

THIRTY-FIRST DAY

St. Paul, Minnesota, Monday, April 1, 1985

The Senate met at 2:00 p.m. and was called to order by the President.

Prayer was offered by the Chaplain, Rev. James Patrick Needham.

The roll was called, and the following Senators answered to their names:

Adkins	Diessner	Kroening	Olson	Sieloff
Anderson	Dieterich	Kronebusch	Pehler	Solon
Belanger	Frank	Laidig	Peterson, C.C.	Spear
Benson	Frederick	Langseth	Peterson, D.C.	Storm
Berg	Freeman	Lantry	Peterson, D.L.	Stumpf
Berglin	Gustafson	Lessard	Peterson, R.W.	Taylor
Bernhagen	Hughes	Luther	Petty	Vega
Bertram	Isackson	McQuaid	Pogemiller	Waldorf
Brataas	Johnson, D.E.	Mehrkens	Purfeerst	Wegscheid
Chmielewski	Johnson, D.J.	Merriam	Ramstad	Willet
Dahl	Jude	Moe, D.M.	Reichgott	
Davis	Kamrath	Moe, R.D.	Renneke	
DeCramer	Knaak	Nelson	Samuelson	
Dicklich	Knutson	Novak	Schmitz	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Frederickson was excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 537, 565, 604, 674, 701, 461, 533, 535, 585, 345 and 850.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 28, 1985

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H.F. No. 537: A bill for an act relating to local government; changing the permissible expenditures on tourist, agricultural, and industrial promotion for Itasca county and Koochiching county; changing apportionment of certain proceeds from forfeited land sales in Itasca county and Koochiching county; amending Laws 1965, chapter 326, section 1, subdivisions 1, 4, 5, as amended, and 7; and Laws 1967, chapter 170, section 1, subdivisions 1, 5, and 7.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 552, now on General Orders.

H.F. No. 565: A bill for an act relating to soil and water conservation; changing powers and duties of the state board; amending Minnesota Statutes 1984, section 40.03, subdivision 4.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 604: A bill for an act relating to agriculture; eliminating license requirement for fur farmers; establishing a registration system; providing definitions; defining agricultural products and pursuits related to fur farming; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1984, section 17.35.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 540, now on General Orders.

H.F. No. 674: A bill for an act relating to human services; adoption; regulating adoptions by relatives; providing for procedural changes; amending Minnesota Statutes 1984, sections 259.21, by adding a subdivision; and 259.23, subdivisions 1 and 2; 259.27, subdivision 1; repealing Minnesota Statutes 1984, section 259.27, subdivision 2.

Referred to the Committee on Judiciary.

H.F. No. 701: A bill for an act relating to human services; allowing the county boards to serve as the community mental health center boards; amending Minnesota Statutes 1984, section 245.66.

Referred to the Committee on Health and Human Services.

H.F. No. 461: A bill for an act relating to courts; providing that Ramsey municipal court judges shall set salaries of conciliation court referees in Ramsey county; amending Minnesota Statutes 1984, section 488A.30, subdivision 1.

Referred to the Committee on Judiciary.

H.F. No. 533: A bill for an act relating to occupations and professions; concerning the practice of veterinary medicine; allowing foreign veterinary graduates to be admitted to practice under certain conditions; amending Minnesota Statutes 1984, sections 156.001; 156.02, subdivision 1; 156.081, subdivision 2; and 156.12, subdivision 2; repealing Minnesota Statutes 1984, section 156.09.

Referred to the Committee on Health and Human Services.

H.F. No. 535: A bill for an act relating to health; restricting the use of lead in pipes, solders, and flux; requiring schools to flush certain pipes; amending Minnesota Statutes 1984, section 123.36, by adding a subdivision; proposing

coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 589, now on General Orders.

H.F. No. 585: A bill for an act relating to local government; providing for exceptions to conflict of interest rules; regulating local officials; amending Minnesota Statutes 1984, section 471.88, subdivisions 5 and 8.

Referred to the Committee on Local and Urban Government.

H.F. No. 345: A bill for an act relating to insurance; no-fault automobile; providing mandatory underinsured motorist coverage; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for the payment of certain benefits; amending Minnesota Statutes 1984, sections 65B.43, by adding subdivisions; 65B.47, by adding a subdivision; 65B.49, subdivision 4, and by adding a subdivision; and 65B.70, by adding a subdivision.

Referred to the Committee on Economic Development and Commerce.

H.F. No. 850: A bill for an act relating to elections; making changes in registration, caucuses, ballots, affidavits of candidacy and withdrawal, nominations, election certificates, and election judge qualifications; amending Minnesota Statutes 1984, sections 201.018, subdivision 2; 201.095; 201.12, subdivision 2; 201.15, subdivision 1; 202A.11, subdivision 2; 202A.16, subdivision 1; 204B.03; 204B.06, subdivision 1; 204B.07, subdivision 4; 204B.09, subdivision 1; 204B.10, by adding a subdivision; 204B.12, subdivision 3; 204B.35, subdivision 2; 204C.40, subdivision 1; 204D.11, subdivisions 3, 5, and 6; 206.71, by adding a subdivision; and 208.03; repealing Minnesota Statutes 1984, section 204B.19, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 673, now on General Orders.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 1029: A bill for an act relating to drivers licenses; providing for access to drivers license photographic negatives; amending Minnesota Statutes 1984, section 171.07, subdivision 1a.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 20, delete “, gross misdemeanors,”

Page 1, line 21, delete the second “or” and after “169.123” insert “, 169.129, or 609.487, subdivision 3”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S.F. No. 657: A bill for an act relating to motor vehicles; providing defense to charge of operating motor vehicle without valid registration; amending Minnesota Statutes 1984, sections 168.09, by adding a subdivision; and 168.11, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 26, after the comma, insert "*and all past due taxes and fees have been paid,*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 853: A bill for an act relating to transportation; highways; regulating use of highway right of way; imposing a penalty; amending Minnesota Statutes 1984, section 160.27, subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete everything after the period

Page 1, delete line 18

Page 2, line 29, after "*to*" delete the comma and delete "*parade,*" and delete the comma after "*race*"

Page 2, line 31, after the period, insert "*This clause does not apply to bicycle events defined in section 169.222, subdivision 10.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 269: A bill for an act relating to transportation; prohibiting certain types of barricades, fences, or obstructions across highways and roads; imposing a penalty; amending Minnesota Statutes 1984, section 160.27, subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 23, after "*driveway*" insert "*, excluding a private road or driveway that passes over farm land as defined in section 41.52, subdivision 6,*"

Page 2, after line 32, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective January 1, 1986."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S.F. No. 646: A bill for an act relating to transportation; clarifying disposition of trees removed by road authorities under certain conditions; amending Minnesota Statutes 1984, section 160.23.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 160.22, is amended by adding a subdivision to read:

Subd. 7a. [SCOPE.] For purposes of subdivisions 5 to 8, "tree" means a tree or woody perennial shrub or vine which is at least six inches in diameter, as measured at a point two feet from the ground, and "hedge" means any planted and maintained hedge within the right-of-way.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; defining "trees" and "hedges" for purposes of removal from highway right-of-way; amending Minnesota Statutes 1984, section 160.22, by adding a subdivision."

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Lessard from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 1185: A bill for an act relating to veterans; providing space in the veterans service building for certain veterans organizations; amending Minnesota Statutes 1984, section 197.58.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, after the period, insert "*The commissioner of administration shall give priority to utilizing space in the veterans service building for the department of veterans' affairs and veterans organizations and their auxiliaries.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Lessard from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 750: A bill for an act relating to veterans; authorizing the American Veterans to use space in the veterans service building; amending Min-

nesota Statutes 1984, section 197.58.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, after the first comma, insert "*Vietnam Veterans of America*,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Lessard from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 692: A bill for an act relating to veterans; clarifying certain veteran benefit definitions to include veterans who have served in the Grenada campaign or with the peacekeeping forces in the Lebanon campaign; amending Minnesota Statutes 1984, sections 136C.13, subdivision 3; 198.01; and 462A.05, subdivision 19.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 26, delete "*the date United*" and insert "*April 1, 1984*"

Page 2, line 1, delete the new language

Page 2, line 4, after "*under*" insert "*honorable*" and strike "*other*"

Page 2, line 5, strike "*than dishonorable*"

Page 3, line 9, delete "*the date United States forces left Lebanon*" and insert "*April 1, 1984*"

Page 3, line 36, delete "*the date United*" and insert "*April 1, 1984*"

Page 4, line 1, delete the new language

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 615: A bill for an act relating to Lake of the Woods county; authorizing the issuance of bonds for the construction of jetties and related public improvements; and authorizing the levy of special assessments.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 616: A bill for an act relating to the city of Warroad; permitting the establishment of a port authority.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Vega from the Committee on Energy and Housing, to which was referred

S.F. No. 503: A bill for an act relating to housing; regulating powers of the Minnesota housing finance agency; setting limits on loan authority, terms and amounts; providing for administrative changes in various loan programs; amending Minnesota Statutes 1984, sections 462A.03, subdivisions 13 and 14; 462A.05, subdivisions 11, 12, 14a, 15a, 23, and by adding subdivisions; 462A.07, subdivisions 14 and 15; 462A.08, subdivision 3; 462A.20, subdivision 3; 462A.21, subdivision 6, and by adding a subdivision; 462A.22, subdivision 1; and 462C.09, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 22 and 24, delete "and" and insert "or"

Page 2, line 14, strike "and refers to"

