision 1; 115D.10; 115D.12, subdivision 2; 299K.08, by adding a subdivision; and 438.08; proposing coding for new law in Minnesota Statutes, chapter 115D."

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.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 936, A bill for an act relating to the department of jobs and training; changing its name to the department of economic security.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 945, A bill for an act relating to occupations and professions; modifying the membership of the board of nursing; requiring a certain examination for licensure of graduates from nursing programs in other countries; modifying requirements for a temporary permit; adding grounds for disciplinary action; amending Minnesota Statutes 1992, sections 148.181, subdivisions 1 and 3; 148.211, subdivision 1; 148.212; and 148.261, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 6, after the period, insert "One of the eight must have national certification as a registered nurse anesthetist, nurse practitioner, nurse midwife, or clinical nurse specialist." and delete "Five" and insert "Four"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 969, A bill for an act relating to transportation; adopting federal motor carrier safety regulations; defining terms; making technical changes; allowing 45-foot buses to be operated in the state; exempting drivers of lightweight vehicles from driver qualification rules; requiring information on bills of lading and other motor carrier documents; imposing penalties; amending Minnesota Statutes 1992, sections 168.011, subdivision 36; 168.1281, subdivision 3; 169.81, subdivision 2; 221.011, by adding subdivisions; 221.031, subdivisions 2, 2a, 2b, 3, 3a, 3b, 3c, 5, and 6; 221.0313, subdivision 1; 221.033, subdivisions 2 and 2a; 221.035, subdivision 2; 221.036, subdivisions 1 and 3; 221.172; 221.81, subdivision 3e; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Laws 1992, chapter 568, section 1; and 578, section 15.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 168.011, subdivision 36, is amended to read:

Subd. 36. [PERSONAL TRANSPORTATION SERVICE VEHICLE.] "Personal transportation service vehicle" is a passenger vehicle that has a seating capacity of up to six persons excluding the driver, or a van or station wagon with a seating capacity of up to 12 persons excluding the driver, that provides personal transportation service as defined in section 221.011, subdivision ~~33~~ 34.

Sec. 2. Minnesota Statutes 1992, section 168.1281, subdivision 3, is amended to read:

Subd. 3. [NOTIFICATION OF CANCELLATION.] The commissioner shall immediately notify the commissioner of transportation if the policy of a person required to have a permit under section ~~221.091~~ 221.85 is canceled or no longer provides the coverage required by subdivision 2.

Sec. 3. Minnesota Statutes 1992, section 169.81, subdivision 2, is amended to read:

Subd. 2. [LENGTH OF SINGLE VEHICLE.] (a) No single unit motor vehicle, except mobile cranes which may not exceed 48 feet and buses which may not exceed 45 feet, unladen or with load may exceed a length of 40 feet extreme overall dimensions inclusive of front and rear bumpers, except that the governing body of a city is authorized by permit to provide for the maximum length of a motor vehicle, or combination of motor vehicles, or the number of vehicles that may be fastened together, and which may be operated upon the streets or highways of a city; provided, that the permit may not prescribe a length less than that permitted by state law. A motor vehicle operated in compliance with the permit on the streets or highways of the city is not in violation of this chapter.

(b) No single semitrailer may have an overall length, exclusive of non-cargo-carrying accessory equipment, including refrigeration units or air compressors, necessary for safe and efficient operation mounted or located on the end of the semitrailer adjacent to the truck or truck-tractor, in excess of 48 feet, except that a single semitrailer may have an overall length in excess of 48 feet but not greater than 53 feet if the distance from the kingpin to the centerline of the rear axle group of the semitrailer does not exceed 41 feet. No single trailer may have an overall length inclusive of tow bar assembly and exclusive of rear protective bumpers which do not increase the overall length by more than six inches, in excess of 45 feet. For determining compliance with the provisions of this subdivision, the length of the semitrailer or trailer must be determined separately from the overall length of the combination of vehicles.

(c) No semitrailer or trailer used in a three-vehicle combination may have an overall length in excess of 28-1/2 feet, exclusive of:

(1) non-cargo-carrying accessory equipment, including refrigeration units or air compressors and upper coupler plates, necessary for safe and efficient operation, mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor;

(2) the tow bar assembly; and

(3) lower coupler equipment that is a fixed part of the rear end of the first trailer.

The commissioner may not grant a permit authorizing the movement, in a three-vehicle combination, of a semitrailer or trailer that exceeds 28-1/2 feet, except that the commissioner may renew a permit that was granted before April 16, 1984, for the movement of a semitrailer or trailer that exceeds the length limitation in this paragraph.

Sec. 4. Minnesota Statutes 1992, section 221.011, is amended by adding a subdivision to read:

Subd. 42. [LIGHTWEIGHT VEHICLE.] "Lightweight vehicle" means a vehicle with a gross vehicle weight of 10,000 pounds or less, but does not include a vehicle transporting passengers for hire or a vehicle transporting hazardous materials that must be placarded or marked under Code of Federal Regulations, title 49, section 177.823.

Sec. 5. Minnesota Statutes 1992, section 221.011, is amended by adding a subdivision to read:

Subd. 43. [PETROLEUM TRANSPORT.] "Petroleum transport" means a vehicle, trailer, or semitrailer with a tank (1) that is mounted on it or made an integral part of it, other than the fuel supply tank for the engine of that vehicle, (2) that is filled or emptied while on the vehicle, and (3) that is used to transport petroleum products in bulk.

Sec. 6. Minnesota Statutes 1992, section 221.031, subdivision 1, is amended to read:

Subdivision 1. [POWERS, DUTIES, REPORTS, LIMITATIONS.] (a) This subdivision applies to motor carriers engaged in intrastate commerce.

(b) The commissioner shall prescribe rules for the operation of motor carriers, including their facilities; accounts; leasing of vehicles and drivers; service; safe operation of vehicles; equipment, parts, and accessories; hours of service of drivers; driver qualifications; accident reporting; identification of vehicles; installation of safety devices; inspection, repair, and maintenance; and proper automatic speed regulators if, in the opinion of the commissioner, there is a need for the rules.

(c) The commissioner shall direct the repair and reconstruction or replacement of an inadequate or unsafe motor carrier vehicle or facility. The commissioner may require the construction and maintenance or furnishing of suitable and proper freight terminals, passenger depots, waiting rooms, and accommodations or shelters in a city in this state or at a point on the highway traversed which the commissioner, after investigation by the department, may deem just and proper for the protection of passengers or property.

(d) The commissioner shall require the filing of annual and other reports including annual accounts of motor carriers, schedules of rates and charges, or other data by motor carriers, regulate motor carriers in matters affecting the relationship between them and the traveling and shipping public, and prescribe other rules as may be necessary to carry out the provisions of this chapter.

(e) A motor carrier having gross revenues from for-hire transportation in a calendar year of less than ~~\$50,000~~ \$200,000 may, at the discretion of the commissioner, be exempted from the filing of an annual report, if instead of ~~filing the report~~ the motor carrier files an affidavit abbreviated annual report, in a form as may be prescribed by the commissioner, attesting that the motor carrier's gross revenues did not exceed ~~\$50,000~~ \$200,000 in the previous calendar year. Motor carrier gross revenues from for-hire transportation, for the purposes of this subdivision only, do not include gross revenues received from the operation of school buses as defined in section 169.01, subdivision 6.

(f) The commissioner shall enforce sections 169.781 to 169.783.

(g) The commissioner shall make no rules relating to the granting, limiting, or modifying of permits or certificates of convenience and necessity, which are powers granted to the board.

(h) The board may extend the termini of a route or alter or change the route of a regular route common carrier upon petition and after finding that public convenience and necessity require an extension, alteration, or change.

Sec. 7. Minnesota Statutes 1992, section 221.031, subdivision 2, is amended to read:

Subd. 2. [EXEMPTIONS FOR PRIVATE CARRIERS.] This subdivision applies to private carriers engaged in intrastate commerce.

(a) Private carriers operating vehicles with a gross vehicle weight of more than 10,000 pounds shall comply with rules adopted under ~~this~~:

(1) section 221.0314, subdivisions 2 to 5 for driver qualifications;

- (2) section 221.0314, subdivision 9 for hours of service of drivers; safe operation
- (3) section 221.0314, subdivision 6 for driving of motor vehicles; equipment;
- (4) section 221.0314, subdivision 7 for parts, and accessories necessary for safe operation;
- (5) section 221.0314, subdivision 10 for inspection, repair, and maintenance; and
- (6) this section for leasing of vehicles or vehicles and drivers; and inspection, repair, and maintenance.

Private carriers not subject to the rules of the commissioner for driver qualifications on before August 1, 1992, must comply with those rules on and after August 1, 1994.

(b) The rules for hours of service of drivers do not apply to private carriers who are (1) public utilities as defined in section 216B.02, subdivision 4; (2) cooperative electric associations organized under chapter 308A; (3) telephone companies as defined in section 237.01, subdivision 2; or (4) engaged in the transportation of construction materials, tools and equipment from shop to job site or job site to job site, for use by the private carrier in the new construction, remodeling, or repair of buildings, structures or their appurtenances.

(c) The rules for driver qualifications and hours of service of drivers do not apply to vehicles controlled by a farmer and operated by a farmer or farm employee to transport agricultural products, farm machinery, or supplies to or from a farm if the vehicle is not used in the operations of a motor carrier and not carrying hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with section 221.033.

(d) The rules for driver qualifications do not apply to a driver employed by a private carrier while operating a lightweight vehicle.

Sec. 8. Minnesota Statutes 1992, section 221.031, subdivision 2a, is amended to read:

Subd. 2a. [AGRICULTURAL EXEMPTIONS.] (a) Notwithstanding the provisions of subdivision 2, private carriers engaged in intrastate commerce and operating vehicles transporting agricultural and other farm products within an area having a 50-mile radius from the business location of the private carrier must comply only with the ~~commissioner's~~ rules for driver qualifications; ~~safe operation driving of motor vehicles; and equipment,~~ parts, and accessories necessary for safe operation, except as provided in paragraphs (b) and (c).

(b) A rear-end dump truck or other rear-unloading truck while being used for hauling agricultural and other farm products from a place of production or on-farm storage site to a place of processing or storage, is not subject to any rule of the commissioner requiring rear-end protection, including a federal regulation adopted by reference.

(c) A private carrier operating a commercial motor vehicle as defined in section 169.781, subdivision 1, must comply with sections 169.781 to 169.783.

Sec. 9. Minnesota Statutes 1992, section 221.031, subdivision 2b, is amended to read:

Subd. 2b. [OTHER EXEMPTIONS.] From August 1, 1992, to August 1, 1994, the rules of the ~~commissioner~~ for hours of service ~~for~~ of drivers do not apply to a person exclusively engaged in the transportation of asphalt cement, cementitious material, fly ash, or sod, construction debris, and solid waste when transported by a transfer driver, when the transportation is provided within a radius of 100 miles from (1) the person's home post office, or (2) a highway construction or maintenance site where the asphalt cement, cementitious material, fly ash, or sod is being used.

Sec. 10. Minnesota Statutes 1992, section 221.031, subdivision 3, is amended to read:

Subd. 3. [VEHICLES OVER 10,000 POUNDS NOT EXEMPT.] (a) This subdivision applies to persons engaged in intrastate commerce who operate vehicles providing transportation described in section 221.025 with a gross vehicle weight in excess of 10,000 pounds, except school buses, commuter vans, and authorized emergency vehicles.

(b) Persons providing transportation described in section 221.025, clause (f), (j), (l), or (m), must comply with the rules of the ~~commissioner~~ for safe operation driving of motor vehicles and for equipment, parts, and accessories necessary for safe operation.

(c) Persons providing transportation described in section 221.025, except for persons providing transportation described in clause (f), (j), (l), or (m), must comply with the rules of the commissioner for safe operation driving of motor vehicles; equipment, parts, and accessories necessary for safe operation; and, after August 1, 1994, the rules of the commissioner for driver qualifications.

Sec. 11. Minnesota Statutes 1992, section 221.031, subdivision 3a, is amended to read:

Subd. 3a. [CONTRACTORS OR RECIPIENTS OF TRANSPORTATION ASSISTANCE.] Notwithstanding subdivision 3, providers of passenger transportation service under contract to and with operating assistance from the department or the regional transit board must comply with rules of the commissioner for driver qualifications; safe operation driving of motor vehicles; equipment, parts, and accessories necessary for safe operation; hours of service of drivers; inspection, repair, and maintenance; and the rules adopted in section 221.0314, subdivision 8, for accident reporting.

This subdivision does not apply to (1) a local transit commission, (2) a transit authority created by the legislature, (3) special transportation service certified by the commissioner under section 174.30, or (4) special transportation service defined in section 174.29, subdivision 1, when provided by a volunteer driver operating a private passenger vehicle defined in section 169.01, subdivision 3a.

Sec. 12. Minnesota Statutes 1992, section 221.031, subdivision 3b, is amended to read:

Subd. 3b. [PASSENGER TRANSPORTATION; EXEMPTIONS.] (a) A person who transports passengers for hire in intrastate commerce, who is not made subject to the commissioner's rules by any other provision of this adopted in section 221.0314 by any other provision of this section, must comply with the commissioner's rules on maximum for hours of service for of drivers while transporting employees of an employer who is directly or indirectly paying the cost of the transportation.

(b) This subdivision does not apply to:

(1) a local transit commission;

(2) a transit authority created by law; or

(3) persons providing transportation:

(i) in a school bus as defined in section 169.01, subdivision 6;

(ii) in a commuter van;

(iii) in an authorized emergency vehicle as defined in section 169.01, subdivision 5;

(iv) in special transportation service certified by the commissioner under section 174.30;

(v) that is special transportation service as defined in section 174.29, subdivision 1, when provided by a volunteer driver operating a private passenger vehicle as defined in section 169.01, subdivision 3a;

(vi) in a limousine the service of which is licensed by the commissioner under section 221.84; or

(vii) in a taxicab, if the fare for the transportation is determined by a meter inside the taxicab that measures the distance traveled and displays the fare accumulated.

Sec. 13. Minnesota Statutes 1992, section 221.031, subdivision 3c, is amended to read:

Subd. 3c. [SOLID WASTE TRANSPORTERS NOT EXEMPT.] Persons providing transportation described in section 221.025, clause (b), must comply with the rules of the commissioner for driver qualifications after August 1, 1994; hours of service of drivers; safe operation driving of motor vehicles; equipment, parts, and accessories necessary for safe operation; and inspection, repair, and maintenance. A local government unit, as defined in section 115A.03, subdivision 17, shall not enact or enforce laws, ordinances, or regulations for the operation of solid waste transporters that are inconsistent with the rules of the commissioner adopted in section 221.0314.

Sec. 14. Minnesota Statutes 1992, section 221.031, subdivision 5, is amended to read:

Subd. 5. [DEPARTMENT INVESTIGATES.] The department shall investigate the operation of carriers subject to the rules ~~of the commissioner under this~~ adopted in section 221.0314, their compliance with rules of the department and board and with the provisions of chapter 221, and may institute and prosecute actions and proceedings in the proper district court for enforcement of those rules.

Sec. 15. Minnesota Statutes 1992, section 221.031, subdivision 6, is amended to read:

Subd. 6. [VEHICLE IDENTIFICATION RULE.] (a) The following carriers shall display the carrier's name and address on the power unit of each vehicle:

- (1) motor carriers, regardless of the weight of the vehicle;
- (2) interstate and intrastate private carriers operating vehicles with a gross vehicle weight of more than 10,000 pounds ~~or more~~; and
- (3) vehicles providing transportation described in section 221.025 with a gross vehicle weight of more than 10,000 pounds ~~or more~~ except those providing transportation described in section 221.025, clauses (a), (c), and (d).

Vehicles described in clauses (2) and (3) that are operated by farmers or farm employees and have four or fewer axles are not required to comply with the vehicle identification rule of the commissioner.

(b) Vehicles subject to this subdivision must show the name or "doing business as" name of the carrier operating the vehicle and the community and abbreviation of the state in which the carrier maintains its principal office or in which the vehicle is customarily based. If the carrier operates a leased vehicle, it may show its name and the name of the lessor on the vehicle, if the lease relationship is clearly shown. If the name of a person other than the operating carrier appears on the vehicle, the words "operated by" must immediately precede the name of the carrier.

(c) The name and address must be in letters that contrast sharply in color with the background, be readily legible during daylight hours from a distance of 50 feet while the vehicle is stationary, and be maintained in a manner that retains the legibility of the markings. The name and address may be shown by use of a removable device if that device meets the identification and legibility requirements of this subdivision.

Sec. 16. Minnesota Statutes 1992, section 221.0313, subdivision 1, is amended to read:

Subdivision 1. [PURPOSE; INTENT; EXEMPTION.] (a) The purpose of this section is to adopt federal regulations governing testing for controlled substances.

(b) The legislature intends that the adopted federal regulations be applied:

(1) to persons who provide intrastate transportation, who are subject to the rules ~~of the commissioner~~ adopted in section 221.0314, subdivisions 2 to 5 for driver qualifications, and who operate commercial motor vehicles, as defined in Code of Federal Regulations, title 49, section 391.85; and

(2) in the same manner that the federal regulations apply to interstate transportation.

(c) Intrastate carriers who are required to comply with the adopted federal regulations are exempt from the requirements of sections 181.950 to 181.957. This exemption applies only to the testing of drivers.

Sec. 17. [221.0314] [FEDERAL SAFETY REGULATIONS; ADOPTION.]

Subdivision 1. [APPLICABILITY.] (a) Intrastate motor carriers, private carriers, and persons providing intrastate transportation described in section 221.025, must comply with the rules incorporated in this section to the extent required by section 221.031. Every carrier and its officers, agents, representatives, and employees responsible for managing, maintaining, equipping, operating, or driving motor vehicles, or hiring, supervising, training, assigning, or dispatching drivers, must be instructed in and comply with the rules incorporated in this section and shall require that its agents, representatives, drivers, and employees comply.

(b) In the rules incorporated in subdivisions 2 to 11:

(1) the term "motor carrier" means a carrier required to comply with this section by section 221.031;

(2) a reference to a federal agency or office means the Minnesota department of transportation; and

(3) a reference to a federal administrative officer means the commissioner of the Minnesota department of transportation.

Subd. 2. [QUALIFICATIONS OF DRIVERS.] Code of Federal Regulations, title 49, part 391 and appendixes C, D, and E, are incorporated by reference except for sections 391.1; 391.2; 391.11, paragraph (b)(1); 391.47; 391.49, paragraphs (b) to (1); 391.51, paragraphs (f) and (g); 391.67; 391.69; 391.71; and those sections incorporated in section 221.0313, subdivision 4. In addition, the cross references to Code of Federal Regulations, title 49, section 391.62, 391.67, or 391.71 or to part 391, subpart G, found in Code of Federal Regulations, title 49, sections 391.11, paragraphs (a) and (b); 391.21, paragraph (a); 391.23, paragraph (a); 391.25; 391.27, paragraph (a); 391.31, paragraph (a); 391.35, paragraph (a); 391.41, paragraph (a); and 391.45, are not incorporated by reference.

Subd. 3. [WAIVER FOR PHYSICAL DEFECTS.] A person who is not physically qualified to drive under subdivision 2 but who meets the other qualifications under subdivision 2, may drive a motor vehicle if the commissioner grants a waiver to that person. The commissioner may grant a waiver to a person who is not physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(1) or (b)(2), according to rules adopted under section 221.031. The commissioner may grant a waiver to a person who is not physically qualified to drive under Code of Federal Regulations, title 49, section 391.41, paragraph (b)(3) to (b)(13) for medical conditions for which waiver programs have been established by the United States Department of Transportation. The commissioner shall require the same information and follow the same procedure as the United States Department of Transportation in granting the waivers.

Subd. 4. [AGE REQUIREMENT FOR DRIVERS.] Drivers of vehicles engaged in intrastate transportation and subject to subdivision 2 must be at least 18 years of age. Drivers of vehicles subject to section 221.033, must be at least 21 years of age, except as provided in that section.

Subd. 5. [LOCATION OF DRIVER QUALIFICATION FILES.] A carrier subject to subdivision 2 must keep each driver's qualification file at the carrier's principal place of business for as long as a driver is employed by that carrier and for three years after the driver leaves employment. Upon written request to and with the written approval of the commissioner, a carrier may retain driver qualification files at a regional or terminal office.

Subd. 6. [DRIVING OF MOTOR VEHICLES.] Code of Federal Regulations, title 49, part 392, is incorporated by reference, except that sections 392.1, 392.2, and 392.30, paragraph (a), of that part, are not incorporated.

Subd. 7. [PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION.] Code of Federal Regulations, title 49, part 393, is incorporated by reference, except that sections 393.1, 393.3, and 393.5 of that part are not incorporated. In addition, despite the first paragraph of Code of Federal Regulations, title 49, section 393.95, a lightweight vehicle must carry a fire extinguisher meeting the requirements in Code of Federal Regulations, title 49, section 393.95.

Subd. 8. [ACCIDENTS BY CARRIERS.] The definitions of "accident," "disabling damage," and "fatality" in Code of Federal Regulations, title 49, sections 390.5 and 390.15, are incorporated by reference.

Subd. 9. [HOURS OF SERVICE OF DRIVERS.] Code of Federal Regulations, title 49, part 395, is incorporated by reference, except that sections 395.3, paragraphs (d) to (f); 395.8, paragraphs (k)(2) and (l)(2); and 395.13, of that part are not incorporated. In addition, the cross reference to paragraph (e) in Code of Federal Regulations, title 49, section 395.3, paragraph (a), is not incorporated by reference. The requirements of Code of Federal Regulations, title 49, sections 395.3, paragraphs (a) and (b); and 395.8, paragraphs (a) to (k), do not apply to lightweight vehicles.

Subd. 10. [INSPECTION, REPAIR, AND MAINTENANCE.] Code of Federal Regulations, title 49, part 396, is incorporated by reference, except that sections 396.1, 396.9, and 396.17 to 396.25 of that part are not incorporated.

Subd. 11. [TRANSPORTING HAZARDOUS MATERIALS; DRIVING AND PARKING.] A person who transports hazardous materials shall comply with this section and rules adopted under section 221.031 when that person is transporting a hazardous material, hazardous waste, or hazardous substance that must be marked or placarded in accordance with Code of Federal Regulations, title 49, section 172.504, incorporated by reference in section 221.033. Code of Federal Regulations, title 49, part 397, is incorporated by reference, except that sections 397.1 to 397.3 of that part are not incorporated. A petroleum transport driver shall not park on a public street adjacent to a bridge, tunnel, dwelling, building, or place where persons work, congregate, or assemble, except when necessary to unload.

Sec. 18. Minnesota Statutes 1992, section 221.033, subdivision 2, is amended to read:

Subd. 2. [EXEMPTION FOR FARMERS.] (a) This subdivision applies to persons engaged in intrastate commerce.

(b) Farmers or their employees transporting diesel fuel, gasoline, agricultural chemicals, or agricultural fertilizers for use on the transporter's farm are not required to comply with the rules adopted in section 221.0314, subdivisions 2 to 5, for driver qualification rules of the commissioner qualifications or with the shipping paper requirements of the Code of Federal Regulations, title 49, sections 172.200 and 177.817 or with section 397.7(B) or 397.9(A) of the Federal Motor Carrier Safety Regulations when:

(1) transporting diesel fuel or gasoline in motorized tank truck vehicles of less than 1,500-gallon capacity owned by the transporter, or in tanks securely mounted in other motor vehicles with a gross vehicle weight of less than 10,000 pounds and owned by the transporter; or

(2) transporting agricultural chemicals and agricultural fertilizers.

Sec. 19. Minnesota Statutes 1992, section 221.033, subdivision 2a, is amended to read:

Subd. 2a. [AGRICULTURALLY RELATED EXEMPTION.] (a) This subdivision applies to persons engaged in intrastate commerce.

(b) Fertilizer and agricultural chemical retailers or their employees are exempt from the rule ~~of the commissioner~~ in section 221.0314, subdivision 4, requiring that drivers must be at least 21 years of age when:

(1) the retailer or its employee is transporting fertilizer or agricultural chemicals directly to a farm for on-farm use within a radius of 50 miles of the retailer's business location; and

(2) the driver employed by the retailer is at least 18 years of age.

(c) A fertilizer or agricultural chemical retailer, or a driver employed by a fertilizer or agricultural chemical retailer, is exempt from the rule ~~of the commissioner adopting in~~ Code of Federal Regulations, title 49, section 395.3, paragraph (b), relating to hours of service of drivers, and section 395.8, requiring a driver's record of duty status, while exclusively engaged in the transportation of fertilizer or agricultural chemicals between April 1 and July 1 of each year when:

(1) the transportation is from the retailer's place of business directly to a farm within a 50-mile radius of the retailer's place of business;

(2) the fertilizer or agricultural chemicals are for use on the farm to which they are transported; and

(3) the employer maintains a daily record for each driver showing the time a driver reports for duty, the total number of hours a driver is on duty, and the time a driver is released from duty.

Sec. 20. Minnesota Statutes 1992, section 221.035, subdivision 2, is amended to read:

Subd. 2. [OPERATION REQUIREMENTS.] A vehicle operated under a license issued under this section must be operated in compliance with the rules ~~of the commissioner adopted under this chapter governing in~~ section 221.0314: (1) subdivisions 2 to 5 for driver qualifications; safe operation (2) subdivision 6 for driving of motor vehicles; equipment; (3) subdivision 7 for parts, and accessories necessary for safe operation; (4) subdivision 10 for inspection, repair, and maintenance; and (5) subdivision 9 for hours of service of drivers.

Sec. 21. Minnesota Statutes 1992, section 221.036, subdivision 1, is amended to read:

Subdivision 1. [ORDERS.] The commissioner may issue an order requiring violations to be corrected and administratively assessing monetary penalties for a violation of (1) section 221.021; (2) section 221.041, subdivision 3; (3) section 221.081; (4) section 221.151; (5) section 221.171; (6) section 221.141; (7) section 221.035, a material term or condition of a license issued under that section; or ~~a rule or order~~ rules of the board or commissioner relating to the transportation of hazardous waste, motor carrier operations, insurance, or tariffs and accounting. An order must be issued as provided in this section.

Sec. 22. Minnesota Statutes 1992, section 221.036, subdivision 3, is amended to read:

Subd. 3. [AMOUNT OF PENALTY; CONSIDERATIONS.] (a) The commissioner may issue an order assessing a penalty of up to \$5,000 for all violations of section 221.021; 221.041, subdivision 3; 221.081; 221.141; 221.151; or 221.171, or rules of the board or commissioner relating to motor carrier operations, insurance, or tariffs and accounting, identified during a single inspection, audit, or investigation.

(b) The commissioner may issue an order assessing a penalty up to a maximum of \$10,000 for all violations of section 221.035, and rules adopted under that section, identified during a single inspection or audit.

(c) In determining the amount of a penalty, the commissioner shall consider:

- (1) the willfulness of the violation;
- (2) the gravity of the violation, including damage to humans, animals, air, water, land, or other natural resources of the state;
- (3) the history of past violations, including the similarity of the most recent violation and the violation to be penalized, the time elapsed since the last violation, the number of previous violations, and the response of the person to the most recent violation identified;
- (4) the economic benefit gained by the person by allowing or committing the violation; and
- (5) other factors as justice may require, if the commissioner specifically identifies the additional factors in the commissioner's order.

Sec. 23. Minnesota Statutes 1992, section 221.172, is amended to read:

221.172 [SHIPPING DOCUMENTS.]

Subdivision 1. [HAZARDOUS MATERIAL BILL OF LADING.] A person who transports a hazardous material by motor vehicle shall conform to the requirements of Code of Federal Regulations, title 49, with respect to shipping documents.

Subd. 2. [HAZARDOUS WASTE MANIFEST.] A person who transports a hazardous waste by motor vehicle shall carry in the vehicle a hazardous waste manifest which conforms to the requirements of Minnesota Rules, chapter 7045.

Subd. 3. [SHIPPING RECORD FOR PROPERTY.] A motor carrier with a certificate or permit that authorizes the transportation of property, except livestock, shall keep a record of each shipment transported. A record may consist of one or more documents, including a bill of lading, freight bill, manifest, delivery receipt, or other document. If it consists of more than one document, the documents constituting a shipment record must be available for inspection together. A record must show the:

- (1) names of the consignor and consignee;
- (2) date of shipment;
- (3) origin and destination points;
- (4) number of packages;
- (5) description of the freight;
- (6) weight, volume, or measurement of the freight, if applicable to the rating of the freight;

(7) exact rate or rates assessed;

(8) total charges due, including the nature and amount of any charges for special service and the points at which that service was rendered;

(9) route of movement and name of each carrier participating in the transportation; and

(10) transfer point or points through which the shipment moved.

Subd. 4. [TRUCKLOAD SHIPPING RECORD.] In addition to the items listed in subdivision 3, if the transportation is provided under a class II-T permit or is a shipment of truckload freight, a record must include the word "truckload" or must prominently display the letters "II-T" and must show the name of the driver or drivers who transported the shipment, the pickup and delivery times, and the license plate number or unit number of the power unit and trailer used to transport the shipment.

Subd. 5. [TEMPERATURE-CONTROLLED COMMODITY SHIPPING RECORD.] In addition to the items listed in subdivision 3, if the transportation is provided under a temperature-controlled commodities permit, a record must include the words "temperature-controlled commodities" or must prominently display the letters "TCC" and must give a brief statement of the reasons for protecting the commodity from heat or cold.

Subd. 6. [COURIER SERVICES SHIPPING RECORD.] (a) A courier services carrier shall keep a record of each shipment transported. A record may consist of one or more documents, including a bill of lading, freight bill, manifest, delivery receipt, or other document. If it consists of more than one document, the documents constituting a shipment record must be available for inspection together. A record must show the:

(1) names of the consignor and consignee;

(2) date of shipment;

(3) origin and destination points;

(4) number of packages;

(5) weight, volume, or measurement of the freight, if applicable to the rating of the freight;

(6) exact rate or rates assessed; and

(7) total charges due, including the nature and amount of any charges for special service and the points at which that service was rendered.

(b) In addition to the items listed in paragraph (a), if the transportation is expedited delivery, a record also must show the:

(1) license plate number or unit number of the vehicle used to transport the shipment;

(2) time of the shipper's initial request for service; and

(3) pickup and delivery times.

(c) In addition to the items listed in paragraph (a), if the transportation is overnight small package delivery, a record also must show the:

(1) license plate number or unit number of the vehicle used to transport the shipment at the point of delivery; and

(2) weight of each package or article of a shipment.

Subd. 7. [CHARTER TRANSPORTATION RECORD.] A charter carrier and a regular route common carrier with incidental charter operating authority shall keep a record of transportation it provides under a charter carrier permit or a certificate. A charter record may consist of one or more documents. If it consists of more than one document, the documents constituting a charter record must be available for inspection together. A charter record must show the:

- (1) name of the carrier;
- (2) names of the payor and organization, if any, for which charter transportation is performed;
- (3) date or dates the transportation was performed;
- (4) origin, destination, and general routing of the trip;
- (5) identification and seating capacity of each vehicle requested or used;
- (6) number of persons transported;
- (7) mileage upon which charges are based, including any deadhead mileage, separately noted;
- (8) applicable rates per mile, hour, day, or other unit;
- (9) itemized charges for the transportation, including special services and fees; and
- (10) total charges assessed and collected.

A charter carrier must use the same method of computing its rates in billing for charter or special passenger services as that shown in its tariff on file with the commissioner.

Subd. 8. [RETAINED THREE YEARS.] A shipping document or record described in subdivision subdivisions 2 to 7, or a copy of it, must be retained by the carrier for at least three years from the date on the shipping document or record. A carrier may keep a shipping record described in subdivisions 3 to 7 by any technology that prevents the alteration, modification, or erasure of the underlying data and will enable production of an accurate and unaltered paper copy. A carrier shall keep a shipping record in a manner that will make it readily accessible and shall have a means of identifying and producing a legible paper copy for inspection by the commissioner upon request.

Sec. 24. [221.602] [INTERSTATE CARRIER REGISTRATION.]

Subdivision 1. [PROCEDURE; NONEXEMPT CARRIERS.] A motor carrier subject to the jurisdiction of the Interstate Commerce Commission under United States Code, title 49, chapter 105, subchapter II, with its principal place of business in Minnesota or that designates Minnesota as its base state, may transport persons or property for hire in Minnesota only if it first complies with the insurance and registration regulations adopted by the Interstate Commerce Commission under United States Code, title 49, section 11506. The registration fee is \$5; however, a lesser fee may be collected pursuant to a reciprocal agreement authorized by section 221.65. A motor carrier shall pay a service charge of 45 cents for each registration receipt issued in addition to the fee required by this subdivision.

Subd. 2. [PROCEDURE; EXEMPT CARRIERS.] (a) A motor carrier that is exempt from the jurisdiction of the Interstate Commerce Commission under the Interstate Commerce Act, United States Code, title 49, may transport persons or property for hire in interstate commerce in Minnesota only if it first:

- (1) complies with section 221.141;
 - (2) registers and describes the transportation it performs under an exemption contained in the Interstate Commerce Act, United States Code, title 49; and
 - (3) pays the fee required in subdivision 1.
- (b) A motor carrier that complies with subdivision 1 is not also required to comply with this subdivision.

Subd. 3. [REGISTRATION PERIOD.] The registration period is that provided by the Interstate Commerce Commission in rules adopted under United States Code, title 49, section 11506.

Subd. 4. [RECEIPT.] On compliance with subdivision 1 or 2, the commissioner shall issue a receipt showing that the motor carrier has complied with the regulations applicable to it. Proof of registration must be kept in each of the carrier's vehicles.

Sec. 25. Minnesota Statutes 1992, section 221.81, subdivision 3e, is amended to read:

Subd. 3e. [SAFETY RULES.] (a) A building mover must comply with the rules ~~of the commissioner adopted in section 221.0314:~~ (1) subdivision 6 for safe operation driving of motor vehicles; equipment; (2) subdivision 7 for parts; and accessories necessary for the safe operation, except as provided in paragraph (b); (3) subdivision 10 for inspection, repair, and maintenance; (4) subdivision 8 for accident reporting; and, (5) on and after August 1, 1994, subdivisions 2 to 5 for driver qualifications.

(b) A towed vehicle, other than a full trailer, pole trailer, or semitrailer, as those terms are defined in Code of Federal Regulations, title 49, section 390.5, used by a building mover to move a building on a highway is not required to comply with rules ~~of the commissioner for equipment, parts, and accessories~~ necessary for safe operation.

Sec. 26. [REPEALER.]

Laws 1992, chapters 568, section 1; and 578, section 15, are repealed.

Sec. 27. [EFFECTIVE DATE.]

Sections 4 to 14, 17 to 22, and 24 to 26, are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; adopting federal motor carrier safety regulations; allowing small motor carriers to file abbreviated annual reports; providing for registration of interstate motor carriers; defining terms; allowing 45-foot buses to be operated in the state; exempting drivers of lightweight vehicles from driver qualification rules; requiring information on shipping documents and other motor carrier records; making technical changes; imposing penalties; amending Minnesota Statutes 1992, sections 168.011, subdivision 36; 168.1281, subdivision 3; 169.81, subdivision 2; 221.011, by adding subdivisions; 221.031, subdivisions 1, 2, 2a, 2b, 3, 3a, 3b, 3c, 5, and 6; 221.0313, subdivision 1; 221.033, subdivisions 2 and 2a; 221.035, subdivision 2; 221.036, subdivisions 1 and 3; 221.172; 221.81, subdivision 3e; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Laws 1992, chapters 568, section 1; and 578, section 15."

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. 972, A bill for an act relating to retirement; volunteer firefighters' relief associations; increasing service pension maximums; establishing a fire state aid maximum apportionment; providing penalties for noncompliance with service pension maximums; specifying duties for the state auditor; ratifying certain prior nonconforming lump sum service pension payments; continuing certain nonconforming lump sum service pension amounts in force; modifying certain investment performance calculations; modifying certain local volunteer firefighters relief association provisions; amending Minnesota Statutes 1992, sections 11A.04; 356.218, subdivisions 2 and 3; 424A.001, by adding subdivisions; 424A.01, by adding a subdivision; and 424A.02, subdivisions 1, 3, and by adding subdivisions; Laws 1971, chapter 140, section 5, as amended; proposing coding for new law in Minnesota Statutes, chapter 424A.

Reported the same back with the following amendments:

Pages 1 and 2, delete sections 1 to 3

Page 6, line 22, after "firefighter" insert "for the applicable specified period"

Page 6, after line 25, insert:

"(1) for service pensions payable before January 1, 1994"

Page 8, after line 3, insert:

<u>"1820</u>	<u>3375</u>
<u>any amount more than 1820</u>	<u>3375</u>

(2) in addition to the service pension maximum under clause (1), for service pensions payable after December 31, 1993, and before January 1, 1995"

Page 8, after line 9, insert:

<u>"any amount more than 1888</u>	<u>3500</u>
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(3) in addition to the service pension maximum under clauses (1) and (2), for service pensions payable after December 31, 1994, and before January 1, 1996"

Page 8, after line 12, insert:

<u>"any amount more than 2023</u>	<u>3750</u>
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(4) in addition to the service pension maximum under clauses (1), (2), and (3), for service pensions payable after December 31, 1995"

Page 8, delete lines 34 to 36 and insert:

"(g) No relief association is authorized to provide a service pension in an amount greater than \$30 per month per year of service credit or in an amount greater than \$3,375 lump sum per year of service credit before January 1, 1994, \$3,500 lump sum per year of service credit before January 1, 1995, \$3,750 lump sum per year of service credit before January 1, 1996, and \$4,000 lump sum per year of service credit after December 31, 1995, even if the minimum average amount of available financing per firefighter for a relief association providing a monthly benefit service pension is greater than \$2,240, or for a relief association providing a lump sum service pension, is greater than \$1,753 before January 1, 1994, \$1,888 before January 1, 1995, \$2,023 before January 1, 1996, or \$2,158 after December 31, 1995."

Page 9, delete lines 1 to 5

Page 10, delete section 7

Page 11, line 9, delete "8" and insert "4"

Renumber the sections in article 1 in sequence

Amend the title as follows:

Page 1, line 14, delete "424A.001, by adding"

Page 1, line 15, delete everything before "and"

Page 1, line 18, delete everything after "amended"

Page 1, line 19, delete "Statutes, chapter 424A"

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 978, A bill for an act relating to motor carriers; defining exempt carriers to include certain tow trucks; amending Minnesota Statutes 1992, section 221.025.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1992, section 169.01, subdivision 52, is amended to read:

Subd. 52. [TOW TRUCK OR TOWING VEHICLE.] "Tow truck" or "towing vehicle" means a motor vehicle having a manufacturer's gross vehicle weight rating of 8,000 pounds or more, equipped with a crane and winch, or an attached device used exclusively to transport vehicles, and further equipped to control the movement of the towed or transported vehicle."

Page 1, line 6, delete "Section 1." and insert "Sec. 2."

Page 1, line 23, delete "carrying" and insert "equipped with"

Page 1, line 25, delete "illegally" and insert "vehicles towed or transported under a towing order issued by a public employee authorized to issue a towing order"

Page 2, delete line 1

Page 2, line 2, delete the new language

Amend the title as follows:

Page 1, line 4, delete "section" and insert "sections 169.01, subdivision 52; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 988, A bill for an act relating to game and fish; allowing the taking of two deer in designated counties; amending Minnesota Statutes 1992, section 97B.301, subdivisions 2, 4, and by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 15, delete "Lake of the"

Page 1, line 16, delete "Woods," and delete "Pernington,"

Page 1, lines 21 and 22, delete the new language and insert "(a)"

Page 2, after line 3, insert:

"(b) Rules adopted under this subdivision do not apply to a person who takes two deer under subdivision 2a."

Sec. 4. [REPEALER.]

Section 2 is repealed March 1, 1995."

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 1001, A bill for an act relating to motor vehicles; requiring license plates to stay with motor carrier on prorate truck; changing the registration period for prorate vehicles; excepting prorate vehicles from renewal notice requirements; making owner-operator subject to suspension of plates and international fuel tax agreement license for certain delinquent filings or payments; amending Minnesota Statutes 1992, sections 168.09, subdivisions 3 and 5; 168.12, subdivision 1; and 168.187, subdivision 26.

Reported the same back with the following amendments:

Page 4, after line 29, insert:

"Sec. 5. Minnesota Statutes 1992, section 168.31, subdivision 4a, is amended to read:

Subd. 4a. [INSTALLMENTS.] If the tax for a vehicle assessed under section 168.187 amounts to more than \$400, the owner may pay the tax by installments. The owner shall submit with the application for registration, no later than January 1 ~~or the registration year~~, one-third of the Minnesota annual tax due or \$400, whichever is greater. The applicant shall furnish a bond, bank letter of credit, or certificate of deposit approved by the registrar of motor vehicles, for the total of the tax still due. The amount of the bond, letter of credit, or certificate of deposit may include any penalties assessed. The bond, letter of credit, or certificate of deposit must be for the benefit of the state for monetary loss caused by failure of the vehicle owner to pay delinquent license fees and penalties. The remainder of the tax due must be paid in two equal installments; the due date of the first installment is May 1 and the second installment is due on September 1. If an owner of a vehicle fails to pay an installment on or before the due date, the vehicle must not be used on the public streets or highways in this state until the installment or installments of the tax remaining due on the vehicle has been paid in full for the licensed year, together with a penalty at the rate of \$1 per day for the remainder of the month in which the balance of the tax becomes due and \$4 a month for each succeeding month or fraction of it during which the balance of the tax remains unpaid. The registrar shall deny installment payment privileges provided in this subdivision in the subsequent year to any owner on any or all vehicles of an owner who during the current year fails to pay any installment and penalties due within one month after the due date.

Sec. 6. Minnesota Statutes 1992, section 169.64, is amended by adding a subdivision to read:

Subd. 9. [WARNING LAMPS ON VEHICLES COLLECTING SOLID WASTE.] A vehicle used to collect solid waste may be equipped with a single amber gaseous discharge warning lamp that meets the Society of Automotive Engineers standard J 1318, Class 2. The lamp shall be operated only when the collection vehicle is in the process of collecting solid waste and is either:

- (1) stopped at or by a residence, business, or other establishment where solid waste is located to be collected; or
- (2) traveling at a speed that is at least ten miles per hour below the posted speed limit and moving between establishments where solid waste is located to be collected.

The lamp may not be lighted when the solid waste collection vehicle is moving at a speed equal to the posted speed limit."

Amend the title as follows:

Page 1, line 9, after the semicolon insert "allowing use of warning light on solid waste collector vehicle; making technical change;"

Page 1, line 11, delete "and" and before the period insert "; 168.31, subdivision 4a; and 169.64, by adding a subdivision"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1024, A bill for an act relating to employment; permitting a study of the feasibility of establishing a uniform business identifier; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [UNIFORM BUSINESS IDENTIFIER STUDY.]

A study of establishing a uniform business identifier process for all firms doing business with and within the state of Minnesota shall be undertaken by the department of jobs and training. The current registration process requires each business to deal with multiple agencies, provide redundant information to each and, in general, creates an undue administrative burden on Minnesota businesses.

Each agency also produces data that are not easily transferred among state agencies, which in turn results in businesses being asked for the same information from a number of different agencies. The establishment of a uniform process would reduce the burden on businesses and promote the sharing of information among the state agencies, thereby eliminating the costs and burdens of duplicative information gathering and storage.

The proposed study will:

(1) identify and document the various requirements with which businesses currently must comply in order to legally conduct business within the state;

(2) propose and analyze alternatives for a uniform process of business registration, including a single statewide account number, a unified application form, and an integrated data processing system or systems;

(3) detail the operational impact of installing the process or system;

(4) estimate the costs and benefits, both for the state and for Minnesota businesses, of installing the process;

(5) prepare an estimated implementation timetable;

(6) recommend the structure and composition of the project needed for implementation; and

(7) recommend and analyze the information system technology alternatives, if any, that will be needed to implement the recommended process and report to the uniform business identifier task force.

The commissioner of the department of jobs and training, or a designee, shall be the chair of the study and shall provide staff to assist in the study effort. Those state offices, departments, and agencies that interact with Minnesota businesses including, but not limited to, department of jobs and training, secretary of state, department of revenue, department of labor and industry, department of commerce, and the information policy office of the department of administration shall cooperate in this study.

Sec. 2. [APPROPRIATION.]

\$...... is appropriated from the general fund to the department of jobs and training for the biennium ending June 30, 1995, for the purposes of section 1."

Amend the title as follows:

Page 1, line 2, delete "of the"

Page 1, line 3, delete "feasibility of"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1039, A bill for an act relating to auctioneers; prohibiting certain cities and towns from requiring additional licenses of persons licensed as auctioneers by a county; proposing coding for new law in Minnesota Statutes, chapter 330.

Reported the same back with the following amendments:

Page 1, line 8, delete "section" and insert "sections" and after "and" insert "368.01, subdivision 11, or"

Page 1, line 9, after "law" insert "or provision of home rule charter"

With the recommendation that when so amended 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. 1049, A bill for an act relating to utilities; requiring cooperative electric associations and municipal utilities to comply with standards set by public utilities commission relating to electrical current or voltage; amending Minnesota Statutes 1992, section 216B.09.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 16B.61, subdivision 3, is amended to read:

Subd. 3. [SPECIAL REQUIREMENTS.] (a) [SPACE FOR COMMUTER VANS.] The code must require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

(b) [SMOKE DETECTION DEVICES.] The code must require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 299F.362 comply with the provisions of section 299F.362.

(c) [DOORS IN NURSING HOMES AND HOSPITALS.] The state building code may not require that each door entering a sleeping or patient's room from a corridor in a nursing home or hospital with an approved complete standard automatic fire extinguishing system be constructed or maintained as self-closing or automatically closing.

(d) [CHILD CARE FACILITIES IN CHURCHES; GROUND LEVEL EXIT.] A licensed day care center serving fewer than 30 preschool age persons and which is located in a below ground space in a church building is exempt from the state building code requirement for a ground level exit when the center has more than two stairways to the ground level and its exit.

(e) [CHILD CARE FACILITIES IN CHURCHES; VERTICAL ACCESS.] Until August 1, 1996, an organization providing child care in an existing church building which is exempt from taxation under section 272.02, subdivision 1, clause (5), shall have five years from the date of initial licensure under chapter 245A to provide interior vertical access, such as an elevator, to persons with disabilities as required by the state building code. To obtain the extension, the organization providing child care must secure a \$2,500 performance bond with the commissioner of human services to ensure that interior vertical access is achieved by the agreed upon date.

(f) [FAMILY AND GROUP FAMILY DAY CARE.] The commissioner of administration shall establish a task force to determine occupancy standards specific and appropriate to family and group family day care homes and to examine hindrances to establishing day care facilities in rural Minnesota. The task force must include representatives from rural and urban building code inspectors, rural and urban fire code inspectors, rural and urban county day care licensing units, rural and urban family and group family day care providers and consumers, child care advocacy groups, and the departments of administration, human services, and public safety.

By January 1, 1989, the commissioner of administration shall report the task force findings and recommendations to the appropriate legislative committees together with proposals for legislative action on the recommendations.

Until the legislature enacts legislation specifying appropriate standards, the definition of Group R-3 occupancies in the state building code applies to family and group family day care homes licensed by the department of human services under Minnesota Rules, chapter 9502.

(g) [MINED UNDERGROUND SPACE.] Nothing in the state building codes shall prevent cities from adopting rules governing the excavation, construction, reconstruction, alteration, and repair of mined underground space pursuant to sections 469.135 to 469.141, or of associated facilities in the space once the space has been created, provided the intent of the building code to establish reasonable safeguards for health, safety, welfare, comfort, and security is maintained.

(h) [ENCLOSED STAIRWAYS.] No provision of the code or any appendix chapter of the code may require stairways of existing multiple dwelling buildings of two stories or less to be enclosed.

(i) [DOUBLE CYLINDER DEAD BOLT LOCKS.] No provision of the code or appendix chapter of the code may prohibit double cylinder dead bolt locks in existing single-family homes, townhouses, and first floor duplexes used exclusively as a residential dwelling. Any recommendation or promotion of double cylinder dead bolt locks must include a warning about their potential fire danger and procedures to minimize the danger.

(j) [RELOCATED RESIDENTIAL BUILDINGS.] A residential building relocated within or into a political subdivision of the state need not comply with the state energy code or section 326.371 provided that, where available, an energy audit is conducted on the relocated building.

(k) [AUTOMATIC GARAGE DOOR OPENING SYSTEMS.] The code must require all residential buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82 and 325F.83.

(l) [EXIT SIGN ILLUMINATION.] For a new building on which construction is begun on or after October 1, 1993, or an existing building on which remodeling affecting 50 percent or more of the enclosed space is begun on or after October 1, 1993, the code must prohibit the use of internally illuminated exit signs whose electrical consumption during nonemergency operation exceeds 20 watts of resistive power ~~with a maximum total power consumption of 40 volt amperes (VA).~~ All other requirements in the code for exit signs must be complied with. ~~Power consumption in volt amperes is the resistive power divided by the power factor.~~

Sec. 2. Minnesota Statutes 1992, section 116C.54, is amended to read:

116C.54 [ADVANCE FORECASTING FORECAST REQUIREMENT.]

Subdivision 1. [REPORT.] Every utility which owns or operates, or plans within the next 15 years to own or operate large electric power generating plants or high voltage transmission lines shall develop forecasts as specified in this section. On or before July 1 of each even-numbered year, every such utility shall submit a report of its forecast to the board. The report may be appropriate portions of a single regional forecast or may be jointly prepared and submitted by two or more utilities and shall contain the following information:

- (1) Description of the tentative regional location and general size and type of all large electric power generating plants and high voltage transmission lines to be owned or operated by the utility during the ensuing 15 years or any longer period the board deems necessary;
- (2) Identification of all existing generating plants and transmission lines projected to be removed from service during any 15 year period or upon completion of construction of any large electric power generating plants and high voltage transmission lines;
- (3) Statement of the projected demand for electric energy for the ensuing 15 years and the underlying assumptions for this forecast, such information to be as geographically specific as possible where this demand will occur;
- (4) Description of the capacity of the electric power system to meet projected demands during the ensuing 15 years;
- (5) Description of the utility's relationship to other utilities and regional associations, power pools or networks; and
- (6) Other relevant information as may be requested by the board.

On or before July 1 of each odd-numbered year, a utility shall verify or submit revisions to items (1) and (2).

Subd. 2. [EXCEPTION.] Public electric utilities submitting advance forecasts containing all information specified in subdivision 1 as part of an integrated resource plan filed pursuant to public utilities commission rules shall be excluded from the annual reporting requirement of this section.

Sec. 3. Minnesota Statutes 1992, section 116I.07, subdivision 2, is amended to read:

~~Subd. 2. [NOTICE REQUIREMENT.] An owner or lessee of any real property, or A person acting with the authority of an owner or lessee, who installs or repairs agricultural drainage tile on that property shall be relieved of liability as provided in subdivision 1 only if that owner, lessee or other person acting with authority notifies the designated agent of the owner or operator of the pipeline of the intention to install or repair drainage tile on the property at least seven days before that work commences. An owner or operator of a pipeline shall provide to the county auditor of each county in which that pipeline is located the name, address and phone number of the individual to whom notice shall be given as provided in this subdivision. Notice is effective if made in writing by certified mail to this designated agent of the owner or operator of the pipeline~~ person gives oral or written notice to the one call excavation notice system in compliance with section 216D.04.

Sec. 4. Minnesota Statutes 1992, section 216B.09, is amended to read:

216B.09 [STANDARDS; CLASSIFICATIONS; RULES; PRACTICES.]

Subdivision 1. [COMMISSION AUTHORITY, GENERALLY.] The commission, after hearing upon reasonable notice ~~had upon pursuant to~~ its own motion or upon complaint, may ascertain and fix just and reasonable standards, classifications, rules, or practices to be observed and followed by any or all public utilities with respect to the service to be furnished;

Subd. 2. [ELECTRIC SERVICE.] The commission, after hearing upon reasonable notice pursuant to its own motion or upon complaint, may ascertain and fix adequate and reasonable standards for the measurement of the quantity, quality, pressure, initial voltage, or other condition pertaining to the supply of the service; prescribe reasonable rules for the examination and testing of the service and for the measurement thereof; establish or approve reasonable rules, specifications, and standards to secure the accuracy of all meters, instruments and equipment used for the measurement of any service of any public utility. In this subdivision, service standards or requirements governing any current or voltage originating from the practice of grounding of electrical systems apply to cooperative associations and municipal utilities providing or furnishing retail electric service to agricultural customers.

Subd. 3. [FILINGS.] Any standards, classifications, rules, or practices now or hereafter observed or followed by any public utility may be filed by it with the commission, and the same shall continue in force until amended by the public utility or until changed by the commission as herein provided.

The commission may require the filing of all rates, including rates charged to and by public utilities.

Subd. 4. [APPEARANCES BEFORE FEDERAL AGENCY.] The commission is empowered to appear before the Federal Power Energy Regulatory Commission to offer evidence and to seek appropriate relief in any case in which the rates charged consumers within the state of Minnesota may be affected.

Sec. 5. Minnesota Statutes 1992, section 216B.16, subdivision 1a, is amended to read:

Subd. 1a. [SETTLEMENT.] (a) When a public utility submits a general rate filing, the office of administrative hearings, before conducting a contested case hearing, shall convene a settlement conference including all of the parties for the purpose of encouraging settlement of any or all of the issues in the contested case. If a stipulated settlement is not reached before the contested case hearing, the office of administrative hearings may reconvene the settlement conference during or after completion of the contested case hearing at its discretion or a party's request. The office of administrative hearings or the commission may, upon the request of any party and the public utility, extend the procedural schedule of the contested case in order to permit the parties to engage in settlement discussions. An extension must be for a definite period of time not to exceed 60 days.

(b) If the applicant and all intervening parties agree to a stipulated settlement of the case or parts of the case, the settlement must be submitted to the commission. The commission shall accept or reject the settlement in its entirety and, at any time until its final order is issued in the case, may require the office of administrative hearings to conduct a contested case hearing. The commission may accept the settlement on finding that to do so is in the public interest and is supported by substantial evidence. If the commission does not accept the settlement, it may issue an order modifying the settlement subject to the approval of the parties. Each party shall have ten days in which to reject the proposed modification. If no party rejects the proposed modification, the commission's order becomes final. If the commission rejects the settlement, or a party rejects the commission's proposed modification, a contested case hearing must be completed.

Sec. 6. Minnesota Statutes 1992, section 216B.16, subdivision 2, is amended to read:

Subd. 2. [SUSPENSION OF PROPOSED RATES; HEARING; FINAL DETERMINATION DEFINED.] (a) Whenever there is filed with the commission a schedule modifying or resulting in a change in any rates then in force as provided in subdivision 1, the commission may suspend the operation of the schedule by filing with the schedule of rates and delivering to the affected utility a statement in writing of its reasons for the suspension at any time before the rates become effective. The suspension shall not be for a longer period than ten months beyond the initial filing date except as provided in paragraph (b) ~~this subdivision or subdivision 1a.~~ During the suspension the commission shall determine whether all questions of the reasonableness of the rates requested raised by persons deemed interested or by the administrative division of the department of public service can be resolved to the satisfaction of the commission. If the commission finds that all significant issues raised have not been resolved to its satisfaction, or upon petition by ten percent of the affected customers or 250 affected customers, whichever is less, it shall refer the matter to the office of administrative hearings with instructions for a public hearing as a contested case pursuant to chapter 14, except as otherwise provided in this section. The commission may order that the issues presented by the proposed rate changes be bifurcated into two separate hearings as follows: (1) determination of the utility's revenue requirements and (2) determination of the rate design. Upon issuance of both administrative law judge reports, the issues shall again be joined for consideration and final determination by the commission. All prehearing discovery activities of state agency intervenors shall be consolidated and conducted by the department of public service. If the commission does not make a final determination concerning a schedule of rates within ten months after the initial filing date, the schedule shall be deemed to have been approved by the commission; except if:

(1) an extension of the procedural schedule has been granted under subdivision 1a, in which case the schedule of rates is deemed to have been approved by the commission on the last day of the extended period of suspension; or

(2) a settlement has been submitted to and rejected by the commission, the schedule is deemed to have been approved 12 months after the initial filing and the commission does not make a final determination concerning the schedule of rates, the schedule of rates is deemed to have been approved 60 days after the initial or, if applicable, the extended period of suspension.

(b) If the commission finds that it has insufficient time during the suspension period to make a final determination of a case involving changes in general rates because of the need to make final determinations of other previously filed cases involving changes in general rates under this section or section 237.075, the commission may extend the suspension period to the extent necessary to allow itself 20 working days to make the final determination after it has made final determinations in the previously filed cases. An extension of the suspension period under this paragraph does not alter the setting of interim rates under subdivision 3.

(c) For the purposes of this section, "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all those petitions.

Sec. 7. Minnesota Statutes 1992, section 216B.16, subdivision 3, is amended to read:

Subd. 3. [INTERIM RATES.] Notwithstanding any order of suspension of a proposed increase in rates, the commission shall order an interim rate schedule into effect not later than 60 days after the initial filing date. The commission shall order the interim rate schedule ex parte without a public hearing. Notwithstanding the provisions of sections 216.25, 216B.27 and 216B.52, no interim rate schedule ordered by the commission pursuant to this subdivision shall be subject to an application for a rehearing or an appeal to a court until the commission has rendered its final determination. Unless the commission finds that exigent circumstances exist, the interim rate schedule shall be calculated using the proposed test year cost of capital, rate base, and expenses, except that it shall include: (1) a rate of return on common equity for the utility equal to that authorized by the commission in the utility's most recent rate proceeding; (2) rate base or expense items the same in nature and kind as those allowed by a currently effective order of the commission in the utility's most recent rate proceeding; and (3) no change in the existing rate design. In the case of a utility which has not been subject to a prior commission determination, the commission shall base the interim rate schedule on its most recent determination concerning a similar utility.

If, at the time of its final determination, the commission finds that the interim rates are in excess of the rates in the final determination, the commission shall order the utility to refund the excess amount collected under the interim rate schedule, including interest on it which shall be at the rate of interest determined by the commission. The utility shall commence distribution of the refund to its customers within 120 days of the final order, not subject to rehearing or appeal. If, at the time of its final determination, the commission finds that the interim rates are less than the rates in the final determination, the commission shall prescribe a method by which the utility will recover the difference in revenues ~~from between~~ the date of the final determination ~~to~~ and the date the new rate schedules are put into effect. In addition, when an extension is granted for settlement discussions under subdivision 1a, the commission shall allow the utility to also recover the difference in revenues for a length of time equal to the length of the extension.

If the public utility fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and may recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled to it. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. The commission shall not order an interim rate schedule in a general rate case into effect as provided by this subdivision until at least four months after it has made a final determination concerning any previously filed change of the rate schedule or the change has otherwise become effective under subdivision 2, unless:

(1) the commission finds that a four month delay would unreasonably burden the utility, its customers, or its shareholders and that an earlier imposition of interim rates is therefore necessary; or

(2) the utility files a second general rate case at least 12 months after it has filed a previous general rate case for which the commission has extended the suspension period under subdivision 2.

Sec. 8. Minnesota Statutes 1992, section 216B.241, subdivision 2a, is amended to read:

Subd. 2a. [ENERGY AND CONSERVATION ACCOUNT.] The commissioner shall deposit money contributed under subdivisions 1a and 1b in the energy and conservation account in the general fund. Money in the account is appropriated to the department for programs designed to meet the energy conservation needs of low-income persons and to make energy conservation improvements in areas not adequately served under subdivision 2. Interest on money in the account accrues to the account. ~~Using information collected under section 216C.02, subdivision 1, paragraph (b),~~ The commissioner shall, to the extent possible, allocate enough money to programs for low-income persons to assure that their needs are being adequately addressed. The commissioner shall request the commissioner of finance to transfer money from the account to the commissioner of jobs and training for an energy conservation program for low-income persons. In establishing programs, the commissioner shall consult political subdivisions and nonprofit and community organizations, especially organizations engaged in providing energy and weatherization assistance to low-income persons. At least one program must address the need for energy conservation improvements in areas in which a high percentage of residents use fuel oil or propane to fuel their source of home heating. The commissioner may contract with a political subdivision, a nonprofit or community organization, a public utility, a municipality, or a cooperative electric association to implement its programs.

Sec. 9. Minnesota Statutes 1992, section 216C.02, subdivision 1, is amended to read:

Subdivision 1. [POWERS.] (a) The commissioner may:

(1) apply for, receive, and spend money received from federal, municipal, county, regional, and other government agencies and private sources;

(2) apply for, accept, and disburse grants and other aids from public and private sources;

(3) contract for professional services if work or services required or authorized to be carried out by the commissioner cannot be satisfactorily performed by employees of the department or by another state agency;

(4) enter into interstate compacts to carry out research and planning jointly with other states or the federal government when appropriate;

(5) upon reasonable request, distribute informational material at no cost to the public; and

(6) enter into contracts for the performance of the commissioner's duties with federal, state, regional, metropolitan, local, and other agencies or units of government and educational institutions, including the University of Minnesota, without regard to the competitive bidding requirements of chapters 16A and 16B.

~~(b) The commissioner shall collect information on conservation and other energy-related programs carried on by other agencies, by public utilities, by cooperative electric associations, by municipal power agencies, by other fuel suppliers, by political subdivisions, and by private organizations. Other agencies, cooperative electric associations, municipal power agencies, and political subdivisions shall cooperate with the commissioner by providing information requested by the commissioner. The commissioner may by rule require the submission of information by other program operators. The commissioner shall make the information available to other agencies and to the public and, as necessary, shall recommend to the legislature changes in the laws governing conservation and other energy-related programs to ensure that:~~

~~(1) expenditures on the programs are adequate to meet identified needs;~~

~~(2) the needs of low-income energy users are being adequately addressed;~~

~~(3) duplication of effort is avoided or eliminated;~~

~~(4) a program that is ineffective is improved or eliminated; and~~

~~(5) voluntary efforts are encouraged through incentives for their operators.~~

~~The commissioner shall appoint an advisory task force to help evaluate the information collected and formulate recommendations to the legislature. The task force must include low income energy users.~~

~~(c) By January 15 of each year, the commissioner shall report to the legislature on the projected amount of federal money likely to be available to the state during the next fiscal year, including grant money and money received by the state as a result of litigation or settlements of alleged violations of federal petroleum pricing regulations. The report must also estimate the amount of money projected as needed during the next fiscal year to finance a level of conservation and other energy related programs adequate to meet projected needs, particularly the needs of low income persons and households, and must recommend the amount of state appropriations needed to cover the difference between the projected availability of federal money and the projected needs.~~

Sec. 10. Minnesota Statutes 1992, section 216C.11, is amended to read:

216C.11 [ENERGY CONSERVATION INFORMATION CENTER.]

The commissioner shall establish an energy information center in the department's offices in St. Paul. The information center shall maintain a toll-free telephone information service and disseminate printed materials on energy conservation topics, including but not limited to, availability of loans and other public and private financing methods for energy conservation physical improvements, the techniques and materials used to conserve energy in buildings, including retrofitting or upgrading insulation and installing weatherstripping, the projected prices and availability of different sources of energy, and alternative sources of energy.

The energy information center shall serve as the official Minnesota alcohol fuels information center and shall disseminate information, printed, by the toll-free telephone information service, or otherwise on the applicability and technology of alcohol fuels.

The information center shall include information on the potential hazards of energy conservation techniques and improvements in the printed materials disseminated. The commissioner shall not be liable for damages arising from the installation or operation of equipment or materials recommended by the information center.

~~The information center shall use the information collected under section 216C.02, subdivision 1, to maintain a central source of information on conservation and other energy-related programs, including both programs required by law or rule and programs developed and carried on voluntarily. In particular, the information center shall compile and maintain information on policies covering disconnections or denials of fuel during cold weather adopted by public utilities and other fuel suppliers not governed by Minnesota Rules, parts 7820.1500 to 7820.2300, including the number of households disconnected or denied fuel and the duration of the disconnections or denials.~~

Sec. 11. Minnesota Statutes 1992, section 216C.17, subdivision 3, is amended to read:

Subd. 3. [DUPLICATION.] The commissioner shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication. Public electric utilities submitting advance forecasts containing all information specified in section 116C.54, subdivision 1, as part of an integrated resource plan filed pursuant to public utilities commission rules shall be excluded from the annual reporting requirement in subdivision 2.

Sec. 12. Minnesota Statutes 1992, section 216C.37, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] In this section:

(a) "Commissioner" means the commissioner of public service. ~~Upon passage of legislation creating a body known as the Minnesota public facilities authority, the duties assigned to the commissioner in this section are delegated to the authority.~~

(b) "Maxi-audit" means a detailed engineering analysis of energy-saving improvements to existing buildings or stationary energy-using systems, including (1) modifications to building structures; (2) heating, ventilating, and air conditioning systems; (3) operation practices; (4) lighting; and (5) other factors that relate to energy use. The primary purpose of the engineering analysis is to quantify the economic and engineering feasibility of energy-saving improvements that require capital expenditures or major operational modifications.

(c) "Energy conservation investments" ~~mean means~~ all capital expenditures that are associated with conservation measures identified in a maxi-audit or energy project study, and that have a ten-year or less payback period. ~~Public school districts that received a federal institutional building grant in 1984 to convert a heating system to wood, and that apply for an energy conservation investment loan to match a federal grant for wood conversion, shall be allowed to calculate payback of conservation measures based on the costs of the traditional fuel in use prior to the wood conversion.~~

(d) "Municipality" means any county, statutory or home rule charter city, town, school district, or any combination of those units operating under an agreement to jointly undertake projects authorized in this section.

(e) "Energy project study" means a study of one or more energy-related capital improvement projects analyzed in sufficient detail to support a financing application. At a minimum, it must include one year of energy consumption and cost data, a description of existing conditions, a description of proposed conditions, a detailed description of the costs of the project, and calculations sufficient to document the proposed energy savings.

Sec. 13. Minnesota Statutes 1992, section 216D.01, subdivision 5, is amended to read:

Subd. 5. [EXCAVATION.] "Excavation" means an activity that moves, removes, or otherwise disturbs the soil by use of a motor, engine, hydraulic or pneumatically powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

~~(1) the repair or installation of agricultural drainage tile for which notice has been given as provided by section 116L.07, subdivision 2;~~

(2) the extraction of minerals;

~~(3)~~ (2) the opening of a grave in a cemetery;

(4) ~~(3)~~ normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch;

(5) ~~(4)~~ plowing, cultivating, planting, harvesting, and similar operations in connection with growing crops, trees, and shrubs, unless any of these activities disturbs the soil to a depth of 18 inches or more; or

~~(6) landscaping or (5) gardening unless one of the activities it disturbs the soil to a depth of 12 inches or more; or~~

~~(7) planting of windbreaks, shelterbelts, and tree plantations, unless any of these activities disturbs the soil to a depth of 18 inches or more.~~

Sec. 14. Minnesota Statutes 1992, section 216D.04, subdivision 1, is amended to read:

Subdivision 1. [NOTICE OF EXCAVATION REQUIRED; CONTENTS.] (a) Except in an emergency, an excavator ~~or land surveyor shall, and a land surveyor may,~~ contact the notification center and provide an excavation or location notice at least 48 hours before beginning any excavation or boundary survey, excluding Saturdays, Sundays, and holidays. An excavation or boundary survey begins, for purposes of this requirement, the first time excavation or a boundary survey occurs in an area that was not previously identified by the excavator or land surveyor in an excavation or boundary survey notice.

(b) The excavation or boundary survey notice may be oral or written, and must contain the following information:

(1) the name of the individual providing the excavation or boundary survey notice;

(2) the precise location of the proposed area of excavation or boundary survey;

(3) the name, address, and telephone number of the excavator or land surveyor or excavator's or land surveyor's company;

(4) the excavator's or land surveyor's field telephone number, if one is available;

(5) the type and the extent of the proposed excavation or boundary survey work;

- (6) whether or not the discharge of explosives is anticipated; and
- (7) the date and time when excavation or boundary survey is to commence.

Sec. 15. Minnesota Statutes 1992, section 299F.011, subdivision 4c, is amended to read:

Subd. 4c. [EXIT SIGN ILLUMINATION.] For a new building on which construction is begun on or after October 1, 1993, or an existing building on which remodeling affecting 50 percent or more of the enclosed space is begun on or after October 1, 1993, the uniform fire code must prohibit the use of internally illuminated exit signs whose electrical consumption during nonemergency operation exceeds 20 watts of resistive power with a maximum total power consumption of 40 volt amperes (VA). All other requirements in the code for exit signs must be complied with. Power consumption in volt amperes is the resistive power divided by the power factor.

Sec. 16. Minnesota Statutes 1992, section 446A.03, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP.] The Minnesota public facilities authority consists of the commissioner of trade and economic development, the commissioner of finance, ~~the commissioner of public service,~~ the commissioner of the pollution control agency, and three additional members appointed by the governor from the general public with the advice and consent of the senate.

Sec. 17. Minnesota Statutes 1992, section 446A.10, subdivision 2, is amended to read:

Subd. 2. [OTHER RESPONSIBILITIES.] (a) The responsibilities for the health care equipment loan program under Minnesota Statutes 1986, section 116M.07, subdivisions 7a, 7b, and 7c, ~~the public school energy conservation loan program under section 216C.37, and the district heating and qualified energy improvement loan program under section 216C.36,~~ are transferred from the Minnesota energy and economic development authority to the Minnesota public facilities authority. ~~The commissioner of public service shall continue to administer the municipal energy grant and loan programs under section 216C.36 and the school energy loan program under section 216C.37 until the commissioner of trade and economic development has adopted rules to implement the financial administration of the programs as provided under sections 216C.36, subdivisions 2, 3b, 3c, 8, 8a, and 11, and 216C.37, subdivisions 1 and 8.~~

(b) Except as otherwise provided in this paragraph, section 15.039 applies to the transfer of responsibilities. The transfer includes 8-1/2 positions from the financial management division of the department of trade and economic development to the community development division of the department of trade and economic development. ~~The commissioner of trade and economic development and the commissioner of public service shall determine which classified and unclassified positions associated with the responsibilities of the grant and loan programs under section 216C.36 and the school energy loan program under section 216C.37 are transferred to the commissioner of public service and which positions are transferred to the commissioner of trade and economic development in order to carry out the purposes of Laws 1987, chapter 386, article 3.~~

Sec. 18. Minnesota Statutes 1992, section 465.74, subdivision 1, is amended to read:

Subdivision 1. [CITIES OF THE FIRST CLASS.] Any city operating or authorized to operate a public utility pursuant to chapter 452 or its charter is authorized to acquire, construct, own, and operate a municipal district heating system pursuant to the provisions of that chapter or its charter. Acquisition or construction of a municipal district heating system shall not be subject to the election requirement of sections 452.11 and 452.12, or city charter provision, but must be approved by a three-fifths vote of the city's council or other governing body. Loans obtained by a municipality pursuant to Minnesota Statutes 1992, section 216C.36 are not subject to the limitations on the amount of money which may be borrowed upon a pledge of the city's full faith and credit or the election requirements for general obligation borrowing, contained in section 452.08.

Sec. 19. Minnesota Statutes 1992, section 465.74, subdivision 4, is amended to read:

Subd. 4. [NET DEBT LIMITS.] The loan obligations or debt incurred by a political subdivision pursuant to ~~section 216C.36 or 475.525, or Minnesota Statutes 1992, section 216C.36,~~ shall not be considered as a part of its indebtedness under the provisions of its governing charter or of any law of this state fixing a limit of indebtedness.

Sec. 20. Minnesota Statutes 1992, section 465.74, subdivision 6, is amended to read:

Subd. 6. [DEFINITION.] For the purposes of this section, and chapters 474 and 475, "district heating system" means any existing or proposed facility for (1) the production, through cogeneration or otherwise, of hot water or steam to be used for district heating, or (2) the transmission and distribution of hot water or steam for district heating either directly to heating consumers or to another facility or facilities for transmission and distribution, or (3) any part or combination of the foregoing facilities.

In keeping with the public purpose of ~~section 216C.36, subdivision 1,~~ to encourage state and local leadership and aid in providing available and economical district heating service, the definition of "district heating system" under this section should be broadly construed to allow municipal government sufficient flexibility and authority to evaluate and undertake such policies and projects as will most efficiently and economically encourage local expansion of district heating service.

Sec. 21. [REPEALER.]

Minnesota Statutes 1992, section 216C.36, is repealed.

Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380, are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 1 and 15 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to utilities; setting requirements for exit sign illumination for new buildings; eliminating advance forecast requirements for public electric utilities submitting advance forecasts in an integrated resource plan; changing excavation exceptions to the one call excavation notice system requirements; eliminating requirement for land surveyors to notify excavation notification center; requiring cooperative electric associations and municipal utilities to comply with standards set by public utilities commission relating to electrical current or voltage; allowing extension of utility rate hearings in certain cases; abolishing certain duties of commissioner of public service relating to energy; eliminating district heating loan program; making technical changes; amending Minnesota Statutes 1992, sections 16B.61, subdivision 3; 116C.54; 116I.07, subdivision 2; 216B.09; 216B.16, subdivisions 1a, 2, and 3; 216B.241, subdivision 2a; 216C.02, subdivision 1; 216C.11; 216C.17, subdivision 3; 216C.37, subdivision 1; 216D.01, subdivision 5; 216D.04, subdivision 1; 299F.011, subdivision 4c; 446A.03, subdivision 1; 446A.10, subdivision 2; and 465.74, subdivisions 1, 4, and 6; repealing Minnesota Statutes 1992, section 216C.36; Minnesota Rules, parts 7665.0200; 7665.0210; 7665.0220; 7665.0230; 7665.0240; 7665.0250; 7665.0300; 7665.0310; 7665.0320; 7665.0330; 7665.0340; 7665.0350; 7665.0360; 7665.0370; and 7665.0380."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1089, A bill for an act relating to elections; setting the date by which Hennepin county park reserve district redistricting must take place; amending Minnesota Statutes 1992, section 383B.68, subdivision 4.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 1099, A bill for an act relating to health; extending the expiration date of certain advisory councils and committees; modifying provisions relating to lead abatement; changing regulation provisions for hotels, resorts, restaurants, and manufactured homes; providing penalties; amending Minnesota Statutes 1992, sections 15.059, subdivision 5; 144.73, subdivision 3; 144.871, subdivisions 2, 3, 6, 7a, and by adding subdivisions; 144.872, subdivision 2; 144.873, subdivision 2; 144.874, subdivisions 1, 3, 4, and 6; 144.878, subdivisions 2 and 5; 157.01, subdivision 1; 157.03; 157.08; 157.081, subdivision 1; 157.09; 157.12; 157.14; 327.10; 327.11; 327.16, subdivision 5; 327.20, subdivision 1; and 327.26, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 157; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; 144.878, subdivision 2a; and 157.05, subdivisions 2 and 3.

Reported the same back with the following amendments:

Page 2, line 18, reinstate the stricken language

Page 2, delete section 4

Page 3, after line 21, insert:

"Sec. 7. Minnesota Statutes 1992, section 144.871, is amended by adding a subdivision to read:

Subd. 7d. [LEAD INSPECTOR.] "Lead inspector" means an individual who has successfully completed a training course in investigation of residences for possible sources of lead exposure and who is licensed by the commissioner according to rules adopted under section 144.877, subdivision 6, to perform this activity."

Page 5, line 30, after the period insert "A board of health shall have residential assessments performed by lead inspectors licensed by the commissioner according to rules adopted under section 144.877. A board of health may observe the performance of lead abatement in progress and has authority to enforce the provisions of chapter 144."

Page 6, after line 29, insert:

"Sec. 15. [144.877] [LEAD INSPECTORS.]

Subdivision 1. [LICENSE REQUIRED.] No person may perform the duties of a lead inspector unless the person is licensed by the commissioner. A lead inspector shall have the inspector's license readily available at all times at an assessment site and make it available, upon request, for inspection by the commissioner or by a member of the staff of a board of health with jurisdiction over the site. A license must be renewed annually and may not be transferred.

Subd. 2. [LICENSE APPLICATION.] (a) An application for a license and for renewal of a license must be on a form provided by the commissioner and be accompanied by:

(1) the fee set by the commissioner; and

(2) evidence that the applicant has successfully completed a lead inspection training course approved by the commissioner or, within the previous 180 days, an initial lead inspection training course.

(b) The fee required by this subdivision is waived for an employee of a board of health.

Subd. 3. [LICENSE RENEWAL.] A license is valid for one year from the issuance date unless revoked by the commissioner. An applicant must successfully complete either an approved initial lead inspection training course or an approved annual refresher lead inspection training course to apply for license renewal.

Subd. 4. [LICENSE REPLACEMENT.] A licensed lead inspector may obtain a replacement license by reapplying for a license. A replacement license expires on the same date as the original license.

Subd. 5. [GROUNDS FOR DISCIPLINARY ACTION.] (a) The commissioner may deny an application, revoke a license, or impose limitations or conditions on a license if a licensed lead inspector:

- (1) violates this section or rules adopted by the commissioner;
- (2) submits an application that is incomplete or inaccurate or is not accompanied by the required fee, or if the fee is paid by an invalid check;
- (3) obtains a license, certificate, or approval through error, fraud, or cheating;
- (4) provides false or fraudulent information on forms submitted to the commissioner;
- (5) allows an unlicensed or uncertified person to engage, or aids an unlicensed or uncertified person in engaging, in activities for which a license or certificate is required;
- (6) endangers public health or safety; or
- (7) has been convicted during the previous five years of a felony or gross misdemeanor under section 270.72, 325F.69, or 325F.71.

(b) An application for licensure that has been denied may be resubmitted when the reasons for the denial have been corrected. A person whose license is revoked may not apply for a license within one year of the date of revocation.

Subd. 6. [RULES.] The commissioner shall adopt rules to implement this section, including rules setting fees for licenses and license renewals and rules for approving initial lead inspection training courses and annual refresher lead inspection training courses."

Page 10, line 22, reinstate the stricken language

Page 10, lines 23, 24, 30, 31, and 32, reinstate the stricken language and delete the new language

Page 11, line 22, before "Employees" insert "The number of employees counted for each establishment shall be based upon the total number of employees employed full time and employed part time when added together to total the hours of full-time employment."

Page 19, after line 21, insert:

"Sec. 31. [ADDITIONAL STANDARDS FOR LICENSURE.]

Until the commissioner of health has adopted the rules required by section 15, subdivision 6, the licensure of lead inspectors is governed by this section as follows:

- (1) a lead inspector must obtain a license within 180 days of the effective date of section 15;
- (2) the fee for issuance or renewal of a lead inspector license is \$50, is nonrefundable, and must be submitted in the form of a check;
- (3) the fee for replacement of a license is \$25, is nonrefundable, and must be submitted in the form of a check;
- (4) an applicant who submits an approvable application within 60 days of the initial denial of an application is not required to pay a second fee; and
- (5) a lead inspection course sponsored by the United States Environmental Protection Agency is an approved course for the purposes of section 15, subdivision 2."

Page 19, line 25, after the period insert "Section 31 is repealed effective upon the adoption by the commissioner of health of the rules required by section 15, subdivision 6."

Page 19, after line 25, insert:

"Sec. 33. [EFFECTIVE DATE.]

Sections 15 and 31 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "providing for licensure of lead inspectors;"

Page 1, line 7, after the semicolon insert "requiring rulemaking;"

Page 1, line 16, delete "chapter" and insert "chapters 144; 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. 1112, A bill for an act relating to occupations and professions; modifying reciprocity licensing requirement; providing for disciplinary actions; imposing penalties; amending Minnesota Statutes 1992, sections 148.905, subdivision 1; 148.921, subdivision 3; 148.925, subdivision 1; and 148.98; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1992, section 148.95.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 148.89, is amended by adding a subdivision to read:

Subd. 2a. [CLIENT.] "Client" means a person or entity that receives, received, or should have received services from a person regulated under sections 148.88 to 148.98. For the purposes of sections 148.88 to 148.98, "client" includes patient and resident.

Sec. 2. Minnesota Statutes 1992, section 148.905, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] The board shall:

(1) adopt and enforce rules for licensing psychologists and for regulating their professional conduct. The rules must include, but are not limited to, standards for training, supervision, the practice of psychology, and any other areas covered by sections 148.88 to 148.98;

(2) adopt rules that provide for examinations and establish a code of professional ethics and requirements for continuing education;

(3) hold examinations at least once a year to assess applicants' knowledge and skills. The examinations may be written or oral or both, and may be administered by the board or by institutions or individuals designated by the board;

(4) issue licenses to individuals qualified under section 148.91, according to the procedures for licensing in Minnesota Rules;

(5) issue copies of the rules for licensing to all applicants;

(6) establish and maintain annually a register of current licenses;

(7) establish reasonable fees for the issuance and renewal of licenses and other services by the board. Fees must be set to defray the cost of administering the provisions of sections 148.88 to 148.98 including applications, examinations, enforcement, and the cost of maintaining the operations of the board;

(8) educate the public about the requirements for licensing of psychologists and about the code of professional ethics, to allow consumers to file complaints against licensees who may have violated licensing requirements or professional ethics; and

(9) establish or approve programs that qualify for professional psychology continuing educational credit. The board may hire consultants, agencies, or professional psychological associations to establish and approve continuing education courses; and

~~(10) establish and implement, by January 1, 1992, a process for certifying psychologists' competencies in specialty areas, including but not limited to the area of supervision. The process shall include steps to verify that a psychologist has had adequate education and experience in a specialty area to be considered competent to practice in that area. Recertification of competencies declared prior to August 1, 1991, shall not be required.~~

Sec. 3. Minnesota Statutes 1992, section 148.921, subdivision 2, is amended to read:

Subd. 2. [PERSONS PREVIOUSLY QUALIFIED.] (a) The board shall grant a license for a licensed psychologist ~~without further examination~~ to a person who:

(1) before November 1, 1991, entered a graduate program granting a master's degree with a major in psychology at an educational institution meeting the standards the board has established by rule and earned a master's degree or a master's equivalent in a doctoral program;

(2) before ~~November 1~~ December 31, 1992 1993, filed with the board a written declaration of intent to seek licensure under this subdivision;

(3) complied with all requirements of section 148.91, subdivisions 2 to 4, before December 31, 1997; and

(4) completed at least two full years or their equivalent of post-master's supervised psychological employment before December 31, 1998.

(b) Notwithstanding paragraph (a), the board shall not grant a license for a licensed psychologist under this subdivision to a person who files a written declaration of licensure after October 31, 1992, unless the applicant demonstrates that the applicant was a resident of Minnesota on October 31, 1992, and meets all other requirements for licensure under this subdivision.

Sec. 4. Minnesota Statutes 1992, section 148.921, subdivision 3, is amended to read:

Subd. 3. [RECIPROCITY.] The board may grant a license without an examination to a diplomate of the American Board of Professional Psychology or to any person who at the time of application is licensed or certified by a ~~similar~~ board of another state ~~whose standards, in the judgment of the board, are not lower than those required by~~ and who meets the licensure requirements under section 148.91. The board, at its discretion, may not require the skills assessment and the examination in psychology under section 148.91, subdivision 2, if the person was licensed in another state before the examination was required for licensure in that state. An applicant for reciprocity shall pass a written, objective examination on the rules of the board of psychology and sections 148.88 to 148.98.

Sec. 5. Minnesota Statutes 1992, section 148.925, subdivision 1, is amended to read:

Subdivision 1. [PERSONS QUALIFIED TO PROVIDE SUPERVISION.] (a) Only the following persons are qualified to provide supervision for master's degree level applicants for licensure as a licensed psychologist:

(1) a licensed psychologist with a competency in supervision in professional psychology and in the area of practice being supervised; and

(2) a person who either is eligible for licensure as a licensed psychologist under section 148.91 or is eligible for licensure by reciprocity, and who, in the judgment of the board, is competent or experienced in supervising professional psychology and in the area of practice being supervised.

(b) Professional supervision of a doctoral level applicant for licensure as a licensed psychologist must be provided by a person:

(1) who meets the requirements of paragraph (a), clause (1) or (2), and

(2)(i) who has a doctorate degree with a major in psychology, or

(ii) who was licensed by the board as a psychologist before August 1, 1991, and is certified by the board as competent in supervision of applicants for licensure ~~in accord with section 148.905, subdivision 1, clause (10), by August 1, 1993.~~

Sec. 6. [148.941] [DENIAL, REVOCATION, AND SUSPENSION OF LICENSES; DISCIPLINARY ACTION.]

Subdivision 1. [GENERALLY.] Except as otherwise described in this section, all hearings shall be conducted under chapter 14.

Subd. 2. [GROUNDS FOR DISCIPLINARY ACTION; FORMS OF DISCIPLINARY ACTION.] (a) The board may impose disciplinary action as described in paragraph (b) against an applicant or licensee whom the board, by a preponderance of the evidence, determines:

(1) has violated a statute, rule, or order that the board issued or is empowered to enforce;

(2) has engaged in fraudulent, deceptive, or dishonest conduct, whether or not the conduct relates to the practice of psychology, that adversely affects the person's ability or fitness to practice psychology;

(3) has engaged in unprofessional conduct or any other conduct which has the potential for causing harm to the public, including any departure from or failure to conform to the minimum standards of acceptable and prevailing practice without actual injury having to be established;

(4) has been convicted of or has pled guilty or nolo contendere to a felony or crime, an element of which is dishonesty or fraud, or has been shown to have engaged in acts or practices tending to show that the applicant or licensee is incompetent or engaged in conduct reflecting adversely on the applicant's or licensee's ability or fitness to engage in the practice of psychology;

(5) has employed fraud or deception in obtaining or renewing a license, or in passing the examination;

(6) has had a psychology license, certificate, right to examine, or other similar authority revoked, suspended, canceled, limited, or not renewed for cause in any state, commonwealth, or territory of the United States, the District of Columbia, or any foreign country;

(7) has failed to meet any requirement for the issuance or renewal of the person's license;

(8) has failed to cooperate with an investigation of the board as required under subdivision 4; or

(9) has violated the code of ethics adopted by the board.

For the purposes of clause (7), the burden of proof is on the applicant to demonstrate the qualifications or satisfy the requirements for a license under sections 148.88 to 148.98.

(b) If grounds for disciplinary action exist under paragraph (a), the board may take one or more of the following actions:

(1) refuse to grant or renew a license;

(2) revoke a license;

(3) suspend a license;

(4) impose limitations or conditions on a licensee's practice of psychology, including limiting the scope of practice to designated competencies, imposing retraining or rehabilitation requirements, requiring the licensee to practice under supervision, or conditioning continued practice on the demonstration of knowledge or skill by appropriate examination or other review of skill and competence;

(5) censure or reprimand the licensee; or

(6) refuse to permit an applicant to take the licensure examination or refuse to release an applicant's examination grade if the board finds that it is in the public interest.

(c) In lieu of or in addition to paragraph (b), the board may require, as a condition of continued licensure, termination of suspension, reinstatement of license, examination, or release of examination grades, that the applicant or licensee:

(1) submit to a quality review, as specified by the board, of the applicant's or licensee's ability, skills, or quality of work; and

(2) complete to the satisfaction of the board educational courses specified by the board.

(d) Service of the order is effective if the order is served on the applicant, licensee, or counsel of record personally or by mail to the most recent address provided to the board for the licensee, applicant, or counsel of record. The order shall state the reasons for the entry of the order.

Subd. 3. [TEMPORARY SUSPENSION OF LICENSE.] (a) In addition to any other remedy provided by law, the board may temporarily suspend the credentials of a licensee after conducting a preliminary inquiry to determine if the board reasonably believes that the licensee has violated a statute or rule that the board is empowered to enforce and continued practice by the licensee would create an imminent risk of harm to others.

(b) The order may prohibit the licensee from engaging in the practice of psychology in whole or in part and may condition the end of a suspension on the licensee's compliance with a statute, rule, or order that the board has issued or is empowered to enforce.

(c) The order shall give notice of the right to a hearing pursuant to this subdivision and shall state the reasons for the entry of the order.

(d) Service of the order is effective when the order is served on the licensee personally or by certified mail which is complete upon receipt, refusal, or return for nondelivery to the most recent address provided to the board for the licensee.

(e) At the time the board issues a temporary suspension order, the board shall schedule a hearing to be held before its own members which shall begin no later than 60 days after issuance of the temporary suspension order or within 15 working days of the date of the board's receipt of a request for hearing by a licensee on the sole issue of whether there is a reasonable basis to continue, modify, or lift the temporary suspension. This hearing is not subject to chapter 14. Evidence presented by the board or the licensee shall be in affidavit form only. The licensee or counsel of record may appear for oral argument.

(f) Within five working days of the hearing, the board shall issue its order and, if the suspension is continued, schedule a contested case hearing within 30 days of the issuance of the order. Notwithstanding chapter 14, the administrative law judge shall issue a report within 30 days after closing the contested case hearing record. The board shall issue a final order within 30 days of receipt of the administrative law judge's report.

Subd. 4. [COOPERATION OF APPLICANT OR LICENSEE FOR INVESTIGATIONS.] (a) An applicant or licensee of the board who is the subject of an investigation or who is questioned in connection with an investigation by or on behalf of the board shall cooperate fully with the investigation. Cooperation includes responding fully and promptly to any question raised by or on behalf of the board relating to the subject of the investigation, executing all releases requested by the board, providing copies of client records, as reasonably requested by the board to assist it in its investigation, and appearing at conferences or hearings scheduled by the board or its staff. The board shall pay reasonable costs for copies requested.

(b) If the board does not have a written consent from a client permitting access to the client's records, the licensee may delete any data in the record which identifies the client before providing it to the board. The board shall maintain any records obtained pursuant to this section as investigative data pursuant to chapter 13.

Sec. 7. Minnesota Statutes 1992, section 148.98, is amended to read:

148.98 [CODE OF ETHICS.]

The board shall adopt a code of ethics to govern ~~appropriate~~ an applicant's or licensee's practices or behavior, ~~as referred to in section 148.89.~~ The board shall publish the code in the State Register and file the code with the secretary of state at least 30 days prior to the effective date of the code. The code of ethics shall include, but is not limited to, the principles in paragraphs (a) to (c).

(a) The psychologist shall recognize the boundaries of the psychologist's competence and the limitation of the psychologist's techniques and shall not offer services or use techniques that fail to meet usual and customary professional standards.

(b) The psychologist who engages in practice shall assist clients in obtaining professional help for all important aspects of their problems that fall outside the boundaries of the psychologist's competence.

(c) A psychologist shall not claim either directly or by implication professional qualifications that differ from the psychologist's actual qualifications, nor shall the psychologist misrepresent the psychologist's affiliation with any institution, organization, or individual, nor lead others to assume an affiliation that does not exist.

Sec. 8. [NOTICE.]

Before September 1, 1993, the board shall notify all Minnesota educational institutions which grant a master's degree with a major in psychology, and all individuals it knows to have missed the November 1, 1992, deadline under section 148.921, subdivision 2, that the deadline for filing the declaration of intent to seek licensure is extended to December 31, 1993.

Sec. 9. [REPEALER.]

Minnesota Statutes 1992, section 148.95, is repealed.

Sec. 10. [EFFECTIVE DATE.]

Sections 3 and 8 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to occupations and professions; board of psychology; extending deadline by which previously qualified persons may file a declaration of intent to seek licensure as a licensed psychologist without further examination; requiring the board to issue notices of extension; modifying reciprocity licensing requirement; providing for disciplinary actions; amending Minnesota Statutes 1992, sections 148.89, by adding a subdivision; 148.905, subdivision 1; 148.921, subdivisions 2 and 3; 148.925, subdivision 1; and 148.98; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1992, section 148.95."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1114, A bill for an act relating to game and fish; stamp design; training of hunting dogs; clothing requirements; raccoon season; rough fish taking by nonresidents; muskie size limits; taking of mussels; amending Minnesota Statutes 1992, sections 97A.045, subdivision 7; 97B.005, subdivisions 2 and 3; 97B.071; 97B.621, subdivision 1; 97C.375; 97C.405; and 97C.701, subdivisions 1 and 2; repealing Minnesota Statutes 1992, sections 97A.541; 97C.701, subdivisions 3, 4, and 5; 97C.705; and 97C.711.