Page 2, line 23, strike everything after "supplements"

Page 2, line 24, strike "instrumentalities thereof"

Page 4, line 6, delete the new language

Page 4, delete lines 7 to 28

Page 4, line 29, delete everything before the period and insert "*The agency shall recover loans made under this subdivision without interest or periodic payments under the following schedule. If the property is sold, transferred, or otherwise conveyed, or ceases to be the recipient's principal place of residence:*

(1) within the first three years after the date of a loan, the recipient shall repay the full amount of the loan;

(2) within the fourth year after the date of a loan, the recipient shall repay 75 percent of the loan;

(3) within the fifth year after the date of a loan, the recipient shall repay 50 percent of the amount of the loan;

(4) within the sixth year after the date of a loan, the recipient shall repay 25 percent of the amount of the loan; and

(5) within the seventh year after the date of the loan, or thereafter, there is no repayment requirement"

Page 10, line 25, after "pre" insert a hyphen

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon and insert "defining eligible mortgagor; defining federal housing assistance supplements to include certain federal credits and exemptions; providing for a repayment schedule for rehabilitation loans; providing for accessibility loans; authorizing housing programs for the elderly; allowing housing finance agency to issue limited obligation bonds; increasing bonding authority;"

Page 1, delete lines 4 and 5

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 193: A bill for an act relating to commerce; providing for the repeal of statutory law regulating entertainment agencies; repealing Minnesota Statutes 1984, sections 184A.01 to 184A.20.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 935: A bill for an act relating to the department of economic security; funding specific services for sheltered workshop and work activity programs; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 1073: A bill for an act relating to taxation; providing for installment payments of deferred special assessments plus interest upon sale of green acres property; amending Minnesota Statutes 1984, section 273.111, subdivision 11.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 25, after the period, insert "*If the bonds have matured, the deferred special assessments plus interest shall be payable within 90 days.*"

Page 2, line 3, strike everything after the period

Page 2, strike lines 4 and 5

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 1193: A bill for an act relating to taxation; aggregate removal production; changing the time at which a penalty for failure to file is imposed; imposing a penalty; amending Minnesota Statutes 1984, section 298.75, subdivisions 4, 5, and 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 23, after the second "*report*" insert "*with intent to evade the tax*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-referred

S.F. No. 303: A bill for an act relating to the city of Minneapolis; permitting the establishment of special service districts in the city and providing taxing and other authority.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 5, after "years" insert "*, not to exceed five years.*"

Page 8, line 11, after the period, insert "*All members of the advisory board shall be residents of or owners of property within the part of Minneapolis described in section 2.*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 843: A bill for an act relating to utilities; defining independent telephone company; amending Minnesota Statutes 1984, section 237.01, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, after "303" insert "*as of January 1, 1983*" and after "providing" insert "*local exchange*"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 920: A bill for an act relating to cities of Circle Pines and Lino Lakes; permitting cities to determine the size of Circle Pines utilities commission.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, delete "*Despite*" and insert "*Notwithstanding*" and delete "*sections 412.331, and*" and insert "*section*"

Page 1, line 15, delete everything after the period

Page 1, delete lines 16 to 18

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 1183: A bill for an act relating to intoxicating liquor; providing for issuance of licenses within Indian country; amending Minnesota Statutes 1984, section 340.11, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1984, section 340.11, subdivision 15, is amended to read:

Subd. 15. [LICENSES NOT REQUIRED.] It is lawful for a brewer to sell intoxicating malt beverages to his employee or to a former employee who is retired because of age or physical disability. Such beverages shall be sold for consumption off the premises only, and the amount sold to any one person in any one week shall not exceed 768 fluid ounces. The requirements of law relating to minimum prices for the sale of intoxicating malt beverages shall not apply to sales made under this subdivision, nor shall any license be required for the making of such sales. It is ~~also~~ lawful for a collector of commemorative bottles, as these terms are defined in section 340.44; to sell commemorative bottles to another collector without obtaining a license. *It is also lawful for a collector of beer cans to sell unopened cans of a brand which has not been sold commercially for at least two years to another collector without obtaining a license. The amount sold to any one collector in any one month shall not exceed 768 fluid ounces.* It is also lawful for an off-sale licensee or municipal liquor store to provide samples of wine, liqueurs, and cordials which the licensee or municipal liquor store currently has in stock and is offering for sale to the general public without obtaining an additional license, provided the wine, liqueur, and cordial samples are dispensed at no charge and consumed on the licensed premises during the permitted hours of off-sale in a quantity less than 50 milliliters of wine per variety per customer and 25 milliliters of liqueur or cordial per variety per customer."

Page 1, line 19, delete "subdivisions" and insert "subdivision"

Page 1, line 20, delete "5a and"

Page 1, after line 23, insert:

"Sec. 3. [ON-SALE THEATER LICENSE.]

Notwithstanding Minnesota Statutes, section 340.11, subdivision 11, or a charter provision limiting the type of premises to be licensed, the city of Minneapolis may issue or renew an on-sale intoxicating liquor license issued to a person operating a theater that has a seating capacity in excess of 2,500. The license shall permit sale and consumption of liquor in any portion of the building comprising the licensed premises. All provisions of law and ordinance shall apply to a license issued or renewed under this section."

Page 1, line 25, delete "1" and insert "2"

Page 2, after line 9, insert:

"Section 3 is effective upon approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021."

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "allowing the sales between collectors of discontinued brands of beer in cans; authorizing the issuance of on-sale licenses in certain theaters in Minneapolis;"

Page 1, line 4, after the second comma, insert "subdivision 15, and"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 627: A bill for an act relating to natural resources; grants and loans for certain dam reconstruction and repair projects; amending Laws 1979, chapter 300, section 4, subdivisions 3 and 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

"Section 1. Laws 1979, chapter 300, section 4, subdivision 2, as amended by Laws 1980, chapter 618, section 24, is amended to read:

Subd. 2. [STATE DAM DAMS.] The sum of \$325,000 is appropriated from the state building fund to the commissioner of natural resources for reconstruction of the state owned dam at Cold Spring, Stearns County, to be available until expended. In the event the engineering and construction costs exceed \$325,000, the commissioner of natural resources may expend an additional amount not to exceed \$25,000 from funds appropriated by Laws 1979, chapter 300, section 4, subdivision 1. *The sum of \$90,000 is appropriated from the state building fund to the commissioner of natural resources for rehabilitation of the Spruce Center Dam, Douglas County. This sum shall be in addition to funds appropriated by Laws 1981, chapter 361, section 3, subdivision 5.*"

Page 1, line 11, delete "\$1,626,000" and insert "\$1,676,000"

Page 1, after line 18, insert: "(e) Hartley Pond Dam, Tischer Creek, City of Duluth 50,000"

Page 1, line 22, delete "\$1,321,850" and insert "\$1,181,850"

Page 2, after line 2, insert:

"Sec. 4. Laws 1981, chapter 361, section 3, subdivision 3, is amended to read:

Subd. 3. To the commissioner of natural resources to relocate agricultural dikes along the Red River of the North state match North.

\$750,000

~~Money spent from this appropriation shall be matched on a dollar for dollar basis by money raised or services provided locally. Federal general revenue sharing money may be counted as money raised locally, but other federal grants or loans shall be used to reduce equally the state share and the local share of project costs. This project is not eligible for a local dam loan pursuant to Minnesota Statutes, section 105.482. The commissioner of natural resources shall cooperate and work with the watershed district, the department of transportation, and the affected landowners.~~

Sec. 5. [RED RIVER DIKES.]

Subdivision 1. [APPROPRIATION.] \$250,000 is appropriated from the state building fund to the commissioner of natural resources to relocate agricultural dikes along the Red River of the North. This money is supplemental

to and for the same purposes as money appropriated by Laws 1981, chapter 361, section 3, subdivision 3, as amended by this act.

Subd. 2. [BOND ISSUE.] To provide the money appropriated by subdivision 1 from the state building fund, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$250,000 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."

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

Renumber the sections in sequence

Amend the the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

Page 1, line 5, before "3" insert "2, as amended,"

Page 1, line 5, before the period, insert "; and Laws 1981, chapter 361, section 3, subdivision 3"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 609: A bill for an act relating to human rights; removing a statutory prohibition on waiver of remedies under the human rights act; repealing Minnesota Statutes 1984, section 363.031.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 363.031, is amended to read:

363.031 [LIMITATIONS ON WAIVER PROHIBITED.]

Subdivision 1. [PROSPECTIVE WAIVER PROHIBITED.] Any provision, whether oral or written, of a lease, contract, or other agreement or instrument, which purports to be a waiver by an individual of any right or remedy provided in chapter 363 is contrary to public policy and void. ~~Nothing in this section shall be construed to prevent a waiver given in full and final written settlement of an existing, identified claim, whether by grievance, mediation, arbitration, or other settlement agreement if the waiver or release purports to waive claims arising out of acts or practices which occur after the execution of the waiver or release.~~

Subd. 2. [RECISSION OF WAIVER.] A waiver or release of rights secured by chapter 363 which purports to apply to claims arising out of acts or practices prior to, or concurrent with, the execution of the waiver or release may be rescinded within seven calendar days of its execution, except that a waiver or release given in settlement of a claim filed with the department or with another administrative agency or judicial body is valid and final upon execution. A waiving or releasing party shall be informed in writing of the right to rescind the waiver or release. To be effective, the rescission must be

in writing and delivered to the waived or released party either by hand or mail within the seven-day period. If delivered by mail, the rescission must be:

- (1) postmarked within the seven-day period;*
- (2) properly addressed to the waived or released party; and*
- (3) sent by certified mail return receipt requested.*

Sec. 2. [EFFECTIVE DATE.]

Section 1, subdivision 1, is effective retroactively to August 1, 1984."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "prohibiting the waiver of legal rights in certain human rights cases; establishing standards for waiver rescission; amending"

Page 1, delete line 3

Page 1, line 4, delete everything before "Minnesota"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 31: A bill for an act relating to waters; providing for revocation of a watercraft license when the watercraft is used by an operator who is arrested for operating the watercraft while under the influence of alcohol or who refuses chemical testing; requiring the court to restrain a person from operating watercraft when that person is convicted of operating watercraft while under the influence of alcohol; prescribing penalties; amending Minnesota Statutes 1984, section 361.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 361.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 361.12, is amended to read:

361.12 [ALCOHOL, DRUGS, PHYSICAL OR MENTAL DISABILITY.]

Subdivision 1. [ACTS PROHIBITED.] (a) No person shall operate or be in ~~actual~~ physical control of any watercraft *on the waters of this state* while under the influence of:

(1) alcohol, as provided in section 169.121, subdivision 1, *clauses (a), (d), and (e); or*

(2) a controlled substance, as defined in section 152.01, subdivision 4; *or*

(3) *a combination of any two or more of the elements named in clauses (1) and (2).*

(b) No owner or other person having charge or control of any watercraft shall ~~knowingly~~ authorize or permit any person *he knows or has reason to*

believe ~~who~~ is under the influence of alcohol, or a controlled substance, as provided under paragraph (a), to operate ~~such~~ the watercraft on the waters of this state.

~~Subd. 2.~~ (c) No owner or other person having charge or control of any watercraft shall knowingly authorize or permit any person, who by reason of any physical or mental disability is incapable of operating ~~such~~ the watercraft, to operate ~~such~~ the watercraft on the waters of this state.

Subd. 2. [ARREST.] Conservation officers of the department of natural resources, sheriffs, sheriff's deputies, and other peace officers may arrest a person for a violation under subdivision 1 without a warrant upon probable cause, without regard to whether the violation was committed in the officer's presence.

Subd. 3. [PRELIMINARY SCREENING TEST.] When an officer authorized under subdivision 2 to make arrests has reason to believe from the manner in which a person is operating, controlling, or acting upon departure from a watercraft, or has operated or been in control of a watercraft, that the operator may be violating or has violated subdivision 1, paragraph (a), the officer may require the operator to provide a breath sample for a preliminary screening test using a device approved by the commissioner of public safety for this purpose. The results of the preliminary screening test shall be used for the purpose of deciding whether any arrest should be made under this section and whether to require the chemical tests authorized in section 2, but may not be used in any court action except to prove that a test was properly required of an operator pursuant to section 2. Following the preliminary screening test, additional tests may be required of the operator as provided under section 2. Any operator who refuses a breath sample is subject to the provisions of section 2 unless, in compliance with that section, the operator submits to a blood, breath, or urine test to determine the presence of alcohol or a controlled substance.

Subd. 4. [EVIDENCE.] (a) Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for operating or being in physical control of watercraft in violation of subdivision 1, paragraph (a), 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.

(b) For the purposes of this subdivision:

(1) 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;

(2) evidence that there was at the time an alcohol concentration of more than 0.05 and less than 0.10 is relevant evidence in indicating whether or not the person was under the influence of alcohol.

(c) Evidence of the refusal to take a preliminary screening test required under subdivision 3 or a chemical test required under section 2 is admissible into evidence in a prosecution under this section.

(d) If proven by a preponderance of the evidence, it is an affirmative defense to a violation of subdivision 1, paragraph (a), that the defendant con-

sumed a sufficient quantity of alcohol after the time of actual operating or physical control of a watercraft and before the administration of a chemical test to cause the defendant's alcohol concentration to exceed 0.10; except that this evidence may not be admitted unless notice is given to the prosecution prior to the omnibus or pretrial hearing in the matter.

(e) This subdivision does not limit the introduction of any other competent evidence bearing upon the question whether or not the person was under the influence of alcohol or a controlled substance, 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. A sample is adequate if the instrument analyzes the sample and does not indicate the sample is deficient.

Subd. 5. [PENALTIES.] (a) A person who violates any prohibition contained in subdivision 1 is guilty of a misdemeanor; except that a person who violates any prohibition contained in subdivision 1 within five years of a prior conviction under that subdivision or section 2, subdivision 2, or within 10 years of two or more prior convictions under that subdivision or section 2, subdivision 2, is guilty of a gross misdemeanor.

(b) A person who operates a watercraft on the waters of this state during the period the person is prohibited from operating any watercraft or after the person's watercraft operator's permit has been revoked, as provided under subdivision 6, is guilty of a misdemeanor.

Subd. 6. [OPERATING PRIVILEGES SUSPENDED; REVOKED.] (a) Upon conviction, and in addition to any penalty imposed under subdivision 5, the person is prohibited from operating any watercraft on the waters of this state for a period of 90 days between May 1 and October 31, extending over two consecutive years if necessary.

(b) A person 13 years of age or older but less than 18 years of age who violates any prohibition contained in subdivision 1 shall have his watercraft operator's permit revoked by the commissioner as required by section 361.22; subdivision 2, in addition to any other penalty imposed by the court.

Subd. 7. [DUTIES OF COMMISSIONER.] The court shall promptly forward copies of all convictions and penalties imposed under subdivision 5 and section 2, subdivision 2, to the commissioner. The commissioner shall notify the convicted person of the period during which the person is prohibited from operating a watercraft as provided under subdivision 6 or section 2, subdivision 2. The commissioner shall also periodically circulate to appropriate law enforcement agencies a list of all persons who are prohibited from operating any watercraft or have had their watercraft operator's permit revoked pursuant to subdivision 6 or section 2, subdivision 2.

Subd. 8. [IMMUNITY FROM LIABILITY.] The state or political subdivision which is the employer of an officer authorized under subdivision 2 to make an arrest for violations of subdivision 1 is immune from any liability, civil or criminal, for the care or custody of the watercraft being operated by or in the physical control of the person arrested if the officer acts in good faith and exercises due care.

Subdivision 1. [CHEMICAL TESTING.] A person who operates or is in physical control of a watercraft on the waters of this state is required, subject to the provisions of this section, to take or submit to a test of the person's blood, breath, or urine for the purpose of determining the presence and amount of alcohol or a controlled substance. The test shall be administered at the direction of an officer authorized to make arrests under section 1, subdivision 2. Taking or submitting to the test is mandatory when requested by an officer who has probable cause to believe the person was operating or in physical control of a watercraft in violation of section 1, subdivision 1, paragraph (a), and one of the following conditions exist:

(1) the person has been lawfully placed under arrest for violating section 1, subdivision 1, paragraph (a);

(2) the person has been involved in a watercraft accident resulting in property damage, personal injury, or death;

(3) the person has refused to take the preliminary screening test provided for in section 1, subdivision 3; or

(4) the screening test was administered and recorded an alcohol concentration of 0.10 or more.

Subd. 2. [PENALTIES.] (a) A person who refuses to take a test required under subdivision 1 is guilty of a misdemeanor; except that, a person who refuses to take a test within five years of a prior conviction under subdivision 1 or section 1, subdivision 1, paragraph (a), or within ten years of two or more convictions under subdivision 1 or section 1, subdivision 1, paragraph (a), is guilty of a gross misdemeanor.

(b) In addition to any penalties imposed under this subdivision, the person is prohibited from operating any watercraft on the waters of this state for a period of one year.

(c) A person who operates a watercraft on the waters of this state during the period the person is prohibited from operating any watercraft, as provided under paragraph (b), is guilty of a misdemeanor.

Subd. 3. [RIGHTS AND OBLIGATIONS.] At the time a test is requested, the person must be informed:

(1) that Minnesota law requires a person to take a test to determine if they are under the influence of alcohol or a controlled substance;

(2) that it is a misdemeanor or gross misdemeanor, as provided under subdivision 2, to refuse to take the test and, in addition to other penalties which a court may impose, the person is prohibited from operating any watercraft, as provided under subdivision 2, for refusing to take the test;

(3) that if testing is refused it will not affect the person's motor vehicle driver's license;

(4) that if the test is taken and the results indicate that the person is under the influence of alcohol or a controlled substance, the person will be subject to criminal penalties and in addition to any other penalties the court may impose, the person's operating privileges will be suspended as provided under section 1, subdivision 6, paragraph (a);

(5) that, after submitting to testing, the person has the right to have addi-

tional tests made by a person of his own choosing; and

(6) that, if he refused to take a test, the refusal will be offered into evidence against him at trial.

Subd. 4. [REQUIREMENT OF URINE TEST.] Notwithstanding subdivision 1, if there are reasonable and probable grounds to believe there is impairment by a controlled substance which is not subject to testing by a blood or breath test, a urine test may be required even after a blood or breath test has been administered.

Subd. 5. [BREATH TEST USING AN INFRARED BREATH-TESTING INSTRUMENT.] In the case of a breath test administered using an infrared breath-testing instrument, the test shall consist of analyses in the following sequence: one adequate breath sample analysis, one calibration standard analysis, and a second, adequate breath sample analysis. In the case of a test administered using an infrared breath-testing instrument, a sample is adequate if the instrument analyzes the sample and does not indicate the sample is deficient. For purposes of this section, when a test is administered using an infrared breath-testing instrument, failure of a person to provide two separate adequate breath samples in the proper sequence constitutes a refusal to take the test.