Reported the same back with the following amendments:

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1992, section 84.085, is amended by adding a subdivision to read:

Subd. 1a. [ADVANCE OF MATCHING FUNDS.] The commissioner may advance funds appropriated for fish and wildlife programs to government agencies, the National Fish and Wildlife Foundation, federally recognized Indian tribes and bands, and private, nonprofit organizations for the purposes of securing nonstate matching funds for projects involving acquisition and improvement of fish and wildlife habitat and research and management relating to the same. The commissioner shall execute agreements for contracts with the matching parties under section 16B.06 prior to advancing any state funds. The agreement or contract shall contain provisions for return of the state's share and the matching funds within a period of time specified by the commissioner. The state's funds and the nonstate matching funds shall be deposited in a separate account and expended solely for the purposes set forth in the agreement or contract. The commissioner shall enter into agreements or contracts only with the National Fish and Wildlife Foundation, federal and nonprofit authorities deemed by the commissioner to be dedicated to the purposes of the project.

Sec. 2. Minnesota Statutes 1992, section 97A.015, subdivision 49, is amended to read:

Subd. 49. [UNDRESSED BIRD.] "Undressed bird" means:

(1) a bird, excluding migratory waterfowl, pheasant, Hungarian partridge, or grouse, with feet and feathered head intact; ~~or~~

(2) a migratory waterfowl with a fully feathered wing and head attached; ~~or~~

(3) a pheasant, Hungarian partridge, or grouse with one leg and foot or the fully feathered head or wing intact."

Page 1, after line 24, insert:

"Sec. 4. [97A.127] [FINANCING WATERFOWL DEVELOPMENT.]

The commissioner may use funds appropriated for fish and wildlife programs for the purpose of developing, preserving, restoring, and maintaining waterfowl breeding grounds in Canada under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of projects that are acceptable to the governmental agency having jurisdiction over the land and water affected by the projects. The commissioner may execute agreements and contracts if the commissioner determines that use of the funds will benefit the migration of waterfowl into the state."

Page 2, after line 27, insert:

"Sec. 9. Minnesota Statutes 1992, section 97B.911, is amended to read:

97B.911 [MUSKRAT SEASONS.]

~~The commissioner may establish open seasons for muskrat between October 25 and April 30. The open season in an area may not exceed 90 days. The commissioner may prescribe restrictions for the taking of muskrat.~~

Sec. 10. Minnesota Statutes 1992, section 97B.915, is amended to read:

97B.915 [MINK SEASONS.]

~~The commissioner may establish open seasons for mink between October 25 and April 30. The open season in an area may not exceed 90 days. The commissioner may prescribe restrictions for the taking of mink.~~

Sec. 11. Minnesota Statutes 1992, section 97B.921, is amended to read:

97B.921 [OTTER SEASONS.]

The commissioner may establish open seasons for otter ~~between October 25 and April 30. Otter may be taken only by trapping and.~~ The taking is subject to restrictions prescribed by the commissioner.

Sec. 12. Minnesota Statutes 1992, section 97B.925, is amended to read:

97B.925 [BEAVER SEASONS.]

The commissioner may establish open seasons for beaver ~~between October 25 and April 30. Beaver may be taken only by trapping and.~~ The taking is subject to restrictions prescribed by the commissioner."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "advance of matching funds; financing waterfowl development; defining "undressed bird"; seasons on muskrat, mink, otter, and beaver;"

Page 1, line 6, after "sections" insert "84.085, by adding a subdivision; 97A.015, subdivision 49;"

Page 1, line 7, after the third semicolon insert "97B.911; 97B.915; 97B.921; 97B.925;"

Page 1, line 8, after the second semicolon insert "proposing coding for new law in Minnesota Statutes, chapter 97A;"

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.

Carlson from the Committee on Education to which was referred:

H. F. No. 1195, A bill for an act relating to education; requiring changes in college preparation requirements.

Reported the same back with the following amendments:

Page 1, line 9, delete "shall revise," and delete "is" and insert "are"

Page 1, line 10, delete ", its" and insert "their"

Amend the title as follows:

Page 1, line 2, delete "requiring" and insert "requesting consideration of"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1232, A bill for an act relating to game and fish; limiting number of larger pike taken; amending Minnesota Statutes 1992, section 97C.401.

Reported the same back with the following amendments:

Page 1, delete lines 13 to 16 and insert:

"Subd. 2. [WALLEYE; NORTHERN PIKE.] (a) Except as provided in paragraphs (b) and (c), a person may take no more than one walleye larger than 20 inches and one northern pike larger than 30 inches daily. Walleye and northern pike must be in an undressed condition while on the water or at a public water access site.

(b) The restrictions in paragraph (a) do not apply to:

(1) waters designated as experimental waters under section 97C.001, if those waters have size regulations that are more restrictive;

(2) waters designated as special management waters under section 97C.005, if those waters have size regulations that are more restrictive; and

(3) state and international boundary waters except Lake of the Woods.

(c) On Lake of the Woods, a person may take no more than one walleye larger than 19.5 inches and one northern pike larger than 30 inches daily. Walleye and northern pike must be in an undressed condition while on the water or at a public water access site of Lake of the Woods."

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. 1234, A bill for an act relating to education; indicating that the legislature may specifically authorize a graduation rule after receiving an evaluation of outcome-based programs; amending Laws 1992, chapter 499, article 8, sections 32 and 33.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1992, chapter 499, article 8, section 32, is amended to read:

Sec. 32. [LEGISLATIVE COMMITMENT TO A RESULTS-ORIENTED GRADUATION RULE.]

The legislature is committed to establishing a rigorous, results-oriented graduation rule for Minnesota's public school students. To that end, the state board of education shall use its rulemaking authority granted under Minnesota Statutes, section 121.11, subdivision 12, to adopt a statewide, results-oriented graduation rule according to the timeline in section ~~34~~ 33.

The board shall not prescribe in rule or otherwise the delivery system, form of instruction, or a single statewide form of assessment that local sites must use to meet the requirements contained in the rule.

Sec. 2. Laws 1992, chapter 499, article 8, section 33, is amended to read:

Sec. 33. [STATE BOARD GRADUATION RULE.]

The state board of education shall submit a progress report to the education committees of the legislature a progress report about on the proposed high school graduation rule by February 1, 1993, and a final report about the proposed rule by January 1, 1994. Representatives of the state board of education and the state department of education shall meet with interested members of the education committees of the legislature to discuss the specific progress being made in developing an amended high school graduation rule. At least 30 days before the rule is finally adopted, the chairs of the education committees and other interested committee members shall meet with representatives of the state board to review all the materials that are part of the official rulemaking record for the amended graduation rule. Notwithstanding Minnesota Statutes, section 121.11, subdivision 12, the state board of education may continue its proceedings to adopt a high school graduation rule but must not take final action under Minnesota Statutes, sections 14.131 to 14.20 to adopt the rule before July 1, 1994. The 180-day time limit in Minnesota Statutes, section 14.19, does not apply to the rule.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to education; providing for progress reports; amending Laws 1992, chapter 499, article 8, sections 32 and 33."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1243, A bill for an act relating to ethics in government; clarifying requirements for filing for the income tax check-off as a minor party; amending Minnesota Statutes 1992, section 10A.31, subdivision 3a.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 10A.01, subdivision 13, is amended to read:

Subd. 13. "Minor political party" means any party other than a major political party:

(a) Under whose name in the last applicable general election a candidate filed for legislative office and received not less than ten percent of the vote for that office, or filed for statewide office; or

(b) Which files a petition with the secretary of state containing the names of ~~2,000~~ 10,000 individuals registered to vote in Minnesota and declaring that the signers desire that the party be eligible to receive money from the state elections campaign fund in the same manner as a major political party.

For the purposes of this chapter, all individuals who are eligible to vote in areas where there is no permanent system of registration shall be considered registered voters."

Page 2, line 2, delete the new language and strike everything after "13"

Page 2, strike line 3

Page 2, line 4, strike "this subdivision"

Page 2, line 14, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the remaining sections

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections 10A.01, subdivision 13; and"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 1272, A bill for an act relating to highways; allowing county state-aid highway money to be used for certain equipment for emergency responders; amending Minnesota Statutes 1992, section 162.08, subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Reding from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1301, A bill for an act relating to insurance; the comprehensive health association; clarifying the duties of the association and the authority of the commissioner of commerce; increasing the cigarette and tobacco product taxes to defray the cost of claims made under coverages provided by the association; repealing obsolete language; appropriating money; amending Minnesota Statutes 1992, sections 62E.08; 62E.09; 62E.10, subdivision 9; 297.02, subdivision 1; 297.13, by adding a subdivision; and 297.32, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 62E; repealing Laws 1992, chapter 549, article 9, section 17.

Reported the same back with the following amendments:

Page 1, line 30, before "adjusted" insert ", or are"

Page 2, line 1, after "be" insert a comma

Page 2, line 5, before "adjusted" insert ", or are"

Page 2, line 6, after "be" insert a comma and after "one" insert "individual"

Page 2, line 16, before "adjusted" insert ", or are"

Page 2, line 17, after "be" insert a comma

Page 2, line 21, before "adjusted" insert ", or are"

Page 2, line 22, after "be" insert a comma and after "two" insert "individual"

Page 2, line 35, before "adjusted" insert ", or are" and after "be" insert a comma

Page 3, line 4, before "adjusted" insert ", or are" and after "be" insert a comma

Page 5, line 36, delete "60" and insert "45"

Page 6, line 3, delete "solely"

Page 6, delete lines 22 and 23

Page 6, line 24, delete "(1)" and insert "{f}"

Page 6, line 27, delete "(2)" and insert "(g)"

Page 6, line 28, delete "and"

Page 6, line 29, delete "(3)" and insert "(h)"

Page 6, line 32, delete "(g)" and insert "(i)" and delete the period and insert "; and"

Page 6, after line 32, insert:

"(i) other factors deemed relevant by the commissioner."

Page 7, line 2, after "approve" insert ", modify,"

Page 7, line 6, delete "60" and insert "45"

Page 10, delete line 24

Amend the title as follows:

Page 1, line 13, delete everything after "62E"

Page 1, line 14, delete "9, section 17"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1311, A bill for an act relating to local government; providing for the continuation of the Mississippi River parkway commission; amending Minnesota Statutes 1992, section 161.1419, subdivision 8.

Reported the same back with the following amendments:

Page 1, lines 9 and 10, delete the new language and reinstate the stricken "on"

Page 1, line 11, before the period insert "June 30, 1995"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1326, A bill for an act relating to outdoor recreation; authorizing marking of canoe and boating routes on the Pomme de Terre river; amending Minnesota Statutes 1992, section 85.32, subdivision 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 1349, A bill for an act relating to health care; clarifying the uniform anatomical gift act; retroactively defining organ donation as the rendition of a service; amending Minnesota Statutes 1992, section 525.9221.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1360, A bill for an act relating to Black Minnesotans; adding a liaison with the native African community to the staff of the council on Black Minnesotans; appropriating money; amending Minnesota Statutes 1992, section 3.9225, subdivision 5.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1380, A bill for an act relating to animal health; appropriating money for study of paratuberculosis in cattle.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Sarna from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1384, A bill for an act relating to local government; regulating tanning facilities; requiring warning notices; authorizing local units of government to license and otherwise regulate these facilities; establishing record keeping and reporting requirements; prescribing penalties and providing remedies; proposing coding for new law in Minnesota Statutes, chapter 461.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"REGULATION OF TANNING FACILITIES

Section 1. [461.16] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section apply to sections 461.16 to 461.26.

Subd. 2. [CONSUMER.] "Consumer" means an individual who is provided access to a tanning facility.

Subd. 3. [INDIVIDUAL.] "Individual" means a human being.

Subd. 4. [LOCAL GOVERNMENT UNIT.] "Local government unit" means a statutory or home rule charter city, town, or county.

Subd. 5. [OPERATOR.] "Operator" means an individual designated by the tanning facility owner or tanning equipment lessee to operate, or to assist and instruct the consumer in the operation and use of, the tanning facility or tanning equipment.

Subd. 6. [PERSON.] "Person" means an individual, corporation, partnership, limited liability company, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state, or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of these entities.

Subd. 7. [TANNING EQUIPMENT.] "Tanning equipment" means ultraviolet or other lamps and equipment containing these lamps intended to induce skin tanning through the irradiation of any part of the living human body with ultraviolet radiation.

Subd. 8. [TANNING FACILITY.] "Tanning facility" means a location, place, area, structure, or business or a part thereof which provides consumers access to tanning equipment. Tanning facility includes, but is not limited to, tanning salons, health clubs, apartments, or condominiums regardless of whether a fee is charged for access to the tanning equipment.

Subd. 9. [ULTRAVIOLET RADIATION.] "Ultraviolet radiation" means electromagnetic radiation with wavelengths in air between 200 nanometers and 400 nanometers.

Sec. 2. [461.17] [REGULATIONS; APPLICABILITY; EXEMPTIONS.]

Subdivision 1. [REGULATIONS; APPLICABILITY.] A tanning facility in this state must be constructed, operated, and maintained according to sections 461.16 to 461.26.

Subd. 2. [EXEMPTIONS.] Sections 461.16 to 461.26 do not apply to:

(a) a person who:

(1) uses equipment which emits ultraviolet radiation incidental to its normal operation; and

(2) does not use the equipment described in clause (1) to deliberately expose parts of the living human body to ultraviolet radiation for the purpose of tanning or other treatment;

(b) a physician licensed by the board of medical practice who uses, in the practice of medicine, medical diagnostic and therapeutic equipment that emits ultraviolet radiation; and

(c) an individual who owns tanning equipment exclusively for personal, noncommercial use.

Sec. 3. [461.19] [STANDARDS FOR TANNING EQUIPMENT.]

Subdivision 1. [STANDARDS FOR ALL EQUIPMENT.] (a) The tanning facility owner or operator must use only tanning equipment manufactured according to Code of Federal Regulations, title 21, part 1040.20. The exact nature of compliance must be based on the standards in effect at the time of manufacture as shown on the device identification label required by Code of Federal Regulations, title 21, part 1010.3.

(b) Each assembly of tanning equipment must be designated for use by only one consumer at a time and must be equipped with a timer that complies with Code of Federal Regulations, title 21, part 1040.20(c)(2). The maximum timer interval may not exceed the manufacturer's maximum recommended exposure time. No timer interval may have an error exceeding plus or minus ten percent of the maximum timer interval for the product.

(c) Tanning equipment must meet the National Fire Protection Association National Electrical Code.

(d) Tanning equipment must include physical barriers to protect consumers from injury induced by touching or breaking the lamps.

(e) The tanning facility owner or operator shall replace defective or damaged lamps, bulbs, or filters with a type intended for use in the affected tanning equipment as specified on the product label and having the same spectral distribution.

(f) The tanning facility owner or operator shall replace ultraviolet lamps and bulbs, which are not otherwise defective or damaged, at a frequency or after a duration of use as may be recommended by the manufacturer of the lamps and bulbs.

(g) The tanning facility owner or operator shall maintain a record of when the bulbs or lamps in each tanning booth or bed were replaced according to paragraphs (e) and (f).

(h) Tanning equipment must have a control that enables the user to manually terminate radiation without pulling the electrical plug or coming in contact with the ultraviolet lamp.

(i) The tanning facility operator shall instruct each user on: (1) the proper position to maintain relative to the tanning lamps; (2) the position of the safety railing, where applicable; (3) the manual switching device to terminate radiation; and (4) maximum time of exposure.

(j) The tanning facility operator shall inspect the facility to ensure that the floors are dry before each individual's use.

(k) The tanning facility operator shall monitor the use of the facility to ensure that the interior temperature does not exceed 100 degrees Fahrenheit.

(l) The tanning facility operator shall comply with sanitizing procedures specified by the manufacturer of the tanning equipment between users.

Subd. 2. [STANDARDS FOR STAND-UP TANNING BOOTHS.] In addition to the requirements in subdivision 1, tanning booths designed for stand-up use must comply with the following additional requirements:

(1) booths must have physical barriers or other means, such as handrails or floor markings, to indicate the proper exposure distance between ultraviolet lamps and the consumer's skin;

(2) booths must be constructed with sufficient strength and rigidity to withstand the stress of use and the impact of a falling individual;

(3) access to booths must be of rigid construction; and

(4) booths must be equipped with handrails and nonslip floors.

Sec. 4. [461.20] [PROTECTIVE GOGGLES REQUIRED.]

(a) The tanning facility owner or operator shall provide protective goggles to each consumer for use with the tanning equipment. The protective goggles must meet the requirements of Code of Federal Regulations, title 21, part 1040.20(c)(4).

(b) Tanning facility owners and operators shall require that consumers wear the protective goggles required by this section. The tanning facility owner or operator shall ensure that the protective goggles required by this section are properly sanitized before each use and shall not rely upon exposure to the ultraviolet radiation produced by the tanning equipment itself to provide the sanitizing.

Sec. 5. [461.21] [POSTED WARNING REQUIRED.]

(a) The facility owner or operator shall conspicuously post the warning sign described in paragraph (b) within three feet of each tanning station. The sign must be clearly visible, not obstructed by any barrier, equipment, or other object, and must be posted so that it can be easily viewed by the consumer before energizing the tanning equipment.

(b) The warning sign required in paragraph (a) shall have dimensions not less than eight inches by ten inches, and must have the following wording:

"DANGER - ULTRAVIOLET RADIATION

-Follow instructions.

-Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause premature aging of the skin and skin cancer.

-Wear protective eyewear.

FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT
IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES.

-Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician before using sunlamp or tanning equipment if you are using medications or have a history of skin problems or believe yourself to be especially sensitive to sunlight."

Sec. 6. [461.22] [NOTICE TO CONSUMER.]

The tanning facility owner or operator shall provide each consumer under the age of 18, before initial exposure at the facility, with a copy of the following warning, which must be signed, witnessed, and dated as indicated in the warning:

"WARNING STATEMENT

This statement must be read and signed by the consumer BEFORE first exposure to ultraviolet radiation for tanning purposes at the below signed facility.

DANGER - ULTRAVIOLET RADIATION WARNING

-Follow instructions.

-Avoid overexposure. As with natural sunlight, overexposure can cause eye and skin injury and allergic reactions. Repeated exposure may cause premature aging of the skin and skin cancer.

-Wear protective eyewear.

FAILURE TO USE PROTECTIVE EYEWEAR MAY RESULT
IN SEVERE BURNS OR LONG-TERM INJURY TO THE EYES.

-Medications or cosmetics may increase your sensitivity to the ultraviolet radiation. Consult a physician before using sunlamp or tanning equipment if you are using medications or have a history of skin problems or believe yourself to be especially sensitive to sunlight.

I have read the above warning and understand what it means before undertaking any tanning equipment exposure.

.....
Signature of Operator of
Tanning Facility or Equipment

.....
Signature of Consumer

.....
Print Name of Consumer

.....
Date

OR

The consumer is illiterate and/or visually impaired and I have read the warning statement aloud and in full to the consumer in the presence of the below signed witness.

.....
Signature of Operator of
Tanning Facility or Equipment

.....
Witness

.....
Date"

Sec. 7. [461.23] [RECORDS REQUIRED.]

The tanning facility owner or operator shall maintain a record of each consumer's total number of tanning visits at the facility, and the dates and durations of tanning exposures for a period of three years after exposure.

Sec. 8. [461.24] [CONSENT REQUIRED.]

Before allowing the initial exposure at a tanning facility of a person under the age of 18, the owner or operator shall witness the person's parent's or legal guardian's signing and dating of the warning statement required under section 461.22.

Sec. 9. [461.25] [PENALTY.]

Any person who leases tanning equipment or who owns a tanning facility and who operates or permits the equipment or facility to be operated in noncompliance with the requirements of sections 461.16 to 461.24 is guilty of a petty misdemeanor.

Sec. 10. [461.26] [LOCAL ORDINANCE AUTHORIZATION.]

Sections 461.16 to 461.25 do not preempt a local ordinance which provides for more restrictive regulation of tanning facilities than required in sections 461.16 to 461.25."

Delete the title and insert:

"A bill for an act relating to local government; regulating tanning facilities; requiring warning notices; authorizing local units of government to license and otherwise regulate these facilities; establishing record keeping requirements; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 461."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1391, A bill for an act relating to state parks; camping facilities adjacent to wildlife management areas; proposing coding for new law in Minnesota Statutes, chapter 85.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1420, A bill for an act relating to probate; providing for determination of reasonable compensation for certain guardians and conservators; changing provisions for guardians and conservators of certain institutionalized persons; amending Minnesota Statutes 1992, sections 525.54, subdivision 3; 525.58, subdivision 4; and 525.703, subdivisions 2 and 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 525.54, subdivision 1, is amended to read:

Subdivision 1. [ADULTS SUBJECT TO GUARDIANSHIP AND CONSERVATORSHIP.] Upon petition as provided in this chapter, the court, if satisfied of the need therefor, may appoint one or more persons suitable and competent to discharge the trust as guardians of the person or estate or of both or as conservators of the person or the estate or of both, of any incapacitated person. The county human services agency may create a screening committee to review a petition involving an indigent person. The screening committee must be made up of individuals selected by the agency with knowledge of the availability of alternatives that are less restrictive than guardianships or conservatorships. If the agency has created a screening committee, the court shall make its decision after the screening committee has reviewed the petition. For indigent persons, the court may appoint a guardian or conservator under contract with the county to provide these services.

Sec. 2. Minnesota Statutes 1992, section 525.54, subdivision 3, is amended to read:

Subd. 3. [GUARDIANSHIP OR CONSERVATORSHIP OF THE ESTATE.] Appointment of a guardian or conservator may be made in relation to the estate and financial affairs of an adult person: (a) voluntarily, upon the person's petition or consent in writing if the court is satisfied of the need thereof, or (b) involuntarily, upon the court's determination that (1) the person is unable to manage the person's property and affairs effectively because the person is an incapacitated person, and (2) the person has property which will be dissipated unless proper management is provided, or that funds are needed for the support, care and welfare of the person or those entitled to be supported by the person and (3) a guardian or conservator is necessary to adequately protect the person's estate or financial affairs, or (c) involuntarily, upon the court's determination that the incapacitated person is institutionalized and has a demonstrated need for guardianship or conservatorship services beyond financial services available through the institution as required by chapter 144A and sections 256B.35 and 256B.36, or through adult protection services. The need for a guardian or conservator may not be based solely on the fact that the ward or conservatee is a recipient of medical assistance or is institutionalized. "Incapacitated person" means, in the case of guardianship or conservatorship of the estate of an adult, any adult person who is impaired to the extent that the person lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the person's estate or financial affairs, and who has demonstrated deficits in behavior which evidence an inability to manage the estate, or who is unable to manage the estate or financial affairs effectively by reason of detention by a foreign power or disappearance.

Sec. 3. Minnesota Statutes 1992, section 525.544, subdivision 2, is amended to read:

Subd. 2. [OTHER CASES.] If the proposed ward or conservatee lacks capacity or fails to nominate a conservator or guardian, the court may appoint a qualified person after review by a screening committee as provided in section 525.54, subdivision 1, if any, if the court finds that the person's appointment is in the best interests of the proposed ward or conservatee. A proposed guardian or conservator need not reside in this state if the proposed guardian or conservator is able to maintain a current understanding of the ward's or conservatee's physical and mental status and needs. If the proposed ward or conservatee lacks capacity or fails to give instructions, the court may give the guardian or conservator powers as required in accordance with section 525.56. If the proposed ward or conservatee is indigent, the court may appoint a guardian or conservator under contract with the county, or a public or private agency under contract with the county, to provide these services.

Sec. 4. Minnesota Statutes 1992, section 525.58, subdivision 4, is amended to read:

Subd. 4. [ANNUAL REPORT OF THE GUARDIAN OF THE PERSON.] Except where expressly waived by the court, every guardian or conservator of the person shall annually file a report under oath with the court within 30 days of the anniversary date of the appointment of the guardian or conservator. The report shall contain the guardian's or conservator's good faith evaluation of the following information for the preceding year:

- (a) changes in the medical condition of the ward or conservatee;
- (b) changes in the living conditions of the ward or conservatee;
- (c) changes in the mental and emotional condition of the ward or conservatee;
- (d) a listing of hospitalizations of the ward or conservatee; and

(e) if the ward or conservatee is institutionalized, an evaluation of the care and treatment received by the ward or conservatee, and if the ward or conservatee is indigent, a review of the continued need for guardian or conservator services beyond those provided by the institution or the county adult protection workers. The court shall request the assistance of the local adult protection unit to assist in making this need determination. If a continued need for guardian or conservator services exists, the county may contract for these services with other public or private agencies.

The court or its designee shall annually review the court file to insure that the report has been filed and that the report contains the information required by this subdivision. If a report has not been filed or if the report does not contain the information required by this subdivision, the court shall order the guardian or conservator to file an appropriate report.

Sec. 5. Minnesota Statutes 1992, section 525.703, subdivision 2, is amended to read:

Subd. 2. [LAWYER OR HEALTH PROFESSIONAL.] In proceedings under sections 525.54 to 525.702 a lawyer or health professional rendering necessary services with regard to the appointment of a guardian or conservator, the administration of the ward's or conservatee's estate or personal affairs or the restoration of that person's capacity, shall be entitled to reasonable compensation from the estate of the ward or conservatee or from the county having jurisdiction over the proceedings if the ward or conservatee is indigent. When the court determines that other necessary services have been provided for the benefit of the ward or conservatee by a lawyer or health professional, the court may order reasonable fees to be paid from the estate of the ward or conservatee or from the county having jurisdiction over the proceedings if the ward or conservatee is indigent. If, however, the court determines that a petitioner, guardian or conservator has not acted in good faith, the court shall order some or all of the fees or costs incurred in the proceedings to be borne by the petitioner, guardian, or conservator not acting in good faith. In determining reasonable compensation, the court shall consider a fee schedule recommended by the board of county commissioners. The fee schedule may also include a maximum compensation based on the living arrangements of the ward or conservatee. If these services are provided by a public or private agency, the county may contract on a fee for service basis with that agency.

Sec. 6. Minnesota Statutes 1992, section 525.703, subdivision 3, is amended to read:

Subd. 3. [GUARDIAN OR CONSERVATOR.] (a) When the court determines that a guardian or conservator of the person or the estate has rendered necessary services or has incurred necessary expenses for the benefit of the ward or conservatee, the court may order reimbursement or reasonable compensation to be paid from the estate of the ward or conservatee or from the county having jurisdiction over the guardianship or conservatorship if the ward or conservatee is indigent. The court may not deny an award of fees solely because the ward or conservatee is a recipient of medical assistance. In determining reasonable compensation, the court shall consider a fee schedule recommended by the board of county commissioners. The fee schedule may also include a maximum compensation based on the living arrangements of the ward or conservatee. If these services are provided by a public or private agency, the county may contract on a fee for service basis with that agency.

(b) The court shall order reimbursement or reasonable compensation if the guardian or conservator requests payment and the guardian or conservator was nominated by the court or by the county adult protection unit because no suitable relative or other person was available to provide guardianship or conservatorship services necessary to prevent abuse or neglect of a vulnerable adult, as defined in section 626.557. In determining reasonable compensation, the court shall consider a fee schedule recommended by the board of county commissioners. The fee schedule may also include a maximum compensation based on the living arrangements of the ward or conservatee. If these services are provided by a public or private agency, the county may contract on a fee for service basis with that agency.

(c) When a county employee serves as a guardian or conservator as part of employment duties, the court shall order reasonable compensation if the guardian or conservator performs necessary services that are not compensated by the county. The court may order reimbursement to the county from the ward's or conservatee's estate for reasonable compensation paid by the county for services rendered by a guardian or conservator who is a county employee but only if the county shows that after a diligent effort it was unable to arrange for an independent guardian or conservator."

Amend the title as follows:

Page 1, line 7, delete the first "subdivision" and insert "subdivisions 1 and" and after the first semicolon insert "525.544, subdivision 2;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 1428, A bill for an act relating to occupations and professions; dentistry; modifying a certain exception to the licensing requirements; establishing faculty, resident dentist, and specialty licenses; modifying a certain ground for disciplinary action; amending Minnesota Statutes 1992, sections 150A.01, by adding subdivisions; 150A.05, subdivision 2; 150A.06, by adding subdivisions; and 150A.08, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 19, delete "a resident," and insert "an enrolled graduate student or student of an advanced education program accredited by the American Dental Association Commission on Accreditation."

Page 1, delete line 20

Page 2, line 10, strike "or the Mayo Foundation"

Page 2, line 12, after "of" insert "a" and strike "dentists" and insert "dentist or a licensed dental hygienist"

Page 2, line 13, strike "instructors" and insert "an instructor"

Page 2, line 32, strike everything after "of"

Page 2, line 33, strike everything before "in" and insert "X-rays or other diagnostic imaging modalities for making radiographs or other similar records"

Page 2, line 34, after "dentist" insert "or by a person who is credentialed to use diagnostic imaging modalities or X-ray machines for dental treatment, roentgenograms, or dental diagnostic purposes by a credentialing agency other than the board of dentistry" and after the semicolon reinstate "or"

Page 2, delete lines 35 and 36

Page 3, delete lines 1 and 2

Page 3, line 3, strike "(8)" and insert "(7)"

Page 3, line 21, after "1" insert "or is a faculty member on the effective date of this section"

Page 4, line 2, delete everything after "is" and insert "an enrolled graduate student or"

Page 4, line 3, delete "graduate" and delete "in a dental school" and insert "of an accredited advanced dental education program"

Page 4, line 5, delete everything after "resident" and insert "dentist"

Page 4, line 6, delete "student"

Page 4, line 7, delete "as a"

Page 4, line 8, delete everything before "only"

Page 4, line 31, after "(b)" insert "Notwithstanding section 147.081, subdivision 3,"

Page 5, line 2, delete "a postdoctoral course" and insert "an advanced education program"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1488, A bill for an act relating to agriculture; providing compensation for crops and livestock damaged by wildlife; establishing a procedure for damage claims; appropriating money; amending Minnesota Statutes 1992, section 97A.475, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 1511, A bill for an act relating to education; requiring school districts to adopt racial harassment and violence policies; amending Minnesota Statutes 1992, sections 127.455; and 127.46.

Reported the same back with the following amendments:

Page 1, line 11, after "sexual" insert ", religious,"

Page 1, line 15, after the first "sexual" insert ", religious,"

Page 1, line 16, before "and" insert ", religious,"

Page 1, line 19, after "SEXUAL" insert ", RELIGIOUS,"

Page 1, line 20, after "sexual" insert ", religious,"

Page 1, line 21, after "sexual" insert ", religious,"

Page 2, line 5, after "sexual" insert ", religious,"

Amend the title as follows:

Page 1, line 3, after "racial" insert "and religious"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1519, A resolution memorializing Congress to consider the impact of the North American Free Trade Agreement on state sovereignty, the need for full legislative deliberation, and the withdrawal of NAFTA from the current fast-track procedures.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1527, A bill for an act relating to education; providing for school district elections in independent school district Nos. 404, 408, and 583.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Sparby from the Committee on General Legislation, Veterans Affairs and Elections to which was referred:

H. F. No. 1552, A bill for an act relating to veterans; appropriating money for the nurse statue.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Clark from the Committee on Housing to which was referred:

H. F. No. 1608, A bill for an act relating to housing; modifying replacement housing; amending Minnesota Statutes 1992, section 504.33, subdivision 7.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Carlson from the Committee on Education to which was referred:

H. F. No. 1610, 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.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 163, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring lobbyists and political committees and funds to include their registration number on contributions; prohibiting certain "friends of" committees; requiring reports by certain solicitors of campaign contributions; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; requiring certain notices; changing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; changing distribution of campaign checkoff money; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.04, by adding a subdivision; 10A.14, subdivision 2; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, subdivision 3, and by adding a subdivision; 10A.25, by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 5, 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A; 211A; and 211B.

Reported the same back with the following amendments:

Page 25, delete lines 11 to 13

Page 25, line 14, delete "30, 1995."

With the recommendation that when so amended the bill pass.

FIRST MINORITY REPORT

Sviggum and Gutknecht offered the first Minority Report to the Majority Report from the Committee on Ways and Means relating to H. F. No. 163.

POINT OF ORDER

Anderson, I., raised a point of order pursuant to rule 3.09 that the first Minority Report to the Majority Report from the Committee on Ways and Means relating to H. F. No. 163 was not in order. The Speaker ruled the point of order well taken and the first Minority Report out of order.

Sviggum appealed the decision of the Chair.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Sviggum and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abrams	Dauner	Haukoos	Krueger	Murphy	Pugh	Tompkins
Anderson, I.	Davids	Hausman	Lasley	Neary	Reding	Trimble
Anderson, R.	Dawkins	Holsten	Leppik	Nelson	Rest	Tunheim
Asch	Dehler	Hugoson	Lieder	Ness	Rhodes	Van Dellen
Battaglia	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vellenga
Bauerly	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Vickerman
Beard	Dorn	Jefferson	Lourey	Olson, M.	Sarna	Wagenius
Bergson	Erhardt	Jennings	Luther	Onnen	Seagren	Waltman
Bertram	Evans	Johnson, A.	Lynch	Opatz	Sekhon	Weaver
Bettermann	Farrell	Johnson, R.	Macklin	Orenstein	Simoneau	Wejcman
Bishop	Frerichs	Johnson, V.	Mahon	Orfield	Skoglund	Wenzel
Blatz	Garcia	Kahn	Mariani	Osthoff	Smith	Winter
Brown, C.	Girard	Kalis	McCollum	Ostrom	Solberg	Wolf
Brown, K.	Goodno	Kelley	McGuire	Ozment	Sparby	Worke
Carlson	Greenfield	Kinkel	Milbert	Pauly	Stanius	Workman
Carruthers	Greiling	Klinzing	Molnau	Pawlenty	Steensma	Spk. Long
Clark	Gruenes	Knickerbocker	Morrison	Pelowski	Sviggum	
Commers	Gutknecht	Koppendrayner	Mosel	Perlt	Swenson	
Cooper	Hasskamp	Krinkie	Munger	Peterson	Tomassoni	

Anderson, I., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

There were 82 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark	Hausman	Klinzing	Munger	Peterson	Steensma
Anderson, R.	Cooper	Huntley	Krueger	Murphy	Pugh	Tomassoni
Asch	Dauner	Jacobs	Lasley	Neary	Reding	Trimble
Battaglia	Dawkins	Jefferson	Lieder	Olson, E.	Rest	Tunheim
Bauerly	Delmont	Jennings	Lourey	Olson, K.	Rodosovich	Vellenga
Beard	Dorn	Johnson, A.	Luther	Opatz	Rukavina	Wagenius
Bergson	Evans	Johnson, R.	Mahon	Orenstein	Sarna	Wejcman
Bertram	Farrell	Kahn	Mariani	Orfield	Sekhon	Wenzel
Brown, C.	Garcia	Kalis	McCollum	Osthoff	Simoneau	Winter
Brown, K.	Greenfield	Kelley	McGuire	Ostrom	Skoglund	Spk. Long
Carlson	Greiling	Kelso	Milbert	Pelowski	Solberg	
Carruthers	Hasskamp	Kinkel	Mosel	Perlt	Sparby	

Those who voted in the negative were:

Abrams	Dempsey	Haukoos	Leppik	Nelson	Rhodes	Van Dellen
Bettermann	Erhardt	Holsten	Limmer	Ness	Seagren	Vickerman
Bishop	Frerichs	Hugoson	Lindner	Olson, M.	Smith	Waltman
Blatz	Girard	Johnson, V.	Lynch	Onnen	Stanius	Weaver
Commers	Goodno	Knickerbocker	Macklin	Ozment	Sviggum	Worke
Davids	Gruenes	Koppendrayner	Molnau	Pauly	Swenson	Workman
Dehler	Gutknecht	Krinkie	Morrison	Pawlenty	Tompkins	

So it was the judgment of the House that the decision of the Speaker should stand.

SECOND MINORITY REPORT

March 31, 1993

I, the undersigned, being a minority of the Committee on Ways and Means, recommend that H. F. No. 163 do pass with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 10A.01, is amended by adding a subdivision to read:

Subd. 9a. [ELECTION CYCLE.] "Election cycle" means the period from January 1 following a general election for an office to December 31 following the next general election for that office, except that "election cycle" for a special election means the period from the date the special election writ is issued to 60 days after the special election is held.

Sec. 2. Minnesota Statutes 1992, section 10A.065, subdivision 1, is amended to read:

Subdivision 1. [REGISTERED LOBBYIST CONTRIBUTIONS; LEGISLATIVE SESSION.] A candidate for the legislature or for constitutional office, a candidate's principal campaign committee, any other political committee with the candidate's name or title, ~~or any committee authorized by the candidate, or a political committee established by all or a part of the party organization within a house of the legislature,~~ shall not solicit or accept a contribution on behalf of the candidate's principal campaign committee, any other political committee with the candidate's name or title, ~~or any committee authorized by the candidate, or a political committee established by all or a part of the party organization within a house of the legislature,~~ from a registered lobbyist, political committee, or political fund during a regular session of the legislature.

Sec. 3. Minnesota Statutes 1992, section 10A.065, subdivision 5, is amended to read:

Subd. 5. [POLITICAL COMMITTEE.] This section does not apply to a political committee established by a state political party; by the party organization within a congressional district, county, legislative district, municipality, or precinct; ~~by all or part of the party organization within each house of the legislature, except for individual members;~~ by a candidate for a judicial office; or to a member of such a political committee acting solely on behalf of the committee.

Sec. 4. Minnesota Statutes 1992, section 10A.19, subdivision 1, is amended to read:

Subdivision 1. No candidate shall accept contributions from any source, other than self, in aggregate in excess of \$100 or any money from the state elections campaign fund unless the candidate designates and causes to be formed a single principal campaign committee for each office sought or held. A candidate may not authorize, designate, or cause to be formed any other political committee bearing the candidate's name or title or otherwise operating under the direct or indirect control of the candidate, except a candidate may be involved in the direct or indirect control of a party unit as defined in section 10A.275, subdivision 3.

A political committee bearing a candidate's name or title or otherwise operating under the direct or indirect control of the candidate and not authorized by this subdivision, may not accept contributions after the effective date of this section, and must be dissolved by June 30, 1994.

Sec. 5. Minnesota Statutes 1992, section 10A.20, is amended by adding a subdivision to read:

Subd. 6b. [NOTICE OF INTENDED INDEPENDENT EXPENDITURE.] An individual, political committee, or political fund that intends to make an independent expenditure in excess of \$100 during the 15 days immediately preceding an election shall file with the board and with all candidates in the affected race and the chairs of their principal campaign committees a notice of the intent to make the expenditure. The notice must contain the information with respect to the expenditure that is required to be reported under subdivision 3, clause (g). Each new expenditure requires a new notice.

Sec. 6. Minnesota Statutes 1992, section 10A.25, subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

- (a) for governor and lieutenant governor, running together, \$1,626,691;
- (b) for attorney general, \$271,116;
- (c) for secretary of state, state treasurer, and state auditor, separately, \$135,559;
- (d) for state senator, \$40,669;
- (e) for state representative, \$20,335.

The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory included a population that is now more than one-third of the population in the territory of the office being sought.

Sec. 7. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 12. [INDEPENDENT EXPENDITURES IN OPPOSITION.] The expenditure limits imposed by this section are increased by the sum of independent expenditures made in opposition to the candidate or on behalf of a candidate's major political party opponents. Upon receipt of an expenditure report or notice required by section 10A.20, subdivision 6b, the board shall notify the candidate of the increase in the expenditure limit.

Sec. 8. Minnesota Statutes 1992, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTION LIMITS.] Except as provided in subdivisions 2 and 6, no candidate shall permit the candidate's principal campaign committee to accept contributions from any individual, political committee, or political fund in excess of the following:

- (a) to candidates for governor and lieutenant governor running together, ~~\$20,000~~ \$6,000 in an election year cycle for the office sought ~~and \$3,000 in other years;~~
- (b) to a candidate for attorney general, ~~\$10,000~~ \$2,000 in an election year cycle for the office sought ~~and \$2,000 in other years;~~
- (c) to a candidate for the office of secretary of state, state treasurer or state auditor, ~~\$5,000~~ \$1,000 in an election year cycle for the office sought ~~and \$1,000 in other years;~~
- (d) to a candidate for state senator, ~~\$1,500~~ \$1,000 in an election year cycle for the office sought ~~and one-third of that amount in other years;~~ and
- (e) to a candidate for state representative, ~~\$750~~ \$500 in an election year cycle for the office sought ~~and one-third of that amount in the other year.~~

The dollar amounts in this subdivision must be adjusted for each election cycle as provided in this paragraph. As soon as possible but not later than April 1 of the first year of the election cycle, the executive director of the board shall determine the percentage change in the consumer price index from January 1 of the first year of the preceding election cycle to December 31 of the year preceding the date the determination is made. The dollar amounts in this subdivision used for the preceding election cycle must be multiplied by the percentage change in the consumer price index. The product of the calculation must be added to each dollar amount in this subdivision to produce the dollar limitations in effect for the next election cycle. The product must be rounded up to the next highest \$25 increment. The index used must be the revised consumer price index for all urban consumers of the St. Paul-Minneapolis metropolitan area prepared by the United States Department of Labor with 1982 as a base year. The calculation required by this subdivision must be made for election cycles beginning on and after January 1, 1995.

Sec. 9. Minnesota Statutes 1992, section 10A.27, subdivision 9, is amended to read:

Subd. 9. A candidate or the treasurer of a candidate's principal campaign committee shall not accept in any calendar year aggregate contributions in an amount greater than the maximum amount allowed under subdivision 1 a transfer or contribution from another candidate's principal campaign committee or any other committee bearing the contributing candidate's name or title or otherwise authorized by the contributing candidate, unless the contributing candidate's principal campaign committee is being dissolved. A candidate's principal campaign committee shall not make a transfer or contribution to another candidate's principal campaign committee, except when the contributing committee is being dissolved. For purposes of this subdivision, "candidate" includes a person who seeks nomination or election to a local office in this state. A candidate may not accept a transfer or contribution from or make a transfer or contribution to a committee associated with a person who seeks nomination or election to the office of president, senator, or representative in congress of the United States.

Sec. 10. Minnesota Statutes 1992, section 10A.27, is amended by adding a subdivision to read:

Subd. 10. [POLITICAL FUND CONTRIBUTIONS.] (a) A candidate may not accept in a calendar year aggregate contributions from all political funds in excess of 15 percent of the candidate's expenditure limit under section 10A.25 for that year.

(b) A political fund may not make contributions in a calendar year to political parties or units of political parties, including all or a part of the party organization within each house of the legislature except individual members, that exceed \$3,000 in the aggregate.

Sec. 11. Minnesota Statutes 1992, section 10A.31, is amended by adding a subdivision to read:

Subd. 12. [UNOPPOSED CANDIDATE NOT ELIGIBLE.] A candidate who is unopposed in both the primary election and the general election is not eligible to receive a public subsidy from the state election campaign fund or the public matching subsidy. The subsidy from the party account the candidate would otherwise have been eligible to receive must be paid to the candidate's political party to be used for multicandidate expenditures as defined in section 10A.275. The subsidy from the general account the candidate would otherwise have been eligible to receive must be returned to the general fund.

Sec. 12. Minnesota Statutes 1992, section 10A.322, subdivision 4, is amended to read:

Subd. 4. [REFUND RECEIPT FORMS; PENALTY.] The board shall make available to a political party on request and to any candidate for whom an agreement under this section is effective, a supply of official refund receipt forms that state in boldface type that (1) a contributor who is given a receipt form is eligible to claim a refund as provided in section 290.06, subdivision 23, and (2) if the contribution is to a candidate, that the candidate has signed an agreement to limit campaign expenditures as provided in this section. The forms must provide duplicate copies of the receipt to be attached to the contributor's claim. The candidate must provide to the commissioner of revenue a copy of each claim form issued. A candidate who does not sign an agreement under this section and who willfully issues an official refund receipt form or a facsimile of one to any of the candidate's contributors is guilty of a misdemeanor.

Sec. 13. Minnesota Statutes 1992, section 211B.15, is amended to read:

211B.15 [CORPORATE OR LIMITED LIABILITY POLITICAL CONTRIBUTIONS.]

Subdivision 1. [DEFINITIONS.] (a) ~~For purposes of this section, the following terms have the meanings given them.~~

(b) "corporation" means:

(1) a corporation organized for profit that does business in ~~Minnesota~~ this state;

(2) a nonprofit corporation that carries out activities in this state;

(c) "limited liability company" means (3) a limited liability company formed under chapter 322B, or under similar laws of another state, that does business in ~~Minnesota~~ this state; and

(4) a partnership that does business in this state.

Subd. 2. [PROHIBITED CONTRIBUTIONS.] A corporation or ~~limited liability company~~ may not make a contribution or offer or agree to make a contribution, directly or indirectly, of any money, property, free service of its officers or employees, or members, or thing of monetary value to a major political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office. For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of a candidate to a political office that is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate.

Subd. 3. [INDEPENDENT EXPENDITURES.] A corporation or ~~limited liability company~~ may not make an independent expenditure or offer or agree to make an independent expenditure to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office. For the purpose of this subdivision, "independent expenditure" means an expenditure that is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate.

Subd. 4. [BALLOT QUESTION.] A corporation or ~~limited liability company~~ may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. A corporation or ~~limited liability company~~ may not make a contribution to a candidate for nomination, election, or appointment to a political office or to a committee organized wholly or partly to promote or defeat a candidate.

Subd. 5. [NEWS MEDIA.] This section does not prohibit publication or broadcasting of news items or editorial comments by the news media.

Subd. 6. [PENALTY FOR INDIVIDUALS.] An officer, manager, stockholder, member, partner, agent, employee, attorney, or other representative of a corporation or ~~limited liability company~~ acting in behalf of the corporation or ~~limited liability company~~ who violates this section may be fined not more than \$20,000 or be imprisoned for not more than five years, or both.

Subd. 7. [PENALTY FOR CORPORATIONS OR LIMITED LIABILITY COMPANIES.] A corporation or ~~limited liability company~~ convicted of violating this section is subject to a fine not greater than \$40,000. A convicted domestic corporation or ~~limited liability company~~ may be dissolved as well as fined. If a foreign or nonresident corporation or ~~limited liability company~~ is convicted, in addition to being fined, its right to do business in this state may be declared forfeited.

Subd. 8. [PERMITTED ACTIVITY; POLITICAL PARTY.] It is not a violation of this section for a political party, as defined in section 200.02, subdivision 7, to form a nonprofit corporation for the sole purpose of holding real property to be used exclusively as the party's headquarters.

Subd. 9. [MEDIA PROJECTS.] It is not a violation of this section for a corporation or ~~limited liability company~~ to contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register, or vote if the projects are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 10. [MEETING FACILITIES.] It is not a violation of this section for a corporation or ~~limited liability company~~ to provide meeting facilities to a committee, political party, or candidate on a nondiscriminatory and nonpreferential basis.

Subd. 11. [MESSAGES ON PREMISES.] It is not a violation of this section for a corporation or ~~limited liability company~~ selling products or services to the public to post on its public premises messages that promote participation in precinct caucuses, voter registration, or elections if the messages are not controlled by or operated for the advantage of a candidate, political party, or committee.

Subd. 12. [REPORTS REQUIRED.] The total amount of an expenditure or contribution for any one project permitted by subdivisions 9 and 11 that is more than \$200, together with the date, purpose, and the names and addresses of the persons receiving the contribution or expenditures, must be reported to the secretary of state. The reports must be filed on forms provided by the secretary of state on the dates required for committees under section 211A.02. Failure to file is a misdemeanor.

Subd. 13. [AIDING VIOLATION; PENALTY.] An individual who aids, abets, or advises a violation of this section is guilty of a gross misdemeanor.

Subd. 14. [PROSECUTIONS; VENUE.] Violations of this section may be prosecuted in the county where the payment or contribution was made, where services were rendered, or where money was paid or distributed.

Subd. 15. [ADMINISTRATIVE COSTS.] (a) It is not a violation of this section for a corporation to advance up to \$10,000 in administrative costs to establish a political fund, but contributions to the fund must first be used to reimburse the corporation for those start-up costs before being used for any other purpose.

(b) It is not a violation of this section for a corporation to provide to a political fund reasonable administrative assistance including accounting and legal services, check printing, banking charges, payroll deduction services, time for its employees to solicit and respond to solicitation of contributions to the fund and to make contributions from the fund, employee and shareholder lists, meeting facilities, refreshments, communications facilities, office space, utilities, and supplies. Solicitations of contributions to the fund may be made no more than twice in any year.

Subd. 16. [POLITICAL CORPORATIONS.] The prohibitions in this section do not apply to a nonprofit corporation that:

- (1) was formed for the express purpose of promoting political ideas and cannot engage in business activities;
- (2) has no shareholders or other persons affiliated so as to have a claim on its assets or earnings; and
- (3) was not established by a business corporation or a labor union and has a policy not to accept significant contributions from those entities.

Sec. 14. Minnesota Statutes 1992, section 290.06, subdivision 23, is amended to read:

Subd. 23. [REFUND OF CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to any political party. The maximum refund for an individual must not exceed \$50 and, for a married couple filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the party chair. A claim must be filed with the commissioner not sooner than January 1 of the calendar year in which the contribution is made and no later than April 15 of the calendar year following the calendar year in which the contribution is made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution is made must include interest at the rate specified in section 270.76.

(b) No refund is allowed under this subdivision for a contribution to any candidate unless the candidate:

- (1) has signed an agreement to limit campaign expenditures as provided in section 10A.322 or 10A.43;
- (2) is seeking an office for which voluntary spending limits are specified in section 10A.25 or 10A.43; and
- (3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditure of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major or minor party" includes the aggregate of the party organization within each house of the legislature, the state party organization, and the party organization within congressional districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a congressional candidate as defined in section 10A.41, subdivision 4, or a candidate as defined in section 10A.01, subdivision 5, except a candidate for judicial office.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the ethical practices board by August 1 of each year a summary showing the total number and amount of political contribution refunds made on behalf of each candidate and each political party during the preceding calendar year. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue."

Amend the title accordingly

Signed:

RON ABRAMS

Abrams moved that the second Minority Report on H. F. No. 163 be substituted for the Majority Report and that the second Minority Report be now adopted.

A roll call was requested and properly seconded.

The question was taken on the adoption of the second Minority Report on H. F. No. 163 and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

There were 48 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Haukoos	Leppik	Ness	Seagren	Vickerman
Bettermann	Erhardt	Holsten	Limmer	Olson, M.	Smith	Waltman
Bishop	Frerichs	Hugoson	Lindner	Onnen	Stanius	Weaver
Blatz	Girard	Johnson, V.	Lynch	Ozment	Sviggum	Wolf
Commers	Goodno	Knickerbocker	Macklin	Pauly	Swenson	Worke
Dauids	Gruenes	Koppendrayner	Molnau	Pawlentny	Tompkins	Workman
Dehler	Gutknecht	Krinkie	Morrison	Rhodes	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Clark	Hausman	Klinzing	Munger	Perlt	Sparby
Anderson, R.	Cooper	Huntley	Krueger	Murphy	Peterson	Steensma
Asch	Dauner	Jacobs	Lasley	Neary	Pugh	Tomassoni
Battaglia	Dawkins	Jefferson	Lieder	Nelson	Reding	Trimble
Bauerly	Delmont	Jennings	Lourey	Olson, E.	Rest	Tunheim
Beard	Dorn	Johnson, A.	Luther	Olson, K.	Rodosovich	Vellenga
Bergson	Evans	Johnson, R.	Mahon	Opatz	Rukavina	Wagenius
Bertram	Farrell	Kahn	Mariani	Orenstein	Sarna	Wejzman
Brown, C.	Garcia	Kalis	McCollum	Orfield	Sekhon	Wenzel
Brown, K.	Greenfield	Kelley	McGuire	Osthoff	Simoneau	Winter
Carlson	Greiling	Kelso	Milbert	Ostrom	Skoglund	Spk. Long
Carruthers	Hasskamp	Kinkel	Mosel	Pelowski	Solberg	

The second Minority Report on H. F. No. 163 was not adopted.

The question recurred on the adoption of the Majority Report from the Committee on Ways and Means relating to H. F. No. 163. The Majority Report on H. F. No. 163 was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 18, 55, 87, 94, 157, 163, 270, 277, 316, 381, 403, 531, 619, 671, 763, 801, 819, 834, 936, 945, 969, 972, 978, 988, 1001, 1039, 1049, 1089, 1099, 1112, 1195, 1232, 1234, 1272, 1311, 1326, 1349, 1384, 1420, 1428, 1511, 1519, 1527 and 1608 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Anderson, I.; Long and Sviggum introduced:

H. F. No. 1650, A bill for an act relating to data privacy; eliminating a classification of legislators' telephone records; amending Laws 1989, chapter 335, article 1, section 15, subdivision 3.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Anderson, I., moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1650 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Anderson, I., moved that the Rules of the House be so far suspended that H. F. No. 1650 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 1650 was read for the second time.

Gutknecht, Van Dellen and Farrell moved to amend H. F. No. 1650, as follows:

Page 1, after line 30, insert:

"The attorney general shall initiate appropriate and reasonable civil actions to recover unauthorized telephone charges made against the Minnesota legislature, agencies as defined in Minnesota Statutes, section 14.02, subdivision 2, and judicial organizations."

Amend the title as follows:

Page 1, line 3, after "records;" insert "requiring the attorney general to seek recovery of wrongfully paid taxpayer money for telephone charges;"

The motion prevailed and the amendment was adopted.

H. F. No. 1650, A bill for an act relating to data privacy; eliminating a classification of legislators' telephone records; requiring the attorney general to seek recovery of wrongfully paid taxpayer money for telephone charges; amending Laws 1989, chapter 335, article 1, section 15, subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendraye	Munger	Peterson	Tomassoni
Anderson, I.	Davids	Hausman	Krueger	Murphy	Pugh	Tompkins
Anderson, R.	Dawkins	Holsten	Lasley	Neary	Reding	Trimble
Asch	Dehler	Hugoson	Leppik	Nelson	Rest	Tunheim
Battaglia	Delmont	Huntley	Lieder	Ness	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vellenga
Beard	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Vickerman
Bergson	Erhardt	Jefferson	Lourey	Olson, M.	Sarna	Wagenius
Bertram	Evans	Jennings	Luther	Onnen	Seagren	Waltman
Bettermann	Farrell	Johnson, A.	Lynch	Opatz	Sekhon	Weaver
Bishop	Frerichs	Johnson, R.	Macklin	Orenstein	Simoneau	Wejcman
Blatz	Garcia	Johnson, V.	Mahon	Orfield	Skoglund	Wenzel
Brown, C.	Girard	Kahn	Mariani	Osthoff	Smith	Winter
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Solberg	Wolf
Carlson	Greenfield	Kelley	McGuire	Ozment	Sparby	Worke
Carruthers	Greiling	Kelso	Milbert	Pauly	Stanius	Workman
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Steensma	Spk. Long
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Sviggum	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Swenson	

The bill was passed, as amended, and its title agreed to.

INTRODUCTION AND FIRST READING OF HOUSE BILLS, Continued

Greenfield, for the Committee on Health and Human Services, introduced:

H. F. No. 1651, 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 for human services; authorizing issuance of bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Capital Investment.

Delmont, Huntley, Solberg, Carruthers and Rhodes introduced:

H. F. No. 1652, A bill for an act relating to state government; revising procedures governing state contracts for professional, technical, and consultant services; limiting uses of funds saved from leaving positions vacant; limiting funds spent on certain contracts; amending Minnesota Statutes 1992, section 16B.17, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Murphy and Swenson, for the Committee on Judiciary, introduced:

H. F. No. 1653, 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 for corrections purposes; authorizing issuance of bonds; appropriating money.

The bill was read for the first time and referred to the Committee on Capital Investment.

Battaglia, for the Committee on Environment and Natural Resources Finance, introduced:

H. F. No. 1654, A bill for an act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of bonds; appropriating money, with certain conditions; amending Minnesota Statutes 1992, section 116.162, subdivision 2.

The bill was read for the first time and referred to the Committee on Capital Investment.

Krueger, Girard, Peterson, Hugoson and Olson, E., introduced:

H. F. No. 1655, A bill for an act relating to taxation; property; providing for valuation of certain vacant hospitals; amending Minnesota Statutes 1992, section 273.11, subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

McGuire, Battaglia and Greenfield introduced:

H. F. No. 1656, A bill for an act relating to occupations and professions; creating the board of examiners for speech-language pathology and audiology and providing for its powers and duties; providing for the licensure and regulation of speech-language pathologists and audiologists; authorizing rulemaking; providing for penalties; appropriating money; amending Minnesota Statutes 1992, sections 214.01, subdivision 2; and 214.04, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 153B.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Skoglund introduced:

H. F. No. 1657, A bill for an act relating to data practices; authorizing the disclosure of certain welfare data to law enforcement agencies under specified conditions; amending Minnesota Statutes 1992, section 13.46, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

Krueger introduced:

H. F. No. 1658, A bill for an act relating to economic development; abolishing Minnesota Project Outreach Corporation and transferring its duties to Minnesota Technology, Inc.; amending Minnesota Statutes 1992, section 116O.091; repealing Minnesota Statutes 1992, section 116O.092.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Macklin, Pugh, Skoglund, Carruthers and Bishop introduced:

H. F. No. 1659, A bill for an act relating to probate; updating article 2 on intestacy, wills, and donative transfers; correcting a reference; recodifying the Minnesota multiparty accounts act; amending Minnesota Statutes 1992, sections 524.1-201; 524.2-101; 524.2-102; 524.2-103; 524.2-104; 524.2-105; 524.2-106; 524.2-107; 524.2-108; 524.2-109; 524.2-110; 524.2-111; 524.2-113; 524.2-114; 524.2-201; 524.2-202; 524.2-205; 524.2-206; 524.2-207; 524.2-301; 524.2-302; 524.2-502; 524.2-504; 524.2-505; 524.2-507; 524.2-508; 524.2-509; 524.2-512; 524.2-602; 524.2-603; 524.2-604; 524.2-605; 524.2-606; 524.2-607; 524.2-608; 524.2-609; and 524.2-701; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 1992, sections 524.2-112; 524.2-503; 524.2-610; 524.2-612; 524.3-905; 525.15; 525.151; 525.22; 525.221; 525.223.

The bill was read for the first time and referred to the Committee on Judiciary.

Perlt, Rice, Simoneau, Dawkins and Skoglund introduced:

H. F. No. 1660, A bill for an act relating to state government; revising procedures governing state contracts for professional, technical, and consultant services; limiting uses of funds saved from leaving positions vacant; limiting funds spent on certain contracts; amending Minnesota Statutes 1992, section 16B.17, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Orenstein, Long, Kahn and Knickerbocker introduced:

H. F. No. 1661, A bill for an act relating to state government; public employment; establishing a pilot project in certain entities; permitting the waiver of rules governing the classified and unclassified service of the state by joint committees.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Solberg; Bishop; Anderson, I., and Krueger introduced:

H. F. No. 1662, A bill for an act relating to the department of finance; providing for state financial management reform; amending Minnesota Statutes 1992, sections 16A.04, subdivision 1; 16A.10, subdivision 2; 16A.11, subdivision 1, and by adding a subdivision; 16A.14, by adding a subdivision; 16A.15, subdivision 1; and 124.196.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Abrams, Goodno, Erhardt, Morrison and Pauly introduced:

H. F. No. 1663, A bill for an act relating to state government; providing for gender and political affiliation balance in boards, commissions, committees, task forces, and councils in all branches of government; amending Minnesota Statutes 1992, section 15.0597, subdivisions 2, 5, and 7; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Lourey; Brown, C.; Farrell and Steensma introduced:

H. F. No. 1664, A bill for an act relating to taxation; providing exemptions from the sales tax and motor vehicle excise tax for certain prehospital emergency medical care motor vehicles and equipment; amending Minnesota Statutes 1992, sections 297A.25, by adding a subdivision; and 297B.03.

The bill was read for the first time and referred to the Committee on Taxes.

Weaver introduced:

H. F. No. 1665, A bill for an act relating to government data practices; classifying certain data relating to legislative or budget proposals; proposing coding for new law in Minnesota Statutes, chapter 13.

The bill was read for the first time and referred to the Committee on Judiciary.

Van Dellen; Workman; Olson, M.; Dempsey and Rhodes introduced:

H. F. No. 1666, A bill for an act relating to the legislature; providing for telephone expenses, audits, and a special prosecutor; appropriating money; amending Minnesota Statutes 1992, section 16A.281; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Evans, Steensma, Milbert, Sarna and Farrell introduced:

H. F. No. 1667, A bill for an act relating to commerce; regulating heavy and utility equipment dealership agreements; including truck parts within the scope of coverage; defining terms; amending Minnesota Statutes 1992, section 325E.068, subdivision 2, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Greiling introduced:

H. F. No. 1668, A bill for an act relating to education; providing for adult basic education service; appropriating money; amending Minnesota Statutes 1992, sections 121.831, subdivision 4; 124.26, subdivision 1c; and 124.2601, subdivision 3, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education.

Welle introduced:

H. F. No. 1669, A bill for an act relating to state lands; authorizing the transfer of certain state-owned lands to Kandiyohi county.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Greiling, Mahon, Evans, Seagren and Rhodes introduced:

H. F. No. 1670, A bill for an act relating to education; establishing an equalized extended day levy; expanding approved expenditures; appropriating money; amending Minnesota Statutes 1992, section 124.2716.

The bill was read for the first time and referred to the Committee on Education.

Greiling, Seagren, Evans, Mahon and Rhodes introduced:

H. F. No. 1671, A bill for an act relating to education; providing grants for pilot fee assistance programs for school districts with school age child care programs; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Erhardt, Seagren, Molnau and Lindner introduced:

H. F. No. 1672, A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV; providing for initiative and referendum.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Weaver and Carruthers introduced:

H. F. No. 1673, A bill for an act relating to health records; clarifying costs that may be charged; amending Minnesota Statutes 1992, section 144.335, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Morrison, Murphy, Carlson, Dehler and Bauerly introduced:

H. F. No. 1674, A bill for an act relating to playground safety; requiring the department of labor and industry to adopt rules governing playground safety; proposing coding for new law as Minnesota Statutes, chapter 184C.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Krinkie, McCollum, Orfield, Pugh and Stanius introduced:

H. F. No. 1675, A bill for an act relating to the metropolitan area; requiring the metropolitan council to perform, in the metropolitan area, all duties mandated by state law on counties; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Weaver and Lynch introduced:

H. F. No. 1676, A bill for an act relating to state lands; correcting the legal description of state land to be sold to Anoka county; amending Laws 1989, chapter 150, section 6.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Brown, K.; Garcia and Lourey introduced:

H. F. No. 1677, A bill for an act relating to occupations and professions; establishing the office of midwifery practice; providing for a midwife practitioner advisory council; establishing reporting obligations; providing for disciplinary actions; providing for rulemaking; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1992, sections 148.30; 148.31; and 148.32.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dempsey; Sviggum; Brown, K., and Ozment introduced:

H. F. No. 1678, A bill for an act relating to Goodhue county; authorizing the county to establish a county redevelopment authority with certain powers.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Carlson, Morrison, Pelowski, Limmer and Rodosovich introduced:

H. F. No. 1679, A bill for an act relating to education; transferring functions of the higher education coordinating board; changing the membership, terms, and functions of the higher education board; allowing the merger of certain technical colleges by agreement; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7b; 136E.01; 136E.02; and 179A.10, subdivision 2; Laws 1991, chapter 356, article 9, section 8, subdivisions 1 and 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 136E; repealing Minnesota Statutes 1992, sections 135A.061; 136A.01; 136A.02; 136A.03; 136A.04; 136E.03; 136E.04; and 136E.05; Laws 1991, chapter 356, article 9, section 8, subdivisions 3 to 9; and sections 9 to 16.

The bill was read for the first time and referred to the Committee on Education.

Olson, M.; Ozment; Lynch; Greiling and Hausman introduced:

H. F. No. 1680, A bill for an act relating to human services; exempting retired teachers and foster grandparents from the general staff qualifications; amending Minnesota Statutes 1992, section 245A.04, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Gruenes, Leppik, Greiling, Rodosovich and Winter introduced:

H. F. No. 1681, A bill for an act relating to state government; administrative rulemaking; changing the membership and duties of the LCRAR; transferring the rule review functions of the office of the attorney general to the office of administrative hearings; authorizing agencies to adopt substantially different rules in certain circumstances; regulating notices of intent to solicit outside opinion, statements of need and reasonableness, and public hearing requirements; authorizing the governor to disapprove rules adopted after public hearing; eliminating the requirement that agencies review their rules and consider methods to reduce their impact on small business; appropriating money; amending Minnesota Statutes 1992, sections 3.841; 3.842, subdivision 5; 14.05, subdivision 2, and by adding a subdivision; 14.08; 14.09; 14.10; 14.115, subdivision 5; 14.131; 14.15, subdivisions 3 and 4; 14.16, subdivision 1; 14.19; 14.22, subdivision 1; 14.23; 14.25; 14.26; 14.29, subdivisions 2 and 4; 14.30; 14.32; 14.33; 14.34; 14.365; 14.47, subdivision 6; 14.48; and 14.51; proposing coding for new law in Minnesota Statutes, chapters 3 and 14; repealing Minnesota Statutes 1992, sections 14.115, subdivision 6; and 14.225.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Rhodes was excused for the remainder of today's session.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 233, A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 296, A bill for an act relating to financial institutions; credit unions; regulating investments in share certificates; authorizing credit unions to make reverse mortgage loans; regulating credit unions as depositories of various funds; amending Minnesota Statutes 1992, sections 11A.24, subdivision 4; 41B.19, subdivision 6; 47.58, subdivision 1; 50.14, subdivision 13; 52.04, subdivision 1; 80A.14, subdivisions 4 and 9; 116J.8765, subdivision 4; 118.01, subdivision 1; 118.10; 136.31, subdivision 6; 427.01; 446A.11, subdivision 9; 475.67, subdivision 5; and 520.01, subdivision 2.

PATRICK E. FLAHAVERN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Bertram moved that the House concur in the Senate amendments to H. F. No. 296 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 296, A bill for an act relating to financial institutions; credit unions; regulating investments in share certificates; authorizing credit unions to make reverse mortgage loans; regulating credit unions as depositories of various funds; amending Minnesota Statutes 1992, sections 11A.24, subdivision 4; 41B.19, subdivision 6; 47.58, subdivision 1; 48.64; 48.86; 50.14, subdivision 13; 52.04, subdivision 1; 80A.14, subdivisions 4 and 9; 116J.8765, subdivision 4; 118.01, subdivision 1; 118.10; 136.31, subdivision 6; 427.01; 446A.11, subdivision 9; 475.67, subdivision 5; 520.01, subdivision 2; and 540.08.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

There were 73 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Hausman	Lasley	Neary	Rest	Van Dellen
Anderson, I.	Dawkins	Huntley	Lieder	Olson, E.	Rodosovich	Vellenga
Asch	Dehler	Jacobs	Lourey	Opatz	Rukavina	Wagenius
Battaglia	Delmont	Jaros	Luther	Orenstein	Sarna	Wejzman
Bauerly	Dorn	Jefferson	Lynch	Orfield	Sekhon	Winter
Beard	Evans	Johnson, A.	Mahon	Osthoff	Simoneau	Worke
Bergson	Farrell	Johnson, R.	Mariani	Ostrom	Skoglund	Spk. Long
Bertram	Garcia	Kahn	McGuire	Pawlenty	Solberg	
Blatz	Greenfield	Kelley	Milbert	Perlt	Tomassoni	
Carlson	Greiling	Kelso	Munger	Pugh	Trimble	
Carruthers	Hasskamp	Krueger	Murphy	Reding	Tunheim	

Those who voted in the negative were:

Anderson, R.	Dempsey	Hugoson	Leppik	Ness	Smith	Weaver
Bettermann	Erhardt	Jennings	Limmer	Olson, K.	Sparby	Wenzel
Bishop	Frerichs	Johnson, V.	Lindner	Olson, M.	Stanius	Wolf
Brown, C.	Girard	Kalis	Macklin	Onnen	Steensma	Workman
Brown, K.	Goodno	Kinkel	McCollum	Ozment	Sviggum	
Commers	Gruenes	Klinzing	Molnau	Pauly	Swenson	
Cooper	Gutknecht	Knickerbocker	Morrison	Pelowski	Tompkins	
Dauner	Haukoos	Koppendrayer	Mosel	Peterson	Vickerman	
Dauids	Holsten	Krinkie	Nelson	Seagren	Waltman	

The bill was repassed, as amended by the Senate, and its title agreed to.

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 5, 33, 484, 568, 67 and 996.

PATRICK E. FLAHAVER, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 5, A bill for an act relating to game and fish; extending the permissible period for the open season on raccoon; amending Minnesota Statutes 1992, section 97B.621, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 33, A bill for an act relating to crime prevention; clarifying and expanding the scope of harassment and stalking crimes; increasing penalties for harassment and stalking; increasing to a gross misdemeanor the penalty for subsequent violations of orders for protection issued because of harassment; regulating data on harassment offender for purpose of mental health assessment; requiring training for judges, prosecutors, and peace officers concerning harassment and stalking; providing for notice to harassment victims of release of alleged offender from incarceration; allowing arrest on probable cause of alleged harassment offenders; requiring prosecutors to notify harassment victims of decision not to prosecute; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; 480.30; 609.605; 609.713, by adding a subdivision; 609.748, subdivisions 6, 8, and by adding a subdivision; 609.79, subdivision 1; 609.795, subdivision 1; 611A.031; 611A.0315; 626.8451, subdivision 1a; 629.34, subdivision 1; and 629.342; proposing coding for new law in Minnesota Statutes, chapters 609; 611A; and 629; repealing Minnesota Statutes 1992, sections 609.02, subdivisions 12 and 13; 609.605, subdivision 3; 609.746, subdivisions 2 and 3; 609.747; 609.79, subdivision 1a; and 609.795, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 484, A bill for an act allowing residents under the age of 16 to take deer of either sex until December 31, 1995; amending Minnesota Statutes 1992, section 97B.301, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

S. F. No. 568, A bill for an act relating to insurance; nonprofit health service plan corporations; regulating investments; amending Minnesota Statutes 1992, section 62C.10.

The bill was read for the first time.

Reding moved that S. F. No. 568 and H. F. No. 580, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 67, A bill for an act relating to crime; clarifying the application of the tolling provision in the law governing criminal statutes of limitations; amending Minnesota Statutes 1992, section 628.26.

The bill was read for the first time and referred to the Committee on Judiciary.

S. F. No. 996, A bill for an act relating to weights and measures; correcting name of accountant's organization; amending Minnesota Statutes 1992, section 239.05, subdivision 2c.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

CALL OF THE HOUSE LIFTED

Bauerly moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

CONSENT CALENDAR

Anderson, I., moved that the bills on the Consent Calendar for today be continued. The motion prevailed.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Olson, K., moved that her name be stricken and the name of Steensma be added as chief author on H. F. No. 46. The motion prevailed.

Olson, K., moved that the name of Brown, K., be added as an author on H. F. No. 705. The motion prevailed.

Kalis moved that the name of Hugoson be added as an author on H. F. No. 1041. The motion prevailed.

Pugh moved that the name of Anderson, I., be stricken and the names of Carruthers and McCollum be added as authors on H. F. No. 1090. The motion prevailed.

Smith moved that his name be stricken as an author on H. F. No. 1121. The motion prevailed.

Davids moved that the name of Smith be added as an author on H. F. No. 1181. The motion prevailed.

Abrams moved that the name of Sparby be added as an author on H. F. No. 1243. The motion prevailed.

Limmer moved that the name of Smith be added as an author on H. F. No. 1408. The motion prevailed.

Onnen moved that the name of Ness be added as an author on H. F. No. 1566. The motion prevailed.

McCollum moved that the name of Workman be added as an author on H. F. No. 1619. The motion prevailed.

Kahn moved that the name of Jennings be added as an author on H. F. No. 1646. The motion prevailed.

Kahn moved that the name of Jennings be added as an author on H. F. No. 1647. The motion prevailed.

Clark moved that H. F. No. 1605 be returned to its author. The motion prevailed.

Peterson moved that H. F. No. 277, now on Technical General Orders, be re-referred to the Committee on Taxes. The motion prevailed.

Simoneau moved that H. F. No. 1008, now on General Orders, be re-referred to the Committee on Health and Human Services. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:30 p.m., Wednesday, April 7, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Wednesday, April 7, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION -- 1993

THIRTY-FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 7, 1993

The House of Representatives convened at 2:30 p.m. and was called to order by Dee Long, Speaker of the House.

Prayer was offered by the Reverend Debra Warnes, Shepherd of the Hills Lutheran Church, Hopkins, Minnesota.

The roll was called and the following members were present:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanisus	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendrayner	Munger	Peterson	Tompkins	

A quorum was present.

Brown, C.; Lieder and Sarna were excused.

Rice was excused until 5:10 p.m. Welle was excused until 5:15 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Vickerman moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 568 and H. F. No. 580, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Reding moved that S. F. No. 568 be substituted for H. F. No. 580 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 31, 1993

The Honorable Joan Anderson Growe
Secretary of State
The State of Minnesota

Dear Secretary of State Growe:

It is my honor to inform you that I have allowed House File No. 97 (Chapter 12) to become law without my signature.

H. F. No. 97, relating to labor relations; regulating public employment labor relations; modifying the definition of a confidential employee.

With this correspondence, House File No. 97 (Chapter 12) is submitted to you for your filing.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 31, 1993

The Honorable Dee Long
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 358, relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws.

H. F. No. 29, relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1993 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1993</i>	<i>Date Filed 1993</i>
	97 **	12		March 31
	358	13	3:38 p.m. March 31	March 31
	29	14	3:34 p.m. March 31	March 31
282		20	3:36 p.m. March 31	March 31

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

**[NOTE: H. F. No. 97 became law without Governor's signature.]

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 2, 1993

The Honorable Dee Long
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Long:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House File:

H. F. No. 585, relating to human rights; prohibiting unfair discriminatory practices on the basis of sexual orientation.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1993 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1993</i>	<i>Date Filed 1993</i>
	585	22	10:27 a.m. April 2	April 2

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Carlson from the Committee on Education to which was referred:

H. F. No. 2, A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivision 5; 124A.29, subdivision 1; 124C.46, subdivision 1; and 126.70, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16B; and 121.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [121.70] [SHORT TITLE.]

Sections 1 to 11 shall be cited as the "Minnesota youth works act."

Sec. 2. [121.701] [PURPOSE.]

The purposes of sections 1 to 11 are to:

- (1) renew the ethic of civic responsibility in Minnesota;
- (2) empower youth to improve their life opportunities through literacy, job placement, and other essential skills;
- (3) empower government to meet its responsibility to prepare young people to be contributing members of society;
- (4) help meet human, educational, environmental, and public safety needs, particularly those needs relating to poverty;
- (5) prepare a citizenry that is academically competent, ready for work, and socially responsible;
- (6) demonstrate the connection between youth and community service, community service and education, and education and meaningful opportunities in the business community;
- (7) demonstrate the connection between providing opportunities for at-risk youth and reducing crime rates and the social costs of troubled youth; and
- (8) coordinate federal and state activities that advance the purposes in this section.

Sec. 3. [121.702] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 11.

Subd. 2. [ELIGIBLE ORGANIZATION.] "Eligible organization" means:

- (1) a local unit of government including a city, township, county, or group of two or more contiguous counties;
- (2) an existing nonprofit organization organized under chapter 317A;
- (3) an educational institution;
- (4) a private industry council; or
- (5) a state agency.

Subd. 3. [FEDERAL LAW.] "Federal law" means Public Law Number 101-610, as amended, or any other federal law or program assisting youth community service, work-based learning, or youth transition from school to work.

Subd. 4. [MENTOR.] "Mentor" means a business person, an adult from the community, or a person who has successfully completed the youth works program who volunteers to establish a one-on-one relationship with a participant in the youth works program to encourage and guide the participant to obtain an education, participate in service and work-related activities, and effectively use postservice benefits.

Subd. 5. [PARTICIPANT.] "Participant" means an individual enrolled in a program that receives assistance under sections 1 to 11.

Subd. 6. [PLACEMENT.] "Placement" means the matching of a participant with a specific project.

Subd. 7. [PROGRAM.] "Program" means an activity carried out with assistance provided under sections 1 to 11.

Subd. 8. [PROJECT.] "Project" means an activity that results in a specific identifiable service or product that could not be done from the resources of the eligible organization and that does not duplicate the routine services or functions of the eligible organization.

Subd. 9. [YOUTH WORKS TASK FORCE.] "Youth works task force" means the task force established in section 4.

Sec. 4. [121.703] [YOUTH WORKS TASK FORCE.]

Subdivision 1. [CREATION.] The youth works task force is established to assist the governor and the legislature in implementing sections 1 to 11 and federal law. The terms, compensation, filling of vacancies, and removal of members are governed by section 15.059. The youth works task force may accept gifts and contributions from public and private organizations.

Subd. 2. [MEMBERSHIP.] The youth works task force consists of 16 voting members. The membership includes the commissioner or designee of the departments of education, jobs and training, and natural resources and the executive director of the higher education coordinating board, and four persons appointed by the governor from among the following agencies: department of human services, department of health, department of corrections, department of agriculture, department of public safety, department of finance, office of strategic and long-range planning, Minnesota office of volunteer services, Minnesota high technology council, Minnesota housing finance agency, and Minnesota Technology, Inc. The governor shall appoint four members, one each representing a public or private sector labor union, business, students, and parents, and the remaining four members from among representatives of the following groups: educators, senior citizen organizations, local agencies working with youth service corps programs, school-based community service programs, higher education institutions, local educational agencies, volunteer public safety organizations, education partnership programs, public or nonprofit organizations experienced in youth employment and training, and volunteer administrators, or other organizations working with volunteers. The governor shall ensure that, to the extent possible, the membership of the task force is balanced according to geography, race, ethnicity, age, and gender. The speaker of the house and the majority leader of the senate shall each appoint a legislator to be a nonvoting member of the task force.

Subd. 3. [DUTIES.] (a) The youth works task force shall:

(1) develop, with the assistance of the governor and affected state agencies, a comprehensive state plan to provide services under sections 1 to 11 and federal law;

(2) actively pursue public and private funding sources for services, including funding available under federal law;

(3) coordinate volunteer service-learning programs within the state;

(4) develop, in cooperation with the youth apprenticeship council, volunteer service-learning programs, including curriculum, materials, and methods of instruction;

(5) work collaboratively with the youth apprenticeship council, schools, public and private agencies, for-profit and nonprofit employers, and labor unions to identify mentoring and service-learning opportunities, solicit and recruit participants for these programs, and disseminate information on the programs;

(6) administer the youth works grant program under sections 5 to 10, including soliciting and approving grant applications from eligible organizations, and administering individual postservice benefits;

(7) establish an evaluation plan for programs developed and services provided under sections 1 to 11; and

(8) report to the governor and legislature.

(b) Nothing in this act precludes an organization from independently seeking public or private funding to accomplish purposes similar to those described in paragraph (a).

Sec. 5. [121.704] [YOUTH WORKS PROGRAM.]

The youth works program is established to fulfill the purposes of section 1. The youth works program shall supplement existing programs and services. The program shall not displace existing programs and services, existing funding of programs or services, or existing employment and employment opportunities. No eligible organization may terminate, lay off, or reduce the hours of work of an employee to place or hire a program participant. No eligible organization may place or hire an individual for a project if an employee is on lay-off from the same or a substantially equivalent position.

Sec. 6. [121.705] [YOUTH WORKS GRANTS.]

Subdivision 1. [APPLICATION.] An eligible organization interested in receiving a grant under sections 5 to 10 may prepare and submit to the youth works task force an application that complies with section 7.

Subd. 2. [GRANT AUTHORITY.] The youth works task force shall use any state appropriation and any available federal funds, including any grant received under federal law, to award grants to establish programs for youth works meeting the requirements of section 7. At least one grant each must be available for a metropolitan proposal, a rural proposal, and a statewide proposal. In awarding grants, the youth works task force may select at least one residential proposal and one nonresidential proposal, provided the proposals meet or exceed the criteria in section 7.

Sec. 7. [121.706] [GRANT APPLICATIONS.]

Subdivision 1. [APPLICATIONS REQUIRED.] An organization seeking federal or state grant money under sections 5 to 10 shall prepare and submit to the youth works task force an application that meets the requirements of this section. The youth works task force shall develop, and the applying organizations shall comply with, the form and manner of the application.

Subd. 2. [APPLICATION CONTENT.] An applicant on its application shall:

(1) propose a program to provide participants the opportunity to perform community service to meet specific unmet community needs, and participate in classroom, work-based, and service learning;

(2) assess the community's unmet educational, human, environmental, and public safety needs, the resources and program available for meeting those needs, and how young people participated in assessing community needs;

(3) describe the classroom component of the program, including classroom hours per week and classroom time for participants to reflect on the program experience;

(4) describe the work to be performed, the ratio of youth participants to crew leaders and mentors, and the expectations and qualifications for crew leaders and mentors;

(5) describe local funds or resources available to meet the match requirements of section 10;

(6) describe any funds available for the program from sources other than the requested grant;

(7) describe any agreements with local businesses to provide participants with work-learning opportunities and mentors;

(8) describe any agreement with local post-secondary educational institutions to offer participants course credits for their community service learning experience;

(9) describe any agreement with a local high school or an alternative learning center to provide remedial education, credit for community service work and work-based learning, or graduate equivalency degrees;

(10) describe any pay for service or other program delivery mechanism that will provide reimbursement for benefits conferred or recover costs of services participants perform;

(11) describe how local resources will be used to provide support and assistance for participants to encourage them to continue with the program, fulfill the terms of the contract, and remain eligible for any postservice benefit;

(12) describe the arbitration mechanism for dispute resolution required under section 8, subdivision 2;

(13) describe involvement of community leaders in developing broad-based support for the program;

(14) describe the consultation and sign off process to be used with any local labor organization representing employees in the area engaged in work similar to that proposed for the program to ensure that no current employees or available employment positions will be displaced by program participants;

(15) certify to the youth works task force and to any certified bargaining representatives representing employees of the applying organization that the project will not decrease employment opportunities that would be available without the project; will not displace current employees including any partial displacement in the form of reduced hours of work other than overtime, wages, employment benefits, or regular seasonal work; will not impair existing labor agreements; and will not result in the substitution of project funding for preexisting funds or sources of funds for ongoing work;

(16) describe the length of the required service period, which may not be less than six months or more than two years, a method to incorporate a participant's readiness to advance or need for postservice financial assistance into individual service requirements, and any opportunity for participating part time or in another program;

(17) describe a program evaluation plan that contains cost effectiveness measures, measures of participant success including educational accomplishments, job placements, community contributions, and ongoing volunteer activities, outcome measures based on a preprogram and postprogram survey of community rates of arrest, incarceration, teenage pregnancy, and other indicators of youth in trouble, and a list of local resources dedicated to reducing these rates;

(18) describe a three-year financial plan for maintaining the program; and

(19) describe the role of local youth in developing all aspects of the grant proposal.

Sec. 8. [121.707] [PROGRAM PROVISIONS.]

Subdivision 1. [PARTICIPANT ELIGIBILITY.] An individual is eligible to participate in youth community service if the individual:

(1) is 17 to 24 years old;

(2) is a citizen of the United States or lawfully admitted for permanent residency;

(3) is a permanent Minnesota resident as that term is used in section 256.936, subdivision 4c, paragraph (d), clause (2);

(4) is applying for service and has received a high school diploma or its equivalent, or agrees to attain a high school diploma or its equivalent while participating in the program; and

(5) agrees to act as an alumni volunteer or an alumni mentor upon successfully completing the program and postprogram education.

Subd. 2. [TERMS OF SERVICE.] (a) A participant shall agree to perform community service for the period required unless the participant is unable to complete the terms of service for the reason provided in paragraph (b).

An agreement to perform community service must be in the form of a written contract between the participant and the grantee organization. Terms of the contract must include a length of service between six months and two years, the participant's education goals and commitment, the anticipated date of completion, dismissal for cause, including failure to fully participate in the education component, and the exclusive right to challenge a dismissal for cause through binding arbitration. The arbitrator must be chosen jointly by the grantee organization and the participant from the community or, if agreement cannot be reached, an arbitrator must be determined from a list of arbitrators provided by the American Arbitration Association. The sole remedy available to the participant through arbitration is reinstatement to the program and eligibility for postservice benefits. The parent or guardian of a minor shall consent in writing to the contract between the participant and the grantee organization.

(b) If the grantee organization releases a participant from completing a term of service in a program receiving assistance under sections 5 to 10 for compelling personal circumstances as demonstrated by the participant, or if the program in which the participant serves does not receive continued funding for any reason, the grantee organization may provide the participant with that portion of the financial assistance described in subdivision 3 that corresponds to the quantity of the service obligation completed by the individual.

If the grantee organization terminates a participant for cause or a participant resigns without demonstrating compelling personal circumstances under this section, no postservice benefit under subdivision 3 may be paid.

(c) A participant performing part-time service under sections 1 to 11 shall serve at least two weekends each month and two weeks during the year; or at least an average of nine hours per week each year. A participant performing full-time service under sections 1 to 11 shall serve for not less than 40 hours per week.

(d) Notwithstanding section 176.011, subdivision 9, or any other law to the contrary, for purposes of workers' compensation, while participating in a program a participant is exclusively an employee of the state.

(e) Notwithstanding any other law to the contrary, for purposes of tort liability under sections 3.732 and 3.736, while participating in a program a participant is an employee of the state.

(f) Participants performing community service in a program are not public employees for purposes of chapter 43A, 179A, 197, 353, or any other law governing hiring or discharge of public employees.

Subd. 3. [POSTSERVICE BENEFIT.] (a) Each participant shall receive a nontransferable postservice benefit upon successfully completing the program. The benefit must be \$2,000 per year of part-time service or \$5,000 per year of full-time service.

(b) In the event that a program does not receive a federal grant that provides a postservice benefit, the participants in the program shall receive a postservice benefit equal in value to one-half the amount provided under paragraph (a).

(c) Nothing in this subdivision prevents a grantee organization from using funds from nonfederal or nonstate sources to increase the value of postservice benefits above the value described in paragraph (a).

(d) The state shall provide an additional postservice benefit to any participant who successfully completes the program. The benefit must be a credit of five points to be added to the competitive open rating of a participant who obtains a passing grade on a civil service examination under chapter 43A. The benefit is available for five years after completing the community service.

Subd. 4. [USES OF POSTSERVICE BENEFITS.] (a) A postservice benefit for a participant provided under subdivision 3, paragraph (a), (b), or (c), must be available for five years after completing the program and may only be used for:

(1) paying a student loan;

(2) costs of attending an institution of higher education; or

(3) expenses incurred in an apprenticeship program approved by the department of labor and industry.

Financial assistance provided under this subdivision must be in the form of vendor payments whenever possible. Any postservice benefits provided by federal funds or vouchers may be used as a downpayment on, or closing costs for, purchasing a first home.

(b) Postservice benefits are to be used to develop skills required in occupations where numbers of jobs are likely to increase. The youth works task force, in consultation with the youth apprenticeship council, shall determine how the benefits may be used in order to best prepare participants with skills that build on their service learning and equip them for meaningful employment.

Subd. 5. [LIVING ALLOWANCE.] (a) A participant in a full-time community service program shall receive an annual stipend of \$500. An eligible organization may provide participants with additional amounts from nonfederal or nonstate sources.

(b) Nothing in this subdivision requires an existing program to decrease any stipend, salary, or living allowance provided to a participant under the program.

(c) In addition to the living allowance provided under paragraph (a), a grantee organization shall provide health and dental coverage to each participant in a full-time youth works program who does not otherwise have access to health or dental coverage. The state shall include the cost of group health and dental coverage in the grant to the eligible organization.

Subd. 6. [PROGRAM TRAINING.] (a) The youth works task force shall, within available resources, ensure an opportunity for each participant to have three weeks of training in a residential setting. If offered, each training session must:

- (1) orient each participant in the nature, philosophy, and purpose of the program;
- (2) build an ethic of community service through general community service training; and
- (3) provide additional training as it determines necessary.

(b) Each grantee organization shall also train participants in skills relevant to the community service opportunity.

Subd. 7. [TRAINING AND EDUCATION REQUIREMENTS.] Each grantee organization shall assess the educational level of each entering participant. Each grantee shall work to enhance the educational skills of each participant. The youth works task force may coordinate or contract with educational institutions or other providers for educational services and evaluation. All grantees shall give priority to educating and training participants who do not have a high school diploma or its equivalent, or who cannot afford post-secondary training and education.

Sec. 9. [121.708] [PRIORITY.]

The youth works task force shall give priority to an eligible organization proposing a program that meets the goals of sections 5 to 8, and that:

(1) involves youth in a meaningful way in all stages of the program, including assessing community needs, preparing the application, and assuming postservice leadership and mentoring responsibilities;

(2) serves a community with significant unmet needs;

(3) provides an approach that is most likely to reduce arrest rates, incarceration rates, teenage pregnancy, and other indicators of troubled youth;

(4) builds linkages with existing, successful programs; and

(5) can be operational quickly.

Sec. 10. [121.709] [MATCH REQUIREMENTS.]

A grant awarded through the youth works program must be matched at \$2 of grant funds for at least \$1 of applicant funds. Grant funds must be used for the living allowance, postservice benefits, and health and dental benefits for each program participant. Applicant funds, from sources and in a form determined by the youth works task force, must be used to pay for crew leaders, administration, supplies, materials, and transportation. Administrative expenses must not exceed seven percent of total program costs. To the extent that administrative costs are less than seven percent, an amount equal to the difference between the percent expended and seven percent shall be applied to the local match requirement in this section.

Sec. 11. [121.710] [EVALUATION AND REPORTING REQUIREMENTS.]

Subdivision 1. [GRANTEE ORGANIZATIONS.] Each grantee organization shall report to the youth works task force at the time and on the matters requested by the youth works task force.

Subd. 2. [INTERIM REPORT.] The youth works task force shall report semiannually to the legislature with interim recommendations to change the program.

Subd. 3. [FINAL REPORT.] The youth works task force shall present a final report to the legislature by January 1, 1998, summarizing grantee evaluations, reporting on individual participants and participating grantee organizations, and recommending any changes to improve or expand the program.

Sec. 12. Minnesota Statutes 1992, section 121.88, subdivision 9, is amended to read:

Subd. 9. [YOUTH SERVICE PROGRAMS.] A school board may offer, as part of a community education program with a youth development program, a youth service program ~~for pupils to promote~~ that provides young people with meaningful opportunities to become involved in their community, develop individual capabilities, make career connections, seek support networks and services, become active citizenship citizens, and to address community needs through youth service. The school board may award up to one credit, or the equivalent, toward graduation for a pupil who completes the youth service requirements of the district. The community education advisory council, after considering the results of the commissioner's study under section 13, subdivision 1, shall design the program in cooperation with the district planning, evaluating and reporting committee and local organizations that train volunteers or need volunteers' services. Programs must include:

(1) preliminary training for pupil volunteers conducted, when possible, by organizations experienced in such training;

(2) supervision of the pupil volunteers to ensure appropriate placement and adequate learning opportunity;

(3) sufficient opportunity, in a positive setting for human development, for pupil volunteers to develop general skills in preparation for employment, to enhance self-esteem and self-worth, and to give genuine service to their community;

(4) integration of academic learning with the service experience; and

(5) integration of youth community service with elementary and secondary curriculum.