Subd. 6. [CONSENT OF PERSON INCAPABLE OF REFUSAL NOT WITHDRAWN.] A person who is unconscious or who is otherwise in a condition rendering the person incapable of refusal is deemed not to have withdrawn the consent provided by subdivision 1 and the test may be given.

Subd. 7. [MANNER OF MAKING TEST; ADDITIONAL TESTS.] Only a physician, medical technician, physician's trained mobile intensive care paramedic, registered nurse, medical technologist or laboratory assistant acting at the request of a peace officer authorized to make arrests under section 1, subdivision 2, may withdraw blood for the purpose of determining the presence of alcohol or controlled substance. This limitation does not apply to the taking of a breath or urine sample. The person tested has the right to have a person of his own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test sample on behalf of the person is obtained at the place where the person is in custody, after the test administered at the direction of a peace officer, and at no expense to the state. The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer. The physician, medical technician, physician's trained mobile intensive care paramedic, medical technologist, laboratory assistant or registered nurse drawing blood at the request of a peace officer for the purpose of determining alcohol concentration shall in no manner be liable in any civil or criminal action except for negligence in drawing the blood. The person administering a breath test shall be fully trained in the administration of breath tests pursuant to training given by the commissioner of public safety.

Sec. 3. [EFFECTIVE DATE.]

This act is effective May 1, 1985."

Delete the title and insert:

"A bill for an act relating to watercraft safety; strengthening prohibitions and penalties regarding operation of watercraft while under the influence of alcohol or a controlled substance; providing a penalty; amending Minnesota Statutes 1984, section 361.12; proposing coding for new law in Minnesota Statutes, chapter 361."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 1004: A bill for an act relating to occupations and professions; requiring the commissioner of corrections to establish a program to prevent sexual exploitation by psychotherapists; extending the sexual exploitation task force; appropriating money; amending Laws 1984, chapter 631, section 1, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 241.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Dieterich from the Committee on Public Utilities and State Regulated Industries, to which was referred

S.F. No. 808: A bill for an act relating to state departments and agencies; transferring authority to make certain appointments to various commissioners; reducing size of alcohol and drug abuse advisory council; abolishing the cable communications board; transferring the duties of the public employment relations board to the bureau of mediation services; amending Minnesota Statutes 1984, sections 1.22; 4.31, subdivision 5; 14.02, subdivision 4; 16B.20, subdivision 2; 16B.33, subdivision 2; 16C.01, subdivision 2; 35.02, subdivision 1; 40.03, subdivision 1; 84B.11, subdivision 1; 115.74, subdivision 1; 115A.22, subdivisions 3 and 4; 116C.41, subdivision 2; 116J.404; 116L.03; 121.82, subdivision 1; 121.83; 125.183, subdivision 1; 129B.01, subdivision 1; 144A.19, subdivision 1; 147.01, subdivisions 1 and 2; 148.03; 148.181; 148.52; 148.90, subdivision 2; 150A.02, subdivision 1; 151.03; 153.02; 154.22; 156.01, subdivisions 1 and 2; 161.1419, subdivision 2; 250.05, subdivision 2; 254A.04; 270.41; 326.04; 326.17; 326.241, subdivision 1; 343.01, subdivision 3; 386.63, subdivision 1; 611.215, subdivision 1; and 626.841; amending Laws 1984, chapter 654, article 2, section 151, subdivision 2; repealing Minnesota Statutes 1984, sections 3.29, subdivisions 1 to 9 and 11; 179A.05, subdivisions 1, 2, and 3; 238.01; 238.02, subdivision 4; 238.04 to 238.06; 238.08, subdivision 2; 238.09; 238.10; 238.11, subdivision 1; 238.12, subdivision 3; and 238.13 to 238.17.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 5 and 6, delete section 6

Page 30, after line 26, insert:

"Sec. 45. [TERMS OF TELECOMMUNICATIONS COUNCIL MEMBERS.]

Notwithstanding Minnesota Statutes, sections 15.059 or 16C.01, the terms of all present members of the telecommunications council shall expire on July 31, 1985."

Page 31, line 8, before "179A.05" insert "16C.01; and" and after "3" delete the semicolon

Page 31, delete lines 9 to 11 and insert "are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "board" insert "and the telecommunications council"

Page 1, line 11, delete "16C.01, subdivision 2;"

Page 1, line 26, after the semicolon insert "16C.01; and"

Page 1, line 27, delete everything after "3" and insert a period

Page 1, delete lines 28 to 30

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 295: A bill for an act relating to Hubbard county; authorizing a special levy for park and recreation purposes; requiring a reverse referendum under certain circumstances.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, delete "clerk" and insert "county auditor"

Page 2, after line 15, insert:

"Sec. 3. [CLEARWATER COUNTY; SPECIAL LEVY FOR COUNTY HOSPITAL COSTS.]

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.

Subd. 2. [REVERSE REFERENDUM.] If the Clearwater county board proposes to increase the levy of the county pursuant to subdivision 1, it shall pass a resolution stating that fact. Thereafter, the resolution shall be published for two successive weeks in the official newspaper of the county or if there is no official newspaper, in a newspaper of general circulation in the county, together with a notice fixing a date for a public hearing on the matter. The hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the county may determine to take no further action or, in the alternative, adopt a resolution confirming its intention to exercise the authority. That resolution shall also be published in the official newspaper of the county or if there is no

official newspaper, in a newspaper of general circulation in the county. If within 30 days thereafter a petition signed by voters equal in number to five percent of the votes cast in the county in the last general election requesting a referendum on the proposed resolution is filed with the county auditor the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue shall prepare a suggested form of question to be presented at the referendum. The referendum must be held at a special or general election prior to October 1, 1985.

Sec. 4. [CASS COUNTY; TOURISM AND AGRICULTURE PROMOTION.]

Subdivision 1. The Cass county board may annually levy a tax of not more than one mill 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.

Subd. 2. [REVERSE REFERENDUM.] If the Cass county board proposes to increase the levy of the county pursuant to subdivision 1, it shall pass a resolution stating that fact. Thereafter, the resolution shall be published for two successive weeks in the official newspaper of the county or if there is no official newspaper, in a newspaper of general circulation in the county, together with a notice fixing a date for a public hearing on the matter. The hearing shall be held not less than two weeks nor more than four weeks after the first publication of the resolution. Following the public hearing, the county may determine to take no further action or, in the alternative, adopt a resolution confirming its intention to exercise the authority. That resolution shall also be published in the official newspaper of the county or if there is no official newspaper, in a newspaper of general circulation in the county. If within 30 days thereafter a petition signed by voters equal in number to five percent of the votes cast in the county in the last general election requesting a referendum on the proposed resolution is filed with the county auditor the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue shall prepare a suggested form of question to be presented at the referendum. The referendum must be held at a special or general election prior to October 1, 1985."

Page 2, line 17, delete "This act is" and insert "Sections 1 and 2 are"

Page 2, line 19, after the period, insert "Section 3 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the Clearwater county board for taxes levied in 1985, 1986, 1987, and 1988. Section 4 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the Cass county board."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "county" insert ", Clearwater county and Cass

county"

Page 1, line 3, after "purposes" insert "for Hubbard County; authorizing a special levy for support of the Clearwater county hospital; authorizing a special levy for tourism and agriculture promotion in Cass county"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 593: A bill for an act relating to the city of New Ulm; permitting the establishment of special service districts; providing taxing and other financial authority for New Ulm.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 10, delete the second "city" and insert "cities" and after "of" insert "Mora," and after "New Ulm" insert ", and Waseca"

Page 8, line 25, after "effective" insert "for the city of New Ulm"

Page 8, line 27, after the period, insert "*Sections 1 to 10 are effective for the city of Mora the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Mora. Sections 1 to 10 are effective for the city of Waseca the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Waseca.*"

Amend the title as follows:

Page 1, line 2, delete "the city of New Ulm" and insert "local government"

Page 1, line 3, after "districts" insert "in the cities of Mora, New Ulm, and Waseca"

Page 1, line 4, after "for" insert "Mora," and after "New Ulm" insert ", and Waseca"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Solon from the Committee on Economic Development and Commerce, to which was referred

S.F. No. 905: A bill for an act relating to insurance; authorizing the receiver of an insolvent insurer to accelerate the distribution of available assets in payment of claims against the insurer; establishing priority of certain claims; providing for recoupment of assessments; amending Minnesota Statutes 1984, sections 60B.44, subdivision 4; 60B.46, by adding subdivisions; 60C.05, subdivision 1; 60C.18; and 61B.07, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1984, section 60B.44, subdivision 1, is amended to read:

Subdivision 1. [DEDUCTIBLE PROVISION.] The ~~order of~~ distribution of claims from the insurer's estate shall be ~~as in the order~~ stated in this section with a descending degree of preference for each subdivision. The first \$50 of the amount allowed on each claim in the classes under subdivisions 3 to 7 shall be deducted from the claim and included in the class under subdivision 9. Claims may not be cumulated by assignment to avoid application of the \$50 deductible provision. Subject to the \$50 deductible provision, every claim in each class shall be paid in full or adequate funds retained for the payment before the members of the next class receive any payment. No subclasses shall be established within any class."

Page 2, line 10, before the comma, insert "or as soon thereafter as is practical"

Page 5, line 20, after the period, insert "The premium tax offset shall not apply for any assessments made in connection with an insurer which became an insolvent insurer under section 60C.03, subdivision 8, prior to the effective date of this act."

Page 5, line 36, after the period, insert "The premium tax offset shall not apply for any assessments made in connection with an insurer which became an impaired insurer under section 61B.03, subdivision 9, prior to the effective date of this act."

Amend the title as follows:

Page 1, line 8, delete "4" and insert "1"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 987: A bill for an act relating to elections; providing for town mail elections; proposing coding for new law in Minnesota Statutes, chapter 204B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [204B.45] [MAIL BALLOTING.]

Any town having fewer than 400 registered voters and not located in a metropolitan county as defined by section 473.121 may apply to the county auditor to provide balloting by mail at any county or state election with no polling place other than the office of the auditor or clerk. The county board may provide for balloting by mail in unorganized territory. Notice of the election and the special mail procedure must be given at least six weeks prior to the election. No earlier than 20 days or later than 18 days prior to the election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the town or unorganized territory. Eligible voters not registered

at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted. The Minnesota election law is applicable to mail balloting except as provided by this section or by rules adopted by the secretary of state, but only paper ballots may be used. The secretary of state shall adopt rules for the conduct of mail balloting, including instructions to voters, procedures for challenge of voters, public observation of the counting of ballots, and procedures for proper handling and safeguarding of ballots to ensure the integrity of the election."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 434: A bill for an act relating to the city of West Saint Paul; changing the municipal election day and extending the terms of certain elected officials.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 934: A bill for an act relating to elections; authorizing absentee voting by electronic voting system; amending Minnesota Statutes 1984, section 203B.08, subdivision 1a.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 977: A bill for an act relating to elections; changing certain filing provisions; providing for training of election judges and election officials; requiring publication of certain election guides; excepting certain election judges from receiving compensation; changing certain canvassing procedures; providing for certain recounts; defining terms; changing certain deadlines; changing certain procedures relating to voting machines; appropriating money; amending Minnesota Statutes 1984, sections 204B.09, subdivision 1; 204B.25, subdivision 1; 204B.27, subdivision 5, and by adding a subdivision; 204B.31; 204C.32, subdivision 1; 204C.33, subdivision 1; 204C.35, by adding a subdivision; 206.56, by adding a subdivision; 206.58, subdivision 2 and by adding a subdivision; 206.82, by adding a subdivision; and 206.83.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 36, delete "*reponsible*" and insert "*responsible*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 783: A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1980, chapter 489, section 1, is amended by adding a subdivision to read:

[85.012] [Subd. 8] *Subd. 1a.* [BLUE MOUNDS STATE PARK.]

The following area is deleted from Blue Mounds State Park in Section 13, Township 103 North, Range 45 West: The Northeast Quarter of the Southwest Quarter, excepting the west 165.00 feet thereof; and that part of the Southeast Quarter lying westerly of the westerly right-of-way line of the Chicago, Rock Island and Pacific Railway, excepting the south 265 feet thereof.

Sec. 2. Laws 1980, chapter 489, section 1, subdivision 4, is amended to read:

[85.012] [Subd. 29] *Subd. 4.* [ITASCA STATE PARK.]

The following areas are added to Itasca State Park: (a) The South Half of the Northeast Quarter of Section 34, Township 144 North, Range 36 West.

(b) *The Southeast Quarter of the Southeast Quarter of Section 32; the South Half of the Southwest Quarter, the Southwest Quarter of Southeast Quarter, and the East Half of Southeast Quarter of Section 33; the Southwest Quarter of Section 34; all in Township 144 North, Range 36 West.*

(c) *Notwithstanding section 85.012, subdivision 1, land that is added to Itasca State Park by paragraph (b), that is tax-forfeited land and under the custody, control, and supervision of the Clearwater county board on the effective date of this act, shall remain under the custody, control, and supervision of the county board until state lands of equal value are transferred to Clearwater county.*

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 795: A bill for an act relating to state lands; authorizing convey-

ance by commissioner of transportation of certain state lands for historical preservation purposes; amending Minnesota Statutes 1984, section 161.44, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete everything after "Section 1."

Page 1, delete line 10

Page 1, line 11, delete "Subd. 12."

Page 1, line 13, delete "and quitclaim lands" and insert "as provided in Minnesota Statutes, section 161.44, land"

Page 1, line 17, delete "must" and insert "may"

Page 1, line 19, after "under" insert "Minnesota Statutes,"

Page 1, lines 22 and 23, after "in" insert "Minnesota Statutes,"

Amend the title as follows:

Page 1, line 4, delete "amending" and insert a period

Page 1, delete lines 5 and 6

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 679: A bill for an act relating to natural resources; providing for annual timber harvest public informational meetings; amending Minnesota Statutes 1984, section 90.041, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "final"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 986: A bill for an act relating to workers' compensation; providing for miscellaneous changes; amending Minnesota Statutes 1984, sections 176.021, subdivision 3b; 176.101, subdivision 3e; 176.102, subdivisions 3 and 8; 176.103, subdivision 3; 176.136, by adding a subdivision; 176.138; 176.191, subdivision 3; 176.511, subdivisions 1 and 2; and 176.66, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 1984, sections 79.22, subdivision 2; 176.081, subdivision 4; and 176.134.

Reports the same back with the recommendation that the bill be amended as follows:

Page 7, line 3, delete "176.135" and insert "176.136"

Page 7, line 5, delete "6" and insert "5"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 423: A bill for an act relating to state government; regulating mandates to local units of government; proposing coding for new law as Minnesota Statutes, chapter 256F.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, delete "[256F.01]" and insert "[3.981]"

Page 3, line 25, after the second comma, insert "town, or" and delete "authority,"

Page 3, line 26, delete everything before the period

Page 4, line 24, delete "[256F.02]" and insert "[3.982]" and delete "FUNDING" and insert "FISCAL NOTES"

Page 4, line 28, delete everything after the comma and insert "*a fiscal note shall be prepared as provided in section 3.98 and shall be made available to the public upon request*"

Page 4, line 29, delete everything before the period

Page 4, line 30, delete "*the legislature*" and insert "*a fiscal note*" and after "*not*" insert "*be prepared.*"

Page 4, delete lines 31 to 33

Page 4, line 34, delete "[256F.03]" and insert "[3.983]" and delete "FUNDING REQUIREMENT" and insert "FISCAL NOTES"

Page 4, line 35, delete "*The*"

Page 4, line 36, delete "*legislature*" and insert "*A fiscal note*" and delete "*appropriate funds to cover*" and insert "*be prepared for*"

Page 5, lines 8 and 11, delete "*The state*" and insert "*A fiscal note*"

Page 5, lines 8 and 12, delete "*appropriate funds to cover*" and insert "*be prepared for*"

Page 6, delete lines 3 to 31 and insert:

"Sec. 4. Minnesota Statutes 1984, section 14.131, is amended to read:

14.131 [STATEMENT OF NEED AND REASONABLENESS.]

Before the agency orders the publication of a rulemaking notice required by section 14.14, subdivision 1a, the agency must prepare, review, and make available for public review a statement of the need for and reasonableness of the rule and *a fiscal note if required by section 2*. The statement of need and reasonableness must be prepared under rules adopted by the chief adminis-

trative law judge."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 1984, section 14.131;"

Page 1, line 4, delete "256F" and insert "3"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 1130: A bill for an act relating to occupations and professions; revising the standards for licensing and disciplining physicians; establishing reporting requirements for health professionals and granting immunity to those complying with reporting requirements; appropriating money; recodifying certain provisions in Minnesota Statutes, chapter 147; amending Minnesota Statutes 1984, sections 147.02, subdivision 1; 147.021; 147.03; 147.073; 147.074; 147.09; 147.10; and 176.011, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 147; repealing Minnesota Statutes 1984, sections 147.02, subdivision 2; 147.06; 147.07; 147.072; 147.101; 147.11; 147.12; 147.13; 147.16; 147.17; 147.18; 147.19; 147.20; and 147.23.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 17, insert:

"Section 1. Minnesota Statutes 1984, section 147.01, subdivision 1, is amended to read:

Subdivision 1. [CREATION; TERMS.] The board of medical examiners ~~shall consist~~ consists of ~~44 members~~, 12 residents of the state of Minnesota, appointed by the governor as hereinafter provided (a). Seven of whom shall board members must hold a degree of doctor of medicine and be licensed to practice medicine under this chapter; (b). One of whom shall board member must hold a degree of doctor of osteopathy and either be licensed to practice osteopathy under Minnesota Statutes 1961, Sections 148.11 to 148.16; prior to May 1, 1963, or be licensed to practice medicine under this chapter and (c). Three of whom shall board members must be public members as defined by section 214.02. One board member must represent mental health consumer and advocacy organizations. A member may serve more than one term but shall not serve more than two terms consecutively. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be are as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be are as provided in chapter 214 and Laws 1976, Chapter 222, Sections 2 to 7.