Youth service projects include, but are not limited to, the following:

(1) human services for the elderly, including home care and related services;

(2) tutoring and mentoring;

(3) training for and providing emergency services;

(4) services at extended day programs; and

(5) environmental services; and

(6) service learning programs in which schools, including post-secondary schools, and employers work together with young people to provide them with meaningful opportunities for community service and with the academic and technical skills that employers require.

The commissioner shall maintain a list of acceptable projects with a description of each project. A project that is not on the list must be approved by the commissioner.

A youth service project must have a community sponsor that may be a governmental unit or nonprofit organization. To assure that pupils provide additional services, each sponsor must assure that pupil services do not displace employees or reduce the workload of any employee.

The commissioner must assist districts in planning youth service programs, implementing programs, and developing recommendations for obtaining community sponsors.

Sec. 13. [121.885] [SERVICE LEARNING AND WORK-BASED LEARNING CURRICULUM AND PROGRAMS.]

Subdivision 1. [SERVICE LEARNING AND WORK-BASED LEARNING PROGRAMS STUDY.] The youth works task force, established in section 4, shall assist the commissioner of education in studying how to combine community service activities and service learning with work-based learning programs.

Subd. 2. [SERVICE LEARNING PROGRAMS DEVELOPED.] The commissioner, in consultation with the task force, shall develop a service learning program curriculum that includes a policy framework and strategies for youth community service and an infrastructure for mentoring youth. The commissioner shall include in the curriculum at least the following:

(1) youth community service strategies that enable young people to make significant contributions to the welfare of their community through such organizations as schools, colleges, government agencies, and community-based organizations or through individual efforts;

(2) mentoring strategies that enable young people to be matched with caring, responsible individuals who can encourage and guide the young people in their personal growth and development;

(3) guidelines, criteria, and procedures for community service programs that incorporate the results of the study in subdivision 1; and

(4) criteria for community service activities and service learning.

Subd. 3. [STRUCTURING PROGRAMS ACCORDING TO GRADE OR EDUCATION LEVEL.] The service learning curriculum must accommodate students' grade level or the last completed grade level of the participants not currently enrolled in school. Schools must provide at least the following:

(1) for students in grades 7 to 9, an opportunity to learn about service learning activities and possible occupations;

(2) for students in grade 10, an opportunity to apply for service learning under section 121.88, subdivision 9, and youth apprenticeship programs; and

(3) for students in grades 11 and 12 and young people not currently enrolled in school, an opportunity to become involved in community service activities, participate in youth apprenticeship programs, and, depending upon the individual's demonstrated abilities, complete high school or pursue post-secondary coursework.

Subd. 5. [PROGRAMS FOLLOWING YOUTH COMMUNITY SERVICE.] (a) The youth works task force established in section 4, in cooperation with the commissioner and the higher education coordinating board, shall provide for those participants who successfully complete youth community service under sections 5 to 11, the following:

(1) for those who have a high school diploma or its equivalent, an opportunity to participate in a youth apprenticeship program at a community or technical college; and

(2) for those who are post-secondary students, an opportunity to participate in an educational program that supplements post-secondary courses leading to a degree or a statewide credential of academic and occupational proficiency.

(b) Participants who successfully complete a youth community service program under sections 5 to 11 are eligible to receive an education voucher as provided under section 8, subdivision 4. The voucher recipient may apply the voucher toward the cost of the recipient's tuition and other education-related expenses at a public post-secondary school under paragraph (a).

(c) The youth works task force, in cooperation with the state board of technical colleges, shall establish a mechanism to transfer credit earned in a youth apprenticeship program between the technical colleges and other post-secondary institutions offering applied associate degrees.

Sec. 14. Minnesota Statutes 1992, section 124.2713, subdivision 5, is amended to read:

Subd. 5. [YOUTH SERVICE REVENUE.] Youth service program revenue is available to a district that has implemented a youth development plan and a youth service program. Youth service revenue equals 75 cents for fiscal year 1992 and 85 cents for fiscal year years 1993 and 1994 and \$1 for fiscal year 1995 and thereafter, times the greater of 1,335 or the population of the district.

Sec. 15. Minnesota Statutes 1992, section 124.2713, subdivision 6, is amended to read:

Subd. 6. [COMMUNITY EDUCATION LEVY.] To obtain community education revenue, a district may levy the amount raised by a tax rate of ~~1.07 percent for fiscal year 1992 and 1.095 percent for fiscal year 1993 and 1.057 percent for fiscal year 1995 and thereafter,~~ times the adjusted net tax capacity of the district. If the amount of the community education levy would exceed the community education revenue, the community education levy shall equal the community education revenue.

Sec. 16. Minnesota Statutes 1992, section 124C.46, subdivision 1, is amended to read:

Subdivision 1. [PROGRAM FOCUS.] The programs and services of a center must focus on academic and learning skills, trade and vocational skills, work-based learning opportunities, work experience, youth service to the community, and transition services.

Sec. 17. [HECB TO HELP COORDINATE YOUTH COMMUNITY SERVICE.]

Subdivision 1. [HECB DUTIES.] (a) The higher education coordinating board shall coordinate the application process for higher education grants under federal law. The board shall submit to the youth works task force under section 4 a proposal described in subdivision 2 for a consortium of higher education institutions to be included in the state's comprehensive service plan under section 4, subdivision 3.

(b) The board shall also coordinate the activities of individual Minnesota higher education institutions applying directly for federal community service grants.

Subd. 2. [COMMUNITY SERVICE PROPOSAL.] The proposal submitted by the higher education coordinating board shall develop programs that allow:

(1) higher education institutions to modify existing and create new courses, curricula, and extracurricular activities that effectively use service learning and work-based learning methods;

(2) one or more higher education institutions to conduct research to evaluate the benefits of service learning programs and to make recommendations to improve service learning programs;

(3) higher education institutions to train K-12 teachers in the skills necessary to develop, supervise, and organize community service activities, consistent with the principles of service learning; and

(4) higher education institutions to create or expand community service or work-based learning activities for students attending the institutions.

Sec. 18. [FEDERAL APPLICATION.]

The youth works task force shall prepare timely and complete applications for federal grants. At a minimum, the task force application must describe:

(1) a program designed to meet the unique needs of the state that will provide community service opportunities to youths ages 17 to 24;

(2) the amount of funds requested for the youth works program plan; and

(3) how the task force ranks applications and awards grants to Minnesota applicants under sections 5 to 10.

Sec. 19. [SEVERANCE.]

Any provision in this act that makes the state ineligible to receive a grant under Public Law Number 101-610 or other federal laws funding youth works programs is severed and has no effect.

Sec. 20. [REPEALER.]

Sections 5 to 10 are repealed on June 30, 1998.

Sec. 21. [APPROPRIATIONS.]

Subdivision 1. [DESIGNATED AGENCIES.] The sums indicated in this section are appropriated to the designated agencies for fiscal years 1994 and 1995.

Subd. 2. [DEPARTMENT OF EDUCATION.] \$4,468,000 is appropriated from the general fund to the commissioner of education for fiscal years 1994 and 1995. \$100,000 of this sum shall be used to establish one full-time position for capacity building, evaluation, design, and developing service-learning and work-based learning. \$50,000 shall be used to establish a public private matching grant program for local organizations to provide a youth service entrepreneurship initiative contingent upon local match requirements. \$4,128,000 is for grants for the youth works program under this act. \$190,000 is to provide staff for the youth works task force on mentoring and community service.

Subd. 3. [YOUTH SERVICE AID.] \$532,000 is appropriated from the general fund to the department of education for community education aid in fiscal year 1995 according to Minnesota Statutes, section 124.2713, subdivision 5. This aid is in addition to an appropriation for community education aid in any other law."

Delete the title and insert:

"A bill for an act relating to youth; service learning and work-based learning; establishing a task force on community service; promoting youth service; developing youth community service and work-based learning programs; appropriating money; amending Minnesota Statutes 1992, sections 121.88, subdivision 9; 124.2713, subdivisions 5 and 6; and 124C.46, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 121."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 50, A bill for an act relating to apiary law; removing state regulation of honey bees; amending Minnesota Statutes 1992, sections 18.022, subdivision 1; and 18.0228, subdivision 3; repealing Minnesota Statutes 1992, sections 19.50; 19.51; 19.52; 19.53; 19.54; 19.55; 19.56; 19.57; 19.58; 19.59; 19.60; 19.61; 19.62; 19.63; 19.64; and 19.65.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 19.50, is amended by adding a subdivision to read:

Subd. 12a. [AFRICANIZED HONEYBEES.] "Africanized honeybees" means Africanized honeybees using United States Department of Agriculture standards.

Sec. 2. Minnesota Statutes 1992, section 19.52, subdivision 1, is amended to read:

Subdivision 1. [ACCESS FOR INSPECTION AND ENFORCEMENT.] The commissioner may enter upon any public or private premises at all reasonable times, after providing notification to the owner or operator, to inspect any apiary or other structure which contains bees, honey, bee equipment, or comb; to ascertain the existence of or treat any contagious or infectious bee disease; or to destroy diseased bees or bee equipment which are a public nuisance. For purposes of this subdivision, notification means providing at least 24 hours advance notice by telephone, mail, or facsimile of the commissioner's entry upon the premises. The commissioner is not required to provide notification if: (1) the owner or operator cannot be readily identified; (2) the entry upon the premises is in response to a complaint to the commissioner; (3) the entry is upon the request of the owner or operator; or (4) the entry is in response to a declared emergency by the commissioner. The commissioner may open any hive, colony, package, or receptacle which contains, or which the commissioner has reason to believe contains, any bees, comb, bee products, used bee equipment, or anything else which is capable of transmitting infectious bee diseases or exotic parasites. The commissioner may stop pedestrians and motor vehicles when they are carrying any bees, comb, used bee equipment, or anything else which is capable of transmitting infectious diseases or parasites of bees. The commissioner may inspect at any time or place any bees, bee products, or used bee equipment shipped in or into the state.

Sec. 3. Minnesota Statutes 1992, section 19.55, is amended to read:

19.55 [INSPECTION; NOTIFICATION OF DISEASES.]

If, upon inspection of a bee colony, the commissioner finds any bee disease ~~or~~, exotic parasite, or Africanized honeybees, the commissioner shall notify the owner or operator of the bees in writing, stating the nature of the ~~disease or parasite problem~~. If the commissioner orders it, the disease ~~or~~, exotic parasite, or Africanized honeybees must be eliminated, treated, or controlled by the owner or operator within the time period and in the manner ordered by the commissioner. The written notice may be served by handing a copy to the owner or operator of the apiary, by leaving a copy with an adult person residing upon the premises, or by either registered or certified mail addressed to the last known address of the owner or operator of the apiary.

Sec. 4. Minnesota Statutes 1992, section 19.56, is amended to read:

19.56 [PUBLIC NUISANCES; DESTRUCTION OF BEES.]

Apiaries whose owners or operators have not eliminated, treated, or controlled bee diseases ~~or~~, exotic parasites, or Africanized honeybees within the time specified and in the manner ordered by the commissioner, as provided in section 19.55; ~~apiaries having bees in hives without movable frames where inspection for bee diseases is not possible;~~ and colonies of bees, queen nuclei, or shipments of used bee equipment which entered this state in violation of section 19.58 are a public nuisance. The commissioner, after written notice to the owner or operator of the bees and equipment, may destroy, by burning or otherwise, without any remuneration to the owner, ~~any box hives or~~ infected or infested bees, hives, or used bee equipment which are a public nuisance under this section. The notice may be served by handing a copy to the owner or operator, by leaving a copy with an adult person residing upon the premises, or by registered or certified mail addressed to the last known address of the owner or operator of the apiary.

Sec. 5. [19.561] [AFRICANIZED HONEYBEES; POSSESSION.]

A beekeeper may not use a swarm of honeybees positively identified as being Africanized in a beekeeping operation.

Sec. 6. Minnesota Statutes 1992, section 19.58, subdivision 1, is amended to read:

Subdivision 1. [ENTRY PERMIT.] No person may bring into this state any bees on comb, including nuclei, or used bee equipment without an entry permit issued by the commissioner. A person who wishes to bring any bees on comb or used bee equipment into the state shall apply for an entry permit at least 60 days before the date of entry. No entry permit may be issued without a valid compliance agreement signed by the commissioner and the beekeeper. The compliance agreement must be based on the model honeybee certification plan. The 60-day requirement may be waived ~~for a hobbyist beekeeper who intends to become a resident of Minnesota and who brings ten colonies or less into the state by the commissioner.~~

~~Ten days~~ Before entry, any person required to obtain an entry permit shall furnish to the commissioner a copy of a valid certificate of inspection signed by a responsible official of the state where the bees or equipment originated unless the person's bees have been inspected in Minnesota within 12 months before entry. The certificate must be based on an inspection. A person may not bring into the state any bees on comb including nuclei, combless bees, or used bee equipment from any county or parish where honey bee ~~tracheal mites~~ or Africanized bees honeybees have been found unless it is demonstrated to the satisfaction of the commissioner that there will be no risk of introduction either of ~~tracheal mites~~ or Africanized bees honeybees into the state. Bees or equipment brought into the state in violation of this subdivision are a public nuisance and may be destroyed without notice by the commissioner.

This subdivision does not apply to a common carrier transporting bees or used bee equipment from a point of origin outside of the state to a destination outside of the state.

Sec. 7. Minnesota Statutes 1992, section 19.58, subdivision 2, is amended to read:

Subd. 2. [CERTIFICATE OF INSPECTION FROM STATE OF ORIGIN.] No person may bring any combless bees, including queen bees, into this state without a statement showing the names and addresses of the consignors or shippers, the consignees or persons to whom shipped, and the locality of origin, and a certificate of inspection signed by a responsible official of the state from which it was brought. The statement must appear clearly and legibly in a conspicuous place on the package containing the material, or on a tag or other device attached to the package or the vehicle carrying the package. The certificate of inspection must show that the ~~official found that the materials were free from any exotic parasites or exotic strains of honey bees and apparently free of American foulbrood and European foulbrood.~~ The commissioner shall determine by rule the meaning of the term "apparently free." beekeeper is using certified European queen bees in all colonies.

Sec. 8. Minnesota Statutes 1992, section 19.58, subdivision 4, is amended to read:

Subd. 4. [EFFECT OF INSPECTION CERTIFICATES.] A certificate of inspection from another state is prima facie evidence of the facts stated in the certificate. The commissioner may inspect any bees or used bee equipment brought into the state with a certificate of inspection from the state of origin and may subject the materials to treatment or return them to the consignor at the consignor's expense if the commissioner finds an ~~infectious bee disease, exotic parasite, or exotic strain of bee.~~ If the commissioner repeatedly finds foulbrood in colonies of bees shipped from another state under official certificates of inspection, the commissioner may refuse to recognize the certificate of that state until the commissioner receives satisfactory information that the inspection service in that state has corrected the situation.

Sec. 9. Minnesota Statutes 1992, section 19.59, is amended to read:

19.59 [ABANDONED APIARIES.]

An abandoned apiary is subject to quarantine. If an abandoned apiary remains abandoned for 20 days after the owner or operator has been notified by the commissioner to cease the abandonment and neglect of the apiary, the commissioner shall take possession of the apiary and ~~proceed to sell it at public auction. A notice specifying the time and place of the auction must be served upon the owner in the manner provided for the service of process. No abandoned apiary may be sold at a public sale to the owner or operator who abandoned and neglected it.~~ The commissioner may dispose of the abandoned apiary equipment by sale, destruction, or distribution to another beekeeper. A purchaser at the public sale shall receive a certificate of purchase signed by the commissioner reciting the description of the apiary purchased and the amount paid.

After deducting the expense of the public sale and applying the unpaid balance upon all encumbrances or liens existing against the abandoned apiary sold, the balance of the proceeds shall be paid to the owner of the apiary which was sold.

Sec. 10. Minnesota Statutes 1992, section 19.64, subdivision 1, is amended to read:

Subdivision 1. [REGISTRATION.] Every person who owns, leases, or possesses colonies of bees or who intends to bring bees into the state under an entry permit shall register the bees with the commissioner on or before ~~July 1~~ April 15 of each year. The registration application shall include the name and address of the applicant, a description of the exact location and number of each of the applicant's bee colonies by county, township, range and quarter section, and other information required by the commissioner. The fee for registration under this subdivision is ~~\$7.50~~ \$10. The commissioner shall provide registered beekeepers with the Minnesota pest report.

Sec. 11. Minnesota Statutes 1992, section 19.64, subdivision 4a, is amended to read:

Subd. 4a. [OTHER FEES.] On request the commissioner may make ~~special inspections and~~ inspections for sale of bees, bee equipment, or appliances or perform other necessary services. The commissioner shall charge a fee or charge for expenses so as to recover the cost of performing these inspections or services. If a person for whom these inspections or services are to be performed requests it, the commissioner shall provide to the person in advance an estimate of the fees or expenses that will be charged.

Sec. 12. Minnesota Statutes 1992, section 19.65, is amended to read:

19.65 [VIOLATION; PENALTY.]

A person who violates any provision of sections 19.50 to 19.65 is guilty of a misdemeanor. A person whose agents or representatives violate any provision of sections 19.50 to 19.65 is also guilty of a misdemeanor. A person who violates sections 19.50 to 19.65 is subject to an administrative penalty under sections 17.982, subdivision 2; 17.983; and 17.984.

Sec. 13. [REPEALER.]

Minnesota Statutes 1992, sections 19.51, subdivision 3; 19.54; 19.58, subdivisions 3, 7, and 8; 19.60; 19.61, subdivision 2; 19.62; and 19.64, subdivisions 2, 3, and 4, are repealed.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 9 and 11 to 13 are effective the day following final enactment.

Delete the title and insert:

"A bill for an act relating to agriculture; changing the apiary laws; amending Minnesota Statutes 1992, sections 19.50, by adding a subdivision; 19.52, subdivision 1; 19.55; 19.56; 19.58, subdivisions 1, 2, and 4; 19.59; 19.64, subdivisions 1 and 4a; and 19.65; proposing coding for new law in Minnesota Statutes, chapter 19; repealing Minnesota Statutes 1992, sections 19.51, subdivision 3; 19.54; 19.58, subdivisions 3, 7, and 8; 19.60; 19.61, subdivision 2; 19.62; and 19.64, subdivisions 2, 3, and 4."

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.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 104, A bill for an act relating to Otter Tail county; allowing use of certain land in Otter Tail county.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 167, A bill for an act relating to economic development; creating Minnesota Business Finance, Inc. to provide capital for commercial borrowers through the Small Business Administration; providing for powers and duties of a board of directors and employees; transferring funds from the certified development company established under the department of trade and economic development to the new corporation; proposing coding for new law as Minnesota Statutes, chapter 116S; repealing Minnesota Statutes 1992, sections 41A.065 and 116J.985.

Reported the same back with the following amendments:

Page 3, line 9, delete "authorized under subdivision 7" and insert "to discuss data described in subdivision 9 or for other purposes authorized under section 471.705"

Page 3, line 15, delete "two" and insert "six"

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. 256, A bill for an act relating to livestock; exempting sales of horses from the sales tax; limiting liability for certain injuries arising out of livestock activities; amending Minnesota Statutes 1992, sections 297A.01, subdivision 3; 297A.25, subdivisions 11, 16, and by adding a subdivision; and 297A.44, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 604.

Reported the same back with the following amendments:

Pages 9 to 11, delete section 6

Page 11, delete lines 32 and 33

Re-number the remaining section

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "amending"

Page 1, line 7, delete "; proposing"

Page 1, line 8, delete everything before the period

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 259, A bill for an act relating to local government; providing for the publication of certain accounts and delinquent property tax information; amending Minnesota Statutes 1992, sections 279.09; 281.13; 281.23, subdivision 3; and 375.17.

Reported the same back with the following amendments:

Page 1, delete section 1

Pages 4 and 5, delete section 4, and insert:

"Sec. 3. Minnesota Statutes 1992, section 375.17, is amended to read:

375.17 [PUBLICATION OF FINANCIAL STATEMENTS.]

Subdivision 1. [STATEMENT CONTENTS; SUMMARIES.] Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account, under the form and style prescribed by and on file with the state auditor. The prescribed form and any changes or modifications of it shall so far as practical be uniform for all counties and be approved by the attorney general and the state printer. ~~Before June 1~~ Annually the board shall publish the statement or a summary of the statement in a form as prescribed by the state auditor, for one issue in a duly qualified legal newspaper in the county.

Subd. 2. [FULL STATEMENT; PUBLICATION CONDITIONS.] If the board elects to publish the full statement, it may refrain from publishing:

(1) an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain the information, if all disbursements aggregating \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. ~~The county board may refrain from publishing;~~

(2) the names and amounts of salaries and expenses paid to employees but shall publish the totals of disbursements for salaries and expenses. ~~The county board may refrain from publishing; and~~

(3) the names of persons receiving ~~poor relief or direct relief~~ human services aid and the amounts paid to each, but the totals of the disbursements for those purposes must be published.

This subdivision does not apply to a summary published pursuant to subdivision 1.

Subd. 3. [FILING.] In addition to the publication in the newspaper designated by the board as the official newspaper for publication of the financial statement, the statement shall be published in one other newspaper, if one of general circulation is located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. If a provision of this section is inconsistent with section 393.07, the provisions of that section shall prevail. The financial statement must be filed with the county auditor for public inspection."

Page 5, after line 17, insert:

"Sec. 4. [EFFECTIVE DATE.]

This act takes effect the day after final enactment."

Renumber the sections in order

Amend the title as follows:

Page 1, line 5, delete "279.09;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 327, A bill for an act relating to motor vehicles; providing for free motor vehicle license plates for former prisoners of war; amending Minnesota Statutes 1992, section 168.125, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 12, delete "for the cost of the plates"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 365, A bill for an act relating to state lands; roads established, upgraded, or improved to serve state leased or platted lands; expenditures by counties or towns; commissioner of natural resources' duties; amending Minnesota Statutes 1992, section 92.46, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 10, after "county" insert "or town"

Page 1, line 15, delete "A town" and insert "Notwithstanding the provisions of section 160.04 and upon the request of leaseholders or owners of land platted under this section a county or town may establish a county or town road to provide access to the leased or platted properties. Where a road has been established pursuant to this section the road authority with jurisdiction over the road, and its officers and employees, are exempt from liability for any tort claim for injury to person or property arising from travel on the road and related to its maintenance or condition. If a road is to be established, the commissioner, upon request of the appropriate local road authority, shall convey to the county or town such easement across state-owned land administered by the commissioner as may be necessary to complete the road. The easement shall be located in the area of actual use or such other corridor as may be designated by the commissioner. The easement shall be conveyed by the commissioner, without cost to the county or town, pursuant to section 84.63 or other applicable law. The commissioner shall reimburse the permanent school fund for the granting of the easement in the manner and to the extent required by law. At the request of the appropriate county or town, the commissioner shall reimburse the county or town for reasonable costs associated with notices, hearings, surveys and similar matters related to the establishment of the road over lands under the jurisdiction of the commissioner. The commissioner shall make the reimbursements required under this section from the money made available to the department of natural resources to pay assessments under section 435.19, subdivision 2."

Page 1, delete lines 16 to 26

Page 2, delete lines 1 to 15

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 408, A bill for an act relating to human services; requiring parent's social security numbers on birth certificates; modifying various child support provisions; amending Minnesota Statutes 1992, sections 144.215, by adding a subdivision; 518.551, subdivision 5; 518.611, subdivisions 1, 2, 6, and by adding a subdivision; and 518.613, subdivisions 2, 3, and 4.

Reported the same back with the following amendments:

Page 1, line 17, after "The" insert "parents' social security numbers shall be classified as private data on individuals, except that the"

Page 1, line 18, after "number" insert "only"

Page 1, line 19, after "services" insert "upon request by the public authority"

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete everything before "modifying" and insert "changing provisions relating to vital statistics;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 532, A bill for an act relating to human services; modifying the STRIDE program; requiring a work component; modifying the aid to families with dependent children program; amending Minnesota Statutes 1992, sections 13.46, subdivision 2; 256.73, subdivisions 2, 3a, and 5; 256.736, subdivisions 10, 10a, 14, and 16, and by adding a subdivision; 256.737, subdivisions 1, 1a, 2, and by adding subdivisions; 256.74, subdivision 1; 256.78; and 270B.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256.

Reported the same back with the following amendments:

Pages 1 to 3, delete section 1

Pages 28 and 29, delete section 20

Page 29, line 3, delete "4, 18, and 19" and insert "3, 17, and 18"

Page 29, line 4, delete "5 to 17" and insert "4 to 16"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after "sections"

Page 1, line 6, delete "2;"

Page 1, line 9, after the second semicolon insert "and"

Page 1, line 10, delete everything before "proposing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 534, A bill for an act relating to the environment; wastewater treatment; clarifying rulemaking provisions for pollution control agency adoption of wastewater treatment standards; changing the composition of the technical advisory committee; amending Minnesota Statutes 1992, sections 115.44, subdivisions 4, 6, and 7; and 115.54.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 535, A bill for an act relating to employment; requiring employers to indemnify employees for liability arising out of the scope of employment; proposing coding for new law in Minnesota Statutes, chapter 181.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [181.970] [EMPLOYEE INDEMNIFICATION.]

Subdivision 1. [INDEMNIFICATION REQUIRED.] An employer shall defend and indemnify its employee for civil damages, penalties, or fines claimed or levied against the employee, provided that the employee:

(1) was acting in the performance of the duties of the employee's position;

(2) was not guilty of intentional misconduct, willful neglect of the duties of the employee's position, or bad faith; and

(3) has not been indemnified by another person for the same damages, penalties, or fines.

Subd. 2. [EXCEPTION.] Subdivision 1 does not apply to:

(1) employees of the state or a municipality governed by section 3.736 or 466.07;

(2) employees who are subject to a contract or other agreement governing indemnification rights;

(3) employees and employers who are governed by indemnification provisions under section 300.083, 302A.521, 317A.521, or 322B.699, or similar laws of this state or another state specifically governing indemnification of employees of business or nonprofit corporations, limited liability companies, or other legal entities; or

(4) indemnification rights for a particular liability specifically governed by other law.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective August 1, 1993, and applies to claims or causes of action arising on or after that date."

Delete the title and insert:

"A bill for an act relating to employment; requiring employers to indemnify employees for liability arising out of the scope of employment; proposing coding for new law in Minnesota Statutes, chapter 181."

With the recommendation that when so amended the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 540, A bill for an act relating to workers' compensation; regulating rehabilitation services and consultations; amending Minnesota Statutes 1992, section 176.102, subdivision 4.

Reported the same back with the following amendments:

Page 1, line 24, strike "within" and insert "up until"

With the recommendation that when so amended the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 606, A bill for an act relating to worker's compensation; regulating eligibility for assigned risk plan coverage; amending Minnesota Statutes 1992, section 79.252, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1992, section 79.251, subdivision 4, is amended to read:

Subd. 4. [ADMINISTRATION.] The commissioner shall enter into service contracts as necessary or beneficial for accomplishing the purposes of the assigned risk plan. The service contracts are not subject to chapter 16B. Services related to the administration of policies or contracts of coverage shall be performed by one or more qualified insurance companies licensed pursuant to section 60A.06, subdivision 1, clause (5), paragraph (b), or self-insurance administrators licensed pursuant to section 176.181, subdivision 2, clause (2), paragraph (a). A qualified insurer or self-insurance administrator shall possess sufficient financial, professional, administrative, and personnel resources to provide the services contemplated in the contract. Services related to assignments, data management, assessment collection, and other services shall be performed by a licensed data service organization. The cost of those services is an obligation of the assigned risk plan."

Page 1, line 6, delete "Section 1." and insert "Sec. 2."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "exempting service contracts from chapter 16B;"

Page 1, line 4, delete "section" and insert "sections 79.251, subdivision 4; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 621, A bill for an act relating to human services; establishing a seven-day validity and nine-day replacement period for lost and stolen assistance warrants; authorizing an enhanced recoupment level in AFDC cases involving welfare fraud; integrating a client release as an inclusion in the combined application form; adding the food stamp program to the coverage of the financial transaction card fraud provision; creating and authorizing the use of commissioner's subpoenas; establishing the offense of food stamp trafficking; prescribing penalties; amending Minnesota Statutes 1992, sections 16A.45, by adding a subdivision; 256.73, subdivision 8; 256.983, subdivision 3; 393.07, subdivision 10; and 609.821, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1992, section 256.985.

Reported the same back with the following amendments:

Page 3, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 1992, section 388.23, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] The county attorney, or any deputy or assistant county attorney whom the county attorney authorizes in writing, has the authority to subpoena and require the production of any records of telephone companies, cellular phone companies, paging companies, electric companies, gas companies, water utilities, chemical suppliers, hotels and motels, airlines, buses, taxis, and other entities engaged in the business of transporting people, and freight companies, warehousing companies, package delivery companies, and other entities engaged in the businesses of transport, storage, or delivery, and records of the existence of safe deposit box account numbers and

customer savings and checking account numbers maintained by financial institutions and safe deposit companies, and bank records, insurance records relating to the payment or settlement of claims, and wage and employment records of an applicant or recipient of public assistance who is the subject of a welfare fraud investigation relating to eligibility for public assistance programs. Subpoenas may only be issued for records that are relevant to an ongoing legitimate law enforcement or welfare fraud investigation. This provision applies only to the records of business entities and does not extend to private individuals or their dwellings. Subpoenas may only be served by peace officers as defined in section 626.84, subdivision 1, paragraph (c)."

Amend the title as follows:

Page 1, line 9, delete everything after the semicolon

Page 1, line 10, delete everything before "establishing" and insert "authorizing subpoenas by the county attorney for welfare fraud investigations;"

Page 1, line 14, after "3;" insert "388.23, subdivision 1;"

Page 1, line 15, delete everything after the semicolon

Page 1, line 16, delete everything before "repealing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 634, A bill for an act relating to agriculture; clarifying procedures for the use of certain organisms; amending Minnesota Statutes 1992, section 116C.94.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources Finance without further recommendation.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 663, A bill for an act relating to retirement; first class city teachers; annuities and administration; St. Paul teachers postretirement adjustments; administrative expenses; amending Minnesota Statutes 1992, sections 354A.011, subdivision 27; 354A.021, subdivision 5, and by adding a subdivision; 354A.12, subdivisions 1, 1a, 2a, 2b, and by adding a subdivision; 354A.23, subdivision 3; and 354A.31, by adding subdivisions.

Reported the same back with the following amendments:

Page 2, line 34, delete "and employer" and insert "contributions, and employer contributions if negotiated under a collective bargaining agreement."

Page 2, line 35, strike "contributions"

Page 3, line 22, delete "in the"

Page 3, delete line 23, and insert "and must be remitted directly to the respective teachers retirement fund association at least once each month."

Page 4, line 3, strike everything after the second comma

Page 4, strike lines 4 and 5

Page 4, line 6, strike everything before the period and insert "stated as a monthly rate from the date due until the date payment is received in the office of the association, with a minimum interest charge of \$10"

Page 6, line 1, delete "employee contribution and"

Page 6, line 4, delete everything after the period and insert "Delinquent amounts are payable with interest under the procedure in subdivision 1a."

Page 6, delete lines 5 to 15

Page 6, line 35, delete "REPORTING NEW EMPLOYEES" and insert "EMPLOYEE REPORTING"

Page 7, line 1, after "new" insert "or returning"

Page 7, line 2, delete "new"

Page 7, after line 25, insert:

"Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective the day following final enactment."

Page 7, after line 36, insert:

"Sec. 2. [BYLAW AMENDMENT.]

Consistent with Minnesota Statutes, section 354A.12, subdivision 4, the boards of the Duluth teachers retirement fund association, the Minneapolis teachers retirement fund association, and the St. Paul teachers retirement fund association are authorized to amend the bylaws or articles of incorporation, whichever is appropriate, to provide that if an application for retirement is filed with the board during the 90-day period immediately following the termination of teaching service, the annuity may begin to accrue as if the application for retirement had been filed with the board on the date teaching service terminated. In no event may an annuity begin to accrue more than one month before the date of final salary receipt.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Page 8, after line 21, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Page 8, delete lines 23 to 32, and insert:

"Section 1. Minnesota Statutes 1992, section 356.215, subdivision 4j, is amended to read:

Subd. 4j. [ADMINISTRATIVE EXPENSES.] The actuarial valuation must indicate the administrative expenses of the fund, expressed both in dollars and as a percentage of covered payroll. Administrative expenses are costs incurred by the retirement plans excluding investment expenses. Investment expenses include all expenses incurred for the retention of professional external investment managers, professional investment consultants, custodian bank fees, investment transaction costs, and the cost incurred by the retirement plans to internally manage investment portfolios or assets. Investment expenses must be deducted from investment return in the actuarial valuation, and not included in administrative expenses when calculating the allowance for expenses.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

ARTICLE 5

Section 1. Minnesota Statutes 1992, section 354A.35, subdivision 2, is amended to read:

Subd. 2. [DEATH WHILE ELIGIBLE TO RETIRE; SURVIVING SPOUSE OPTIONAL ANNUITY.] The surviving spouse of any coordinated member who ~~has attained the age of at least 50 years and~~ has credit for at least three years of service ~~or has credit for at least 30 years of service regardless of age~~ shall be entitled to joint and survivor annuity coverage in the event of death of the member prior to retirement. The surviving spouse may apply for the annuity at any time after the date on which the deceased employee would have attained the required age for retirement based on the employee's allowable service. The member's surviving spouse shall be paid a joint and survivor annuity as provided in section 354A.32 and computed pursuant to section 354A.31. Sections 354A.37, subdivision 2, and 354A.39 apply to a deferred annuity payable under this section. The benefits shall be payable for life.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.

Amend the title as follows:

Page 1, line 3, after "annuities" insert ", death-while-active survivor benefits,"

Page 1, lines 6 and 7, delete ", and by adding a subdivision"

Page 1, line 9, delete "and" and before the period insert "; 354A.35, subdivision 2; and 356.215, subdivision 4j"

With the recommendation that when so amended the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 673, A bill for an act relating to animals; prohibiting certain species; imposing a penalty; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 35.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [84.9695] [RESTRICTED SPECIES.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of natural resources.

(c) "Restricted species" means Eurasian wild pigs and their hybrids (Sus scrofa subspecies and Sus scrofa hybrids), excluding domestic hogs (S. scrofa domesticus).

(d) "Release" means an intentional introduction or escape of a species from the control of the owner or responsible party.

Subd. 2. [IMPORTATION; POSSESSION; RELEASE OF RESTRICTED SPECIES.] It is unlawful for a person to import, possess, propagate, transport, or release restricted species, except as provided in subdivision 3.

Subd. 3. [PERMITS.] (a) The commissioner may issue permits for the transportation, possession, purchase, or importation of restricted species for scientific, research, educational, or commercial purposes. A permit issued under this subdivision may be revoked by the commissioner if the conditions of the permit are not met by the permittee or for any unlawful act or omission, including accidental escapes.

(b) The commissioner may issue permits for a person to possess and raise a restricted species for commercial purposes if the person was in possession of the restricted species on March 1, 1993. Under the permit, the number of breeding stock of the restricted species in the possession of the person may not increase by more than 25 percent and the person must comply with the certification requirements in subdivision 8.

(c) A person may possess a restricted species without a permit for a period not to exceed two days for the purpose of slaughtering the restricted species for human consumption.

Subd. 4. [NOTICE OF ESCAPE OF RESTRICTED SPECIES.] In the event of an escape of a restricted species, the owner must notify within 24 hours a conservation officer and the board of animal health and is responsible for the recovery of the species. The commissioner may capture or destroy the escaped animal at the owner's expense.

Subd. 5. [DISPOSAL OR RECAPTURE OF RELEASED RESTRICTED SPECIES.] The commissioner must capture and dispose of restricted species in an appropriate humane manner.

Subd. 6. [ENFORCEMENT.] This section may be enforced under sections 97A.205 and 97A.211.

Subd. 7. [PENALTY.] A person who violates subdivision 2, 4, or 8 is guilty of a misdemeanor.

Subd. 8. [CERTIFICATION AND IDENTIFICATION REQUIREMENTS.] (a) A person who possesses restricted species on the effective date of this section must submit certified numbers of restricted species in the person's possession to the board of animal health by June 1, 1993.

(b) Restricted species in the possession of a person must be marked in a permanent fashion to identify ownership. The restricted species must be marked as soon as practicable after birth or purchase.

Subd. 9. [CONTAINMENT.] The commissioner shall develop criteria for approved containment measures for restricted species with the assistance of producers of restricted species.

Subd. 10. [BOND; SECURITY.] A person who possesses restricted species must file a bond or deposit with the commissioner security in the form and in the amount determined by the commissioner to pay for the costs and damages caused by an escape of a restricted species.

Subd. 11. [FEE.] The commissioner shall impose a fee for permits in an amount sufficient to cover the costs of issuing the permits and for facility inspections. The fee may not exceed \$50."

Delete the title and insert:

"A bill for an act relating to agriculture; regulating activities relating to restricted species; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 84."

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.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 687, A bill for an act relating to agriculture; requiring aquatic pest control applicators to be licensed; proposing coding for new law in Minnesota Statutes, chapter 18B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 18B.32, is amended to read:

18B.32 [STRUCTURAL OR AQUATIC PEST CONTROL LICENSE.]

Subdivision 1. [REQUIREMENT.] (a) A person may not engage in structural or aquatic pest control applications:

(1) for hire without a structural pest control license or, for an aquatic pest control application, an aquatic pest control license; and

(2) as a sole proprietorship, company, partnership, or corporation unless the person is or employs a licensed master in structural pest control operations or, for an aquatic pest control application, a commercial aquatic applicator.

(b) A structural or aquatic pest control licensee must have a valid license identification card when applying pesticides for hire and must display it upon demand by an authorized representative of the commissioner or a law enforcement officer. The license identification card must contain information required by the commissioner.

Subd. 2. [LICENSES.] (a) A structural or aquatic pest control license:

(1) expires on December 31 of the year for which the license is issued;

(2) is not transferable; and

(3) must be prominently displayed to the public in the structural or aquatic pest controller's place of business.

(b) The commissioner shall establish categories of master, journeyman, and fumigator for a person to be licensed under a structural pest control license and, for an aquatic pest control license, the categories of commercial aquatic applicator and certified aquatic applicator.

Subd. 3. [APPLICATION.] (a) A person must apply to the commissioner for a structural or aquatic pest control license ~~to be licensed as a master, journeyman, or fumigator~~ on forms and in the manner required by the commissioner. The commissioner shall require the applicant to pass a written, closed-book, monitored examination or oral examination, or both, and may also require a practical demonstration regarding structural or aquatic pest control. The commissioner shall establish the examination procedure, including the phases and contents of the examination.

(b) The commissioner may license a person as a master under a structural pest control license or, for aquatic pest control applications, as a commercial aquatic applicator if the person has the necessary qualifications through knowledge and experience to properly plan, determine, and supervise the selection and application of pesticides in structural or aquatic pest control. To demonstrate the qualifications and become licensed as a master under a structural pest control license or, for aquatic pest control applications, as a commercial aquatic applicator, a person must:

(1) pass closed-book testing administered by the commissioner; ~~and~~

(2) ~~by~~ have direct experience as a licensed journeyman under a structural pest control license or, for aquatic pest control applications, by direct experience as a certified aquatic applicator under a commercial aquatic applicator for at least two years by this state or a state with equivalent certification requirements or as a full-time licensed master in another state with equivalent certification requirements, or, for aquatic pest control applications, have at least 1,600 hours of qualifying experience in the previous four years as determined by the commissioner; and

(3) show practical knowledge and field experience under clause (2) in the actual selection and application of pesticides under varying conditions.

(c) The commissioner may license a person as a journeyman under a structural pest control license or, for aquatic pest control applications, as a certified aquatic applicator if the person:

- (1) has the necessary qualifications in the practical selection and application of pesticides;
- (2) has passed a closed-book examination given by the commissioner; and
- (3) is engaged as an employee of or is working under the direction of a person licensed as a master under a structural pest control license or, for aquatic pest control applications, under a commercial aquatic applicator.

(d) The commissioner may license a person as a fumigator under a structural pest control license if the person:

- (1) has knowledge of the practical selection and application of fumigants;
- (2) has passed a closed-book examination given by the commissioner; and
- (3) is licensed by the commissioner as a master or journeyman under a structural pest control license.

(e) The licensing requirements of paragraph (b) for commercial aquatic applicators are satisfied if a person: (1) has at least two years direct experience with an aquatic category endorsement on a commercial applicator license; (2) can show practical knowledge and field experience in the actual selection and application of aquatic pesticides under varying conditions; and (3) applies for a license as a commercial aquatic applicator before August 1, 1994.

Subd. 4. [RENEWAL.] (a) A structural or aquatic pest control applicator license may be renewed on or before the expiration of an existing license subject to reexamination, attendance at workshops approved by the commissioner, or other requirements imposed by the commissioner to provide the applicator with information regarding changing technology and to help assure a continuing level of competency and ability to use pesticides safely and properly. The commissioner may require an additional demonstration of applicator qualification if the applicator has had a license suspended or revoked or has otherwise had a history of violations of this chapter.

(b) If a person fails to renew a structural or aquatic pest control license within three months of its expiration, the person must obtain a structural or aquatic pest control license subject to the requirements, procedures, and fees required for an initial license.

Subd. 5. [FINANCIAL RESPONSIBILITY.] (a) A structural or aquatic pest control license may not be issued unless the applicant furnishes proof of financial responsibility. The financial responsibility may be demonstrated by:

- (1) proof of net assets equal to or greater than \$50,000; or
- (2) a performance bond or insurance of a kind and in an amount determined by the commissioner.

(b) The bond or insurance must cover a period of time at least equal to the term of the applicant's license. The commissioner must immediately suspend the license of a person who fails to maintain the required bond or insurance. The performance bond or insurance policy must contain a provision requiring the insurance or bonding company to notify the commissioner by ten days before the effective date of cancellation, termination, or any other change of the bond or insurance. If there is recovery against the bond or insurance, additional coverage must be secured to maintain financial responsibility equal to the original amount required.

(c) An employee of a licensed person is not required to maintain an insurance policy or bond during the time the employer is maintaining the required insurance or bond.

(d) Applications for reinstatement of a license suspended under the provisions of this section must be accompanied by proof of satisfaction of judgments previously rendered.

Subd. 6. [FEES.] (a) An applicant for a structural pest control license or aquatic pest control license for a business must pay a nonrefundable application fee of \$100. An employee of a licensed business must pay a nonrefundable application fee of \$50 for an individual structural or aquatic pest control license.

(b) An application received after expiration of the structural pest control license or aquatic pest control license is subject to a penalty fee of 50 percent of the application fee.

(c) An applicant that meets renewal requirements by reexamination instead of attending workshops must pay the equivalent workshop fee for the reexamination as determined by the commissioner."

Delete the title and insert:

"A bill for an act relating to agriculture; requiring aquatic pest control applicators to be licensed; establishing categories of commercial aquatic applicator and certified aquatic applicator; amending Minnesota Statutes 1992, section 18B.32."

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.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 692, A bill for an act relating to the environment; citizen's lake monitoring program; appropriating money.

Reported the same back with the following amendments:

Page 1, line 6, delete "from the water recreation account"

Page 1, line 7, delete "in the special fund"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 735, A bill for an act relating to traffic regulations; implements of husbandry; defining implements of husbandry; reducing maximum speed limit to 25 miles per hour for implements of husbandry and for towing certain farm trailers; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; making towed implements of husbandry subject to requirements for towing chains; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 169.01, subdivision 55; 169.145; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; 171.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 168.012, subdivision 2b, is amended to read:

Subd. 2b. A trailer used exclusively to carry liquid or dry fertilizer for use on a farm shall not be taxed as a motor vehicle using the public streets and highways and shall be exempt from the provisions of this chapter.

Sec. 2. Minnesota Statutes 1992, section 169.01, subdivision 55, is amended to read:

Subd. 55. [IMPLEMENT OF HUSBANDRY.] (a) "Implement of husbandry" means every vehicle, including a farm tractor and farm wagon, designed ~~and~~ or adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry ~~and in either case not subject to registration if used upon the highways.~~

(b) A towed vehicle meeting the description in paragraph (a) ~~that is not required to be registered~~ is an implement of husbandry without regard to whether the vehicle is towed by an implement of husbandry or by a registered motor vehicle.

Sec. 3. Minnesota Statutes 1992, section 169.145, is amended to read:

169.145 [IMPLEMENTS OF HUSBANDRY; SPEED; PENALTY.]

No person ~~shall~~ may:

(1) ~~drive a self-propelled or tow an implement of husbandry, nor shall any person tow a self-propelled implement of husbandry, nor shall any person that exceeds 6,000 pounds registered gross weight or gross vehicle weight and is not equipped with brakes; or~~

(2) tow a vehicle registered as a farm trailer that exceeds 6,000 pounds registered gross weight or gross vehicle weight and is not equipped with brakes and exceeding 6,000 pounds, at a speed in excess of 30 25 miles per hour. ~~Violation of this section is a misdemeanor.~~

Sec. 4. Minnesota Statutes 1992, section 169.18, subdivision 5, is amended to read:

Subd. 5. [DRIVING LEFT OF ROADWAY CENTER.] (a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction;

(b) Except on a one-way roadway or as provided in paragraph (c), no vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left half of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of 700 feet;

(2) When approaching within 100 feet of any underpass or tunnel, or railroad grade crossing, or when approaching within 100 feet of or traversing any intersection within a city or without if so posted;

(3) Where official signs are in place prohibiting passing, or a distinctive center line is marked, which distinctive line also so prohibits passing, as declared in the manual of traffic-control devices adopted by the commissioner.

(c) Paragraph (b) does not apply to a self-propelled implement of husbandry that (1) is escorted at the front by a registered motor vehicle that is displaying vehicular hazard warning lights visible to the front and rear in normal sunlight, and (2) does not extend into the left half of the roadway to any greater extent than made necessary by the total width of the right half of the roadway together with any adjacent shoulder that is suitable for travel.

Sec. 5. Minnesota Statutes 1992, section 169.47, is amended to read:

169.47 [UNSAFE EQUIPMENT.]

Subdivision 1. [MISDEMEANOR.] (a) It is unlawful and punishable as hereinafter provided for any person to drive or for the owner to cause or knowingly permit to be driven on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

(b) The provisions of this chapter with respect to equipment on vehicles shall do not apply to implements of husbandry, road machinery, or road rollers, or farm tractors, except as herein made applicable otherwise provided in this chapter.

(c) For purposes of this section, a specialized vehicle resembling a low-slung two-wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry, provided, however, that no such vehicle shall operate on the highway before sunrise or after sunset unless proper lighting is affixed to the implement being drawn.

Sec. 6. Minnesota Statutes 1992, section 169.55, subdivision 2, is amended to read:

Subd. 2. [~~FARM VEHICLES~~ IMPLEMENTS OF HUSBANDRY.] At the times when lighted lamps on vehicles are required;

(1) every ~~farm tractor and self-propelled unit of farm equipment~~ implement of husbandry must be equipped with at least one lamp displaying a white ~~or amber~~ light to the front, and at least one lamp displaying a red light to the rear;

(2) every self-propelled ~~unit of farm equipment~~ implement of husbandry must also display two red reflectors visible to the rear;

(3) every combination of a self-propelled and towed ~~unit of farm equipment~~ implement of husbandry must be equipped with at least one lamp mounted to indicate as nearly as practicable the extreme left projection of the combination and displaying a white or amber light to the front and a red or amber light to the rear of the self-propelled implement of husbandry; and

(4) the last unit of every combination of ~~farm equipment~~ implements of husbandry must display two red reflectors visible to the rear.

The reflectors shall must be of the type approved for use upon commercial vehicles. The reflectors shall must be mounted as close as practicable to the extreme edges of the ~~unit of farm equipment and implement of husbandry~~. The reflectors shall must be reflex reflectors that shall be are visible at night from all distances within 600 feet to 100 feet when directly in front of lawful lower beams of headlamps.

Sec. 7. Minnesota Statutes 1992, section 169.55, is amended by adding a subdivision to read:

Subd. 3. [IMPLEMENTS OF HUSBANDRY; HAZARD WARNING LIGHTS.] No person may operate a self-propelled implement of husbandry manufactured after January 1, 1970, on a highway unless the implement of husbandry displays vehicular hazard warning lights visible to the front and rear in normal sunlight.

Sec. 8. Minnesota Statutes 1992, section 169.64, subdivision 6, is amended to read:

Subd. 6. [FLASHING AMBER LIGHT ON SERVICE VEHICLE, SNOW REMOVAL EQUIPMENT, IMPLEMENT OF HUSBANDRY.] (a) Any service vehicle ~~or self-propelled unit of farm equipment except a farm tractor~~ may be equipped with a flashing amber lamp of a type approved by the commissioner of public safety.

(1) (b) A service vehicle shall not display the lighted lamp authorized under paragraph (a) when traveling upon the highway or at any other time except at the scene of a disabled vehicle or while engaged in snow removal or road maintenance.

(2) (c) A self-propelled ~~unit of farm equipment~~ implement of husbandry may display the lighted lamp authorized under paragraph (a) at any time.

Sec. 9. Minnesota Statutes 1992, section 169.67, subdivision 3, is amended to read:

Subd. 3. [TRAILERS, SEMITRAILERS, TANK TRAILERS.] ~~Every trailer, semitrailer, or other vehicle with a gross weight that is 3,000 pounds or more or exceeds the empty weight of the towing vehicle, when drawn or pulled upon a highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, and so designed as to be applied by the driver of a towing motor vehicle from its cab, except (a) trailers owned by farmers when transporting agricultural products produced on the owner's farm or supplies back to the farm of the owner of the trailer, (b) custom service vehicles drawn by motor vehicles equipped with brakes capable of stopping both vehicles within the distance required by law for vehicles with four wheel brakes and contractors' custom service vehicles not exceeding 30,000 pounds gross weight and 45 miles per hour when drawn by a motor vehicle capable of stopping the combination within the performance standards of subdivision 5, (c) trailers or semitrailers when used by retail dealers delivering implements of husbandry, (d) motor vehicles drawn by motor vehicles equipped with brakes capable of stopping the combination of vehicles within the performance requirements of this section, (e) tank trailers not exceeding 8,500 pounds gross weight used solely for transporting liquid fertilizer or gaseous fertilizer under pressure, or distributor trailers not exceeding 8,500 pounds gross weight used solely for transporting and distributing dry fertilizer, when hauled by a truck capable of stopping with loaded trailer attached in the distance specified by subdivision 5 for vehicles equipped with four wheel brakes, providing the gross weight of such trailer or semitrailer other than those described in this clause when drawn by a pleasure vehicle shall not exceed 3,000 pounds, or when drawn by a truck or tractor shall not exceed 6,000 pounds, or may exceed 6,000 pounds but not exceed 15,000 pounds for a trailer described in clause (a) when drawn by a truck or tractor at a speed not exceeding 30 miles per hour, and except disabled vehicles towed to a place of repair. (a) No trailer or semitrailer with a gross weight of 3,000 or more pounds, or a gross weight that exceeds the empty weight of the towing vehicle, may be drawn on a highway unless it is equipped with brakes that are adequate to control the movement of and to stop and hold the trailer or semitrailer.~~

(b) No trailer or semitrailer with a gross weight of more than 6,000 pounds may be drawn on a highway unless it is equipped with brakes that are so constructed that they are adequate to stop and hold the trailer or semitrailer whenever it becomes detached from the towing vehicle.

(c) Except as provided in paragraph (d), paragraph (a) does not apply to:

(1) a trailer owned by a farmer while transporting farm products produced on the owner's farm, or supplies back to the farm of the trailer's owner;

(2) a towed custom service vehicle drawn by a motor vehicle that is equipped with brakes that meet the standards of subdivision 5, provided that such a towed custom service vehicle that exceeds 30,000 pounds gross weight may not be drawn at a speed of more than 45 miles per hour;

(3) a trailer or semitrailer operated or used by retail dealers of implements of husbandry while engaged exclusively in the delivery of implements of husbandry;

(4) a motor vehicle drawn by another motor vehicle that is equipped with brakes that meet the standards of subdivision 5;

(5) a tank trailer of not more than 12,000 pounds gross weight owned by a distributor of liquid fertilizer while engaged exclusively in transporting liquid fertilizer, or gaseous fertilizer under pressure;

(6) a trailer of not more than 12,000 pounds gross weight owned by a distributor of dry fertilizer while engaged exclusively in the transportation of dry fertilizer; and

(7) a disabled vehicle while being towed to a place of repair.

(d) Vehicles described in paragraph (c), clauses (1), (3), and (4), may be operated without complying with paragraph (a) only if the trailer or semitrailer does not exceed the following gross weights:

(1) 3,000 pounds while being drawn by a vehicle registered as a passenger automobile, other than a pickup truck as defined in section 168.011, subdivision 29;

(2) 12,000 pounds while being drawn by any other motor vehicle except a self-propelled implement of husbandry.

Sec. 10. Minnesota Statutes 1992, section 169.67, subdivision 4, is amended to read:

Subd. 4. ~~[SERVICE BRAKES ON WHEELS; EXCEPTIONS.] Every motor vehicle, trailer, or semitrailer, manufactured after June 30, 1988, and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except mobile cranes not exceeding 45 miles per hour and capable of stopping within the performance standards of subdivision 5, and except that any motorcycle, any trailer or semitrailer of less than 3,000 pounds gross weight, a third wheel, of a swivel type, on a travel trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front wheels of vehicles manufactured before July 1, 1988, having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5. (a) All motor vehicles, trailers, and semitrailers manufactured after June 30, 1988, must be equipped with foot brakes on all wheels.~~

(b) Paragraph (a) does not apply to:

(1) a mobile crane that is not operated at a speed of more than 45 miles per hour and is capable of stopping within the performance standards of subdivision 5;

(2) a motorcycle;

(3) a trailer or semitrailer with a gross weight of less than 3,000 pounds;

(4) a swivel-type third wheel on a travel trailer; and

(5) a temporary auxiliary axle attached to a motor vehicle during a period of vehicle weight restrictions for the purpose of relieving the weight on another axle, if the combined gross weight on the temporary axle and the axle being relieved does not exceed 18,000 pounds and the motor vehicle meets all brake requirements under this section.

(c) Paragraph (a) does not require brakes on the front wheels of a vehicle having three or more axles and manufactured before July 1, 1988, if the brakes on the other wheels of the vehicle meet the standards of subdivision 5.

Sec. 11. Minnesota Statutes 1992, section 169.67, is amended by adding a subdivision to read:

Subd. 6. [IMPLEMENTS OF HUSBANDRY.] An implement of husbandry that (1) is not self-propelled, (2) has a manufacturer's recommended capacity of more than 24,000 pounds, and (3) is manufactured and sold after January 1, 1994, must be equipped with brakes adequate to control the movement of and to stop and hold the towed vehicle.

Sec. 12. Minnesota Statutes 1992, section 169.72, subdivision 1, is amended to read:

Subdivision 1. [SOLID RUBBER, METAL, AND STUDED TIRES; EXCEPTIONS; PERMITS.] Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer, having any metal tire in contact with the roadway, except in case of emergency.

Except as provided in this section, no tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire. It shall be permissible to use any of the following on highways: ~~Farm machinery implements of husbandry~~ with tires having protuberances which will not injure the highway, and tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

The commissioner and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this chapter.

Sec. 13. Minnesota Statutes 1992, section 169.80, subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] It is a misdemeanor for a person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on a highway a vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, other than section 169.81, subdivision 5a, and the maximum size and weight of vehicles as prescribed in sections 169.80 to 169.88 shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in the group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse drawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as provided by law. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when the vehicle is used exclusively to transport implements of husbandry; and the term "temporarily moved upon a highway" shall mean a movement not to exceed 50 miles.

In addition to any other special permits authorized, an annual permit may be issued authorizing movements on interstate highways and movements exceeding 50 miles on noninterstate highways of oversize vehicles and loads when the vehicles or combination of vehicles are used exclusively to transport implements of husbandry. Annual permits are issued in accordance with the applicable provisions of section 169.86, except that the transporting vehicle or combination of vehicles may be moved at the discretion of the permittee without prior route approval from the permit issuing office of the department of transportation if:

- (a) ~~The overall width of the transporting vehicle, including load, does not exceed 14 feet;~~
- (b) ~~The transporting vehicle otherwise complies with equipment requirements and length, height and weight limitations prescribed by this chapter;~~
- (c) ~~The movement is made after the hour of sunrise and not later than 30 minutes after sunset;~~
- (d) ~~The movement is not made when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Sundays after 12 o'clock noon, and holidays;~~
- (e) ~~The transporting vehicle shall display at the front and rear end of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds ten feet, six inches; and~~
- (f) ~~The movement, if made on a trunk highway, is made on a trunk highway with a surfaced roadway width of not less than 24 feet.~~

The fee for an annual permit is \$24.

Sec. 14. Minnesota Statutes 1992, section 169.80, subdivision 2, is amended to read:

Subd. 2. [OUTSIDE WIDTH.] The total outside width of a vehicle exclusive of rear view mirrors or load securement devices which are not an integral part of the vehicle and not exceeding three inches on each side, or the load may not exceed 102 inches except that the outside width of a ~~farm tractor, or a~~ vehicle owned by a political subdivision and used exclusively for the purpose of handling sewage sludge from sewage treatment facilities to farm fields or disposal sites, may not exceed 12 feet, and except as otherwise provided in this section.

A vehicle exceeding 102 inches in total outside width, owned by a political subdivision and used for the purpose of transporting or applying sewage sludge to farm fields or disposal sites may not transport sludge for distances greater than 15 miles, nor may it be used for transportation of sewage sludge or return travel between the hours of sunset and sunrise, or at any other time when visibility is impaired by weather, smoke, fog, or other conditions rendering persons and vehicles not clearly discernible on the highway at a distance of 500 feet.

The total outside width of a low bed trailer or equipment dolly, and the load, used exclusively for transporting farm machinery and construction equipment may not exceed nine feet in width except that a low bed trailer or equipment dolly with a total outside width, including the load, in excess of 102 inches may not be operated on any interstate highway without first having obtained a permit for the operation under section 169.86. The vehicle must display 12-inch square red flags as markers at the front and rear of the left side of the vehicle.

The total outside width of a trackless trolley car or passenger motor bus, operated exclusively in a city or contiguous cities in this state, may not exceed nine feet.

Sec. 15. [169.801] [IMPLEMENTS OF HUSBANDRY.]

Subdivision 1. [EXEMPTION FROM SIZE, WEIGHT, LOAD PROVISIONS.] Except as provided in this section and section 169.82, the provisions of sections 169.80 to 169.88 that govern size, weight, and load do not apply to:

(1) a horse-drawn wagon while carrying a load of loose straw or hay;

(2) a specialized vehicle resembling a low-slung trailer having a short bed or platform, while transporting one or more implements of husbandry; or

(3) an implement of husbandry while being driven or towed at a speed of not more than 25 miles per hour; provided that this exemption applies to an implement of husbandry owned, leased, or under the control of a farmer only while the implement of husbandry is being operated on noninterstate roads or highways within 75 miles of any farmland: (i) owned, leased, or operated by the farmer and (ii) on which the farmer regularly uses the implement of husbandry.

Subd. 2. [WEIGHT PER INCH OF TIRE WIDTH.] An implement of husbandry that is not self-propelled and is equipped with pneumatic tires may not be operated on a public highway with a maximum wheel load that exceeds 600 pounds per inch of tire width before August 1, 1996, and 500 pounds per inch of tire width on and after August 1, 1996.

Subd. 3. [HITCHES.] A towed implement of husbandry must be equipped with (1) safety chains that meet the requirements of section 169.82, subdivision 3, paragraph (b); (2) a regulation fifth wheel and kingpin assembly approved by the commissioner of public safety; or (3) a hitch pin or other hitching device with a retainer that prevents accidental unhitching.

Sec. 16. Minnesota Statutes 1992, section 169.82, is amended to read:

169.82 [TRAILER EQUIPMENT.]

~~Except as provided in section 169.67, any trailer exceeding a gross weight of 6,000 pounds shall be equipped with brakes adequate to stop and hold such trailer, and which are so constructed that they will so operate whenever such trailer becomes detached from the towing vehicle.~~

Subdivision 1. [CONNECTION TO TOWING VEHICLE.] (a) When one vehicle is towing another the drawbar or other connection shall must be of sufficient strength to pull all the weight being towed thereby, and said.

(b) The drawbar or other connection shall may not exceed 15 feet from one vehicle to the other except. This paragraph does not apply to the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

Subd. 2. [MARKING.] When one vehicle is towing another and the connection consists of a chain, rope, or cable, ~~there shall be displayed upon such~~ the connection must display a white, red, yellow, or orange flag or cloth not less than 12 inches square.

Subd. 3. [HITCHES; CHAINS.] (a) Every trailer or semitrailer ~~shall~~ must be hitched to the towing motor vehicles ~~furnishing the tractive power for it~~ vehicle by a device approved by the commissioner of public safety ~~as safe and in addition shall~~.

(b) Every trailer and semitrailer must be equipped with safety chains permanently attached to the trailer except ~~that in cases~~ where the coupling device is a regulation fifth wheel and kingpin assembly approved by the commissioner of public safety ~~such safety chains shall not be required~~. In towing, ~~such the~~ chains shall must be carried through a ring on the towbar and attached to the towing vehicle, and ~~shall~~ must be of sufficient strength to control the trailer in the event of failure of the towing device.

No person may be charged with a violation of this section solely by reason of violating a maximum speed prescribed in section 169.145 or 169.67.

Sec. 17. Minnesota Statutes 1992, section 169.86, subdivision 5, is amended to read:

Subd. 5. [FEES.] The commissioner, with respect to highways under the commissioner's jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) \$15 for each single trip permit.

(b) \$36 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight, and dimension.

(c) \$60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(2) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(3) motor vehicles operating with gross weights authorized under section 169.825, subdivision 11, paragraph (a), clause (3); and

(4) special pulpwood vehicles described in section 169.863.

(d) \$120 for an oversize annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) mobile cranes;

(2) construction equipment, machinery, and supplies;

(3) manufactured homes;

(4) ~~farm equipment~~ implements of husbandry when the movement is not made according to the provisions of section 169.80, subdivision 1, paragraphs (a) to (f) paragraph (i);

(5) double-deck buses;

(6) commercial boat hauling.

(e) For vehicles which have axle weights exceeding the weight limitations of section 169.825, an additional cost added to the fees listed above. The additional cost is equal to the product of the distance traveled times the sum of the overweight axle group cost factors shown in the following chart:

Overweight Axle Group Cost Factors

Weight (pounds) exceeding weight limitations on axles	Cost Per Mile For Each Group Of:		
	Two consecutive axles spaced within 8 feet or less	Three consecutive axles spaced within 9 feet or less	Four consecutive axles spaced within 14 feet or less
0-2,000	.100	.040	.036
2,001-4,000	.124	.050	.044
4,001-6,000	.150	.062	.050
6,001-8,000	Not permitted	.078	.056
8,001-10,000	Not permitted	.094	.070
10,001-12,000	Not permitted	.116	.078
12,001-14,000	Not permitted	.140	.094
14,001-16,000	Not permitted	.168	.106
16,001-18,000	Not permitted	.200	.128
18,001-20,000	Not permitted	Not permitted	.140
20,001-22,000	Not permitted	Not permitted	.168

The amounts added are rounded to the nearest cent for each axle or axle group. The additional cost does not apply to paragraph (c), clauses (1) and (3).

For a vehicle found to exceed the appropriate maximum permitted weight, a cost-per-mile fee of 22 cents per ton, or fraction of a ton, over the permitted maximum weight is imposed in addition to the normal permit fee. Miles must be calculated based on the distance already traveled in the state plus the distance from the point of detection to a transportation loading site or unloading site within the state or to the point of exit from the state.

(f) As an alternative to paragraph (e), an annual permit may be issued for overweight, or oversize and overweight, construction equipment, machinery, and supplies. The fees for the permit are as follows:

Gross Weight (pounds) of vehicle	Annual Permit Fee
90,000 or less	\$200
90,001 - 100,000	\$300
100,001 - 110,000	\$400
110,001 - 120,000	\$500
120,001 - 130,000	\$600
130,001 - 140,000	\$700
140,001 - 145,000	\$800

If the gross weight of the vehicle is more than 145,000 pounds the permit fee is determined under paragraph (e).

(g) For vehicles which exceed the width limitations set forth in section 169.80 by more than 72 inches, an additional cost equal to \$120 added to the amount in paragraph (a) when the permit is issued while seasonal load restrictions pursuant to section 169.87 are in effect.

(h) \$85 for an annual permit to be issued for a period not to exceed 12 months, for refuse compactor vehicles that carry a gross weight of not more than: 22,000 pounds on a single rear axle; 38,000 pounds on a tandem rear axle; or, subject to section 169.825, subdivision 14, 46,000 pounds on a tridem rear axle. A permit issued for up to 46,000 pounds on a tridem rear axle must limit the gross vehicle weight to not more than 62,000 pounds.

(i) For vehicles exclusively transporting implements of husbandry, an annual permit fee of \$24. A vehicle operated under a permit authorized by this paragraph may be moved at the discretion of the permit holder without prior route approval by the commissioner if:

- (1) the total width of the transporting vehicle, including load, does not exceed 14 feet;

(2) the vehicle is operated only between sunrise and 30 minutes after sunset, and is not operated at any time after 12:00 noon on Sundays or holidays;

(3) the vehicle is not operated when visibility is impaired by weather, fog, or other conditions that render persons and other vehicles not clearly visible at 500 feet;

(4) the vehicle displays at the front and rear of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, whenever the overall width of the vehicle exceeds 126 inches; and

(5) the vehicle is not operated on a trunk highway with a surfaced roadway width of less than 24 feet unless such operation is authorized by the permit.

A permit under this paragraph authorizes movements of the permitted vehicle on an interstate highway, and movements of 75 miles or more on other highways.

Sec. 18. Minnesota Statutes 1992, section 171.13, subdivision 1, is amended to read:

Subdivision 1. [APPLICANTS.] Except as otherwise provided in this section, the commissioner shall examine each applicant for a driver's license by such agency as the commissioner directs. This examination must include a test of applicant's eyesight; ability to read and understand highway signs regulating, warning, and directing traffic; knowledge of traffic laws; knowledge of the effects of alcohol and drugs on a driver's ability to operate a motor vehicle safely and legally; knowledge of railroad grade crossing safety; knowledge of slow-moving vehicle safety; an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle; and other physical and mental examinations as the commissioner finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways, provided, further however, no driver's license shall be denied an applicant on the exclusive grounds that the applicant's eyesight is deficient in color perception. Provided, however, that war veterans operating motor vehicles especially equipped for handicapped persons, shall, if otherwise entitled to a license, be granted such license. The commissioner shall make provision for giving these examinations either in the county where the applicant resides or at a place adjacent thereto reasonably convenient to the applicant.

Sec. 19. Minnesota Statutes 1992, section 171.13, is amended by adding a subdivision to read:

Subd. 1e. [SLOW-MOVING VEHICLES.] The commissioner shall include in each examination under subdivision 1 an examination of the applicant's knowledge of highway safety with respect to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem.

Sec. 20. [PUBLICATION.]

The commissioner of public safety shall at the earliest practicable date prepare and publish a compilation of all laws that govern the operation of implements of husbandry on public highways. The commissioner shall, within the department budget, make the publication available to agricultural and other organizations for the purpose of achieving the widest feasible distribution of the publication among farmers, farm implement dealers, and other persons directly affected by these laws.

Sec. 21. [DRIVER EDUCATION.]

The commissioner of public safety and the commissioner of education shall take such actions as are necessary to increase significantly the amount of instruction provided in driver education courses in public schools and private driver education schools in highway safety with regard to approaching, following, and passing slow-moving vehicles and the significance of the slow-moving vehicle emblem."

Delete the title and insert:

"A bill for an act relating to highway traffic regulations; implements of husbandry; defining implements of husbandry; exempting trailers that carry dry fertilizer from vehicle registration tax; reducing the maximum speed limit for implements of husbandry to 25 miles per hour; requiring hazard warning lights on implements of husbandry; regulating brakes on implements of husbandry; imposing certain size and weight restrictions; requiring slow-moving vehicle safety to be included in driver examinations and driver education courses; amending Minnesota Statutes 1992, sections 168.012, subdivision 2b; 169.01, subdivision 55; 169.145; 169.18, subdivision 5; 169.47; 169.55, subdivision 2, and by adding a subdivision; 169.64, subdivision 6; 169.67, subdivisions 3, 4, and by adding a subdivision; 169.72, subdivision 1; 169.80, subdivisions 1 and 2; 169.82; 169.86, subdivision 5; and 171.13, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169."

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. 738, A bill for an act relating to education; directing post-secondary institutions to disseminate data on remedial instruction to school districts; amending Minnesota Statutes 1992, section 13.32, subdivisions 3 and 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 13.32, subdivision 3, is amended to read:

Subd. 3. [PRIVATE DATA; WHEN DISCLOSURE IS PERMITTED.] Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) Pursuant to section 13.05;

(b) Pursuant to a valid court order;

(c) Pursuant to a statute specifically authorizing access to the private data;

(d) To disclose information in health and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code of Federal Regulations, title 34, section 99.36 which are in effect on July 1, 1989;

(e) Pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, and 99.35 which are in effect on July 1, 1989; ~~or~~

(f) To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
or

(g) To the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the results of assessment testing and academic performance, including the extent and content of the remedial instruction, received at a post-secondary institution during the previous academic year by a student who graduated from a Minnesota school district within the two school years prior to the post-secondary enrollment.

Sec. 2. Minnesota Statutes 1992, section 13.32, subdivision 6, is amended to read:

Subd. 6. [ADMISSIONS FORMS; REMEDIAL INSTRUCTION.] (a) Minnesota post-secondary education institutions, for purposes of reporting and research, may collect on the 1986-1987 admissions form, and disseminate to any public educational agency or institution the following data on individuals: student sex, ethnic background, age, and disabilities. The data shall not be required of any individual and shall not be used for purposes of determining the person's admission to an institution.

(b) A school district that receives information from a post-secondary institution about a student, under subdivision 3, paragraph (g), shall maintain the data as educational data. Public post-secondary systems annually shall provide summary data to the state department of education indicating the extent and content of the remedial instruction that students who graduated within the preceding two years from a Minnesota school district received during that academic year. The department shall evaluate the data and annually report its findings to the education committees of the legislature.

(c) This section supersedes any inconsistent provision of law.

Sec. 3. [JOINT PLAN TO REPORT TO SCHOOL DISTRICTS.]

Minnesota public post-secondary education systems, for the purpose of assisting school districts in developing academic standards, determining specific areas of academic deficiency within the secondary school curriculum, and improving instruction, shall by September 1, 1993, jointly develop a plan to disseminate data to Minnesota school districts indicating results of assessment testing and academic performance, including the extent and content of the remedial instruction, that students who graduated from a district within the preceding two years received at the post-secondary institution. The data shall include personally identifiable information about the student to the extent necessary to accomplish the purpose of this paragraph."

Delete the title and insert:

"A bill for an act relating to education; providing for classification, maintenance, and dissemination of certain data; amending Minnesota Statutes 1992, section 13.32, subdivisions 3 and 6."

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. 785, A bill for an act relating to retirement; survivor benefits payable by the Minneapolis police relief association; amending Laws 1992, chapter 471, article 1, section 10, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"ARTICLE 1

MINNEAPOLIS POLICE SURVIVOR BENEFIT MODIFICATION

Section 1. Laws 1992, chapter 454, section 3, is amended to read:

Sec. 3. [TRANSITION PERIOD.]

~~The benefit increase provided under section 1 to surviving spouse shall be phased in according to the following schedule:~~

Year	Maximum Amount of Units Under Section 1
1992	19
1993	20
1994	21

~~provided that the Minneapolis police relief association's percent of assets to actuarial accrued unfunded liability as of December 31 for the year indicated is at least the following:~~

1991	75.3 percent
1992	76.6 percent
1993	77.9 percent

~~In the event the required funding of percent of assets to actuarial accrued unfunded liability is not met in a given year, the phased in benefit will not occur but will be phased in in subsequent years when the funding levels are met.~~

The benefit provided in section 2 to surviving spouses of the Minneapolis fire department relief association shall be paid beginning in 1993 only if on December 31, 1992, the relief association has assets of at least 64 percent of the actuarial accrued unfunded liability. Provided, however, if the fund does not have the minimum required funding on December 31, 1992, the benefit will be phased in when the fund reaches 64 percent of the actuarial accrued unfunded liability."

Page 1, line 19, delete "22" and insert "21" and reinstate the stricken "if"

Page 1, line 20, reinstate the stricken language

Page 1, line 21, reinstate everything before "4.5" and after "4.5" insert "6"

Page 1, line 22, reinstate everything before "~~nine tenths~~" and reinstate everything after "of"

Page 1, line 23, reinstate the stricken language

Page 1, delete line 24 and insert "five years, to a maximum of ~~18~~ 21 units per month, if the person is"

Page 1, line 25, reinstate the stricken language

Page 2, line 1, reinstate the stricken language

Page 2, lines 10 and 11, reinstate the stricken language

Page 2, delete line 12 and insert "~~1.5~~ 2.0 units per month, plus an additional ~~three tenths~~ four tenths of one unit"

Page 2, line 13, reinstate the stricken language

Page 2, delete line 14 and insert "in excess of five years, to a maximum of ~~six~~ eight units, if the"

Page 2, lines 15 and 16, reinstate the stricken language

Page 2, line 23, delete "pension" and insert "surviving child benefit" and delete "board of directors" and insert "surviving child is, or the surviving children are, entitled to a surviving child benefit"

Page 2, line 24, delete "shall pay a pension" and delete "may" and insert "determined by the board of directors to"

Page 2, line 25, delete "as in the"

Page 2, line 26, delete "discretion of said board may be necessary"

Page 2, after line 31, insert:

"Sec. 3. [REPEALER.]

Laws 1992, chapter 454, section 1, is repealed."

Page 2, line 33, delete "Section 1 is" and insert "Sections 1, 2, and 3 are"

Page 2, after line 34, insert:

"ARTICLE 2

CONFORMING CHANGES

Section 1. Minnesota Statutes 1992, section 353B.11, subdivision 4, is amended to read:

Subd. 4. [AMOUNT; SURVIVING CHILD BENEFIT.] (a) The surviving child benefit shall be eight percent of the salary base for the former members of the following consolidating relief associations:

- (1) Fridley police pension association;
- (2) Red Wing fire department relief association;
- (3) Richfield police relief association;
- (4) Rochester fire department relief association;
- (5) Rochester police relief association;
- (6) St. Cloud police relief association;
- (7) St. Louis Park police relief association;
- (8) South St. Paul firefighters relief association;
- (9) Winona fire department relief association; and
- (10) Winona police relief association.

(b) The surviving child benefit shall be \$25 per month for the former members of the following consolidating relief associations:

- (1) Anoka police relief association;
- (2) Austin firefighters relief association;

- (3) Austin police relief association;
- (4) Faribault police benefit association;
- (5) Hibbing firefighters relief association;
- (6) Mankato police benefit association;
- (7) South St. Paul police relief association; and
- (8) Virginia fire department relief association.

(c) The surviving child benefit shall be ten percent of the salary base for the former members of the following consolidating relief associations:

- (1) Albert Lea police relief association;
- (2) Crookston police relief association;
- (3) Duluth firefighters relief association;
- (4) Duluth police pension association;
- (5) Faribault fire department relief association; and
- (6) Minneapolis fire department relief association.

(d) The surviving child benefit shall be five percent of the salary base for the former members of the following consolidating relief associations:

- (1) Columbia Heights fire department relief association, paid division;
- (2) St. Paul police relief association; and
- (3) West St. Paul firefighters relief associations.

(e) The surviving child benefit shall be \$15 per month for the former members of the following consolidating relief associations:

- (1) Crookston fire department relief association;
- (2) Hibbing police relief association; and
- (3) West St. Paul police relief association.

(f) The surviving child benefit shall be 7.5 percent of the salary base for the former members of the following consolidating relief associations:

- (1) Bloomington police relief association; and
- (2) Crystal police relief association; ~~and~~
- (3) ~~Minneapolis police relief association.~~

(g) The surviving child benefit shall be the following for the former members of the consolidating relief associations as indicated:

(1) ten percent of the salary base if a surviving spouse benefit is also payable, that amount between ten percent of the salary base and 50 percent of the salary base as determined by the executive director of the public employees retirement association, based on the financial circumstances and need of the surviving child or surviving children, applied in a uniform manner, reflective to the extent practicable or determinable to the past administrative practices of the board of the consolidating relief association before the effective date of the consolidation if there is a surviving spouse but no surviving spouse benefit is also payable on account of the remarriage of the surviving spouse, or 50 percent of the salary base, payable in equal shares for more than one surviving child, if there is no surviving spouse, Albert Lea firefighters relief association;

(2) four percent of the salary base, Brainerd police benefit association;

(3) \$125 per month if a surviving spouse benefit is also payable or an amount equal to the surviving spouse benefit, payable in equal shares if there is more than one surviving child, if no surviving spouse benefit is payable, Buhl police relief association;

(4) \$15 per month, Chisholm firefighters relief association;

(5) \$125 per month, Chisholm police relief association;

(6) \$50 per month, Columbia Heights police relief association;

(7) 6.25 percent of the salary base, Fairmont police benefit association;

(8) 12.5 percent of the service pension or disability benefit which the deceased member was receiving as of the date of death, or of the service pension which the deferred member would have been receiving if the service pension had commenced as of the date of death or of the service pension which the active member would have received based on the allowable service credit of the person as of the date of death if the person would have been eligible as of the date of death, Mankato fire department relief association;

(9) ten percent of the salary base if a surviving spouse benefit is also payable or an amount determined by the executive director of the public employees retirement association based on the financial circumstances and need of the surviving child or surviving children, applied in a uniform manner, and subject to the largest applicable amount surviving child benefit maximum if no surviving spouse benefit is also payable, Minneapolis police relief association;

(10) \$25 per month if a surviving spouse benefit is also payable or an amount equal to the surviving spouse benefit, payable in equal shares if there is more than one surviving child, New Ulm police relief association;

(11) (11) in an amount determined by the executive director of the public employees retirement association based on the financial circumstances and need of the surviving child or surviving children, applied in a uniform manner, reflective to the extent practicable or determinable to the past administrative practices of the board of the consolidating relief association before the effective date of the consolidation and not more than the largest surviving child benefit amount prescribed for any other actual or potential consolidating relief association as provided in this section, Red Wing police relief association;

(12) (12) five percent of the salary base if a surviving spouse benefit is also payable or 15 percent of the salary base if no surviving spouse benefit is payable, Richfield fire department relief association;

(13) (13) 5.3334 percent of the salary base, St. Cloud fire department relief association;

(14) (14) five percent of the salary base if a surviving spouse benefit is also payable or 15 percent of the salary base if no surviving spouse benefit is also payable for the surviving child or children of a deceased active member, disabled member, or retired or deferred member with at least 20 years of active service, or the prorated portion of five percent of the salary base if a surviving spouse benefit is also payable or 15 percent of the salary base if no surviving spouse benefit is also payable that bears the same relationship to five or 15 percent that the deceased member's years of allowable service bear to 20 years of allowable service for the surviving child or children of a deceased retired or deferred member with at least ten but less than 20 years of allowable service, St. Louis Park fire department relief association;

- (14) ~~(15)~~ ten percent of the salary base, St. Paul fire department relief association; and
(15) ~~(16)~~ \$50 per month, Virginia police relief association.

Sec. 2. Minnesota Statutes 1992, section 353B.11, subdivision 5, is amended to read:

Subd. 5. [SURVIVOR BENEFIT MAXIMUM.] (a) No surviving children or surviving family maximum shall be applicable to former members of the following consolidating relief associations:

- (1) Buhl police relief association;
- (2) Chisholm firefighters relief association;
- (3) Chisholm police relief association;
- (4) Hibbing firefighters relief association;
- (5) Mankato police benefit association;
- (6) New Ulm police relief association;
- (7) Red Wing fire department relief association;
- (8) Red Wing police relief association;
- (9) St. Paul police relief association; and
- (10) South St. Paul police relief association.

(b) The surviving children maximum shall be 24 percent of the salary base, if a surviving spouse benefit is also payable or 48 percent of the salary base, if no surviving spouse benefit is also payable, for the former members of the following consolidating relief associations:

- (1) Fridley police pension association;
- (2) Richfield police relief association;
- (3) Rochester fire department relief association;
- (4) Rochester police relief association;
- (5) Winona fire department relief association; and
- (6) Winona police relief association.

(c) The surviving family maximum shall be 50 percent of the salary base for the former members of the following consolidating relief associations:

- (1) Anoka police relief association;
- (2) Austin firefighters relief association;
- (3) Austin police relief association;
- (4) Duluth firefighters relief association;
- (5) Richfield fire department relief association; and
- (6) St. Louis Park fire department relief association.

(d) The surviving family maximum shall be an amount equal to the service pension which a retiring member would have received based on 20 years of allowable service credit if the member had attained the age of at least 50 years in the case of an active member, or of the service pension which the deferred member would have been receiving if the service pension had commenced as of the date of death in the case of a deferred member, or of the service pension or disability benefit which the deceased member was receiving as of the date of death, for the former members of the following consolidating relief associations:

- (1) Columbia Heights police relief association;
- (2) Virginia fire department relief association; and
- (3) Virginia police relief association.

(e) The surviving children maximum shall be 25 percent of the salary base, if a surviving spouse benefit is also payable or 50 percent of the salary base, if no surviving spouse benefit is also payable, for the former members of the following consolidating relief associations:

- (1) Duluth police pension association; and
- (2) Fairmont police benefit association.

(f) The surviving children maximum shall be 22.5 percent of the salary base, if a surviving spouse benefit is also payable or 45 percent of the salary base, if no surviving spouse benefit is also payable, for the former members of the following consolidating relief associations:

- (1) Bloomington police relief association; and
- (2) Crystal police relief association.

(g) The surviving children maximum shall be 16 percent of the salary base, if a surviving spouse benefit is also payable or 48 percent of the salary base, if no surviving spouse benefit is also payable, for the former members of the following consolidating relief associations:

- (1) St. Cloud fire department relief association; and
- (2) St. Cloud police relief association.

(h) The surviving children maximum shall be 20 percent of the salary base, if a surviving spouse benefit is also payable or 50 percent of the salary base, if no surviving spouse benefit is also payable, for the former members of the following consolidating relief associations:

- (1) Albert Lea firefighters relief association;
- (2) Albert Lea police relief association; and
- (3) Faribault fire department relief association.

(i) The surviving family maximum shall be the following for the former members of the consolidating relief associations:

- (1) \$450 per month, Crookston police relief association;
- (2) 80 percent of the service pension or disability benefit which the deceased member was receiving as of the date of death, or of the service pension which the deferred member would have been receiving if the service pension had commenced as of the date of death or of the service pension which the active member would have received based on the greater of the allowable service credit of the person as of the date of death or 20 years of allowable service credit if the person would have been eligible as of the date of death, Mankato fire department relief association; and
- (3) 57.5 percent of the salary base, St. Paul fire department relief association.

(j) The surviving child maximum shall be the following for the former members of the consolidating relief associations:

- (1) 20 percent of the top salary payable to a patrol officer, Brainerd police benefit association;
- (2) ten percent of the salary base, if a surviving spouse benefit is also payable or 15 percent of the salary base, if no surviving spouse benefit is also payable, Columbia Heights fire department relief association, paid division;
- (3) \$105 per month if a surviving spouse benefit is also payable or \$90 per month if no surviving spouse benefit is also payable, Crookston fire department relief association;
- (4) \$125 per month, Faribault police benefit association;
- (5) \$30 per month if a surviving spouse benefit is also payable or \$180 per month if no surviving spouse benefit is also payable, Hibbing police relief association;
- (6) 25 percent of the salary base, if a surviving spouse benefit is also payable or 51.25 percent of the salary base, if no surviving spouse benefit is also payable, Minneapolis fire department relief association;
- (7) 17.5 percent of the salary base, if a surviving spouse benefit is also payable or 40 50 percent of the salary base, if no surviving spouse benefit is also payable, Minneapolis police relief association;
- (8) 24 percent of the salary base, St. Louis Park police relief association;
- (9) 23 percent of the salary base, if a surviving spouse benefit is also payable or 50 percent of the salary base, if no surviving spouse benefit is also payable, South St. Paul firefighters relief association;
- (10) ten percent of the salary base, West St. Paul firefighters relief association; and
- (11) \$30 per month if a surviving spouse benefit is also payable or \$75 per month if no surviving spouse benefit is also payable, West St. Paul police relief association.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective on the effective date of article 1, section 2."

Reorder the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 3, after "amending" insert "Minnesota Statutes 1992, section 353B.11, subdivisions 4 and 5; and"

Page 1, line 4, delete "chapter" and insert "chapters 454, section 3; and"

Page 1, line 5, before the period insert "; repealing Laws 1992, chapter 454, section 1"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 807, A bill for an act relating to retirement; the Minneapolis fire department relief association; setting service pension rates; repealing Laws 1971, chapter 542.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"ARTICLE 1

MINNEAPOLIS FIRE BENEFIT INCREASE"

Page 1, line 8, delete "1972" and insert "1971" and after the third comma insert "section 1,"

Page 1, line 9, after "9" insert ", to the contrary" and delete "of" and insert "payable by the"

Page 1, line 10, delete "retiring" and insert "terminating active service as a Minneapolis firefighter"

Page 1, line 11, delete "will" and insert "must"

Page 1, after line 11, insert:

<u>length of</u>	<u>service</u>
<u>credited service</u>	<u>pension payable</u> "

Page 2, line 11, delete "Section 1 is" and insert "Sections 1 and 2 are"

Page 2, line 13, delete "is" and insert "does"

Page 2, line 14, delete "retroactive for members retiring" and insert "apply to members of the Minneapolis fire department relief association who terminated active service as a Minneapolis firefighter"

Page 2, after line 14, insert:

"ARTICLE 2

CONFORMING CHANGES

Section 1. Minnesota Statutes 1992, section 353B.07, subdivision 3, is amended to read:

Subd. 3. [FORMULA PERCENTAGE RATE.] (a) The formula percentage rate shall be 2.333 percent per year of allowable service for each of the first 20 years of allowable service, 1.333 percent per year of allowable service for each year of allowable service in excess of 20 years but not in excess of 27 years, and .5 percent for each year of allowable service in excess of 25 years for the former members of the following consolidating relief associations:

- (1) Rochester fire department relief association;
- (2) Rochester police relief association;
- (3) St. Cloud fire department relief association;
- (4) St. Cloud police relief association;
- (5) St. Louis Park police relief association; and
- (6) Winona police relief association.

(b) The formula percentage rate shall be 2.5 percent per year of allowable service for each of the first 20 years of allowable service for the former members of the following consolidating relief associations:

- (1) Albert Lea police relief association;
- (2) Anoka police relief association;

- (3) Faribault fire department relief association;
- (4) Faribault police benefit association;
- (5) Mankato police benefit association;
- (6) Red Wing police relief association; and
- (7) West St. Paul police relief association.

(c) The formula percentage rate shall be 2.5 percent per year of allowable service for each of the first 20 years of allowable service and .5 percent per year of allowable service for each year of service in excess of 25 years of allowable service for the former members of the following consolidating relief associations:

- (1) Austin firefighters relief association;
- (2) Austin police relief association;
- (3) South St. Paul firefighters relief association;
- (4) South St. Paul police relief association; and
- (5) Virginia police relief association.

(d) The formula percentage rate shall be 2.1875 percent per year of allowable service for each of the first 20 years of allowable service and 1.25 percent per year of allowable service for each year of allowable service in excess of 20 years of allowable service but not in excess of 27 years of allowable service for the former members of the following consolidating relief associations:

- (1) Bloomington police relief associations; and
- (2) Columbia Heights police relief association.

(e) The formula percentage rate shall be 2.65 percent per year of allowable service for each of the first 20 years of allowable service and an additional annual benefit of \$120 per year of allowable service in excess of 20 years of allowable service but not in excess of 25 years of allowable service for the former members of the following consolidating relief associations:

- (1) Hibbing firefighters relief association; and
- (2) Hibbing police relief association.

(f) The formula percentage rate or rates shall be the following for the former members of the consolidating relief associations as indicated:

(1) 2.5 percent per year of allowable service for each of the first 20 years of allowable service, one percent per year of allowable service in excess of 20 years of allowable service but not more than 25 years of allowable service, and 1.5 percent per year of allowable service in excess of 25 years of allowable service, Albert Lea firefighters relief association;

(2) the greater of 2.5 percent per year of allowable service for each of the first 20 years of allowable service applied to the final salary base, or two percent per year of allowable service for each of the first 20 years of allowable service applied to top grade patrol officer's salary base, Brainerd police relief association;

(3) 4.25 percent per year of allowable service for each of the first 20 years of allowable service and an additional benefit of \$10 per month per year of allowable service in excess of 20 years of allowable service but not more than 25 years of allowable service, Buhl police relief association;

(4) 2.5 percent per year of allowable service for each of the first 20 years of allowable service and an additional benefit of \$5 per month per year of allowable service in excess of 20 years of allowable service but not more than 25 years of allowable service, Chisholm firefighters relief association;

(5) 2.5 percent per year of allowable service for each of the first 20 years of allowable service and an additional benefit of \$5 per month per year of allowable service in excess of 20 years of allowable service but not more than 25 years of allowable service and .5 percent per year of allowable service in excess of 25 years of allowable service, Chisholm police relief association;

(6) 2.1875 percent per year of allowable service for each year of the first 20 years of allowable service, 1.25 percent per year of allowable service in excess of 20 years of allowable service but not more than 25 years of allowable service and 1.75 percent per year of allowable service in excess of 25 years of allowable service, Columbia Heights fire department relief association, paid division;

(7) 2.5 percent per year of allowable service for each year of the first 20 years of allowable service and 1.5 percent per year of allowable service rendered after attaining the age of 60 years, Crookston fire department relief association;

(8) 2.5 percent per year of allowable service for each year of the first 30 years of allowable service, Crookston police relief association;

(9) 2.25 percent per year of allowable service for each year of the first 20 years of allowable service and 1.25 percent per year of allowable service in excess of 20 years of allowable service, but not more than 27 years of service, Crystal police relief association;

(10) 1.99063 percent per year of allowable service for each year of the first 20 years of allowable service, 1.25 percent for the 21st year of allowable service, and 2.5 percent per year of allowable service in excess of 21 years of allowable service but not more than 25 years of allowable service, Duluth firefighters relief association;

(11) 1.9875 percent per year of allowable service for each year of the first 20 years of allowable service, 1.25 percent for the 21st year of allowable service, and 2.5 percent per year of allowable service in excess of 21 years of allowable service but not more than 25 years of allowable service, Duluth police relief association;

(12) 2.5 percent per year of allowable service for each year of the first 20 years of allowable service, and two percent per year of allowable service in excess of 20 years but not more than 25 years of allowable service and not to include any year of allowable service rendered after attaining the age of 55 years, Fairmont police benefit association;

(13) two percent per year of allowable service for each year of the first ten years of allowable service, 2.67 percent per year of allowable service in excess of ten years of allowable service but not more than 20 years of allowable service and 1.3333 percent per year of allowable service in excess of 20 years of service but not more than 27 years of allowable service, Fridley police pension association;

(14) 2.5 percent per year of allowable service for each year of the first 20 years of allowable service and an additional annual amount of \$30 per year of allowable service in excess of 20 years of allowable service but not more than 30 years of allowable service, Mankato fire department relief association;

(15) for members who terminated active service as a Minneapolis firefighter before June 1, 1993, 2.0625 percent per year of allowable service for each year of the first 20 years of allowable service, 1.25 percent per year of allowable service in excess of 20 years of allowable service but not more than 24 years of allowable service and five percent for the 25th year of allowable service, and for members who terminated active service as a Minneapolis firefighter after May 31, 1993, two percent for each year of the first 19 years of allowable service, 3.25 percent for the 20th year of allowable service, and two percent per year of allowable service in excess of 20 years of service, but not more than 25 years of allowable service, Minneapolis fire department relief association;

(16) 2.125 percent per year of allowable service for each year of the first 20 years of allowable service, 1.25 percent per year of allowable service in excess of 20 years of allowable service but not more than 24 years of allowable service, and five percent for the 25th year of allowable service, Minneapolis police relief association;

(17) the greater of 2.5 percent per year of allowable service for each of the first 20 years of allowable service applied to the final salary base, or two percent per year of allowable service for each of the first 20 years of allowable service applied to highest patrol officer's salary base plus .5 percent of the final salary base per year of allowable service for each of the first three years of allowable service in excess of 20 years of allowable service, New Ulm police relief association;

(18) two percent per year of allowable service for each of the first 25 years of allowable service and 1.5 percent per year of allowable service in excess of 25 years of allowable service, Red Wing fire department relief association;

(19) 2.55 percent per year of allowable service for each of the first 20 years of allowable service, Richfield fire department relief association;

(20) 2.4 percent per year of allowable service for each of the first 20 years of allowable service and 1.3333 percent per year of allowable service in excess of 20 years of allowable service but not more than 27 years of allowable service, Richfield police relief association;

(21) for a former member with less than 20 years of allowable service on June 16, 1985, 2.6 percent, and for a former member with 20 or more years of allowable service on June 16, 1985, 2.6175 percent for each of the first 20 years of allowable service and, for each former member, one percent for each year of allowable service in excess of 20 years, but no more than 30 years, St. Louis Park fire department relief association;

(22) 1.9375 percent per year of allowable service for each of the first 20 years of allowable service, 2.25 percent per year of allowable service in excess of 20 years of allowable service but not more than 25 years of allowable service, and .5 percent per year of allowable service in excess of 25 years of allowable service, St. Paul fire department relief association;

(23) two percent per year of allowable service for each of the first 25 years of allowable service and .5 percent per year of allowable service in excess of 25 years of allowable service, St. Paul police relief association;

(24) 2.25 percent per year of allowable service for each of the first 20 years of allowable service and one percent per year of allowable service in excess of 20 years but not more than 25 years of allowable service and .5 percent per year of allowable service in excess of 25 years, Virginia fire department relief association;

(25) two percent per year of allowable service for each of the first 20 years of allowable service, one percent per year of allowable service in excess of 20 years but not more than 24 years of allowable service, three percent for the 25th year of allowable service and one percent per year of allowable service in excess of 25 years of allowable service but not more than 30 years of allowable service, West St. Paul firefighters relief association; and

(26) 2.333 percent for each of the first 20 years of allowable service, 1.333 percent for each year of allowable service in excess of 20 years but no more than 28 years, and .5 percent for each year of allowable service in excess of 25 years, Winona fire department relief association.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective on the effective date of article 1, section 1."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "amending Minnesota Statutes 1992, section 352B.07, subdivision 3;"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 815, A bill for an act relating to transportation; exempting public bodies from regulations on all-terrain vehicles; allowing commissioner of transportation to transfer certain real property acquired for highway purposes to former owner through negotiated settlement; providing for bridge inspection frequency and reports; delaying required revision of state transportation plan; authorizing expenditure of rail service maintenance account money for maintenance of rail lines and rights-of-way in the rail bank; providing funding sources for rail bank maintenance account; authorizing sale of certain tax-forfeited land that borders public water in New Scandia township in Washington county, and an exchange of that land for land located in Stillwater township in Washington county between the state of Minnesota and the United States Department of Interior, National Park Service; repealing identification display requirements for highway advertising signs; amending Minnesota Statutes 1992, sections 84.92, subdivision 6; 165.03; 174.03, subdivision 1a; 222.50, subdivision 7; 222.63, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 1992, section 173.14; and Minnesota Rules, part 8810.1300, subpart 6.

Reported the same back with the following amendments:

Page 1, after line 35, insert:

"Sec. 2. Minnesota Statutes 1992, section 84.922, subdivision 1a, is amended to read:

Subd. 1a. [EXEMPTIONS.] All-terrain vehicles exempt from registration are:

- (1) vehicles owned and used by the United States, the state, another state, or a political subdivision;
- (2) vehicles registered in another state or country that have not been in this state for more than 30 consecutive days;
and
- (3) vehicles used exclusively in organized track racing events; and
- (4) vehicles used exclusively for agricultural use and used exclusively on private property.

Sec. 3. Minnesota Statutes 1992, section 84.922, subdivision 2a, is amended to read:

Subd. 2a. [PRIVATE USE REGISTRATION.] All-terrain vehicles may be registered for private use that are used exclusively for private ~~or agricultural~~ use or used exclusively on private property. Private use registration is valid from the date of issuance until ownership of the all-terrain vehicle is transferred. Private ~~or agricultural~~ use registrations are not transferable."

Page 8, line 24, delete "3, 4, 7, 8, and 9" and insert "5, 6, 9, 10, and 11"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert "modifying registration provisions for all-terrain vehicles;"

Page 1, line 21, after "6;" insert "84.922, subdivisions 1a and 2a;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Jacobs from the Committee on Regulated Industries and Energy to which was referred:

H. F. No. 825, A bill for an act relating to alcoholic beverages; changing definitions of licensed premises, nonintoxicating malt liquor, restaurant, and wine; authorizing an investigation fee on denied licenses; prohibiting manufacturers from dealing directly with retailers; disqualifying felons from licensing; revising authority for suspensions and civil penalties; making rule violations and false or incomplete statements in license applications misdemeanors; authorizing seizure and disposal of illegally possessed alcoholic beverages; providing instructions to the revisor; amending Minnesota Statutes 1992, sections 340A.101, subdivisions 15, 19, 25, and 29; 340A.301, subdivision 3; 340A.302, subdivision 3; 340A.308; 340A.402; 340A.703; 340A.904, subdivision 1; and 340A.907; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 1992, section 340A.903.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 169.122, is amended by adding a subdivision to read:

Subd. 5. [EXCEPTION.] This section does not apply to the possession or consumption of alcoholic beverages by passengers in:

(1) a bus operated under a charter as defined in section 221.011, subdivision 20; or

(2) a limousine as defined in section 168.011, subdivision 35.

Sec. 2. Minnesota Statutes 1992, section 297C.07, is amended to read:

297C.07 [EXCEPTIONS.]

The following are not subject to the excise tax:

- (1) Sales by a manufacturer, brewer, or wholesaler for shipment outside the state in interstate commerce.
- (2) Sales of wine for sacramental purposes under section 340A.316.
- (3) Fruit juices naturally fermented or beer naturally brewed in the home for family use.
- (4) Malt beverages served by a brewery for on-premise consumption at no charge, or distributed to brewery employees for on-premise consumption under a labor contract.
- (5) Alcoholic beverages sold to authorized manufacturers of food products or pharmaceutical firms. The alcoholic beverage must be used exclusively in the manufacture of food products or medicines. For purposes of this part, "manufacturer" means a manufacturer of food products intended for sale to wholesalers or retailers for ultimate sale to the consumer.
- (6) Sales to common carriers engaged in interstate transportation of passengers and qualified approved military clubs, except as provided in section 297C.17.
- (7) Alcoholic beverages sold or transferred between Minnesota wholesalers.
- (8) Sales to a federal agency, that the state of Minnesota is prohibited from taxing under the constitution or laws of the United States or under the constitution of Minnesota.
- (9) Shipments of wine to Minnesota residents under section 340A.417.

Sec. 3. Minnesota Statutes 1992, section 340A.101, subdivision 15, is amended to read:

Subd. 15. [LICENSED PREMISES.] "Licensed premises" is the premises described in the approved license application, subject to the provisions of section 340A.410, subdivision 7. In the case of a restaurant, club, or exclusive liquor store licensed for on-sales of alcoholic beverages and located on a golf course, "licensed premises" means the entire golf course except for areas where motor vehicles are regularly parked or operated.

Sec. 4. Minnesota Statutes 1992, section 340A.101, subdivision 25, is amended to read:

Subd. 25. [RESTAURANT.] "Restaurant" is an establishment, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises and served at tables to the general public, and having seating capacity for guests in the following minimum numbers:

- | | |
|--|-----|
| (a) First class cities | 50 |
| (b) Second and third class cities
and statutory cities of over
10,000 population | 30 |
| (c) Unincorporated or unorganized
territory other than in Cook,
Itasca, Lake, Lake of the Woods,
and St. Louis counties | 100 |
| (d) Unincorporated or unorganized
territory in Cook, Itasca, Lake,
Lake of the Woods, and St. Louis
counties | 50 |

In the case of classes (b) and (c) above, the governing body of a city or county may prescribe a higher minimum number. In fourth class cities and statutory cities under 10,000 population, minimum seating requirements are those prescribed by the governing body of the city.

Sec. 5. Minnesota Statutes 1992, section 340A.101, subdivision 29, is amended to read:

Subd. 29. [WINE.] "Wine" is the product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance containing not less than seven one-half of one percent nor more than 24 percent alcohol by volume for nonindustrial use. Wine does not include distilled spirits as defined in subdivision 9.

Sec. 6. Minnesota Statutes 1992, section 340A.301, subdivision 3, is amended to read:

Subd. 3. [APPLICATION.] An application for a license under this section must be made to the commissioner on a form the commissioner prescribes and must be accompanied by the fee specified in subdivision 6. If an application is denied, \$100 of the amount of any fee exceeding that amount shall be retained by the commissioner to cover costs of investigation.

Sec. 7. Minnesota Statutes 1992, section 340A.302, subdivision 3, is amended to read:

Subd. 3. [FEES.] Annual fees for licenses under this section, which must accompany the application, are as follows:

Importers of distilled spirits, wine, or ethyl alcohol	\$420
Importers of malt liquor	\$800

If an application is denied, \$100 of the fee shall be retained by the commissioner to cover costs of investigation.

Sec. 8. Minnesota Statutes 1992, section 340A.311, is amended to read:

340A.311 [BRAND REGISTRATION.]

(a) A brand of intoxicating liquor or 3.2 percent malt liquor may not be manufactured, imported into, or sold in the state unless the brand label has been registered with and approved by the commissioner. A brand registration must be renewed every three years in order to remain in effect. The fee for an initial brand registration is \$30. The fee for brand registration renewal is \$20. The brand label of a brand of intoxicating liquor or 3.2 percent malt liquor for which the brand registration has expired, is conclusively deemed abandoned by the manufacturer or importer.

(b) In this section "brand" and "brand label" include trademarks and designs used in connection with labels.

(c) The label of any brand of ~~wine or intoxicating or nonintoxicating malt~~ alcoholic beverage may be registered only by the brand owner or authorized agent. No such brand may be imported into the state for sale without the consent of the brand owner or authorized agent. This section does not limit the provisions of section 340A.307.

Sec. 9. Minnesota Statutes 1992, section 340A.402, is amended to read:

340A.402 [PERSONS ELIGIBLE.]

No retail license may be issued to:

(1) a person not a citizen of the United States or a resident alien;

(2) a person under 21 years of age;

(3) a person who has had an intoxicating liquor or nonintoxicating liquor license revoked within five years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested;

(4) a person not of good moral character and repute; or

(5) a person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler.

In addition, no new retail license may be issued to, and the governing body of a municipality may refuse to renew the license of, a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage.

Sec. 10. Minnesota Statutes 1992, section 340A.410, subdivision 7, is amended to read:

Subd. 7. [LICENSE LIMITED TO SPACE SPECIFIED.] A licensed authority may issue a retail alcoholic beverage license only for a space that is compact and contiguous. A retail alcoholic beverage license ~~to sell any alcoholic beverage~~ is only effective for the ~~compact and contiguous space~~ licensed premises specified in the approved license application.

Sec. 11. Minnesota Statutes 1992, section 340A.415, is amended to read:

340A.415 [LICENSE REVOCATION OR SUSPENSION.]

The authority issuing ~~or approving~~ any retail license or permit under this chapter or the commissioner shall either suspend for up to 60 days or revoke the license or permit or impose a civil fine penalty not to exceed \$2,000 for each violation on a finding that the license or permit holder has failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages. ~~No suspension or revocation takes effect until the license or permit holder has been afforded an opportunity for a hearing under sections 14.57 to 14.69 of the administrative procedure act. This section does not require a political subdivision to conduct the hearing before an employee of the office of administrative hearing. The issuing authority or the commissioner may impose the penalties provided in this section on a retail licensee who knowingly~~ (1) sells sold alcoholic beverages to another retail licensee for the purpose of resale,

~~(2) purchases purchased~~ alcoholic beverages from another retail licensee for the purpose of resale, ~~(3) conducts or permits conducted or permitted~~ the conduct of gambling on the licensed premises in violation of the law, ~~or~~ ~~(4) fails failed~~ to remove or dispose of alcoholic beverages when ordered by the commissioner to do so under section 340A.508, subdivision 3, ~~or~~ ~~(5) failed to comply with an applicable statute, rule, or ordinance relating to alcoholic beverages.~~ No suspension or revocation takes effect until the license or permit holder has been given an opportunity for a hearing under sections 14.57 to 14.69 of the administrative procedure act. This section does not require a political subdivision to conduct the hearing before an employee of the office of administrative hearings. Imposition of a penalty or suspension by either the issuing authority or the commissioner does not preclude imposition of an additional penalty or suspension by the other so long as the total penalty or suspension does not exceed the stated maximum.

Sec. 12. [340A.417] [SHIPMENTS INTO MINNESOTA.]

(a) Notwithstanding section 297C.09 or any provision of this chapter, a winery licensed in a state which affords Minnesota wineries an equal reciprocal shipping privilege may ship, for personal use and not for resale, not more than two cases of wine, containing a maximum of nine liters per case, in any calendar year to any resident of Minnesota age 21 or over. Delivery of a shipment under this section may not be deemed a sale in this state.

(b) The shipping container of any wine sent into or out of Minnesota under this section must be clearly labeled to indicate that the package cannot be delivered to a person under the age of 21 years.

(c) No person may (1) advertise shipments authorized under this section, or (2) by advertisement or otherwise, solicit shipments authorized by this section. No shipper located outside Minnesota may advertise such interstate reciprocal wine shipments in Minnesota.

(d) It is not the intent of this section to impair the distribution of wine through distributors or importing distributors, but only to permit shipments of wine for personal use.

Sec. 13. Minnesota Statutes 1992, section 340A.503, subdivision 6, is amended to read:

Subd. 6. [PROOF OF AGE; DEFENSE.] (a) Proof of age for purchasing or consuming alcoholic beverages may be established only by one of the following:

(1) a valid driver's license or identification card issued by Minnesota, another state, or a province of Canada, and including the photograph and date of birth of the licensed person;

(2) ~~a valid Minnesota identification card;~~

(3) a valid ~~Canadian military~~ identification card ~~with the photograph and date of birth of the person,~~ issued by a ~~Canadian province~~ the United States Department of Defense; or

(4) ~~(3)~~ in the case of a foreign national, from a nation other than Canada, by a valid passport.

(b) In a prosecution under subdivision 2, clause (1), it is a defense for the defendant to prove by a preponderance of the evidence that the defendant reasonably and in good faith relied upon representations of proof of age authorized in paragraph (a) in selling, bartering, furnishing, or giving the alcoholic beverage.

Sec. 14. Minnesota Statutes 1992, section 340A.904, subdivision 1, is amended to read:

Subdivision 1. [DISPOSAL ALTERNATIVES.] Contingent on the final determination of any action pending in a court, the commissioner shall dispose of alcoholic beverages, material, apparatus, or vehicle seized by inspectors or employees of the department by:

(1) delivering alcoholic beverages to the bureau of criminal apprehension or state patrol for use in chemical testing programs;

(2) delivering on written requests of the commissioner of administration any material, apparatus, or vehicle for use by a state department;

(3) selling intoxicating liquor to licensed retailers within the state;

(4) selling any material, apparatus, or vehicle; or

(5) destroying alcoholic beverages or contraband articles that have no lawful use; or

(6) donation to a charity registered under section 309.52.

Sec. 15. Laws 1983, chapter 259, section 8, is amended to read:

Sec. 8. [ST. PAUL; PARK CLUB HOUSES AND PAVILION; LIQUOR.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding any contrary provision of law, charter or ordinance, the city of St. Paul may by ordinance authorize any holder of an "on-sale" liquor license issued by the city to dispense intoxicating liquor at any event of definite duration on the public premises known as the Phalen Park club house, the Como Park club house, and the Como Park lakeside pavilion. The event may not be profit making except as a fund raising event for a nonprofit organization or a political committee as defined in Minnesota Statutes, section 210A.01, subdivision 8 211A.01, subdivision 4. The licensee must be engaged to dispense liquor at the event by a person or organization permitted to use the premises and may dispense liquor only to persons attending the event. A licensee's authority shall expire upon termination of the event. The authority to dispense liquor shall be granted in accordance with the statutes applicable to the issuance of "on-sale" liquor licenses in cities of the first class consistent with this act. The dispensing of liquor shall be subject to all laws and ordinances governing the dispensing of intoxicating liquor that are consistent with this act. All dispensing of liquor shall be in accordance with the conditions prescribed by the city. The conditions may limit the dispensing of liquor to designated areas of the facility. The city may fix and assess a fee to be paid to the city by an "on-sale" licensee for each event for which the licensee is engaged to dispense liquor. The authority granted by this subdivision shall not count as an additional "on-sale" intoxicating liquor license for purposes of determining the number of liquor licenses permitted to be issued under the provisions of Minnesota Statutes, section 340.11 340A.413.

Subd. 2. [LOCAL APPROVAL.] This section is effective on approval by the St. Paul city council and compliance with Minnesota Statutes, section 645.021.

Sec. 16. Laws 1992, chapter 486, section 11, is amended to read:

Sec. 11. [NATIONAL SPORTS CENTER; SALES OF ALCOHOLIC BEVERAGES.]

Subdivision 1. [AUTHORIZATION.] The Blaine city council may by ordinance authorize a holder of a retail on-sale intoxicating liquor license issued by the city of Blaine or a contiguous another city within Anoka, Hennepin, or Ramsey county to dispense alcoholic beverages at the National Sports Center to persons attending a social event at the center. The licensee must be engaged to dispense alcoholic beverages at a social event held by a person or organization permitted to use the National Sports Center. Nothing in this section authorizes a licensee to dispense alcoholic beverages at any youth amateur athletic event held at the center.

Subd. 2. [EFFECTIVE DATE.] This section is effective the day following final enactment. Under Minnesota Statutes, section 645.023, subdivision 1, paragraph (a), this section takes effect without local approval.

Sec. 17. [STEARNS COUNTY; COMBINATION OFF-SALE AND ON-SALE LICENSE.]

Notwithstanding Minnesota Statutes, section 340A.405, the Stearns county board may issue a combination off-sale and on-sale intoxicating liquor license to an establishment in Fair Haven township that is currently licensed to sell alcoholic beverages for consumption on the licensed premises but does not qualify as a restaurant under Minnesota Statutes, section 340A.101, subdivision 25. The license may be issued only after the Fair Haven town board adopts a resolution supporting the issuance of the license.

Sec. 18. [INTOXICATING LIQUOR LICENSE; TOWN OF SCHROEDER.]

The town board of Schroeder in Cook county may, with the approval of the commissioner of public safety, issue an off-sale intoxicating liquor license to an exclusive liquor store located within the town. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the license.

Sec. 19. [ZOOLOGICAL GARDEN LICENSES.]

Subdivision 1. [AUTHORIZATION.] (a) In addition to other licenses authorized by law, the city of Apple Valley may issue one or more on-sale intoxicating liquor licenses to an entity holding a concessions contract with the Minnesota zoological board for use on the premises of the Minnesota zoological gardens. Licenses authorized under this paragraph authorize sales on all days of the week. Licenses authorized by this paragraph may be issued for licensed premises that are not compact and contiguous, provided that the licensed premises must be (1) entirely included within the premises of the Minnesota zoological gardens, and (2) described in the approved license application.

(b) The city of Apple Valley may (1) authorize the holder of a retail on-sale intoxicating liquor license issued by the city to dispense intoxicating liquor at any convention, banquet, conference, meeting, or social affair conducted on the premises owned by Dakota county located at 14955 Galaxie Avenue in Apple Valley, or (2) may issue an on-sale intoxicating liquor license to any entity holding a concessions contract with the owner for use on the premises. The licensee must be engaged to dispense intoxicating liquor at an event held by a person or organization permitted to use the premises and may dispense intoxicating liquor only to persons attending the event.

(c) All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the licensing, sale, and serving of alcoholic beverages under this section.

Subd. 2. [LOCAL APPROVAL.] This section is effective on approval by the Apple Valley city council and compliance with Minnesota Statutes, section 645.021.

Sec. 20. [HOUSTON COUNTY; ON-SALE LIQUOR LICENSE.]

Subdivision 1. [AUTHORIZATION.] (a) The county board of Houston county may, with the approval of the commissioner of public safety, issue an on-sale intoxicating liquor license to an establishment located in Crooked Creek township notwithstanding the fact that the establishment is not a restaurant as defined in Minnesota Statutes, section 340A.101, subdivision 25.

(b) The county board of Houston county may, with the approval of the commissioner of public safety, issue an on-sale intoxicating liquor license to an establishment located in Brownsville township notwithstanding the fact that the establishment is not a restaurant as defined in Minnesota Statutes, section 340A.101, subdivision 25.

(c) All other provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the licenses authorized by this section.

Subd. 2. [LOCAL APPROVAL.] This section is effective on approval by the Houston county board and compliance with Minnesota Statutes, section 645.021, subdivision 3.

Sec. 21. [ON-SALE LICENSE; ISANTI COUNTY.]

Subdivision 1. [AUTHORIZATION.] The Isanti county board may issue an on-sale intoxicating liquor license to a premises located in Dalbo township and designated at the time of initial licensing as the Dusty Eagle without regard to whether the licensed premises meets the definition of a restaurant in Minnesota Statutes, section 340A.101, subdivision 25. All other provisions in Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the license authorized by this section.

Subd. 2. [LOCAL APPROVAL.] This section is effective on approval by the Isanti county board and compliance with Minnesota Statutes, section 645.021.

Sec. 22. [ST. CLOUD; MULTIPLE LICENSES.]

Subdivision 1. [AUTHORIZATION.] Notwithstanding Minnesota Statutes, section 340A.412, subdivision 3, the city of St. Cloud may issue more than one off-sale intoxicating liquor license to a corporation for locations within the city if each such location is in a different county. All other provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to licenses authorized by this section.

Subd. 2. [LOCAL APPROVAL.] This section is effective on approval by the St. Cloud city council and compliance with Minnesota Statutes, section 645.021, subdivision 3.

Sec. 23. [AITKIN COUNTY; OFF-SALE LICENSE.]

Subdivision 1. [AUTHORIZED.] Notwithstanding any provision of Minnesota Statutes, section 340A.405, subdivision 2, the Aitkin county board may issue one off-sale liquor license to a premises located in Farm Island township and designated at the time of initial licensing as the "Farm Island Store." All other provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section shall apply to this license.

Subd. 2. [LOCAL APPROVAL.] Subdivision 1 is effective on approval by the Aitkin county board and compliance with Minnesota Statutes, section 645.021.

Sec. 24. [REPEALER.]

Minnesota Statutes 1992, section 340A.903, is repealed.

Sec. 25. [EFFECTIVE DATE.]

Sections 2 and 12 are effective the day following final enactment. Sections 3 to 10, 14, and 24 are effective July 1, 1993."

Delete the title and insert:

"A bill for an act relating to alcoholic beverages; authorizing possession of alcoholic beverages by passengers in certain vehicles; allowing certain shipments of wine into the state and exempting them from taxation; defining terms; providing exemptions from law on unlawful discrimination by licensed importers of intoxicating liquor; allowing registration of brand labels of alcoholic beverages only by the brand owner; prohibiting issuance of retail licenses to certain persons; revising authority for suspensions and civil penalties; providing for proof of age; prohibiting false statements in certain license applications; authorizing license issuance in certain political subdivisions; amending Minnesota Statutes 1992, sections 169.122, by adding a subdivision; 297C.07; 340A.101, subdivisions 15, 25, and 29; 340A.301, subdivision 3; 340A.302, subdivision 3; 340A.311; 340A.402; 340A.410, subdivision 7; 340A.415; 340A.503, subdivision 6; 340A.904, subdivision 1; Laws 1983, chapter 259, section 8; and Laws 1992, chapter 486, section 11; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 1992, section 340A.903."

With the recommendation that when so amended the bill pass.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 858, A bill for an act relating to motor carriers; providing for expiration of certificates and permits used by any carrier for the purpose of armored carriage, and for their conversion to newly created "armored carrier" permits; amending Minnesota Statutes 1992, sections 221.011, by adding a subdivision; 221.111; and 221.121, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 221.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 221.011, is amended by adding a subdivision to read:

Subd. 42. [ARMORED CARRIER SERVICE.] "Armored carrier service" means transportation for hire of property in armored vehicles protected by at least one armed person other than the driver.

Sec. 2. Minnesota Statutes 1992, section 221.011, is amended by adding a subdivision to read:

Subd. 43. [ARMORED CARRIER.] "Armored carrier" is a motor carrier engaged in providing armored carrier service.

Sec. 3. Minnesota Statutes 1992, section 221.072, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] This section does not apply to any carrier listed in section 221.111, clauses (3) to ~~(9)~~ (10).

Sec. 4. Minnesota Statutes 1992, section 221.111, is amended to read:

221.111 [PERMITS TO OTHER MOTOR CARRIERS.]

Motor carriers other than certificated carriers and local cartage carriers shall obtain a permit in accordance with section 221.121. The board shall issue only the following kinds of permits:

- (1) class II-T permits;
- (2) class II-L permits;
- (3) livestock carrier permits;
- (4) contract carrier permits;
- (5) charter carrier permits;
- (6) courier service carrier permits;
- (7) local cartage carrier permits;
- (8) household goods mover permits; and
- (9) temperature-controlled commodities permits; and
- (10) armored carrier permits.

Sec. 5. Minnesota Statutes 1992, section 221.121, is amended by adding a subdivision to read:

Subd. 6g. [ARMORED CARRIERS.] A person who desires to hold out or to operate as an armored carrier must follow the procedure established in subdivision 1 and specifically request an armored carrier permit. The board shall issue the permit if it finds that the petitioner meets the criteria established in subdivision 1 and has provided evidence that:

(a) The carriers' personnel, security, and insurance standards and procedures render it fit and able to protect the property the petitioner will transport under the permit.

(b) The carrier has obtained a protective agent's or private detective's license under sections 326.338 and 326.3381, subdivision 1, and holds the license in good standing.

Sec. 6. Minnesota Statutes 1992, section 221.131, is amended by adding a subdivision to read:

Subd. 7. [ARMORED CARRIERS.] The commissioner shall issue distinct annual identification cards for vehicles that provide armored carrier service under a permit issued by the board. No card may be issued unless the armored carrier submits evidence that it holds in good standing a protective agent's or private detective's license under sections 326.338 and 326.3381, subdivision 1.

Sec. 7. Minnesota Statutes 1992, section 221.141, is amended by adding a subdivision to read:

Subd. 6. [ARMORED CARRIERS.] An armored carrier must maintain in effect cargo insurance, cargo bond, or moneys and securities insurance coverage in a minimum amount of \$300,000 per incident and must file, or its insurer must file, with the commissioner a cargo certificate of insurance, cargo bond, or certificate of moneys and securities coverage. A cargo certificate of insurance must conform to Form H, Uniform Motor Cargo Certificate of Insurance, described in Code of Federal Regulations, title 49, part 1023. A cargo bond must conform to Form J described in Code of Federal Regulations, title 49, part 1023. A certificate of moneys and securities coverage must conform to either Form H or Form J with such variances as the commissioner may allow to accommodate industry practice. Form H and Form J are incorporated by reference. The cargo certificate of insurance, cargo bond, or certificate of moneys and securities coverage must be issued in the full and correct name of the person, corporation, or partnership to whom the armored carrier permit was issued and whose operations are being insured.

Sec. 8. [221.153] [ARMORED CARRIERS; CONVERSION OF OPERATING AUTHORITY.]

Subdivision 1. [EXPIRATION OF OPERATING AUTHORITY.] All operating authority under certificates or permits granted by the board that authorizes armored carrier service expires on March 1, 1994. After February 28, 1994, no person may provide armored carrier service unless the person holds a valid armored carrier permit issued by the board. This subdivision does not require the expiration of any operating authority other than authority for armored carrier service. This subdivision does not limit the right of carriers to transport items of exceptional value in nonarmored vehicles that are not protected by at least one armed person exclusive of the driver.

Subd. 2. [CONVERSION.] A motor carrier holding operating authority that expires on March 1, 1994, under subdivision 1, who wishes to continue providing the service authorized by that operating authority, must convert that operating authority into an armored carrier permit before that date.

Subd. 3. [ISSUANCE OF NEW PERMITS.] (a) By November 1, 1993, a motor carrier described in subdivision 2 must submit to the commissioner an application for conversion. The application must be on a form prescribed by the commissioner and must be accompanied by an application fee of \$50. The application must state:

(1) the name and address of the applicant;

(2) the identifying number of all certificates or permits that grant the operating authority the applicant wishes to convert;

(3) evidence of armored carrier service that the motor carrier has actually and lawfully performed under a certificate or permit within the two years prior to the effective date of this section; and

(4) evidence of a protective agent's or private detective's license in good standing under section 221.121, subdivision 6g, paragraph (b).

(b) The commissioner shall transmit to the board all applications that meet the requirements of paragraph (a). The board shall develop an expedited process for hearing and ruling on applications submitted under this subdivision. Within 60 days after receiving an application under this subdivision, the board shall issue an order approving or denying the issuance of an armored carrier permit. The board shall issue the permit requested in the application if it finds that the issuance is authorized under this section. An application submitted to the commissioner under this subdivision by November 1, 1993, is deemed approved by the board unless by January 1, 1994, the board has issued an order denying the application.

(c) A motor carrier who has provided actual and lawful armored carrier service within the two years immediately prior to the effective date of this section which has been limited exclusively to service to and from points within the local cartage zone shall be issued an armored carrier permit that authorizes service to and from all points within that zone. A motor carrier who has provided actual and lawful armored carrier service within the two years immediately prior to the effective date of this section which has been limited exclusively to service to and from points outside the local cartage zone shall be issued an armored carrier permit that authorizes service to and from points outside that zone. A motor carrier who has provided actual and lawful armored carrier service within the two years immediately prior to the effective date of this section to and from points inside and outside the local cartage zone shall be issued an armored carrier permit that authorizes service to and from points anywhere in the state.

Sec. 9. Minnesota Statutes 1992, section 221.161, subdivision 1, is amended to read:

Subdivision 1. [FILING; HEARING UPON BOARD INITIATIVE.] (a) Except as provided in paragraph (b), a permit carrier, including a livestock carrier but not including a local cartage carrier, shall file and maintain with the commissioner a tariff showing rates and charges for transporting persons or property. Tariffs must be prepared and filed in accordance with the rules of the commissioner. When tariffs are filed in accordance with the rules and accepted by the commissioner, the filing constitutes notice to the public and interested parties of the contents of the tariffs. The commissioner shall not accept for filing tariffs that are unjust, unreasonable, unjustly discriminatory, unduly preferential or prejudicial, or otherwise in violation of this section or rules adopted under this section. If the tariffs appear to be unjust, unreasonable, unjustly discriminatory, unduly preferential or prejudicial, or otherwise in violation of this section or rules adopted under this section, after notification and investigation by the department, the board may suspend and postpone the effective date of the tariffs and assign the tariffs for hearing upon notice to the permit carrier filing the proposed tariffs and to other interested parties, including users of the service and competitive carriers by motor vehicle and rail. At the hearing, the burden of proof is on the permit carrier filing the proposed tariff to sustain the validity of the proposed schedule of rates and charges. Tariffs for transporting livestock are not subject to rejection, suspension, or postponement by the board, except as provided in subdivisions 2 and 3. The tariffs and subsequent supplements to them or reissues of them must state the effective date, which may not be less than ten days following the date of filing, unless the period of time is reduced by special permission of the commissioner.

(b) A holder of an armored carrier permit is not required to file a tariff under this subdivision for the service authorized by the armored carrier permit.

Sec. 10. Minnesota Statutes 1992, section 221.185, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS FOR SUSPENSION.] Despite the provisions of section 221.021, authority to operate as a motor carrier under sections 221.011 to 221.296 is suspended without a hearing, by order of the commissioner, for a period not to exceed 45 days upon the occurrence of any of the following and upon notice of suspension as provided in subdivision 2:

(a) the motor carrier fails to maintain and file with the commissioner, the insurance or bond required by sections 221.141 and 221.296 and rules of the commissioner;

(b) the motor carrier fails to renew permits as required by section 221.131; ~~or~~

(c) the motor carrier fails to pay annual vehicle registration fees or renew permits as required by sections 221.071, 221.131, and 221.296; ~~or~~

(d) the motor carrier fails to maintain in good standing a protective agent's or private detective's license required under section 221.121, subdivision 6g, paragraph (b), or 221.153, subdivision 3.

Sec. 11. Minnesota Statutes 1992, section 221.185, subdivision 2, is amended to read:

Subd. 2. [NOTICE OF SUSPENSION.] (a) Failure to file and maintain insurance, renew permits under section 221.131, or to pay annual vehicle registration fees or renew permits under section 221.071, 221.131, or 221.296, or to maintain in good standing a protective agent's or private detective's license required under section 221.121, subdivision 6g, or 221.153, subdivision 3, suspends a motor carrier's permit or certificate two days after the commissioner sends notice of the suspension by certified mail, return receipt requested, to the last known address of the motor carrier.

(b) In order to avoid permanent cancellation of the permit or certificate, the motor carrier must do one of the following within 45 days from the date of suspension:

- (1) comply with the law by filing insurance or bond, renewing permits, or paying vehicle registration fees; or
- (2) request a hearing before the board regarding the failure to comply with the law.

Sec. 12. Minnesota Statutes 1992, section 221.185, subdivision 4, is amended to read:

Subd. 4. [FAILURE TO COMPLY.] Except as provided in subdivision 5a, failure to comply with the requirements of sections 221.141 and 221.296 relating to bonds and insurance, 221.131 relating to permit renewal, 221.071, 221.131, or 221.296 relating to annual vehicle registration or permit renewal, 221.121, subdivision 6g, or 221.153, subdivision 3, relating to protective agent or private detective licensure, or to request a hearing within 45 days of the date of suspension, is deemed an abandonment of the motor carrier's permit or certificate and the permit or certificate must be canceled by the commissioner.

Sec. 13. [NOTICE.]

By September 1, 1993, the commissioner of transportation shall send a notice by certified mail, return receipt requested, to all holders of operating authority that expires March 1, 1994, under section 8, subdivision 1. The notice must summarize the requirements for conversion of the operating authority and include an application form for conversion.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 13 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to motor carriers; defining armored carrier service; requiring any person providing armored carrier service to obtain an armored carrier permit from the transportation regulation board; providing for conversion of existing operating authority; amending Minnesota Statutes 1992, sections 221.011, by adding subdivisions; 221.072, subdivision 2; 221.111; 221.121, by adding a subdivision; 221.131, by adding a subdivision; 221.141, by adding a subdivision; 221.161, subdivision 1; and 221.185, subdivisions 1, 2, and 4; proposing coding for new law in Minnesota Statutes, chapter 221."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 893, A bill for an act relating to local government; specifying the prosecuting attorney for certain offenses; amending Minnesota Statutes 1992, section 487.25, subdivision 10.

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. 900, A bill for an act relating to drivers' licenses; allowing use of results of preliminary screening test of driver's breath to be used in actions for driver's license reinstatement; clarifying administrative revocation penalties; amending Minnesota Statutes 1992, sections 169.121, subdivisions 4 and 6; and 171.166, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [152.0271] [NOTICE TO COMMISSIONER OF PUBLIC SAFETY OF CERTAIN DRUG CONVICTIONS; DRIVER'S LICENSE REVOCATION.]

When a person is convicted of violating a provision of sections 152.021 to 152.027, the sentencing court shall determine whether the person unlawfully sold or possessed the controlled substance while driving a motor vehicle. If so, the court shall notify the commissioner of public safety of its determination and order the commissioner to revoke the person's driver's license for 90 days or, if the conviction is for a violation of section 152.027, for 30 days. If the person does not have a driver's license or if the person's driver's license is suspended or revoked at the time of the conviction, the commissioner shall delay the issuance or reinstatement of the person's driver's license for 90 days or, if the conviction is for a violation of section 152.027, for 30 days after the person applies for the issuance or reinstatement of the license. Upon receipt of the court's order, the commissioner is authorized to take the licensing action without a hearing.

Sec. 2. Minnesota Statutes 1992, section 168.042, subdivision 2, is amended to read:

Subd. 2. [VIOLATION; ISSUANCE OF IMPOUNDMENT ORDER.] The commissioner shall issue a registration plate impoundment order when:

(1) a person's driver's license or driving privileges are revoked for a third violation, as defined in subdivision 1, paragraph (c), clause (1), within five years or a fourth or subsequent violation, as defined in subdivision 1, paragraph (c), clause (1), within 15 years; or

(2) a person's driver's license or driving privileges are revoked for a violation of section 169.121, subdivision 3, paragraph (c), clause (4), within five years of one previous violation or within 15 years of two or more previous violations, as defined in subdivision 1, paragraph (c), clause (1); or

(3) a person is arrested for or charged with a violation described in subdivision 1, paragraph (c), clause (2) or (3).

The order shall require the impoundment of the registration plates of the vehicle involved in the violation and all vehicles owned by, registered, or leased in the name of the violator, including vehicles registered jointly or leased in the name of the violator and another. An impoundment order shall not be issued for the registration plates of a rental vehicle as defined in section 168.041, subdivision 10, or a vehicle registered in another state.

Sec. 3. Minnesota Statutes 1992, section 169.121, is amended by adding a subdivision to read:

Subd. 1c. [CONDITIONAL RELEASE.] A person charged with violating subdivision 1 within 15 years of the first of three prior impaired driving convictions or within the person's lifetime after four or more prior impaired driving convictions may be released from detention only upon the following conditions unless maximum bail is imposed:

(1) the impoundment of the registration plates of the vehicle used to commit the violation occurred, unless already impounded;

(2) a requirement that the alleged violator report weekly to a probation agent;

(3) a requirement that the alleged violator submit to random, weekly alcohol breath tests and urine analysis; and

(4) a requirement that, if convicted, the alleged violator reimburse the court or county for the total cost of these services.

Sec. 4. Minnesota Statutes 1992, section 169.121, subdivision 2, is amended to read:

Subd. 2. [EVIDENCE.] Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving, operating, or being in physical control of a motor vehicle in violation of subdivision 1, the court may admit evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine as shown by an analysis of those items.

For the purposes of this subdivision:

~~(a) evidence that there was at the time an alcohol concentration of 0.05 or less is prima facie evidence that the person was not under the influence of alcohol;~~

(b) evidence that there was at the time an alcohol concentration of ~~more than 0.05~~ 0.04 or more and less than 0.10 is relevant evidence in indicating whether or not the person was under the influence of alcohol.

Evidence of the refusal to take a test is admissible into evidence in a prosecution under this section or an ordinance in conformity with it.

If proven by a preponderance of the evidence, it shall be an affirmative defense to a violation of subdivision 1, clause (e), that the defendant consumed a sufficient quantity of alcohol after the time of actual driving, operating, or physical control of a motor vehicle and before the administration of the evidentiary test to cause the defendant's alcohol concentration to exceed 0.10. Provided, that this evidence may not be admitted unless notice is given to the prosecution prior to the omnibus or pretrial hearing in the matter.

The foregoing provisions do not limit the introduction of any other competent evidence bearing upon the question whether or not the person violated this section, including tests obtained more than two hours after the alleged violation and results obtained from partial tests on an infrared breath-testing instrument. A result from a partial test is the measurement obtained by analyzing one adequate breath sample, as defined in section 169.123, subdivision 2b, paragraph (b).

Sec. 5. Minnesota Statutes 1992, section 169.121, subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] (a) As used in this subdivision:

(1) "prior impaired driving conviction" means a prior conviction under this section; section 84.91, subdivision 1, paragraph (a); 86B.331, subdivision 1, paragraph (a); 169.129; 360.0752; 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); 609.21, subdivision 4, clauses (2) to (4); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them. A prior impaired driving conviction also includes a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult; and

(2) "prior license revocation" means a driver's license suspension, revocation, or cancellation under this section; section 169.123; 171.04; 171.14; 171.16; 171.17; or 171.18 because of an alcohol-related incident; 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); or 609.21, subdivision 4, clauses (2) to (4).

(b) A person who violates subdivision 1 or 1a, or an ordinance in conformity with either of them, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor under any of the following circumstances:

(1) the person violates subdivision 1 within five years of a prior impaired driving conviction, or within ten years of the first of two or more prior impaired driving convictions;

(2) the person violates subdivision 1a within five years of a prior license revocation, or within ten years of the first of two or more prior license revocations; or

(3) the person violates section 169.26 while in violation of subdivision 1; or

(4) the person violates subdivision 1 while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator.

(d) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

(e) Notwithstanding section 609.04, a prosecution for or conviction of a crime under this section is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct. The court may impose consecutive sentences for multiple crimes committed by the defendant as part of the same conduct.

When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior impaired driving convictions from a court, the court must furnish the information without charge.

Sec. 6. Minnesota Statutes 1992, section 169.121, subdivision 3a, is amended to read:

Subd. 3a. [HABITUAL OFFENDER PENALTIES.] (a) If a person has been convicted under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them, and if the person is then convicted of ~~a gross misdemeanor violation of violating~~ this section, a ~~violation of~~ section 169.129, or an ordinance in conformity with either of them (1) once within five years after the first conviction or (2) two or more times within ten years after the first conviction, the person must be sentenced to a minimum of 30 days imprisonment or to eight hours of community work service for each day less than 30 days that the person is ordered to serve in jail. Provided, that if a person is convicted of violating this section, section 169.129, or an ordinance in conformity with either of them two or more times within five years after the first conviction, or within five years after the first of two or more license revocations, as defined in subdivision 3, paragraph (a), clause (2), the person must be sentenced to a minimum of ~~30~~ 45 days imprisonment and the sentence may not be waived under paragraph (b) or (c). Notwithstanding section 609.135, the above sentence must be executed, unless the court departs from the mandatory minimum sentence under paragraph (b) or (c).

(b) Prior to sentencing the prosecutor may file a motion to have the defendant sentenced without regard to the mandatory minimum sentence established by this subdivision. The motion must be accompanied by a statement on the record of the reasons for it. When presented with the prosecutor's motion and if it finds that substantial mitigating factors exist, the court shall sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision.

(c) The court may, on its own motion, sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision if it finds that substantial mitigating factors exist and if its sentencing departure is accompanied by a statement on the record of the reasons for it.

(d) The court may sentence the defendant without regard to the mandatory minimum term of imprisonment established by this subdivision if the defendant is sentenced to probation and ordered to participate in a program established under section 169.1265.

(e) When any portion of the sentence required by this subdivision is not executed, the court should impose a sentence that is proportional to the extent of the offender's prior criminal and moving traffic violation record.

Sec. 7. Minnesota Statutes 1992, section 169.121, subdivision 4, is amended to read:

Subd. 4. [ADMINISTRATIVE PENALTIES.] (a) The commissioner of public safety shall revoke the driver's license of a person convicted of violating this section or an ordinance in conformity with it as follows:

- (1) first offense under subdivision 1: not less than 30 days;
- (2) first offense under subdivision 1a: not less than 90 days;

(3) second offense in less than five years, or third or subsequent offense on the record: (i) if the current conviction is for a violation of subdivision 1, not less than 180 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126; or (ii) if the current conviction is for a violation of subdivision 1a, not less than one year and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126;

(4) third offense in less than five years: not less than one year, together with denial under section 171.04, subdivision 1, clause (8), until rehabilitation is established in accordance with standards established by the commissioner;

(5) fourth or subsequent offense on the record: not less than two years, together with denial under section 171.04, subdivision 1, clause (8), until rehabilitation is established in accordance with standards established by the commissioner.

(b) If the person convicted of violating this section is under the age of ~~18~~ 21 years, the commissioner of public safety shall revoke the offender's driver's license or operating privileges ~~until the offender reaches the age of 18 years or~~ for a period of six months or for the appropriate period of time under paragraph (a), clauses (1) to (5), for the offense committed, whichever is the greatest period.

(c) For purposes of this subdivision, a juvenile adjudication under this section, section 169.129, an ordinance in conformity with either of them, or a statute or ordinance from another state in conformity with either of them is an offense.

(d) Whenever department records show that the violation involved personal injury or death to any person, not less than 90 additional days shall be added to the base periods provided above.

(e) Except for a person whose license has been revoked under paragraph (b), any person whose license has been revoked pursuant to section 169.123 as the result of the same incident is subject to the mandatory revocation provisions of paragraph (a), clause (1) or (2), in lieu of the mandatory revocation provisions of section 169.123.

Sec. 8. Minnesota Statutes 1992, section 169.121, subdivision 6, is amended to read:

Subd. 6. [PRELIMINARY SCREENING TEST.] When a peace officer has reason to believe from the manner in which a person is driving, operating, controlling, or acting upon departure from a motor vehicle, or has driven, operated, or controlled a motor vehicle, that the driver may be violating or has violated subdivision 1 or section 169.1211, the officer may require the driver to provide a sample of the driver's breath for a preliminary screening test using a device approved by the commissioner of public safety for this purpose. The results of this preliminary screening test shall be used for the purpose of deciding whether an arrest should be made and whether to require the tests authorized in section 169.123, but shall not be used in any court action except (1) to prove that a test was properly required of a person pursuant to section 169.123, subdivision 2; ~~or~~ (2) in a civil action arising out of the operation or use of the motor vehicle; (3) in an action for license reinstatement under section 171.19; or (4) in a prosecution or juvenile court proceeding concerning a violation of section 340A.503, subdivision 1, paragraph (a), clause (2). Following the screening test additional tests may be required of the driver pursuant to the provisions of section 169.123.

The driver who refuses to furnish a sample of the driver's breath is subject to the provisions of section 169.123 unless, in compliance with section 169.123, the driver submits to a blood, breath or urine test to determine the presence of alcohol or a controlled substance.

Sec. 9. Minnesota Statutes 1992, section 169.1217, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms have the meanings given them:

(a) "Appropriate authority" means a law enforcement agency that has the authority to make an arrest for a violation of a designated offense.

(b) "Designated offense" includes a violation of section 169.121, an ordinance in conformity with it, or 169.129:

(1) within five years of three prior driving under the influence convictions or three prior license revocations based on separate incidents;

(2) within 15 years of the first of four or more prior driving under the influence convictions or the first of four or more prior license revocations based on separate incidents;

(3) by a person whose driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (8); or

(4) by a person who is subject to a restriction on the person's driver's license under section 171.09 which provides that the person may not use or consume any amount of alcohol or a controlled substance.

"Designated offense" also includes a violation of section 169.121, subdivision 3, paragraph (c), clause (4):

(1) within five years of two prior driving under the influence convictions or two prior license revocations based on separate incidents; or

(2) within 15 years of the first of three or more prior driving under the influence convictions or the first of three or more prior license revocations based on separate incidents.

(c) "Motor vehicle" and "vehicle" have the meaning given "motor vehicle" in section 169.121, subdivision 11. The terms do not include a vehicle which is stolen or taken in violation of the law.

(d) "Owner" means the registered owner of the motor vehicle according to records of the department of public safety and includes a lessee of a motor vehicle if the lease agreement has a term of 180 days or more.

(e) "Prior driving under the influence conviction" means a prior conviction under section 169.121; 169.129; or 609.21, subdivision 1, clauses (2) to (4); 2, clauses (2) to (4); 2a, clauses (2) to (4); 3, clauses (2) to (4); or 4, clauses (2) to (4); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them. A prior driving under the influence conviction also includes a prior juvenile adjudication that would have been a prior driving under the influence conviction if committed by an adult.

(f) "Prior license revocation" has the meaning given it in section 169.121, subdivision 3.

(g) "Prosecuting authority" means the attorney in the jurisdiction in which the designated offense occurred who is responsible for prosecuting violations of a designated offense.

Sec. 10. Minnesota Statutes 1992, section 169.1217, subdivision 9, is amended to read:

Subd. 9. [DISPOSITION OF FORFEITED VEHICLES.] (a) If the court finds under subdivision 8 that the vehicle is subject to forfeiture, it shall order the appropriate agency to:

(1) sell the vehicle and distribute the proceeds under paragraph (b); or

(2) keep the vehicle for official use.

(b) The proceeds from the sale of forfeited vehicles, after payment of seizure, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be forwarded to the treasury of the political subdivision that employs the appropriate agency responsible for the forfeiture for use in DWI-related enforcement, training and education. If the appropriate agency is an agency of state government, the net proceeds must be forwarded to the state treasury and credited to the general fund agency for use in DWI-related enforcement, training, and education.

Sec. 11. Minnesota Statutes 1992, section 169.123, subdivision 2, is amended to read:

Subd. 2. [IMPLIED CONSENT; CONDITIONS; ELECTION OF TEST.] (a) Any person who drives, operates, or is in physical control of a motor vehicle within this state or upon the ice of any boundary water of this state consents, subject to the provisions of this section and section sections 169.121 and 169.1211, to a chemical test of that person's blood, breath, or urine for the purpose of determining the presence of alcohol or a controlled substance. The test shall be administered at the direction of a peace officer. The test may be required of a person when an officer has probable cause to believe the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 and one of the following conditions exist:

(1) the person has been lawfully placed under arrest for violation of section 169.121, or an ordinance in conformity with it;

(2) the person has been involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death;

(3) the person has refused to take the screening test provided for by section 169.121, subdivision 6; or

(4) the screening test was administered and indicated an alcohol concentration of 0.10 or more.

The test may also be required of a person when an officer has probable cause to believe the person was driving, operating, or in physical control of a commercial motor vehicle with the presence of any alcohol.

(b) At the time a test is requested, the person shall be informed:

(1) that Minnesota law requires the person to take a test to determine if the person is under the influence of alcohol or a controlled substance or, if the motor vehicle was a commercial motor vehicle, that Minnesota law requires the person to take a test to determine the presence of alcohol;

(2) that refusal to take a test is a crime;

(3) if the peace officer has probable cause to believe the person has violated the criminal vehicular homicide and injury laws, that a test will be taken with or without the person's consent; and

(4) that the person has the right to consult with an attorney, but that this right is limited to the extent that it cannot unreasonably delay administration of the test.

(c) The peace officer who requires a test pursuant to this subdivision may direct whether the test shall be of blood, breath, or urine. Action may be taken against a person who refuses to take a blood test only if an alternative test was offered and action may be taken against a person who refuses to take a urine test only if an alternative test was offered.

Sec. 12. Minnesota Statutes 1992, section 169.123, subdivision 4, is amended to read:

Subd. 4. [REFUSAL; REVOCATION OF LICENSE.] If a person refuses to permit a test, none shall be given, but the peace officer shall report the refusal to the commissioner of public safety and the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred. However, if a peace officer has probable cause to believe that the person has violated section 609.21, a test may be required and obtained despite the person's refusal. A refusal to submit to an alcohol concentration test does not constitute a violation of section 609.50, unless the refusal was accompanied by force or violence or the threat of force or violence. If a person submits to a test and the test results indicate an alcohol concentration of 0.10 or more, or if a person was driving, operating, or in physical control of a commercial motor vehicle and the test results indicate an alcohol concentration of 0.04 or more, the results of the test shall be reported to the commissioner of public safety and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred.

Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person refused to submit to a test, the commissioner of public safety shall revoke the person's license or permit to drive, or nonresident operating privilege, for a period of one year even if a test was obtained pursuant to this section after the person refused to submit to testing. Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a commercial motor vehicle with the presence of any alcohol and that the person refused to submit to a test, the commissioner shall disqualify the person from operating a commercial motor vehicle for a period of one year under section 171.165 and shall revoke the person's license or permit to drive or nonresident operating privilege for a period of one year. ~~If the person refusing to submit to testing is under the age of 18 years, the commissioner shall revoke the person's license or permit to drive, or nonresident operating privilege, for a period of one year or until the person reaches the age of 18 years, whichever is greater.~~ Upon certification by the peace officer that there existed probable cause to believe the person had been driving, operating or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person submitted to a test and the test results indicate an alcohol concentration of 0.10 or more, the commissioner of public safety shall revoke the person's license or permit to drive, or nonresident operating privilege, for: (1) a period of 90 days; or (2) if the person is under the age of 18 ²¹ years, for a period of six months ~~or until the person reaches the age of 18 years, whichever is greater;~~ or (3) if the person's driver's license or driving privileges have been revoked within the past five years under this section or section 169.121, for a period of 180 days. On certification by the peace officer that there existed probable cause to believe the person had been driving, operating, or in physical control of a commercial motor vehicle with any presence of alcohol and that the person submitted to a test and the test results indicated an alcohol concentration of 0.04 or more, the commissioner of public safety shall disqualify the person from operating a commercial motor vehicle under section 171.165.

If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner of public safety shall deny to the person the issuance of a license or permit for the same period after the date of the alleged violation as provided herein for revocation, subject to review as hereinafter provided.

Sec. 13. Minnesota Statutes 1992, section 169.129, is amended to read:

169.129 [AGGRAVATED VIOLATIONS; PENALTY.]

Any person is guilty of a gross misdemeanor who drives, operates, or is in physical control of a motor vehicle, the operation of which requires a driver's license, within this state or upon the ice of any boundary water of this state in violation of section 169.121 or an ordinance in conformity with it before the person's driver's license or driver's privilege has been reinstated following its cancellation, suspension, revocation, or denial under any of the following: section 169.121, 169.1211, or 169.123; section 171.04, 171.14, 171.16, 171.17, or 171.18 because of an alcohol-related incident; section 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); or 609.21, subdivision 4, clauses (2) to (4).

Notwithstanding section 609.04, a prosecution for or conviction of a crime under this section is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct. The court may impose consecutive sentences for multiple crimes committed by the defendant as part of the same conduct.

Sec. 14. Minnesota Statutes 1992, section 169.797, subdivision 4, is amended to read:

Subd. 4. [PENALTY.] (a) A person who violates this section is guilty of a misdemeanor. A person is guilty of a gross misdemeanor who violates this section within ten years of the first of two prior convictions under this section, section 169.791, or a statute or ordinance in conformity with one of those sections. The operator of a vehicle who violates subdivision 3 and who causes or contributes to causing a vehicle accident that results in the death of any person or in substantial bodily harm to any person, as defined in section 609.02, subdivision 7a, is guilty of a gross misdemeanor. The same prosecuting authority who is responsible for prosecuting misdemeanor violations of this section is responsible for prosecuting gross misdemeanor violations of this section. In addition to any sentence of imprisonment that the court may impose on a person convicted of violating this section, the court shall impose a fine of not less than \$200 nor more than the maximum amount authorized by law. The court may allow community service in lieu of any fine imposed if the defendant is indigent.

(b) In addition to the criminal penalty, the driver's license of an operator convicted under this section shall be revoked for not more than 12 months. If the operator is also an owner of the vehicle, the registration of the vehicle shall also be revoked for not more than 12 months. Before reinstatement of a driver's license or registration, the operator shall file with the commissioner of public safety the written certificate of an insurance carrier authorized to do business in this state stating that security has been provided by the operator as required by section 65B.48.

(c) The commissioner shall include a notice of the penalties contained in this section on all forms for registration of vehicles required to maintain a plan of reparation security.

(d) Notwithstanding section 609.04, a prosecution for or conviction of a crime under this section is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct. The court may impose consecutive sentences for multiple crimes committed by the defendant as part of the same conduct.

Sec. 15. Minnesota Statutes 1992, section 171.13, subdivision 1b, is amended to read:

Subd. 1b. [DRIVER'S MANUAL; ALCOHOL CONSUMPTION.] The commissioner shall include in each edition of the driver's manual published by the department a chapter relating to the effect of alcohol consumption on highway safety and on the ability of drivers to safely operate motor vehicles and a summary of the laws of Minnesota on operating a motor vehicle while under the influence of alcohol or a controlled substance. This chapter shall also include information on the dangers of driving at alcohol concentration levels below the per se level as defined in section 169.01, and specifically state that:

(1) there is no "safe" level or amount of alcohol that an individual can assume will not impair one's driving performance and increase the risk of a crash;

(2) a driver may be convicted of driving while impaired irrespective of whether or not the driver's alcohol concentration exceeds the legal limit for alcohol concentration; and

(3) a person under the legal drinking age may be convicted of illegally consuming alcohol if found to have consumed any amount of alcohol.

Sec. 16. [171.172] [DRIVER'S LICENSE REVOCATION; PERSONS CONVICTED OF OR ADJUDICATED FOR CERTAIN CONTROLLED SUBSTANCE OFFENSES.]

The commissioner of public safety shall revoke the driver's license of any person convicted of or any juvenile adjudicated for a controlled substance offense if the court has notified the commissioner of a determination made under section 152.0271 or 260.185, subdivision 1. The period of revocation shall be for the applicable time period specified in section 152.0271. If the person does not have a driver's license or if the person's driver's license is suspended or revoked at the time of the conviction or adjudication, the commissioner shall, upon the person's application for driver's license issuance or reinstatement, delay the issuance or reinstatement of the person's driver's license for the applicable time period specified in section 152.0271.

Sec. 17. [171.173] [DRIVER'S LICENSE SUSPENSION; PERSONS CONVICTED OF OR ADJUDICATED FOR CERTAIN UNDERAGE DRINKING OFFENSES.]

The commissioner of public safety shall suspend the driver's license of any person convicted of or any juvenile adjudicated for an offense under section 340A.503, subdivision 1, paragraph (a), clause (2), if the court has notified the commissioner of a determination made under section 340A.503, subdivision 1, paragraph (c). The period of suspension shall be for the applicable period specified in that paragraph. If the person does not have a driver's license or if the person's driver's license is suspended or revoked at the time of the conviction or adjudication, the commissioner shall, upon the person's application for driver's license issuance or reinstatement, delay the issuance or reinstatement of the person's driver's license for the applicable time period specified in section 340A.503, subdivision 1, paragraph (c). Upon receipt of the court's order, the commissioner is authorized to take the licensing action without a hearing.

Sec. 18. Minnesota Statutes 1992, section 171.24, is amended to read:

171.24 [VIOLATIONS; DRIVING WITHOUT VALID LICENSE.]

(a) Except as otherwise provided in paragraph (c), any person whose driver's license or driving privilege has been canceled, suspended, or revoked and who has been given notice of, or reasonably should know of the revocation, suspension, or cancellation, and who disobeys such order by operating anywhere in this state any motor vehicle, the operation of which requires a driver's license, while such license or privilege is canceled, suspended, or revoked is guilty of a misdemeanor.

(b) Any person who has been disqualified from holding a commercial driver's license or been denied the privilege to operate a commercial motor vehicle, who has been given notice of or reasonably should know of the disqualification, and who disobeys the order by operating in this state a commercial motor vehicle while the person is disqualified to hold the license or privilege, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor if:

(1) the person's driver's license or driving privileges has been canceled under section 171.04, subdivision 1, clause (8), and the person has been given notice of or reasonably should know of the cancellation; and

(2) the person disobeys the order by operating in this state any motor vehicle, the operation of which requires a driver's license, while the person's license or privilege is canceled.

(d) Notwithstanding section 609.04, a prosecution for or conviction of a crime under this section is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct. The court may impose consecutive sentences for multiple crimes committed by the defendant as part of the same conduct.

Notice of revocation, suspension, cancellation, or disqualification is sufficient if personally served, or if mailed by first class mail to the person's last known address or to the address listed on the person's driver's license. Notice is also sufficient if the person was informed that revocation, suspension, cancellation, or disqualification would be imposed upon a condition occurring or failing to occur, and where the condition has in fact occurred or failed to occur. It is not a defense that a person failed to file a change of address with the post office, or failed to notify the department of public safety of a change of name or address as required under section 171.11.

Sec. 19. Minnesota Statutes 1992, section 171.30, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONS OF ISSUANCE.] In any case where a person's license has been suspended under section 171.18 or 171.173, or revoked under section 169.121, 169.123, 169.792, 169.797, or 171.17, or 171.172, the commissioner may issue a limited license to the driver including under the following conditions:

- (1) if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of the driver's license;
- (2) if the use of a driver's license by a homemaker is necessary to prevent the substantial disruption of the education, medical, or nutritional needs of the family of the homemaker; or
- (3) if attendance at a post-secondary institution of education by an enrolled student of that institution depends upon the use of the driver's license.

The commissioner in issuing a limited license may impose such conditions and limitations as in the commissioner's judgment are necessary to the interests of the public safety and welfare including reexamination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic. The commissioner may require that an applicant for a limited license affirmatively demonstrate that use of public transportation or carpooling as an alternative to a limited license would be a significant hardship.

For purposes of this subdivision, "homemaker" refers to the person primarily performing the domestic tasks in a household of residents consisting of at least the person and the person's dependent child or other dependents.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

If the person's driver's license or permit to drive has been revoked under section 169.792 or 169.797, the commissioner may only issue a limited license to the person after the person has presented an insurance identification card, policy, or written statement indicating that the driver or owner has insurance coverage satisfactory to the commissioner of public safety. The commissioner of public safety may require the insurance identification card provided to satisfy this subdivision be certified by the insurance company to be noncancelable for a period not to exceed 12 months.

Sec. 20. Minnesota Statutes 1992, section 260.185, subdivision 1, is amended to read:

Subdivision 1. If the court finds that the child is delinquent, it shall enter an order making any of the following dispositions of the case which are deemed necessary to the rehabilitation of the child:

- (a) Counsel the child or the parents, guardian, or custodian;
- (b) Place the child under the supervision of a probation officer or other suitable person in the child's own home under conditions prescribed by the court including reasonable rules for the child's conduct and the conduct of the child's parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child, or with the consent of the commissioner of corrections, in a group foster care facility which is under the management and supervision of said commissioner;
- (c) Subject to the supervision of the court, transfer legal custody of the child to one of the following:
 - (1) a child placing agency; or
 - (2) the county welfare board; or
 - (3) a reputable individual of good moral character. No person may receive custody of two or more unrelated children unless licensed as a residential facility pursuant to sections 245A.01 to 245A.16; or

(4) a county home school, if the county maintains a home school or enters into an agreement with a county home school; or

(5) a county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;

(d) Transfer legal custody by commitment to the commissioner of corrections;

(e) If the child is found to have violated a state or local law or ordinance which has resulted in damage to the person or property of another, the court may order the child to make reasonable restitution for such damage;

(f) Require the child to pay a fine of up to \$700; the court shall order payment of the fine in accordance with a time payment schedule which shall not impose an undue financial hardship on the child;

(g) If the child is in need of special treatment and care for reasons of physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided;

(h) If the court believes that it is in the best interests of the child and of public safety that the driver's license of the child be canceled until the child's 18th birthday, the court may recommend to the commissioner of public safety the cancellation of the child's license for any period up to the child's 18th birthday, and the commissioner is hereby authorized to cancel such license without a hearing. At any time before the termination of the period of cancellation, the court may, for good cause, recommend to the commissioner of public safety that the child be authorized to apply for a new license, and the commissioner may so authorize.

If the child is petitioned and found by the court to have committed a controlled substance offense under sections 152.021 to 152.027, the court shall determine whether the child unlawfully possessed or sold the controlled substance while driving a motor vehicle. If so, the court shall notify the commissioner of public safety of its determination and order the commissioner to revoke the child's driver's license for the applicable time period specified in section 152.0271. If the child does not have a driver's license or if the child's driver's license is suspended or revoked at the time of the delinquency finding, the commissioner shall, upon the child's application for driver's license issuance or reinstatement, delay the issuance or reinstatement of the child's driver's license for the applicable time period specified in section 152.0271. Upon receipt of the court's order, the commissioner is authorized to take the licensing action without a hearing.

If the child is petitioned and found by the court to have committed or attempted to commit an act in violation of section 609.342; 609.343; 609.344; 609.345; 609.3451; 609.746, subdivision 1; 609.79; or 617.23, or another offense arising out of a delinquency petition based on one or more of those sections, the court shall order an independent professional assessment of the child's need for sex offender treatment. An assessor providing an assessment for the court may not have any direct or shared financial interest or referral relationship resulting in shared financial gain with a treatment provider. If the assessment indicates that the child is in need of and amenable to sex offender treatment, the court shall include in its disposition order a requirement that the child undergo treatment. Notwithstanding section 13.42, 13.85, 144.335, 260.161, or 626.556, the assessor has access to the following private or confidential data on the child if access is relevant and necessary for the assessment:

- (1) medical data under section 13.42;
- (2) corrections and detention data under section 13.85;
- (3) health records under section 144.335;
- (4) juvenile court records under section 260.161; and
- (5) local welfare agency records under section 626.556.

Data disclosed under this paragraph may be used only for purposes of the assessment and may not be further disclosed to any other person, except as authorized by law.

If the child is found delinquent due to the commission of an offense that would be a felony if committed by an adult, the court shall make a specific finding on the record regarding the juvenile's mental health and chemical dependency treatment needs.

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered, and shall also set forth in writing the following information:

(a) why the best interests of the child are served by the disposition ordered; and

(b) what alternative dispositions were considered by the court and why such dispositions were not appropriate in the instant case.

Sec. 21. Minnesota Statutes 1992, section 340A.503, subdivision 1, is amended to read:

Subdivision 1. [CONSUMPTION.] (a) It is unlawful for any:

(1) retail intoxicating liquor or nonintoxicating liquor licensee, municipal liquor store, or bottle club permit holder under section 340A.414, to permit any person under the age of 21 years to consume alcoholic beverages on the licensed premises or within the municipal liquor store; or

(2) person under the age of 21 years to consume any alcoholic beverages. As used in this clause, "consume" includes the ingestion of an alcoholic beverage and the physical condition of having ingested an alcoholic beverage. If proven by a preponderance of the evidence, it is an affirmative defense to a violation of this clause that the defendant consumed the alcoholic beverage in the household of the defendant's parent or guardian and with the consent of the parent or guardian.

(b) An offense under paragraph (a), clause (2), may be prosecuted either at the place where consumption occurs or the place where evidence of consumption is observed.

(c) When a person is convicted of or adjudicated for an offense under paragraph (a), clause (2), the court shall determine whether the person committed the offense while operating a motor vehicle. If so, the court shall notify the commissioner of public safety of its determination. Upon receipt of the court's determination, the commissioner shall suspend the person's driver's license or operating privileges for 30 days, or for 180 days if the person has previously been convicted of or adjudicated for an offense under paragraph (a), clause (2).

Sec. 22. Minnesota Statutes 1992, section 340A.802, subdivision 2, is amended to read:

Subd. 2. [LIMITATIONS; CONTENT.] In the case of a claim for damages, the notice must be served by the claimant's attorney within ~~120~~ 240 days of the date of entering an attorney-client relationship with the person in regard to the claim. In the case of claims for contribution or indemnity, the notice must be served within 120 days after the injury occurs or within 60 days after receiving written notice of a claim for contribution or indemnity, whichever is applicable. No action for damage or for contribution or indemnity may be maintained unless the notice has been given. If requested to do so, a municipality or licensee receiving a notice shall promptly furnish claimant's attorney the names and addresses of other municipalities or licensees who sold or bartered liquor to the person identified in the notice, if known. Actual notice of sufficient facts reasonably to put the licensee or governing body of the municipality on notice of a possible claim complies with the notice requirement.

No action may be maintained under section 340A.801 unless commenced within two years after the injury.

Sec. 23. Minnesota Statutes 1992, section 609.035, is amended to read:

609.035 [CRIME PUNISHABLE UNDER DIFFERENT PROVISIONS.]

Except as provided in sections 169.121, 169.129, 169.797, 171.24, 609.251, 609.585, 609.21, subdivisions 3 and 4, 609.2691, and 609.856, if a person's conduct constitutes more than one offense under the laws of this state, the person may be punished for only one of the offenses and a conviction or acquittal of any one of them is a bar to prosecution for any other of them. All the offenses, if prosecuted, shall be included in one prosecution which shall be stated in separate counts.

Sec. 24. [EFFECTIVE DATE.]

Sections 1 to 20, and 23 are effective August 1, 1993, and apply to crimes committed on or after that date. Section 21 is effective June 1, 1993, and applies to crimes committed on or after that date. Section 22 is effective August 1, 1993, and applies to causes of action arising on or after that date."

Delete the title and insert:

"A bill for an act relating to alcohol and chemical use; increasing penalties for driving while intoxicated with a child under 16 in the vehicle; establishing a misdemeanor offense for juveniles who drive with an alcohol concentration greater than 0.02; providing for driver's license suspension for this offense; requiring driver's license revocation for persons convicted of a controlled substance offense if the court finds that the person committed the offense while driving a motor vehicle; providing that certain repeat DWI offenders must serve 45 days in jail; providing pretrial release conditions for habitual DWI violators; increasing the penalty for certain persons who drive while under license cancellation; allowing consecutive sentences for persons convicted of DWI, driving after revocation or cancellation, or driving without insurance; allowing the use of preliminary screening tests in certain proceedings; clarifying administrative revocation penalties; defining "consumption" in the underage drinking law; expanding prosecutorial jurisdiction over underage drinking offenses; expanding filing requirements relating to dram shop actions; amending Minnesota Statutes 1992, sections 168.042, subdivision 2; 169.121, subdivisions 2, 3, 3a, 4, 6, and by adding a subdivision; 169.1217, subdivisions 1 and 9; 169.123, subdivisions 2 and 4; 169.129; 169.797, subdivision 4; 171.13, subdivision 1b; 171.24; 171.30, subdivision 1; 260.185, subdivision 1; 340A.503, subdivision 1; 340A.802, subdivision 2; and 609.035; proposing coding for new law in Minnesota Statutes, chapters 152; and 171."

With the recommendation that when so amended the bill pass.

The report was adopted.

Kalis from the Committee on Capital Investment to which was referred:

H. F. No. 950, A bill for an act relating to the veterans homes board; requiring the board to apply for certain federal funding.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 951, A bill for an act relating to the city of Duluth; authorizing the transfer of money from the gas division account in the public utility fund to the general fund; authorizing the transfer of money from the steam division account of the public utility fund to the general fund; amending Laws 1951, chapter 507, section 1, as amended; and Laws 1979, chapter 113, section 2.

Reported the same back with the following amendments:

Page 1, delete section 2

Page 2, line 18, delete "3" and insert "2"

Amend the title as follows:

Page 1, line 4, delete "authorizing"

Page 1, delete lines 5 and 6

Page 1, line 8, delete "; and Laws 1979, chapter 113, section 2"

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. 961, A bill for an act relating to health; modifying lead abatement requirements; licenses and fees; establishing enforcement procedures and disposal methods; establishing grant programs; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 144.871, subdivisions 2, 6, 7a, 7b, 9, and by adding subdivisions; 144.872, subdivisions 2, 3, 4, and by adding a subdivision; 144.873, subdivisions 2 and 3; 144.874, subdivisions 1, 2, 3, 4, 5, 6, 9, and by adding subdivisions; 144.876, by adding a subdivision; 144.878, subdivisions 2, 2a, and 5; 256B.0625, subdivision 14; and 462A.03, subdivision 15; proposing coding for new law in Minnesota Statutes, chapters 144; and 268; repealing Minnesota Statutes 1992, sections 144.8721; 144.874, subdivision 10; and 144.878, subdivision 2a.

Reported the same back with the following amendments:

Page 11, delete lines 31 to 36

Page 12, delete lines 1 to 8

Page 12, line 15, delete "shall be" and insert "is" and delete "\$250" and after "fine" insert "of up to \$250"

Page 12, line 25, delete "shall be" and insert "are"

Page 12, line 26, delete "\$250" and after "fine" insert "of up to \$250"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 963, A bill for an act relating to sheriffs; duty to investigate snowmobile accidents; amending Minnesota Statutes 1992, section 387.03, is amended to read:

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 84.86, subdivision 1, is amended to read:

Subdivision 1. With a view of achieving maximum use of snowmobiles consistent with protection of the environment the commissioner of natural resources shall adopt rules in the manner provided by chapter 14, for the following purposes:

- (1) Registration of snowmobiles and display of registration numbers.
- (2) Use of snowmobiles insofar as game and fish resources are affected.
- (3) Use of snowmobiles on public lands and waters ~~under the jurisdiction of the commissioner of natural resources.~~
- (4) Uniform signs to be used by the state, counties, and cities, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles.
- (5) Specifications relating to snowmobile mufflers.

(6) A comprehensive snowmobile information and safety education and training program, including but not limited to the preparation and dissemination of snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course. For the purpose of administering such program and to defray a portion of the expenses of training and certifying snowmobile operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the training and shall deposit the fee in the snowmobile trails and enforcement account and the amount thereof is appropriated annually to the commissioner of natural resources for the administration of such programs. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this clause. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of snowmobile operators.

(7) The operator of any snowmobile involved in an accident resulting in injury requiring medical attention or hospitalization to or death of any person or total damage to an extent of ~~\$100~~ \$500 or more, shall promptly forward a written report of the accident to the commissioner on such form as the commissioner shall prescribe. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days.

Sec. 2. Minnesota Statutes 1992, section 84.872, is amended to read:

84.872 [YOUTHFUL SNOWMOBILE OPERATORS; PROHIBITIONS.]

Notwithstanding anything in section 84.87 to the contrary, no person under 14 years of age shall make a direct crossing of a trunk, county state-aid, or county highway as the operator of a snowmobile, or operate a snowmobile upon a street or highway within a municipality. A person 14 years of age or older, but less than 18 years of age, may make a direct crossing of a trunk, county state-aid, or county highway only if the person has in immediate possession a valid snowmobile safety certificate issued by the commissioner or a valid motor vehicle operator's license issued by the commissioner of public safety or the drivers license authority of another state. No person under the age of 14 years shall operate a snowmobile on any public land or water under the jurisdiction of the commissioner unless accompanied by one of the following listed persons on the same or an accompanying snowmobile, or on a device towed by the same or an accompanying snowmobile: the person's parent, legal guardian, or other person 18 years of age or older. However, a person 12 years of age or older may operate a snowmobile on public lands and waters under the jurisdiction of the commissioner if the person has in immediate possession a valid snowmobile safety certificate issued by the commissioner.

It is unlawful for ~~the owner of a snowmobile~~ any person who is in lawful control of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this section.

When the judge of a juvenile court, or any of its duly authorized agents, shall determine that any person, while less than 18 years of age, has violated the provisions of sections 84.81 to 84.88, or any other state or local law or ordinance regulating the operation of snowmobiles, the judge, or duly authorized agent, shall immediately report such determination to the commissioner and may recommend the suspension of the person's snowmobile safety certificate. The commissioner is hereby authorized to suspend the certificate, without a hearing.

Sec. 3. Minnesota Statutes 1992, section 84.924, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER OF NATURAL RESOURCES.] With a view of achieving proper use of all-terrain vehicles consistent with protection of the environment, the commissioner of natural resources shall adopt rules under chapter 14 relating to:

- (1) registration of all-terrain vehicles and display of registration numbers;
- (2) use of all-terrain vehicles insofar as game and fish resources are affected;
- (3) use of all-terrain vehicles on public lands and waters ~~under the jurisdiction of the commissioner of natural resources;~~
- (4) uniform signs to be used by the state, counties, and cities necessary or desirable to control, direct, or regulate the operation and use of all-terrain vehicles; and
- (5) specifications relating to all-terrain vehicle mufflers.

Sec. 4. Minnesota Statutes 1992, section 84.924, subdivision 3, is amended to read:

Subd. 3. [ACCIDENT REPORT; REQUIREMENT AND FORM.] The operator and an officer investigating an accident of an all-terrain vehicle involved in an accident resulting in injury requiring medical attention or hospitalization to or death of a person or total damage to an extent of ~~\$300~~ \$500 or more shall within ten business days forward a written report of the accident to the commissioner of natural resources on a form prescribed by either the commissioner of natural resources or by the commissioner of public safety. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days.

Sec. 5. Minnesota Statutes 1992, section 84.9256, subdivision 3, is amended to read:

Subd. 3. [PROHIBITIONS ON OWNER PERSON IN LAWFUL CONTROL.] An owner of It is unlawful for any person who is in lawful control of an all-terrain vehicle may not knowingly allow to permit it to be operated contrary to this section.

Sec. 6. Minnesota Statutes 1992, section 97A.065, subdivision 2, is amended to read:

Subd. 2. [FINES AND FORFEITED BAIL.] (a) Fines and forfeited bail collected from prosecutions of violations of the game and fish laws, sections 84.09 to 84.15, and 84.81 to 84.88, chapter 348, and any other law relating to wild animals, and aquatic vegetation must be paid to the treasurer of the county where the violation is prosecuted. The county treasurer shall submit one-half of the receipts to the commissioner and credit the balance to the county general revenue fund except as provided in paragraphs (b) ~~and~~, (c), and (d).

(b) The commissioner must reimburse a county, from the game and fish fund, for the cost of keeping prisoners prosecuted for violations under this section if the county board, by resolution, directs: (1) the county treasurer to submit all fines and forfeited bail to the commissioner; and (2) the county auditor to certify and submit monthly itemized statements to the commissioner.

(c) The county treasurer shall indicate the amount of the receipts that are assessments or surcharges imposed under section 609.101 and shall submit all of those receipts to the commissioner. The receipts must be credited to the game and fish fund to provide peace officer training for persons employed by the commissioner who are licensed under section 626.84, subdivision 1, clause (c), and who possess peace officer authority for the purpose of enforcing game and fish laws.

(d) The county treasurer shall submit one-half of the receipts collected from prosecutions of violations of sections 84.81 to 84.91, including receipts that are assessments or surcharges imposed under section 609.101, to the commissioner and credit the balance to the county general fund. The commissioner shall credit these receipts to the snowmobile trails and enforcement account in the natural resources fund.

Sec. 7. Minnesota Statutes 1992, section 387.03, is amended to read:

387.03 [POWERS, DUTIES.]

The sheriff shall keep and preserve the peace of the county, for which purpose the sheriff may require the aid of such persons or power of the county as the sheriff deems necessary. The sheriff shall also pursue and apprehend all felons, execute all processes, writs, precepts, and orders issued or made by lawful authority and to the sheriff delivered, attend upon the terms of the district court, and perform all of the duties pertaining to the office, including investigating recreational vehicle accidents involving personal injury or death that occur outside the boundaries of a municipality, searching and dragging for drowned bodies and searching and looking for lost persons ~~and~~. When authorized by the board of county commissioners of the county the sheriff may purchase boats and other equipment including the hiring of airplanes for such search purposes."

Delete the title and insert:

"A bill for an act relating to recreational vehicles; expanding the jurisdiction of the commissioner of natural resources over the use of snowmobiles and all-terrain vehicles on public lands and waters; changing accident reporting duties; providing that the person in lawful control of a snowmobile or all-terrain vehicle is responsible for the operation of these vehicles by youthful operators; providing that a portion of the fines and assessments collected from recreational vehicle violations shall be credited to the snowmobile trails and enforcement account in the natural resources fund; expanding the duties of the sheriff to include investigating recreational vehicle accidents involving injury or death; amending Minnesota Statutes 1992, sections 84.86, subdivision 1; 84.872; 84.924, subdivisions and 3; 84.9256, subdivision 3; 97A.065, subdivision 2; and 387.03."

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.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 964, A bill for an act relating to public safety; authorizing commissioner of public safety to apply for federal natural disaster assistance funds; amending Minnesota Statutes 1992, section 12.221.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 981, A bill for an act relating to the organization of state government; abolishing the department of public service; abolishing the residential and small business utilities division of the office of the attorney general; reducing the size of the public utilities commission; transferring the utility regulatory responsibilities of the department of public service to the department of commerce; transferring the energy and conservation improvement responsibilities of the department of public service to the public utilities commission; transferring the division of weights and measures to the department of agriculture; amending Minnesota Statutes 1992, sections 15.01; 116C.03, subdivision 2; 216A.01; 216A.03, subdivision 1; 216A.035; 216A.036; 216A.04; 216A.05, by adding a subdivision; 216A.07, subdivision 1, and by adding a subdivision; 216A.085; 216A.095; 216B.02, subdivisions 7, 8, and by adding subdivisions; 216B.162, subdivision 7; 216B.241, subdivisions 1 and 2; 216C.01; 216C.10; 216C.36, subdivision 11; 216C.37, subdivision 1; 237.02; 237.075, subdivision 2; 239.01; 239.05, subdivisions 6c, 7a, and 8; 446A.10, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1992, sections 8.33; 216A.06; and 216C.01, subdivisions 2 and 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. [DEPARTMENT OF PUBLIC SERVICE ABOLISHED; RESPONSIBILITIES TRANSFERRED.]

Subdivision 1. [DEPARTMENT ABOLISHED; RESPONSIBILITIES TRANSFERRED.] The department of public service is abolished. The responsibilities held by the department are transferred to a receiving agency as designated in this act. Except as otherwise provided by this act, the responsibilities of the department must be transferred under Minnesota Statutes, section 15.039. For the purposes of this act, "responsibilities" means the powers, duties, rights, obligations, rules, court actions, contracts, records, property of every description, unexpended funds, personnel, and authority imposed by law of the department of public service. For the purposes of this act, "receiving agency" has the meaning given it in Minnesota Statutes, section 15.039, subdivision 1.

Subd. 2. [SPECIFIC POSITIONS ABOLISHED.] The following positions in the department of public service are not transferred to a receiving agency and are specifically abolished:

- (1) commissioner;
- (2) deputy commissioner;
- (3) assistant commissioner; and
- (4) executive assistant.

Subd. 3. [ATTORNEY GENERAL.] The responsibility for intervention as a party in all public utility and telecommunications matters before the public utilities commission is transferred to the utility consumers division of the attorney general's office.

Subd. 4. [PUBLIC UTILITIES COMMISSION.] (a) The following responsibilities are transferred to the public utilities commission:

- (1) the intervention office that represents the interests of Minnesota residents, businesses, and governments before bodies and agencies outside the state that make, interpret, or implement national and international energy policy;
- (2) enforcement of Minnesota Statutes, chapters 216A, 216B, 216C, and 237 and orders of the public utilities commission under those chapters;
- (3) conservation improvement; and
- (4) all other responsibilities related to energy production, transportation, transmission, consumption, conservation, and efficiency.

(b) The positions and personnel of the department of public service related to the responsibilities listed in paragraph (a) are transferred to the public utilities commission.

Subd. 5. [DEPARTMENT OF AGRICULTURE.] The division of weights and measures is transferred to the department of agriculture.

Subd. 6. [RULES.] All rules adopted by the department of public service before the effective date of this act become rules of the agency to which the appropriate rulemaking authority is transferred by this act.

ARTICLE 2

CONFORMING AMENDMENTS

Section 1. Minnesota Statutes 1992, section 8.33, is amended to read:

8.33 [REPRESENTATION OF CONSUMER AND SMALL BUSINESS INTEREST IN PUBLIC UTILITY MATTERS.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them:

(1) "Public utility" means a publicly or privately owned entity engaged in supplying utility services to residential utility consumers in this state or to another public utility for ultimate distribution to residential utility consumers in this state and whose rates or charges are subject to approval by the public utilities commission or an agency of the federal government. No municipal or cooperative utility shall be considered a "public utility" for the purposes of this clause.

(2) "Residential and small business Utility consumer" or "consumer" means a person or small business, firm, association, partnership, or corporation that uses utility services at the person's a residence or business location in this state and who is billed by or pays a public utility for these services.

(3) "Small business" has the meaning given it in section 645.445.

(4) "Utility services" means electricity, natural gas, or telephone services distributed to residential utility consumers by a public utility.

A utility consumers division is established in the office of the attorney general to carry out the duties assigned to the attorney general under this section.

Subd. 2. [DIVISION ESTABLISHED; DUTIES.] (a) A utility consumers division is established in the office of the attorney general to carry out the duties assigned to the attorney general under this section.

(b) The attorney general is responsible for representing and furthering the interests of ~~residential and small business~~ utility consumers, other than utility consumers who represent their own interests, through participation in matters before the public utilities commission involving utility rates and adequacy of utility services to ~~residential or small business~~ utility consumers. The attorney general shall expend a reasonable portion of effort among all three kinds of utility services and shall identify and promote the needs of each class of ~~residential and small business~~ consumers with respect to each of the utility services.

Subd. 3. [RIGHT OF INTERVENTION.] Subject to the limitations of subdivision 2, the attorney general may intervene as of right or participate as an interested party in matters pending before the public utilities commission which affect the distribution by a public utility of utility services to ~~residential or small business~~ utility consumers. When intervening in gas or electric hearings, the attorney general shall prepare and defend testimony designed to encourage energy conservation improvements as defined in section 216B.241. The right of the attorney general to participate or intervene does not affect the obligation of the public utilities commission to protect the public interest.

Subd. 4. [NOTICE; PROCEDURES.] The public utilities commission shall give reasonable notice to the attorney general of any matter scheduled to come before the commission affecting a public utility's rates or adequacy of services to ~~residential or small business~~ utility consumers. Rules of the commission governing procedures before the commission apply to the attorney general and the attorney general's employees or representatives. The attorney general has the same rights and privileges accorded other intervenors or participants in matters pending before the commission.

Subd. 5. [APPEALS.] The attorney general has an interest sufficient to maintain, intervene as of right in, or otherwise participate in any civil action in the courts of this state for the review or enforcement of any public utilities commission action which affects a public utility's rates or adequacy of service to ~~residential or small business~~ utility consumers.

Subd. 6. [INTERVENTION IN FEDERAL PROCEEDINGS.] The attorney general and the public utilities commission shall jointly represent and further the interests of ~~residential and small business~~ utility consumers through participation as an intervenor or interested party in federal proceedings relating to the regulation of: (a) wholesale rates for energy delivered through interstate facilities; or (b) fuel used in generation of electricity or the manufacture of gas. The attorney general may maintain, intervene in, or otherwise participate in civil actions relating to the federal proceedings.

Subd. 7. [ADDITIONAL POWERS.] The power granted by this section is in addition to powers otherwise provided by law to the attorney general.

Sec. 2. Minnesota Statutes 1992, section 15.01, is amended to read:

15.01 [DEPARTMENTS OF THE STATE.]

The following agencies are designated as the departments of the state government: the department of administration; the department of agriculture; the department of commerce; the department of corrections; the department of education; the department of jobs and training; the department of trade and economic development; the department of finance; the department of health; the department of human rights; the department of labor and industry; the department of military affairs; the department of natural resources; the department of employee relations; the department of public safety; ~~the department of public service~~; the department of human services; the department of revenue; the department of transportation; the department of veterans affairs; and their successor departments.

Sec. 3. Minnesota Statutes 1992, section 116C.03, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] The members of the board are the director of the office of strategic and long-range planning, the ~~commissioner of public service~~ director of the division of energy in the public utilities commission, the commissioner of the pollution control agency, the commissioner of natural resources, the director of the office of waste management, the commissioner of agriculture, the commissioner of health, the commissioner of transportation, the chair of the board of water and soil resources, and a representative of the governor's office designated by the governor. The governor shall appoint five members from the general public to the board, subject to the advice and consent of the senate. At least two of the five public members must have knowledge of and be conversant in water management issues in the state. Notwithstanding the provisions of section 15.06, subdivision 6, members of the board may not delegate their powers and responsibilities as board members to any other person.

Sec. 4. Minnesota Statutes 1992, section 216A.01, is amended to read:

216A.01 [ESTABLISHMENT OF DEPARTMENT AND COMMISSION.]

There ~~are~~ is hereby created and established the ~~department of public service, and the public utilities commission.~~ The ~~department of public service~~ utility consumers division of the attorney general's office shall have and possess all of the rights and powers and perform all of the duties vested in it by this chapter. The public utilities commission shall have and possess all of the rights and powers and perform all of the duties vested in it by this chapter, and those formerly vested by law in the railroad and warehouse commission.

Sec. 5. Minnesota Statutes 1992, section 216A.035, is amended to read:

216A.035 [CONFLICT OF INTEREST.]

(a) No person, while a member of the public utilities commission, while acting as executive ~~secretary~~ director of the commission, or while employed in a professional capacity by the commission, shall receive any income, other than dividends or other earnings from a mutual fund or trust if these earnings do not constitute a significant portion of the person's income, directly or indirectly from any public utility or other organization subject to regulation by the commission.

(b) No person is eligible to be appointed as a member of the commission if the person has been employed with an entity, or an affiliated company of an entity, that is subject to rate regulation by the commission within one year from the date when the person's term on the commission will begin.

(c) No person who is an employee of the ~~public service department~~ utility consumers division of the attorney general's office shall participate in any manner in any decision or action of the commission where that person has a direct or indirect financial interest. Each commissioner or employee of the ~~public service department~~ utility consumers division who is in the general professional, supervisory, or technical units established in section 179A.10 or who is a professional, supervisory, or technical employee defined as confidential in section 179A.03, subdivision 4, or who is a management classification employee and whose duties are related to public utilities or transportation regulation shall report to the ethical practices board annually before April 15 any interest in an industry or business regulated by the commission. Each commissioner shall file a statement of economic interest as required by section 10A.09 with the ethical practices board and the public utilities commission before taking office. The statement of economic interest must state any interest that the commissioner has in an industry or business regulated by the commission.

(d) A professional employee of the commission or department must immediately disclose to the commission or to the commissioner of the department, respectively, any communication, direct or indirect, with a person who is a party to a pending proceeding before the commission regarding future benefits, compensation, or employment to be received from that person.

Sec. 6. Minnesota Statutes 1992, section 216A.036, is amended to read:

216A.036 [EMPLOYMENT RESTRICTIONS.]

(a) A person who serves as (1) a ~~commissioner~~ member of the public utilities commission, (2) ~~commissioner of the department of public service, or~~ (3) ~~deputy commissioner of the department,~~ shall not, while employed with or within one year after leaving the commission, or department, accept employment with, receive compensation directly or indirectly from, or enter into a contractual relationship with an entity, or an affiliated company of an entity, that is subject to rate regulation by the commission.

(b) An entity or an affiliated company of an entity that is subject to rate regulation by the commission, or a person acting on behalf of the entity, shall not negotiate or offer to employ or compensate a commissioner of the public utilities commission, ~~the commissioner of public service, or the deputy commissioner~~, while the person is ~~so employed~~ a member of the commission or within one year after the person leaves ~~that employment~~ the commission.

(c) For the purposes of this section, "affiliated company" means a company that controls, is controlled by, or is under common control with an entity subject to rate regulation by the commission.

(d) A person who violates this section is subject to a civil penalty not to exceed \$10,000 for each violation. The attorney general may bring an action in district court to collect the penalties provided in this section.

Sec. 7. Minnesota Statutes 1992, section 216A.04, is amended to read:

216A.04 [EXECUTIVE SECRETARY DIRECTOR; EMPLOYEES.]

Subdivision 1. [SELECTION OF EXECUTIVE SECRETARY DIRECTOR.] The commission shall appoint an executive ~~secretary~~ director, not a member, who shall be in the unclassified service of the state and shall serve at the pleasure of the commission. The executive ~~secretary~~ director shall take, subscribe and file an oath similar to that required of the commissioners, and shall be subject to the same disqualifications as commissioners.