Sec. 2. Minnesota Statutes 1984, section 147.01, subdivision 2, is amended to read:

Subd. 2. [RECOMMENDATIONS FOR APPOINTMENT.] Each year in which the terms of doctors of medicine expire the council of the Minnesota state medical association shall recommend to the governor three doctors of medicine qualified to serve on the board with respect to each membership which is then filled by a doctor of medicine. Each year in which the term of a doctor of osteopathy expires, the Minnesota state osteopathic association shall recommend to the governor three doctors of osteopathy qualified to serve on the board. From the list of persons so recommended the governor may appoint one member to the board for the above prescribed term of four years. Within 60 days after the occurrence of any vacancy in the board, the council of the Minnesota state medical association, if the vacancy be with respect to a membership vacated by a doctor of medicine, or the Minnesota state osteopathic association, if the vacancy be with respect to a membership vacated by a doctor of osteopathy, shall recommend to the governor three doctors of medicine qualified to serve on the board if the recommendation be by the Minnesota state medical association or three doctors of osteopathy qualified to serve on the board if the recommendation be by the Minnesota state osteopathic association. From the list of persons so recommended the governor, within 30 days after receiving such recommendation, may appoint one member to the board for the unexpired term occasioned by such vacancy and any appointment thereto to fill a vacancy shall be made within 90 days after the occurrence of such vacancy for the balance of the unexpired term. Prior to the end of the term of a doctor of medicine on the board, or within 60 days after a doctor of medicine membership on the board becomes vacant, the state medical association, the mental health association of Minnesota, and other interested persons and organizations may recommend to the governor doctors of medicine and public members qualified to serve on the board. Prior to the end of the term of a doctor of osteopathy, or within 60 days after a doctor of osteopathy membership becomes vacant, the Minnesota osteopathic medical society shall recommend to the governor three doctors of osteopathy qualified to serve on the board. The governor may appoint members to the board from the list of persons recommended or from among other qualified candidates.

Sec. 3. Minnesota Statutes 1984, section 147.01, subdivision 4, is amended to read:

Subd. 4. [DISCLOSURE.] *Subject to the exceptions listed in this subdivision, all communications or information received by or disclosed to the board relating to any person or matter subject to its regulatory jurisdiction, and all records of any action or proceedings thereon, except only a final decision of the board, which shall state the specific reason therefor shall be confidential and privileged within the meaning of section 595.02, subdivision 1, paragraph (e), and shall not be public records within the meaning of section 15.17, subdivision 4; provided that.*

(a) Upon application of a party in a proceeding before the board pursuant to under section 147.021, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with the provisions of rule 34, Minnesota rules of civil procedure.

(b) The board may furnish, to a person who made a complaint, a summary of the results of an investigation of that complaint, a description of the activities and actions of the board relating to that complaint, and the reasons for

actions taken by the board.

(c) The name and business address of each licensee about whom a complaint was received and the number of separate complaints received about that licensee are public data.

(d) If the board imposes disciplinary measures of any kind, the name and business address of the licensee, the nature of the misconduct, and the action taken by the board are public data.

(e) The board may exchange information with other licensing boards, agencies, or departments within the state, as required under section 214.10, subdivision 8, paragraph (e), and may release information in the reports required under sections 147.02, subdivision 6, and 214.10, subdivision 8, paragraph (c)."

Page 3, after line 21, insert:

"Sec. 5. Minnesota Statutes 1984, section 147.02, is amended by adding a subdivision to read:

Subd. 5. [PROCEDURES.] The board shall adopt a written statement of internal operating procedures describing procedures for receiving and investigating complaints, reviewing misconduct cases, and imposing disciplinary actions.

Sec. 6. Minnesota Statutes 1984, section 147.02, is amended by adding a subdivision to read:

Subd. 6. [DISCIPLINARY ACTIONS MUST BE PUBLISHED.] At least annually, the board shall publish and release to the public a description of all disciplinary measures taken by the board. The publication must include, for each disciplinary measure taken, the name and business address of the licensee, the nature of the misconduct, and the disciplinary measure taken by the board."

Page 12, line 30, after "section" delete "1" and insert "4"

Page 18, line 20, delete "13" and insert "18"

Page 19, lines 3 and 8, delete "13" and insert "18"

Page 20, line 2, delete "change" and insert "charge"

Page 20, line 33, delete "9" and insert "14"

Page 20, line 34, delete "2" and insert "5"

Page 21, lines 4, 7, and 23, delete "13" and insert "18"

Page 22, line 10, delete "13" and insert "18"

Page 26, after line 17, insert:

Sec. 20. Minnesota Statutes 1984, section 214.07, subdivision 1, is amended to read:

Subdivision 1. [BOARD REPORTS.] The health related licensing boards and the non-health related licensing boards shall prepare reports by October 1 of each even numbered year on forms prepared by the commissioner of administration. Copies of the reports shall be delivered to the legislature in

accordance with section 3.195, the governor and the commissioner of administration. Copies of the reports of the health related licensing boards shall be delivered to the commissioner of health. The reports shall contain the following information relating to the two year period ending the previous June 30:

- (a) A general statement of board activities;
- (b) The number of meetings and approximate total number of hours spent by all board members in meetings and on other board activities;
- (c) The receipts and disbursements of board funds;
- (d) The names of board members and their addresses, occupations, and dates of appointment and reappointment to the board;
- (e) The names and job classifications of board employees;
- (f) A brief summary of board rules proposed or adopted during the reporting period with appropriate citations to the state register and published rules;
- (g) The number of persons having each type of license and registration issued by the board as of June 30 in the year of the report;
- (h) The locations and dates of the administration of examinations by the board;
- (i) The number of persons examined by the board with the persons subdivided into groups showing age categories, sex, and states of residency;
- (j) The number of persons licensed or registered by the board after taking the examinations referred to in clause (h) with the persons subdivided by age categories, sex, and states of residency;
- (k) The number of persons not licensed or registered by the board after taking the examinations referred to in clause (h) with the persons subdivided by age categories, sex, and states of residency;
- (l) The number of persons not taking the examinations referred to in clause (h) who were licensed or registered by the board or who were denied licensing or registration with the reasons for the licensing or registration or denial thereof and with the persons subdivided by age categories, sex, and states of residency;
- (m) The number of persons previously licensed or registered by the board whose licenses or registrations were revoked, suspended, or otherwise altered in status with brief statements of the reasons for the revocation, suspension or alteration;
- (n) The number of written and oral complaints and other communications received by the executive secretary of the board, a board member, or any other person performing services for the board (1) which allege or imply a violation of a statute or rule which the board is empowered to enforce and (2) which are forwarded to other agencies as required by section 214.10;
- (o) A summary, by *specific* category, of the substance of the complaints and communications referred to in clause (n) and, *for each specific category*, the responses or dispositions thereof pursuant to sections 214.10 or 214.11;
- (p) Any other objective information which the board members believe will

be useful in reviewing board activities.

Sec. 21. Minnesota Statutes 1984, section 214.10, is amended by adding a subdivision to read:

Subd. 8. [SPECIAL REQUIREMENTS FOR HEALTH-RELATED LICENSING BOARDS.] In addition to the provisions of this section that apply to all examining and licensing boards, the requirements in this subdivision apply to all health-related licensing boards, except the board of veterinary medicine.

(a) When a complaint is received that concerns a matter that is within the jurisdiction of a board, the board must acknowledge receipt of the complaint within ten days after receipt by providing a written notice to the person who made the complaint. The notice must explain the board's investigative process and state, in general terms, that other legal recourse may be available. At least every three months the board shall give the complainant a report on the progress of board activities relating to that complaint. Within 30 days after a final disposition, the board shall provide a report to the complainant including a summary of the results of the investigation, the actions taken by the board, and the reasons for the board's actions or lack of action.

(b) If the designee of the attorney general determines that a communication received alleges a violation of statute or rule that involves sexual contact with a patient or client, the designee shall conduct a preliminary investigation of the facts alleged in the communication and report to the executive secretary or board member whether a full investigation is likely to result in sufficient evidence to justify disciplinary action. If the designee of the attorney general determines that a full investigation is likely to result in sufficient evidence to justify disciplinary action, the designee shall conduct a full investigation. If, after a full investigation it is the opinion of the designee of the attorney general that there is sufficient evidence to justify disciplinary action, the board shall conduct a disciplinary conference or hearing. If, after a hearing or disciplinary conference the board or administrative law judge determines that misconduct involving sexual contact with a client occurred, the board shall take disciplinary action. Notwithstanding section 214.10, subdivision 2, a board may not attempt to correct improper activities or redress grievances through education, conciliation, and persuasion, unless in the opinion of the designee of the attorney general there is insufficient evidence to justify disciplinary action. The board may settle a case by stipulation prior to, or during, a hearing if the stipulation provides for disciplinary action.

(c) In addition to the information required under section 214.07, subdivision 1, each board shall include in its reports to the legislature summaries of each individual case that involved possible sexual contact with a client. The summary must include a description of the alleged misconduct; the general results of the investigation; the determination made by the designee of the attorney general under section 214.10, subdivision 8, paragraph (b); the nature of board activities relating to that case; the disposition of the case; and the reasons for board decisions concerning the disposition of the case. The information disclosed under this section must not include the name or specific identifying information about any person, agency, or organization.

(d) A board member who has a current or former financial connection or professional relationship to a person who is the subject of board disciplinary

activities must not participate in board activities relating to that case.

(e) Each health-related licensing board shall establish procedures for exchanging information with other Minnesota state boards, agencies, and departments responsible for licensing health-related occupations, facilities, and programs, and for coordinating investigations involving matters within the jurisdiction of more than one licensing body. The procedures must provide for the forwarding to other licensing bodies of all information and evidence, including the results of investigations, that is relevant to matters within that licensing body's regulatory jurisdiction.