Subd. 1a. [POWERS AND DUTIES OF EXECUTIVE SECRETARY DIRECTOR.] The executive ~~secretary~~ director shall:

- (1) cause to be kept full and correct records of all transactions and proceedings of the commission;
- (2) appoint, subject to chapter 43A and the approval of the commission, the director of the energy division and all other classified employees of the commission and supervise and direct their activities;
- (3) have custody of the seal of the commission;
- (4) serve as the administrative officer of the commission with responsibility for personnel, budget and other administrative details related to the work of the commission or as required by state law;
- (5) prepare orders, reports, and other materials as assigned by the commission and recommend to the commission such measures as may be appropriate to achieve the objectives of the commission;
- (6) advise the commission of its financial position and recommend a budget for its approval; and
- (7) perform other duties as the commission directs.

Subd. 2. [ACTING SECRETARY EXECUTIVE DIRECTOR.] The commission may designate any responsible employee to serve as acting ~~secretary~~ director in the absence of the ~~secretary~~ director.

Subd. 3. [OFFICERS AND EMPLOYEES.] The commission may establish other positions in the unclassified service if the positions meet the criteria of section 43A.08, subdivision 1a, clauses (a) to (g). The commission may employ other persons as may be necessary to carry out its functions.

Hearing reporters may provide transcripts of proceedings before the commission to persons requesting transcripts who pay a reasonable charge therefor to the reporter. The amount of the charge shall be fixed by the commission and retained by the reporter, any other law to the contrary notwithstanding.

Sec. 8. Minnesota Statutes 1992, section 216A.05, is amended by adding a subdivision to read:

Subd. 1a. [ADMINISTRATIVE FUNCTIONS.] The commission shall delegate to the executive director, to the greatest extent practicable, performance of any administrative functions assigned to the commission by the legislature.

Sec. 9. Minnesota Statutes 1992, section 216A.07, is amended to read:

216A.07 [~~COMMISSIONER EXECUTIVE DIRECTOR;~~ POWERS AND DUTIES.]

Subdivision 1. [~~ADMINISTRATIVE DUTIES.~~] ~~The commissioner shall be the executive and administrative head of the public service department and shall have and possess~~ executive director of the commission has and possesses all the rights and powers and shall perform all the duties relating to the administrative function of the department as functions set forth in this chapter and chapters 216B and 237. ~~The commissioner executive director may:~~

(1) prepare all forms or blanks for the purpose of obtaining information which the commissioner may deem necessary or useful in the proper exercise of the authority and duties of the commissioner in connection with regulated businesses;

(2) prescribe the time and manner within which forms or blanks shall be filed with the department;

(3) inspect at all reasonable times, and copy the books, records, memoranda and correspondence or other documents and records of any person relating to any regulated business; and

(4) cause the deposition to be taken of any person concerning the business and affairs of any business regulated by the department commission. Information sought through said deposition shall be for a lawfully authorized purpose and shall be relevant and material to the investigation or hearing before the commission. Information obtained from said deposition shall be used by the department only for a lawfully authorized purpose and pursuant to powers and responsibilities conferred upon the department commission. Said deposition is to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

Subd. 2. [~~ENFORCEMENT.~~] ~~The commissioner executive director~~ is responsible for the enforcement of chapters 216A, 216B and 237 and the orders of the commission issued pursuant to those chapters.

Subd. 3. [~~INTERVENTION IN PROCEEDINGS.~~] ~~The commissioner may intervene as a party in all proceedings before the commission. When intervening in gas or electric hearings, the commissioner shall prepare and defend testimony designed to encourage energy conservation improvements as defined in section 216B.241. The attorney general shall act as counsel in the proceedings.~~

Subd. 4. [~~INVESTIGATIONS.~~] ~~The commissioner executive director may, on the commissioner's executive director's own initiative, investigate any matter subject to the jurisdiction of the department or commission.~~

Subd. 5. [~~RULEMAKING.~~] ~~The commissioner executive director shall make substantive and procedural rules to implement the provisions of this chapter and chapters 216B and 237. Rules adopted under this authority shall be promulgated pursuant to the administrative procedure act and shall have the force and effect of law.~~

Sec. 10. Minnesota Statutes 1992, section 216A.085, is amended to read:

216A.085 [ENERGY ISSUES INTERVENTION OFFICE.]

Subdivision 1. [~~CREATION.~~] There is created within the ~~department of public service~~ energy division of the public utilities commission an intervention office to represent the interests of Minnesota residents, businesses, and governments before bodies and agencies outside the state that make, interpret, or implement national and international energy policy.

Subd. 2. [~~DUTIES.~~] The intervention office shall determine those areas in which state intervention is most needed, most likely to have a positive impact, and most effective for the broad public interest of the state. The office shall seek recommendations from appropriate public and private sources before deciding which cases merit intervention.

Subd. 3. [~~STAFFING.~~] The intervention office shall be under the control and supervision of the ~~commissioner of the department of public service~~ director of the energy division. On approval by the executive director of the commission, the ~~commissioner~~ director may hire staff or contract for outside services as needed to carry out the purposes of this section. The attorney general shall act as counsel in all intervention proceedings.

Sec. 11. Minnesota Statutes 1992, section 216A.095, is amended to read:

216A.095 [INTERAGENCY COOPERATION BETWEEN DEPARTMENT AND COMMISSION.]

Nothing in this chapter prevents the ~~department~~ attorney general or the commission from entering into agreements with each other or with other agencies to coordinate and share services, to conduct joint projects or investigations on matters within the authority and jurisdiction of the parties thereto, or to temporarily assign staff to projects requested by each other or by other agencies. The cooperative agreements may provide for the sharing of costs between the parties thereto or the reimbursement of the department or commission operating budget for expenditures made on behalf of the department or commission or agency. No cooperative effort shall interfere with the independence and integrity of either the commission or the department or any other agency that is a party.

Sec. 12. Minnesota Statutes 1992, section 216B.02, subdivision 7, is amended to read:

Subd. 7. [COMMISSION.] "Commission" means the public utilities commission of the department of public service.

Sec. 13. Minnesota Statutes 1992, section 216B.02, is amended by adding a subdivision to read:

Subd. 8a. [DIRECTOR.] "Director" means the director of the energy division.

Sec. 14. Minnesota Statutes 1992, section 216B.02, is amended by adding a subdivision to read:

Subd. 8b. [ENERGY DIVISION.] "Energy division" means the energy division established in chapter 216C.

Sec. 15. Minnesota Statutes 1992, section 216B.02, is amended by adding a subdivision to read:

Subd. 8c. [EXECUTIVE DIRECTOR.] "Executive director" means the executive director of the public utilities commission.

Sec. 16. Minnesota Statutes 1992, section 216B.16, subdivision 2, is amended to read:

Subd. 2. [SUSPENSION OF PROPOSED RATES; HEARING; FINAL DETERMINATION DEFINED.] (a) Whenever there is filed with the commission a schedule modifying or resulting in a change in any rates then in force as provided in subdivision 1, the commission may suspend the operation of the schedule by filing with the schedule of rates and delivering to the affected utility a statement in writing of its reasons for the suspension at any time before the rates become effective. The suspension shall not be for a longer period than ten months beyond the initial filing date except as provided in paragraph (b). During the suspension the commission shall determine whether all questions of the reasonableness of the rates requested raised by persons deemed interested or by the ~~administrative division of the department of public service~~ utility consumers division of the attorney general's office can be resolved to the satisfaction of the commission. If the commission finds that all significant issues raised have not been resolved to its satisfaction, or upon petition by ten percent of the affected customers or 250 affected customers, whichever is less, it shall refer the matter to the office of administrative hearings with instructions for a public hearing as a contested case pursuant to chapter 14, except as otherwise provided in this section. The commission may order that the issues presented by the proposed rate changes be bifurcated into two separate hearings as follows: (1) determination of the utility's revenue requirements and (2) determination of the rate design. Upon issuance of both administrative law judge reports, the issues shall again be joined for consideration and final determination by the commission. All prehearing discovery activities of state agency intervenors shall be consolidated and conducted by the department of public service. If the commission does not make a final determination concerning a schedule of rates within ten months after the initial filing date, the schedule shall be deemed to have been approved by the commission; except if a settlement has been submitted to and rejected by the commission, the schedule is deemed to have been approved 12 months after the initial filing.

(b) If the commission finds that it has insufficient time during the suspension period to make a final determination of a case involving changes in general rates because of the need to make final determinations of other previously filed cases involving changes in general rates under this section or section 237.075, the commission may extend the suspension period to the extent necessary to allow itself 20 working days to make the final determination after it has made final determinations in the previously filed cases. An extension of the suspension period under this paragraph does not alter the setting of interim rates under subdivision 3.

(c) For the purposes of this section, "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all those petitions.

Sec. 17. Minnesota Statutes 1992, section 216B.162, subdivision 7, is amended to read:

Subd. 7. [COMMISSION DETERMINATION.] Except as provided under subdivision 6, competitive rates offered by electric utilities under this section must be filed with the commission and must be approved, modified, or rejected by the commission within 90 days. The utility's filing must include statements of fact demonstrating that the proposed rates meet the standards of this subdivision. The filing must be served on ~~the department of public service~~ and the office of the attorney general at the same time as it is served on the commission. In reviewing a specific rate proposal, the commission shall determine:

- (1) that the rate meets the terms and conditions in subdivision 4, unless the commission determines that waiver of one or more terms and conditions would be in the public interest;
- (2) that the consumer can obtain its energy requirements from an energy supplier not rate-regulated by the commission under section 216B.16;
- (3) that the customer is not likely to take service from the electric utility seeking to offer the competitive rate if the customer was charged the electric utility's standard tariffed rate; and
- (4) that it is in the best interest of all other customers to offer the competitive rate to the customer subject to effective competition.

If the commission approves the competitive rate, it becomes effective as agreed to by the electric utility and the customer. If the competitive rate is modified by the commission, the commission shall issue an order modifying the competitive rate subject to the approval of the electric utility and the customer. Each party has ten days in which to reject the proposed modification. If no party rejects the proposed modification, the commissioner's order becomes final. If either party rejects the commission's proposed modification, the electric utility, on its behalf or on the behalf of the customer, may submit to the commission a modified version of the commission's proposal. The commission shall accept or reject the modified version within 30 days. If the commission rejects the competitive rate, it shall issue an order indicating the reasons for the rejection.

Sec. 18. Minnesota Statutes 1992, section 216B.241, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For purposes of this section, the terms defined in this subdivision have the meanings given them.

- (a) "Commission" means the public utilities commission.
- (b) ~~"Commissioner"~~ "Director" means the ~~commissioner of public service~~ director of the energy division.
- (c) ~~"Department"~~ "Division" means the ~~department of public service~~ energy division.
- (d) "Energy conservation improvement" means the purchase or installation of a device, method, or material that reduces consumption of or increases efficiency in the use of electricity or natural gas, including, but not limited to:
 - (1) insulation and ventilation;
 - (2) storm or thermal doors or windows;
 - (3) caulking and weatherstripping;
 - (4) furnace efficiency modifications;
 - (5) thermostat or lighting controls;
 - (6) awnings; or
 - (7) systems to turn off or vary the delivery of energy. The term "energy conservation improvement" includes a device or method that creates, converts, or actively uses energy from renewable sources such as solar, wind, and biomass, provided that the device or method conforms with national or state performance and quality standards whenever applicable.

(e) "Investments and expenses of a public utility" includes the investments and expenses incurred by a public utility in connection with an energy conservation improvement including, but not limited to:

(1) the differential in interest cost between the market rate and the rate charged on a no interest or below market interest loan made by a public utility to a customer for the purchase or installation of an energy conservation improvement;

(2) the difference between the utility's cost of purchase or installation of energy conservation improvements and any price charged by a public utility to a customer for such improvements.

Sec. 19. Minnesota Statutes 1992, section 216B.241, subdivision 2, is amended to read:

Subd. 2. [PROGRAMS.] The ~~commissioner~~ director may by rule require public utilities to make investments and expenditures in energy conservation improvements, explicitly setting forth the interest rates, prices, and terms under which the improvements must be offered to the customers. The required programs must cover a two-year period. The ~~commissioner~~ director shall require at least one public utility to establish a pilot program to make investments in and expenditures for energy from renewable resources such as solar, wind, or biomass and shall give special consideration and encouragement to programs that bring about significant net savings through the use of energy-efficient lighting. The ~~commissioner~~ director shall evaluate the program on the basis of cost-effectiveness and the reliability of technologies employed. The rules of the ~~department~~ division must provide to the extent practicable for a free choice, by consumers participating in the program, of the device, method, or material constituting the energy conservation improvement and for a free choice of the seller, installer, or contractor of the energy conservation improvement, provided that the device, method, material, seller, installer, or contractor is duly licensed, certified, approved, or qualified, including under the residential conservation services program, where applicable. The ~~commissioner~~ director may require a utility to make an energy conservation improvement investment or expenditure whenever the ~~commissioner~~ director finds that the improvement will result in energy savings at a total cost to the utility less than the cost to the utility to produce or purchase an equivalent amount of new supply of energy. The ~~commissioner~~ director shall nevertheless ensure that every public utility operate one or more programs under periodic review by the department. Load management may be used to meet the requirements for energy conservation improvements under this section if it results in a demonstrable reduction in consumption of energy. The ~~commissioner~~ director shall consider and may require a utility to undertake a program suggested by an outside source, including a political subdivision or a nonprofit or community organization. No utility may make an energy conservation improvement under this section to a building envelope unless:

(1) it is the primary supplier of energy used for either space heating or cooling in the building;

(2) the ~~commissioner~~ director determines that special circumstances, which would unduly restrict the availability of conservation programs, warrant otherwise; or

(3) the utility has been awarded a contract under subdivision 2a.

The ~~commissioner~~ director shall ensure that a portion of the money spent on residential conservation improvement programs is devoted to programs that directly address the needs of renters and low-income persons unless an insufficient number of appropriate programs are available.

A utility, a political subdivision, or a nonprofit or community organization that has suggested a program, ~~the attorney general acting on behalf of consumers and small-business interests~~, or a utility customer that has suggested a program and is not represented by the attorney general under section 8.33, may petition the commission to modify or revoke a ~~department~~ division decision under this section, and the commission may do so if it determines that the program is not cost-effective, does not adequately address the residential conservation improvement needs of low-income persons, has a long-range negative effect on one or more classes of customers, or is otherwise not in the public interest. The person petitioning for commission review has the burden of proof. The commission shall reject a petition that, on its face, fails to make a reasonable argument that a program is not in the public interest.

Sec. 20. Minnesota Statutes 1992, section 216B.62, is amended to read:

216B.62 [REGULATORY EXPENSES.]

Subd. 2. [ASSESSING SPECIFIC UTILITY.] Whenever the attorney general or the commission or department, in a proceeding upon ~~its~~ the commission's own motion, on complaint, or upon an application to it, shall deem it necessary, in order to carry out the duties imposed under this chapter and section 216A.085, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, or to intervene before an energy regulatory agency, the public utility shall pay the expenses reasonably attributable to the investigation, appraisal, service, or intervention. The attorney general and commission and department shall ascertain the expenses, and the department attorney general or commission shall render a bill therefor to the public utility, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so rendered by the department shall be paid by the public utility into the state treasury within 30 days from the date of rendition. The total amount, in any one calendar year, for which any public utility shall become liable, by reason of costs incurred by the attorney general or commission within that calendar year, shall not exceed two-fifths of one percent of the gross operating revenue from retail sales of gas, or electric service by the public utility within the state in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 3, but shall be paid out of the general appropriation to the department attorney general and commission. In the case of public utilities offering more than one public utility service only the gross operating revenues from the public utility service in connection with which the investigation is being conducted shall be considered when determining this limitation.

Subd. 3. [ASSESSING ALL PUBLIC UTILITIES.] The department attorney general and commission shall quarterly, at least 30 days before the start of each quarter, estimate the total of their expenditures in the performance of their duties relating to public utilities under section 216A.085, and sections 216B.01 to 216B.67, other than amounts chargeable to public utilities under subdivision 2 or 6. The remainder shall be assessed by the attorney general and commission and department to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating revenues of the public utilities during the calendar year from retail sales of gas or electric service within the state. The assessment for the third quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the attorney general and commission and department for the preceding fiscal year were more or less than the estimated expenditures previously assessed.

Subd. 4. [OBJECTIONS.] Within 30 days after the date of the mailing of any bill as provided by subdivisions 2 and 3, the public utility against which the bill has been rendered may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days hold a hearing and issue an order in accordance with its findings. The order shall be appealable in the same manner as other final orders of the commission.

Subd. 5. [ASSESSING COOPERATIVES AND MUNICIPALS.] The attorney general and commission and department may charge cooperative electric associations and municipal electric utilities their proportionate share of the expenses incurred in the adjudication of service area disputes and the costs incurred in the adjudication of complaints over service standards, practices, and rates. Cooperative electric associations electing to become subject to rate regulation by the commission pursuant to section 216B.026, subdivision 4, are also subject to this section. Neither a cooperative electric association nor a municipal electric utility is liable for costs and expenses in a calendar year in excess of the limitation on costs that may be assessed against public utilities under subdivision 2. A cooperative electric association or municipal electric utility may object to and appeal bills of the attorney general and commission and department as provided in subdivision 4.

Subd. 6. [ADMINISTRATIVE HEARING COSTS.] Any amounts billed to the attorney general or commission or the department by the office of administrative hearings for public utility contested case hearings shall be assessed by the commission or the department against the public utility. The assessment shall be paid into the state treasury within 30 days after a bill, which constitutes notice of the assessment and demand for payment of it, has been mailed to the public utility. Money received shall be credited to a special account and is appropriated to the attorney general or commission or the department for payment to the office of administrative hearings.

Sec. 21. Minnesota Statutes 1992, section 216B.64, is amended to read:

216B.64 [ATTORNEY GENERAL'S RESPONSIBILITIES.]

The attorney general of the state shall, upon request of the ~~commission or department~~ commission, represent and appear for the ~~commission or department~~ in all actions and proceedings involving any question under Laws 1974, chapter 429, and shall aid in any investigation or hearing had under the provisions of Laws 1974, chapter 429. The attorney general shall perform all duties and services in connection with Laws 1974, chapter 429 and the enforcement thereof as the ~~commission or department~~ may require. The attorney general shall also bring all actions to collect penalties herein provided.

Sec. 22. Minnesota Statutes 1992, section 216B.65, is amended to read:

216B.65 [~~DEPARTMENT~~ COMMISSION TO EMPLOY NECESSARY STAFF.]

The ~~department~~ commission may employ experts, engineers, statisticians, accountants, inspectors, clerks, hearing examiners who may be attorneys and employees it deems necessary to carry out the provisions of Laws 1974, chapter 429.

Sec. 23. Minnesota Statutes 1992, section 216C.01, is amended to read:

216C.01 [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to section 216C.02 and those sections renumbered by Laws 1987, chapter 312, article 1, section 10.

Subd. 2. [~~COMMISSIONER.~~] "~~Commissioner~~" means ~~the commissioner of the department of public service.~~

Subd. 3. [~~DEPARTMENT.~~] "~~Department~~" means ~~the department of public service.~~

Subd. 4. [COMMISSION.] "Commission" means the public utilities commission.

Subd. 5. [DIRECTOR.] "Director" means the director of the division of energy in the public utilities commission.

Subd. 6. [EXECUTIVE DIRECTOR.] "Executive director" means the executive director of the public utilities commission.

Sec. 24. [216C.011] [DIVISION OF ENERGY.]

A division of energy is established in the public utilities commission under the control and supervision of a director, appointed by the executive director and serving at the pleasure of the executive director in the unclassified service. The director shall employ in the division personnel in the classified service necessary to carry out the duties under this chapter.

Sec. 25. Minnesota Statutes 1992, section 216C.10, is amended to read:

216C.10 [POWERS.]

The ~~commissioner~~ director may:

(1) adopt rules under chapter 14 as necessary to carry out the purposes of sections 216C.05 to 216C.30 and, when necessary for the purposes of section 216C.15, adopt emergency rules under sections 14.29 to 14.36;

(2) make all contracts under sections 216C.05 to 216C.30 and do all things necessary to cooperate with the United States government, and to qualify for, accept, and disburse any grant intended for the administration of sections 216C.05 to 216C.30;

- (3) provide on-site technical assistance to units of local government in order to enhance local capabilities for dealing with energy problems;
- (4) administer for the state, energy programs under federal law, regulations, or guidelines, except for the low-income home energy assistance program and low-income weatherization programs administered by the department of jobs and training, and coordinate the programs and activities with other state agencies, units of local government, and educational institutions;
- (5) develop a state energy investment plan with yearly energy conservation and alternative energy development goals, investment targets, and marketing strategies;
- (6) perform market analysis studies relating to conservation, alternative and renewable energy resources, and energy recovery;
- (7) assist with the preparation of proposals for innovative conservation, renewable, alternative, or energy recovery projects;
- (8) manage and disburse funds made available for the purpose of research studies or demonstration projects related to energy conservation or other activities deemed appropriate by the commissioner;
- (9) ~~intervene~~ appear in certificate of need proceedings before the public utilities commission;
- (10) collect fees from recipients of loans, grants, or other financial aid from money received from litigation or settlement of alleged violations of federal petroleum pricing regulations, which fees must be used to pay the department's costs in administering those financial aids; and
- (11) collect fees from proposers and operators of conservation and other energy-related programs that are reviewed, evaluated, or approved by the department, other than proposers that are political subdivisions or community or nonprofit organizations, to cover the department's cost in making the reviewal, evaluation, or approval and in developing additional programs for others to operate.

Notwithstanding any other law, the commissioner is designated the state agent to apply for, receive, and accept federal or other funds made available to the state for the purposes of sections 216C.05 to 216C.30.

Sec. 26. Minnesota Statutes 1992, section 216C.36, subdivision 11, is amended to read:

Subd. 11. [RULES.] The ~~commissioner~~ director shall adopt rules and may adopt emergency rules necessary to carry out the programs of this section. The ~~commissioner of public service~~ director shall adopt rules for the administration of programs under this section. The ~~commissioner of public service~~ director may adopt emergency rules pursuant to sections 14.29 to 14.36, meeting the requirements of this section. The rules shall contain as a minimum:

- (a) procedures for application by municipalities; and
- (b) criteria for reviewing grant and loan applications.

Sec. 27. Minnesota Statutes 1992, section 216C.37, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] In this section:

(a) "~~Commissioner~~" "Authority" means the ~~commissioner of public service~~. ~~Upon passage of legislation creating a body known as the Minnesota public facilities authority, the duties assigned to the commissioner in this section are delegated to the authority.~~

(b) "Maxi-audit" means a detailed engineering analysis of energy-saving improvements to existing buildings or stationary energy-using systems, including (1) modifications to building structures; (2) heating, ventilating, and air conditioning systems; (3) operation practices; (4) lighting; and (5) other factors that relate to energy use. The primary purpose of the engineering analysis is to quantify the economic and engineering feasibility of energy-saving improvements that require capital expenditures or major operational modifications.

(c) "Energy conservation investments" mean all capital expenditures that are associated with conservation measures identified in a maxi-audit and that have a ten-year or less payback period. Public school districts that received a federal institutional building grant in 1984 to convert a heating system to wood, and that apply for an energy conservation investment loan to match a federal grant for wood conversion, shall be allowed to calculate payback of conservation measures based on the costs of the traditional fuel in use prior to the wood conversion.

(d) "Municipality" means any county, statutory or home rule charter city, town, school district, or any combination of those units operating under an agreement to jointly undertake projects authorized in this section.

Sec. 28. Minnesota Statutes 1992, section 237.02, is amended to read:

237.02 [GENERAL AUTHORITY OF ~~DEPARTMENT AND~~ COMMISSION; DEFINITIONS.]

The ~~department of public service and the public utilities commission~~, now existing under the laws of this state, ~~are~~ is hereby vested with the same jurisdiction and supervisory power over telephone companies doing business in this state as it now has over railroad and express companies and over public utilities under chapter 216B. The definitions set forth in ~~section sections~~ sections 216A.02 shall and 216B.02 apply also to this chapter.

Sec. 29. Minnesota Statutes 1992, section 237.075, subdivision 2, is amended to read:

Subd. 2. [SUSPENSION OF PROPOSED RATES; HEARING; FINAL DETERMINATION DEFINED.] (a) Whenever there is filed with the commission as provided in subdivision 1 a schedule modifying or resulting in a change in any rate then in force, the commission may suspend the operation of the schedule by filing with the schedule of rates and delivering to the affected telephone company a statement in writing of its reasons for the suspension at any time before the rates become effective. The suspension shall not be for a longer period than ten months beyond the initial filing date except as provided in paragraph (b). During the suspension the commission shall determine whether all questions of the reasonableness of the rates requested raised by persons deemed interested or by the ~~administrative division of the department of public service utility consumer division of the attorney general's office~~ can be resolved to the satisfaction of the commission. If the commission finds that all significant issues raised have not been resolved to its satisfaction, or upon petition by ten percent of the affected customers or 250 affected customers, whichever is less, it shall refer the matter to the office of administrative hearings with instructions for a public hearing as a contested case pursuant to chapter 14, except as otherwise provided in this section. The commission may order that the issues presented by the proposed rate changes be bifurcated into two separate hearings as follows: (1) determination of the telephone company's revenue requirements and (2) determination of the rate design. Upon issuance of both administrative law judge reports, the issues shall again be joined for consideration and final determination by the commission. All prehearing discovery activities of state agency intervenors shall be consolidated and conducted by the ~~department of public service utility consumers division~~. If the commission does not make a final determination concerning a schedule of rates within ten months after the initial filing date, the schedule shall be deemed to have been approved by the commission; except if a settlement has been submitted to and rejected by the commission, the schedule is deemed to have been approved 12 months after the initial filing.

(b) If the commission finds that it has insufficient time during the suspension period to make a final determination of a case involving changes in general rates because of the need to make final determinations of other previously filed cases involving changes in general rates under this section or section 216B.16, the commission may extend the suspension period to the extent necessary to allow itself 20 working days to make the final determination after it has made final determinations in the previously filed cases. An extension of the suspension period under this paragraph does not alter the setting of interim rates under subdivision 3.

(c) For the purposes of this section, "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all those petitions.

Sec. 30. Minnesota Statutes 1992, section 237.295, is amended to read:

237.295 [ASSESSMENT OF REGULATORY EXPENSES.]

Subdivision 1. [PAYMENT FOR INVESTIGATIONS.] Whenever the ~~department~~ attorney general or commission, in a proceeding upon its own motion, on complaint, or upon an application to it, considers it necessary, in order to carry out the duties imposed on it, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of, a telephone company, or to render engineering or accounting services to a telephone company, the

telephone company shall pay the expenses reasonably attributable to the investigation, appraisal, or service. The ~~department~~ attorney general and commission shall ascertain the expenses, and the ~~department~~ attorney general shall render a bill for those expenses to the telephone company, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress. The bill constitutes notice of the assessment and a demand for payment. The amount of the bills assessed by the department under this subdivision must be paid by the telephone company into the state treasury within 30 days from the date of assessment. The total amount, in a calendar year, for which a telephone company may become liable, by reason of costs incurred by the ~~department~~ attorney general and commission within that calendar year, may not exceed two-fifths of one percent of the gross jurisdictional operating revenue of the telephone company in the last preceding calendar year. Direct charges may be assessed without regard to this limitation until the gross jurisdictional operating revenue of the telephone company for the preceding calendar year has been reported for the first time. Where, under this subdivision, costs are incurred within a calendar year that are in excess of two-fifths of one percent of the gross jurisdictional operating revenues, the excess costs are not chargeable as part of the remainder under subdivision 2, but must be paid out of the general appropriation of the ~~department~~ attorney general or commission.

Subd. 2. [ASSESSMENT OF COSTS.] The ~~department~~ attorney general and commission shall quarterly, at least 30 days before the start of each quarter, estimate the total of their expenditures in the performance of their duties relating to telephone companies, other than amounts chargeable to telephone companies under subdivision 1 or 5. The remainder must be assessed by the ~~department~~ attorney general to the telephone companies operating in this state in proportion to their respective gross jurisdictional operating revenues during the last calendar year. The assessment must be paid into the state treasury within 30 days after the bill has been mailed to the telephone companies. The bill constitutes notice of the assessment and demand of payment. The total amount that may be assessed to the telephone companies under this subdivision may not exceed one-eighth of one percent of the total gross jurisdictional operating revenues during the calendar year. The assessment for the third quarter of each fiscal year must be adjusted to compensate for the amount by which actual expenditures by the ~~attorney general and commission and department~~ attorney general and commission for the preceding fiscal year were more or less than the estimated expenditures previously assessed. A telephone company with gross jurisdictional operating revenues of less than \$5,000 is exempt from assessments under this subdivision.

Subd. 3. [OBJECTIONS.] Within 30 days after the date of the mailing of any bill as provided by subdivisions 1 and 2, the telephone company against which the bill has been assessed may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days provide for a contested case hearing and issue an order in accordance with its findings. The order shall be appealable in the same manner as other final orders of the commission.

Subd. 4. [INTEREST IMPOSED.] The amounts assessed against any telephone company not paid after 30 days after the mailing of a notice advising the telephone company of the amount assessed against it, shall draw interest at the rate of six percent per annum, and upon failure to pay the assessment the attorney general shall proceed by action in the name of the state against the telephone company to collect the amount due, together with interest and the cost of the suit.

Subd. 5. [ADMINISTRATIVE HEARING COSTS; APPROPRIATION.] Any amounts billed to the commission ~~or the department~~ by the office of administrative hearings for telephone contested case hearings shall be assessed by the commissioner ~~or the department~~ against the telephone company. The assessment shall be paid into the state treasury within 30 days after a bill, which constitutes notice of the assessment and demand for payment of it, has been mailed to the telephone company. Money received shall be credited to a special account and is appropriated to the commissioner or the department for payment to the office of administrative hearings.

Sec. 31. Minnesota Statutes 1992, section 237.30, is amended to read:

237.30 [TELEPHONE INVESTIGATION FUND; APPROPRIATION.]

The sum of \$25,000 is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to establish and provide a revolving fund to be known as the Minnesota Telephone Investigation Fund for the use of the ~~department of public service and of the attorney general~~ in investigations, valuations, and revaluations under section 237.295. All sums paid by the telephone companies to reimburse the ~~department of public service attorney general~~ attorney general for its ~~the attorney general's~~ expenses pursuant to section 237.295 shall be credited to the revolving fund and shall be deposited in a separate bank account and not commingled with any other state funds or moneys, but any balance in excess of \$25,000 in the revolving fund at the end of each fiscal year shall be paid into the state treasury and credited to the general fund. The sum of \$25,000 herein appropriated and all subsequent credits to said revolving fund shall be paid upon the warrant of the commissioner of finance upon application of the ~~department or of the attorney general~~ to an aggregate amount of not more than one-half of such sums to each of them, which proportion shall be constantly maintained in all credits and withdrawals from the revolving fund.

Sec. 32. Minnesota Statutes 1992, section 239.01, is amended to read:

239.01 [WEIGHTS AND MEASURES DIVISION; JURISDICTION.]

The weights and measures division, referred to in this chapter as the division, is created under the jurisdiction of the department of ~~public service agriculture~~. The division has supervision and control over all weights, weighing devices, and measures in the state.

Sec. 33. Minnesota Statutes 1992, section 239.05, subdivision 6c, is amended to read:

Subd. 6c. [COMMISSIONER.] "Commissioner" means the commissioner of the department of ~~public service agriculture~~.

Sec. 34. Minnesota Statutes 1992, section 239.05, subdivision 7a, is amended to read:

Subd. 7a. [DEPARTMENT.] "Department" means the department of ~~public service agriculture~~.

Sec. 35. Minnesota Statutes 1992, section 239.05, subdivision 8, is amended to read:

Subd. 8. [DIRECTOR.] "Director" means the director of the division of weights and measures of the department of ~~public service agriculture~~.

Sec. 36. Minnesota Statutes 1992, section 446A.10, subdivision 2, is amended to read:

Subd. 2. [OTHER RESPONSIBILITIES.] (a) The responsibilities for the health care equipment loan program under Minnesota Statutes 1986, section 116M.07, subdivisions 7a, 7b, and 7c; the public school energy conservation loan program under section 216C.37; and the district heating and qualified energy improvement loan program under section 216C.36, are transferred from the Minnesota energy and economic development authority to the Minnesota public facilities authority. The ~~commissioner of public service~~ director of the division of energy in the public utilities commission shall ~~continue to~~ administer the municipal energy grant and loan programs under section 216C.36 and the school energy loan program under section 216C.37 until the commissioner of trade and economic development has adopted rules to implement the financial administration of the programs as provided under sections 216C.36, subdivisions 2, 3b, 3c, 8, 8a, and 11, and 216C.37, subdivisions 1 and 8.

(b) Except as otherwise provided in this paragraph, section 15.039 applies to the transfer of responsibilities. The transfer includes 8-1/2 positions from the financial management division of the department of trade and economic development to the community development division of the department of trade and economic development. The commissioner of trade and economic development and the commissioner of public service shall determine which classified and unclassified positions associated with the responsibilities of the grant and loan programs under section 216C.36 and the school energy loan program under section 216C.37 are transferred to the commissioner of public service and which positions are transferred to the commissioner of trade and economic development in order to carry out the purposes of Laws 1987, chapter 386, article 3.

Sec. 37. [INSTRUCTION TO REVISOR.]

The revisor of statutes, in the next and subsequent editions of Minnesota Statutes and Minnesota Rules, shall make the following changes, and shall also make any stylistic and conforming changes necessary to incorporate the following changes:

(a) Change the terms "commissioner" and "commissioner of public service," or similar terms, to "director," or similar term, and the term "department," or similar term, to "commission," or similar term, in Minnesota Statutes, section 137.14.

(b) Change the terms "commissioner" and "commissioner of public service" to "authority" in Minnesota Statutes, section 216C.37.

(c) Change the terms "commissioner" or "commissioner of public service," or similar terms, to "director of the division of energy in the public utilities commission," or similar term, in Minnesota Statutes, sections 13.68, subdivision 1; 13.99, subdivision 65; 16B.165; 16B.56, subdivision 1; 17.86; 18.024, subdivision 1; 103F.325, subdivisions 2 and 3; 115A.15, subdivision 5; 116D.11, subdivision 4; 174.03, subdivision 7; 216B.162, subdivision 9; 216B.241; 216C.02; 216C.07; 216C.08; 216C.09; 216C.11; 216C.12; 216C.13; 216C.14; 216C.15; 216C.16; 216C.17; 216C.18; 216C.19; 216C.195; 216C.20; 216C.21; 216C.22; 216C.23; 216C.24; 216C.25; 216C.26; 216C.261; 216C.262; 216C.27; 216C.29; 216C.30; 216C.31; 216C.315; 216C.32; 216C.33; 216C.35; 216C.36, subdivisions 3b, 3c, 8, 8a, and 9; 216C.373; 216C.38; 216C.381; 446A.03, subdivision 1; and 446A.21, subdivision 2.

(d) Change the terms "department" and "department of public service" to "commission" and "public utilities commission" in Minnesota Statutes, sections 13.692; 116O.06, subdivision 2; 161.45; 469.164, subdivision 2; and 484.50.

(e) Change the terms "department" and "department of public service" to "division of energy in the public utilities commission" in Minnesota Statutes, sections 16B.32, subdivision 2; 160.262, subdivision 3; 161.45; and 326.243.

(f) Change the term "department of public service" to "department of agriculture" in Minnesota Statutes, sections 17A.04, subdivisions 6, 7, and 8; 17A.10, subdivision 1; 41A.09, subdivision 7; 93.38; 137.14; 335E.11; 335E.115, subdivision 2; and 325F.733, subdivision 7.

(g) Change the term "department of public service" to "department of transportation" in Minnesota Statutes, sections 168.61, subdivision 1; 169.073; and 181.30.

(h) Delete references to "commissioner," "commissioner of public service," and "department of public service" in Minnesota Statutes, sections 15.06, subdivision 1; 15A.081, subdivision 1; 43A.08, subdivision 1a; 237.59, subdivision 2; and 237.70, subdivision 7.

(i) Change the title of chapter 216A to "PUBLIC UTILITIES COMMISSION; ADMINISTRATION."

Sec. 38. [REPEALER.]

Minnesota Statutes 1992, sections 216A.06; 216B.02, subdivision 8; and 237.69, subdivision 3, are repealed.

Sec. 39. [EFFECTIVE DATE.]

This act is effective January 1, 1994."

Delete the title and insert:

"A bill for an act relating to the organization of state government; abolishing the department of public service; transferring responsibilities of the department of public service to other agencies; making conforming changes; amending Minnesota Statutes 1992, sections 8.33; 15.01; 116C.03, subdivision 2; 216A.01; 216A.035; 216A.036; 216A.04; 216A.05, by adding a subdivision; 216A.07; 216A.085; 216A.095; 216B.02, subdivision 7, and by adding subdivisions; 216B.16, subdivision 2; 216B.162, subdivision 7; 216B.241, subdivisions 1 and 2; 216B.62; 216B.64; 216B.65; 216C.01; 216C.10; 216C.36, subdivision 11; 216C.37, subdivision 1; 237.02; 237.075, subdivision 2; 237.295; 237.30; 239.01; 239.05, subdivisions 6c, 7a, and 8; and 446A.10, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1992, sections 216A.06; 216B.02, subdivision 8; and 237.69, subdivision 3."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 986, A bill for an act relating to metropolitan government; providing for coordination and consolidation of public mobile radio communications systems; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.]

Subdivision 1. [GENERAL.] For the purposes of sections 1 to 7 the following terms have the meanings given in this section.

Subd. 2. [PLANNING COMMITTEE.] "Planning committee" means the metropolitan radio systems planning committee.

Subd. 3. [LOCAL ELECTED OFFICIAL.] "Local elected official" means any elected official of a local government, including, among others, tribal leaders from the Shakopee Mdewakanton Sioux community.

Subd. 4. [LOCAL GOVERNMENT.] "Local government" means any county, home rule charter, or statutory city, town, and the Mdewakanton Sioux community.

Subd. 5. [METROPOLITAN AREA.] "Metropolitan area" means the area within Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.

Subd. 6. [MEGAHERTZ.] "800 megahertz" means the following 800 megahertz channels: 821 to 824 and 866 to 869 megahertz.

Sec. 2. [PLANNING COMMITTEE; MEMBERSHIP.]

Subdivision 1. [GENERAL.] The metropolitan radio systems planning committee is established under the metropolitan council.

Subd. 2. [MEMBERSHIP.] The planning committee shall consist of 31 members. Sixteen shall be local elected officials appointed by the metropolitan council member from that member's metropolitan council district. One county board member shall be appointed by the county board of each of the seven counties in the metropolitan area.

The 24th member shall be appointed by the metropolitan council to represent the regional agencies, special districts, and other regional users of the system. The council's representative does not have to be an elected official. The 25th member shall be appointed by the sheriffs of the metropolitan counties from among their number. The 26th member shall be appointed by the chiefs of police of the metropolitan area from among their number. The 27th member shall be appointed by the fire chiefs of the metropolitan area from among their number. The 28th member shall be appointed from among the emergency medical service providers of the metropolitan area from among their number. The 29th member shall be the director of electronic communications for the department of transportation. The 30th member shall be appointed by the International Brotherhood of Electrical Workers Local 292. The 31st member shall be appointed by the Minnesota chapter of the association of public safety communications organizations. The members shall be appointed within 30 days of the effective date of this act.

Subd. 3. [CHAIR.] The chair of the planning committee shall be elected by a majority vote of the members of the planning committee.

Sec. 3. [DUTIES OF THE PLANNING COMMITTEE.]

Subdivision 1. [GENERAL.] The metropolitan council shall provide all staff and resources necessary to allow the planning committee to discharge its duties specified in this section.

Subd. 2. [PLANNING.] The planning committee shall:

(1) review the report and findings of the regional trunked radio task force and related metropolitan council recommendations;

(2) provide additional study of the current and future needs and capacities of radio systems in the metropolitan area both by local government unit and by user group;

(3) conduct a detailed analysis of all feasible options to address those needs;

(4) prepare a detailed plan allowing for coordinated, efficient, and cost-effective use of new 800 megahertz channels; and

(5) develop and evaluate feasible options to provide the most cost-effective public sector radio communications for the metropolitan area for both short-term and long-term needs.

Subd. 3. [REVIEW CONSIDERATIONS.] In performing its duties under this section, the planning committee may include the following considerations:

(1) identification and documentation of current uses, needs, and capacities, including growth and expansion capacities, by local government and by each major user group;

(2) estimation of two-year, five-year, and ten-year future needs by each local government and by each major user group;

(3) identification, based on analysis of clauses (1) and (2), of the relevant criteria by which a system or systems could be determined to meet the current and future needs;

(4) analysis of existing and projected technology based on the criteria established in clause (3) to develop at least three options for meeting current and future needs;

(5) identification by local government and by major user group, of the anticipated level and timeline for utilization of each option developed in clause (4);

(6) analysis of the expected cost of each option, including all regional, state, and local capital and operating costs associated with implementing each option, assuming the utilization levels and timelines identified in clause (5). This analysis shall include, but shall not be limited to, obtaining responses to "requests for information" for budgetary cost estimates for the options from at least two private vendors; or

(7) development of options for allocation of costs among local governments and user groups under the various funding mechanisms under the options developed in clause (4).

Subd. 4. [PUBLIC MEETINGS.] After completing its duties under subdivisions 2 and 3, the planning committee shall prepare a draft report which the metropolitan council shall provide to local governments and major user groups in the metropolitan area, and which draft report shall also be made available to the public. After preparing and disseminating the draft report and before presenting the final report to the legislature, the metropolitan council in conjunction with the planning committee shall hold at least one public meeting in each metropolitan council district on the draft report at which it shall explain the report and seek public comment. A record shall be kept of the public comments received and a summary of such comments shall be prepared.

Subd. 5. [REPORT.] By February 1, 1994, the metropolitan council shall report to the legislature its findings and recommendations as well as a summary of the public comment as called for in subdivisions 2 to 4. The report shall also identify any changes in statutory authority necessary to provide for implementation of the three most preferred options.

Sec. 4. [LOCAL PARTICIPATION.]

Local governments and user groups must cooperate with the planning committee in its preparation of the regional plan to ensure that local needs are met. No local government in the metropolitan area may apply to the Federal Communications Commission for 800 megahertz channels as defined herein prior to May 1, 1994, without prior approval of the metropolitan council. No state agency may apply to the Federal Communications Commission for 800 megahertz channels as defined herein prior to May 1, 1994, if such application would directly affect the metropolitan area.

Sec. 5. [USE OF LOANS.]

The metropolitan council shall not continue to borrow from funds available under Minnesota Statutes, section 473.167, for the study and development of the metropolitan radio systems plan.

Sec. 6. [APPLICATION.]

This act applies in the metropolitan area.

Sec. 7. [EFFECTIVE DATE.]

This act is effective the day following final enactment and expires June 30, 1994."

Delete the title and insert:

"A bill for an act relating to metropolitan government; establishing a metropolitan radio systems planning committee under the metropolitan council."

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. 998, A bill for an act relating to occupations and professions; requiring crane operators to be licensed by the state; requiring rulemaking; establishing a crane operators examining board; providing penalties; amending Minnesota Statutes 1992, section 214.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 326.

Reported the same back with the following amendments:

Page 2, line 21, after the period insert "There must be at least one member of each gender."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Economic Development, Infrastructure and Regulation Finance.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1021, A bill for an act relating to state lands; exempting certain lakeshore lots from sale requirements; authorizing the commissioner of natural resources to acquire personal property; amending Minnesota Statutes 1992, section 92.67, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 14, after "sale" insert "until July 1998,"

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.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1025, A bill for an act relating to occupations and professions; regulating athletic trainers; establishing an advisory council; providing for registration; requiring fees; providing for rulemaking; imposing penalties; appropriating money; amending Minnesota Statutes 1992, section 116J.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 148.

Reported the same back with the following amendments:

Page 6, after line 20, insert:

"No more than four members may be of one gender."

Page 6, delete lines 23 and 24

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1054, A bill for an act relating to public employment; essential employees; requiring the commissioner of the bureau of mediation services to designate separate units for peace officers and other essential employees at the request of either group of employees; amending Minnesota Statutes 1992, section 179A.09, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1067, A bill for an act relating to recreational vehicles; regulating registration and operation of off-road vehicles; setting fees; providing penalties; requiring a comprehensive recreational use plan; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1992, sections 85.018, subdivisions 1, 2, 3, and 5; 171.03; and 466.03, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the following amendments:

Page 2, line 5, after the first semicolon, insert "a motorcycle;"

Page 3, line 7, after the first comma insert "designated trail, or area,"

Page 3, line 17, delete ", the commissioner of public safety,"

Page 9, line 18, delete "within" and insert "under"

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.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1090, A bill for an act relating to metropolitan government; providing for an elected metropolitan council; eliminating the metropolitan transit commission, the regional transit board, the metropolitan parks and open space commission, and the metropolitan waste control commission, and transferring their powers and duties to the council; providing for the transportation advisory board to review and approve transit assistance and contracts and to serve as an arbitrator between transit providers in the metropolitan area; amending Minnesota Statutes 1992, sections 6.76; 10A.01, subdivision 18; 15.0597, subdivision 1; 15A.081, subdivisions 1 and 7; 161.173; 161.174; 204B.32, subdivision 2; 252.478, subdivision 2; 352.01, subdivisions 2a, 2b, and 11; 352.03, subdivision 1; 352D.02, subdivision 1; 353D.01, subdivision 2; 422A.01, subdivision 9; 422A.101, subdivision 2a; 471A.02, subdivision 8; 473.121, subdivision 5a; 473.122; 473.123, subdivisions 1, 2a, 3a, 4, 5, 6, and by adding subdivisions; 473.129, subdivision 6, and by adding a subdivision; 473.13, subdivision 1, and by adding subdivisions; 473.143, subdivision 1; 473.146, subdivisions 1, 2, 2a, 2b, 2c, and 4; 473.147; 473.153, subdivisions 1 and 4a; 473.161, subdivisions 1a, 1b, 2a, and 3; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.223; 473.313, subdivision 2; 473.315, subdivision 1; 473.333; 473.351, subdivision 3; 473.371, subdivision 2; 473.373, subdivisions 1a and 5; 473.375, subdivisions 11, 13, and 16; 473.377, subdivision 1; 473.384, subdivisions 1, 3, 6, and 7; 473.385, subdivision 2; 473.386, subdivision 2; 473.388, subdivisions 2, 3, and 4; 473.39, subdivisions 1 and 1a; 473.391; 473.392; 473.399, subdivisions 2 and 3; 473.3991, subdivision 2; 473.3994, subdivision 9; 473.3998; 473.405, subdivisions 5, 6, and by adding a subdivision; 473.4051; 473.408, subdivision 2a; 473.409; 473.415, subdivision 2; 473.416; 473.417; 473.418; 473.42; 473.436, subdivision 6; 473.445, subdivisions 1 and 3; 473.446, subdivisions 1 and 7; 473.504, subdivisions 1, 5, 6, 7, and 9; 473.511, subdivisions 1, 2, and 4; 473.516, subdivision 1; 473.521, subdivision 3; 473.549; 473.553, subdivisions 1, 2, 4, 5, and by adding subdivisions; and 629.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 174.22, subdivision 4; 473.121, subdivisions 12, 14a, 15, and 21; 473.123, subdivision 3; 473.141; 473.161, subdivision 2; 473.1623; 473.163; 473.1631; 473.181, subdivision 3; 473.301, subdivision 4; 473.303; 473.371, subdivision 1; 473.373, subdivisions 1, 4a, 6, and 8; 473.375, subdivisions 1, 2, 3, 4, 9, 10, 17, and 18; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.404; 473.405, subdivisions 1, 2, 7, 8, and 11; 473.435; 473.436, subdivision 7; 473.501, subdivision 2; 473.503; 473.504, subdivisions 2 and 3; 473.511, subdivision 3; 473.517, subdivision 9; 473.535; and 473.543, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 6.76, is amended to read:

6.76 [LOCAL GOVERNMENTAL EXPENDITURES FOR LOBBYISTS.]

On or before January 31, 1990, and each year thereafter, all counties, cities, school districts, metropolitan agencies and the council, and the regional railroad authorities, and the regional transit board shall report to the state auditor, on forms prescribed by the auditor, their estimated expenditures paid for the previous calendar year to a lobbyist as defined in section 10A.01, subdivision 11, and to any staff person not registered as a lobbyist, over 25 percent of whose time is spent during the legislative session on legislative matters.

Sec. 2. Minnesota Statutes 1992, section 10A.01, subdivision 18, is amended to read:

Subd. 18. "Public official" means any:

- (a) member of the legislature;
- (b) constitutional officer in the executive branch and the officer's chief administrative deputy;
- (c) member, chief administrative officer or deputy chief administrative officer of a state board or commission which has at least one of the following powers: (i) the power to adopt, amend or repeal rules, or (ii) the power to adjudicate contested cases or appeals;
- (d) commissioner, deputy commissioner, or assistant commissioner of any state department as designated pursuant to section 15.01;
- (e) individual employed in the executive branch who is authorized to adopt, amend or repeal rules or adjudicate contested cases;

- (f) executive director of the state board of investment;
- (g) executive director of the Indian affairs intertribal board;
- (h) commissioner of the iron range resources and rehabilitation board;
- (i) commissioner of mediation services;
- (j) deputy of any official listed in clauses (e) to (i);
- (k) judge of the workers' compensation court of appeals;
- (l) administrative law judge or compensation judge in the state office of administrative hearings or referee in the department of jobs and training;
- (m) solicitor general or deputy, assistant or special assistant attorney general;
- (n) individual employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or attorney in the office of senate counsel and research or house research;
- (o) member or chief administrative officer of the metropolitan council, ~~regional transit board, metropolitan transit commission, metropolitan waste control commission, metropolitan parks and open spaces commission, metropolitan transit authority, metro transit,~~ metropolitan airports commission or metropolitan sports facilities commission;
- (p) the commissioner of gaming and director of each division in the department of gaming and the deputy director of the state lottery board;
- (q) director of the division of gambling enforcement in the department of public safety;
- (r) member or executive director of the higher education facilities authority; or
- (s) member of the board of directors or president of the Minnesota World Trade Center Corporation.

Sec. 3. Minnesota Statutes 1992, section 15.0597, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them.

(a) "Agency" means (1) a state board, commission, council, committee, authority, task force, including an advisory task force created under section 15.014 or 15.0593, or other similar multimember agency created by statute and having statewide jurisdiction; and (2) the metropolitan council, ~~regional transit board, metropolitan parks and open space commission, metropolitan waste control commission,~~ metropolitan airports commission, metropolitan sports facilities commission, ~~metropolitan transit authority, metro transit,~~ capitol area architectural and planning board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact.

(b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency, or (2) a new, unfilled agency position; provided that "vacancy" shall not mean (1) a vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, or (2) a vacancy to be filled by a person required to have a specific title or position.

(c) "Secretary" means the secretary of state.

Sec. 4. Minnesota Statutes 1992, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. [SALARY RANGES.] The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

Salary Range

Effective

July 1, 1987

\$57,500-\$78,500

Commissioner of finance;
Commissioner of education;
Commissioner of transportation;
Commissioner of human services;
Commissioner of revenue;
Commissioner of public safety;
Executive director, state board of investment;
Director of the state lottery;

\$50,000-\$67,500

Commissioner of administration;
Commissioner of agriculture;
Commissioner of commerce;
Commissioner of corrections;
Commissioner of jobs and training;
Commissioner of employee relations;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of trade and economic development;
Chief administrative law judge; office of administrative hearings;
Commissioner, pollution control agency;
Director, office of waste management;
Commissioner, housing finance agency;
Executive director, public employees retirement association;
Executive director, teacher's retirement association;
Executive director, state retirement system;

~~Chair, metropolitan council;~~

~~Chair, regional transit board;~~

\$42,500-\$60,000

Commissioner of human rights;

Commissioner, department of public service;

Commissioner of veterans affairs;

Commissioner, bureau of mediation services;

Commissioner, public utilities commission;

Member, transportation regulation board;

Ombudsman for corrections;

Ombudsman for mental health and retardation.

Sec. 5. Minnesota Statutes 1992, section 15A.081, subdivision 7, is amended to read:

Subd. 7. [METROPOLITAN OFFICERS.] The governor shall set the salary rate within the range set forth below for the following positions, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Effective
	July 1, 1987
Chair, metropolitan airports commission	\$15,000-\$25,000
Chair, metropolitan waste control commission	\$25,000-\$67,500

Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.

Sec. 6. Minnesota Statutes 1992, section 174.04, is amended to read:

174.04 [FINANCIAL ASSISTANCE; APPLICATIONS; DISBURSEMENT.]

Subdivision 1. [REVIEW OF APPLICATION.] Any state agency which receives an application from a regional development commission, metropolitan council, public transit commission, agency or authority, airport commission, port authority or other political subdivision of the state for financial assistance for transportation planning, capital expenditures or operations to any state or federal agency, shall first submit the application to the commissioner of transportation. The commissioner shall review the application to determine whether it contains matters that substantially affect the statewide transportation plan and priorities. If the application does not contain such matters, the commissioner shall within 15 days after receipt return the application to the applicant political subdivision for forwarding to the appropriate agency. If the application contains such matters, the commissioner shall review and comment on the application as being consistent with the plan and priorities. The commissioner shall return the application together with comments within 45 days after receipt to the applicant political subdivision for forwarding with the commissioner's comments to the appropriate agency.

Subd. 2. [DESIGNATED AGENT.] A regional development commission, metropolitan council, public transit commission, agency or authority, airport commission, port authority, or any other political subdivision of the state may designate the commissioner as its agent to receive and disburse funds by entering into an agreement with the commissioner prescribing the terms and conditions of the receipt and expenditure of the funds in accordance with federal and state laws and regulations.

Subd. 3. [EXCEPTIONS.] The provisions of this section shall not be construed as altering or amending in any way the funding procedures specified in sections 161.36, 360.016 or 360.0161.

Sec. 7. Minnesota Statutes 1992, section 174.22, is amended by adding a subdivision to read:

Subd. 3a. [METRO TRANSIT.] "Metro transit" means the agency established by section 473.4041.

Sec. 8. Minnesota Statutes 1992, section 174.23, subdivision 4, is amended to read:

Subd. 4. [RESEARCH; EVALUATION.] The commissioner shall conduct research and shall study, analyze, and evaluate concepts, techniques, programs, and projects to accomplish the purposes of sections 174.21 to 174.27, including traffic operations improvements, preferential treatment and other encouragement of transit and paratransit services and high-occupancy vehicles, improvements in the management and operation of regular route transit services, special provision for pedestrians and bicycles, management and control of parking, changes in work schedules, and reduction of vehicle use in congested and residential areas. The commissioner shall examine and evaluate such concepts, techniques, programs, and projects now or previously employed or proposed in this state and elsewhere. The commissioner or an independent third party under contract to the commissioner shall monitor and evaluate the management and operation of public transit systems, services, and projects receiving financial or professional and technical assistance under sections 174.21 to 174.27 or other state programs to determine the manner in which and the extent to which such systems, services, and projects contribute or may contribute to the purposes of sections 174.21 to 174.27. The commissioner shall develop and promote proposals and projects to accomplish the purposes of sections 174.21 to 174.27 and shall actively solicit such proposals from municipalities, counties, legislatively established transit ~~commissions and providers~~ and authorities, regional development commissions, and potential vendors. In conducting such activities the commissioner shall make the greatest possible use of already available research and information. The commissioner shall use the information developed under sections 174.21 to 174.27 in developing or revising the state transportation plan.

Sec. 9. Minnesota Statutes 1992, section 174.24, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY; APPLICATIONS.] Any legislatively established public transit commission, agency or authority, any county or statutory or home rule charter city providing financial assistance to or operating public transit, any private operator of public transit, or any combination thereof is eligible to receive financial assistance through the public transit participation program. Eligible recipients must be located outside of the metropolitan area.

Sec. 10. Minnesota Statutes 1992, section 174.32, subdivision 3, is amended to read:

Subd. 3. [ELIGIBLE RECIPIENTS.] A legislatively established public transit commission, agency or authority; a public authority organized and existing under chapter 398A; a county or statutory or home rule charter city operating, intending to operate, or providing financial assistance to a transit service; a rail authority; or a private operator of public transit is eligible for assistance under the program. The National Railroad Passenger Corporation, known as Amtrak, and any trolley system outside the metropolitan area are not eligible for assistance under the program.

Sec. 11. Minnesota Statutes 1992, section 204B.32, subdivision 2, is amended to read:

Subd. 2. [ALLOCATION OF COSTS.] Municipalities or counties may allocate the costs of conducting elections to school districts and the metropolitan council for payment of their proportionate share of such expenses for elections held at the same time as the regular municipal or county primary and general election. Allocated costs include expenses for election equipment and supplies; polling locations; personnel (including election judge compensation and the portion of salaries of election administrative and technical employees attributable to the preparation and conduct of the election); transportation related to the conduct of the election; required election notices and newspaper publication of election information; communications devices; and postage (including mailings to election judges and for absentee voter applications and ballots).

Sec. 12. Minnesota Statutes 1992, section 252.478, subdivision 2, is amended to read:

Subd. 2. [RATES.] Costs of transportation to and from a day training and habilitation service agency must be a part of the payment rate established for each day training and habilitation services agency.

The commissioner may approve payment rates for day training and habilitation services that exceed the limits in section 252.46, subdivision 6, for vendors whose transportation costs increase as a result of action taken by the former regional transit board or the metropolitan transit authority under Laws 1988, chapter 684, article 2, section 3, or Laws 1989, chapter 269, section 35, or section 473.386, subdivision 4.

Sec. 13. Minnesota Statutes 1992, section 352.01, subdivision 2a, is amended to read:

Subd. 2a. [INCLUDED EMPLOYEES.] "State employee" includes:

- (1) employees of the Minnesota historical society;
- (2) employees of the state horticultural society;
- (3) employees of the Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, if employed before July 1, 1963;
- (4) employees of the Minnesota crop improvement association;
- (5) employees of the adjutant general who are paid from federal funds and who are not covered by any federal civilian employees retirement system;
- (6) employees of the state universities employed under the university activities program;
- (7) currently contributing employees covered by the system who are temporarily employed by the legislature during a legislative session or any currently contributing employee employed for any special service as defined in clause (8) of subdivision 2b;
- (8) employees of the armory building commission;
- (9) permanent employees of the legislature and persons employed or designated by the legislature or by a legislative committee or commission or other competent authority to conduct a special inquiry, investigation, examination, or installation;
- (10) trainees who are employed on a full-time established training program performing the duties of the classified position for which they will be eligible to receive immediate appointment at the completion of the training period;
- (11) employees of the Minnesota safety council;
- (12) employees of the transit operating division of the ~~metropolitan~~ metro transit ~~commission~~ and any employees on authorized leave of absence from the transit operating division who are employed by the labor organization which is the exclusive bargaining agent representing employees of the transit operating division;
- (13) employees of the metropolitan council, ~~metropolitan parks and open space commission, regional transit board, metropolitan transit commission, metropolitan waste control commission, metropolitan transit authority, metro transit, or metropolitan sports facilities commission or the metropolitan mosquito control commission~~ unless excluded or covered by another public pension fund or plan under section 473.141, ~~subdivision 12, or~~ 473.415, subdivision 3; and
- (14) judges of the tax court.

Sec. 14. Minnesota Statutes 1992, section 352.01, subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] "State employee" does not include:

- (1) elective state officers;
- (2) students employed by the University of Minnesota, the state universities, and community colleges unless approved for coverage by the board of regents, the state university board, or the state board for community colleges, as the case may be;
- (3) employees who are eligible for membership in the state teachers retirement association except employees of the department of education who have chosen or may choose to be covered by the Minnesota state retirement system instead of the teachers retirement association;
- (4) employees of the University of Minnesota who are excluded from coverage by action of the board of regents;

(5) officers and enlisted personnel in the national guard and the naval militia who are assigned to permanent peacetime duty and who under federal law are or are required to be members of a federal retirement system;

(6) election officers;

(7) persons engaged in public work for the state but employed by contractors when the performance of the contract is authorized by the legislature or other competent authority;

(8) officers and employees of the senate and house of representatives or a legislative committee or commission who are temporarily employed;

(9) receivers, jurors, notaries public, and court employees who are not in the judicial branch as defined in section 43A.02, subdivision 25, except referees and adjusters employed by the department of labor and industry;

(10) patient and inmate help in state charitable, penal, and correctional institutions including the Minnesota veterans home;

(11) persons employed for professional services where the service is incidental to regular professional duties and whose compensation is paid on a per diem basis;

(12) employees of the Sibley House Association;

(13) the members of any state board or commission who serve the state intermittently and are paid on a per diem basis; the secretary, secretary-treasurer, and treasurer of those boards if their compensation is \$500 or less per year, or, if they are legally prohibited from serving more than two consecutive terms and their total service is required by law to be less than ten years; and the board of managers of the state agricultural society and its treasurer unless the treasurer is also its full-time secretary;

(14) state troopers;

(15) temporary employees of the Minnesota state fair employed on or after July 1 for a period not to extend beyond October 15 of that year; and persons employed at any time by the state fair administration for special events held on the fairgrounds;

(16) emergency employees in the classified service; except that if an emergency employee, within the same pay period, becomes a provisional or probationary employee on other than a temporary basis, the employee shall be considered a "state employee" retroactively to the beginning of the pay period;

(17) persons described in section 352B.01, subdivision 2, clauses (2) to (5);

(18) temporary employees in the classified service, temporary employees in the unclassified service appointed for a definite period of not more than six months and employed less than six months in any one-year period and seasonal help in the classified service employed by the department of revenue;

(19) trainee employees, except those listed in subdivision 2a, clause (10);

(20) persons whose compensation is paid on a fee basis;

(21) state employees who in any year have credit for 12 months service as teachers in the public schools of the state and as teachers are members of the teachers retirement association or a retirement system in St. Paul, Minneapolis, or Duluth;

(22) employees of the adjutant general employed on an unlimited intermittent or temporary basis in the classified and unclassified service for the support of army and air national guard training facilities;

(23) chaplains and nuns who are excluded from coverage under the federal old age, survivors, disability, and health insurance program for the performance of service as specified in United States Code, title 42, section 410(a)(8)(A), as amended, if no irrevocable election of coverage has been made under section 3121(r) of the Internal Revenue Code of 1954, as amended;

(24) examination monitors employed by departments, agencies, commissions, and boards to conduct examinations required by law;

(25) members of appeal tribunals, exclusive of the chair, to which reference is made in section 268.10, subdivision 4;

(26) persons appointed to serve as members of fact-finding commissions or adjustment panels, arbitrators, or labor referees under chapter 179;

(27) temporary employees employed for limited periods under any state or federal program for training or rehabilitation including persons employed for limited periods from areas of economic distress except skilled and supervisory personnel and persons having civil service status covered by the system;

(28) full-time students employed by the Minnesota historical society intermittently during part of the year and full-time during the summer months;

(29) temporary employees, appointed for not more than six months, of the metropolitan council and of any of its ~~statutory boards, if the board members are appointed by the metropolitan council~~ metropolitan agencies;

(30) persons employed in positions designated by the department of employee relations as student workers;

(31) any person who is 65 years of age or older when appointed and who does not have allowable service credit for previous employment, unless the employee gives notice to the director within 60 days after appointment that coverage is desired;

(32) members of trades employed by the ~~metropolitan waste control commission~~ operating division of the metropolitan council with trade union pension plan coverage under a collective bargaining agreement first employed by the metropolitan waste control commission after June 1, 1977;

(33) persons employed in subsidized on-the-job training, work experience, or public service employment as enrollees under the federal Comprehensive Employment and Training Act after March 30, 1978, unless the person has as of the later of March 30, 1978, or the date of employment sufficient service credit in the retirement system to meet the minimum vesting requirements for a deferred annuity, or the employer agrees in writing on forms prescribed by the director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal Comprehensive Employment and Training Act, or the person agrees in writing on forms prescribed by the director to make the required employer contribution in addition to the required employee contribution;

(34) off-duty peace officers while employed by the ~~metropolitan metro transit commission~~ under section 629.40, subdivision 5; and

(35) persons who are employed as full-time firefighters by the department of military affairs and as firefighters are members of the public employees police and fire fund.

Sec. 15. Minnesota Statutes 1992, section 352.75, subdivision 2, is amended to read:

Subd. 2. [NEW EMPLOYEES.] All persons first employed by the former metropolitan transit commission as employees of the transit operating division on or after July 1, 1978, or by metro transit after June 30, 1993, are members of the Minnesota state retirement system and are considered state employees for purposes of this chapter unless specifically excluded under section 352.01, subdivision 2b.

Sec. 16. Minnesota Statutes 1992, section 352D.02, subdivision 1, is amended to read:

Subdivision 1. [COVERAGE.] (a) Employees enumerated in paragraph (b), if they are in the unclassified service of the state and are eligible for coverage under the general state employees retirement plan under chapter 352, are participants in the unclassified program under this chapter unless the employee gives notice to the executive director of the Minnesota state retirement system within one year following the commencement of employment in the unclassified service that the employee desires coverage under the general state employees retirement plan. For the purposes of this chapter, an employee who does not file notice with the executive director is deemed to have exercised the option to participate in the unclassified plan.

(b) Enumerated employees are:

- (1) an employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, or an employee of the state board of investment;
- (2) the head of a department, division, or agency created by statute in the unclassified service, an acting department head subsequently appointed to the position, or an employee enumerated in section 15A.081, subdivision 1 or 15A.083, subdivision 4;
- (3) a permanent, full-time unclassified employee of the legislature or a commission or agency of the legislature or a temporary legislative employee having shares in the supplemental retirement fund as a result of former employment covered by this chapter, whether or not eligible for coverage under the Minnesota state retirement system;
- (4) a person other than an employee of the state board of technical colleges who is employed in a position established under section 43A.08, subdivision 1, clause (3), or subdivision 1a, or in a position authorized under a statute creating or establishing a department or agency of the state, which is at the deputy or assistant head of department or agency or director level;
- (5) the ~~chair~~, chief administrator, and not to exceed nine positions at the division director or administrative deputy level of the ~~metropolitan waste control commission as designated by the commission; the chair, executive director, and not to exceed three positions at the division director or assistant to the chair level of the regional transit board; a chief administrator who is an employee of the metropolitan transit commission, metropolitan transit authority, metro transit, metropolitan council's operating divisions, as designated by the council;~~ metropolitan transit authority, metro transit, metropolitan council's operating divisions, as designated by the council; and the ~~chair~~, executive director, and not to exceed nine positions at the division director or administrative deputy level of the metropolitan council as designated by the council; provided that upon initial designation of all positions provided for in this clause, no further designations or redesignations may be made without approval of the board of directors of the Minnesota state retirement system;
- (6) the executive director, associate executive director, and not to exceed nine positions of the higher education coordinating board in the unclassified service, as designated by the higher education coordinating board before January 1, 1992, or subsequently redesignated with the approval of the board of directors of the Minnesota state retirement system, unless the person has elected coverage by the individual retirement account plan under chapter 354B;
- (7) the clerk of the appellate courts appointed under article VI, section 2, of the Constitution of the state of Minnesota;
- (8) the chief executive officers of correctional facilities operated by the department of corrections and of hospitals and nursing homes operated by the department of human services;
- (9) an employee whose principal employment is at the state ceremonial house;
- (10) an employee of the Minnesota educational computing corporation;
- (11) an employee of the world trade center board;
- (12) an employee of the state lottery board who is covered by the managerial plan established under section 43A.18, subdivision 3; and
- (13) an employee of the state board of technical colleges employed in a position established under section 43A.08, subdivision 1, clause (3), or 1a, unless the person has elected coverage by the individual retirement account plan under chapter 354B.

Sec. 17. Minnesota Statutes 1992, section 353D.01, subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY.] Except as provided in section 353D.11, eligibility to participate in the defined contribution plan is open to an elected local government official of a governmental subdivision who elects to participate in the plan and who, for the elected service rendered to a governmental subdivision or the metropolitan council, is not a member of the public employees retirement association within the meaning of section 353.01, subdivision 7, and to basic and advanced life support emergency medical service personnel employed by or providing services for any public ambulance service or privately operated ambulance service that receives an operating subsidy from a governmental entity that elects to participate.

For purposes of this chapter, an elected local government official includes a person appointed to fill a vacancy in an elective office. For the purposes of this chapter, an elected local governmental official includes a member of the metropolitan council. Service as an elected local government official only includes service for the governmental subdivision for which the official was elected by the public-at-large. Service as an elected local government official ceases and eligibility to participate terminates when the person ceases to be an elected official. An elected local government official does not include an elected county sheriff.

Except as provided in section 353D.11, elected local government officials and first response personnel and emergency medical service personnel who are currently covered by a public or private pension plan because of their employment or provision of services are not eligible to participate in the public employees defined contribution plan.

A former participant is a person who has ceased to be an elected local government official or an emergency medical service employee and who has not withdrawn the value of an individual account.

Sec. 18. Minnesota Statutes 1992, section 422A.01, subdivision 9, is amended to read:

Subd. 9. "Public corporation" includes metropolitan airports commission, ~~metropolitan~~ the waste control commission operating division of the metropolitan council, and municipal employees retirement fund.

Sec. 19. Minnesota Statutes 1992, section 422A.101, subdivision 2a, is amended to read:

Subd. 2a. [CONTRIBUTIONS BY METROPOLITAN AIRPORTS COMMISSION AND METROPOLITAN WASTE CONTROL COMMISSION COUNCIL.] The metropolitan airports commission and the ~~waste control commission~~ metropolitan council shall pay to the Minneapolis employees retirement fund annually in installments as specified in subdivision 3 the share of the additional support rate required for full amortization of the unfunded actuarial accrued liabilities by June 30, 2020, that is attributable to airport ~~commission~~ operating division of the metropolitan council or waste control ~~commission~~ operating division of the metropolitan council employees who are members of the fund. The amount of the payment shall be determined as if the ~~airport and waste control commissions'~~ metropolitan council's employer contributions determined under subdivision 2 had also included a proportionate share of a \$1,000,000 annual employer amortization contribution. The amount of this \$1,000,000 annual employer amortization contribution that would have been allocated to each ~~commission~~ division of the council would have been based on the share of the fund's unfunded actuarial accrued liability attributed to each commission compared to the total unfunded actuarial accrued liability attributed to all employers under subdivisions 1a and 2. The determinations required under this subdivision must be based on the most recent actuarial valuation prepared by the actuary retained by the legislative commission on pensions and retirement.

Sec. 20. Minnesota Statutes 1992, section 462.357, subdivision 2, is amended to read:

Subd. 2. [GENERAL REQUIREMENTS.] At any time after the adoption of a land use plan for the municipality, the planning agency, for the purpose of carrying out the policies and goals of the land use plan, may prepare a proposed zoning ordinance and submit it to the governing body with its recommendations for adoption. Subject to the requirements of subdivisions 3, 4 and 5, the governing body may adopt and amend a zoning ordinance by a two-thirds vote of all its members. ~~If the comprehensive municipal plan is in conflict with the zoning ordinance, the zoning ordinance supersedes the plan.~~ Zoning ordinances and subdivision regulations adopted under this chapter shall implement the purpose, objectives, and policies of the comprehensive plan. Zoning ordinances and subdivision regulations must not allow land use and development that will effectively prevent the planned land use as designated within specific areas in the comprehensive plan. The determination of the timing of the implementation of the comprehensive plan shall be at the sole discretion of the governing body.

Sec. 21. Minnesota Statutes 1992, section 471A.02, subdivision 8, is amended to read:

Subd. 8. [MUNICIPALITY.] "Municipality" means a home rule charter or statutory city, county, sanitary district, or other governmental subdivision or public corporation, including the metropolitan council ~~and the metropolitan waste control commission.~~

Sec. 22. Minnesota Statutes 1992, section 473.121, subdivision 5a, is amended to read:

Subd. 5a. [METROPOLITAN AGENCY.] "Metropolitan agency" means the ~~metropolitan parks and open space commission, regional transit board, metropolitan transit commission, metropolitan waste control commission,~~ metropolitan transit authority, metro transit, metropolitan airports commission, and metropolitan sports facilities commission.

Sec. 23. Minnesota Statutes 1992, section 473.121, subdivision 11, is amended to read:

Subd. 11. [INDEPENDENT COMMISSION, BOARD OR AGENCY.] "Independent commission, board or agency" means governmental entities with jurisdictions lying in whole or in part within the metropolitan area but not including metropolitan agencies that are subject to the requirements of section 473.161.

Sec. 24. Minnesota Statutes 1992, section 473.121, is amended by adding a subdivision to read:

Subd. 15a. [TRANSIT AUTHORITY OR AUTHORITY.] "Transit authority" or "authority" means the metropolitan transit authority created in section 473.373.

Sec. 25. Minnesota Statutes 1992, section 473.121, is amended by adding a subdivision to read:

Subd. 15b. [METRO TRANSIT.] "Metro transit" means the metropolitan agency created in section 473.4041.

Sec. 26. Minnesota Statutes 1992, section 473.122, is amended to read:

473.122 [PURPOSE.]

In order to provide regional services efficiently and effectively and to coordinate the planning and development of the metropolitan area comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, it is in the public interest to create an administrative agency a metropolitan council as a public corporation and a political subdivision of the state for that purpose. In addition to providing regional services, the council shall emphasize the following work and program areas: land use planning; planning for sewers, transportation, aviation, parks, and other physical systems; oversight of the metropolitan agencies; and research to support the council's planning and coordinating activities.

Sec. 27. Minnesota Statutes 1992, section 473.123, subdivision 1, is amended to read:

Subdivision 1. [CREATION.] A metropolitan council with jurisdiction in the metropolitan area is created and established as a public corporation and a political subdivision of the state. It shall be under the supervision and control of 17 members, all of whom shall be residents of the metropolitan area.

Sec. 28. Minnesota Statutes 1992, section 473.123, subdivision 2a, is amended to read:

Subd. 2a. [MEMBERSHIP; TERMS.] Following each apportionment of council districts, as provided under subdivision 3a, council members must be appointed elected on a nonpartisan basis from newly drawn districts as provided in subdivision 3a. The terms of members are as follows: members representing even-numbered districts for terms ending the first Monday in January of the year ending in the numeral "7"; members representing odd-numbered districts for terms ending the first Monday in January of the year ending in the numeral "5." Thereafter the term of each member is four years, with terms ending the first Monday in January, except that all terms expire on the effective date of the next apportionment. A member shall continue to serve the member's district until a successor is appointed elected and qualified; except that, following each apportionment, the member shall continue to serve at large until the governor appoints 16 council members, one from each of the newly drawn council districts as provided under subdivision 3a, to serve terms as provided under this section. The appointment to the council must be made by the first Monday in March of the year in which the term ends. Each council member must reside in the council district represented. Each council district must be represented by one member of the council. Council members serve part time.

Sec. 29. Minnesota Statutes 1992, section 473.123, subdivision 3a, is amended to read:

Subd. 3a. [APPORIONMENT.] The legislature shall redraw the boundaries of the council districts after each decennial federal census so that each district has substantially equal population. ~~Redistricting is effective on the first Monday in January in the year ending in the numeral "3." By the first Monday in March of that year, the governor shall appoint members and adopt the redistricting plan no later than 25 weeks before the state primary election in the year ending in the numeral "2". Council members elected from the newly drawn districts to serve terms as provided under subdivision 2a.~~

Sec. 30. Minnesota Statutes 1992, section 473.123, is amended by adding a subdivision to read:

Subd. 3c. [ELECTIONS; PROCEDURES.] Except as provided in this section, Minnesota election law applies to council elections, as far as practicable.

(a) Affidavits of candidacy must be filed with the secretary of state as provided under section 204B.06.

(b) The filing fee shall be the same as for county office as provided in section 204B.11, subdivision 1, clause (d).

(c) At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee as provided for a candidate for county office in section 204B.11, subdivision 2.

(d) Council members shall be elected at the state and county general election held in the year before the terms of office which they seek expire.

(e) If any council district position becomes vacant more than 270 days before the next general election, a successor must be elected at a special election ordered by the metropolitan council by filing with the secretary of state a writ calling for a special election as provided in section 204D.22. A special election must be conducted according to the provisions of sections 204D.22 to 204D.27 as far as practicable. The term of a successor council member will commence upon qualification of the member and will continue for the remainder of the term of the council member being replaced. A successor council member must meet all the qualifications of a council member elected at a general election.

Sec. 31. Minnesota Statutes 1992, section 473.123, subdivision 4, is amended to read:

Subd. 4. [CHAIR; APPOINTMENT; SELECTION; DUTIES.] (a) The chair of the metropolitan council shall be appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at the pleasure of the governor. Senate confirmation shall be as provided by section 15.066. The chair shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability elected by and from among the members of the council and serve for a term of two years.

(b) The chair of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. The chair shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. The chair's salary shall be as provided in section 15A.081 the same as for all council members. The chair shall be eligible for expenses in the same manner and amount as state employees all council members.

Sec. 32. Minnesota Statutes 1992, section 473.123, is amended by adding a subdivision to read:

Subd. 4a. [VICE-CHAIR.] A vice-chair of the council shall be elected by and from among the council members for a term of two years. The vice-chair shall also serve as chair of the transportation advisory board established under section 473.146, subdivision 4.

Sec. 33. Minnesota Statutes 1992, section 473.123, subdivision 5, is amended to read:

Subd. 5. [METROPOLITAN COUNCIL; DUTIES AND COMPENSATION.] The metropolitan council shall elect such officers in addition to the chair and vice-chair as it deems necessary for the conduct of its affairs other than the chair. A secretary and treasurer need not be members of the metropolitan council. Meeting times and places shall be fixed by the metropolitan council and special meetings may be called by a majority of the members of the metropolitan council or by the chair thereof. Each metropolitan council member other than the chair shall be paid \$50 for each day when the member attends one or more meetings or provides other services, as authorized by the metropolitan council, receive an annual salary of \$20,000 and shall be reimbursed for reasonable actual and necessary expenses. The annual budget of the council shall provide as a separate account anticipated expenditures for per diem, compensation, travel and associated expenses for the chair and members, and compensation or reimbursement shall be made to the chair and members only when budgeted.

In the performance of its duties the metropolitan council may promulgate rules governing its operation, establish committees, divisions, departments and bureaus and staff the same as necessary to carry out its duties and when specifically authorized by law make appointments to other governmental agencies and districts. All officers and employees of the metropolitan council shall serve at the pleasure of the appointing authority in the unclassified service of the state civil service. Rules promulgated by the metropolitan council shall be in accordance with the administrative procedure provisions contained in chapter 14.

Sec. 34. Minnesota Statutes 1992, section 473.123, is amended by adding a subdivision to read:

Subd. 5a. [MEMBERS BENEFITS.] Metropolitan council members are eligible to join in the public employees retirement association in chapter 353 or participate in the defined contribution pension plan in chapter 353D. The council shall make the employer's contributions to pension funds of members. Members are eligible to receive insurance benefits that are provided to employees of the council.

Sec. 35. Minnesota Statutes 1992, section 473.123, subdivision 6, is amended to read:

Subd. 6. [EXECUTIVE DIRECTOR.] Upon the recommendation of the chair the metropolitan council may appoint an executive director to serve at the chair's council's pleasure as the principal operating administrator for the metropolitan council. The director may be chosen from among the citizens of the nation at large, and shall be selected on the basis of training and experience in the field of municipal and urban affairs.

Sec. 36. [473.124] [CAMPAIGN FINANCING.]

Subdivision 1. [ELIGIBILITY.] A candidate who has filed a petition or affidavit of candidacy with the secretary of state as provided in section 473.123, who has filed an agreement with the state ethical practices board as provided in subdivision 2, and who has raised \$2,500 in campaign funds before the primary election, as stated in the agreement filed with the board, is eligible for \$20,000 public campaign financing.

Subd. 2. [AGREEMENT.] A candidate for council may receive public campaign financing by signing and filing with the state ethical practices board a written agreement that not more than \$47,000 will be spent on the candidate's campaign for expenses incurred from the time of filing through the election day, and by stating in the agreement that the candidate has raised \$2,500 in campaign funds prior to the primary election date.

Subd. 3. [FUNDING.] The council shall provide sufficient funds for the purposes of this section. The funds authorized by this subdivision shall be included in the levy authorized under section 473.249.

Subd. 4. [REPORTING.] Each candidate who receives public campaign financing under this section shall report to the state ethical practices board and the council all campaign expenditures and return to the council's public campaign financing fund any funds not spent by January 1 of the year following the election or all public campaign financing funds if the candidate's campaign expenditures exceed the limits set by this section.

Sec. 37. Minnesota Statutes 1992, section 473.129, is amended by adding a subdivision to read:

Subd. 1a. [COUNCIL OPERATING DIVISION; CHIEF ADMINISTRATOR.] The metropolitan council shall have an operating division for waste control. The division shall have a chief administrator appointed by the council who shall be chosen solely on the basis of training and experience in the division's work and as an administrator, and who shall serve at the pleasure of the council. The council may delegate powers and duties to the chief administrator of an operating division as the council determines necessary or useful for the efficient and effective administration of the operating division and the council.

Sec. 38. Minnesota Statutes 1992, section 473.129, subdivision 6, is amended to read:

Subd. 6. [PARTICIPATION IN METROPOLITAN AREA COMMISSIONS AND BOARDS CABLE GOVERNANCE.]
(a) The metropolitan council shall appoint from its membership a member to serve with the metropolitan airports commission, a member to serve with the ~~mosquito control~~ metropolitan sports facilities commission, ~~a member to serve on the Minneapolis-St. Paul sanitary district or any successor thereof,~~ and may appoint a member to serve on any metropolitan area commission or board authorized by law. Each member of the metropolitan council so appointed on each of such commissions shall serve without a vote.

(b) The metropolitan council shall also appoint individuals to the governing body of the cable communications metropolitan interconnected regional channel entity under section 238.43, subdivision 5.

Sec. 39. Minnesota Statutes 1992, section 473.13, subdivision 1, is amended to read:

Subdivision 1. [BUDGET.] On or before October 1 of each year the council, after a public hearing, shall adopt a budget covering its anticipated receipts and disbursements for the ensuing year and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget. The budget shall state in detail the expenditures for each program to be undertaken and for each operating division's programs and services, including the expenses for salaries, consultant services, overhead, travel, printing, and other items. The budget shall state in detail the capital expenditures of the council and each operating division for the budget year, based on a five-year capital program adopted by the council and transmitted to the legislature. After adoption of the budget, an increase of over \$10,000 in the council's budget, a program or department budget, or a budget item, must be approved by the council before the increase is allowed or the funds obligated. After adoption of the budget and no later than October 1, the council shall certify to the auditor of each metropolitan county the share of the tax to be levied within that county, which must be an amount bearing the same proportion to the total levy agreed on by the council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area. The maximum amount of any levy made for the purpose of this chapter may not exceed the limits set by sections 473.167 and 473.249.

Sec. 40. Minnesota Statutes 1992, section 473.13, is amended by adding a subdivision to read:

Subd. 5. [OPERATING DIVISION BUDGETS.] The chief administrator shall recommend to the council the division's operating and capital budget. The council shall review and approve the budget, and incorporate the approved budget into the council's budget as provided in subdivision 1.

The council's budget must show for each operating division for each year:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year; and

(3) the estimated source and use of pass-through funds.

Sec. 41. Minnesota Statutes 1992, section 473.13, is amended by adding a subdivision to read:

Subd. 6. [FINANCIAL PLAN FOR TRANSIT.] Along with its annual budget, each even-numbered year the council shall prepare a financial plan for its transit and transportation programs for the succeeding three calendar years, in half-year segments. The financial plan must be consistent with the council's implementation plan prepared under section 473.377 and must contain the elements specified in subdivision 7. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the council during the period of the plan. The financial plan must contain a proposed request for the state financial assistance for the succeeding biennium.

Sec. 42. Minnesota Statutes 1992, section 473.13, is amended by adding a subdivision to read:

Subd. 7. [LEGISLATIVE REVIEW.] The council shall file its budget with the secretary of the senate and the clerk of the house of representatives on January 15 of the first year of each biennium for review by the committees of each body that have jurisdiction over the metropolitan council.

Sec. 43. [473.131] [FINANCIAL REPORTS; BUDGETS; PERSONNEL.]

Subdivision 1. [CONSOLIDATED FINANCIAL REPORT.] By December 15 of even-numbered years, the council shall publish a consolidated financial report for the council and the metropolitan agencies. The financial report must cover the calendar year in which the report is published and the two years preceding and three years succeeding that year. The financial report must contain the following information, for the council and the agencies, and for each division, function, or system, respectively, and in the aggregate, in a consistent format that allows comparison over time, between the agencies and among divisions, in expenditure and revenue categories:

(1) financial policies, goals, and priorities as to capital expenditures and debt;

(2) levels and allocation of capital expenditures and debt, stated in the aggregate and by appropriate functional categories, and the changes in capital expenditures and debt levels and allocations that the report represents;

- (3) the resources available under existing fiscal policy for capital expenditures and debt;
- (4) additional resources, if any, that are or may be required for capital expenditures and debt;
- (5) changes in council or agency policies on regional sources of revenue and in levels of debt, user charges, and taxes;
- (6) other changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that have been or may be recommended by the council or an agency;
- (7) an analysis that links, as far as practicable, the uses of funds and the sources of funds for capital expenditures and debt, by appropriate functional categories and in the aggregate;
- (8) a description of how the fiscal policies for capital expenditures and debt effectuate current policy and implementation plans of the council and the agency; and
- (9) a summary of significant changes in council and commission finance and an analysis of fiscal trends as to capital expenditures and debt.

The council shall present the report for discussion and comment at a public meeting in the metropolitan area and request, in writing, an opportunity to make presentations on the report before appropriate committees of the legislature. The council shall prepare a summary budget for council fiscal year 1994 and each year thereafter. The purpose of the summary budget is to increase public knowledge and council and agency accountability by providing citizens with a condensed, accessible, and graphic description of the financial affairs of the council and the agencies. The document should contain a coherent, effectively communicated, understandable statement of:

- (a) financial trends and forecasts;
- (b) budget policies and policy changes;
- (c) financial assumptions, objectives, and plans;
- (d) revenue sources and expenditures by program category;
- (e) personnel policies, decisions, and allocation;
- (f) budgetary performance measures; and
- (g) similar matters serving the purpose of the document.

Subd. 2. [ANNUAL BUDGET.] The council shall include in its annual budget:

- (1) a statement of the reserve or fund balance carried forward at the end of the budget year, for at least the two preceding fiscal years;
- (2) a comparison of budgeted and actual expenditures, reported by department and by program, for at least the two preceding fiscal years;
- (3) a comparison of budgeted and actual revenues, reported by revenue source, for at least the two preceding fiscal years; and
- (4) a listing, by contract or project, of proposed or anticipated expenditures for consultants and professional, technical, and other similar services.

Subd. 3. [PERSONNEL AND ETHICAL PRACTICES; COMMUNICATION.] By January 1 of each year, the council and the metropolitan agencies shall report to the legislature on the following:

- (1) compensation practices, including an analysis of trends, compliance with legal requirements, health care and other benefits, and salary levels in comparison with relevant job markets;

(2) human rights and affirmative action policies and procedures;

(3) ethical practices requirements for the council, the agencies, and advisory committee members and employees, including the sources of the requirements, and comparison with requirements for state and local government officers and employees; and

(4) the activities undertaken by each council and agency member to regularly meet with and communicate with legislators in the member's district about issues before the council or the agency.

The report on employee salaries under clause (1) must include details of: all lump sum payments or bonuses; and a description of all payments, expense accounts, allowances, including travel allowances, and other current benefits granted to individuals that are not made generally available to employees of the council or the agency.

Sec. 44. Minnesota Statutes 1992, section 473.143, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] For purposes of this section, "agency" means a metropolitan agency as defined in section 473.121, ~~except the metropolitan parks and open space commission.~~ Agency also means the metropolitan mosquito control commission. For purposes of this section, "commissioner" means the commissioner of the state department of employee relations.

Sec. 45. Minnesota Statutes 1992, section 473.146, subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT.] The council shall adopt a long-range comprehensive policy plan for each ~~metropolitan agency operating division for which the council is~~ required to prepare an implementation plan under section 473.161, and the metropolitan transit authority. The plans must substantially conform to all policy statements, purposes, goals, standards, and maps in the development guide developed and adopted by the council under this chapter. Each policy plan must include, to the extent appropriate to the functions, services, and systems covered, the following:

(1) forecasts of changes in the general levels and distribution of population, households, employment, land uses, and other relevant matters, for the metropolitan area and appropriate subareas, to be used in preparing the implementation plan of the affected metropolitan agency;

(2) a statement of issues, problems, needs, and opportunities with respect to the functions, services, and systems covered;

(3) a statement of the council's goals, objectives, and priorities with respect to the functions, services, and systems covered, addressing areas and populations to be served, the levels, distribution, and staging of services; a general description of the facility systems required to support the services, and other similar matters;

(4) a statement of policies to effectuate the council's goals, objectives, and priorities;

(5) a statement of the fiscal implications of the council's plan, including a statement of: (i) the resources available under existing fiscal policy; (ii) the adequacy of resources under existing fiscal policy and any shortfalls and unattended needs; (iii) additional resources, if any, that are or may be required to effectuate the council's goals, objectives, and priorities; and (iv) any changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that the council has recommended or may recommend;

(6) a statement of the standards, criteria, and procedures that the council will use in monitoring and evaluating the implementation of the plan;

(7) a statement of the matters that must be addressed in the implementation plan ~~of the affected metropolitan agency;~~

(8) a statement of the relationship of the policy plan to other policy plans and chapters of the metropolitan development guide;

(9) a statement of the relationships to local comprehensive plans prepared under sections 473.851 to 473.872; and

(10) additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the metropolitan agency or operating division and function covered by the policy plan.

Sec. 46. Minnesota Statutes 1992, section 473.146, subdivision 2, is amended to read:

Subd. 2. ~~[CONSULTATION WITH AGENCY; PREDRAFTING NOTICE.] In preparing or amending the policy plan, the council shall consult with and make maximum use of the expertise of the affected metropolitan agency. The agency shall cooperate with the council and make its records, studies, plans, and other information available to the council.~~

Before beginning to prepare a substantial revision of a policy plan, the council shall publish notice and request comments from the public. ~~At least 90 days before publication of the predrafting notice, the council shall submit a draft of the notice to the affected metropolitan agency for review and comment.~~ The predrafting notice must include a statement of the subjects expected to be covered by the policy and implementation plans; a summary of important problems, issues, and matters that are expected to be addressed in the plans; and a summary of the studies and other information required as the basis of the plans. All interested persons must be afforded an opportunity to submit data or views on the predrafting notice, either orally or in writing.

~~Before adopting a policy plan or substantial revision thereof, the council shall submit the proposed plan to the affected metropolitan agency for its review, and the agency shall report its comments to the council within 90 days.~~

Sec. 47. Minnesota Statutes 1992, section 473.146, subdivision 2a, is amended to read:

Subd. 2a. [HEARING; ADOPTION.] The council shall hold a public hearing on the proposed policy plan at a time and place in the metropolitan area determined by the council. Not less than 15 days before the hearing, the council shall publish notice in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan ~~and agency comments~~ may be examined by any interested person. At any hearing interested persons must be permitted to present their views on the policy plan, and the hearing may be continued from time to time. ~~After receipt of the agency's report and the hearing,~~ The council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution.

Sec. 48. Minnesota Statutes 1992, section 473.146, subdivision 2b, is amended to read:

Subd. 2b. [EFFECT.] Adopted policy plans must be followed by the council ~~and the affected metropolitan agency.~~

Sec. 49. Minnesota Statutes 1992, section 473.146, subdivision 2c, is amended to read:

Subd. 2c. [AMENDMENT.] ~~An amendment to a policy plan may be initiated by the council or by an affected metropolitan agency.~~ At least every five years the council shall engage in a comprehensive review of the policy plan and revise the plan as necessary. The council shall amend a policy plan in accordance with the procedures established in this section.

Sec. 50. Minnesota Statutes 1992, section 473.146, subdivision 4, is amended to read:

Subd. 4. [TRANSPORTATION PLANNING ADVISORY BOARD.] (a) The metropolitan council is the designated planning agency for any long-range comprehensive transportation planning required by section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and other federal transportation laws. The council shall assure administration and coordination of transportation planning with appropriate state, regional and other agencies, counties, and municipalities, and shall establish an advisory body chaired by the vice-chair of the council consisting of representatives of the regional transit board, citizens, municipalities, counties, and state agencies in fulfillment of the planning responsibilities of the council and the transit board.

(b) The transportation advisory board shall administer transit contracts and subsidies, and review, arbitrate, and decide any dispute between the council and any other transit provider in the metropolitan area. The board shall establish procedures for notice and a hearing of any dispute. The council and the board shall notify all transit providers in the metropolitan area of the board's authority and procedures. The council and the organizations represented on the board shall provide the staff and resources necessary for the transportation advisory board to fulfill its duties.

Sec. 51. Minnesota Statutes 1992, section 473.147, is amended to read:

473.147 [REGIONAL RECREATION OPEN SPACE SYSTEM POLICY PLAN.]

Subdivision 1. The metropolitan council after consultation with ~~the parks and open space commission,~~ municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt a long-range system policy plan for regional recreation open space as part of the council's metropolitan development guide. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. ~~In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commission.~~ The policy plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish criteria and priorities for the allocation of funds for such acquisition and development. The legislature in each bonding measure shall designate an anticipated level of funding for this acquisition and development for each of the two succeeding bienniums.

Subd. 2. Before adopting the policy plan, the council ~~shall submit the proposed plan to the parks and open space commission for its review, and the commission shall report its comments to the council within 60 days.~~ The council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 15 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan ~~and commission comments~~ may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After ~~receipt of the commission's report and~~ hearing, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. ~~An amendment to the policy plan may be proposed by the council or by the parks and open space commission.~~ At least every four years the council shall engage in a comprehensive review of the policy plan, development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of subdivision 1 which have been adopted by the council.

Sec. 52. Minnesota Statutes 1992, section 473.153, subdivision 1, is amended to read:

Subdivision 1. [FACILITIES REQUIRED.] Except as provided in subdivision 7 and section 115A.33, all facilities for the disposal of solid waste generated by the ~~metropolitan waste control commission operating division~~ shall be established and operated in accordance with this section and section 473.516. The ~~commission council~~ shall acquire and own all of the facilities needed for the disposal of the sludge ash generated by the commission. The ~~commission council~~ shall acquire and establish at least one facility for sludge ash disposal at a site selected by the council under this section, unless the council and the agency determine under subdivision 4a that the facility is not needed.

Sec. 53. Minnesota Statutes 1992, section 473.153, subdivision 4a, is amended to read:

Subd. 4a. [NEED FOR FACILITY; OPTION TO TERMINATE SITING.] The council may determine, by resolution following a public hearing, that the new sludge ash disposal facility to be acquired and established under this section, as required by subdivision 1, is not needed, because the council finds that permitted management methods other than land disposal, together with land disposal of ash on property owned by the ~~commission council~~ prior to March 1, 1986, will be sufficient to accommodate all of the ~~commission's council's~~ ash without the acquisition and establishment of a new facility. A determination of the council that the facility is not needed is subject to review and approval by the pollution control agency. If the agency disapproves, the council ~~and the commission~~ shall proceed to site, acquire, and establish the facility as required by this section. If the agency approves, the council shall terminate the siting process established by this section and permanently dismiss the candidate sites from further consideration as sites for the facility.

Sec. 54. Minnesota Statutes 1992, section 473.161, subdivision 1a, is amended to read:

Subd. 1a. [REQUIREMENT; PURPOSE.] ~~Each metropolitan agency that is subject to this section by its enabling law shall adopt an implementation plan meeting the requirements of this section. The council shall adopt an implementation plan meeting the requirements of this section for the waste control operating division.~~ The implementation plan must implement and effectuate the policy plan adopted by the council under section 473.146. Elements of the implementation plan must cover the period or periods prescribed in the council's policy plan.

Sec. 55. Minnesota Statutes 1992, section 473.161, subdivision 1b, is amended to read:

Subd. 1b. [CONTENT.] The implementation plan must include the following:

- (1) a statement of objectives and priorities for capital development, services, and system management;
- (2) a statement of agency council plans to achieve the objectives, describing the functions, services, and systems that will be provided by or under the direction or auspices of the agency council;
- (3) a statement of how the agency's council's objectives, priorities, and plans will implement and effectuate the council's policy plan;
- (4) a statement of the fiscal implications of the agency's council's plan, including a statement of: (i) the anticipated expenditure of public and private funds, for capital developments, services, and system administration and management, and the changes in expenditure levels that the plan represents; (ii) the resources available under existing fiscal policy and additional resources, if any, that are or may be required to effectuate the agency's council's plan; (iii) any changes in agency council policy on regional sources of revenue and changes in levels of debt, user charges, and taxes; (iv) other changes in existing fiscal policy, on regional revenues and intergovernmental aids respectively, that are expected or that the agency council has recommended or may recommend; and (v) the effect on functions and levels and types of services, and the agency's council's contingency and cost-containment strategies, if the additional resources required to effectuate the agency's council's plan do not become available;
- (5) a statement of the standards, criteria, and procedures that the agency council will use in monitoring and evaluating the results of the implementation plan;
- (6) a statement of the effect of the plan on the responsibilities of other governmental units;
- (7) the services and systems management component required by subdivision 1c and the capital investment component required by subdivision 1d; and
- (8) other information that the council ~~or agency~~ deems appropriate.

Sec. 56. Minnesota Statutes 1992, section 473.161, subdivision 2a, is amended to read:

Subd. 2a. [AMENDMENT.] At least biennially ~~each metropolitan agency~~ the council shall review the implementation plan, plans and make the revisions necessary ~~and submit the plan to the council for its review as provided in this section.~~

Sec. 57. Minnesota Statutes 1992, section 473.161, subdivision 3, is amended to read:

Subd. 3. [ADOPTION; EFFECT.] The ~~metropolitan agency shall adopt and~~ council shall implement the implementation plan, with the revisions required by the council, within 60 days following council approval adoption of the plan. The activities of the agency council, including its priorities and timing, must be consistent with its approved and adopted the implementation plan or be specifically approved by the council. The council may not approve any activity not in substantial conformance with the appropriate policy plan.

Sec. 58. Minnesota Statutes 1992, section 473.164, is amended to read:

473.164 [PAYMENT OF METROPOLITAN COUNCIL COSTS.]

Subdivision 1. The ~~metropolitan parks and open space commission, the regional transit board, the metropolitan waste control commission, and the metropolitan transit authority and~~ the metropolitan airports commission shall annually reimburse the council for costs incurred by the council in the discharge of its responsibilities relating to the ~~commission or board~~ agency. The costs may be charged against any revenue sources of the ~~commission or board~~ agency as determined by the ~~commission or board~~ agency.

Subd. 2. On or before May 1 of each year, the council shall transmit to each ~~commission or board~~ agency an estimate of the costs which the council will incur in the discharge of its responsibilities related to the ~~commission or board~~ agency in the next budget year including, without limitation, costs in connection with the preparation, review, implementation and defense of plans, programs and budgets of the ~~commission or board~~ agency. Each ~~commission or board~~ agency shall include the estimates in its budget for the next budget year and may transmit its comments concerning the estimated amount to the council during the budget review process. Prior to December 15 of each year, the amount budgeted by each ~~commission or board~~ agency for the next budget year may be changed following approval by the council. During each budget year, the ~~commission or board~~ agency shall transfer budgeted funds to the council in advance when requested by the council.

Subd. 3. At the conclusion of each budget year, the council, in cooperation with each ~~commission or board~~ agency, shall adopt a final statement of costs incurred by the council for each ~~commission or board~~ agency. Where costs incurred in the budget year have exceeded the amount budgeted, each ~~commission or board~~ agency shall transfer to the council the additional moneys needed to pay the amount of the costs in excess of the amount budgeted, and shall include a sum in its next budget. Any excess of budgeted costs over actual costs may be retained by the council and applied to the payment of budgeted costs in the next year. ~~Costs incurred during 1976 shall be reimbursed to the council on or before December 31, 1976, following receipt and in accordance with a statement of costs transmitted by the council. Notwithstanding the provisions of this section, after July 1, 1981, the metropolitan council shall not charge the regional transit board for any costs incurred by the council for the study of light rail transit unless the study plan and budget have been approved by the board.~~

Sec. 59. Minnesota Statutes 1992, section 473.167, subdivision 1, is amended to read:

Subdivision 1. [~~CONTROLLED ACCESS METROPOLITAN HIGHWAYS: COUNCIL APPROVAL.~~] Before acquiring land for or constructing a controlled access highway in the area, the state transportation department or local government unit proposing the acquisition or construction shall submit to the council a statement describing the proposed project. The statement must be in the form and detail required by the council. ~~Immediately upon receipt of the statement, the council shall transmit a copy to the regional transit board, which shall review and evaluate the project in relationship to the board's implementation plan and report its recommendations and comments to the council.~~ The council shall also review the statement to ascertain its consistency with its policy plan and the development guide. No project may be undertaken unless the council determines that it is consistent with the policy plan and implementation plan. This approval is in addition to the requirements of any other statute, ordinance or rule.

Sec. 60. Minnesota Statutes 1992, section 473.168, subdivision 2, is amended to read:

Subd. 2. The metropolitan council ~~in consultation with the regional transit board~~ may require that any freeway constructed in the metropolitan area on which actual construction has not been commenced by April 12, 1974 include provisions for exclusive lanes for buses and, as the council may determine, other forms of multipassenger transit. The council, in making its determination, must demonstrate that the exclusive lanes are necessary to implement the transportation policy plan of the development guide.

Sec. 61. Minnesota Statutes 1992, section 473.175, subdivision 1, is amended to read:

Subdivision 1. The council shall review the comprehensive plans of local governmental units and the capital improvement programs of school districts, prepared and submitted pursuant to Laws 1976, chapter 127, sections 1 to 23, to determine their compatibility with each other and conformity with metropolitan system plans. The council shall review and comment on the apparent consistency of the comprehensive plans and capital improvement programs with other adopted chapters of the metropolitan development guide. The council may require a local governmental unit to modify any comprehensive plan or part thereof which may have a substantial impact on or contain a substantial departure from metropolitan system plans. By January 1, 1994, the council shall establish criteria, after soliciting comments and suggestions from potentially affected local government units, for determining when a comprehensive local plan or plan amendment will have a substantial impact on or substantially depart from metropolitan system plans. The criteria may not be limited to a metropolitan facility's capacity, but must also address whether a proposed plan or plan amendment will have a substantial impact on or substantially depart from metropolitan system plans, as that phrase is used in section 473.852, subdivision 8. The criteria established under this subdivision shall become effective and apply to matters pending before the council on or after June 1, 1994.

Sec. 62. Minnesota Statutes 1992, section 473.223, is amended to read:

473.223 [FEDERAL AID.]

For the purposes of this section the term "governmental subdivision" includes municipalities, counties and other political subdivisions generally. If federal aid for transportation programs and projects is otherwise unavailable to an existing agency or governmental subdivision, the metropolitan council may cooperate with the government of the United States and any agency or department thereof and the affected agency or other governmental subdivision in establishing metropolitan area eligibility to receive federal aid, and may comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such projects as are proposed for federal assistance. ~~If necessary to meet federal requirements, the council, the regional transit board, and the metropolitan transit commission may be considered a single eligible unit to carry out their respective responsibilities.~~ The metropolitan council may accept federal aid and other aid, either public or private, for and in behalf of the metropolitan area or any governmental subdivision of the state, for transportation programs and projects within the metropolitan area upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as agent of any governmental subdivision of the state with jurisdiction in the metropolitan area upon request of such subdivision in accepting the aid in its behalf for such programs or projects financed either in whole or in part by federal aid. The governing body of any such subdivision is authorized to designate the metropolitan council as its agent for such purposes and to enter into an agreement with the council prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations. The metropolitan council is authorized to designate an appropriate state agency as its agent for such purposes and to enter into an agreement with such agency prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations.

Nothing contained herein shall limit any separate authority of agencies or governmental subdivisions of the state to contract for and receive federal aid.

Sec. 63. Minnesota Statutes 1992, section 473.313, subdivision 2, is amended to read:

Subd. 2. [COUNCIL REVIEW.] The metropolitan council shall review ~~with the advice of the commission,~~ each master plan to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall return the plan with its comments to the municipalities, park district or county for revision and resubmittal.

Sec. 64. Minnesota Statutes 1992, section 473.315, subdivision 1, is amended to read:

Subdivision 1. The metropolitan council ~~with the advice of the commission~~ may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56.

Sec. 65. Minnesota Statutes 1992, section 473.333, is amended to read:

473.333 [COUNCIL ACQUISITION.]

The metropolitan council shall have the same powers as a county under section 398.32, subdivision 1, to acquire any land or water area, or any interests, easements or other rights therein, which are included in the policy plan whenever such areas have not been acquired for recreation open space purposes within the period of time hereinafter specified; provided that the council shall not have the power of eminent domain. Before proceeding with the acquisition of any such area or other rights, the council shall by resolution offer a grant covering the full cost of acquisition to the municipality, park district or county in which the area or other rights are situated. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within 12 months after the adoption of the resolution, the council may by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within six months after the adoption of the resolution, the council may ~~direct the commission to proceed with acquisition.~~ The council may, in its discretion, ~~direct the commission to~~ contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The council shall ~~direct the commission to~~ manage such areas so as to preserve them for future recreation open space purposes and may contract with a municipality, park district or county for such management. The council shall convey such areas to a municipality, park district or county for development and operation consistent with an approved recreation open space master plan.

Sec. 66. Minnesota Statutes 1992, section 473.351, subdivision 3, is amended to read:

Subd. 3. [ALLOCATION FORMULA.] By July 1 of every year each implementing agency must submit to the metropolitan ~~parks and open space commission~~ council a statement of the next annual anticipated operation and maintenance expenditures of the regional recreation open space parks systems within their respective jurisdictions and the previous year's actual expenditures. After reviewing the actual expenditures submitted and by July 15 of each year, ~~the parks and open space commission shall forward to the metropolitan council the funding requests from the implementing agencies and~~ based on the actual expenditures made, the metropolitan council shall distribute the operation and maintenance money as follows:

(1) 40 percent based on the use that each implementing agency's regional recreation open space system has in proportion to the total use of the metropolitan regional recreation open space system;

(2) 40 percent based on the operation and maintenance expenditures made in the previous year by each implementing agency in proportion to the total operation and maintenance expenditures of all of the implementing agencies; and

(3) 20 percent based on the acreage that each implementing agency's regional recreation open space system has in proportion to the total acreage of the metropolitan regional recreation open space system. The 80 percent natural resource management land acreage of the park reserves must be divided by four in calculating the distribution under this clause.

Each implementing agency must receive no less than 40 percent of its actual operation and maintenance expenses to be incurred in the current calendar year budget as submitted to the ~~parks and open space commission~~ council. If the available operation and maintenance money is less than the total amount determined by the formula including the preceding, the implementing agencies will share the available money in proportion to the amounts they would otherwise be entitled to under the formula.

Sec. 67. Minnesota Statutes 1992, section 473.371, subdivision 1, is amended to read:

Subdivision 1. [POLICY.] The legislature finds that, for the provision of essential mobility and transportation options in the metropolitan area, for the encouragement of alternatives to the single-occupant vehicle and for the development of transportation service designed to meet public needs efficiently and effectively, there is a need for the creation of regional metropolitan transit programs and agencies with the powers and duties prescribed by law.

Sec. 68. Minnesota Statutes 1992, section 473.373, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] To carry out the policy and achieve the goals of section 473.371 ~~there is established a regional metropolitan transit board authority is established as a public corporation an agency of the metropolitan council and a political subdivision of the state. Except as provided in this section, the board is~~ It is organized, structured, and administered as provided in this section 473.141.

Sec. 69. Minnesota Statutes 1992, section 473.373, is amended by adding a subdivision to read:

Subd. 9. [CHIEF ADMINISTRATOR.] The chair of the metropolitan council shall appoint the chief administrator of the transit authority. The chief administrator shall be chosen on the basis of training, experience, and other qualifications and shall serve at the pleasure of the council chair at the salary rate set by the council chair. The chief administrator shall have the following powers and duties:

(a) adopt measures the administrator considers necessary to enforce or carry out the powers and duties of the transit authority, or to efficiently administer the affairs of the transit authority;

(b) subject to the personnel code of the transit authority, appoint and remove, on the basis of merit and fitness, all regular employees of the transit authority;

(c) prepare and submit for council approval the capital and operating budgets of the transit authority, and other financial information, operations plans, implementation plans, and service plans as the council may require;

(d) annually submit a report to the council detailing the transit authority's activities and finances for the previous year; and

(e) perform other duties assigned by law or by the council chair.

Sec. 70. Minnesota Statutes 1992, section 473.373, is amended by adding a subdivision to read:

Subd. 10. [EMPLOYEES.] All persons regularly employed by the regional transit board immediately prior to the effective date of this act become employees of the metropolitan transit authority on the effective date of this act, retain all rights to which they are entitled by contract or law, and continue in the same retirement or pension system to which they belonged before the effective date of this act. The employees shall perform duties as may be prescribed by the transit authority. Section 473.141, subdivision 12, continues to apply to the transit authority. A person who was an employee of the metropolitan transit commission on July 1, 1984, who subsequently became an employee of the regional transit board, and who becomes an employee of the metropolitan transit authority has the option of continued coverage under chapter 353. This section does not entitle any employee of the transit authority the right or privilege to continue in the same level or classification of employment previously held. The transit authority may assign any employee to an employment level and classification that it considers appropriate and desirable in accordance with its personnel code.

Sec. 71. Minnesota Statutes 1992, section 473.373, is amended by adding a subdivision to read:

Subd. 11. [PROPERTY; CONTRACTS.] On the effective date of this act, the metropolitan transit authority succeeds to and becomes vested with all right, title, and interest in and to any property owned and any contracts held by the regional transit board.

Sec. 72. Minnesota Statutes 1992, section 473.375, subdivision 5, is amended to read:

Subd. 5. [INSURANCE.] The board transit authority may procure insurance in the amounts it considers necessary against the liability of the board transit authority or its officers and employees for personal injury or death and property damage or destruction, with the force and effect stated in chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property.

Sec. 73. Minnesota Statutes 1992, section 473.375, subdivision 11, is amended to read:

Subd. 11. [RIDESHARING.] Upon certification by the board, after June 30, 1985, that it has adopted an approved interim implementation plan and is ready to assume responsibilities for the program, the board shall assume the responsibilities identified by the board that are imposed on the commissioner of transportation, the metropolitan council, or the transit commission pursuant to section 174.257 and other applicable provisions of law. The transit authority shall provide for the establishment and implementation of a ridesharing program in the metropolitan area, except for the statewide vanpool leasing program conducted by the commissioner of transportation. The commissioner, the council, and the commission metro transit shall cooperate with the board in the transfer of these duties and transit authority in the conduct of ridesharing activities in areas where the commissioner's programs and the board's transit authority's program overlap. The board shall establish a rideshare advisory committee to advise it in carrying out the program. The board transit authority may contract for services in operating the program.

Sec. 74. Minnesota Statutes 1992, section 473.375, subdivision 17, is amended to read:

Subd. 17. [AUDIT.] The board must be audited at least once each year. The board may elect to be audited by a certified public accountant or by the state auditor. If the board chooses the state auditor, The state auditor shall audit, either directly or by subcontract, the board's transit authority's financial accounts and affairs at least once each year. The information in the audit must be contained in the annual report and distributed in accordance with section 473.445, subdivision 3 to the council. The board transit authority shall pay the total cost of the audit, including the salaries paid to the examiners while actually engaged in making the examination. The state auditor may bill monthly or at the completion of the audit. All collections received for the state audits must be deposited in the general fund.

Sec. 75. [473.381] [AUTHORITY BUDGET.]

Subdivision 1. [REQUIREMENT.] The metropolitan transit authority shall prepare a proposed budget by August 1 of each year. The budget shall include the proposed budget for metro transit and, in the detail and form prescribed by the council, must show for each year:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year; and

(3) the estimated source and use of pass-through funds.

Subd. 2. [PROCEDURE; APPROVAL OF COUNCIL.] As early as practicable before August 15 of each year, the transit authority shall hold a public hearing on a draft of the proposed budget. Along with the draft, the transit authority shall publish a report on user charges. The report must include an estimate and analysis of the changes in user charges, rates, and fees that will be required by the transit authority's budget. Not less than 14 days before the hearing, the transit authority shall publish notice of the hearing in a newspaper having general circulation in the metropolitan area, stating the date, time, and place of hearing, and the place where the proposed budget and report on user charges may be examined by any interested person. Following the hearing, the transit authority shall publish a report of the hearing that summarizes the comments received and the transit authority's response. The proposed budget must be submitted to the council by August 15 of each year for review and approval by the council. The council shall act to approve or disapprove by October 1 of each year. The council may approve or disapprove in whole or in part and may attach conditions to its approval. Before December 15 of each year the transit authority shall by resolution adopt a final budget. The transit authority shall file its final budget with the council on or before December 20 of each year. The council shall file the budget with the secretary of the senate and the clerk of the house of representatives not later than January 1 of each year.

Subd. 3. [EFFECT.] Except in an emergency, for which procedures must be established by the council, the transit authority and its officers, agents, and employees may not spend money for any purpose, without an appropriation by the transit authority, and no obligation to make an expenditure is enforceable except as the obligation of the person or persons incurring it. The transit authority may amend the budget with council approval at any time by transferring any appropriation from one purpose to another, except appropriations of the proceeds of bonds issued by the council for a specific purpose.

Subd. 4. [FINANCIAL PLAN; COUNCIL APPROVAL.] Along with its annual budget, each even-numbered year the transit authority shall prepare a financial plan for the succeeding three calendar years, in half-year segments. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the transit authority during the period of the plan. The financial plan must contain a proposed request for state financial assistance for the succeeding biennium. The transit authority shall submit the financial plan to the council for review and approval or disapproval. The council may approve or disapprove in whole or in part.

Sec. 76. Minnesota Statutes 1992, section 473.382, is amended to read:

473.382 [LOCAL PLANNING AND DEVELOPMENT PROGRAM.]

In preparing and amending its implementation plan pursuant to section 473.377, the transit ~~board~~ authority shall establish a program to ensure participation by representatives of local government units and the coordination of the planning and development of transit by local government units. The ~~board~~ transit authority shall encourage the establishment of local transit planning and development boards by local governments for the purpose of:

(a) assisting and advising the transit ~~board~~ authority in preparing the implementation plan, including the identification of service needs and objectives;

(b) preparing, or advising and assisting local units of government in preparing the transit study and service plan required by section 473.384;

(c) preparing or advising the transit ~~board~~ authority in the review of applications for assistance under section 473.384.

The ~~board~~ transit authority may provide local boards with whatever assistance it deems necessary and appropriate.

Sec. 77. Minnesota Statutes 1992, section 473.384, subdivision 3, is amended to read:

Subd. 3. [APPLICATIONS.] The ~~board~~ transit authority shall establish procedures and standards for review and approval of applications for financial assistance under this section consistent with its approved implementation plan. An applicant must provide the ~~board~~ transit authority with the financial and other information the ~~board~~ transit authority requires to carry out its duties. The ~~board~~ transit authority may specify procedures, including public hearing requirements, to be followed by applicants that are cities, towns, or counties or combinations thereof in conducting transit studies and formulating service plans under subdivisions 4 and 5.

Sec. 78. Minnesota Statutes 1992, section 473.384, subdivision 7, is amended to read:

Subd. 7. [~~MTC METRO TRANSIT IMPACT ASSESSMENT.~~] Prior to entering into a contract for operating assistance with a recipient, other than the metro transit commission, the board transit authority shall evaluate the effect, if any, of the contract on the ridership, routes, schedules, fares, and staffing levels of the existing and proposed service provided by the commission metro transit. A copy of the assessment must be provided to the commission metro transit chief administrator. The board transit authority may enter into the contract only if it determines that the service to be assisted under the contract will not impose an undue hardship on the ridership or financial condition of the commission metro transit. The requirements of this subdivision do not apply to contracts for assistance to recipients who, as part of a negotiated cost-sharing arrangement with the board transit authority, pay a substantial part of the cost of services that directly benefit the recipient as an institution or organization.

Sec. 79. Minnesota Statutes 1992, section 473.385, subdivision 2, is amended to read:

Subd. 2. [SERVICE AREAS.] The regional metropolitan transit board authority may provide financial assistance (whether directly or through another entity) to private, for-profit operators of public transit only for the following services:

- (1) services that are not regular route services;
- (2) regular route services provided on June 2, 1989, by a private, for-profit operator under contract with the board predecessor agency of the transit authority or under a certificate of convenience and necessity issued by the transportation regulation board;
- (3) regular route services outside of the fully developed service area that are not operated on June 2, 1989, by the commission predecessor agency of metro transit;
- (4) regular route services provided under section ~~473.388~~ 473.3881;
- (5) regular route services to recipients who, as part of a negotiated cost-sharing arrangement with the board transit authority, pay at least 50 percent of the cost of the service that directly benefits the recipient as an institution or organization; or
- (6) regular route services that the board transit authority and the commission metro transit agree are not or will not be operated for a reasonable subsidy by the commission metro transit.

Sec. 80. Minnesota Statutes 1992, section 473.386, subdivision 2, is amended to read:

Subd. 2. [SERVICE CONTRACTS; MANAGEMENT; TRANSPORTATION ACCESSIBILITY ADVISORY COMMITTEE.] (a) The board transit authority shall contract for services necessary for the provision of special transportation. All transportation service must be provided under a contract between the board transit authority and the provider which specifies the service to be provided, the standards that must be met, and the rates for operating and providing special transportation services.

(b) The board transit authority shall establish management policies for the service but shall contract with a service administrator for day-to-day administration and management of the service. The contract must delegate to the service administrator clear authority to administer and manage the delivery of the service pursuant to board transit authority management policies and must establish performance and compliance standards for the service administrator.

(c) The board transit authority shall ensure that the service administrator establishes a system for registering and expeditiously responding to complaints by users, informing users of how to register complaints, and requiring providers to report on incidents that impair the safety and well-being of users or the quality of the service. The board transit authority shall annually report to the commissioner of transportation and the legislature on complaints and provider reports, the response of the service administrator, and steps taken by the board transit authority and the service administrator to identify causes and provide remedies to recurring problems.

(d) ~~Within 90 days following August 1, 1987, the board shall hold a public hearing on standards for provider eligibility, selection, performance, compliance, and evaluation; the terms of provider contracts and the contract with the service administrator and related contract management policies and procedures of the board; fare policies; service areas, hours, standards, and procedures; and similar matters relating to implementation of the service. Each year before renewing contracts with providers and the service administrator, the board transit authority shall provide an opportunity for the transportation accessibility advisory committee, users, and other interested persons to testify before the board concerning providers, contract terms, and other matters relating to board the transit authority's policies and procedures for implementing the service.~~

(e) The board transit authority shall establish a transportation accessibility advisory committee. The transportation accessibility advisory committee must include elderly and handicapped persons, other users of special transportation service, representatives of persons contracting to provide special transportation services, and representatives of appropriate agencies for elderly and handicapped persons to advise the board transit authority on management policies for the service. At least half the transportation accessibility advisory committee members must be disabled or elderly persons or the representatives of disabled or elderly persons. Two of the appointments to the transportation accessibility advisory committee shall be made by the council on disability ~~in consultation with the chair of the regional transit board.~~

Sec. 81. Minnesota Statutes 1992, section 473.39, is amended to read:

473.39 [BORROWING MONEY.]

Subdivision 1. [GENERAL AUTHORITY.] The council, if requested by ~~vote of at least two-thirds of all of the members of the transit board~~ the chief administrator of the transit authority, may issue general obligation bonds subject to the volume limitations in this section to provide funds to the board transit authority for expenditure to implement the ~~board's~~ approved implementation plan of the transit authority and may issue general obligation bonds not subject to the limitations for the refunding of outstanding bonds or certificates of indebtedness of the council, the ~~board or the commission predecessor agency of the transit authority, or the predecessor agency of metro transit, and for judgments against the board transit authority or the commission metro transit.~~ The council may not unreasonably withhold the issuance of obligations for an implementation plan that has been approved by the council. The council may not issue obligations pursuant to this subdivision, other than refunding bonds, in excess of the amount specifically authorized by law. Except as otherwise provided in sections 473.371 to 473.449, the council shall provide for the issuance, sale, and security of the bonds in the manner provided in chapter 475, and has the same powers and duties as a municipality issuing bonds under that law, except that no election is required and the net debt limitations in chapter 475 do not apply to the bonds. The obligations are not a debt of the state or any municipality or political subdivision within the meaning of any debt limitation or requirement pertaining to those entities. Neither the state, nor any municipality or political subdivision except the council ~~and board~~, nor any member or officer or employee of the board transit authority or council, is liable on the obligations. The obligations may be secured by taxes levied without limitation of rate or amount upon all taxable property in the transit taxing district and transit area as provided in section 473.446, subdivision 1, clause (c). ~~The council shall certify to the transit board before October 1 of each year the amounts necessary to provide full and timely payment of the obligations.~~ As part of its levy made under section 473.446, subdivision 1, clause (c), the board council shall levy the amounts ~~certified by the council and transfer the proceeds to the council~~ for payment of the obligations. The taxes must be levied, certified, and collected in accordance with the terms and conditions of the indebtedness.

Subd. 1a. [OBLIGATIONS.] (a) ~~After August 1, 1989,~~ The council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$26,000,000 for financial assistance to ~~the commission, as prescribed in the implementation and capital plans of the board and the capital program of the commission metro transit.~~

(b) ~~After August 1, 1989,~~ The council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$4,700,000 for other transit-related capital expenditures as prescribed in the implementation and capital plans of the board transit authority.

(c) The board shall require, as a condition of financial assistance to the commission, that the commission make facilities it constructs, acquires, or improves for I-394 with funds provided under this section available to all transit providers on a nondiscriminatory basis, as the board defines these terms.

(d) The limitation contained in this subdivision does not apply to refunding bonds issued by the council.

Subd. 1b. [ADDITIONAL OBLIGATIONS; 1993-1996.] The council may also issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$62,000,000, of which \$44,000,000 may be used by ~~the commission~~ metro transit for fleet replacement, facilities, and capital equipment, and \$18,000,000 may be used by the ~~board~~ transit authority for transit hubs, park-and-ride lots, community-based transit vehicles and replacement service program vehicles, and intelligent vehicle highway systems projects, and related costs including the cost of issuance and sale of the obligations. The council may issue \$32,000,000 of the total amount authorized under this subdivision during fiscal biennium ending 1993, \$30,000,000 during fiscal biennium ending 1995.

Subd. 2. [LEGAL INVESTMENTS.] Certificates of indebtedness, bonds, or other obligations issued by the council to which tax levies have been pledged pursuant to section 473.446, are proper for investment of any funds by a bank, savings bank, savings and loan association, credit union, trust company, insurance company, or public or municipal corporation, and may be pledged by any bank, savings bank, savings and loan association, credit union, or trust company as security for the deposit of public money.

Sec. 82. Minnesota Statutes 1992, section 473.391, is amended to read:

473.391 [ROUTE PLANNING AND SCHEDULING.]

The ~~regional transit board~~ metropolitan transit authority shall contract with ~~the metropolitan metro transit commission~~ or other operators or local governments for route planning and scheduling services in any configuration of new or reconfiguration of existing transit services and routes, including route planning and scheduling necessary for the test marketing program, the service bidding program, and the interstate highway described in section 161.123, clause (2), commonly known as I-394. Route planning and scheduling is subject to the transit authority's approval by ~~the board~~ for conformity to with the board's transit authority's implementation plans and route, schedule, and other service standards, objectives, and policies established by the board transit authority.

Sec. 83. Minnesota Statutes 1992, section 473.392, is amended to read:

473.392 [SERVICE BIDDING.]

The ~~regional transit board~~ metropolitan transit authority may competitively bid transit service only in accordance with standards, procedures, and guidelines adopted by ~~resolution of the board~~ chief administrator. The ~~board~~ transit authority shall establish a project management team to assist and advise the ~~board~~ transit authority in developing and implementing standards, procedures, and guidelines. The project management team must include representatives of the ~~metropolitan metro transit commission~~, the Amalgamated Transit Union Local 1005, private operators, local governments, and other persons interested in the subject. At least 60 days before adopting any standards, procedures, or guidelines for competitive bidding of transit service, the ~~board~~ transit authority shall hold a public hearing on the subject. The board shall publish notice of the hearing in newspapers of general circulation in the metropolitan area not less than 15 days before the hearing. At the hearing all interested persons must be afforded an opportunity to present their views orally and in writing. Following the hearing, and after considering the testimony, the ~~board~~ chief administrator shall revise and adopt the standards, procedures, and guidelines.

Sec. 84. [473.4041] [METRO TRANSIT.]

Subdivision 1. [ESTABLISHMENT.] Metro transit is established as a public corporation and a political subdivision of the state.

Subd. 2. [CHIEF ADMINISTRATOR.] (a) The chair of the metropolitan council shall appoint the chief administrator of metro transit after consultation with the commissioner of transportation and the chief administrator of the transit authority. The chief administrator must be chosen on the basis of training, experience, and other qualifications and shall serve at the pleasure of the council chair at the salary rate set by the council chair.

(b) The chief administrator has the powers and duties:

(1) to adopt measures the administrator considers necessary to enforce or carry out the powers and duties of metro transit, or necessary for the efficient administration of the affairs of metro transit;

(2) subject to the personnel code of metro transit, to appoint and remove on the basis of merit and fitness, all regular employees of metro transit;

(3) to prepare and submit to the transit authority for council approval the capital and operating budgets of metro transit, and other financial information, operations plans, implementation plans, and service plans as the transit authority may require;

(4) to submit annually a report to the transit authority and the council detailing metro transit's activities and finances for the previous year; and

(5) to perform other duties assigned by law or by the council chair.

Subd. 3. [ORGANIZATION.] Metro transit is organized into an operating division and an administration and operations planning division. The head of each division shall report to the chief administrator.

Subd. 4. [EMPLOYEES.] On July 1, 1993, all persons regularly employed by the metropolitan transit commission on June 30, 1993, are employees of metro transit, retain all rights to which they are entitled by contract or law, and continue in the same retirement or pension system to which they belonged before July 1, 1993. These employees shall perform duties as may be prescribed by metro transit. Section 473.141, subdivision 12, continues to apply to metro transit. Metro transit shall continue to perform the employer responsibilities of its predecessor agency as specified in Minnesota Statutes 1992, sections 473.417 and 473.418, as applicable. Nothing in this section shall be construed to give any employee of metro transit the right or privilege to continue in the same level or classification of employment previously held. Metro transit may assign any employee to an employment level and classification that it considers appropriate and desirable in accordance with its personnel code.

Subd. 5. [PROPERTY; CONTRACTS.] On July 1, 1993, metro transit succeeds to and is vested with all right, title, and interest in and to any property, real or personal, owned or operated by and any contracts held on June 30, 1993, by its predecessor agency, the metropolitan transit commission.

Sec. 85. Minnesota Statutes 1992, section 473.405, subdivision 5, is amended to read:

Subd. 5. [ACQUISITION OF TRANSIT SYSTEMS.] ~~The commission~~ Metro transit may acquire by purchase, lease, gift, or condemnation proceedings any existing public transit system or any part thereof, including all or any part of the plant, equipment, shares of stock, property, real, personal, or mixed, rights in property, reserve funds, special funds, franchises, licenses, patents, permits and papers, documents and records belonging to any operator of a public transit system within the metropolitan area, and may in connection therewith assume any or all liabilities of any operator of a public transit system. ~~The commission~~ Metro transit may not acquire any existing public transit system until the acquisition has been approved by the transit board authority and the metropolitan council. ~~The commission~~ Metro transit may take control of and operate a system immediately following the filing and approval of the initial petition for condemnation, if ~~the commission~~ metro transit, in its discretion, determines this to be necessary, and may take possession of all right, title and other powers of ownership in all properties and facilities described in the petition. Control must be taken by ~~resolution order of the chief administrator~~ resolution order which is effective upon service of a copy on the condemnee and the filing of the ~~resolution order~~ resolution order in the condemnation action. In the determination of the fair value of the existing public transit system, there must not be included any value attributable to expenditures for improvements made by the metro transit commission.

~~The commission~~ Metro transit may continue or terminate within three months of acquisition any advertising contract in existence by and between any advertiser and a transit system that ~~the commission~~ metro transit has acquired. If ~~the commission~~ metro transit determines to terminate the advertising contract, it shall acquire all of the advertiser's rights under the contract by purchase or eminent domain proceedings as provided by law.

Sec. 86. Minnesota Statutes 1992, section 473.408, subdivision 2a, is amended to read:

Subd. 2a. [REGULAR ROUTE FARES.] The board transit authority shall establish and enforce uniform fare policies for regular route transit in the metropolitan area. The policies must be stated in the board's three-year transit service implementation and financing plan. The policies must be consistent with the requirements of this section and the council's transportation policy plan. ~~The commission~~ Metro transit and other operators shall charge a base fare and any surcharges for peak hours and distance of service in accordance with the policies prescribed in the approved implementation plan of the transit board authority. ~~The commission~~ Metro transit and other operators shall submit their fare schedules to the board transit authority for approval.

Sec. 87. Minnesota Statutes 1992, section 473.409, is amended to read:

473.409 [AGREEMENTS WITH COMMISSION TRANSIT AUTHORITY; ENCOURAGEMENT OF TRANSIT USE.]

A state department or agency, including the legislative branch, any local governmental unit, the metropolitan council, or other metropolitan agency may enter into an agreement with the metro transit commission and other operators for the purpose of encouraging the use of transit by its employees residing in the metropolitan area. The agreement may provide for, among other things: (a) the advance purchase of tokens, tickets or other devices from the commission metro transit or other operator for use in lieu of fares on vehicles operated by the commission metro transit or other operator; and (b) special transit service for employees to and from their place of employment, at fares to be agreed upon by the contracting parties. The tokens, tickets, or other devices or services may be made available to employees at reduced rates. Any such agreement and arrangement by a state department or agency shall be submitted to the commissioner of administration for approval before execution. Any operating deficits or subsidy resulting from such agreements shall be assumed by the contracting department, agency, governmental unit, or council, ~~or other commission~~, unless otherwise provided in an agreement approved by the transit ~~board~~ authority.

Sec. 88. Minnesota Statutes 1992, section 473.415, subdivision 2, is amended to read:

Subd. 2. For any employees of the commission metro transit who were previously transferred to and appointed as employees of the former metropolitan transit commission upon completion of acquisitions of transit systems which occurred prior to the effective date of Laws 1978, chapter 538 July 1, 1978, the provisions of Laws 1978, chapter 538 shall replace the provisions of subdivision 1a relating to the pension obligations which the commission metro transit is required to assume, and the pension or retirement plan and pension trust funds which the commission metro transit is required to establish, maintain and administer. Upon compliance with the applicable provisions of Laws 1978, chapter 538, by the former metropolitan transit commission, metro transit shall not be deemed to have placed any employee of the commission metro transit who was previously transferred to and appointed as an employee of the metropolitan transit commission upon completion of acquisitions of transit systems which occurred prior to the effective date of Laws 1978, chapter 538 July 1, 1978, in any worse position with respect to pension and related benefits than the employee of the commission metro transit enjoyed as an employee of the acquired existing transit system.

Sec. 89. Minnesota Statutes 1992, section 473.415, subdivision 3, is amended to read:

Subd. 3. For any employees of the commission metro transit who are transferred to and appointed as employees of the commission metro transit upon completion of acquisitions of transit systems which occur subsequent to the effective date of Laws 1978, chapter 538 July 1, 1978, those employees shall be governed by the provisions of Laws 1978, chapter 538 unless the acquisition of the transit system which employed them immediately preceding the acquisition included the acquisition of a pension trust fund under the joint control of the acquired system and the participating employees through their representatives.

Sec. 90. Minnesota Statutes 1992, section 473.435, is amended to read:

473.435 [FINANCE.]

Subdivision 1. [BUDGET.] In furtherance of and in conformance with the ~~implementation plan plans~~ of the transit ~~board~~ authority, the metro transit commission each year shall prepare an annual budget, at the time, in the form, and containing the information prescribed by the board authority, and, ~~after holding a public hearing on the budget~~, shall submit the budget to the board for review and approval or disapproval transit authority for incorporation in the transit authority's proposed budget and for transmittal to the metropolitan council. The board council may approve or disapprove the budget in whole or in part. The board and may attach conditions to its approval. ~~The board shall approve elements that the board determines are in conformance with the board's implementation plan and budget and shall disapprove elements that the board determines are not in conformance with the board's implementation plan and budget.~~ The board transit authority shall return the budget to the commission metro transit, with comments indicating the reasons for any council disapproval. If necessary, the commission metro transit shall make any appropriate amendments and resubmit the budget to the board council for approval or disapproval.

Subd. 2. [AUDIT.] ~~The commission Metro transit~~ must be audited at least once each year. ~~The commission Metro transit~~ may elect to be audited by a certified public accountant or by the state auditor. If ~~the commission metro transit~~ chooses the state auditor, the state auditor shall ~~make an~~ audit, either directly or by subcontract, ~~of the commission's metro transit's~~ financial accounts and affairs at least once each year. Copies of the auditor's report shall be filed and kept open to public inspection in the offices of ~~the secretary of the commission metro transit, the board transit authority,~~ and the secretary of state. The information in the audit shall be contained in ~~the metro transit's~~ annual report and distributed in accordance with section 473.445. ~~The commission Metro transit~~ shall pay the total cost of the audit, including the salaries paid to the examiners while actually engaged in making the examination. The state auditor may bill monthly or at the completion of the audit. All collections received for the state audits must be deposited in the general fund.

Sec. 91. Minnesota Statutes 1992, section 473.436, subdivision 6, is amended to read:

Subd. 6. [TEMPORARY BORROWING.] On or after the first day of any fiscal year, ~~the commission metro transit~~ may borrow money which may be used or expended by ~~the commission metro transit~~ for any purpose, including but not limited to current expenses, capital expenditures and the discharge of any obligation or indebtedness of ~~the commission metro transit~~. The indebtedness must be represented by a note or notes which may be issued from time to time in any denomination and sold at public or private sale pursuant to ~~a resolution~~ an order of the chief administrator authorizing the issuance. The ~~resolution order~~ must set forth the form and manner of execution of the notes and shall contain other terms and conditions the ~~commission chief administrator~~ deems necessary or desirable to provide security for the holders of the notes. The note or notes are payable from committed or appropriated money from taxes, grants or loans of the state or federal government made to ~~the commission metro transit~~, or other revenues of ~~the commission metro transit~~, and the money may be pledged to the payment of the notes. ~~The commission Metro transit~~ is authorized to pledge to the payment of the note or notes taxes levied by the ~~regional transit board metropolitan council~~ under section 473.446, subdivision 1, clause (a), and if taxes are so pledged the ~~board council~~ shall transfer amounts received from the levy to ~~the commission metro transit~~ for payment of the note or notes. To the extent the notes are not paid from the grant or loan money pledged for the payment thereof, the principal and interest of the notes must be paid from any taxes received by the ~~transit board council~~ under section 473.446 and any income and revenue received by or accrued to ~~the commission metro transit~~ during the fiscal year in which the note or notes were issued, or other money of ~~the commission metro transit~~ lawfully available therefor.

Metro transit may not issue debt under this section without the approval of the council.

Sec. 92. Minnesota Statutes 1992, section 473.446, subdivision 1, is amended to read:

Subdivision 1. [TAXATION WITHIN TRANSIT TAXING DISTRICT.] For the purposes of sections ~~473.404~~ 473.4041 to 473.449 and the metropolitan transit system, except as otherwise provided in this subdivision, the ~~regional transit board council~~ shall levy each year upon all taxable property within the metropolitan transit taxing district, defined in subdivision 2, a transit tax consisting of:

(a) an amount which shall be used for payment of the expenses of operating transit and paratransit service and to provide for payment of obligations issued by ~~the commission metro transit~~ under section 473.436, subdivision 6;

(b) an additional amount, if any, the ~~board council~~ determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1985, to which property taxes under this section have been pledged; and

(c) an additional amount necessary to provide full and timely payment of certificates of indebtedness, bonds, including refunding bonds or other obligations issued or to be issued under section 473.39 by the council for purposes of acquisition and betterment of property and other improvements of a capital nature and to which the council or ~~former regional transit board~~ has specifically pledged tax levies under this clause.

The property tax levied by the ~~regional transit board for general purposes~~ council under clause (a) must not exceed the following amount for the years specified:

(1) ~~for taxes payable in 1988, the product of two mills multiplied by the total assessed valuation of all taxable property located within the metropolitan transit taxing district as adjusted by the provisions of Minnesota Statutes 1986, sections 272.64; 273.13, subdivision 7a; and 275.49;~~

(2) for taxes payable in 1989, the product of (i) the regional transit board's property tax levy limitation for general purposes for the taxes payable year 1988 determined under clause (1) multiplied by (ii) an index for market valuation changes equal to the assessment year 1988 total market valuation of all taxable property located within the metropolitan transit taxing district divided by the assessment year 1987 total market valuation of all taxable property located within the metropolitan transit taxing district; and

(3) for taxes payable in 1990 and subsequent years 1994, the product of (i) the former regional transit board's property tax levy limitation for general purposes for the previous year determined under this subdivision Minnesota Statutes 1992, section 473.446, subdivision 1, clause (3), multiplied by (ii) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan transit taxing district for the current assessment year divided by the total market valuation of all taxable property located within the metropolitan transit taxing district for the previous assessment year; and

(2) for taxes payable in 1995 and subsequent years, the product of (i) the council's property tax levy limitation for the previous year determined under this subdivision multiplied by (ii) an index for market valuation changes equal to the total market valuation of all taxable property located within the metropolitan transit taxing district for the current assessment year divided by the total market valuation of all taxable property located within the metropolitan transit taxing district for the previous assessment year.

For the purpose of determining the regional transit board's council's property tax levy limitation for general purposes for the taxes payable year 1988 and subsequent years under this subdivision, "total market valuation" means the total market valuation of all taxable property within the metropolitan transit taxing district without valuation adjustments for fiscal disparities (chapter 473F), tax increment financing (sections 469.174 to 469.179), and high voltage transmission lines (section 273.425).

The county auditor shall reduce the tax levied pursuant to this subdivision on all property within statutory and home rule charter cities and towns that receive full-peak service and limited off-peak service by an amount equal to the tax levy that would be produced by applying a rate of 0.510 percent of net tax capacity on the property. The county auditor shall reduce the tax levied pursuant to this subdivision on all property within statutory and home rule charter cities and towns that receive limited peak service by an amount equal to the tax levy that would be produced by applying a rate of 0.765 percent of net tax capacity on the property. The amounts so computed by the county auditor shall be submitted to the commissioner of revenue as part of the abstracts of tax lists required to be filed with the commissioner under section 275.29. Any prior year adjustments shall also be certified in the abstracts of tax lists. The commissioner shall review the certifications to determine their accuracy and may make changes in the certification as necessary or return a certification to the county auditor for corrections. The commissioner shall pay to the regional transit board council the amounts certified by the county auditors on the dates provided in section 273.1398. There is annually appropriated from the general fund in the state treasury to the department of revenue the amounts necessary to make these payments.

For the purposes of this subdivision, "full-peak and limited off-peak service" means peak period regular route service, plus weekday midday regular route service at intervals longer than 60 minutes on the route with the greatest frequency; and "limited peak period service" means peak period regular route service only.

Sec. 93. Minnesota Statutes 1992, section 473.446, subdivision 1a, is amended to read:

Subd. 1a. [TAXATION WITHIN TRANSIT AREA.] For the purposes of sections 473.404 473.4041 to 473.449, and the metropolitan transit system, the regional transit board council shall levy upon all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district, defined in subdivision 2, a transit tax, which shall be equal to ten percent of the sum of the levies provided in subdivision 1, clauses (a) to (c). The proceeds of this tax shall be used only for paratransit services or ride sharing programs designed to serve persons located within the transit area but outside of the transit taxing district.

Sec. 94. Minnesota Statutes 1992, section 473.446, subdivision 3, is amended to read:

Subd. 3. [CERTIFICATION AND COLLECTION.] Each county treasurer shall collect and make settlement of the taxes levied under subdivisions 1 and 1a with the treasurer of the board council. For taxes levied in 1992, payable in 1993, by the former regional transit board under Minnesota Statutes 1992, section 473.446, each county treasurer shall collect and make settlement of the taxes levied with the treasurer of the council. The levy of transit taxes pursuant to this section shall not affect the amount or rate of taxes which may be levied by any county or municipality or by the board council for other purposes authorized by law and shall be in addition to any other property tax authorized by law.

Sec. 95. Minnesota Statutes 1992, section 473.446, subdivision 7, is amended to read:

Subd. 7. [PROTECTION OF RIGHTS OF HOLDERS OF OUTSTANDING INDEBTEDNESS.] Beginning for taxes levied in 1984 1993, payable in 1985 1994, and for each succeeding year, the metro transit commission shall certify to the transit board council before October 1 of each year the amounts necessary to provide full and timely payment of certificates of indebtedness, bonds, and other obligations of the metro transit, until all debt of the metro transit is fully discharged. As part of its levy made pursuant to subdivisions subdivision 1 and 6, the board council shall levy the amounts certified by the metro transit and transfer the proceeds to the metro transit for payment of its obligations. The taxes must be levied, certified, and collected in accordance with the terms and conditions of the indebtedness. Nothing in Laws 1984, chapter 654 may impair the rights of holders of valid obligations of the metro transit commission to require a levy of property taxes. The board council shall take the actions necessary to comply with the terms and conditions of the obligations, including if necessary the levy of property taxes to provide for a deficiency.

Sec. 96. Minnesota Statutes 1992, section 473.446, subdivision 8, is amended to read:

Subd. 8. [STATE REVIEW.] The board council must certify its proposed property tax levy under this section to the commissioner of revenue by August 1 September 15 of the levy year. The commissioner of revenue shall annually determine whether the property tax for general purposes certified by the regional transit board council for levy following the adoption of its metro transit's and the authority's proposed budget is within the levy limitation imposed by subdivision 1. The commissioner shall also annually determine whether the transit tax imposed on all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district is within the levy limitation imposed by subdivision 1a. The determination must be completed prior to September November 1 of each year. If current information regarding market valuation in any county is not transmitted to the commissioner in a timely manner, the commissioner may estimate the current market valuation within that county for purposes of making the calculations.

Sec. 97. Minnesota Statutes 1992, section 473.504, subdivision 1, is amended to read:

Subdivision 1. The metropolitan council and the commission shall each have all powers which may be necessary or convenient to discharge the duties imposed upon them it by law. Such powers shall include those hereinafter specified, but the express grant or enumeration of powers shall not be deemed to limit the generality or scope of the grant of power contained in this subdivision. The exercise of any of its powers by the commission shall be consistent with the exercise by the metropolitan council of any of its powers. The council may delegate to the commission any powers conferred on the council under sections 473.503 to 473.547.

Sec. 98. Minnesota Statutes 1992, section 473.504, subdivision 5, is amended to read:

Subd. 5. The council or commission with the consent of the council may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, or any person for any of its purposes, including any grant available under the federal water pollution act amendments of 1972, whether for construction, research or pilot project implementation, may enter into any agreement required in connection therewith, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto. The commission with the consent of the council shall have all powers necessary to comply with the federal water pollution control act amendments of 1972 and any grant offered to it thereunder including, but not limited to, the power to enter into such contracts with, or to impose such charges upon, persons using the metropolitan disposal system as it shall determine to be necessary for the recovery of treatment works and interceptor costs paid with federal grant funds. Insofar as possible these costs shall be recovered by local government units on behalf of the commission council.

Sec. 99. Minnesota Statutes 1992, section 473.504, subdivision 6, is amended to read:

Subd. 6. The council or commission may act under the provisions of section 471.59, or any other appropriate law providing for joint or cooperative action between government units.

Sec. 100. Minnesota Statutes 1992, section 473.504, subdivision 7, is amended to read:

Subd. 7. The commission council may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with the design, construction and operation of the metropolitan disposal system; and may advise and assist the metro transit and other government units on system planning matters within the scope of its powers, duties, and objectives.

Sec. 101. Minnesota Statutes 1992, section 473.504, subdivision 9, is amended to read:

Subd. 9. The ~~commission~~ council may acquire by purchase, lease, condemnation, gift, or grant, any real or personal property including positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain, and operate any interceptor or treatment works determined to be necessary or convenient for the collection and disposal of sewage in the metropolitan area. Any local government unit and the commissioners of transportation and natural resources are authorized to convey to or permit the use of any such facilities owned or controlled by it by the council ~~or the commission~~, subject to the rights of the holders of any bonds issued with respect thereto, with or without compensation, without an election or approval by any other government agency. All powers conferred by this subdivision may be exercised both within or without the metropolitan area as may be necessary for the exercise by the council ~~or commission~~ of its powers or the accomplishment of its purposes. The ~~commission~~ council may hold such property for its purposes, and may lease any such property so far as not needed for its purposes, upon such terms and in such manner as it shall deem advisable. Unless otherwise provided, the right to acquire lands and property rights by condemnation shall be exercised in accordance with chapter 117, and shall apply to any property or interest therein owned by any local government unit; provided, that no such property devoted to an actual public use at the time, or held to be devoted to such use within a reasonable time, shall be so acquired unless a court of competent jurisdiction shall determine that the use proposed by the board is paramount to such use. Except in case of property in actual public use, the ~~commission~~ council may take possession of any property for which condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation.

Sec. 102. Minnesota Statutes 1992, section 473.511, subdivision 1, is amended to read:

Subdivision 1. [DUTY OF COMMISSION COUNCIL; ACQUISITION OF EXISTING FACILITIES; NEW FACILITIES.] ~~At any time after January 1, 1970, The waste control commission~~ council shall assume ownership of all existing interceptors and treatment works which will be needed to implement the council's comprehensive plan for the collection, treatment, and disposal of sewage in the metropolitan area, in the manner and subject to the conditions prescribed in subdivisions 2 and 4, and shall thereafter acquire, construct, equip, operate and maintain all additional interceptors and treatment works which will be needed for such purpose. The ~~commission~~ council shall assume ownership of all treatment works owned by a local government unit if any part of such treatment works will be needed for such purpose.

Sec. 103. Minnesota Statutes 1992, section 473.511, subdivision 2, is amended to read:

Subd. 2. [METHOD OF ACQUISITION; EXISTING DEBT.] The ~~commission, with the approval of the council,~~ may require any local government unit to transfer to the ~~commission,~~ council all of its right, title and interest in any interceptors or treatment works and all necessary appurtenances thereto owned by such local government unit which will be needed for the purpose stated in subdivision 1. Appropriate instruments of conveyance for all such property shall be executed and delivered to the ~~commission~~ council by the proper officers of each local government unit concerned. All persons regularly employed by a local government unit to operate and maintain any treatment works so transferred to the ~~commission~~ council, on the date on which the transfer becomes effective, shall be employees of the ~~commission~~ council, in the same manner and with the same options and rights as are reserved to employees of sanitary districts and joint boards under subdivision 3. The ~~commission~~ council, upon assuming ownership of any such interceptors or treatment works, shall become obligated to pay to such local government unit amounts sufficient to pay when due all remaining principal of and interest on bonds issued by such local government unit for the acquisition or betterment of the interceptors or treatment works taken over. Such amounts may be offset against any amount to be paid to the ~~commission~~ council by the local government unit as provided in section 473.517.

Sec. 104. Minnesota Statutes 1992, section 473.511, subdivision 4, is amended to read:

Subd. 4. [CURRENT VALUE OF EXISTING FACILITIES.] When the ~~commission~~ council assumes the ownership of any existing interceptors or treatment works as provided in subdivision 2 ~~or 3~~, the local government unit or units which paid part or all of the cost of such facility, directly or pursuant to contracts for reimbursement of costs, shall be entitled to receive a credit against amounts to be allocated to them under section 473.517, which may be spread over such period not exceeding 30 years as the ~~commission~~ council shall determine, and an additional credit equal to interest on the unused credit balance from time to time at the rate of four percent per annum. The amount of such credit shall equal the current value of the facility computed by the ~~commission~~ council in the manner provided in this subdivision at the time the ~~commission~~ council acquires it. The original cost of a facility shall be computed as the total actual costs of constructing it, including engineering, legal, and administrative costs, less any part of it paid from federal or state funds and less the principal amount of any then outstanding bonds which were issued to finance its

construction. The original cost shall be multiplied by a factor equal to a current cost index divided by the same cost index at the time of construction, to determine replacement cost. The cost indices used shall be the Engineering News Record Construction Cost Indices for facilities or parts thereof completed before 1930, and the United States Public Health Service Federal Water Pollution Control Values for Sewer and Treatment Plant Construction, as applied to facilities or parts thereof completed in or after 1930. The current value of the facility shall be the replacement cost depreciated by 2.50 percent per annum from the date of construction of treatment works and 1.25 percent per annum from the date of construction of interceptors; and decreased further by a reasonable allowance for obsolescence if the ~~board~~ council determines that the facility or any part thereof will not be useful for ~~board~~ council purposes for at least the remaining period required to depreciate it fully, assuming no salvage value. The current value of each such facility shall be credited to each local government unit in proportion to the amount of the construction cost paid by that unit, as determined by the ~~commission~~ council, taking into account reimbursements previously made under contracts between any of the local government units. The ~~commission~~ council shall prepare an itemized statement of the amount of credit each local government unit is entitled to receive under this subdivision, and the years and amounts of installments of principal and interest thereon, and shall cause it to be mailed or delivered to the governing body of each local government unit concerned. All credits allowed under this subdivision shall be used to finance current costs allocated to the local government unit by the ~~commission~~ council or for other sewer costs, and the credits shall not be considered as proceeds from the sale of municipal property so as to permit their use for other purposes.

Sec. 105. Minnesota Statutes 1992, section 473.516, subdivision 1, is amended to read:

Subdivision 1. [ACQUISITION AND OPERATION.] Without limiting the grant or enumeration of any of the powers conferred on the council ~~or commission~~ under sections 473.501 to 473.549, the ~~commission~~ council shall have the specific power to acquire by purchase, lease, condemnation, gift or grant any real or personal property including development rights as defined in section 473.833, positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain and operate waste facilities in the metropolitan area deemed to be necessary or convenient in connection with the processing or disposal of waste resulting from sewage treatment, and the ~~commission~~ council may contract for the maintenance and operation of such waste facilities, subject to the bidding requirements of section 473.523. The ~~commission~~ council may accept for processing waste derived from outside the metropolitan area in the state, as well as waste derived from within the metropolitan area, and may fix and collect fees and charges for the acceptance of waste as the ~~commission~~ council determines to be reasonable.

Sec. 106. Minnesota Statutes 1992, section 473.521, subdivision 3, is amended to read:

Subd. 3. [POWERS OF GOVERNMENT UNITS.] To accomplish any duty imposed on it by the council ~~or commission~~, the governing body of every government unit in the metropolitan area may exercise the powers granted any municipality by chapters 117, 412, 429, 475, sections 115.46, 444.075 and 471.59.

Sec. 107. Minnesota Statutes 1992, section 473.523, is amended to read:

473.523 [CONTRACTS FOR CONSTRUCTION MATERIALS, SUPPLIES, AND EQUIPMENT.]

Subdivision 1. No contract for any construction work, or for the purchase of materials, supplies, or equipment, costing more than ~~\$15,000~~ the amount specified by section 471.345, subdivision 3, shall be made by the commission without publishing once in a legal newspaper or trade paper published in a city of the first class not less than two weeks before the last day for submission of bids, notice that bids or proposals will be received. Such notice shall state the nature of the work or purchase and the terms and conditions upon which the contract is to be awarded, and a time and place where such bids will be received, opened, and read publicly. After such bids have been duly received, opened, read publicly, and recorded, the commission shall award such contract to the lowest responsible bidder or it may reject all bids and readvertise. Each contract shall be duly executed in writing and the party to whom the contract is awarded shall give sufficient bond or security to the board for the faithful performance of the contract as required by law. The commission shall have the right to set qualifications and specifications and to require bids to meet all such qualifications and specifications before being accepted. If the commission by an affirmative vote of two-thirds of its members declares that an emergency exists requiring the immediate purchase of materials or supplies at a cost in excess of ~~\$15,000~~ the amount specified by section 471.345, subdivision 3, or in making emergency repairs, it shall not be necessary to advertise for bids.

Subd. 2. The administrator may, without prior approval of the commission and without advertising for bids, enter into any contract of the type referred to in subdivision 1 which is not in excess of ~~\$15,000~~ the amount specified by section 471.345, subdivision 3.

Sec. 108. Minnesota Statutes 1992, section 473.549, is amended to read:

473.549 [RELATION TO EXISTING LAWS.]

The provisions of sections 473.501 to 473.549 shall be given full effect notwithstanding the provisions of any law not consistent therewith. The powers conferred on the council ~~and the commission~~ under sections 473.501 to 473.545 shall in no way diminish or supersede the powers conferred on the pollution control agency by sections 103F.701 to 103F.761 and chapters 115 and 116.

Sec. 109. Minnesota Statutes 1992, section 473.553, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] The metropolitan sports facilities commission is established and shall be organized, structured, and administered as provided in this section ~~and section 473.141, subdivisions 6 to 11, 13, and 14.~~

Sec. 110. Minnesota Statutes 1992, section 473.553, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] The commission shall consist of six members, appointed by ~~the governor during the period before substantial completion of construction of sports facilities pursuant to sections 473.551 to 473.595 and thereafter as hereinafter provided, plus a chair appointed as provided in subdivision 3.~~ Initial appointments of members shall be made within 30 days of May 17, 1977. ~~One member shall be appointed from each of the following combinations of metropolitan commission precincts defined in section 473.141, subdivision 2: A and B; C and C; D and E; F and H. Two members shall be appointed from outside the metropolitan area. Upon substantial completion of construction of the sports facility, vacancies occurring on the commission, whether at the completion of or prior to the completion of a member's term, shall be filled by the city council of the city in which the stadium is located.~~

Sec. 111. Minnesota Statutes 1992, section 473.553, subdivision 4, is amended to read:

Subd. 4. [QUALIFICATIONS.] ~~Each member appointed prior to substantial completion of construction of a sports facility constructed pursuant to sections 473.551 to 473.595 shall be a resident of the precincts or area of the state for which appointed. A member appointed at any time shall not during a term of office hold the office of metropolitan council member or be a member of another metropolitan agency that is subject to section 473.141 or hold any judicial office or office of state government. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, article V, section 6. The oath, duly certified by the official administering it, shall be filed with the chair of the metropolitan council.~~

Sec. 112. Minnesota Statutes 1992, section 473.553, subdivision 5, is amended to read:

Subd. 5. [TERMS.] ~~The terms of the members representing precincts A and B and C and C and the term of one of the members from outside the metropolitan area shall end the first Monday in January, 1981. The terms of the other members and the chair shall end the first Monday in January, 1983. After the initial term provided for in this subdivision, The term of each member and the chair shall be four years. The terms shall continue until a successor is appointed and qualified. Members and the chair may be removed in the manner specified in chapter 351.~~

Sec. 113. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 6. [VACANCIES.] If the office of any commission member becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that precinct was made. An office shall be deemed vacant under the conditions specified in chapter 351.

Sec. 114. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 7. [COMPENSATION.] Each commission member shall be paid \$50 for each day when the member attends one or more meetings or provides other services, as authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of duties in the same manner and amount as state employees. The chair shall receive, unless otherwise provided by other law, a salary in an amount fixed by the members of the commission and shall be reimbursed for reasonable expenses to the same extent as a member. The annual budget of the commission shall provide as a separate account anticipated expenditures for compensation, per diem, travel and associated expenses for the chair and members, and compensation or reimbursement shall be made to the chair and members only when budgeted.

Sec. 115. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 8. [REGULAR AND SPECIAL MEETINGS.] The commission shall meet regularly at least once each month at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chair or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.

Sec. 116. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 9. [PERSONNEL CODE; MERIT SYSTEM.] (a) The commission shall by resolution adopt a personnel code relating to the employees of the commissions. The code shall include a job classification plan, procedures for employment and promotion of personnel based on merit, procedures for the demotion, suspension, or discharge of employees, procedures for hearing grievances, procedures for salary administration, and other provisions that the commission deems appropriate. In addition, the code shall provide for the development by the commission of affirmative action plans, as provided in section 473.143. The chief administrator of the commission shall administer the code, and the commission shall not take any action inconsistent with the personnel code.

(b) All employees of the commission, except those expressly designated for the unclassified service, shall serve in the classified service. The unclassified service shall include: members of the commission, the chief administrator of the commission, all officers of the commission, any employee of the commission who is determined by the commission to have a confidential relationship to the commission and any employee of the commission expressly exempted from the classified service by law. Each code shall also include procedures for open competitive examinations to test the relative skill or ability of all applicants for positions in the classified service. Examinations may consist of written or oral tests of the subjective or objective type, physical tests, and practical or demonstration tests for the evaluation of past training and experience. Oral tests may be used to test the applicant's knowledge of the position applied for or personal fitness for the position. If there is more than one applicant for a position, each code shall provide for the employment of one of the three applicants best qualified for it.

(c) When a commission employee has been demoted, suspended, or dismissed by the chief administrator, the employee may, within 30 days after such action becomes effective, file with the commission a written request for a hearing showing the position from which the employee was dismissed, the date of dismissal, and the reason for requesting the hearing, full name, and present mailing address. Upon receipt of a request for a hearing, the commission shall appoint three of its members to act as an appeals committee and preside at a hearing on the action of the administrator. The hearing shall be held within 30 days after the request is received by the commission, upon written notice mailed or delivered to the employee at the employee's present mailing address, not less than seven days before the hearing. The appeals committee shall approve or disapprove the action of the administrator, and in the case of approval the action of the administrator shall be final. In the case of disapproval the appeals committee may reinstate the employee under the conditions that it deems proper, and may order the payment to the employee of the compensation lost as a result of the demotion, suspension, or dismissal.

Sec. 117. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 10. [SECRETARY AND TREASURER.] At its first regular meeting each year the commission shall appoint a secretary and a treasurer or, in the alternative, a secretary-treasurer. The secretary and treasurer, or secretary-treasurer, may, but need not be, members of the commission, and shall hold office at the pleasure of the commission, subject to the terms of any contract of employment which the commission may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the commission and shall be the custodian of all books and records of the commission except those that the commission shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all money received by the commission except money that the commission shall entrust to the custody of a designated employee. The commission may appoint a deputy to perform any and all functions of either the secretary or the treasurer.

Sec. 118. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 11. [CHIEF ADMINISTRATOR.] The chair of the commission shall, subject to the approval of the commission, appoint a chief administrator who shall be chosen solely on the basis of training, experience, and other qualifications, and who shall serve at the pleasure of the commission. The administrator shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:

- (1) see that all resolutions, rules, or orders of the commission are enforced;
- (2) appoint and remove, subject to the provisions of the personnel code adopted under subdivision 9, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission;
- (3) present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission adoption of measures that the administrator deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission;
- (4) keep the commission fully advised as to its financial condition, and prepare and submit to the commission its annual budget and other financial information as it may request;
- (5) recommend to the commission for adoption rules that the administrator deems necessary for the efficient operation of the commission's functions; and
- (6) perform other duties prescribed by the commission.

Sec. 119. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 12. [COMMISSION OPERATING PROCEDURES.] (a) The commission shall adopt resolutions and bylaws, an administrative code establishing procedures for commission action, keeping records, approving claims, authorizing and making disbursements, authorizing contracts, safekeeping funds, and audit of all financial operations of the commission.

(b) The commission and the metropolitan council may enter into contracts with each other and with other commissions and governmental units for the joint exercise of powers in the manner provided by section 471.59.

The commission shall not enter into any contract with the metropolitan council which would assign any operations authority, responsibility, or function, other than planning or making studies, from the commission to the metropolitan council.

Sec. 120. Minnesota Statutes 1992, section 473.553, is amended by adding a subdivision to read:

Subd. 13. [RELOCATION PAYMENT STANDARDS.] In all acquisitions the commission shall provide as a cost of acquisition the relocation assistance, services, payments, and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, United States Code, title 42, section 4601, et seq.

Sec. 121. [473.554] [BUDGET.]

The commission shall file its budget with the secretary of the senate and the chief clerk of the house of representatives by January 15 of the first year of each biennium for review by the committees of each body that have jurisdiction over the commission.

Sec. 122. Minnesota Statutes 1992, section 473.858, subdivision 1, is amended to read:

Subdivision 1. Within three years following the receipt of the metropolitan system statement, every local governmental unit shall have prepared a comprehensive plan in accordance with sections 462.355, subdivision 4, 473.175, and 473.851 to 473.871 and the applicable planning statute and shall have submitted the plan to the metropolitan council for review pursuant to section 473.175. The provisions of sections 462.355, subdivision 4, 473.175, and 473.851 to 473.871 shall supersede the provisions of the applicable planning statute wherever a conflict may exist. ~~If the comprehensive municipal plan is in conflict with the zoning ordinance, the zoning ordinance supersedes the plan.~~

Sec. 123. Minnesota Statutes 1992, section 473.865, subdivision 1, is amended to read:

Subdivision 1. Each local governmental unit shall adopt official controls as described in its adopted comprehensive plan and shall submit copies of the official controls to the council within 30 days following adoption thereof, for information purposes only. The official controls adopted shall implement the purpose, objectives, and policies of the comprehensive plan. Zoning ordinances and subdivision regulations must not allow land use and development that will effectively prevent the planned land use as designated within specific areas of the comprehensive plan. The determination of the timing of the implementation of the comprehensive plan shall be at the sole discretion of the governing body. The provisions of this subdivision do not limit the applicability of the requirements in subdivision 3.

Sec. 124. Minnesota Statutes 1992, section 629.40, subdivision 5, is amended to read:

Subd. 5. [OFFICERS APPOINTED BY METROPOLITAN TRANSIT COMMISSION COUNCIL.] An off-duty peace officer as defined in section 626.84, subdivision 1, paragraph (c), may be employed by the metropolitan ~~transit commission~~ council to police its transit property and routes and may make an arrest under section 629.34 while on duty for the metropolitan ~~transit commission~~ council anywhere within the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington. The powers of arrest may only be exercised in connection with investigations authorized by the ~~commission council~~ council that relate to ~~commission council~~ transit property, equipment, employees, and passengers.

Sec. 125. [LABOR REPRESENTATION.]

The exclusive representatives and appropriate units under Minnesota Statutes, chapter 179A, that exist for the metropolitan council, metropolitan agencies, and other bodies subject to Minnesota Statutes, chapter 473, on the effective date of this act shall, after the act's effective date, continue to be recognized under Minnesota Statutes, chapter 179A for the purposes of public employment labor relations.

Sec. 126. [COORDINATED PERSONNEL POLICIES AND SERVICES.]

The chairs of the council and the metropolitan agencies shall establish a task force to develop a plan for implementing personnel policies that are uniform among each of the metropolitan agencies and the council. The task force shall also conduct a study of the feasibility of establishing a unified personnel or human resources department that would take the place of the agencies' and the council's separate personnel or human resources departments or offices. The study shall examine a suggested time frame for implementing a unified personnel or human resources department or office, the estimated cost of the change, and the estimated cost increases or decreases over three, five, and ten years following implementation of the unified department or office. The task force shall complete its work and the chair of the council shall report on its results to the legislature by January 15, 1994. The task force shall also evaluate and develop a joint or uniform and coordinated exercise of powers by the council and metropolitan agencies for other appropriate administrative functions. The study must include at least ongoing managerial reporting, contracts, purchasing, and data processing. The council shall report to the legislature annually on the findings, recommendations, and implementation of the recommendations of the task force to date and on legal and other impediments to increased coordination of administrative functions. Before submitting the report, the council shall request comments on the report from the affected metropolitan agencies, and the comments must be submitted along with the report.

Sec. 127. [TRANSFER OF POWERS.]

Minnesota Statutes, section 15.039, applies to the transfer of metropolitan agencies' powers, duties, rights, obligations, and other authority imposed by law on any of the agencies to the metropolitan council under this act.

Sec. 128. [PLANS; POLICIES.]

All plans and policies adopted by any metropolitan agency affected by this act as required or permitted by Minnesota Statutes, chapter 473, or any other law continue in force and effect as plans and policies of the metropolitan council, effective on the effective date of this section until expired by their own terms, superseded by new plans or policies adopted by the council, or repealed by resolution of the council.

Sec. 129. [JOINT LIGHT RAIL TRANSIT ADVISORY COMMITTEE.]

The joint light rail transit advisory committee established by the regional transit board pursuant to Minnesota Statutes 1992, section 473.3991, may at the discretion of the metropolitan council continue after the transfer of the regional transit board's powers and duties to the metropolitan council under this act.

Sec. 130. [RIGHTS OF HOLDERS OF VALID OBLIGATIONS.]

Nothing in this act may impair the rights of holders of valid obligations of any metropolitan agency to require a levy of property taxes. The metropolitan council shall take the actions necessary to comply with the terms and conditions of the obligations including, if necessary, the levy of property taxes to provide for a deficiency.

Sec. 131. [PENSION.]

Any employee of a metropolitan agency who becomes an employee of the metropolitan council upon the transfer of the agency's powers and duties to the council and the dissolution of the agency, who continued coverage under Minnesota Statutes, chapter 353, pursuant to Minnesota Statutes 1992, section 473.373, subdivision 8, has the option of continuing coverage under Minnesota Statutes, chapter 353.

Sec. 132. [METROPOLITAN AGENCY APPOINTMENTS.]

The terms of metropolitan agencies' members and chairs, except the terms of the metropolitan airports commission members and chair, terminate upon the effective date of this section.

Sec. 133. [TRANSITION; CONTINUATION OF TERMS.]

Council members and the chair appointed pursuant to Minnesota Statutes, section 473.123, representing council districts 1 through 16, described in Minnesota Statutes 1992, section 473.123, and holding office on the effective date of this section, and any successor appointed to fill a vacancy, shall continue in office until council members have been elected and qualified as provided in this act. Upon the election and qualification of council members under this act, the terms of appointed members and the chair terminate.

Sec. 134. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall change the terms "metropolitan agency," "metropolitan waste control commission," "metropolitan waste control commission created by section 473.503," "waste control commission," "metropolitan parks and open space commission," "commission," or similar terms wherever they are used in Minnesota Statutes 1992 to refer to a metropolitan agency as defined in Minnesota Statutes 1992, section 473.121, subdivision 5a, other than the metropolitan airports commission or the metropolitan sports facilities commission, to "metropolitan council" or "council" in the next edition of Minnesota Statutes, unless the terms are in sections of this act, sections 3.971, subdivision 2; 352.271; 352.75; 473.3997; 473.564; 473.565, subdivisions 3 and 4; 473.581, subdivision 3; 473.592, subdivision 1; or the context clearly indicates different meaning.

The revisor of statutes shall change the term "regional transit board," "transit board," "board," or "regional transit board created by section 473.373," or similar terms wherever they are used in Minnesota Statutes 1992 to refer to the regional transit board defined in Minnesota Statutes 1992, section 473.121, subdivision 14a, to "metropolitan transit authority" or "transit authority" in the next and subsequent editions of Minnesota Statutes, as appropriate and consistent with this act. The revisor of statutes shall change the terms "metropolitan transit commission," "transit commission," "commission," "metropolitan transit commission created in section 473.404," or similar terms wherever they are used in Minnesota Statutes 1992 to refer to the metropolitan transit commission defined in Minnesota Statutes 1992, section 473.121, subdivision 15, to "metro transit" in the next and subsequent editions of Minnesota Statutes as appropriate and consistent with this act.

In each section of Minnesota Statutes referred to in column A, the revisor of statutes shall delete the reference in column B and insert the reference in column C.

Column A

169.781, subd. 1
~~473.405, subd. 1~~
~~473.405, subd. 12~~
~~473.411, subd. 4~~
~~473.411, subd. 5~~
~~473.449~~

Column B

473.404
~~473.404~~
~~473.404~~
~~473.404~~
~~473.404~~
~~473.404~~

Column C

473.4041
~~473.4041~~
~~473.4041~~
~~473.4041~~
~~473.4041~~
~~473.4041~~

The revisor of statutes shall make conforming corrections to Minnesota Rules.

In the next edition of Minnesota Statutes, the revisor of statutes is directed to change the reference in Minnesota Statutes, section 473.704, subdivision 19, from "473.1623, subdivision 3," to "473.131, subdivision 1," and the references in Minnesota Statutes, sections 473.405, subdivision 12, 473.411, subdivisions 4 and 5, 473.415, subdivision 1, 473.446, subdivision 1a, and 473.449, from "473.404" to "473.405." In the next edition of Minnesota Statutes, the revisor of statutes is directed to delete the reference to section 473.413 in Minnesota Statutes, section 3.9741. The revisor of statutes is directed to change references in Minnesota Statutes 1992 to "sixteen" metropolitan council districts or members wherever either appears to "seventeen" in the next edition of Minnesota Statutes.

Sec. 135. [REPEALER.]

Minnesota Statutes 1992, sections 174.22, subdivision 4; 473.121, subdivisions 12, 14a, 15, and 21; 473.123, subdivision 3; 473.141; 473.161, subdivision 2; 473.1623; 473.1631; 473.301, subdivision 4; 473.303; 473.373, subdivisions 4a, 5, 6, and 8; 473.375, subdivisions 7 and 16; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.404; 473.405, subdivisions 1 and 2; 473.416; 473.417; 473.418; 473.436, subdivision 7; 473.445; 473.501, subdivision 2; 473.503; 473.504, subdivisions 2 and 3; 473.511; subdivision 3; 473.517, subdivision 9; 473.535; 473.543, subdivision 5, are repealed.

Sec. 136. [APPROPRIATION.]

\$100,000 is appropriated in fiscal year 1994 from the general fund to the metropolitan council to analyze options and develop a plan for an 800 megahertz radio system in the metropolitan area.

Sec. 137. [APPLICATION.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 138. [EFFECTIVE DATES.]

Sections 4, 16 as it relates to the council chair, 17, 31, 33, and 34 are effective the first Monday in January 1995.

Section 92 is effective for taxes payable in 1994 and subsequent years."

Delete the title and insert:

"A bill for an act relating to metropolitan government; providing for an elected metropolitan council; eliminating the metropolitan transit commission, the regional transit board, the metropolitan parks and open space commission, and the metropolitan waste control commission, and transferring their powers and duties to the council; providing for the transportation advisory board to review and approve transit assistance and contracts and to serve as an arbitrator between transit providers in the metropolitan area; amending Minnesota Statutes 1992, sections 6.76; 10A.01, subdivision 18; 15.0597, subdivision 1; 15A.081, subdivisions 1 and 7; 174.04; 174.22, by adding a subdivision; 174.23, subdivision 4; 174.24, subdivision 2; 174.32, subdivision 3; 204B.32, subdivision 2; 252.478, subdivision 2; 352.01, subdivisions 2a and 2b; 352.75, subdivision 2; 352D.02, subdivision 1; 353D.01, subdivision 2; 422A.01, subdivision 9; 422A.101, subdivision 2a; 462.357, subdivision 2; 471A.02, subdivision 8; 473.121, subdivisions 5a, 11, and by adding subdivisions; 473.122; 473.123, subdivisions 1, 2a, 3a, 4, 5, 6, and by adding subdivisions; 473.129, subdivision 6, and by adding a subdivision; 473.13, subdivision 1, and by adding subdivisions; 473.143, subdivision 1; 473.146, subdivisions 1, 2, 2a, 2b, 2c, and 4; 473.147; 473.153, subdivisions 1 and 4a; 473.161, subdivisions 1a, 1b, 2a, and 3; 473.164; 473.167, subdivision 1; 473.168, subdivision 2; 473.175, subdivision 1; 473.223; 473.313, subdivision 2; 473.315, subdivision 1; 473.333; 473.351, subdivision 3; 473.371, subdivision 1; 473.373, subdivision 1, and by adding subdivisions; 473.375, subdivisions 5, 11, and 17; 473.382; 473.384, subdivisions 3 and 7; 473.385, subdivision 2; 473.386, subdivision 2; 473.39; 473.391; 473.392; 473.405, subdivision 5; 473.408, subdivision 2a; 473.409; 473.415, subdivisions 2 and 3; 473.435; 473.436, subdivision 6; 473.446, subdivisions 1, 1a, 3, 7, and 8; 473.504, subdivisions 1, 5, 6, 7, and 9; 473.511, subdivisions 1, 2, and 4; 473.516, subdivision 1; 473.521, subdivision 3; 473.523; 473.549; 473.553, subdivisions 1, 2, 4, 5, and by adding subdivisions; 473.858, subdivision 1; 473.865, subdivision 1; and 629.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 1992, sections 174.22, subdivision 4; 473.121, subdivisions 12, 14a, 15, and 21; 473.123, subdivision 3; 473.141; 473.161, subdivision 2; 473.1623; 473.1631; 473.301, subdivision 4; 473.303; 473.373, subdivisions 4a, 5, 6, and 8; 473.375, subdivisions 7 and 16; 473.38; 473.384, subdivision 9; 473.388, subdivision 6; 473.404; 473.405, subdivisions 1 and 2; 473.416; 473.417; 473.418; 473.436, subdivision 7; 473.445; 473.501, subdivision 2; 473.503; 473.504, subdivisions 2 and 3; 473.511, subdivision 3; 473.517, subdivision 9; 473.535; and 473.543, subdivision 5."

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. 1092, A bill for an act relating to pollution control; oil and hazardous substance discharge; allowing for a single corporate prevention and response plan; extending completion date for a response plan; modifying a notification form; establishing fees; establishing accounts in the environmental fund; creating a spill prevention and preparedness advisory council; requiring notification of pipeline petroleum discharges; imposing penalties; appropriating money; amending Minnesota Statutes 1992, section 115E.04, subdivisions 1, 2, and 3; proposing coding for new law in Minnesota Statutes, chapter 115E.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 115E.04, subdivision 1, is amended to read:

Subdivision 1. [PLAN CONTENTS.] Persons required to show specific preparedness under section 115E.03, subdivision 2, shall prepare and maintain a prevention and response plan for a worst case discharge. The plan must:

(1) describe how it is consistent with the requirements of the national or area contingency plans developed under the Oil Pollution Act of 1990;

(2) describe the measures taken to prevent discharges from occurring, including prevention of a worst case discharge, prevention of discharges of lesser magnitude, and prevention of discharges similar to those that have occurred from the vessel or facility during its history of operation;

(3) identify the individual or individuals having full authority to implement response actions, and those individuals' qualifications and titles;

(4) identify how communication and incident command relationships will be established between the individuals in command of a vessel or facility response and the following persons:

(i) individuals in the employ of the owner or operator of the vessel or facility who are responding to the discharge;

(ii) appropriate federal, state, and local officials; and

(iii) other persons providing emergency response equipment and personnel;

(5) describe the facility or vessel and identify the locations and characteristics of potential worst case discharges from the vessel or facility;

(6) identify the means under section 115E.03, subdivision 4, that will be used to satisfy the requirement to have adequate equipment and personnel to respond to a worst case discharge;

(7) contain copies of contracts, correspondence, or other documents showing that adequate personnel and equipment as described in section 115E.03, subdivision 4, will be available to respond to a worst case discharge;

(8) describe the actions that will be taken by the persons described in section 115E.03, subdivision 4, in the event of a worst case discharge; and

(9) describe the training, equipment testing, periodic drills, and unannounced drills that will be used to ensure that the persons and equipment described in section 115E.03, subdivision 4, are ready for response.

A single corporate prevention and response plan may be prepared by a person owning or operating more than one mobile facility including vessels, trucks or cargo trailer rolling stock, railroad car rolling stock, or transportation related facilities including pipelines, as long as the single plan considers response in all areas of Minnesota in which the facility is operated. For each facility in a fixed location, including facilities with tank storage or transfer operations, a separate plan, or a separate individual section of a corporate master plan, must be prepared.

A plan submitted to the federal government under the Oil Pollution Act of 1990 or prepared under other law may be used to satisfy the requirements in clauses (1) to (9) provided that the information required by clauses (1) to (9) is included in the plan.

Sec. 2. Minnesota Statutes 1992, section 115E.04, subdivision 2, is amended to read:

Subd. 2. [TIMING.] (a) A person required to be prepared under section 115E.03, ~~other than a person who owns or operates a motor vehicle, rolling stock, or a facility that stores less than 250,000 gallons of oil or a hazardous substance,~~ shall complete the response plan required by this section by ~~March 1, 1993~~ January 1, 1994, unless one of the commissioners orders the person to demonstrate preparedness at an earlier date under section 115E.05. Plans must be updated every three years. Plans must be updated before three years following a significant discharge, upon significant change in vessel or facility operation or ownership, upon significant change in the national or area contingency plans under the Oil Pollution Act of 1990, or upon change in the capabilities or role of a person named in a plan who has an important response role.

~~(b) A person who owns or operates a motor vehicle, rolling stock, or a facility that stores less than 250,000 gallons of oil or a hazardous substance shall complete the response plan required by this section by January 1, 1994.~~

Sec. 3. Minnesota Statutes 1992, section 115E.04, subdivision 3, is amended to read:

Subd. 3. [NOTIFICATION.] (a) The commissioner of public safety must be notified when any of the following takes place:

- (1) submission of the plan to the federal government;
- (2) granting of exemptions or extensions of time by the federal government for submission of the plan; or
- (3) completion of the plan if submission to the federal government is not required.

(b) Notification under this subdivision must be on a form prescribed by the commissioner of public safety and must include:

- (1) a description of the facility or vessel;
- (2) a description of the activities involving oil or hazardous substances;
- (3) a description of the types of materials being handled, including whether agricultural chemicals are involved; and

(4) a telephone number through which the person notifying the commissioner can be contacted during business and nonbusiness hours; and

(5) other information required by the commissioner.

(c) The commissioner of public safety shall transmit a copy of the notification to the other commissioners as appropriate, depending on the types of materials involved.

Sec. 4. [115E.10] [FEES ESTABLISHED.]

Subdivision 1. [RULEMAKING.] The commissioner of the pollution control agency shall adopt rules to levy a fee to be paid by persons required to prepare a response plan under section 115E.04, subdivision 2. The fees shall be set so as to recover appropriations made from the environmental fund to the commissioner of the pollution control agency for the purposes of this chapter. The fees shall be credited to a spill prevention and oversight account in the environmental fund.

Subd. 2. [FEE FACTORS.] When determining fee levels for different types of facilities, the commissioner of the pollution control agency shall consider:

- (1) the likelihood of a discharge from each type of facility;

(2) the potential magnitude, hazard, and state oversight requirement for each potential discharge type;

(3) the administrative feasibility of collecting a fee from each type of facility; and

(4) the fee amount paid by each type of facility under section 221.0335 or 299K.095.

Subd. 3. [ADJUSTMENTS.] The commissioner of the pollution control agency may prescribe, by rule, fee credits or other adjustments for actions that promote prevention of discharges or adequate response preparedness.

Sec. 5. [115E.11] [SPILL PREVENTION AND OVERSIGHT ACCOUNT.]

(a) A spill prevention and oversight account is established in the environmental fund. The account consists of fees paid under section 115E.10, penalties for violations of this chapter or section 115.061, and gifts and grants.

(b) The money in the account may be spent for activities of the commissioner of the pollution control agency related to the commissioner's responsibility under section 299A.50, subdivision 3, and other law to assess environmental damage caused by oil or hazardous substance discharges or hazardous materials incidents and to provide oversight of long-term monitoring and remediation of any environmental damage, including:

(1) staff salaries and related expenses;

(2) administrative purposes;

(3) seminars, conferences, and training or exercises related to spill prevention and preparedness for public and private responders, oil and substance handlers, and response organizations; and

(4) costs of collecting and auditing the accuracy of fees paid under section 115E.10.

(c) Money in the account may be spent for activities of the department of natural resources, including staff salaries and administrative expenses, related to determining and mapping sensitive habitats or other areas that require additional protection or response oversight. Money in the account may also be spent for department participation in seminars, conferences, and training or exercises as specified in paragraph (b).

(d) The commissioners of the agency and department shall use any appropriation made for the purposes in paragraph (b) to ensure that staff have the best available training in oil and hazardous substances discharge response and hazardous material incident response and techniques for incorporating long-term environmental damage prevention and remediation into both the initial response and later environmental assessments, monitoring, and remediation.

Sec. 6. [115E.12] [PIPELINE AND RAIL FUELING FACILITY FOLLOW-UP.]

Subdivision 1. [PIPELINE DISCHARGE SITE NOTIFICATION.] (a) By July 1, 1995, owners or operators of hazardous liquid pipeline facilities may provide a written report to the pollution control agency of the leaks, ruptures, breaks, repairs, maintenance problems, or other incidents in which petroleum was or may have been discharged prior to the effective date of this act from the pipeline or pipeline pump stations within the state. The report shall include:

(1) the discharge or discharge discovery date;

(2) pipeline milepost and approximate legal description of the incident location;

(3) known circumstances of the discharge or possible discharge;

(4) the approximate volume of the discharge; and

(5) a description of the cleanup undertaken by the owner or operator and by previous owners or operators.

(b) In compiling the report, the owner or operator shall at a minimum:

(1) examine reports made to the United States Department of Transportation Office of Pipeline Safety and predecessor offices;

(2) examine files of cleanups undertaken by the owner or operator and the files of predecessor owners or operators which may be in the possession of or available to the owner or operator;

(3) examine the pipeline charts and maintenance records to identify sections of pipeline that have been repaired or replaced since original installation and determine whether each repair or replacement was associated with a discharge; and

(4) interview employees or former employees who have knowledge of the historic operation of the pipeline.

Subd. 2. [RAIL REFUELING FACILITY NOTIFICATION.] (a) By July 1, 1995, owners or operators of railroads that transfer more than 1,000,000 gallons of fuel into railroad engines per year may provide a written report to the pollution control agency of the facilities at which the owner or operator and predecessor owners or operators have refueled railroad engines prior to the effective date of this act within the state. The report shall include:

(1) the approximate legal description of the facility location;

(2) the years in which the facility has operated;

(3) the approximate yearly volume of refueling done at the facility;

(4) whether an investigation of petroleum contamination has ever been done at the facility;

(5) whether soil or track ballast visibly contaminated by fuel is present at the facility;

(6) whether fueling at the facility is done from a fixed location or via mobile tanks;

(7) whether track pans or other means to contain fueling spills are in place at the facility and the approximate date of installation; and

(8) a description of any fuel cleanups undertaken at the facility by the owner or operator and by previous owners or operators.

(b) In compiling the report, the owner or operator shall at a minimum:

(1) examine records of cleanups undertaken by the owner or operator and those records of predecessor owners or operators which may be in the possession of or available to the owner or operator;

(2) examine the fueling and land ownership records of the owner or operator and those records of predecessor owners or operators which may be in the possession of or available to the owner or operator; and

(3) interview employees or former employees who have knowledge of the past operation of the railroad.