(f) Each health-related licensing board shall establish procedures for exchanging information with other states regarding disciplinary actions against licensees. The procedures must provide for the collection of information from other states about disciplinary actions taken against persons who are licensed to practice in Minnesota or who have applied to be licensed in this state and the dissemination of information to other states regarding disciplinary actions taken in Minnesota."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to occupations and professions; changing the composition of the board of medical examiners and the method of appointing board members; authorizing the release of certain information by the board of medical examiners; requiring the board of medical examiners to adopt a written statement describing its procedures, and publish disciplinary actions; revising the standards for licensing and disciplining physicians; establishing reporting requirements for health professionals and granting immunity to those complying with reporting requirements; establishing special requirements for health-related licensing boards; appropriating money; recodifying certain provisions in Minnesota Statutes, chapter 147; amending Minnesota Statutes 1984, sections 147.01, subdivisions 1, 2, and 4; 147.02, subdivision 1, and by adding subdivisions; 147.021; 147.03; 147.073; 147.074; 147.09; 147.10; 176.011, subdivision 9; 214.07, subdivision 1; and 214.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147; repealing Minnesota Statutes 1984, sections 147.02, subdivision 2; 147.06; 147.07; 147.072; 147.101; 147.11; 147.12; 147.13; 147.16; 147.17; 147.18; 147.19; 147.20; and 147.23."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 273 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No. 273
S.F. No. 490

CONSENT CALENDAR

H.F. No. S.F. No.

CALENDAR

H.F. No. S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recom-

mends that H.F. No. 273 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 273 and insert the language after the enacting clause of S.F. No. 490, the first engrossment; further, delete the title of H.F. No. 273 and insert the title of S.F. No. 490, the first engrossment.

And when so amended H.F. No. 273 will be identical to S.F. No. 490, and further recommends that H.F. No. 273 be given its second reading and substituted for S.F. No. 490, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred :

H.F. No. 485 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
485	471				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 158 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
158	194				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred the following appointment as reported in the Journal for February 25, 1985:

MINNESOTA POLLUTION CONTROL AGENCY
Bill Walker

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 919: A bill for an act relating to agriculture; providing for registration of crop and livestock buyers in licensing application; establishing a registration system for buyers of farm products; describing when farm products are purchased subject to a security interest; restricting certain financing statements to only cover crops; reducing the effective period of financing statements covering crops; amending Minnesota Statutes 1984, sections 17A.04, subdivisions 2, 5, and by adding a subdivision; 223.17, by adding a subdivision; 336.9-307; 336.9-402; 336.9-403; 386.42; proposing coding for new law as Minnesota Statutes, chapter 223A; repealing Minnesota Statutes 1984, section 386.43.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 to 3, delete sections 1 to 5

Page 4, lines 4 to 6, delete the new language

Pages 4 to 13, delete sections 7 to 11

Renumber the remaining section

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 to 8

Page 1, line 9, delete "crops" and insert "protecting buyers when subject to a security interest"

Page 1, line 9, delete "sections" and insert "section 336.9-307."

Page 1, delete lines 10 to 14

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which was referred

S.F. No. 1093: A bill for an act relating to environment; requiring the issuance of transportation certificates prior to the shipment of high level radioactive waste; providing for the administration of a certification and inspection program; providing for the designation of transportation routes; providing for emergency preparedness to nuclear incidents; amending Minnesota Statutes 1984, sections 116C.71, by adding subdivisions; and 116C.731.

Reports the same back with the recommendation that the bill be amended

as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1984, section 116C.705, is amended to read:

116C.705 [FINDINGS.]

The legislature finds that the disposal and transportation of high level radioactive waste is of vital concern to the health, safety, and welfare of the people of Minnesota, and to the economic and environmental resources of Minnesota. To ensure the health, safety, and welfare of the people, and to protect the air, land, water, and other natural resources in the state from pollution, impairment, or destruction, it is necessary for the state to regulate and control, under the laws of the United States, the exploration for a site for high level radioactive waste disposal within the state of Minnesota and to obtain reasonable information necessary to protect environmental and economic resources of the state by ensuring the safe transportation of high level radioactive waste and adequate emergency response preparation and coordination. It is the intent of the legislature to exercise all legal authority for the purpose of regulating the disposal and transportation of high level radioactive waste.

Sec. 2. Minnesota Statutes 1984, section 116C.71, is amended by adding a subdivision to read:

Subd. 1a. [AGENCY.] "Agency" means the Minnesota pollution control agency.

Sec. 3. Minnesota Statutes 1984, section 116C.71, is amended by adding a subdivision to read:

Subd. 14a. [COUNCIL.] "Council" means the governor's nuclear waste council.

Sec. 4. Minnesota Statutes 1984, section 116C.71, is amended by adding a subdivision to read:

Subd. 15a. [DIRECTOR.] "Director" means the director of the pollution control agency.

Sec. 5. [116C.711] [NUCLEAR WASTE COUNCIL.]

Subdivision 1. [CREATED.] The governor's nuclear waste council is created.

Subd. 2. [MEMBERSHIP.] The council shall consist of at least 13 members, including:

(a) two members of the house appointed by the speaker and two members of the senate appointed by the subcommittee on committees. One member of each house must be from the majority and one from the minority party;

(b) the commissioners of the departments of health, transportation, and natural resources, and the director of the pollution control agency;

(c) four citizen members appointed by the governor;

(d) the director of the Minnesota geological survey;

(e) one additional citizen from each potentially impacted area may be appointed by the governor if potentially impacted areas are designated in Minnesota; and

(f) one Indian who is an enrolled member of a federally recognized Minnesota Indian tribe or band may be appointed by the governor if potentially impacted areas are designated in Minnesota and if those areas include Indian country as defined under U.S. Code, Title 18, Section 11.54.

At least two members of the council shall have expertise in the earth sciences.

Subd. 3. [CHAIRPERSON.] A chairperson shall be appointed by the governor from among the members of the council.

Subd. 4. [ADVISORY TASK FORCE.] The council may create advisory task forces under section 15.014, as are necessary to carry out its responsibilities under chapter 116C.

Subd. 5. [MEMBERSHIP REGULATION.] Section 15.059 governs terms, compensation, removal, and filling of vacancies of members appointed by the governor. The terms of service of council members who are legislators shall not exceed the legislator's term of office. Section 15.059, subdivision 5, does not govern the expiration date of the council.

Sec. 6. [116C.712] [POWERS AND DUTIES.]

Subdivision 1. [SOLE DUTY.] The council's duty shall be to monitor the federal high-level radioactive waste disposal program under the Nuclear Waste Policy Act, Public Law Number 97-425 and advise the governor and the legislature on all policy issues relating to the federal high-level radioactive waste disposal program.

Subd. 2. [EXPIRATION DATE.] The council shall terminate when the department of energy eliminates Minnesota from further siting consideration for disposal of high-level radioactive waste.

Subd. 3. [COUNCIL STAFF.] Staff support for council activities shall be provided by the state planning agency. All state departments and agencies must cooperate with the council in the performance of its duties. Upon the request of the chairperson of the council, the governor may, by order, require any state department or agency to furnish assistance necessary to carry out the council's functions under chapter 116C.

Subd. 4. [CONTRACTS.] The council may employ and fix the compensation of consultants necessary to carry out its responsibilities under chapter 116C. The chairperson of the council may contract with persons, firms, corporations, organizations, units of government, state agencies or institutions of higher learning for doing any of the work of the council. Contracts made pursuant to this section are not subject to the provisions of chapter 16B relating to competitive bidding.

Subd. 5. [FEDERAL AND OTHER FUNDS.] The chairperson of the council may apply for, receive, and expend funds made available from federal sources or other sources for the purpose of carrying out the council's responsibilities under chapter 116C.

Sec. 7. Minnesota Statutes 1984, section 116C.72, is amended to read:

116C.72 [RADIOACTIVE WASTE MANAGEMENT FACILITY.]

Notwithstanding any provision of chapter 116H, to the contrary, No person shall construct or operate a radioactive waste management facility within Minnesota unless expressly authorized by the Minnesota legislature.

Sec. 8. Minnesota Statutes 1984, section 116C.723, is amended to read:

116C.723 [DISPOSAL STUDIES CONSULTATION AND COOPERATION AGREEMENT.]

Unless the state has executed a consultation and cooperation agreement, a person may not make a study or test of a specific area or site related to disposal including an exploratory drilling, a land survey, an aerial mapping, a field mapping, a waste suitability study, or other surface or subsurface geologic, hydrologic, or environmental testing or mapping.

Subdivision 1. [REQUIREMENT.] Upon notice from the department of energy that Minnesota contains a potentially impacted area, the chairperson of the council shall negotiate a consultation and cooperation agreement with the federal government.

Subd. 2. [DISPOSAL STUDIES.] Unless the state has executed a consultation and cooperation agreement, a person may not make a study or test of a specific area or site related to disposal including an exploratory drilling, a land survey, an aerial mapping, a field mapping, a waste suitability study, or other surface or subsurface geologic, hydrologic, or environmental testing or mapping.

Sec. 9. Minnesota Statutes 1984, section 116C.724, is amended to read:

116C.724 [CONSULTATION AND COOPERATION AGREEMENT FIELD INVESTIGATIONS, TESTS, AND STUDIES.]

Subdivision 1. [REQUIREMENT.] Upon notice from the department of energy that Minnesota contains a potentially impacted area, the board shall negotiate a consultation and cooperation agreement with the federal government.

Subd. 2. [CONDITIONS.] (a) The consultation and cooperation agreement shall include but not be limited to the conditions specified in this subdivision.