Subd. 3. [LIMITING PENALTIES WHEN APPROPRIATE ACTION TAKEN.] (a) For discharge sites or facilities listed in reports submitted under subdivision 1, paragraph (a), or subdivision 2, paragraph (a), the agency shall not seek or impose penalties when an owner or operator who has failed to report or recover the discharge under section 115.061 takes appropriate action to report and correct confirmed discharges under this section.

(b) This section does not affect (1) the obligation of the owner or operator under section 115.061 to recover discharged material once it has been discovered; or (2) the authority of the agency, commissioner, or attorney general to order or compel investigations or corrective actions or to obtain information regarding discharges or releases.

Sec. 7. Minnesota Statutes 1992, section 299A.50, is amended by adding a subdivision to read:

Subd. 3. [LONG-TERM OVERSIGHT; TRANSITION.] When a regional hazardous materials response team has completed its response to an incident, the commissioner shall notify the commissioner of the pollution control agency who is responsible for assessing environmental damage caused by the incident and providing oversight of monitoring and remediation of that damage from the time the response team has completed its activities.

Sec. 8. [APPROPRIATION AND COMPLEMENT.]

Subdivision 1. \$..... is appropriated for the fiscal year ending June 30, 1994, from the environmental fund to the commissioner of the pollution control agency to be available for the purposes of Minnesota Statutes, chapter 115E, and the complement of the pollution control agency is increased by .. positions.

Subd. 2. \$..... is appropriated for the fiscal year ending June 30, 1995, from the environmental fund to the commissioner of the pollution control agency for the purposes of Minnesota Statutes, chapter 115E, and the complement of the pollution control agency is increased by .. positions.

Subd. 3. \$..... is appropriated for the biennium ending June 30, 1995, from the environmental fund to the commissioner of the department of natural resources for the purposes of Minnesota Statutes, chapter 115E, and the complement of the department of natural resources is increased by .. positions.

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete everything before "requiring"

Page 1, line 9, delete everything after the first semicolon

Page 1, line 11, delete "section" and insert "sections" and after the semicolon insert "and 299A.50, by adding a subdivision;"

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.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1106, A bill for an act relating to the environment; changing methods for assessing and collecting hazardous waste administration fees; providing for rulemaking; amending Minnesota Statutes 1992, section 116.12.

Reported the same back with the following amendments:

Page 2, line 11, delete "To" and insert "The rules must"

Page 2, line 12, delete ", the agency also may base" and insert "by basing"

Page 3, lines 8 to 13, reinstate the stricken language

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.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1107, A bill for an act relating to waters; establishing a safe harbors program for Lake Superior; stating powers and duties of the commissioner of natural resources and local authorities in respect thereto; proposing coding for new law in Minnesota Statutes, chapter 86A.

Reported the same back with the following amendments:

Page 1, line 11, delete everything after "watercraft" and insert a period

Page 1, delete lines 12 to 20, and insert:

"Subd. 2. The legislature further finds that a system of small craft harbors, in the sites identified in subdivision 3, on the Lake Superior shoreline is environmentally feasible, might increase the level of safety for boaters using those waters, and that such a system may provide economic benefits to the communities on the north shore."

Page 1, line 22, after the second comma insert "as amended March 2, 1993,"

Page 1, line 24, delete everything after "Portage" and insert "only."

Delete page 1, line 25 to page 2, line 1

Page 2, line 12, delete "HARBOR OF REFUGE" and insert "SMALL CRAFT HARBOR" and delete "'Harbor of refuge'" and insert "'Small craft harbor'"

Page 2, lines 27 and 33, delete "harbors of refuge" and insert "small craft harbors"

Page 2, line 29, delete everything after the first "the"

Page 2, line 30, delete "Minnesota" and insert "locations identified in section 1, subdivision 3"

Page 2, lines 34 and 35, delete "harbors of refuge" and insert "small craft harbors"

Page 2, line 36, delete "harbors of"

Page 3, line 1, delete "refuge" and insert "small craft harbors" and insert a comma after "property"

Page 3, lines 5, 8, 11, 17, and 19, delete "harbors of refuge" and insert "small craft harbors"

Page 3, lines 23 and 24, delete "harbors of refuge" and insert "small craft harbors"

Page 4, delete lines 9 to 11, and insert:

"(2) enter into agreements with the chief of engineers or designee of the chief to provide the funds and other items of local cooperation required as a condition precedent to the construction of a harbor, mooring facility, or marina project; and"

Amend the title as follows:

Page 1, line 2, delete "safe" and insert "small craft"

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1180, A bill for an act relating to health; implementing recommendations of the Minnesota health care commission; defining and regulating integrated service networks; requiring regulation of all health care services not provided through integrated service networks; establishing data reporting and collection requirements; establishing other cost containment measures; providing for voluntary commitments by health plans and providers to limit the rate of growth in total revenues; permitting expedited rulemaking; requiring certain studies; providing penalties; appropriating money; amending Minnesota Statutes 1992, sections 3.732, subdivision 1; 60A.02, subdivision 1a; 62A.021, subdivision 1; 62A.65; 62E.02, subdivision 23; 62E.10, subdivisions 1 and 3; 62E.11, subdivision 12; 62J.03, subdivisions 6, 8, and by adding a subdivision; 62J.04, subdivisions 1, 2, 3, 4, 5, 7, and by adding a subdivision; 62J.09, subdivisions 2, 5, and 8; 62J.15, subdivisions 1 and 2; 62J.17, subdivision 2, and by adding subdivisions; 62J.23, by adding a subdivision; 62J.30, subdivisions 1, 6, and 7; 62J.33; 62L.02, subdivisions 16, 26, and 27; 62L.03, subdivisions 3 and 4; 62L.04, subdivision 1; 62L.05, subdivisions 4 and 6; 62L.09, subdivision 1; 136A.1355, subdivisions 1, 3, 4, and by adding a subdivision; 136A.1356, subdivisions 2 and 5; 136A.1357, subdivisions 1 and 4; 137.38, subdivisions 2, 3, and 4; 137.39, subdivisions 2 and 3; 137.40, subdivision 3; 144.1484, subdivisions 1 and 2; 214.16, subdivision 3; 256.9351, subdivision 3; 256.9353, subdivisions 2, 3, 5, and 6; 256.9657, subdivision 3; 295.50, subdivisions 3, 4, 7, and by adding subdivisions; 295.51, subdivision 1; 295.52, by adding subdivisions; 295.53, subdivision 1; 295.55, subdivision 4; 295.58; and 295.59; proposing coding for new law in Minnesota Statutes, chapters 16B; 62J; 62N; 62O; 256; and 295; repealing Minnesota Statutes 1992, sections 62J.17, subdivisions 4, 5, and 6; 62J.29; 62L.09, subdivision 2; 295.50, subdivision 10; and 295.51, subdivision 2; and Laws 1992, chapter 549, article 9, section 19, subdivision 2.

Reported the same back with the following amendments:

Page 12, line 17, delete "confidential" and insert "private"

Page 38, line 18, delete everything after "providers" and insert "if the commissioner of revenue and the commissioner agree that this is the most efficient method of collecting the data. The commissioner of revenue shall provide any data collected to the commissioner of health."

Page 38, delete lines 19 and 20

Page 39, after line 20, insert:

"Sec. 13. [62J.45] [DATA INSTITUTE.]

Subdivision 1. [STATEMENT OF PURPOSE.] It is the intention of the legislature to create a public-private mechanism for the collection of health care expenditures and outcome data, to the extent administratively efficient and effective. This integrated data system will provide clear, usable information on the cost, quality, and structure of health care services in Minnesota.

The health reform initiatives being implemented rely heavily on the availability of valid, objective data that currently are collected in many forms within the health care industry. Data collection needs cannot be efficiently met by undertaking separate data collection efforts.

The data institute created in this section will be a partnership between the commissioner of health and a board of directors representing health carriers and other group purchasers, health care providers, and consumers. These entities will work together to establish a centralized cost and quality data system that will be used by the public and private sectors. The data collection advisory committee and the practice parameter advisory committee shall provide assistance to the institute.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following definitions apply.

(a) "Board" means the board of directors of the data institute.

(b) "Encounter level data" means data related to the provision of health care services to individual patients, enrollees, or insureds, including claims data, abstracts of medical records, and data from patient interviews and patient surveys.

(c) "Health carrier" has the definition provided in section 62A.011, subdivision 2.

Subd. 3. [OBJECTIVES OF THE DATA INSTITUTE.] The data institute shall:

- (1) provide direction and coordination for public and private sector data collection efforts;
- (2) establish a data system that provides users of data with the data necessary for their specific interests, in order to promote a high quality, cost-effective, consumer-responsive health care system;
- (3) use and build upon existing data sources and quality measurement efforts, and improve upon these existing data sources and measurement efforts through the integration of data systems and the standardization of concepts, to the greatest extent possible;
- (4) ensure that each segment of the health care industry can obtain data for appropriate purposes in a useful format and timely fashion; and
- (5) protect the privacy of individuals and minimize administrative costs.

The institute shall carry out these activities in accordance with the recommendations of the data collection plan developed by the data collection advisory committee, the Minnesota health care commission, and the commissioner of health, under subdivision 4.

Subd. 4. [DATA COLLECTION PLAN.] The commissioner, in consultation with the data collection advisory committee and the Minnesota health care commission, shall develop and implement a plan that:

- (1) provides data collection objectives, strategies, priorities, cost estimates, administrative and operational guidelines, and implementation timelines for the data institute; and
- (2) identifies the encounter level data needed for the commissioner to carry out the duties assigned in this chapter.

The plan must take into consideration existing data sources and data sources that can easily be made uniform for linkages to other data sets.

Subd. 5. [COMMISSIONER'S DUTIES.] The commissioner shall establish a public/private data institute in conjunction with health care providers, health carriers and other group purchasers, and consumers, to collect and process encounter level data that are required to be submitted to the commissioner under this chapter. The commissioner shall not collect encounter level data from individual health care providers until standardized forms and procedures are available. The commissioner shall establish a board of directors comprised of members of the public and private sector to provide oversight for the administration and operation of the institute. The commissioner may intervene in the direct operation of the institute, if this is necessary in the judgment of the commissioner to accomplish the institute's duties.

Subd. 6. [BOARD OF DIRECTORS.] The institute is governed by a 20 member board of directors consisting of the following members:

- (1) two representatives of hospitals, one appointed by the Minnesota Hospital Association and one appointed by the Minnesota Health Care Council;
- (2) three representatives of health carriers, one appointed by the Minnesota Council of Health Maintenance Organizations, one by Blue Cross/Blue Shield, and one by the Insurance Federation of Minnesota;
- (3) three consumer members appointed by the commissioner, at least one of whom must be a labor union representative;
- (4) four employer representatives appointed by the Minnesota Chamber of Commerce, two of whom must represent employers with less than 50 employees;
- (5) two physicians appointed by the Minnesota Medical Association;
- (6) one nursing representative appointed by the Minnesota Nurses Association;
- (7) three representatives of state agencies, one member representing the department of employee relations, one member representing the department of human services, and one member representing the department of health; and

(8) two researchers experienced in the collection and processing of encounter level data to be appointed by the commissioner.

Subd. 7. [TERMS; COMPENSATION; REMOVAL; AND VACANCIES.] The board is governed by section 15.0575.

Subd. 8. [STAFF.] The board may hire an executive director. The executive director is not a state employee, but is covered by section 3.736. The executive director may participate in the following plans for employees in the unclassified service: the state retirement plan, the state deferred compensation plan, and the health insurance and life insurance plans. The attorney general shall provide legal services to the board.

Subd. 9. [DUTIES.] The board shall provide assistance to the commissioner in determining what data projects should be pursued and how data will be validated for statistical and clinical significance. If the commissioner intends to depart from the advice and recommendations of the board, the commissioner shall inform the board of the intended departure, provide a written explanation of the reasons for the departure, and give the board the opportunity to comment on the departure. The board shall advise and make recommendations to the commissioner on:

- (1) the purpose of initiating a data collection project;
- (2) the expected benefit to the state from the project;
- (3) the methodology needed to assure the validity of the project without creating an undue burden to providers and payers;
- (4) the most appropriate method of collecting the necessary data; and
- (5) the projected cost to the state, health care providers, health carriers, and other group purchasers to complete the project.

Subd. 10. [DATA COLLECTION.] The commissioner, in consultation with the data institute board, may select a vendor to:

- (1) collect the encounter level data required to be submitted by group purchasers under sections 62J.38 and 62J.42, state agencies under section 62J.40, and health care providers under sections 62J.41 and 62J.42, using, to the greatest extent possible, standardized forms and procedures;
- (2) collect the encounter level data required for the initiatives of the health care analysis unit, under sections 62J.30 to 62J.34, using, to the greatest extent possible, standardized forms and procedures;
- (3) process the data collected to ensure validity, consistency, accuracy, and completeness, and as appropriate, merge data collected from different sources;
- (4) provide unaggregated, encounter-level data to the health care analysis unit within the department of health; and
- (5) carry out other duties assigned in this section.

Subd. 11. [USE OF DATA.] (a) The board of the data institute, with the advice of the data collection advisory committee and the practice parameter advisory committee, is responsible for establishing the methodology for the collection and analysis of the data and the development and dissemination of reports.

(b) The health care analysis unit is responsible for the analysis of the data and the development and dissemination of reports.

(c) The commissioner, in consultation with the board, shall determine when and under what conditions data disclosure to group purchasers, health care providers, consumers, researchers, and other appropriate parties may occur to meet the state's goals. The commissioner may require users of data to contribute toward the cost of data collection through the payment of fees. The commissioner shall require users of data to maintain the data according to the data privacy provisions applicable to the data.

Subd. 12. [CONTRACTING.] The commissioner, in consultation with the board, may contract with private sector entities to carry out the duties assigned in this section. The commissioner shall diligently seek to enter into contracts with private sector entities. Any contract must list the specific data to be collected and the methods to be used to collect and validate the data. Any contract must require the private sector entity to maintain the data collected according to the data privacy provisions applicable to the data.

Subd. 13. [DATA PRIVACY.] The board and the institute are subject to chapter 13.

Subd. 14. [STANDARDS FOR DATA RELEASE.] The data institute shall adopt standards for the collection, analysis, and dissemination of data collected on costs, spending, quality, outcomes, and utilization. These standards must be consistent with data privacy requirements. Standards for data on health care costs and spending must ensure that the data are collected, analyzed, and disseminated with consistency, accuracy, and completeness. Standards for data on quality, outcomes, and utilization must ensure that the data are collected, analyzed, and disseminated using scientifically and statistically valid techniques that are accurate and reliable, adjust for severity, and are appropriate for evaluating practice patterns and outcomes.

Subd. 15. [INFORMATION CLEARINGHOUSE.] The commissioner shall coordinate the activities of the data institute with the activities of the information clearinghouse established in section 62J.33, subdivision 2.

Subd. 16. [FEDERAL AND OTHER GRANTS.] The commissioner, in collaboration with the board, shall seek federal funding and funding from private and other nonstate sources for the initiatives required by the board."

Page 40, line 11, delete "13" and insert "14"

Page 46, line 31, delete everything after the period

Page 46, delete lines 32 and 33

Page 46, line 34, delete everything before "All"

Page 66, line 2, delete "and supervised"

Page 66, line 3, after "commissioner" insert "and accompanied by such appropriate conditions, supervision, and regulation"

Page 66, line 22, delete "The commissioner's"

Page 66, delete lines 23 to 35

Page 67, line 18, delete "Notwithstanding the"

Page 67, delete lines 19 to 24

Page 67, line 25, delete "commerce under sections 325D.49 to 325D.66."

Page 67, line 29, delete "ATTORNEY GENERAL CANNOT USE" and after "APPLICATION" insert "CANNOT BE USED"

Page 67, line 30, delete "PROSECUTE" and insert "IMPOSE LIABILITY"

Page 67, line 31, delete ", but the" and insert ": The"

Page 67, line 33, delete "to the attorney"

Page 67, line 34, delete "general" and after "any" insert "civil or criminal"

Page 67, line 35, after "general" insert "or any other person" and after "except" insert ": (1)"

Page 68, line 2, before the period, insert "; or (2) a proceeding based on actions taken by the applicant prior to submitting the application, where such actions are admitted to in the application"

Page 68, line 14, before the semicolon insert "of each party"

Page 71, after line 8, insert:

"Subd. 7. [COMMISSIONER'S AUTHORITY TO EXTEND TIME LIMITS.] The commissioner may extend any of the time limits stated in sections 62J.2915 and 62J.2916 at the request of the applicant or another person, but may not grant such extension unless good cause is shown."

Page 71, line 23, delete "submit" and insert "mail"

Page 71, line 24, after the period, insert "Within 30 days after the notice is published, the Minnesota health care commission or any regional coordinating board may mail such comments."

Page 71, line 26, delete "submit" and insert "mail"

Page 71, line 27, delete "comments" and insert "any comment" and delete "submitting" and insert "mailing such"

Page 71, line 28, delete "comments" and insert "comment"

Page 75, line 3, before "In" insert "The commissioner's analysis of cost must focus on the individual consumer of health care. Cost savings to be realized by providers, health carriers, group purchasers, or other participants in the health care system are relevant only to the extent that the savings are likely to be passed on to the consumer. However, where an application is submitted by providers or purchasers who are paid primarily by third party payors unaffiliated with the applicant, it is sufficient for the applicant to show that cost savings are likely to be passed on to the unaffiliated third party payors; the applicants do not have the burden of proving that third party payors with whom the applicants are not affiliated will pass on cost savings to individuals receiving coverage through the third party payors."

Page 76, line 4, after "access" insert "and bases that determination on a projected increase in utilization"

Page 76, line 6, delete "access is not due to" and insert "utilization does not reflect" and delete everything after "overutilization" and insert a period

Page 76, delete line 7

Page 76, line 15, delete "leading" and insert "likely to lead"

Page 78, line 17, delete "active"

Page 79, line 29, delete "active" and insert "appropriate"

Page 108, after line 26, insert:

"Sec. 4. Minnesota Statutes 1992, section 144.335, is amended by adding a subdivision to read:

Subd. 3b. [RELEASE OF RECORDS TO COMMISSIONER OF HEALTH OR DATA INSTITUTE.] Subdivision 3a does not apply to the release of health records to the commissioner of health or the data institute under chapter 62J, provided that the data are not in individually identifiable form."

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 29, after the second semicolon insert "144.335, 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.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1182, A bill for an act relating to state lands; providing for the release of a state interest in certain property in the city of Minneapolis.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1187, A bill for an act relating to labor and employment; advisory councils; extending the expiration date of labor and employment related advisory councils; amending Minnesota Statutes 1992, sections 79.51, subdivision 4; 175.008; 178.02, subdivision 2; 182.656, subdivision 3; 268.363; and 326.41.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Kahn from the Committee on Governmental Operations and Gambling to which was referred:

H. F. No. 1228, A bill for an act relating to retirement; public employees retirement association and Minneapolis employees retirement fund; providing for the retention of pension coverage for certain transferred employees.

Reported the same back with the following amendments:

Page 1, delete section 2 and insert:

"Sec. 2. [EMPLOYEE CONTRIBUTION.]

(a) For employees of the Minneapolis community action council retaining public employees retirement association coverage under section 1, employee contributions must be deducted from salary at the applicable rate under Minnesota Statutes, section 353.27, subdivision 2.

(b) For employees of the Minneapolis community action council retaining Minneapolis employees retirement fund coverage under section 1, employee contributions must be deducted from salary as required under Minnesota Statutes, section 422A.10.

Sec. 3. [EMPLOYER CONTRIBUTION.]

(a) On behalf of employees retaining public employees retirement association coverage under section 1, the Minneapolis community action council must make an employer and additional employer contribution to the public employees retirement association as required under Minnesota Statutes, section 353.27, subdivisions 3 and 3a.

(b) On behalf of employees retaining Minneapolis employees retirement fund coverage under section 1, the Minneapolis community action council must make a contribution to the Minneapolis employees retirement fund equal to the same percentage of the covered payroll that the total contribution by the city of Minneapolis to the Minneapolis employees retirement fund for the previous calendar year bears to the total payroll in the previous calendar year of employees of the city of Minneapolis with coverage by the Minneapolis employees retirement fund.

Sec. 4. [LOCAL APPROVAL.]

Sections 1 to 3 are effective the day following approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021."

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1259, A bill for an act relating to the city of Minneapolis; extending authority to guarantee certain loans; amending Laws 1988, chapter 594, section 6, as amended.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1267, A bill for an act relating to metropolitan government; setting conditions for tax equivalent payments; amending Minnesota Statutes 1992, section 473.341.

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. 1355, A bill for an act relating to agriculture; declaring llamas to be livestock and raising llama to be an agricultural pursuit; defining llama farming as agricultural production for purposes of the sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; and 297A.01, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 17.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [17.453] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 and 2.

Subd. 2. [OWNER.] "Owner" means a person who owns or is responsible for the raising of ratitae.

Subd. 3. [RATITAE.] "Ratitae" means members of the ratitae family (including ostriches, emus, and rheas) that are raised for the purpose of producing fiber, meat, or animal by-products or as breeding stock.

Sec. 2. [17.454] [RATITAE.]

Subdivision 1. [RATITAE ARE LIVESTOCK.] Ratitae are livestock and are not wild animals for purposes of hunting or wildlife laws. Ratitae and their products are farm products and livestock for purposes of financial transactions and collateral.

Subd. 2. [RAISING RATITAE IS AN AGRICULTURAL PURSUIT.] Raising ratitae is agricultural production and an agricultural pursuit.

Subd. 3. [SALES OF RATITAE AND MEAT PRODUCTS.] Persons selling or buying ratitae sold as livestock, sold for human consumption, or sold for slaughter must comply with chapters 17A, 31A, and 31B.

Subd. 4. [DISEASE INSPECTION.] Ratitae are subject to chapter 35 and the rules of the board of animal health in the same manner as livestock and domestic animals, including provisions relating to importation and transportation.

Sec. 3. [17.455] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 3 and 4.

Subd. 2. [LLAMA.] "Llama" means a member of the genus lama that is raised for the purpose of producing fiber, meat, or animal by-products or as breeding stock.

Subd. 3. [OWNER.] "Owner" means a person who owns or is responsible for the raising of llamas.

Sec. 4. [17.456] [LLAMA.]

Subdivision 1. [LLAMAS ARE LIVESTOCK.] Llamas are livestock and are not wild animals for purposes of hunting or wildlife laws. Llamas and their products are farm products and livestock for purposes of financial transactions and collateral.

Subd. 2. [RAISING LLAMAS IS AN AGRICULTURAL PURSUIT.] Raising llamas is agricultural production and an agricultural pursuit.

Subd. 3. [SALES OF LLAMAS AND MEAT PRODUCTS.] Persons selling or buying llamas sold as livestock, sold for human consumption, or sold for slaughter must comply with chapters 17A, 31A, and 31B.

Subd. 4. [DISEASE INSPECTION.] Llamas are subject to chapter 35 and the rules of the board of animal health in the same manner as livestock and domestic animals, including provisions relating to importation and transportation.

Sec. 5. Minnesota Statutes 1992, section 17A.03, subdivision 5, is amended to read:

Subd. 5. [LIVESTOCK.] "Livestock" means cattle, sheep, swine, horses intended for slaughter, mules, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, and goats.

Sec. 6. Minnesota Statutes 1992, section 31.51, subdivision 9, is amended to read:

Subd. 9. "Animal" means cattle, swine, sheep, goats, horses, mules or other equines, llamas as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3.

Sec. 7. Minnesota Statutes 1992, section 31A.02, subdivision 4, is amended to read:

Subd. 4. [ANIMALS.] "Animals" means cattle, swine, sheep, goats, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, horses, equines, and other large domesticated animals, not including poultry.

Sec. 8. Minnesota Statutes 1992, section 31A.02, subdivision 10, is amended to read:

Subd. 10. [MEAT FOOD PRODUCT.] "Meat food product" means a product usable as human food and made wholly or in part from meat or a portion of the carcass of cattle, sheep, swine, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, or goats. "Meat food product" does not include products which contain meat or other portions of the carcasses of cattle, sheep, swine, llamas, ratitae, or goats only in a relatively small proportion or that historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the commissioner under the conditions the commissioner prescribes to assure that the meat or other portions of carcasses contained in the products are not adulterated and that the products are not represented as meat food products.

"Meat food product," as applied to products of equines, has a meaning comparable to that for cattle, sheep, swine, llamas, ratitae, and goats.

Sec. 9. Minnesota Statutes 1992, section 31B.02, subdivision 4, is amended to read:

Subd. 4. [LIVESTOCK.] "Livestock" means live or dead cattle, sheep, swine, horses, mules, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, or goats.

Sec. 10. Minnesota Statutes 1992, section 297A.01, subdivision 13, is amended to read:

Subd. 13. "Agricultural production," as used in section 297A.25, subdivision 9, includes, but is not limited to, horticulture; floriculture; raising of pets, fur bearing animals, research animals, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, and horses.

Sec. 11. [EFFECTIVE DATE.]

This act is effective the day after final enactment. Section 10 is effective for all open tax years."

Delete the title and insert:

"A bill for an act relating to agriculture; declaring llamas and ratitae to be livestock and raising llamas and ratitae to be agricultural pursuits; defining llamas and ratitae farming as agricultural production for purposes of the sales tax; amending Minnesota Statutes 1992, sections 17A.03, subdivision 5; 31.51, subdivision 9; 31A.02, subdivisions 4 and 10; 31B.02, subdivision 4; and 297A.01, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 17."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 1366, A bill for an act relating to transportation; authorizing road authorities to develop, finance, design, construct, improve, rehabilitate, own, and operate toll facilities and to enter into agreements with private operators for the construction, maintenance, and operation of toll facilities; proposing coding for new law in Minnesota Statutes, chapter 160.

Reported the same back with the following amendments:

Page 7, after line 34, insert:

"Sec. 10. Minnesota Statutes 1992, section 163.07, subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT.] The county board of each county shall appoint and employ, as hereinafter provided, a county highway engineer who ~~may~~ shall have charge of the highway work of the county and the forces employed thereon, and who shall make and prepare all surveys, estimates, plans, and specifications which are required of the engineer. The county highway engineer may be removed by the county board during the term of office for which appointed only for incompetency or misconduct shown after a hearing upon due notice and upon stated charges. The burden of proving incompetency or misconduct shall rest upon the party alleging the same."

Amend the title as follows:

Page 1, line 7, after the semicolon insert "providing for duties of county highway engineer; amending Minnesota Statutes 1992, section 163.07, subdivision 1;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1404, A bill for an act relating to the city of New Brighton; permitting the city to acquire granular carbon without a bond.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1408, A bill for an act relating to agriculture; redefining terms in the plant pest act; amending Minnesota Statutes 1992, section 18.46, subdivisions 3 and 9, and by adding a subdivision.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 3 and insert:

"Sec. 3. [18.525] [EXEMPT SALES.]

An organization does not need to obtain a nursery stock dealer certificate before offering nursery stock for sale or distribution if the organization:

- (1) is a nonprofit charitable, educational, or religious organization;
- (2) conducts sales or distributions of nursery stock on ten or fewer days in a calendar year; and
- (3) uses the proceeds from its nursery stock sales or distributions for charitable, educational, or religious purposes."

Amend the title as follows:

Page 1, line 3, after the semicolon insert "exempting certain nonprofit organizations from the requirement for a nursery stock dealer certificate;"

Page 1, line 4, delete "subdivisions 3 and 9" and insert "subdivision 3"

Page 1, line 5, before the period insert "; proposing coding for new law in Minnesota Statutes, chapter 18"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1415, A bill for an act relating to agriculture; modifying certain provisions relating to wheat and barley promotion orders; amending Minnesota Statutes 1992, sections 17.53, subdivisions 2, 8, and 13; 17.59, subdivision 2; and 17.63.

Reported the same back with the following amendments:

Page 2, line 31, delete the first comma and insert "or" and after "barley" insert "grown or produced outside the continental United States"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1435, A bill for an act relating to metropolitan government; providing for minority representation on the metropolitan council; amending Minnesota Statutes 1992, section 473.123, subdivisions 1 and 2a.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 473.123, subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP; APPOINTMENT; QUALIFICATIONS.] (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council. Of the 16 members, not less than three shall be either Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan native, or disabled.

(b) In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which a member is to be appointed must be notified in writing. The notices must describe the appointments process and invite participation and recommendations on the appointment.

(c) The governor shall create a nominating committee, composed of seven metropolitan citizens appointed by the governor, to nominate persons for appointment to the council from districts. Three of the committee members must be local elected officials. Following the submission of applications as provided under section 15.0597, subdivision 5, the nominating committee shall conduct public meetings, after appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may consolidate meetings. Following the meetings, the committee shall submit to the governor a list of nominees for each appointment. The governor is not required to appoint from the list.

(d) Before making an appointment, the governor shall consult with all members of the legislature from the council district for which the member is to be appointed.

(e) Appointments to the council are subject to the advice and consent of the senate as provided in section 15.066.

(f) Members of the council must be appointed to reflect fairly the various demographic, political, and other interests in the metropolitan area and the districts.

(g) Members of the council must be persons knowledgeable about urban and metropolitan affairs.

Sec. 2. [APPOINTMENTS TO BE MADE WITHIN TWO YEARS.]

The governor shall make the appointments required by section 1 at the time the governor makes appointments pursuant to a redistricting plan enacted by the legislature, but in any case not later than two years from the effective date of this act.

Sec. 3. [APPLICATION.]

Sections 1 and 2 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Amend the title as follows:

Page 1, delete line 5 and insert "subdivision 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1436, A bill for an act relating to the environment; appropriating money from the metropolitan landfill contingency trust fund to the commissioner of the pollution control agency for reimbursement to the city of Hopkins for remediation of methane at the city landfill; amending Laws 1991, chapter 182, section 7.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1450, A bill for an act relating to game and fish; authorizing expenditure of RIM funds for restoration of fish and wildlife habitat; amending Minnesota Statutes 1992, section 84.95, subdivision 2.

Reported the same back with the following amendments:

Page 2, after line 8, insert:

"Sec. 2. [NATIVE PLANTINGS ON PUBLIC LANDS; REPORT.]

The commissioner of the department of natural resources, in consultation with the commissioners of the departments of transportation and agriculture and other interested persons, shall investigate the extent to which all state agencies and local units of government may be encouraged to plant on public lands trees, shrubs, and other plantings that are native to the habitat involved. The commissioner shall submit a report of findings made under this section to the environment and natural resources committees of the legislature by January 15, 1994."

Amend the title as follows:

Page 1, line 4, after the semicolon insert "directing a report on plantings of native trees and shrubs;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1474, A bill for an act relating to county records; providing for the use of certain fees; amending Minnesota Statutes 1992, section 357.18, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1479, A bill for an act relating to the city of Duluth; authorizing the establishment of a special service district in the city; authorizing provision of special services in the district; providing for the levy and collection of special service charges.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Anderson, I., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1493, A bill for an act relating to counties; allowing counties to impose fees or interest on late payments; amending Minnesota Statutes 1992, section 373.41.

Reported the same back with the following amendments:

Page 1, line 19, before the period insert "that are more than 90 days overdue"

With the recommendation that when so amended the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

H. F. No. 1495, A bill for an act relating to child labor; changing penalty provisions of the child labor law; amending Minnesota Statutes 1992, section 181A.12.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Simoneau from the Committee on Health and Human Services to which was referred:

H. F. No. 1496, A bill for an act relating to health; clarifying the scope of confidentiality of records of review organizations; amending Minnesota Statutes 1992, section 145.64, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 145.61, is amended by adding a subdivision to read:

Subd. 4c. "Preferred provider organization" means an organization which enters into agreements with health insurance carriers and other entities to make available the services of health providers with which the preferred provider organization has agreements to provide health care services to their insureds or other covered persons.

Sec. 2. Minnesota Statutes 1992, section 145.61, subdivision 5, is amended to read:

Subd. 5. "Review organization" means a nonprofit organization acting according to clause (k) or a committee whose membership is limited to professionals, administrative staff, and consumer directors, except where otherwise provided for by state or federal law, and which is established by a hospital, by a clinic, by a nursing home, by one or more state or local associations of professionals, by an organization of professionals from a particular area or medical institution, by a health maintenance organization as defined in chapter 62D, by a nonprofit health service plan corporation as defined in chapter 62C, by a preferred provider organization, by a professional standards review organization established pursuant to United States Code, title 42, section 1320c-1 et seq., or by a medical review agent established to meet the requirements of section 256B.04, subdivision 15, or 256D.03, subdivision 7, paragraph (b), or by the department of human services, to gather and review information relating to the care and treatment of patients for the purposes of:

(a) evaluating and improving the quality of health care rendered in the area or medical institution;

- (b) reducing morbidity or mortality;
- (c) obtaining and disseminating statistics and information relative to the treatment and prevention of diseases, illness and injuries;
- (d) developing and publishing guidelines showing the norms of health care in the area or medical institution;
- (e) developing and publishing guidelines designed to keep within reasonable bounds the cost of health care;
- (f) reviewing the quality or cost of health care services provided to enrollees of health maintenance organizations, health service plans, preferred provider organizations, and insurance companies;
- (g) acting as a professional standards review organization pursuant to United States Code, title 42, section 1320c-1 et seq.;
- (h) determining whether a professional shall be granted staff privileges in a medical institution, membership in a state or local association of professionals, or participating status in a nonprofit health service plan corporation, health maintenance organization, preferred provider organization, or insurance company, or whether a professional's staff privileges, membership, or participation status should be limited, suspended or revoked;
- (i) reviewing, ruling on, or advising on controversies, disputes or questions between:
 - (1) health insurance carriers, nonprofit health service plan corporations, ~~or~~ health maintenance organizations, or self-insurers and their insureds, subscribers, ~~or~~ enrollees, or other covered persons;
 - (2) professional licensing boards and health providers licensed by them;
 - (3) professionals and their patients concerning diagnosis, treatment or care, or the charges or fees therefor;
 - (4) professionals and health insurance carriers, nonprofit health service plan corporations, ~~or~~ health maintenance organizations, or self-insurers concerning a charge or fee for health care services provided to an insured, subscriber, ~~or~~ enrollee, or other covered person;
 - (5) professionals or their patients and the federal, state, or local government, or agencies thereof;
- (j) providing underwriting assistance in connection with professional liability insurance coverage applied for or obtained by dentists, or providing assistance to underwriters in evaluating claims against dentists;
- (k) acting as a medical review agent under section 256B.04, subdivision 15, or 256D.03, subdivision 7, paragraph (b);
- (l) providing recommendations on the medical necessity of a health service, or the relevant prevailing community standard for a health service;
- (m) reviewing a provider's professional practice as requested by the health care analysis unit under section 62J.32; or
- (n) providing quality assurance as required by United States Code, title 42, sections 1396r(b)(1)(b) and 1395i-3(b)(1)(b) of the Social Security Act."

Page 1, line 7, delete "Section 1." and insert "Sec. 3."

Page 1, line 12, delete "board" and insert "organization"

Amend the title as follows:

Page 1, line 3, after the semicolon insert "including preferred provider organizations in definition of review organizations;"

Page 1, line 4, delete "section" and insert "sections 145.61, subdivision 5, and by adding a subdivision; and"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1504, A bill for an act relating to the environment; appropriating money for grants to the east central solid waste commission for payments on bonds issued for a composting facility.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Environment and Natural Resources Finance without further recommendation.

The report was adopted.

Osthoff from the Committee on Transportation and Transit to which was referred:

H. F. No. 1547, A bill for an act relating to Ramsey county; providing for functional consolidation of streets, highways, and roads in Ramsey county; providing for state-aid funding; amending Minnesota Statutes 1992, sections 162.09, by adding a subdivision; and 383A.16, subdivision 2, and by adding subdivisions; repealing Minnesota Statutes 1992, section 383A.16, subdivision 1.

Reported the same back with the following amendments:

Page 1, lines 22 and 23, delete "for calendar years 1994 and 1995"

Page 1, line 24, delete "in Ramsey county over the population of 5,000"

Page 1, line 26, before the period insert "where the reduction in apportionment is the result of mileage increases under paragraph (a)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1569, A bill for an act relating to lead waste disposal; regulating the disposal of residential lead paint waste; authorizing rulemaking; providing for revocation of licenses in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Wenzel from the Committee on Agriculture to which was referred:

H. F. No. 1639, A bill for an act relating to agriculture; changing the bases for certain milk payments; amending Minnesota Statutes 1992, section 32.25, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 32.25, subdivision 1, is amended to read:

Subdivision 1. [MILK FAT, PROTEIN, AND SOLIDS NOT FAT BASES OF PAYMENT; TESTS.] ~~All Milk and cream must be purchased from producers shall be purchased by weight and using a formula based on one or more of the following methods:~~

- (1) payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent fat;
- ~~(2) payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat for the pounds of milk fat contained in the milk;~~
- ~~(2) (3) payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat and above or below a base percent for the pounds of protein contained in the milk;~~
- ~~(3) (4) payment of a standard rate with uniform differentials for milk testing above or below 3.5 percent milk fat and above or below a base percent for the pounds of solids not fat contained in the milk; or~~
- (5) payment of standard rates based on other attributes of value in the milk.

In addition, an adjustment to the milk price may be made on the basis of milk quality, ~~and the component price payment may be subject to the milk quality and other premiums.~~

Testing procedures for determining the percentages of milk fat, protein, and milk solids not fat ~~shall be~~ must comply with the Association of Analytical Chemists approved methods or be as adopted by rule.

Sec. 2. Minnesota Statutes 1992, section 500.24, subdivision 3, is amended to read:

Subd. 3. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.] No corporation, limited liability company, pension or investment fund, or limited partnership shall engage in farming; nor shall any corporation, limited liability company, pension or investment fund, or limited partnership, directly or indirectly, own, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to real estate used for farming or capable of being used for farming in this state. Provided, however, that the restrictions in this subdivision do not apply to corporations or partnerships in clause (b) and do not apply to corporations, limited partnerships, and pension or investment funds that record its name and the particular exception under clauses (a) to ~~(g)~~ (t) under which the agricultural land is owned or farmed, have a conservation plan prepared for the agricultural land, report as required under subdivision 4, and satisfy one of the following conditions under clauses (a) to ~~(g)~~ (t):

- (a) a bona fide encumbrance taken for purposes of security;
- (b) a family farm corporation, an authorized farm corporation, a family farm partnership, or an authorized farm partnership as defined in subdivision 2 or a general partnership;
- (c) agricultural land and land capable of being used for farming owned by a corporation as of May 20, 1973, or a pension or investment fund as of May 12, 1981, including the normal expansion of such ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973, or, in the case of a pension or investment fund, as of May 12, 1981, measured in acres, in any five-year period, and including additional ownership reasonably necessary to meet the requirements of pollution control rules;

(d) agricultural land operated for research or experimental purposes with the approval of the commissioner of agriculture, provided that any commercial sales from the operation must be incidental to the research or experimental objectives of the corporation. A corporation, limited partnership, or pension or investment fund seeking to operate agricultural land for research or experimental purposes must submit to the commissioner a prospectus or proposal of the intended method of operation, containing information required by the commissioner including a copy of any operational contract with individual participants, prior to initial approval of an operation. A corporation, limited partnership, or pension or investment fund operating agricultural land for research or experimental purposes prior to May 1, 1988, must comply with all requirements of this clause except the requirement for initial approval of the project;

(e) agricultural land operated by a corporation or limited partnership for the purpose of raising breeding stock, including embryos, for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod;

(f) agricultural land and land capable of being used for farming leased by a corporation or limited partnership in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of May 20, 1973, or to the limited partnership as of May 1, 1988, and the additional acreage required for normal expansion at a rate not to exceed 20 percent of the amount of land leased as of May 20, 1973, for a corporation or May 1, 1988, for a limited partnership in any five-year period, and the additional acreage reasonably necessary to meet the requirements of pollution control rules;

(g) agricultural land when acquired as a gift (either by grant or a devise) by an educational, religious, or charitable nonprofit corporation or by a pension or investment fund or limited partnership; provided that all lands so acquired by a pension or investment fund, and all lands so acquired by a corporation or limited partnership which are not operated for research or experimental purposes, or are not operated for the purpose of raising breeding stock for resale to farmers or operated for the purpose of growing seed, wild rice, nursery plants or sod must be disposed of within ten years after acquiring title thereto;

(h) agricultural land acquired by a pension or investment fund or a corporation other than a family farm corporation or authorized farm corporation, as defined in subdivision 2, or a limited partnership other than a family farm partnership or authorized farm partnership as defined in subdivision 2, for which the corporation or limited partnership has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area. A pension or investment fund or a corporation or limited partnership may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation, an authorized farm corporation, a family farm partnership, or an authorized farm partnership, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, United States Code, title 42, sections 3901 to 3914) as amended, or a subsidiary or assign of such a corporation;

(i) agricultural lands acquired by a pension or investment fund or a corporation or limited partnership by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, however, that all lands so acquired be disposed of within ten years after acquiring the title if acquired before May 1, 1988, and five years after acquiring the title if acquired on or after May 1, 1988, acquiring the title thereto, and further provided that the land so acquired shall not be used for farming during the ten-year or five-year period except under a lease to a family farm unit, a family farm corporation, an authorized farm corporation, a family farm partnership, or an authorized farm partnership. The aforementioned ten-year or five-year limitation period shall be deemed a covenant running with the title to the land against any grantee, assignee, or successor of the pension or investment fund, corporation, or limited partnership. Notwithstanding the five-year divestiture requirement under this clause, a financial institution may continue to own the agricultural land if the agricultural land is leased to the immediately preceding former owner, but must divest of the agricultural land within the ten-year period;

(j) agricultural land acquired by a corporation regulated under the provisions of Minnesota Statutes 1974, chapter 216B, for purposes described in that chapter or by an electric generation or transmission cooperative for use in its business, provided, however, that such land may not be used for farming except under lease to a family farm unit, a family farm corporation, or a family farm partnership;

(k) agricultural land, either leased or owned, totaling no more than 2,700 acres, acquired after May 20, 1973, for the purpose of replacing or expanding asparagus growing operations, provided that such corporation had established 2,000 acres of asparagus production;

(l) all agricultural land or land capable of being used for farming which was owned or leased by an authorized farm corporation as defined in Minnesota Statutes 1974, section 500.24, subdivision 1, clause (d), but which does not qualify as an authorized farm corporation as defined in subdivision 2, clause (d);

(m) a corporation formed primarily for religious purposes whose sole income is derived from agriculture;

(n) agricultural land owned or leased by a corporation prior to August 1, 1975, which was exempted from the restriction of this subdivision under the provisions of Laws 1973, chapter 427, including normal expansion of such ownership or leasehold interest to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on August 1, 1975, in any five-year period and the additional ownership reasonably necessary to meet requirements of pollution control rules;

(o) agricultural land owned or leased by a corporation prior to August 1, 1978, including normal expansion of such ownership or leasehold interest, to be exercised at a rate not to exceed 20 percent of the amount of land owned or leased on August 1, 1978, and the additional ownership reasonably necessary to meet requirements of pollution control rules, provided that nothing herein shall reduce any exemption contained under the provisions of Laws 1975, chapter 324, section 1, subdivision 2;

(p) an interest in the title to agricultural land acquired by a pension fund or family trust established by the owners of a family farm, authorized farm corporation or family farm corporation, but limited to the farm on which one or more of those owners or shareholders have resided or have been actively engaged in farming as required by subdivision 2, clause (b), (c), or (d);

(q) agricultural land owned by a nursing home located in a city with a population, according to the state demographer's 1985 estimate, between 900 and 1,000, in a county with a population, according to the state demographer's 1985 estimate, between 18,000 and 19,000, if the land was given to the nursing home as a gift with the expectation that it would not be sold during the donor's lifetime. This exemption is available until July 1, 1995;

(r) the acreage of agricultural land and land capable of being used for farming owned and recorded by an authorized farm corporation as defined in Minnesota Statutes 1986, section 500.24, subdivision 2, paragraph (d), or a limited partnership as of May 1, 1988, including the normal expansion of the ownership at a rate not to exceed 20 percent of the land owned and recorded as of May 1, 1988, measured in acres, in any five-year period, and including additional ownership reasonably necessary to meet the requirements of pollution control rules;

(s) agricultural land owned or leased as a necessary part of an aquatic farm as defined in section 17.47, subdivision 3; and

(t) farming of livestock acquired by a pension or investment fund, corporation, limited partnership, or limited liability company in the collection of debts, or by a procedure for the enforcement of a lien or claim thereon, whether created by a security agreement or otherwise; provided, however, that all livestock so acquired be disposed of within one full production cycle for the type of livestock operation from which the livestock was acquired but in no case later than 18 months after acquisition or 18 months after the effective date of this subdivision, whichever is later. This clause does not diminish the rights existing under this section, for financial institutions insured by the FDIC or its successor.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1993, and is not subject to the contingency contained in Laws 1984, chapter 509, section 2.

Delete the title and insert:

"A bill for an act relating to agriculture; changing the bases for certain milk payments; changing provisions of the corporate farming law relating to livestock; amending Minnesota Statutes 1992, sections 32.25, subdivision 1; and 500.24, subdivision 3."

With the recommendation that when so amended the bill pass.

The report was adopted.

Skoglund from the Committee on Judiciary to which was referred:

S. F. No. 186, A bill for an act relating to marriage dissolution; requiring more information on the notice to a public authority; amending Minnesota Statutes 1992, section 518.551, subdivision 5.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 283, A bill for an act relating to state lands; authorizing the conveyance of state land in St. Louis county.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Beard from the Committee on Labor-Management Relations to which was referred:

S. F. No. 903, A bill for an act relating to public employees; authorizing a local police civil service commission to adopt rules allowing the striking of a name on the civil service eligible register after a one-year period; amending Minnesota Statutes 1992, section 419.06.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 104, 259, 534, 535, 540, 606, 663, 735, 738, 785, 807, 815, 825, 858, 893, 900, 950, 951, 964, 986, 1054, 1107, 1182, 1187, 1228, 1366, 1404, 1408, 1415, 1435, 1450, 1474, 1493, 1496, 1547 and 1639 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 568, 186, 283 and 903 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Munger, Trimble, Ozment, Pauly and Kahn introduced:

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.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Battaglia and Rukavina introduced:

H. F. No. 1683, A bill for an act relating to taxation; providing an exemption for certain property used to provide recreational activities for disabled veterans and their families; amending Minnesota Statutes 1992, section 272.02, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Huntley, Asch, McCollum and Ness introduced:

H. F. No. 1684, A bill for an act relating to health; regulating physician advertising; amending Minnesota Statutes 1992, section 147.091, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Huntley introduced:

H. F. No. 1685, A bill for an act relating to state lands; requiring St. Louis county to allow a repurchase of certain tax-forfeited land.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Huntley introduced:

H. F. No. 1686, A bill for an act relating to occupations and professions; exempting retired physicians from a license surcharge; amending Minnesota Statutes 1992, section 147.01, subdivision 6.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Carruthers and Macklin introduced:

H. F. No. 1687, A bill for an act relating to business corporations; amending Minnesota Statutes 1992, section 302A.011, subdivision 6a.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Bertram introduced:

H. F. No. 1688, A bill for an act relating to education; authorizing a fund transfer for independent school district No. 750, Rocori area schools.

The bill was read for the first time and referred to the Committee on Education.

Hausman; Johnson, A.; Greiling and Weaver introduced:

H. F. No. 1689, A bill for an act relating to education; guaranteeing special education services to eligible infants and toddlers; providing services to other eligible children; amending Minnesota Statutes 1992, section 120.17, subdivisions 11b, 12, 14, 15, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Education.

Kahn, Simoneau and Tomassoni introduced:

H. F. No. 1690, A bill for an act relating to the attorney general; directing the attorney general to initiate an action in federal court to determine the validity of a federal law relating to wagering on sports events.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Solberg introduced:

H. F. No. 1691, A bill for an act relating to state lands; authorizing a sale and conveyance in Itasca county to resolve an inadvertent trespass.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Osthoff introduced:

H. F. No. 1692, A bill for an act relating to taxation; allowing cities and counties to impose service charges on certain tax exempt property for certain expenditures; appropriating money; amending Minnesota Statutes 1992, section 272.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 429.

The bill was read for the first time and referred to the Committee on Taxes.

Osthoff introduced:

H. F. No. 1693, A bill for an act relating to the city of Saint Paul; authorizing the city to impose a sales tax and issue bonds.

The bill was read for the first time and referred to the Committee on Taxes.

Kelley, Neary, Hausman, Kelso and Lindner introduced:

H. F. No. 1694, A bill for an act relating to utilities; restricting approval of competitive rate schedules to those that apply to consumers requiring electric service with a connected load of at least 2,000 kilowatts; providing for determination by public utilities commission of competitive rate filings; amending Minnesota Statutes 1992, section 216B.162, subdivisions 2 and 7.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

Krueger, Rodosovich, Pelowski, Morrison and Bettermann introduced:

H. F. No. 1695, A bill for an act relating to higher education; creating a higher education instructional telecommunications network; providing for grants from the higher education coordinating board for regional linkages, regional coordination, courseware development and usage, and faculty training; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Krueger introduced:

H. F. No. 1696, A bill for an act relating to economic development; creating a task force on the state's economic future and competitiveness; proposing coding for new law in Minnesota Statutes, chapter 116j.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sviggum; Weaver; Olson, M.; Dehler and Ness introduced:

H. F. No. 1697, A bill for an act relating to crime victims; restitution; requiring the deduction from a prison inmate's wages of unpaid restitution obligations from previous convictions; requiring the deduction of unpaid restitution obligations from tax refunds before deducting debts other than taxes and child support; permitting forfeited bail proceeds to be used to pay restitution obligations; waiving fees for the docketing of a restitution order as a civil judgment; amending Minnesota Statutes 1992, sections 243.23, subdivision 3; 270A.10; and 611A.04, subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Judiciary.

Bettermann, Gutknecht, Commers, Erhardt and Ness introduced:

H. F. No. 1698, A bill for an act relating to the legislature; requiring the publication of bill summaries; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Gambling.

Skoglund introduced:

H. F. No. 1699, A bill for an act relating to education; precluding school boards from renewing or extending superintendents' contracts until six months before the contract expires; amending Minnesota Statutes 1992, section 123.34, subdivision 9.

The bill was read for the first time and referred to the Committee on Education.

CONSENT CALENDAR

H. F. No. 449, A bill for an act relating to education; independent school district No. 206, Alexandria; providing for the beginning of board terms.

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	Koppendrayer	Munger	Perl	Swenson
Anderson, I.	Dawkins	Hausman	Krinkie	Murphy	Peterson	Tomassoni
Anderson, R.	Dehler	Holsten	Krueger	Neary	Pugh	Tompkins
Asch	Delmont	Hugoson	Leppik	Nelson	Reding	Trimble
Battaglia	Dempsey	Huntley	Limmer	Ness	Rest	Tunheim
Bauerly	Dorn	Jacobs	Lindner	Olson, E.	Rhodes	Van Dellen
Bergson	Erhardt	Jefferson	Lourey	Olson, K.	Rodosovich	Vellenga
Bertram	Evans	Jennings	Luther	Olson, M.	Rukavina	Vickerman
Bettermann	Farrell	Johnson, A.	Lynch	Onnen	Seagren	Wagenius
Bishop	Frerichs	Johnson, R.	Macklin	Opatz	Sekhon	Waltman
Blatz	Garcia	Johnson, V.	Mahon	Orenstein	Simoneau	Weaver
Brown, K.	Girard	Kahn	Mariani	Orfield	Skoglund	Wejckman
Carlson	Goodno	Kalis	McCollum	Osthoff	Smith	Wenzel
Carruthers	Greenfield	Kelley	McGuire	Ostrom	Solberg	Winter
Clark	Greiling	Kelso	Milbert	Ozment	Sparby	Wolf
Commers	Gruenes	Kinkel	Molnau	Pauly	Stanis	Worke
Cooper	Gutknecht	Klinzing	Morrison	Pawlenty	Steensma	Workman
Dauner	Hasskamp	Knickerbocker	Mosel	Pelowski	Sviggum	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 566, A bill for an act relating to telecommunications; extending authority of public utilities commission to approve incentive regulation plans for certain telephone companies; amending Laws 1989, chapter 74, section 27.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 1050, A bill for an act relating to utilities; providing that primary fuel source determines whether power generating plant is a large energy facility for purposes of certificate of need process; amending Minnesota Statutes 1992, section 216B.2421, subdivision 2, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Reding	Tunheim
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Rest	Van Dellen
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rhodes	Vellenga
Asch	Delmont	Huntley	Leppik	Ness	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Seagren	Waltman
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Sekhon	Weaver
Bergson	Evans	Jennings	Luther	Onnen	Simoneau	Wejcman
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Smith	Winter
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Solberg	Wolf
Blatz	Girard	Kahn	Mariani	Ostrom	Sparby	Worke
Brown, K.	Goodno	Kalis	McCollum	Ozment	Stanius	Workman
Carlson	Greenfield	Kelley	McGuire	Pauly	Steensma	Spk. Long
Carruthers	Greiling	Kelso	Milbert	Pawlenty	Sviggum	
Clark	Gruenes	Kinkel	Molnau	Pelowski	Swenson	
Commers	Gutknecht	Klinzing	Morrison	Perlt	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Mosel	Peterson	Tompkins	
Dauner	Haukoos	Koppendraye	Munger	Pugh	Trimble	

The bill was passed and its title agreed to.

H. F. No. 1063, A bill for an act relating to commerce; currency exchanges; changing the date for submission of license renewal applications; amending Minnesota Statutes 1992, section 53A.03.

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	Davids	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, I.	Dawkins	Hugoson	Lasley	Nelson	Rest	Van Dellen
Anderson, R.	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Asch	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Battaglia	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Bauerly	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Beard	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bergson	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejzman
Bertram	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bettermann	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Bishop	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Blatz	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Brown, K.	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carlson	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Carruthers	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Clark	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Commers	Hasskamp	Knickerbocker	Mosel	Perl	Tomassoni	
Cooper	Haukoos	Koppendrayner	Munger	Peterson	Tompkins	
Dauner	Hausman	Krinkie	Murphy	Pugh	Trimble	

The bill was passed and its title agreed to.

H. F. No. 1066 was reported to the House.

Steensma moved that H. F. No. 1066 be re-referred to the Committee on Agriculture. The motion prevailed.

H. F. No. 1074 was reported to the House.

Anderson, I., moved that H. F. No. 1074 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 1274, A bill for an act relating to veterans; authorizing the legislature to hear and determine claims by patients at the Minnesota veterans homes; amending Minnesota Statutes 1992, section 3.738, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bertram	Brown, K.	Commers	Dawkins	Dorn
Anderson, I.	Bauerly	Bettermann	Carlson	Cooper	Dehler	Erhardt
Anderson, R.	Beard	Bishop	Carruthers	Dauner	Delmont	Evans
Asch	Bergson	Blatz	Clark	Davids	Dempsey	Farrell

Frerichs	Jaros	Krueger	Morrison	Ostrom	Simoneau	Vickerman
Garcia	Jefferson	Lasley	Mosel	Ozment	Skoglund	Wagenius
Girard	Jennings	Leppik	Munger	Pauly	Smith	Waltman
Goodno	Johnson, A.	Limmer	Murphy	Pawlenty	Solberg	Weaver
Greenfield	Johnson, R.	Lindner	Neary	Pelowski	Sparby	Wejzman
Greiling	Johnson, V.	Lourey	Nelson	Perlt	Stanius	Wenzel
Gruenes	Kahn	Luther	Ness	Peterson	Steensma	Winter
Gutknecht	Kalis	Lynch	Olson, E.	Pugh	Sviggum	Wolf
Hasskamp	Kelley	Macklin	Olson, K.	Reding	Swenson	Worke
Haukoos	Kelso	Mahon	Olson, M.	Rest	Tomassoni	Workman
Hausman	Kinkel	Mariani	Onnen	Rhodes	Tompkins	Spk. Long
Holsten	Klinzing	McCollum	Opatz	Rodosovich	Trimble	
Hugoson	Knickerbocker	McGuire	Orenstein	Rukavina	Tunheim	
Huntley	Koppendrayer	Milbert	Orfield	Seagren	Van Dellen	
Jacobs	Krinkie	Molnau	Osthoff	Sekhon	Vellenga	

The bill was passed and its title agreed to.

H. F. No. 1423, A bill for an act relating to unemployment compensation; modifying definitions; changing provisions relating to eligibility for and administration of unemployment compensation; amending Minnesota Statutes 1992, sections 268.04, subdivisions 4 and 12; 268.08, subdivisions 3 and 6; 268.09, subdivisions 1, 2, and 8; 268.10, subdivisions 2 and 6; 268.12, subdivision 12; 268.16, subdivision 4; and 268.161, subdivision 9.

The bill was read for the 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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Hausman	Krueger	Neary	Reding	Van Dellen
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Vellenga
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rhodes	Vickerman
Asch	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Wagenius
Battaglia	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Waltman
Bauerly	Dorn	Jaros	Lourey	Olson, M.	Seagren	Weaver
Beard	Erhardt	Jefferson	Luther	Onnen	Simoneau	Wejzman
Bergson	Evans	Jennings	Lynch	Opatz	Skoglund	Wenzel
Bertram	Farrell	Johnson, A.	Macklin	Orenstein	Smith	Winter
Bettermann	Frerichs	Johnson, R.	Mahon	Orfield	Solberg	Wolf
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Sparby	Worke
Blatz	Girard	Kalis	McCollum	Ostrom	Stanius	Workman
Brown, K.	Goodno	Kelley	McGuire	Ozment	Steensma	Spk. Long
Carlson	Greenfield	Kelso	Milbert	Pauly	Sviggum	
Carruthers	Greiling	Kinkel	Molnau	Pawlenty	Swenson	
Clark	Gruenes	Klinzing	Morrison	Pelowski	Tomassoni	
Commers	Gutknecht	Knickerbocker	Mosel	Perlt	Tompkins	
Cooper	Hasskamp	Koppendrayer	Munger	Peterson	Trimble	
Dauner	Haukoos	Krinkie	Murphy	Pugh	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 1528 was reported to the House.

Lasley moved that H. F. No. 1528 be continued on the Consent Calendar. The motion prevailed.

S. F. No. 215, A bill for an act relating to courts; providing that the county law library fee may be collected in petty misdemeanor cases; amending Minnesota Statutes 1992, sections 134A.09, subdivision 2a; and 134A.10, subdivisions 3 and 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Hausman	Krueger	Neary	Reding	Tunheim
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Van Dellen
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rhodes	Vellenga
Asch	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lourey	Olson, M.	Seagren	Waltman
Beard	Erhardt	Jefferson	Luther	Onnen	Sekhon	Weaver
Bergson	Evans	Jennings	Lynch	Opatz	Simoneau	Wejcman
Bertram	Farrell	Johnson, A.	Macklin	Orenstein	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, R.	Mahon	Orfield	Smith	Winter
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Solberg	Wolf
Blatz	Girard	Kahn	McCollum	Ostrom	Sparby	Worke
Brown, K.	Goodno	Kalis	McGuire	Ozment	Stanius	Workman
Carlson	Greenfield	Kelley	Milbert	Pauly	Steensma	Spk. Long
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Sviggum	
Clark	Gruenes	Kinkel	Morrison	Pelowski	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Perlt	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Tompkins	
Dauner	Haukoos	Koppendraye	Murphy	Pugh	Trimble	

The bill was passed and its title agreed to.

S. F. No. 729, A bill for an act relating to corrections; requiring the ombudsman to make biennial reports to the governor; amending Minnesota Statutes 1992, section 241.45, subdivision 2.

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	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, I.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Anderson, R.	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	
Davids	Hausman	Krinkie	Murphy	Pugh	Trimble	

The bill was passed and its title agreed to.

H. F. No. 732, A bill for an act relating to law enforcement; exempting law enforcement agencies from the requirements of the criminal offender rehabilitation employment law; amending Minnesota Statutes 1992, section 364.09.

The bill was read for the 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 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Krueger	Neary	Reding	Van Dellen
Anderson, I.	Dehler	Hugoson	Lasley	Nelson	Rest	Vellenga
Anderson, R.	Delmont	Huntley	Leppik	Ness	Rhodes	Vickerman
Asch	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Wagenius
Battaglia	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Waltman
Bauerly	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Weaver
Beard	Evans	Jennings	Luther	Onnen	Simoneau	Wejcman
Bergson	Farrell	Johnson, A.	Lynch	Opatz	Skoglund	Wenzel
Bertram	Frerichs	Johnson, R.	Macklin	Orenstein	Smith	Winter
Bettermann	Garcia	Johnson, V.	Mahon	Orfield	Solberg	Wolf
Bishop	Girard	Kahn	Mariani	Osthoff	Sparby	Worke
Blatz	Goodno	Kalis	McCollum	Ostrom	Stanius	Workman
Brown, K.	Greenfield	Kelley	McGuire	Ozment	Steensma	Spk. Long
Carlson	Greiling	Kelso	Milbert	Pauly	Sviggum	
Carruthers	Gruenes	Kinkel	Molnau	Pawlenty	Swenson	
Clark	Gutknecht	Klinzing	Morrison	Pelowski	Pelowski	
Commers	Hasskamp	Knickerbocker	Mosel	Perlt	Tompkins	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Trimble	
Davids	Hausman	Krinkie	Murphy	Pugh	Tunheim	

Those who voted in the negative were:

Cooper

The bill was passed and its title agreed to.

H. F. No. 846, A bill for an act relating to civil commitment; authorizing new procedures for return of certain patients who are absent from treatment facilities without authorization; amending Minnesota Statutes 1992, section 253B.23, subdivision 1a.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Blatz	Delmont	Greiling	Jefferson	Knickerbocker	Macklin
Anderson, I.	Brown, K.	Dempsey	Gruenes	Jennings	Koppendraye	Mahon
Anderson, R.	Carlson	Dorn	Gutknecht	Johnson, A.	Krinkie	Mariani
Asch	Carruthers	Erhardt	Hasskamp	Johnson, R.	Krueger	McCollum
Battaglia	Clark	Evans	Haukoos	Johnson, V.	Lasley	McGuire
Bauerly	Commers	Farrell	Hausman	Kahn	Leppik	Milbert
Beard	Cooper	Frerichs	Holsten	Kalis	Limmer	Molnau
Bergson	Dauner	Garcia	Hugoson	Kelley	Lindner	Morrison
Bertram	Davids	Girard	Huntley	Kelso	Lourey	Mosel
Bettermann	Dawkins	Goodno	Jacobs	Kinkel	Luther	Munger
Bishop	Dehler	Greenfield	Jaros	Klinzing	Lynch	Murphy

Neary	Orenstein	Perlt	Seagren	Steensma	Vellenga	Wolf
Nelson	Orfield	Peterson	Sekhon	Sviggum	Vickerman	Worke
Ness	Osthoff	Pugh	Simoneau	Swenson	Wagenius	Workman
Olson, E.	Ostrom	Reding	Skoglund	Tomassoni	Waltman	Spk. Long
Olson, K.	Ozment	Rest	Smith	Tompkins	Weaver	
Olson, M.	Pauly	Rhodes	Solberg	Trimble	Wejzman	
Onnen	Pawlenty	Rodosovich	Sparby	Tunheim	Wenzel	
Opatz	Pelowski	Rukavina	Stanius	Van Dellen	Winter	

The bill was passed and its title agreed to.

H. F. No. 976, A bill for an act relating to counties; authorizing a county to transfer funds to and enter into contracts with community action agencies; amending Minnesota Statutes 1992, section 375.18, by adding a subdivision.

The bill was read for the 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	Davids	Hausman	Krueger	Neary	Reding	Tunheim
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Van Dellen
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rhodes	Vellenga
Asch	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lourey	Olson, M.	Seagren	Waltman
Beard	Erhardt	Jefferson	Luther	Onnen	Sekhon	Weaver
Bergson	Evans	Jennings	Lynch	Opatz	Simoneau	Wejzman
Bertram	Farrell	Johnson, A.	Macklin	Orenstein	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, R.	Mahon	Orfield	Smith	Winter
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Solberg	Wolf
Blatz	Girard	Kahn	McCollum	Ostrom	Sparby	Worke
Brown, K.	Goodno	Kalis	McGuire	Ozment	Stanius	Workman
Carlson	Greenfield	Kelley	Milbert	Pauly	Steensma	Spk. Long
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Sviggum	
Clark	Gruenes	Kinkel	Morrison	Pelowski	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Perlt	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Tompkins	
Dauner	Haukoos	Koppendrayner	Murphy	Pugh	Trimble	

The bill was passed and its title agreed to.

H. F. No. 1018, A bill for an act relating to limited liability companies; requiring biennial registration; proposing coding for new law in Minnesota Statutes, chapter 322B.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanisus	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steenasma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 1296, A bill for an act relating to Pine county; permitting the county board to extend certain temporary land use controls.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanisus	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steenasma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 1454, A bill for an act relating to the city of Hutchinson; permitting the city to erect certain signs.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcmán
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steenasma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 55, A bill for an act relating to retirement; authorizing a benefit increase for certain retired police officers, firefighters, and surviving spouses in the city of Eveleth; amending Laws 1977, chapter 61, section 6, as amended.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcmán
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steenasma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 94, A bill for an act relating to motor vehicles; exempting certain manufacturers of snowmobile trailers from being required to have a dealer's license to transport the trailers; amending Minnesota Statutes 1992, section 168.27, subdivision 22.

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 120 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hugoson	Lasley	Ness	Rest	Van Dellen
Anderson, I.	Dawkins	Huntley	Limmer	Olson, E.	Rhodes	Vellenga
Anderson, R.	Delmont	Jacobs	Lourey	Olson, K.	Rodosovich	Vickerman
Asch	Dempsey	Jaros	Luther	Olson, M.	Rukavina	Wagenius
Battaglia	Dorn	Jefferson	Lynch	Onnen	Seagren	Weaver
Bauerly	Erhardt	Jennings	Macklin	Opatz	Sekhon	Wejcman
Beard	Evans	Johnson, A.	Mahon	Orenstein	Simoneau	Wenzel
Bergson	Farrell	Johnson, R.	Mariani	Orfield	Skoglund	Winter
Bertram	Frerichs	Johnson, V.	McCollum	Osthoff	Smith	Wolf
Bettermann	Garcia	Kahn	McGuire	Ostrom	Solberg	Worke
Bishop	Girard	Kalis	Milbert	Ozment	Sparby	Workman
Blatz	Greenfield	Kelley	Molnau	Pauly	Steensma	Spk. Long
Brown, K.	Greiling	Kelso	Morrison	Pawlenty	Sviggum	
Carlson	Gruenes	Kinkel	Mosel	Pelowski	Swenson	
Carruthers	Hasskamp	Klinzing	Munger	Perlt	Tomassoni	
Clark	Haukoos	Knickerbocker	Murphy	Peterson	Tompkins	
Commers	Hausman	Koppendrayner	Neary	Pugh	Trimble	
Cooper	Holsten	Krueger	Nelson	Reding	Tunheim	

Those who voted in the negative were:

Davids	Goodno	Leppik	Stanius
Dehler	Krinkie	Lindner	Waltman

The bill was passed and its title agreed to.

H. F. No. 270 was reported to the House.

Anderson, I., moved that H. F. No. 270 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 381, A bill for an act relating to education; revising the mailing requirement for notices of referendum revenue authorization elections; amending Minnesota Statutes 1992, section 124A.03, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bertram	Brown, K.	Commers	Dawkins	Dorn
Anderson, I.	Bauerly	Bettermann	Carlson	Cooper	Dehler	Erhardt
Anderson, R.	Beard	Bishop	Carruthers	Dauner	Delmont	Evans
Asch	Bergson	Blatz	Clark	Davids	Dempsey	Farrell

Frerichs	Jaros	Krueger	Morrison	Ostrom	Simoneau	Vickerman
Garcia	Jefferson	Lasley	Mosel	Ozment	Skoglund	Wagenius
Girard	Jennings	Leppik	Munger	Pauly	Smith	Waltman
Goodno	Johnson, A.	Limmer	Murphy	Pawlenty	Solberg	Weaver
Greenfield	Johnson, R.	Lindner	Neary	Pelowski	Sparby	Wejcman
Greiling	Johnson, V.	Lourey	Nelson	Perlt	Stanius	Wenzel
Gruenes	Kahn	Luther	Ness	Peterson	Steensma	Winter
Gutknecht	Kalis	Lynch	Olson, E.	Pugh	Sviggum	Wolf
Hasskamp	Kelley	Macklin	Olson, K.	Reding	Swenson	Worke
Haukoos	Kelso	Mahon	Olson, M.	Rest	Tomassoni	Workman
Hausman	Kinkel	Mariani	Onnen	Rhodes	Tompkins	Spk. Long
Holsten	Klinzing	McCollum	Opatz	Rodosovich	Trimble	
Hugoson	Knickerbocker	McGuire	Orenstein	Rukavina	Tunheim	
Huntley	Koppendrayer	Milbert	Orfield	Seagren	Van Dellen	
Jacobs	Krinkie	Molnau	Osthoff	Sekhon	Vellenga	

The bill was passed and its title agreed to.

H. F. No. 801, A bill for an act relating to traffic regulations; requiring operating procedures for hand-held traffic radar; amending Minnesota Statutes 1992, section 169.14, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendrayer	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 1039, A bill for an act relating to auctioneers; prohibiting certain cities and towns from requiring additional licenses of persons licensed as auctioneers by a county; proposing coding for new law in Minnesota Statutes, chapter 330.

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 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Holsten	Krueger	Neary	Rest	Van Dellen
Anderson, I.	Dawkins	Hugoson	Lasley	Nelson	Rhodes	Vellenga
Anderson, R.	Dehler	Huntley	Leppik	Ness	Rodosovich	Vickerman
Asch	Delmont	Jacobs	Limmer	Olson, E.	Rukavina	Wagenius
Battaglia	Dempsey	Jaros	Lindner	Olson, K.	Seagren	Waltman
Bauerly	Dorn	Jefferson	Lourey	Olson, M.	Sekhon	Weaver
Beard	Erhardt	Jennings	Luther	Onnen	Simoneau	Wejcman
Bergson	Evans	Johnson, A.	Lynch	Opatz	Skoglund	Wenzel
Bertram	Farrell	Johnson, R.	Macklin	Orenstein	Smith	Winter
Bettermann	Garcia	Johnson, V.	Mahon	Orfield	Solberg	Wolf
Bishop	Girard	Kahn	Mariani	Ostrom	Sparby	Worke
Blatz	Goodno	Kalis	McCollum	Ozment	Stanius	Workman
Brown, K.	Greenfield	Kelley	McGuire	Pauly	Steensma	Spk. Long
Carlson	Greiling	Kelso	Milbert	Pawlenty	Svigum	
Carruthers	Gruenes	Kinkel	Molnau	Pelowski	Swenson	
Clark	Gutknecht	Klinzing	Morrison	Perlt	Tomassoni	
Commers	Hasskamp	Knickerbocker	Mosel	Peterson	Tompkins	
Cooper	Haukoos	Koppendraye	Munger	Pugh	Trimble	
Dauner	Hausman	Krinkie	Murphy	Reding	Tunheim	

Those who voted in the negative were:

Frerichs

The bill was passed and its title agreed to.

H. F. No. 1089, A bill for an act relating to elections; setting the date by which Hennepin county park reserve district redistricting must take place; amending Minnesota Statutes 1992, section 383B.68, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauids	Hausman	Krinkie	Murphy	Pugh	Trimble
Anderson, I.	Dawkins	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, R.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Asch	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Battaglia	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Bauerly	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Beard	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bergson	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bertram	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bettermann	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bishop	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Blatz	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Svigum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 1311, A bill for an act relating to local government; providing for the continuation of the Mississippi River parkway commission; amending Minnesota Statutes 1992, section 161.1419, subdivision 8.

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 122 yeas and 6 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Hausman	Koppendrayner	Neary	Pugh	Tunheim
Anderson, I.	Dauids	Holsten	Krueger	Nelson	Rest	Van Dellen
Anderson, R.	Dawkins	Hugoson	Lasley	Ness	Rhodes	Vellenga
Asch	Delmont	Huntley	Leppik	Olson, E.	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Limmer	Olson, K.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lourey	Olson, M.	Seagren	Waltman
Beard	Erhardt	Jefferson	Luther	Onnen	Sekhon	Weaver
Bergson	Evans	Jennings	Lynch	Opatz	Simoneau	Wejzman
Bertram	Farrell	Johnson, A.	Macklin	Orenstein	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, R.	Mahon	Orfield	Smith	Winter
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Solberg	Wolf
Blatz	Girard	Kahn	McGuire	Ostrom	Sparby	Worke
Brown, K.	Goodno	Kalis	Milbert	Ozment	Stanius	Workman
Carlson	Greenfield	Kelley	Molnau	Pauly	Steensma	Spk. Long
Carruthers	Greiling	Kelso	Morrison	Pawlenty	Swenson	
Clark	Gruenes	Kinkel	Mosel	Pelowski	Tomassoni	
Commers	Hasskamp	Klinzing	Munger	Perlt	Tompkins	
Cooper	Haukoos	Knickerbocker	Murphy	Peterson	Trimble	

Those who voted in the negative were:

Dehler	Gutknecht	Krinkie	Lindner	Reding	Sviggum
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The bill was passed and its title agreed to.

H. F. No. 1326 was reported to the House.

Anderson, I., moved that H. F. No. 1326 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 1420, A bill for an act relating to probate; providing for determination of reasonable compensation for certain guardians and conservators; changing provisions for guardians and conservators of certain institutionalized persons; amending Minnesota Statutes 1992, sections 525.54, subdivisions 1 and 3; 525.544, subdivision 2; 525.58, subdivision 4; and 525.703, subdivisions 2 and 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krueger	Neary	Reding	Tunheim
Anderson, I.	Dawkins	Holsten	Lasley	Nelson	Rest	Van Dellen
Anderson, R.	Dehler	Hugoson	Leppik	Ness	Rhodes	Vellenga
Asch	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lourey	Olson, M.	Seagren	Waltman
Beard	Erhardt	Jefferson	Luther	Onnen	Sekhon	Weaver
Bergson	Evans	Jennings	Lynch	Opatz	Simoneau	Wejcman
Bertram	Farrell	Johnson, A.	Macklin	Orenstein	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, R.	Mahon	Orfield	Smith	Winter
Bishop	Garcia	Johnson, V.	Mariani	Osthoff	Solberg	Wolf
Blatz	Girard	Kahn	McCullum	Ostrom	Sparby	Worke
Brown, K.	Goodno	Kalis	McGuire	Ozment	Stanius	Workman
Carlson	Greenfield	Kelley	Milbert	Pauly	Steensma	Spk. Long
Carruthers	Greiling	Kelso	Molnau	Pawlenty	Sviggum	
Clark	Gruenes	Kinkel	Morrison	Pelowski	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Perlt	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Peterson	Tompkins	
Dauner	Haukoos	Koppendraye	Murphy	Pugh	Trimble	

Those who voted in the negative were:

Krinkie

The bill was passed and its title agreed to.

H. F. No. 1527, A bill for an act relating to education; providing for school district elections in independent school district Nos. 404, 408, and 583.

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	Holsten	Krueger	Neary	Reding	Tunheim
Anderson, I.	Dehler	Hugoson	Lasley	Nelson	Rest	Van Dellen
Anderson, R.	Delmont	Huntley	Leppik	Ness	Rhodes	Vellenga
Asch	Dempsey	Jacobs	Limmer	Olson, E.	Rodosovich	Vickerman
Battaglia	Dorn	Jaros	Lindner	Olson, K.	Rukavina	Wagenius
Bauerly	Erhardt	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Beard	Evans	Jennings	Luther	Onnen	Sekhon	Weaver
Bergson	Farrell	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bertram	Frerichs	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bettermann	Garcia	Johnson, V.	Mahon	Orfield	Smith	Winter
Bishop	Girard	Kahn	Mariani	Osthoff	Solberg	Wolf
Brown, K.	Goodno	Kalis	McCullum	Ostrom	Sparby	Worke
Carlson	Greenfield	Kelley	McGuire	Ozment	Stanius	Workman
Carruthers	Greiling	Kelso	Milbert	Pauly	Steensma	Spk. Long
Clark	Gruenes	Kinkel	Molnau	Pawlenty	Sviggum	
Commers	Gutknecht	Klinzing	Morrison	Pelowski	Swenson	
Cooper	Hasskamp	Knickerbocker	Mosel	Perlt	Tomassoni	
Dauner	Haukoos	Koppendraye	Munger	Peterson	Tompkins	
Davids	Hausman	Krinkie	Murphy	Pugh	Trimble	

The bill was passed and its title agreed to.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

There being no objection, the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Skoglund from the Committee on Judiciary to which was referred:

H. F. No. 1439, A bill for an act relating to crime; creating a commission on nonfelony enforcement to review the proportionality and enforcement of petty misdemeanor, misdemeanor, and gross misdemeanor offenses; requiring a report.

Reported the same back with the following amendments:

Page 1, line 7, delete "COMMISSION" and insert "ADVISORY COMMITTEE"

Page 1, lines 9, 10, 13, 16, and 24, delete "commission" and insert "advisory committee"

Page 2, line 4, delete "commission" and insert "advisory committee"

Page 2, delete lines 5 to 23 and insert:

"Subd. 3. [MEMBERSHIP.] The advisory committee consists of:

(1) three senators, no more than two of whom are from the same political party, appointed by the senate subcommittee on committees of the committee on rules and administration, and three members of the house of representatives, no more than two of whom are from the same political party, appointed by the speaker;

(2) two representatives from each of the following groups appointed by the chairs of the senate committee on crime prevention and the house judiciary committee:

(i) crime victim advocates;

(ii) county attorneys;

(iii) city attorneys;

(iv) professors of law with expertise in criminal justice;

(v) district court judges;

(vi) criminal defense attorneys;

(vii) probation officers; and

(viii) public members who are victims of crime;

(3) four law enforcement officials, including one municipal law enforcement official, one county law enforcement official, one conservation officer, and one member of the state patrol, appointed by the chairs of the senate committee on crime prevention and the house judiciary committee; and

(4) the state court administrator, who shall chair the advisory committee."

Page 2, line 24, delete "commission" and insert "advisory committee"

Amend the title as follows:

Page 1, line 2, delete "a commission" and insert "an advisory committee"

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.

Jaros was excused for the remainder of today's session.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. No. 163.

H. F. No. 163 was reported to the House.

The Speaker called Bauerly to the Chair.

Sparby moved to amend H. F. No. 163, the third engrossment, as follows:

Page 3, after line 17, insert:

"Sec. 4. Minnesota Statutes 1992, section 10A.065, subdivision 1, is amended to read:

Subdivision 1. [REGISTERED LOBBYIST CONTRIBUTIONS; LEGISLATIVE SESSION.] A candidate for the legislature or for constitutional office, a candidate's principal campaign committee, any other political committee with the candidate's name or title, ~~or any committee authorized by the candidate, or a political committee established by all or a part of the party organization within a house of the legislature,~~ shall not solicit or accept a contribution on behalf of the candidate's principal campaign committee, any other political committee with the candidate's name or title, ~~or any committee authorized by the candidate, or a political committee established by all or a part of the party organization within a house of the legislature,~~ from a registered lobbyist, political committee, or political fund during a regular session of the legislature."

Renumber sections and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Sparby amendment and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Lasley	Nelson	Rhodes	Van Dellen
Anderson, J.	Dehler	Hugoson	Leppik	Ness	Rice	Vellenga
Anderson, R.	Delmont	Huntley	Limmer	Olson, E.	Rodosovich	Vickerman
Asch	Dempsey	Jacobs	Lindner	Olson, K.	Rukavina	Wagenius
Battaglia	Dorn	Jefferson	Lourey	Olson, M.	Seagren	Waltman
Bauerly	Erhardt	Jennings	Luther	Onnen	Sekhon	Weaver
Beard	Evans	Johnson, A.	Lynch	Opatz	Simoneau	Wejcman
Bergson	Farrell	Johnson, R.	Macklin	Orenstein	Skoglund	Wenzel
Bertram	Frerichs	Johnson, V.	Mahon	Orfield	Smith	Winter
Bettermann	Garcia	Kahn	Mariani	Osthoff	Solberg	Wolf
Bishop	Girard	Kalis	McCollum	Ostrom	Sparby	Worke
Blatz	Goodno	Kelley	McGuire	Ozment	Stanius	Workman
Brown, K.	Greenfield	Kelso	Milbert	Pauly	Steensma	Spk. Long
Carlson	Greiling	Kinkel	Molnau	Pawlenty	Sviggum	
Clark	Gruenes	Klinzing	Morrison	Pelowski	Swenson	
Commers	Gutknecht	Knickerbocker	Mosel	Perl	Tomassoni	
Cooper	Hasskamp	Koppendraye	Munger	Peterson	Tompkins	
Dauner	Haukoos	Krinkie	Murphy	Pugh	Trimble	
Davids	Hausman	Krueger	Neary	Reding	Tunheim	

The motion prevailed and the amendment was adopted.

Abrams moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 10, line 22, delete everything after "exceed" and insert "an amount equal to 25 percent of the expenditure limits for the office sought by the"

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Knickerbocker moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Pages 10 to 14, delete section 17

Renumber sections and correct internal references

Amend the title as follows:

Page 1, line 15, delete "changing"

Page 1, line 16, delete everything before "eliminating"

Page 1, line 36, delete "5,"

A roll call was requested and properly seconded.

The question was taken on the Knickerbocker amendment and the roll was called. There were 73 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Gutknecht	Lindner	Ness	Rukavina	Vickerman
Asch	Dawkins	Haukoos	Luther	Olson, E.	Seagren	Waltman
Battaglia	Dehler	Holsten	Lynch	Olson, M.	Simoneau	Wejcman
Beard	Delmont	Hugoson	Macklin	Onnen	Smith	Winter
Bettermann	Dempsey	Jacobs	Mahon	Osthoff	Solberg	Wolf
Bishop	Erhardt	Johnson, V.	Mariani	Ozment	Stanius	Worke
Blatz	Frerichs	Knickerbocker	Milbert	Pauly	Sviggum	Workman
Brown, K.	Garcia	Koppendrayer	Molnau	Pelowski	Tomassoni	
Carlson	Girard	Krinkie	Morrison	Pugh	Tompkins	
Carruthers	Goodno	Leppik	Munger	Rhodes	Trimble	
Commers	Gruenes	Limmer	Murphy	Rice	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Evans	Johnson, A.	Lasley	Orenstein	Sekhon	Welle
Anderson, R.	Farrell	Johnson, R.	Lourey	Orfield	Skoglund	Wenzel
Bauerly	Greenfield	Kahn	McCullum	Ostrom	Sparby	Spk. Long
Bergson	Greiling	Kalis	McGuire	Pawlenty	Steensma	
Bertram	Hasskamp	Kelley	Mosel	Perl	Swenson	
Clark	Hausman	Kelso	Neary	Peterson	Tunheim	
Cooper	Huntley	Kinkel	Nelson	Reding	Vellenga	
Dauner	Jefferson	Klinzing	Olson, K.	Rest	Wagenius	
Dorn	Jennings	Krueger	Opatz	Rodosovich	Weaver	

The motion prevailed and the amendment was adopted.

Neary and Osthoff moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 16, delete lines 9 to 12

The motion prevailed and the amendment was adopted.

Dawkins was excused between the hours of 5:45 p.m. and 6:30 p.m.

Pawlenty moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 7, after line 30, insert:

"Sec. 10. Minnesota Statutes 1992, section 10A.25, subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

- (a) for governor and lieutenant governor, running together, \$1,626,691;
- (b) for attorney general, \$271,116;
- (c) for secretary of state, state treasurer, and state auditor, separately, \$135,559;
- (d) for state senator, \$40,669;
- (e) for state representative, \$20,335.

The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory included a population that is now more than one-third of the population in the territory of the office being sought."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Pawlenty amendment and the roll was called. There were 61 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Hugoson	Lourey	Ness	Rhodes	Wagenius
Bergson	Girard	Kelley	Luther	Olson, M.	Seagren	Waltman
Bettermann	Goodno	Kelso	Lynch	Onnen	Sekhon	Weaver
Blatz	Greiling	Koppendrayer	Macklin	Orfield	Smith	Wolf
Commers	Gruenes	Krinkie	McGuire	Ostrom	Stanius	Worke
Dehler	Gutknecht	Krueger	Molnau	Ozment	Sviggum	Workman
Dempsey	Haukoos	Lasley	Morrison	Pauly	Swenson	Spk. Long
Dorn	Hausman	Limmer	Mosel	Pawlenty	Van Dellen	
Erhardt	Holsten	Lindner	Neary	Rest	Vickerman	

Those who voted in the negative were:

Anderson, I.	Carruthers	Hasskamp	Kinkel	Nelson	Rice	Trimble
Anderson, R.	Clark	Huntley	Klinzing	Olson, E.	Rodosovich	Tunheim
Asch	Cooper	Jacobs	Knickerbocker	Olson, K.	Rukavina	Vellenga
Battaglia	Dauner	Jefferson	Leppik	Opatz	Simoneau	Wejzman
Bauerly	Dauids	Jennings	Mahon	Orenstein	Skoglund	Welle
Beard	Delmont	Johnson, A.	Mariani	Pelowski	Solberg	Wenzel
Bertram	Evans	Johnson, R.	McCollum	Perl	Sparby	Winter
Bishop	Farrell	Johnson, V.	Milbert	Peterson	Steensma	
Brown, K.	Garcia	Kahn	Munger	Pugh	Tomassoni	
Carlson	Greenfield	Kalis	Murphy	Reding	Tompkins	

The motion did not prevail and the amendment was not adopted.

Blatz, Lynch and Leppik moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 7, after line 15, insert:

"Sec. 9. Minnesota Statutes 1992, section 10A.20, is amended by adding a subdivision to read:

Subd. 6b. (a) An individual, political committee, or political fund that intends to make an independent expenditure in excess of \$100 during the 15 days immediately preceding an election shall file a notice of the intent to make the expenditure with the board. (b) Notwithstanding the provision in clause (a), any expenditure made in excess of \$100 that occurs from the last day for filing for statewide or legislative office and prior to the 15 days immediately preceding an election must be disclosed by filing a notice within 48 hours of the expenditure made.

The notice must contain the information with respect to the expenditure that is required to be reported under subdivision 3, paragraph (g). Each new expenditure requires a new notice to the board. This subdivision does not apply to communications between an association and its members."

Page 8, after line 9, insert:

"Sec. 12. Minnesota Statutes 1992, section 10A.25, is amended by adding a subdivision to read:

Subd. 12. The expenditure limits imposed by this section are increased by the sum of independent expenditures made in opposition to the candidate or on behalf of a candidate's major political party opponents. Upon receipt of an expenditure report or notice required by section 10A.20, subdivision 6b, the board shall notify the candidate of the increase in the expenditure limit. This subdivision does not apply to communications between an association and its members."

Renumber sections and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Blatz et al amendment and the roll was called. There were 49 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abrams	Dorn	Hausman	Leppik	Molnau	Pauly	Van Dellen
Bergson	Erhardt	Holsten	Lindner	Morrison	Pawlentz	Vickerman
Bishop	Frerichs	Hugoson	Luther	Mosel	Peterson	Waltman
Blatz	Girard	Kelley	Lynch	Ness	Rhodes	Weaver
Commers	Greiling	Knickerbocker	Macklin	Olson, M.	Smith	Wolf
Dauids	Gutknecht	Koppendrayner	Mahon	Orenstein	Sviggum	Worke
Dempsey	Haukoos	Krinkie	McCollum	Ostrom	Swenson	Workman

Those who voted in the negative were:

Anderson, I.	Dauner	Jefferson	Limmer	Orfield	Sekhon	Wagenius
Anderson, R.	Dehler	Jennings	Mariani	Osthoff	Simoneau	Wejzman
Asch	Delmont	Johnson, A.	McGuire	Ozment	Skoglund	Welle
Battaglia	Evans	Johnson, R.	Milbert	Pelowski	Solberg	Wenzel
Bauerly	Farrell	Johnson, V.	Munger	Perlt	Sparby	Winter
Beard	Garcia	Kahn	Murphy	Pugh	Stanis	Spk. Long
Bertram	Goodno	Kalis	Neary	Reding	Steensma	
Bettermann	Greenfield	Kelso	Nelson	Rest	Tomassoni	
Brown, K.	Gruenes	Kinkel	Olson, E.	Rice	Tompkins	
Carlson	Hasskamp	Klinzing	Olson, K.	Rodosovich	Trimble	
Carruthers	Huntley	Krueger	Onnen	Rukavina	Tunheim	
Cooper	Jacobs	Lasley	Opatz	Seagren	Vellenga	

The motion did not prevail and the amendment was not adopted.

Swenson and Weaver moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Pages 23 to 25, delete section 29 and insert:

"Sec. 29. Minnesota Statutes 1992, section 290.06, is amended by adding a subdivision to read:

Subd. 25. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] A taxpayer may take a credit against the tax due of 50 percent but not more than \$50 of the taxpayer's contributions to a political party or candidate. A married couple filing jointly may take a credit of 50 percent of the tax due up to \$100. No credit shall be allowed under this subdivision for a contribution to a candidate who has not signed an agreement to comply with the spending limits in section 10A.25. The department of revenue shall provide on the first page of the Minnesota tax form appropriate provisions for the credit under this subdivision."

Page 25, after line 28, insert:

"Sec. 33. [REPEALER.]

Minnesota Statutes 1992, section 290.06, subdivision 23, is repealed."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Swenson and Weaver amendment and the roll was called. There were 49 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Holsten	Limmer	Ness	Seagren	Vellenga
Bettermann	Frerichs	Hugoson	Lindner	Olson, M.	Smith	Vickerman
Bishop	Girard	Johnson, V.	Lynch	Onnen	Stanius	Waltman
Blatz	Goodno	Knickerbocker	Macklin	Ozment	Sviggum	Weaver
Commers	Gruenes	Koppendrayer	Molnau	Pauly	Swenson	Winter
Dehler	Gutknecht	Krinkie	Morrison	Pawlenty	Tompkins	Wolf
Dempsey	Haukoos	Leppik	Mosel	Rhodes	Van Dellen	Workie

Those who voted in the negative were:

Anderson, I.	Cooper	Hausman	Klinzing	Neary	Pugh	Tomassoni
Anderson, R.	Dauner	Huntley	Krueger	Nelson	Reding	Trimble
Asch	Davids	Jacobs	Lasley	Olson, E.	Rest	Tunheim
Battaglia	Dawkins	Jefferson	Lourey	Olson, K.	Rice	Wagenius
Bauerly	Delmont	Jennings	Luther	Opatz	Rodosovich	Wejcman
Beard	Dorn	Johnson, A.	Mahon	Orenstein	Rukavina	Welle
Bergson	Evans	Johnson, R.	Mariani	Orfield	Sekhon	Wenzel
Bertram	Farrell	Kahn	McCollum	Osthoff	Simoneau	Spk. Long
Brown, K.	Garcia	Kalis	McGuire	Ostrom	Skoglund	
Carlson	Greenfield	Kelley	Milbert	Pelowski	Solberg	
Carruthers	Greiling	Kelso	Munger	Perlt	Sparby	
Clark	Hasskamp	Kinkel	Murphy	Peterson	Steensma	

The motion did not prevail and the amendment was not adopted.

Swenson moved to amend H. F. No. 163, the third grossment, as amended, as follows:

Page 18, after line 7, insert:

"Sec. 24. Minnesota Statutes 1992, section 10A.323, is amended to read:

10A.323 [MATCHING REQUIREMENTS.]

Subdivision 1. [AFFIDAVIT.] In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy from the state elections campaign fund a candidate shall file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions, including unexpended balances from the year before, equal to ~~20~~ 30 percent or more of the ~~minimum amount that the board estimates, on August 15 of the general election year, would be received by the candidate from the state elections campaign fund~~ spending limits for the office the candidate seeks. The contributions must be received from individuals residing in the district where the candidate seeks election.

Subd. 2. [DEADLINE.] The candidate or the candidate's treasurer shall submit the affidavit required by this subdivision to the board in writing by October 1 of the general election year."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Swenson amendment and the roll was called. There were 37 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Haukoos	Limmer	Onnen	Sviggum	Workman
Bettermann	Frerichs	Holsten	Lindner	Pauly	Swenson	
Blatz	Girard	Hugoson	Lynch	Pawlenty	Tompkins	
Commers	Goodno	Johnson, V.	Macklin	Seagren	Van Dellen	
Dehler	Gruenes	Koppendrayner	Molnau	Smith	Vickerman	
Dempsey	Gutknecht	Krinkie	Ness	Stanisus	Worke	

Those who voted in the negative were:

Anderson, I.	Dauner	Jefferson	Lourey	Olson, M.	Rice	Waltman
Anderson, R.	Davids	Jennings	Luther	Opatz	Rodosovich	Weaver
Asch	Dawkins	Johnson, A.	Mahon	Orenstein	Rukavina	Wejzman
Battaglia	Delmont	Johnson, R.	Mariani	Orfield	Sekhon	Welle
Bauerly	Dorn	Kahn	McCollum	Osthoff	Simoneau	Wenzel
Beard	Evans	Kalis	McGuire	Ostrom	Skoglund	Winter
Bergson	Farrell	Kelley	Milbert	Ozment	Solberg	Wolf
Bertram	Garcia	Kelso	Morrison	Pelowski	Sparby	Spk. Long
Bishop	Greenfield	Kinkel	Mosel	Perlt	Steensma	
Brown, K.	Greiling	Klinzing	Munger	Peterson	Tomassoni	
Carlson	Hasskamp	Knickerbocker	Murphy	Pugh	Trimble	
Carruthers	Hausman	Krueger	Neary	Reding	Tunheim	
Clark	Huntley	Lasley	Nelson	Rest	Vellenga	
Cooper	Jacobs	Leppik	Olson, E.	Rhodes	Wagenius	

The motion did not prevail and the amendment was not adopted.

Van Dellen, Molnau, Lindner and Leppik moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 18, after line 7, insert:

"Sec. 24. [10A.3235.] [ADDITIONAL PUBLIC SUBSIDY REQUIREMENT.]

In addition to the requirements of sections 10A.322 and 10A.323, in order to be eligible for a public subsidy from the state elections campaign fund, a candidate must be seeking (a) election to an office the candidate does not presently hold, or (b) re-election to an office the candidate has held for not longer than 10 years."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Van Dellen et al amendment and the roll was called. There were 36 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Bettermann	Frerichs	Hugoson	Lynch	Rhodes	Van Dellen
Blatz	Girard	Koppendrayer	Molnau	Seagren	Vickerman
Commers	Goodno	Krinkie	Ness	Smith	Waltman
Dehler	Gruenes	Leppik	Olson, M.	Stanius	Weaver
Dempsey	Gutknecht	Limmer	Pauly	Sviggum	Worke
Erhardt	Haukoos	Lindner	Pawlenty	Swenson	Workman

Those who voted in the negative were:

Abrams	Cooper	Huntley	Krueger	Nelson	Reding	Tunheim
Anderson, I.	Dauner	Jacobs	Lasley	Olson, E.	Rest	Vellenga
Anderson, R.	Davids	Jefferson	Lourey	Olson, K.	Rice	Wagenius
Asch	Dawkins	Jennings	Luther	Onnen	Rodosovich	Wejcman
Battaglia	Delmont	Johnson, A.	Macklin	Opatz	Rukavina	Welle
Bauerly	Dorn	Johnson, R.	Mahon	Orenstein	Sekhon	Wenzel
Beard	Evans	Johnson, V.	Mariani	Orfield	Simoneau	Winter
Bergson	Farrell	Kahn	McCollum	Osthoff	Skoglund	Wolf
Bertram	Garcia	Kalis	McGuire	Ostrom	Solberg	Spk. Long
Bishop	Greenfield	Kelley	Milbert	Ozment	Sparby	
Brown, K.	Greiling	Kelso	Morrison	Pelowski	Steensma	
Carlson	Hasskamp	Kinkel	Mosel	Perlt	Tomassoni	
Carruthers	Hausman	Klinzing	Murphy	Peterson	Tompkins	
Clark	Holsten	Knickerbocker	Neary	Pugh	Trimble	

The motion did not prevail and the amendment was not adopted.

Sviggum moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 10, after line 31, insert:

"Sec. 17. Minnesota Statutes 1992, section 10A.31, subdivision 4, is amended to read:

Subd. 4. The amounts designated by individuals for the state elections campaign fund, less three percent, are appropriated from the general fund and shall be appropriated from the general fund to the ethical practices board to pay the public matching subsidy under section 10A.312. To the extent possible, the public matching subsidy must be paid from the general account money in the state elections campaign fund. If the general account money is insufficient for this purpose, the public matching subsidy must be paid from the party account money. Any funds remaining in the state elections campaign fund after the payment of public matching subsidies must be credited to the appropriate account in the state elections campaign fund and annually appropriated for distribution as set forth in subdivisions 5, 6 and 7. An amount equal to three percent shall be retained in the general fund for administrative costs."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment and the roll was called. There were 53 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Haukoos	Limmer	Olson, K.	Seagren	Waltman
Bergson	Dempsey	Holsten	Lindner	Olson, M.	Smith	Weaver
Bettermann	Erhardt	Hugoson	Lynch	Onnen	Stanius	Wolf
Bishop	Frerichs	Johnson, V.	Macklin	Osthoff	Sviggum	Worke
Blatz	Girard	Knickerbocker	Molnau	Ozment	Swenson	Workman
Brown, K.	Goodno	Koppendrayner	Morrison	Pauly	Tompkins	
Commers	Gruenes	Krinkie	Nelson	Pawlenty	Van Dellen	
Dauids	Gutknecht	Leppik	Ness	Rhodes	Vickerman	

Those who voted in the negative were:

Anderson, I.	Dauner	Jacobs	Krueger	Murphy	Rest	Trimble
Anderson, R.	Dawkins	Jefferson	Lasley	Neary	Rice	Tunheim
Asch	Delmont	Jennings	Lourey	Olson, E.	Rodosovich	Vellenga
Battaglia	Dorn	Johnson, A.	Luther	Opatz	Rukavina	Wagenius
Bauerly	Evans	Johnson, R.	Mahon	Orenstein	Sekhon	Wejcman
Beard	Farrell	Kahn	Mariani	Orfield	Simoneau	Welle
Bertram	Garcia	Kalis	McCollum	Ostrom	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McGuire	Perlt	Solberg	Winter
Carruthers	Greiling	Kelso	Milbert	Peterson	Sparby	Spk. Long
Clark	Hausman	Kinkel	Mosel	Pugh	Steensma	
Cooper	Huntley	Klinzing	Munger	Reding	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Olson, M., moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 23, line 25, strike "\$50" and insert "\$25"

Page 23, line 26, strike "\$100" and insert "\$50"

Page 24, after line 8, insert:

"(2) has agreed not to accept, and does not accept, contributions from political funds;"

Page 24, line 9, strike "(2)" and insert "(3)"

Page 24, line 11, strike "(3)" and insert "(4)"

A roll call was requested and properly seconded.

The question was taken on the Olson, M., amendment and the roll was called. There were 46 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Hugoson	Lindner	Olson, M.	Smith	Waltman
Bettermann	Girard	Johnson, V.	Luther	Onnen	Stanius	Weaver
Blatz	Goodno	Knickerbocker	Lynch	Ozment	Sviggum	Worke
Commers	Gruenes	Koppendrayner	Macklin	Pauly	Swenson	Workman
Dehler	Gutknecht	Krinkie	Molnau	Pawlenty	Tompkins	
Dempsey	Haukoos	Leppik	Morrison	Rhodes	Van Dellen	
Erhardt	Holsten	Limmer	Ness	Seagren	Vickerman	

Those who voted in the negative were:

Anderson, I.	Cooper	Huntley	Krueger	Nelson	Reding	Trimble
Anderson, R.	Dauner	Jacobs	Lasley	Olson, E.	Rest	Tunheim
Asch	Dauids	Jefferson	Lourey	Olson, K.	Rice	Vellenga
Battaglia	Dawkins	Jennings	Mahon	Opatz	Rodosovich	Wagenius
Bauerly	Delmont	Johnson, A.	Mariani	Orenstein	Rukavina	Wejcman
Beard	Dorn	Johnson, R.	McColum	Orfield	Sekhon	Welle
Bergson	Evans	Kahn	McGuire	Osthoff	Simoneau	Wenzel
Bertram	Farrell	Kalis	Milbert	Ostrom	Skoglund	Winter
Brown, K.	Garcia	Kelley	Mosel	Pelowski	Solberg	Wolf
Carlson	Greenfield	Kelso	Munger	Perlt	Sparby	Spk. Long
Carruthers	Greiling	Kinkel	Murphy	Peterson	Steenasma	
Clark	Hausman	Klinzing	Neary	Pugh	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Krinkie, Worke and Molnau moved to amend H. F. No. 163, the third engrossment, as amended, as follows:

Page 4, after line 21, insert:

"Sec. 7. [10A.156] [POLITICAL FUND CONTRIBUTIONS RESTRICTED.]

A political fund may not make a contribution to a party unit, a candidate's principal campaign committee or a political committee whose major purpose is to influence the nomination or election of a candidate. No party unit, candidate or treasurer of a candidate's principal campaign committee, or other political committee whose major purpose is to influence the nomination or election of a candidate may solicit or accept a contribution from or on behalf of a political fund."

Renumber and correct internal references

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "restricting contributions by political funds,"

A roll call was requested and properly seconded.

The question was taken on the Krinkie et al amendment and the roll was called. There were 48 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Abrams	Erhardt	Haukoos	Leppik	Morrison	Seagren	Vickerman
Bettermann	Frerichs	Holsten	Limner	Ness	Smith	Waltman
Blatz	Girard	Hugoson	Lindner	Olson, M.	Stanius	Weaver
Commers	Goodno	Johnson, V.	Luther	Onnen	Sviggum	Wolf
Dauids	Greiling	Knickerbocker	Lynch	Pauly	Swenson	Worke
Dehler	Gruenes	Koppendrayer	Macklin	Pawlenty	Tompkins	Workman
Dempsey	Gutknecht	Krinkie	Molnau	Rhodes	Van Dellen	

Those who voted in the negative were:

Anderson, I.	Clark	Huntley	Lasley	Olson, K.	Rice	Vellenga
Anderson, R.	Cooper	Jacobs	Lourey	Opatz	Rodosovich	Wagenius
Asch	Dauner	Jefferson	Mahon	Orenstein	Rukavina	Wejzman
Battaglia	Dawkins	Jennings	Mariani	Orfield	Sekhon	Welle
Bauerly	Delmont	Johnson, A.	McCollum	Osthoff	Simoneau	Wenzel
Beard	Dorn	Johnson, R.	McGuire	Ostrom	Skoglund	Winter
Bergson	Evans	Kahn	Milbert	Pelowski	Solberg	Spk. Long
Bertram	Farrell	Kalis	Mosel	Perlt	Sparby	
Bishop	Garcia	Kelley	Munger	Peterson	Steensma	
Brown, K.	Greenfield	Kinkel	Murphy	Pugh	Tomassoni	
Carlson	Hasskamp	Klinzing	Nelson	Reding	Trimble	
Carruthers	Hausman	Krueger	Olson, E.	Rest	Tunheim	

The motion did not prevail and the amendment was not adopted.

Sviggum, Koppendrayer, Molnau, Lindner, Dempsey and Leppik offered an amendment to H. F. No. 163, the third engrossment, as amended.

POINT OF ORDER

Anderson, I., raised a point of order pursuant to rule 3.09 that the Sviggum et al amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

H. F. No. 163, A bill for an act relating to campaign reform; limiting noncampaign disbursements to items specified by law; requiring lobbyists and political committees and funds to include their registration number on contributions; prohibiting certain "friends of" committees; requiring reports by certain solicitors of campaign contributions; limiting use of contributions carried forward; requiring unused postage to be carried forward as an expenditure; requiring certain notices; changing contribution limits; limiting contributions by political parties; prohibiting transfers from one candidate to another, with certain exceptions; limiting contributions by certain political committees, funds, and individuals; eliminating public subsidies to unopposed candidates; providing for a public subsidy to match in-district contributions; clarifying filing requirements for candidate agreements and the duration of the agreements; requiring return of public subsidies under certain conditions; imposing contribution limits on candidates for local offices; prohibiting political contributions by certain nonprofit corporations and partnerships; requiring a report of candidates on whose behalf political contributions have been refunded by the state; defining certain terms; clarifying certain language; appropriating money; amending Minnesota Statutes 1992, sections 10A.01, subdivision 10c, and by adding a subdivision; 10A.04, by adding a subdivision; 10A.065, subdivision 1; 10A.14, subdivision 2; 10A.15, by adding subdivisions; 10A.19, subdivision 1; 10A.20, subdivision 3, and by adding a subdivision; 10A.25, by adding subdivisions; 10A.27, subdivisions 1, 2, 9, and by adding subdivisions; 10A.31, subdivisions 6, 8, and by adding a subdivision; 10A.322, subdivisions 1 and 2; 10A.324, subdivisions 1 and 3; 211B.15; 290.06, subdivision 23; proposing coding for new law in Minnesota Statutes, chapters 10A; 211A; and 211B.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 89 yeas and 41 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Cooper	Huntley	Krueger	Murphy	Pugh	Tomassoni
Anderson, R.	Dauner	Jacobs	Lasley	Neary	Reding	Tompkins
Asch	Dawkins	Jefferson	Limmer	Nelson	Rest	Trimble
Battaglia	Delmont	Jennings	Lourey	Olson, E.	Rice	Vellenga
Bauerly	Dorn	Johnson, A.	Luther	Olson, K.	Rodosovich	Wagenius
Beard	Evans	Johnson, R.	Macklin	Opatz	Sekhon	Wejcman
Bergson	Farrell	Johnson, V.	Mahon	Orenstein	Simoneau	Welle
Bertram	Garcia	Kahn	Mariani	Orfield	Skoglund	Wenzel
Bishop	Greenfield	Kalis	McCollum	Ostrom	Smith	Winter
Brown, K.	Greiling	Kelley	McGuire	Pawlenty	Solberg	Workman
Carlson	Hasskamp	Kelso	Milbert	Pelowski	Sparby	Spk. Long
Carruthers	Hausman	Kinkel	Mosel	Perlt	Stanius	
Clark	Holsten	Klinzing	Munger	Peterson	Steensma	

Those who voted in the negative were:

Abrams	Dempsey	Gutknecht	Leppik	Olson, M.	Rukavina	Vickerman
Bettermann	Erhardt	Haukoos	Lindner	Onnen	Seagren	Waltman
Blatz	Frerichs	Hugoson	Lynch	Osthoff	Sviggum	Weaver
Commers	Girard	Knickerbocker	Molnau	Ozment	Swenson	Wolf
Dauids	Goodno	Koppendrayer	Morrison	Pauly	Tunheim	Worke
Dehler	Gruenes	Krinkie	Ness	Rhodes	Van Dellen	

The bill was passed, as amended, and its title agreed to.

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Orfield moved that the name of Evans be added as an author on H. F. No. 671. The motion prevailed.

Milbert moved that the names of Evans and Greiling be added as authors on H. F. No. 1025. The motion prevailed.

Stanius moved that the name of Reding be added as an author on H. F. No. 1095. The motion prevailed.

Onnen moved that the name of Murphy be added as an author on H. F. No. 1209. The motion prevailed.

Steensma moved that the name of Bettermann be added as an author on H. F. No. 1225. The motion prevailed.

Clark moved that the names of Goodno and Blatz be added as authors on H. F. No. 1371. The motion prevailed.

Farrell moved that the name of Kalis be added as an author on H. F. No. 1423. The motion prevailed.

Krueger moved that the name of Evans be added as an author on H. F. No. 1429. The motion prevailed.

Clark moved that the name of Evans be added as chief author on H. F. No. 1608. The motion prevailed.

Wenzel moved that the name of Steensma be added as an author on H. F. No. 1639. The motion prevailed.

Limmer moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the affirmative on Monday, March 22, 1993, when the vote was taken on the final passage of H. F. No. 233." The motion prevailed.

Beard moved that H. F. No. 877 be recalled from the Committee on Economic Development, Infrastructure and Regulation Finance and be re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Anderson, I., moved that H. F. No. 1402 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on Agriculture. The motion prevailed.

Hasskamp moved that H. F. No. 1552 be recalled from the Committee on Health and Human Services and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Jacobs moved that H. F. No. 1601 be recalled from the Committee on Regulated Industries and Energy and be re-referred to the Committee on Financial Institutions and Insurance. The motion prevailed.

Jacobs moved that H. F. No. 1609 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.

Krueger moved that H. F. No. 1658 be recalled from the Committee on Commerce and Economic Development and be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 12:00 noon, Thursday, April 8, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Thursday, April 8, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

STATE OF MINNESOTA

SEVENTY-EIGHTH SESSION -- 1993

THIRTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 8, 1993

The House of Representatives convened at 12:00 noon and was called to order by Dee Long, Speaker of the House.

Prayer was offered by Monsignor James D. Habiger, Minnesota Catholic Conference, St. Paul, Minnesota.

The roll was called and the following members were present:

Abrams	Dauner	Haukoos	Koppendrayer	Murphy	Reding	Trimble
Anderson, I.	Davids	Hausman	Krinkie	Nelson	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Krueger	Ness	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lasley	Olson, E.	Rice	Vellenga
Battaglia	Delmont	Huntley	Leppik	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Limmer	Olson, M.	Rukavina	Wagenius
Beard	Dorn	Jaros	Lindner	Onnen	Sarna	Waltman
Bergson	Erhardt	Jefferson	Lourey	Opatz	Seagren	Weaver
Bertram	Evans	Jennings	Lynch	Orenstein	Sekhon	Wejcman
Bettermann	Farrell	Johnson, A.	Macklin	Orfield	Skoglund	Welle
Bishop	Frerichs	Johnson, R.	Mahon	Osthoff	Smith	Wenzel
Blatz	Garcia	Johnson, V.	Mariani	Ostrom	Solberg	Winter
Brown, C.	Girard	Kahn	McCollum	Ozment	Sparby	Wolf
Brown, K.	Goodno	Kalis	McGuire	Pauly	Stanius	Worke
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Steenasma	Workman
Carruthers	Greiling	Kelso	Molnau	Pelowski	Sviggum	Spk. Long
Clark	Gruenes	Kinkel	Morrison	Perlt	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Pugh	Tompkins	

A quorum was present.

Lieder, Luther, Neary and Simoneau were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Seagren moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Brown, C., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 248, A bill for an act relating to local improvements; setting limits for certain contract requirements; amending Minnesota Statutes 1992, section 429.041, subdivisions 1 and 2.

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. 281, A bill for an act relating to agriculture; board of animal health; regulating the imposition and collection of civil penalties; appropriating money; amending Minnesota Statutes 1992, section 35.95, subdivisions 1 and 5.

Reported the same back with the following amendments:

Pages 1 and 2, delete section 3

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

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. 517, A bill for an act relating to the city of St. Paul; allowing the city to make special assessments against certain benefited property.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 581, A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in St. Louis county.

Reported the same back with the following amendments:

Page 1, lines 10 and 11, delete "by private sale, for not less than the appraised value," and insert "to the city of Babbitt for no consideration"

Page 1, lines 13 and 14, delete ", under the remaining provisions of Minnesota Statutes, chapter 282"

Page 1, line 15, delete everything after "(b)"

Page 1, line 16, delete "private sale to the city of Babbitt."

Page 1, line 17, before the period, insert "and must provide that the land reverts to the state if it is not used for the purpose in paragraph (d)"

Page 1, line 21, after the period, insert "The commissioner of revenue, pursuant to Minnesota Statutes, section 282.37, shall grant and convey to the commissioner of natural resources a permanent easement to Hay Lake for public access and for fisheries and wildlife management across the western 100 feet of the SW 1/4 of the NW 1/4 of Section 2."

Pages 1 and 2, delete section 2

Page 3, line 26, after "River" insert ": Fisheries management easement required"

Page 6, delete lines 4 to 6

Page 6, line 23, after the first comma, insert "except the abandoned railroad right-of-way."

Renumber the clauses in sequence

Page 7, line 1, delete "to 3" and insert "and 2"

Renumber the sections in sequence

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. 761, A bill for an act relating to local government; providing for the preparation and review of accounts; providing for duties of the state auditor; providing for the costs of examinations; defining the limits to various types of compensation; providing procedures for the satisfaction of claims; providing procedures for the removal of city managers; limiting certain high risk investments; amending Minnesota Statutes 1992, sections 6.56; 16B.06, subdivision 4; 43A.17, subdivision 9; 340A.602; 375.162, subdivision 2; 375.18, by adding subdivisions; 412.271, subdivision 1, and by adding subdivisions; 412.641, subdivision 1; and 475.66, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 6; 465; and 471.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [6.551] [EXAMINATION OF GRANTEES AND CONTRACTORS OF LOCAL GOVERNMENTS.]

The state auditor may examine the books, records, documents, and accounting procedures and practices of a contractor or grantee of a local government pursuant to section 16B.06, subdivision 4. The examination shall be limited to the books, records, documents, and accounting procedures and practices that are relevant to the contract or transaction with the local government.

Sec. 2. Minnesota Statutes 1992, section 6.56, is amended to read:

6.56 [COST OF EXAMINATION, PAYMENT.]

Subdivision 1. [DEFINITION.] As used in this section, "political subdivision" means any county, home rule charter or statutory city, town, school district, metropolitan or regional agency, or other special purpose district of the state of Minnesota.

Subd. 2. [BILLINGS BY STATE AUDITOR.] Upon the examination of the books, records, accounts, and affairs of any county, city, town, or school district political subdivision, as provided by law, such county, city, town, or school district political subdivision shall be liable to the state for the total cost and expenses of such examination, including the salaries paid to the examiners while actually engaged in making such examination. The state auditor may bill such county, city, town, or school district political subdivision monthly for service rendered and the officials responsible for approving and paying claims are authorized to pay said bill promptly. Said payments shall be without prejudice to any defense against said claims that may exist or be asserted. The general fund shall be credited with all collections made for any such examinations, including interest payments made pursuant to subdivision 3.

Subd. 3. [PAYMENT OF INTEREST ON LATE PAYMENTS REQUIRED.] (a) A political subdivision shall pay interest to the state auditor for undisputed billings when the political subdivision has not paid the billing within 60 days following receipt of the invoice. A negotiated contract or agreement between a political subdivision and the state auditor which requires an audit by the political subdivision before acceptance and payment of the state auditor's invoice shall not be considered past due until 60 days after the completion of the audit by the political subdivision. Before any interest payment is made, the state auditor must invoice the political subdivision for the interest.

(b) The rate of interest paid by the political subdivision on undisputed bills not paid within 60 days shall be 1.5 percent per month or any part of a month.

(c) No interest penalties may accrue against a political subdivision that delays payment of a bill due to a disagreement with the state auditor over the validity of the bill if the dispute is settled within 60 days after the bill became due. Upon the resolution of the dispute, the political subdivision must pay the state auditor accrued interest on all proper invoices for which payment was not received within 60 days following the receipt of the original invoice.

(d) The minimum monthly interest penalty payment that a political subdivision shall pay the state auditor for the unpaid balance for any one overdue bill equal to or in excess of \$100, is \$10. For unpaid balances of less than \$100, the political subdivision shall pay the actual penalty due to the state auditor.

Sec. 3. [6.745] [SUMMARY BUDGET DATA TO THE STATE AUDITOR.]

Subdivision 1. [CITIES.] Annually, upon adoption of the city budget, the city council of each home rule charter or statutory city shall forward summary budget information to the office of the state auditor. The summary budget information shall be provided on forms prescribed by the state auditor. The office of the state auditor shall work with representatives of city government to develop a budget reporting form that conforms with city budgeting practices and provides the necessary summary budget information to the office of the state auditor. The summary budget data shall be provided to the office of the state auditor no later than December 31 of the year preceding each budget year.

Subd. 2. [COUNTIES.] Annually, upon adoption of the county budget, the county board shall forward summary budget information to the office of the state auditor. The summary budget information shall be provided on forms prescribed by the state auditor. The office of the state auditor shall work with representatives of county government to develop a budget reporting form that conforms with county budgeting practices and provides the necessary summary budget information to the office of the state auditor. The summary budget data shall be provided to the office of the state auditor no later than December 31 of the year preceding each budget year.

Sec. 4. [6.77] [COUNTY FINANCIAL ACCOUNTING AND REPORTING STANDARDS.]

Subdivision 1. [ESTABLISHMENT.] A county financial accounting and reporting standards task force is established to assist Minnesota counties to maintain and revise the county financial accounting and reporting standards system based on generally accepted governmental accounting principles. The task force shall also provide a forum for representatives of the counties and state to work together to develop uniform standards for financial reporting.

Subd. 2. [MEMBERSHIP.] The task force shall be composed of 13 members. Members shall be selected as follows.

(a) The commissioners of revenue, health, human services, and transportation shall each appoint an individual to serve on the task force. The commissioners of each department shall give priority consideration to appointing individuals who are familiar with county financial reporting standards and generally accepted accounting principles.

(b) The state court administrator shall appoint a district court administrator representing a judicial district in which the responsibility for all district court operations has not been assumed by the state.

(c) The state auditor, after consulting with statewide county associations, shall appoint seven representatives of county government. All representatives of county government shall be familiar with county financial reporting standards and generally accepted accounting principles. The county representatives shall include at least one county auditor, one county administrator, one county financial officer, one representative familiar with financing of county highway departments, and one representative familiar with financing of county human services.

(d) The state auditor, or a designee of the state auditor, shall chair the task force.

Subd. 3. [DUTIES.] The task force shall meet periodically at the call of the chair. The task force shall recommend to the state auditor changes in the chart of accounts necessitated by changes in financial reporting standards. It shall assist counties to implement new accounting and reporting requirements necessitated by law or by generally accepted governmental accounting principles. All agencies of state government are directed to submit to the task force for its review and comment any proposed changes in their fiscal reporting requirements for counties. The task force shall undertake other advisory duties related to county accounts and data standards as it deems necessary and shall make recommendations to the state auditor and other appropriate individuals and agencies.

Sec. 5. Minnesota Statutes 1992, section 16B.06, subdivision 4, is amended to read:

Subd. 4. [SUBJECT TO AUDIT.] A contract or any disbursement of public funds to a provider of services or a grantee made by or under the supervision of the commissioner, an agency, or any county or unit of local government must include, expressly or impliedly, an audit clause that provides that the books, records, documents, and accounting procedures and practices of the contractor or other party, relevant to the contract or transaction are subject to examination by the contracting agency, and either the legislative auditor or the state auditor as appropriate. If the contracting agency is a local unit of government, and the governing body of the local unit of government requests that the state auditor examine the books, records, documents, and accounting procedures and practices of the contractor or other party pursuant to this subdivision, the contracting agency shall be liable for the cost of the examination. If the contracting agency is a local unit of government, and the grantee, contractor, or other party requests that the state auditor examine all books, records, documents, and accounting procedures and practices related to the contract, the grantee, contractor, or other party that requested the examination shall be liable for the cost of the examination. A state contract made for purchase, lease, or license of software and data from the state is not required to contain that audit clause.

Sec. 6. Minnesota Statutes 1992, section 43A.17, subdivision 9, is amended to read:

Subd. 9. [POLITICAL SUBDIVISION SALARY COMPENSATION LIMIT.] The salary and the value of all other forms of compensation of a person employed by a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision of this state, or employed under section 422A.03, may not exceed 95 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which shall be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which shall not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation shall be the annual cost to the political subdivision for the provision of the compensation. The salary of a medical doctor or doctor of osteopathy occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision. The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the legislative commission on employee relations and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have recommended approval.

Sec. 7. Minnesota Statutes 1992, section 340A.602, is amended to read:

340A.602 [CONTINUATION.]

In any city in which the report of the operations of a municipal liquor store has shown a net loss prior to interfund transfer in any two of three consecutive years ~~both (1) a net loss and (2) that no contribution to other municipal funds has been made from the net income of the operation~~, the city council shall, not more than 45 days prior to the end of the fiscal year following the three-year period, hold a public hearing on the question of whether the city shall continue to operate a municipal liquor store. Two weeks notice, written in clear and easily understandable language, of the hearing must be printed in the city's official newspaper. Following the hearing the city council may on its own motion or shall upon petition of five percent or more of the registered voters of the city, submit to the voters at a general or special municipal election the question of whether the city shall continue or discontinue municipal liquor store operations by a date which the city council shall designate. The date designated by the city council must not be more than 30 months following the date of the election.

Sec. 8. Minnesota Statutes 1992, section 375.162, subdivision 2, is amended to read:

Subd. 2. The county board may authorize an imprest fund for the purpose of advancing money to officers or employees to pay their actual and necessary expenses in attending meetings outside the county or for other travel that is related to the performance of their job duties. The county board shall appoint a custodian of the fund who shall be responsible for its safekeeping and disbursement according to law. Attendance at meetings and other travel outside the county shall be authorized in advance by the county board. At a meeting of the county board in the month after ~~a meeting~~ approved travel outside the county, the officer or employee shall submit an itemized claim for the actual and necessary expenses incurred and paid ~~in attending the meeting related to the approved travel~~. The county board shall act upon it as in the case of other claims and a warrant shall be issued to the officer or employee for the amount allowed. The officer or employee shall use the proceeds of the warrant to repay the amount advanced from the fund. If the amount approved by the county board is insufficient to repay the advance, the officer or employee shall be personally responsible for the difference.

Sec. 9. Minnesota Statutes 1992, section 375.18, is amended by adding a subdivision to read:

Subd. 1a. [DEFINITION.] For purposes of this section, a "county administrative official" shall mean a county auditor, treasurer, auditor-treasurer, administrator, coordinator, manager, a clerk/administrator, or a senior fiscal officer.

Sec. 10. Minnesota Statutes 1992, section 375.18, is amended by adding a subdivision to read:

Subd. 1b. [DELEGATION OF AUTHORITY FOR PAYING CERTAIN CLAIMS.] A county board, at its discretion, may delegate its authority to pay certain claims made against the county to a county administrative official. County boards opting to delegate their authority to review claims before payment pursuant to this subdivision shall have internal accounting and administrative control procedures to ensure the proper disbursement of public funds. The procedures shall include regular and frequent review of the county administrative officials' actions by the board. A list of all claims paid under the procedures established by the county board shall be presented to the board for informational purposes only at the next regularly scheduled meeting after payment of the claim. A county board that delegates its authority to pay certain claims made against the county must adopt a resolution authorizing a specified county administrative official to pay the claims that meet the standards and procedures established by the board. This subdivision does not apply to a home rule charter county for which the county charter provides an alternative method for paying claims made against the county.

Sec. 11. Minnesota Statutes 1992, section 412.271, subdivision 1, is amended to read:

Subdivision 1. [METHOD.] No disbursement of city funds, including funds of any municipal liquor dispensary operated by the city, shall be made except by an order drawn by the mayor and clerk upon the treasurer. Except when issued for the payment of judgments, salaries and wages previously fixed by the council or by statute, principal and interest on obligations, rent and other fixed charges, the exact amount of which has been previously determined by contract authorized by the council, and except as otherwise provided in subdivisions 4 ~~and~~, 5, ~~and~~ 8, no order shall be issued until the claim to which it relates has been audited and allowed by the council.

Sec. 12. Minnesota Statutes 1992, section 412.271, is amended by adding a subdivision to read:

Subd. 7. [DEFINITION.] For purposes of this section, a "city administrative official" means a city manager, administrator, treasurer, senior fiscal officer, clerk, or clerk-treasurer.

Sec. 13. Minnesota Statutes 1992, section 412.271, is amended by adding a subdivision to read:

Subd. 8. [DELEGATION OF AUTHORITY FOR PAYING CERTAIN CLAIMS.] A city council, at its discretion, may delegate its authority to pay certain claims made against the city to a city administrative official. City councils opting to delegate their authority to review claims before payment pursuant to this subdivision shall have internal accounting and administrative control procedures to ensure the proper disbursement of public funds. The procedures shall include regular and frequent review of the city administrative officials' actions by the council. A list of all claims paid under the procedures established by the city council shall be presented to the council for informational purposes only at the next regularly scheduled meeting after payment of the claim. A city council that delegates its authority to pay certain claims made against the city must adopt a resolution authorizing a specified city administrative official to pay the claims that meet the standards and procedures established by the council. A city council of a city that does not prepare annual audited financial statements which have been attested to by an independent certified public accountant, public accountant, or the state auditor, may not delegate its authority for paying certain claims against the city pursuant to this subdivision.

Sec. 14. Minnesota Statutes 1992, section 412.641, subdivision 1, is amended to read:

Subdivision 1. The city manager shall be chosen by the council solely on the basis of training, experience, and administrative qualifications and need not be a resident of the city at the time of appointment. The manager shall be appointed for an indefinite period and may be removed by the council at any time, but after having served as manager for one year the city manager may demand written charges and a public hearing on the charges before the council prior to the date when final removal takes effect. A demand for written charges and a hearing must be made within seven days of notification of the council's intent to remove the city manager. The council shall set a date and a reasonable time for a public hearing, which must be held within 30 days of the demand and may not be reconvened or recessed until a further date, absent approval of the council. The council shall notify the city manager within five days of the hearing, of the council's decision to retain or remove the city manager. The decision of the council is final. Pending such hearing and removal, the council may suspend the manager, with or without pay, at the council's discretion, from office. The council may designate some properly qualified person to perform the duties of the manager during absence or disability.

Sec. 15. [465.722] [SEVERANCE PAY FOR HIGHLY COMPENSATED EMPLOYEES.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(a) "Local unit of government" means a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision.

(b) "Wages" has the meaning provided by section 3401(a) of the Internal Revenue Code of 1986, as amended through December 31, 1992.

(c) "Highly compensated employee" means an employee of a local unit of government with estimated annual wages that:

(1) are greater than 60 percent of the governor's annual salary; and

(2) are equal to, or greater than, 80 percent of the estimated annual wages of the second highest paid employee of the local unit of government.

Subd. 2. [LIMITS ON SEVERANCE PAY.] Notwithstanding any contrary provision of section 465.72, subdivision 1, severance pay for a highly compensated employee includes benefits or compensation with a quantifiable monetary value, that are provided for an employee upon termination of employment and are not part of the employee's annual wages and benefits and are not specifically excluded by this subdivision. Severance pay shall not include payments for accumulated vacation, accumulated sick leave, and accumulated sick leave liquidated to cover the cost of group term insurance provided under section 471.61 to retiring employees. Severance pay for a highly compensated employee does not include payments of periodic contributions by an employer toward premiums for group insurance policies. The severance pay for a highly compensated employee must be excluded from retirement deductions and from any calculations of retirement benefits. Severance pay for a highly compensated employee must be paid in a manner mutually agreeable to the employee and the governing body of the local unit of government over a period not to exceed five years from retirement or termination of employment. If a retired or terminated employee dies before all or a portion of the severance pay has been disbursed, the balance due must be paid to a named beneficiary or, lacking one, to the deceased's estate. Except as provided in subdivision 3, severance pay provided for a highly compensated employee leaving employment may not exceed an amount equivalent to six months of wages.

Subd. 3. [EXCEPTIONS TO MAXIMUM ALLOWABLE SEVERANCE PAY FOR A HIGHLY COMPENSATED EMPLOYEE.] Severance pay for a highly compensated employee may exceed an amount equivalent to six months of wages if:

(1) the severance pay benefit is included in an employment contract between the employee and the local unit of government that is in effect on the effective date of this section, and the termination of employment occurs before the expiration date of said contract; or

(2) the severance pay is part of an early retirement incentive offer approved by the governing body of the local unit of government and the offer results in a net salary and benefit savings to the budget of the local unit of government upon retirement of the employee and hiring of a replacement employee in the vacant position.

Nothing in this subdivision shall be deemed to allow total severance payments for a highly compensated employee that exceed the limits established in section 465.72.

Subd. 4. [GOVERNING BODY MUST APPROVE CERTAIN PAYMENTS; TIME FOR RECISION.] Notwithstanding section 13.43, subdivision 2, any payment to a highly compensated employee for settling disputed claims, whether or not the claims have been filed, or any payment to a highly compensated employee for terminating a written employment contract, must be approved by the governing body of the local unit of government during a public meeting. The financial terms of a payment made pursuant to this subdivision must be made public at the meeting. The effective date of the governing body's approval of a payment made pursuant to this subdivision shall be 15 days after the date of the public meeting. The governing body of a local unit of government approving a payment pursuant to this subdivision, or the employee to whom the payment is to be made, may rescind or reject the payment, prior to the effective date of the governing body's approval.

Sec. 16. [471.666] [PERSONAL USE OF PUBLICLY-OWNED AUTOMOBILES PROHIBITED.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following definitions shall apply:

(a) "Local government vehicle" means a vehicle owned or leased by a political subdivision of the state of Minnesota or loaned to a political subdivision.

(b) "Political subdivision" means a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other special purpose district of this state.

(c) "Local government employee" or "employee" means an individual who is appointed or employed by a political subdivision, including all elected officials of political subdivisions.

Subd. 2. [RESTRICTED USES.] A local government vehicle may be used only for authorized local government business, including personal use that is clearly incidental to the use of the vehicle for local government business. A local government vehicle may not be used for transportation to or from the residence of a local government employee, except as provided in subdivision 3.

Subd. 3. [PERMITTED USES.] A local government vehicle may be used by a local government employee to travel to or from the employee's residence:

(1) in connection with work-related activities during hours when the employee is not working;

(2) if the employee has been assigned the use of a local government vehicle for authorized local government business on an extended basis, and the employee's primary place of work is not the local government work station to which the employee is permanently assigned; or

(3) if the employee has been assigned the use of a local government vehicle for authorized local government business away from the work station to which the employee is permanently assigned, and the number of miles traveled, or the time needed to conduct the business, will be minimized if the employee uses a local government vehicle to travel to the employee's residence before or after traveling to the place of local government business.

Subd. 4. [EXCEPTIONS.] This section does not apply to public safety vehicles that are owned or leased by a political subdivision.

Sec. 17. Minnesota Statutes 1992, section 475.66, subdivision 3, is amended to read:

Subd. 3. Subject to the provisions of any resolutions or other instruments securing obligations payable from a debt service fund, any balance in the fund may be invested

(a) in governmental bonds, notes, bills, mortgages, and other securities, which are direct obligations or are guaranteed or insured issues of the United States, its agencies, its instrumentalities, or organizations created by an act of Congress, excluding mortgage-backed securities that are defined as high risk pursuant to subdivision 5, or in certificates of deposit secured by letters of credit issued by federal home loan banks,

(b) in shares of an investment company (1) registered under the Federal Investment Company Act of 1940, whose shares are registered under the Federal Securities Act of 1933, and (2) whose only investments are in (i) securities described in the preceding clause, except that mortgage-backed securities defined as high risk pursuant to subdivision 5 do not apply to shares of an investment company, (ii) general obligation tax-exempt securities rated A or better by a national bond rating service, and (iii) repurchase agreements or reverse repurchase agreements fully collateralized by those securities, if the repurchase agreements or reverse repurchase agreements are entered into only with those primary reporting dealers that report to the Federal Reserve Bank of New York and with the 100 largest United States commercial banks,

(c) in any security which is (1) a general obligation of the state of Minnesota or any of its municipalities, or (2) a general obligation of another state or local government with taxing powers which is rated A or better by a national bond rating service, or (3) a general obligation of the Minnesota housing finance agency, or (4) a general obligation of a housing finance agency of any state if it includes a moral obligation of the state, or (5) a general or revenue obligation of any agency or authority of the state of Minnesota other than a general obligation of the Minnesota housing finance agency. Investments under clauses (3) and (4) must be in obligations that are rated A or better by a national bond rating service and investments under clause (5) must be in obligations that are rated AA or better by a national bond rating service,

(d) in bankers acceptances of United States banks eligible for purchase by the Federal Reserve System,

(e) in commercial paper issued by United States corporations or their Canadian subsidiaries that is of the highest quality and matures in 270 days or less, or

(f) in guaranteed investment contracts issued or guaranteed by United States commercial banks or domestic branches of foreign banks or United States insurance companies or their Canadian or United States subsidiaries; provided that the investment contracts rank on a parity with the senior unsecured debt obligations of the issuer or guarantor and, (1) in the case of long-term investment contracts, either (i) the long-term senior unsecured debt of the issuer or guarantor is rated, or obligations backed by letters of credit of the issuer or guarantor if forming the primary basis of a rating of such obligations would be rated, in the highest or next highest rating category of Standard & Poor's Corporation, Moody's Investors Service, Inc., or a similar nationally recognized rating agency, or (ii) if the issuer is a bank with headquarters in Minnesota, the long-term senior unsecured debt of the issuer is rated, or obligations backed by letters of credit of the issuer if forming the primary basis of a rating of such obligations would be rated in one of the three highest rating categories of Standard & Poor's Corporation, Moody's Investors Service, Inc., or similar nationally recognized rating agency, or (2) in the case of short-term investment contracts, the short-term unsecured debt of the issuer or guarantor is rated, or obligations backed by letters of credit of the issuer or guarantor if forming the primary basis or a rating of such obligations would be rated, in the highest two rating categories of Standard and Poor's Corporation, Moody's Investors Service, Inc., or similar nationally recognized rating agency.

The fund may also be used to purchase any obligation, whether general or special, of an issue which is payable from the fund, at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of such an issue prior to maturity in accordance with its terms. The securities representing any such investment may be sold or hypothecated by the municipality at any time, but the money so received remains a part of the fund until used for the purpose for which the fund was created.

Sec. 18. Minnesota Statutes 1992, section 475.66, is amended by adding a subdivision to read:

Subd. 5. For the purposes of this section, "high risk mortgage-backed securities" are:

(a) interest-only or principal-only mortgage-backed securities; and

(b) any mortgage derivative security that:

(1) has an expected average life greater than ten years;

(2) has an expected average life that:

(i) will extend by more than four years as the result of an immediate and sustained parallel shift in the yield curve of plus 300 basis points; or

(ii) will shorten by more than six years as the result of an immediate and sustained parallel shift in the yield curve of minus 300 basis points; or

(3) will have an estimated change in price of more than 17 percent, as the result of an immediate and sustained parallel shift in the yield curve of plus or minus 300 basis points.

Sec. 19. Minnesota Statutes 1992, section 475.66, is amended by adding a subdivision to read:

Subd. 6. (a) For the purpose of this subdivision, the term "broker" means a broker-dealer, broker, or agent of a municipality, who transfers, purchases, sells, or obtains securities for, or on behalf of, a municipality.

(b) Prior to completing an initial transaction with a broker, a municipality shall provide to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota Statutes governing the investment of public funds.

A broker must acknowledge receipt of the statement of investment restrictions in writing and agree to handle the municipality's account in accordance with these restrictions. A municipality may not enter into a transaction with a broker until the broker has provided this written agreement to the municipality.

The state auditor shall prepare uniform notification forms which shall be used by the municipalities and the brokers to meet the requirements of this subdivision.

Sec. 20. [ROLLOVER EMPLOYMENT CONTRACTS.]

Subdivision 1. [APPLICABILITY.] This section applies only to employment contracts that are in effect on the effective date of this act, or have been signed prior to the effective date of this act, and does not apply to employment contracts that are signed on or after the effective date of this act.

Subd. 2. [ACTIONS BY GOVERNING BODY.] (a) The governing body of a political subdivision may not agree to extend an existing employment contract with an employee of the political subdivision, or a group of employees of the political subdivision. If the governing body of a political subdivision is a party to an existing employment contract which requires the governing body to take action to prevent an automatic extension of the contract, the governing body shall take the action specified in the contract to prevent the automatic extension of the contract.

(b) The governing body of a political subdivision that is a party to an employment contract affected by paragraph (a), may, at its sole discretion, agree to enter into a new employment contract with the affected employee or employees. The new employment contract shall conform to the provisions of this act.

Sec. 21. [SEVERABILITY.]

If any section of this act is found unconstitutional, that finding does not affect the constitutionality of the remaining sections.

Sec. 22. [EFFECTIVE DATE.]

Section 19 is effective January 1, 1994."

Delete the title and insert:

"A bill for an act relating to local government; providing for the preparation and review of accounts; providing for duties of the state auditor; providing for the costs of examinations; defining the limits to various types of compensation; providing procedures for the satisfaction of claims; providing procedures for the removal of city managers; limiting certain high risk investments; amending Minnesota Statutes 1992, sections 6.56; 16B.06, subdivision 4; 43A.17, subdivision 9; 340A.602; 375.162, subdivision 2; 375.18, by adding subdivisions; 412.271, subdivision 1, and by adding subdivisions; 412.641, subdivision 1; and 475.66, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 6; 465; and 471."

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.

Brown, C., from the Committee on Local Government and Metropolitan Affairs to which was referred:
H. F. No. 962, A bill for an act relating to metropolitan government; requiring a classroom noise study.

Reported the same back with the following amendments:

Page 1, line 6, after "commission" insert "in consultation with representatives of school districts adjacent to the Minneapolis-St. Paul International Airport"

Page 1, lines 9 and 12, delete "realistic" and insert "reasonable"

Page 1, delete line 20

Page 1, line 21, delete "(3)" and insert "(2)"

Page 1, line 22, delete "(4)" and insert "(3)"

Page 1, line 23, delete "(5)" and insert "(4)"

Page 1, after line 24, insert:

"The study shall include noise frequency measurements accomplished using A-weighted sound levels."

Page 2, line 14, delete everything after "must" and insert "be located in at least two different public or private schools in each of the following cities: Eagan, Bloomington, Mendota Heights, Minneapolis, Richfield, and St. Paul. Not more than two of the schools tested may be located inside the 1996"

Page 2, delete lines 15 to 18

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. 1244, A bill for an act relating to metropolitan government; exempting regional park properties from taxation; providing for metropolitan council review of special assessments on regional park properties; proposing coding for new law in Minnesota Statutes, chapter 473.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes without further recommendation.

The report was adopted.

Brown, C., from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1251, A bill for an act relating to cities; allowing the use of self-insurance funds or pools to satisfy statutory bond requirements; amending Minnesota Statutes 1992, section 471.981, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1285, A bill for an act relating to natural resources; management of state-owned lands by the department of natural resources; amending Minnesota Statutes 1992, sections 84.0273; 84.632; 92.06, subdivision 1; 92.14, subdivision 2; 92.19; 92.29; 92.67, subdivision 5; 94.10; 94.11; 94.13; and 94.348, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 14, strike "The entire, or a portion of" and before "an" insert "All or part of"

Page 2, line 15, strike "in an amount"

Page 2, line 20, strike "shall be deposited in" and insert "must be credited to"

Page 2, line 22, delete "shall be deposited in" and insert "must be credited to"

Page 2, after line 23, insert:

"Sec. 3. Minnesota Statutes 1992, section 85.015, is amended by adding a subdivision to read:

Subd. 1a. [PRIVATE SUBSURFACE USE OF TRAILS.] Notwithstanding section 272.68, subdivision 3, the commissioner may issue a permit, without a fee, to allow a person who owns land adjacent to a trail established under this section on land owned by the state in fee to continue a subsurface use of the trail right-of-way, if:

(1) the person was carrying on the use when the state acquired the land for the trail; and

(2) the use does not interfere with the public's use of the trail.

Sec. 4. Minnesota Statutes 1992, section 86A.05, subdivision 14, is amended to read:

Subd. 14. [AQUATIC MANAGEMENT AREAS.] (a) Aquatic management areas may be established to protect, develop, and manage lakes, rivers, streams, and adjacent wetlands and lands that are critical for fish and other aquatic life, for water quality, and for their intrinsic biological value, public fishing, or other compatible outdoor recreational uses.

(b) Aquatic management areas may be established to protect wetland areas under ten acres that are donated to the department of natural resources.

(c) No unit may be authorized unless it meets one or more of the following criteria:

(1) provides angler or management access;

(2) protects fish spawning, rearing, or other unique habitat;

(3) protects aquatic wildlife feeding and nesting areas;

(4) protects critical shoreline habitat; or

(5) provides a site for research on natural history.

(e) (d) Aquatic management areas must be administered by the commissioner of natural resources in a manner consistent with the purposes of this subdivision to perpetuate and, if necessary, reestablish high quality aquatic habitat for production of fish, wildlife, and other aquatic species. Public fishing and other uses shall be consistent with the limitations of the resource, including the need to preserve adequate populations and prevent long-term habitat injury or excessive fish population reduction or increase. Public access to aquatic management areas may be closed during certain time periods."

Page 2, line 35, after "subdivision" insert a comma

Page 3, line 4, delete "shall" and insert "must"

Page 3, line 5, delete "shall" and insert "must"

Page 3, line 6, delete "follows" and insert "provided in paragraph (c)"

Page 3, line 15, delete "shall be" and insert "is"

Page 3, line 17, delete "following"

Page 3, line 18, delete everything before the comma and insert "after July 1, 1993" and delete "shall be" and insert "is"

Page 5, line 11, reinstate "~~appraisal shall be~~"

Page 5, line 12, reinstate "~~made by~~"

Page 5, line 14, after "situated" insert "a qualified appraiser residing in the county or nearby region" and reinstate "~~Each~~"

Page 6, line 26, delete "of"

Page 6, line 27, delete "natural resources"

Page 7, line 17, delete "shall be" and insert "are the same as"

Page 8, line 4, delete "shall recite" and insert "must state"

Page 8, after line 8, insert:

"Sec. 13. Minnesota Statutes 1992, section 94.343, subdivision 3, is amended to read:

Subd. 3. (a) Except as otherwise herein provided, Class A land shall be exchanged only for land of at least substantially equal value to the state, as determined by the commissioner, with the approval of the board. For the purposes of such determination, the commissioner shall cause the state land and the land proposed to be exchanged therefor to be examined and appraised by qualified state appraisers as provided in section 84.0272; provided, that in exchanges with the United States or any agency thereof the examination and appraisal may be made in such manner as the land exchange board may direct. The appraisers shall determine the fair market value of the lands involved, disregarding any minimum value fixed for state land by the state constitution or by law, and shall make a report thereof, together with such other pertinent information respecting the use and value of the lands to the state as they deem pertinent or as the commissioner or the board may require. Such reports shall be filed and preserved in the same manner as other reports of appraisal of state lands. The appraised values shall not be conclusive, but shall be taken into consideration by the commissioner and the board, together with such other matters as they deem material, in determining the values for the purposes of exchange.

(b) For the purposes of this subdivision, "substantially equal value" means:

(1) where the values of the lands being exchanged are both over 100 acres, their values do not differ by more than ten percent; and

(2) in other cases, the values of the exchanged lands do not differ by more than 20 percent."

Page 8, line 13, strike "retained by the board" and delete ", deposited in" and insert "credited to"

Page 8, line 14, delete the comma

Page 8, line 15, delete "and immediately available"

Page 8, after line 21, insert:

"Sec. 15. Minnesota Statutes 1992, section 97A.135, subdivision 2, is amended to read:

Subd. 2. [DISPOSAL OF UNSUITABLE HUNTING AREAS.] The commissioner shall sell or exchange land acquired for public hunting that is unnecessary or unsuitable. The land may not be sold for less than its purchase price. The land may be exchanged for land of equal value that adds to existing public hunting areas. The sales and exchanges must be approved by the executive council. This subdivision does not apply to land in a wildlife management area.

Sec. 16. Minnesota Statutes 1992, section 97A.135, is amended by adding a subdivision to read:

Subd. 2a. [DISPOSAL OF LAND IN WILDLIFE MANAGEMENT AREAS.] (a) The commissioner may sell or exchange land in a wildlife management area authorized by designation under section 86A.07, subdivision 3, or 97A.145 if the commissioner vacates the designation before the sale or exchange in accordance with this subdivision. The designation may be vacated only if the commissioner finds, after a public hearing, that the land no longer meets the criteria in section 86A.05, subdivision 8.

(b) A sale under this subdivision is subject to sections 94.09 to 94.16. An exchange under this subdivision is subject to sections 94.341 to 94.348.

(c) Revenue received from a sale authorized under paragraph (a) is appropriated to the commissioner for acquisition of replacement wildlife management lands.

(d) Land acquired by the commissioner under this subdivision must meet the criteria in section 86A.05, subdivision 8, and as soon as possible after the acquisition must be designated as a wildlife management area under section 86A.07, subdivision 3, or 97A.145.

(e) In acquiring land under this subdivision, the commissioner must give priority to land within the same geographic region of the state as the land conveyed.

Sec. 17. [EFFECTIVE DATE.]

This act is effective the day following final enactment, except that sections 15 and 16 are effective August 1, 1993, and do not apply to purchase agreements executed before that date.

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "private use of state trails; appropriating money;"

Page 1, line 5, after "84.632;" insert "85.015, by adding a subdivision; 86A.05, subdivision 14;"

Page 1, line 7, delete "and" and insert "94.343, subdivision 3;" and before the period insert "; and 97A.135, subdivision 2, and by adding a subdivision"

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. 1486, A bill for an act relating to libraries; requiring the metropolitan council to conduct a study of metropolitan area libraries and library systems and report to the legislature.

Reported the same back with the following amendments:

Page 1, line 15, after the period, insert:

"The study shall include the feasibility of the establishment by the University of Minnesota library and other public libraries of a regional-metropolitan library depository facility for the storage of materials for which there is low or no current demand, as well as for the storage of the university's archival and manuscript collections." and delete "study shall encompass" and insert "council shall organize an advisory committee composed of representatives of the office of library development of the state department of education,"

Page 1, line 18, delete the second "and"

Page 1, delete line 20 and insert "libraries; and library service"

Page 1, line 25, delete everything after "legislation"

Page 2, line 1, delete everything before the period

Page 2, line 2, delete "November" and insert "July" and delete "1993" and insert "1994"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1492, A bill for an act relating to the environment; authorizing administrative penalty orders for violations of provisions relating to hazardous chemical reporting requirements; amending Minnesota Statutes 1992, section 299K.10, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1494, A bill for an act relating to the environment; imposing criminal penalties for knowing violations of air pollution requirements; amending Minnesota Statutes 1992, section 609.671, subdivisions 9 and 12.

Reported the same back with the following amendments:

Page 2, line 22, delete "gross"

Page 2, line 23, after "violates" insert ":

(1)"

Page 2, line 26, before the period, insert ":

(2) a condition of an air emissions permit issued by the agency under chapter 116, or a rule adopted under that chapter; or

(3) a requirement to pay a fee based on air emissions under chapter 116, or a rule adopted under that chapter"

Page 2, line 27, delete "one year" and insert "90 days"

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. 1541, A bill for an act relating to Nobles county; permitting the consolidation of the offices of auditor and treasurer.

Reported the same back with the following amendments:

Page 1, line 7, after the comma insert "or the Murray county board of commissioners."

Page 2, line 4, delete "15" and insert "ten"

Page 2, line 10, after "effect" insert "separately for each county."

Page 2, line 11, after "board" insert "or the Murray county board"

Delete the title and insert:

"A bill for an act relating to counties; permitting Murray and Nobles counties to consolidate the offices of auditor and treasurer."

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 192, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

Reported the same back with the following amendments:

Page 1, after line 22, insert:

"Sec. 2. [SALE OF STATE LAND TO ROBERT AND CHARLOTTE BREKKE.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09 to 94.13, 103F.535, 282.018, or any other law, the commissioner of natural resources, in the name of the state, shall convey by private sale the land bordering public water that is described in paragraph (c).

(b) The land described in paragraph (c) must be sold by private sale for a consideration of \$100 to Robert W. Brekke and Charlotte V. Brekke, husband and wife, as tenants in common. The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Aitkin county, is a strip of land located on the northern boundary of Grayling Marsh, and is described as follows:

All that part of Government Lot 2, Section 31, Township 49 North, Range 22 West, lying northerly of a line described as follows: Commencing at the northeastern corner of said Government Lot 2, thence southerly along the eastern boundary line of said Lot 2 84.49 feet to the point of beginning of the line to be described; thence South 87 degrees 20 minutes 14 seconds West to the average highwater line of Round Lake and there terminating.

(d) Aitkin county and the department of natural resources have determined that this conveyance corrects a boundary problem created by an erroneous survey and best serves their land management interests."

Page 1, line 23, delete "2" and insert "3"

Page 1, line 24, delete "Section 1 is" and insert "Sections 1 and 2 are"

Amend the title as follows:

Page 1, line 2, delete "public" and insert "the"

Page 1, line 3, after "tax-forfeited" insert "and other state"

With the recommendation that when so amended the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 235, A bill for an act relating to state lands; authorizing release of a reversionary interest in certain state lands conveyed to the city of St. Peter.

Reported the same back with the following amendments:

Page 1, line 8, delete "may" and insert "shall"

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:

S. F. No. 262, A bill for an act relating to the city of Saint Paul; authorizing the city by ordinance to prepare, adopt, and amend design districts and design framework, to establish a design advisory committee, and to establish design review procedures to preserve and enhance the city's appearance and environmental quality.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [ADOPTION AND AMENDMENT OF DESIGN DISTRICTS AND DESIGN FRAMEWORK.]

To preserve and enhance the environmental quality of the city of Saint Paul, the city may take the following actions.

(a) The city council may by ordinance after recommendation from its planning commission and after a public hearing, notice of which shall be published in a newspaper of general circulation at least 20 days prior to the date of the hearing, adopt or amend design districts and design framework to be subject to special controls of the types authorized by sections 1 to 3.

(b) Design framework adopted by the city council may include a compilation of design policies, goals, standards, principles, visual forms and images, and action programs to guide future development of public and private property within the design districts.

(c) Design districts may include designated corridors along freeways and other major thoroughfares; historic areas; areas abutting major educational and cultural institutions; areas abutting lakes, rivers, major parks and parkways; the downtown business district; areas abutting major transportation terminals, major public facilities, and community business districts; and other areas that the city council finds to be especially significant to preservation and improvement of the visual character and environmental quality of the city.

(d) Design districts adopted by the city council under this section must not be given jurisdiction over the capital area, as defined in Minnesota Statutes, section 15.50, subdivision 2.

Sec. 2. [DESIGN ADVISORY COMMITTEE.]

The city council may by ordinance create or designate a design advisory committee or committees, whose members shall be appointed by the mayor and confirmed by the city council, for the purpose of reviewing public and private improvements within design districts for compliance with design framework. Design review committees should have members who are knowledgeable in environmental design by virtue of their interests, training, or experience, and should also have members who are residents and business persons from the design district.

Sec. 3. [CERTIFICATE OF APPROPRIATENESS.]

The Saint Paul city council, if it exercises the authority granted under section 1, may by ordinance provide that no significant improvements, such as buildings or other structures, site improvements, or signs, may be erected, altered, restored, moved, or made within the design districts until after a certificate of appropriateness is issued by the city. The ordinance may provide that plans for the proposed improvements be submitted to the design advisory committee for review as to compliance with the design framework before a certificate of appropriateness is issued. The ordinance shall provide for a right of appeal to the city council if a proposed improvement is found not to be in compliance with the design framework.

Sec. 4. [LOCAL APPROVAL.]

This act is effective the day after compliance by the governing body of the city of Saint Paul with Minnesota Statutes, section 645.021, subdivision 3."

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:

S. F. No. 419, A bill for an act relating to health care; modifying and making corrections to the health right act; amending Minnesota Statutes 1992, sections 43A.317, subdivisions 2, 7, and 10; 62A.011, subdivision 3; 62A.021, subdivision 1; 62A.65, subdivision 5; 62J.04, subdivisions 2, 3, 4, 5, 6, and 7; 62J.09, subdivisions 1, 2, and 6; 62J.15, subdivision 2; 62J.17, subdivisions 2, 4, 5, and 6; 62J.19; 62J.23; 62J.29, subdivisions 1 and 4; 62J.30, subdivisions 4, 7, 8, and 10; 62J.31, subdivisions 2 and 3; 62J.32, subdivisions 1 and 4; 62J.34, subdivisions 2 and 3; 62L.02, subdivisions 8, 11, 15, and 16, and by adding a subdivision; 62L.03, subdivisions 2 and 5; 62L.05, subdivisions 1, 4, and 10; 62L.09, subdivision 2; 62L.13, subdivisions 1, 3, and 4; 62L.14, subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; 62L.15, subdivision 2; 62L.16, subdivision 5, and by adding a subdivision; 62L.17, subdivisions 1 and 4; 62L.19; 62L.20, subdivisions 1 and 2; 144.147, subdivision 4; 144.1481, subdivision 1; 144.1486; 256.045, subdivision 10; 256.9353, subdivisions 2, 6, and by adding a subdivision; 256.9354; 256.9355, subdivision 3; 256.9356, subdivision 2; 256.9357; 256B.0644; Laws 1992, chapter 549, articles 1, section 15; 2, sections 24 and 25; 3, section 24; and 4, section 18; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1992, sections 62J.05, subdivision 5; 62J.09, subdivision 3; and 62J.21.

Reported the same back with the following amendments to UES0419-1, the unofficial engrossment:

Page 18, delete lines 2 and 3 and insert "eligible charges" means, as determined by the board of directors, eligible charges reduced by the average difference between eligible charges and the expected liability of the health carrier for services performed. The board of directors, in its discretion, may determine additional different discounts, based upon geographic area and type of delivery system."

Page 18, line 30, strike "or"

Page 18, line 31, strike the period and insert "; or

(12) issued solely as a companion to a health maintenance contract as described in section 62D.12, subdivision 1a, so long as the health maintenance contract meets the definition of a health benefit plan."

Page 20, line 21, after "covered" insert "or to be covered"

Page 21, line 9, after the period insert "If a health benefit plan, other than a small employer plan, provides terms of renewal that do not exclude an employer that is no longer a small employer, the health benefit plan may be renewed according to its own terms. If a health carrier issues or renews a health plan to an employer that is no longer a small employer, without interruption of coverage, the health plan is subject to section 60A.082."

Pages 21 and 22, delete sections 8 and 9

Page 26, line 2, strike everything after the headnote

Page 26, line 3, strike everything before "After" and strike "initial two-year period" and insert "annual meeting in 1994"

Page 34, line 22, delete "or"

Page 34, line 23, delete the period and insert "; or

(12) issued solely as a companion to a health maintenance contract as described in section 62D.12, subdivision 1a, so long as the health maintenance contract meets the definition of a health plan."

Pages 34 to 36, delete section 5, and insert:

"Sec. 5. Minnesota Statutes 1992, section 62A.02, subdivision 1, is amended to read:

Subdivision 1. [FILING.] For purposes of this section, "health plan" means a health plan as defined in section 62A.011 or a policy of accident and sickness insurance as defined in section 62A.01. No health plan as defined in section 62A.011 shall be issued or delivered to any person in this state, nor shall any application, rider, or endorsement be used in connection with the health plan, until a copy of its form and of the classification of risks and the premium rates pertaining to the form have been filed with the commissioner. The filing for nongroup health plan forms shall include a statement of actuarial reasons and data to support the rate. For health benefit plans as defined in section 62L.02, and for health plans to be issued to individuals, the health carrier shall file with the commissioner the information required in section 62L.08, subdivision 8. For group health plans for which approval is sought for sales only outside of the small employer market as defined in section 62L.02, this section applies only to policies or contracts of accident and sickness insurance. All forms intended for issuance in the individual or small employer market must be accompanied by a statement as to the expected loss ratio for the form. Premium rates and forms relating to specific insureds or proposed insureds, whether individuals or groups, need not be filed, unless requested by the commissioner."

Reorder the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 6, delete "62A.021" and insert "62A.02"

Page 1, line 15, delete "subdivisions 1, 4, and" and insert "subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary.

The report was adopted.

Brown, C., from the Committee on Local Government and Metropolitan Affairs to which was referred:

S. F. No. 789, A bill for an act relating to the city of St. Paul; validating an approval of special laws.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 248, 281, 581, 962, 1251, 1285, 1486, 1492, 1494 and 1541 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 192, 235, 262 and 789 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Krueger introduced:

H. F. No. 1700, A bill for an act relating to taxation; repealing the hospital and health care provider gross revenues taxes; repealing the gross premiums taxes on health maintenance organizations and nonprofit health service corporations; repealing the health care access fund and providing for payment from the general fund; amending Minnesota Statutes 1992, sections 60A.15, subdivision 1; 62C.01, subdivision 3; 62E.11, subdivision 12; 62J.07, subdivision 4; 214.16, subdivision 3; and 256.9352, subdivision 3; repealing Minnesota Statutes 1992, sections 16A.724; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.57; 295.58; 295.59; and Laws 1992, chapter 549, article 9, sections 17 to 21.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Solberg, Winter, Rukavina, Hugoson and Workman introduced:

H. F. No. 1701, A bill for an act relating to taxation; revising rebate, penalty, notification, and publication provisions in the unfair cigarette sales act; amending Minnesota Statutes 1992, sections 325D.33, subdivision 3, and by adding a subdivision; 325D.37, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 325D; repealing Minnesota Statutes 1992, section 325D.33, subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

Wagenius, Sekhon, Weaver and Orenstein introduced:

H. F. No. 1702, A bill for an act relating to the environment; providing protection from liability for releases of hazardous substances to lenders and owners for redevelopment of property under an approved cleanup plan; providing authority to issue "no-association determinations"; creating a pollution abatement loan and grant program in the department of trade and economic development; providing for loan repayment by municipalities; authorizing the issuance of bonds and the making of loans and grants; appropriating money; amending Minnesota Statutes 1992, section 115B.175, subdivision 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 115B; and 116J.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Jennings, Lasley, Bauerly, Kelso and Ozment introduced:

H. F. No. 1703, A bill for an act relating to education; establishing a community participation school pilot program in the North Branch school district; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Macklin, Pawlenty, Holsten, Van Dellen and Seagren introduced:

H. F. No. 1704, A bill for an act relating to taxation; providing general property tax limitations for taxes payable in 1994; proposing coding for new law in Minnesota Statutes, chapter 275.

The bill was read for the first time and referred to the Committee on Taxes.

McGuire introduced:

H. F. No. 1705, A bill for an act relating to civil commitment; eliminating the requirement that commitment notices and documents, including the prepetition screening report, be given to any interested person; amending Minnesota Statutes 1992, section 253B.07, subdivision 4.

The bill was read for the first time and referred to the Committee on Judiciary.

Rest introduced:

H. F. No. 1706, A bill for an act relating to taxation; authorizing preliminary approval of leasehold cooperative treatment; providing a penalty; amending Minnesota Statutes 1992, section 273.124, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Orfield introduced:

H. F. No. 1707, A bill for an act relating to public safety; establishing a task force on police pursuit; requiring the task force to develop written model guidelines on police pursuit and make recommendations on supplemental measures to ensure public and police safety during pursuits; requiring the commissioner of public safety to establish a pilot program for use of vehicle-mounted cameras; requiring the director of the office of traffic safety to develop a public education program on police pursuit and the board of peace officer standards and training to include driver training in curriculums; authorizing forfeiture of vehicles used to flee peace officers; amending Minnesota Statutes 1992, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 609; and 626.

The bill was read for the first time and referred to the Committee on Judiciary.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 254, A bill for an act relating to public bodies; providing for the place of residence of members; amending Minnesota Statutes 1992, section 375.025, subdivision 4.

H. F. No. 399, A bill for an act relating to commerce; unclaimed property; regulating certain notices and reports; amending Minnesota Statutes 1992, sections 345.41; and 345.42, subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 174, 498, 512 and 748.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 174, A bill for an act relating to commerce; regulating facsimile transmission of unsolicited advertising materials; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

S. F. No. 498, A bill for an act relating to agriculture; repealing the hazardous substance labeling act; amending Minnesota Statutes 1992, section 325F.19, subdivision 7; repealing Minnesota Statutes 1992, sections 24.32; 24.33; 24.34; 24.35; 24.36; 24.37; 24.38; 24.39; 24.40; 24.41; and 24.42.

The bill was read for the first time and referred to the Committee on Agriculture.

S. F. No. 512, A bill for an act relating to telecommunications; providing for regulation of telecommunications carriers; limiting discriminatory practices, services, rates, and pricing; providing for investigation, hearings, and appeals regarding telecommunications services; delineating telecommunications practices allowed; providing penalties and remedies; amending Minnesota Statutes 1992, sections 237.01, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1992, section 237.59, subdivision 7.

The bill was read for the first time and referred to the Committee on Regulated Industries and Energy.

S. F. No. 748, A bill for an act relating to human services; clarifying day training and habilitation transportation exemptions; clarifying that counties may contract with hospitals to provide outpatient mental health services; clarifying the definition of crisis assistance; increasing the allowable duration of unlicensed, single-family respite care; clarifying the definition of related condition and application procedures for family support grants; correcting references to case management and hospital appeals; clarifying eligibility for case management services; clarifying nursing facility rate adjustments; clarifying the calculation and allowing 12-month plans for special needs exceptions; clarifying requirements for health care provider participation; clarifying voluntary spend-down procedures; amending Minnesota Statutes 1992, sections 174.30, subdivision 1; 245.470, subdivision 1; 245.4871, subdivision 9a; 245.4876, subdivision 2; 245.488, subdivision 1; 245A.03, subdivision 2; 252.27, subdivisions 1 and 1a; 252.32, subdivision 1a; 256.045, subdivision 4a; 256.9686, subdivision 6; 256.9695, subdivisions 1 and 3; 256B.056, subdivision 5; 256B.0644; 256B.092, subdivisions 1, 1b, 1g, 7, and 8a; 256B.431, subdivision 10; 256B.48, subdivision 3a; 256B.501, subdivision 8; and 609.115, subdivision 9; repealing Minnesota Statutes 1992, section 256B.0629.

The bill was read for the first time and referred to the Committee on Health and Human Services.

CONSENT CALENDAR

H. F. No. 1074, A bill for an act relating to elections; requiring publication and posting of notice of filing dates by county auditors; amending Minnesota Statutes 1992, section 204B.33.

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	Koppendrayser	Munger	Pugh	Tomassoni
Anderson, I.	Dawkins	Hausman	Krinkie	Murphy	Reding	Tompkins
Anderson, R.	Dehler	Holsten	Krueger	Nelson	Rest	Trimble
Battaglia	Delmont	Hugoson	Lasley	Ness	Rhodes	Tunheim
Bauerly	Dempsey	Huntley	Leppik	Olson, E.	Rice	Van Dellen
Beard	Dorn	Jacobs	Limmer	Olson, K.	Rodosovich	Vellenga
Bergson	Erhardt	Jaros	Lindner	Olson, M.	Rukavina	Vickerman
Bertram	Evans	Jefferson	Lourey	Onnen	Sarna	Wagenius
Bettermann	Farrell	Jennings	Lynch	Opatz	Seagren	Waltman
Blatz	Frerichs	Johnson, A.	Macklin	Orenstein	Sekhon	Weaver
Brown, C.	Garcia	Johnson, R.	Mahon	Orfield	Skoglund	Wejcman
Brown, K.	Girard	Johnson, V.	Mariani	Osthoff	Smith	Welle
Carlson	Goodno	Kahn	McCollum	Ostrom	Solberg	Wenzel
Carruthers	Greenfield	Kalis	McGuire	Ozment	Sparby	Winter
Clark	Greiling	Kelley	Milbert	Pauly	Stanisus	Wolf
Commers	Gruenes	Kelso	Molnau	Pawlenty	Steensma	Worke
Cooper	Gutknecht	Klinzing	Morrison	Pelowski	Sviggum	Workman
Dauner	Hasskamp	Knickerbocker	Mosel	Peterson	Swenson	Spk. Long

The bill was passed and its title agreed to.

H. F. No. 1528 was reported to the House.

Lasley moved that H. F. No. 1528 be continued on the Consent Calendar. The motion prevailed.

H. F. No. 270, A bill for an act relating to the city of St. Paul; authorizing payment of refunds to the estates of certain deceased firefighters.

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	Dauids	Hausman	Krinkie	Nelson	Rhodes	Van Dellen
Anderson, I.	Dawkins	Holsten	Krueger	Ness	Rice	Vellenga
Anderson, R.	Dehler	Hugoson	Lasley	Olson, E.	Rodosovich	Vickerman
Asch	Delmont	Huntley	Leppik	Olson, K.	Rukavina	Wagenius
Battaglia	Dempsey	Jacobs	Limmer	Olson, M.	Sarna	Waltman
Bauerly	Dorn	Jaros	Lindner	Onnen	Seagren	Weaver
Beard	Erhardt	Jefferson	Lourey	Opatz	Sekhon	Wejcman
Bergson	Evans	Jennings	Lynch	Orenstein	Skoglund	Welle
Bertram	Farrell	Johnson, A.	Macklin	Orfield	Smith	Wenzel
Bettermann	Frerichs	Johnson, R.	Mahon	Osthoff	Solberg	Winter
Blatz	Garcia	Johnson, V.	Mariani	Ostrom	Sparby	Wolf
Brown, C.	Girard	Kahn	McCollum	Ozment	Stanisus	Worke
Brown, K.	Goodno	Kalis	McGuire	Pauly	Steensma	Workman
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Sviggum	Spk. Long
Carruthers	Greiling	Kelso	Molnau	Pelowski	Swenson	
Clark	Gruenes	Kinkel	Morrison	Peterson	Tomassoni	
Commers	Gutknecht	Klinzing	Mosel	Pugh	Tompkins	
Cooper	Hasskamp	Knickerbocker	Munger	Reding	Trimble	
Dauner	Haukoos	Koppendrayer	Murphy	Rest	Tunheim	

The bill was passed and its title agreed to.

H. F. No. 1326, A bill for an act relating to outdoor recreation; authorizing marking of canoe and boating routes on the Pomme de Terre river; amending Minnesota Statutes 1992, section 85.32, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Nelson	Rhodes	Van Dellen
Anderson, I.	Dauids	Hausman	Krinkie	Ness	Rice	Vellenga
Anderson, R.	Dawkins	Holsten	Krueger	Olson, E.	Rodosovich	Vickerman
Asch	Dehler	Hugoson	Lasley	Olson, K.	Rukavina	Wagenius
Battaglia	Delmont	Huntley	Leppik	Olson, M.	Sarna	Waltman
Bauerly	Dempsey	Jacobs	Limmer	Onnen	Seagren	Weaver
Beard	Dorn	Jaros	Lindner	Opatz	Sekhon	Wejcman
Bergson	Erhardt	Jefferson	Lourey	Orenstein	Skoglund	Welle
Bertram	Evans	Jennings	Lynch	Orfield	Smith	Wenzel
Bettermann	Farrell	Johnson, A.	Macklin	Osthoff	Solberg	Winter
Bishop	Frerichs	Johnson, R.	Mahon	Ostrom	Sparby	Wolf
Blatz	Garcia	Johnson, V.	McCollum	Ozment	Stanisus	Worke
Brown, C.	Girard	Kahn	McGuire	Pauly	Steensma	Workman
Brown, K.	Goodno	Kalis	Milbert	Pawlenty	Sviggum	Spk. Long
Carlson	Greenfield	Kelley	Molnau	Pelowski	Swenson	
Carruthers	Greiling	Kelso	Morrison	Peterson	Tomassoni	
Clark	Gruenes	Kinkel	Mosel	Pugh	Tompkins	
Commers	Gutknecht	Klinzing	Munger	Reding	Trimble	
Cooper	Hasskamp	Knickerbocker	Murphy	Rest	Tunheim	

The bill was passed and its title agreed to.

SPECIAL ORDERS

S. F. No. 234, A bill for an act relating to juvenile justice; defining "child in need of protection or services" and "child abuse"; amending Minnesota Statutes 1992, section 260.015, subdivision 2a, and by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Nelson	Rest	Tunheim
Anderson, I.	Dawkins	Holsten	Krueger	Ness	Rhodes	Van Dellen
Anderson, R.	Dehler	Hugoson	Lasley	Olson, E.	Rice	Vellenga
Asch	Delmont	Huntley	Leppik	Olson, K.	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Limmer	Olson, M.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lindner	Ornen	Sarna	Waltman
Beard	Erhardt	Jefferson	Lourey	Opatz	Seagren	Weaver
Bergson	Evans	Jennings	Lynch	Orenstein	Sekhon	Wejcman
Bertram	Farrell	Johnson, A.	Macklin	Orfield	Skoglund	Welle
Bettermann	Frerichs	Johnson, R.	Mahon	Osthoff	Smith	Wenzel
Bishop	Garcia	Johnson, V.	Mariani	Ostrom	Solberg	Winter
Blatz	Girard	Kahn	McCollum	Ozment	Sparby	Wolf
Brown, K.	Goodno	Kalis	McGuire	Pauly	Stanius	Worke
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Steensma	Workman
Carruthers	Greiling	Kelso	Molnau	Pelowski	Sviggum	Spk. Long
Clark	Gruenes	Kinkel	Morrison	Perlt	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Krickerbocker	Munger	Pugh	Tompkins	
Dauner	Haukoos	Koppendraye	Murphy	Reding	Trimble	

The bill was passed and its title agreed to.

H. F. No. 507, A bill for an act relating to patient and resident rights; providing patients and residents with the option to disclose their presence in a facility; amending Minnesota Statutes 1992, sections 144.651, subdivisions 2, 21, and 26; and 253B.03, subdivisions 3 and 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Carruthers	Garcia	Jefferson	Lasley	Munger	Pawlenty
Anderson, I.	Clark	Girard	Jennings	Leppik	Murphy	Pelowski
Anderson, R.	Commers	Goodno	Johnson, A.	Limmer	Nelson	Perlt
Asch	Cooper	Greenfield	Johnson, R.	Lindner	Ness	Peterson
Battaglia	Dauner	Greiling	Johnson, V.	Lourey	Olson, E.	Pugh
Bauerly	Davids	Gruenes	Kahn	Lynch	Olson, K.	Reding
Beard	Dawkins	Gutknecht	Kalis	Macklin	Olson, M.	Rest
Bergson	Dehler	Hasskamp	Kelley	Mahon	Ornen	Rhodes
Bertram	Delmont	Haukoos	Kelso	Mariani	Opatz	Rice
Bettermann	Dempsey	Hausman	Kinkel	McCollum	Orenstein	Rodosovich
Bishop	Dorn	Holsten	Klinzing	McGuire	Orfield	Rukavina
Blatz	Erhardt	Hugoson	Krickerbocker	Milbert	Osthoff	Sarna
Brown, C.	Evans	Huntley	Koppendraye	Molnau	Ostrom	Seagren
Brown, K.	Farrell	Jacobs	Krinkie	Morrison	Ozment	Sekhon
Carlson	Frerichs	Jaros	Krueger	Mosel	Pauly	Skoglund

Smith	Steensma	Tompkins	Vellenga	Weaver	Winter	Spk. Long
Solberg	Sviggum	Trimble	Vickerman	Wejcman	Wolf	
Sparby	Swenson	Tunheim	Wagenius	Welle	Worke	
Stanius	Tomassoni	Van Dellen	Waltman	Wenzel	Workman	

The bill was passed and its title agreed to.

H. F. No. 643 was reported to the House.

Anderson, I., moved that H. F. No. 643 be continued on Special Orders. The motion prevailed.

H. F. No. 654, A bill for an act relating to commerce; regulating corporate registrations and administrative dissolutions; regulating limited partnership registrations; regulating trademarks; regulating various lien filings; making various housekeeping changes relating to the powers and duties of the secretary of state; regulating legal newspapers; amending Minnesota Statutes 1992, sections 302A.821, subdivision 6; 303.13, subdivisions 1 and 2; 317A.823, subdivision 1; 317A.827, subdivision 3; 322A.70; 331A.07; 333.20, subdivision 3; 336.9-403; 514.27; 514.661, subdivision 4; 514.945, subdivision 1; 514.956, subdivision 3; and 514.960, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Hasskamp	Klinzing	Mosel	Perlt	Swenson
Anderson, I.	Dauner	Haukoos	Knickerbocker	Munger	Peterson	Tomassoni
Anderson, R.	Davids	Hausman	Koppendrayner	Murphy	Pugh	Tompkins
Asch	Dawkins	Holsten	Krinkie	Nelson	Rest	Trimble
Battaglia	Dehler	Hugoson	Krueger	Ness	Rhodes	Tunheim
Bauerly	Delmont	Huntley	Lasley	Olson, E.	Rice	Van Dellen
Beard	Dempsey	Jacobs	Leppik	Olson, K.	Rodosovich	Vellenga
Bergson	Dorn	Jaros	Lindner	Olson, M.	Rukavina	Wagenius
Bertram	Erhardt	Jefferson	Lourey	Ornen	Sarna	Waltman
Bettermann	Evans	Jennings	Lynch	Opatz	Seagren	Weaver
Bishop	Farrell	Johnson, A.	Macklin	Orenstein	Sekhon	Wejcman
Blatz	Frerichs	Johnson, R.	Mahon	Orfield	Skoglund	Welle
Brown, C.	Garcia	Johnson, V.	Mariani	Osthoff	Smith	Wenzel
Brown, K.	Girard	Kahn	McCollum	Ostrom	Solberg	Winter
Carlson	Goodno	Kalis	McGuire	Ozment	Sparby	Wolf
Carruthers	Greenfield	Kelley	Milbert	Pauly	Stanius	Worke
Clark	Greiling	Kelso	Molnau	Pawlenty	Steensma	Workman
Commers	Gruenes	Kinkel	Morrison	Pelowski	Sviggum	Spk. Long

Those who voted in the negative were:

Gutknecht	Limmer
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The bill was passed and its title agreed to.

S. F. No. 371, A resolution memorializing the President and Congress to retain the Grand Forks Air Force Base, Grand Forks, North Dakota.

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 116 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Gruenes	Klinzing	Murphy	Rest	Tunheim
Anderson, I.	Dauner	Gutknecht	Knickerbocker	Nelson	Rhodes	Van Dellen
Anderson, R.	Davids	Hasskamp	Koppendraye	Ness	Rice	Vellenga
Asch	Dawkins	Haukoos	Krueger	Olson, E.	Rodosovich	Vickerman
Battaglia	Dehler	Holsten	Lasley	Olson, K.	Rukavina	Wagenius
Bauerly	Delmont	Huntley	Limmer	Onnen	Sekhon	Waltman
Beard	Dempsey	Jacobs	Lindner	Orenstein	Skoglund	Weaver
Bergson	Dorn	Jaros	Lourey	Orfield	Smith	Wejcman
Bertram	Erhardt	Jefferson	Lynch	Ostrom	Solberg	Welle
Bettermann	Evans	Jennings	Macklin	Ozment	Sparby	Wenzel
Bishop	Farrell	Johnson, R.	Mahon	Pauly	Stanius	Winter
Blatz	Frerichs	Johnson, V.	Mariani	Pawlienty	Steensma	Worke
Brown, C.	Garcia	Kahn	McGuire	Pelowski	Sviggum	Workman
Brown, K.	Girard	Kalis	Milbert	Perlt	Swenson	Spk. Long
Carlson	Goodno	Kelley	Morrison	Peterson	Tomassoni	
Carruthers	Greenfield	Kelso	Mosel	Pugh	Tompkins	
Clark	Greiling	Kinkel	Munger	Reding	Trimble	

Those who voted in the negative were:

Commers	Krinkie	McCollum	Olson, M.	Seagren
Hugoson	Leppik	Molnau	Osthoff	Wolf

The bill was passed and its title agreed to.

H. F. No. 560, A bill for an act relating to railroads; redefining "grade crossing" to include an intersection of a public pedestrian-bicycle trail with railroad tracks; amending Minnesota Statutes 1992, section 219.16.

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 120 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Holsten	Leppik	Olson, E.	Rice	Van Dellen
Anderson, I.	Dauner	Huntley	Limmer	Olson, K.	Rodosovich	Vellenga
Anderson, R.	Dawkins	Jacobs	Lindner	Onnen	Rukavina	Wagenius
Asch	Dehler	Jaros	Lourey	Opatz	Sarna	Waltman
Battaglia	Delmont	Jefferson	Lynch	Orenstein	Seagren	Weaver
Bauerly	Dempsey	Jennings	Macklin	Orfield	Sekhon	Wejcman
Beard	Dorn	Johnson, A.	Mahon	Osthoff	Skoglund	Welle
Bergson	Erhardt	Johnson, R.	Mariani	Ostrom	Smith	Wenzel
Bertram	Evans	Johnson, V.	McCollum	Ozment	Solberg	Winter
Bettermann	Farrell	Kahn	McGuire	Pauly	Sparby	Wolf
Bishop	Garcia	Kalis	Milbert	Pawlienty	Stanius	Workman
Blatz	Goodno	Kelley	Molnau	Pelowski	Steensma	Spk. Long
Brown, C.	Greenfield	Kelso	Morrison	Perlt	Sviggum	
Brown, K.	Greiling	Kinkel	Mosel	Peterson	Swenson	
Carlson	Gruenes	Klinzing	Munger	Pugh	Tomassoni	
Carruthers	Gutknecht	Knickerbocker	Murphy	Reding	Tompkins	
Clark	Hasskamp	Krueger	Nelson	Rest	Trimble	
Commers	Hausman	Lasley	Ness	Rhodes	Tunheim	

Those who voted in the negative were:

Davids	Girard	Hugoson	Krinkie	Vickerman
Frerichs	Haukoos	Koppendraye	Olson, M.	Worke

The bill was passed and its title agreed to.

H. F. No. 812 was reported to the House.

Rodosovich moved that H. F. No. 812 be returned to General Orders. The motion prevailed.

H. F. No. 795, A bill for an act relating to insurance; no-fault auto; excluding certain vehicles from the right of indemnity granted by the no-fault act; amending Minnesota Statutes 1992, section 65B.53, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hausman	Krinkie	Nelson	Rest	Tunheim
Anderson, I.	Dawkins	Holsten	Krueger	Ness	Rhodes	Van Dellen
Anderson, R.	Dehler	Hugoson	Lasley	Olson, E.	Rice	Vellenga
Asch	Delmont	Huntley	Leppik	Olson, K.	Rodosovich	Vickerman
Battaglia	Dempsey	Jacobs	Limmer	Olson, M.	Rukavina	Wagenius
Bauerly	Dorn	Jaros	Lindner	Ornen	Sarna	Waltman
Beard	Erhardt	Jefferson	Lourey	Opatz	Seagren	Weaver
Bergson	Evans	Jennings	Lynch	Orenstein	Sekhon	Wejcman
Bertram	Farrell	Johnson, A.	Macklin	Orfield	Skoglund	Welle
Bettermann	Frerichs	Johnson, R.	Mahon	Osthoff	Smith	Wenzel
Blatz	Garcia	Johnson, V.	Mariani	Ostrom	Solberg	Winter
Brown, C.	Girard	Kahn	McCollum	Ozment	Sparby	Wolf
Brown, K.	Goodno	Kalis	McGuire	Pauly	Stanius	Worke
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Steensma	Workman
Carruthers	Greiling	Kelso	Molnau	Pelowski	Sviggum	Spk. Long
Clark	Gruenes	Kinkel	Morrison	Perl	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Pugh	Tompkins	
Dauner	Haukoos	Koppendraye	Murphy	Reding	Trimble	

The bill was passed and its title agreed to.

H. F. No. 804, A bill for an act relating to health; providing an exception to the contested case hearing process required for changing the service area of an ambulance service; amending Minnesota Statutes 1992, section 144.802, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dauner	Haukoos	Koppendrayer	Murphy	Reding	Trimble
Anderson, I.	Davids	Hausman	Krinkie	Nelson	Rest	Tunheim
Anderson, R.	Dawkins	Holsten	Krueger	Ness	Rhodes	Van Dellen
Asch	Dehler	Hugoson	Lasley	Olson, E.	Rice	Vellenga
Battaglia	Delmont	Huntley	Leppik	Olson, K.	Rodosovich	Vickerman
Bauerly	Dempsey	Jacobs	Limmer	Olson, M.	Rukavina	Wagenius
Beard	Dorn	Jaros	Lindner	Ornen	Sarna	Waltman
Bergson	Erhardt	Jefferson	Lourey	Opatz	Seagren	Weaver
Bertram	Evans	Jennings	Lynch	Orenstein	Sekhon	Wejzman
Bettermann	Farrell	Johnson, A.	Macklin	Orfield	Skoglund	Welle
Bishop	Frerichs	Johnson, R.	Mahon	Osthoff	Smith	Wenzel
Blatz	Garcia	Johnson, V.	Mariani	Ostrom	Solberg	Winter
Brown, C.	Girard	Kahn	McCollum	Ozment	Sparby	Wolf
Brown, K.	Goodno	Kalis	McGuire	Pauly	Stanius	Worke
Carlson	Greenfield	Kelley	Milbert	Pawlenty	Steenasma	Workman
Carruthers	Greiling	Kelso	Molnau	Pelowski	Sviggum	Spk. Long
Clark	Gruenes	Kinkel	Morrison	Perlt	Swenson	
Commers	Gutknecht	Klinzing	Mosel	Peterson	Tomassoni	
Cooper	Hasskamp	Knickerbocker	Munger	Pugh	Tompkins	

The bill was passed and its title agreed to.

GENERAL ORDERS

Anderson, I., moved that the bills on General Orders for today be continued. The motion prevailed.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 605.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 605, A bill for an act relating to the veterans homes board; requiring the board to apply for certain federal funding.

The bill was read for the first time.

Skoglund moved that S. F. No. 605 and H. F. No. 950, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

MOTIONS AND RESOLUTIONS

Huntley moved that his name be stricken and the name of Garcia be shown as chief author on H. F. No. 423. The motion prevailed.

Jacobs moved that the name of Jennings be added as chief author on H. F. No. 1051. The motion prevailed.

Stanius moved that the names of Reding, Worke, Winter and Jennings be added as authors on H. F. No. 1094. The motion prevailed.

Stanius moved that the names of Worke, Winter and Jennings be added as authors on H. F. No. 1095. The motion prevailed.

Stanius moved that the names of Reding, Worke, Winter and Jennings be added as authors on H. F. No. 1096. The motion prevailed.

Stanius moved that the names of Reding, Worke, Winter and Jennings be added as authors on H. F. No. 1097. The motion prevailed.

Asch moved that the name of Sekhon be added as an author on H. F. No. 1275. The motion prevailed.

Johnson, A., moved that the name of Sekhon be added as an author on H. F. No. 1374. The motion prevailed.

Lourey moved that the name of Wejcman be added as an author on H. F. No. 1482. The motion prevailed.

Hausman moved that her name be stricken and the name of Mariani be added as chief author and the names of Jaros and Milbert be added as authors on H. F. No. 1582. The motion prevailed.

Mariani moved that the name of Orenstein be added as an author on H. F. No. 1590. The motion prevailed.

Wenzel moved that the names of Winter, Cooper and Mosel be added as authors on H. F. No. 1639. The motion prevailed.

Rhodes moved that the following statement be printed in the Journal of the House: "It was my intention to vote in the negative on Monday, April 5, 1993, when the vote was taken on the passage of H. F. No. 296, as amended by the Senate." The motion prevailed.

Munger moved that H. F. No. 65 be returned to its author. The motion prevailed.

Kelley moved that H. F. No. 986, now on Technical General Orders, be re-referred to the Committee on Governmental Operations and Gambling. The motion prevailed.

Orfield moved that H. F. No. 1494, now on Technical General Orders, be re-referred to the Committee on Judiciary. The motion prevailed.

Welle moved that S. F. No. 198 be recalled from the Committee on Local Government and Metropolitan Affairs and together with H. F. No. 248, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 7:00 p.m., Monday, April 12, 1993. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 7:00 p.m., Monday, April 12, 1993.

EDWARD A. BURDICK, Chief Clerk, House of Representatives