(b) A permit shall be required for all geologic and hydrologic drilling. Conditions of obtaining and retaining the permit shall require:

(1) compliance with state drilling and drill hole restoration regulations as an exploratory boring under chapter 156A;

(2) proof that access to the test site has been obtained by a negotiated agreement or other legal process;

(3) the permittee to pay a fee covering the costs of processing and monitoring drilling activities;

(4) unrestricted access by the commissioner of health, the commissioner of natural resources, the director of the pollution control agency, the director of the Minnesota geological survey, the county health officer, and their employees and agents to the drilling sites to inspect and monitor the drill holes, drilling operations, and abandoned sites, and to sample air and water that may be affected by drilling;

(5) submission of splits or portions of a core sample, requested by the commissioner of natural resources or director of the Minnesota geological survey, except that the commissioner or director may accept certified data on the sample in lieu of a sample if certain samples are required in their entirety by the permittee; and

(6) that a sample submitted may become property of the state.

(c) A person who conducts geologic, hydrologic, or geophysical testing or studies shall provide unrestricted access to both raw and interpretive data to the chairman and the director of the Minnesota geological survey or their designated representatives. The raw and interpretive data includes core samples, well logs, water samples and chemical analyses, survey charts and graphs, and predecisional reports. Studies and data shall be made available within 90 days of a formal request by the chairman.

(d) A person proposing to investigate shall hold at least one public meeting before a required permit is issued, and during the investigation at least once every six months, within the potentially impacted area. The meetings shall provide the public with current information on progress of the investigation. The person investigating shall respond in writing to the board about concerns and issues raised at the public meetings.

(e) Before a person engages in negotiations regarding property interests in land or water, or permitting activities, the person shall notify the chairman in writing. Copies of terms and agreements shall also be provided to the chairman.

Subd. 3. [DRILLING.] A permit shall be obtained from the environmental quality board, in accordance with chapter 14, for any geologic or hydrologic drilling related to disposal. Conditions for obtaining and retaining the permit shall be specified by rule, and shall include:

(a) compliance with state drilling and drill hole restoration regulations as an exploratory drilling under chapter 156A;

(b) proof that access to the test site has been obtained by a negotiated agreement or other legal process;

(c) the permittee to pay a fee covering the costs of processing and monitoring drilling activities;

(d) unrestricted access by the commissioner of health, the commissioner of natural resources, the director of the pollution control agency, the director of the Minnesota geological survey, the county health officer, and their employees and agents to the drilling sites to inspect and monitor the drill holes, drilling operations, and abandoned sites, and to sample air and water that may be affected by the drilling;

(e) submission of splits or portions of a core sample, requested by the commissioner of natural resources or director of the Minnesota geological survey, except that the commissioner or director may accept certified data on the sample in lieu of a sample if certain samples are required in their entirety by the permittee; and

(f) that a sample submitted may become the property of the state.

Subd. 4. [OTHER REQUIREMENTS.] (a) A person who conducts geo-

logic, hydrologic, or geophysical testing or studies shall provide unrestricted access to both raw and interpretive data to the chairperson and the director of the Minnesota geological survey or their designated representatives. The raw and interpretive data includes core samples, well logs, water samples and chemical analyses, survey charts and graphs, and predecisional reports. Studies and data shall be made available within 30 days of a formal request by the chairperson.

(b) A person proposing to investigate shall hold at least one public meeting before a permit is issued, and at least once every three months during the investigation within the potentially impacted area. The meetings shall provide the public with current information on the progress of the investigation. The person investigating shall respond in writing to the environmental quality board about concerns and issues raised at the public meetings.

(c) Before a person engages in negotiations regarding property interests in land or water, or permitting activities, the person shall notify the chairperson in writing. Copies of the terms and agreements shall also be provided to the chairperson.

Sec. 10. Minnesota Statutes 1984, section 116C.731, is amended to read:

116C.731 [TRANSPORTATION OF HIGH LEVEL RADIOACTIVE WASTE.]

Subdivision 1. **[NOTIFICATION CERTIFICATION REQUIRED.]** The division of emergency services of the department of public safety shall notify the shipper of nuclear waste immediately upon being notified of a shipment. Before a shipment of high level radioactive waste is transported in, into, within, or through the state, the shipper shall notify the commissioner of public safety. The notice shall include the route, date, and time of the shipment in addition to information required under Code of Federal Regulations, title 49, sections 71.5a and 73.37(f) file an application for, and receive, a transportation certificate from the director of the Minnesota pollution control agency. The agency shall issue certificates for the transportation of high level radioactive waste into, within, or through the state in accordance with this section. The director may, at the director's discretion, authorize and require certificates to be issued to a shipper annually, semi-annually, or on a per-shipment basis for each shipment of high level radioactive waste. A shipper who is required to obtain an annual or semi-annual certificate under this section shall file a certificate application with the director no later than 90 days prior to the first intended shipment date. Per-shipment certificates must be applied for no later than 72 hours prior to the intended shipment date.

Subd. 2. **[HIGHWAY ROUTE DETERMINATION CERTIFICATION APPLICATION REQUIREMENTS.]** Pursuant to Code of Federal Regulations, title 49, part 177, the commissioner may require preferred routes, dates, or times for transporting high level radioactive waste if the commissioner determines, in accordance with United States Department of Transportation "Guidelines for Selecting Preferred Highway Routes for Large Quantity Shipments of Radioactive Materials," that alternatives are safer than those proposed. On an annual basis the commissioner shall review federally approved highway routes for transporting high level radioactive waste in the state and select new state designated routes in accordance with Code of Federal Regulations, title 49, part 177, if safety considerations indicate the alternate

routes would be preferable. The state does not incur any liability by requiring the alternate routes, dates, or times to be used. Each application for a certificate under this section shall contain information as may be required by the director. The director shall issue a certificate if the following conditions have been met:

(a) the information required under the Code of Federal Regulations, title 10, sections 71.5a and 73.37(f);

(b) the specific routes, dates, and timetables according to which the waste is to be shipped;

(c) weather conditions anticipated on dates of shipments, including, but not limited to, floodstages of any waterways along proposed routes;

(d) the speeds at which the waste is to be shipped and, in the case of rail shipments, a plan for sidetracking or stopping all opposing trains during shipments;

(e) documentation showing that all roadways, railroad tracks, bridges, and locks coinciding with proposed routes comply with federal regulations in Code of Federal Regulations, title 49, parts 171 to 199;

(f) the qualifications and training in emergency procedures of shipper and carrier personnel directly involved in each proposed shipment, including, but not limited to, repair and maintenance crews;

(g) health and safety measures implemented specifically to protect those workers identified in paragraph (f); and

(h) a showing that a state health physicist is scheduled to accompany each shipment; the health physicist shall monitor radiation and make a complete written report to the director detailing any problems that may have arisen.

Subd. 3. [DIRECTOR'S REPORT TO MPCA BOARD.] Subject to nuclear regulatory commission regulation, at the next regularly scheduled meeting of the agency after a shipment has been made, the director shall make a report including, but not limited to, the following:

(a) all application information required by subdivision 2;

(b) any reports on file, including the report by the state health physicist who accompanied the shipment; and

(c) any requests for changes in routes, times, or dates.

All written documents shall be available for public inspection prior to the agency meeting.

The director shall notify the shipper of the agency's recommendations prior to the next shipment.

Subd. 4. [INSPECTION.] After issuance of a certificate by the director, the commissioners of health and transportation shall require the inspection of all equipment of the shipper and carrier as it enters the state or departs from a point of origin within the state. The result of these inspections shall be immediately forwarded to the director.

Subd. 4a. [HEALTH INSPECTION.] The commissioner of health shall conduct an inspection to monitor for surface radioactivity to determine

whether radiation levels are within legally permissible limits.

Subd. 4b. [TRANSPORTATION EQUIPMENT AND INSPECTION.] *The commissioner of transportation shall conduct inspections to ensure the equipment transporting high level radioactive waste complies with federal regulations contained in Code of Federal Regulations, title 49, sections 174, 176, and 177.*

Subd. 5. [ROUTE, DATE, OR TIME DETERMINATION.] *The commissioner of public safety, in consultation with the commissioner of transportation, may require a person transporting high level radioactive waste to use alternative routes, dates, or times if the commissioner determines that alternatives are safer than those proposed. Alternate route designations shall be made in accordance with applicable and appropriate federal regulations. The state does not incur any liability by requiring alternate routes, dates, or times to be used. The commissioner of public safety may require a change in routes, dates, or times in response to emergency conditions including, but not limited to, adverse weather conditions such as flooding or snow storms. A required change in routes for these reasons does not constitute a determination of an alternate route.*

Subd. 3 6. [TRANSPORTATION FEE AND ACCOUNT.] *A person who intends to transport high level radioactive waste shall submit a transportation fee to the commissioner of public safety in the amount of \$1,000 for each vehicle carrying high level radioactive waste in each shipment with the information required in subdivision 4 2. In the case of irradiated reactor fuel, the transportation fee shall be \$1,000 per irradiated reactor fuel assembly. The fees shall be deposited by the commissioner into ~~the general~~ a special revolving fund to be used for emergency response preparedness, state participation in the disposal of high level radioactive waste, administration of the certification and inspection requirements of this section. The fund is created as an account in the state treasury. The state treasurer shall credit to the transportation fee fund account all amounts received under this subdivision.*

Subd. 7. [NOTIFICATION OF NEW ROUTE APPROVAL.] *Upon notification to the state that a shipper or carrier has filed an application with the nuclear regulatory commission for approval of a new route within or through the state for the transportation of high level radioactive waste, the commissioner of public safety shall immediately give written notice of the application to the mayors of affected statutory and home rule charter cities and to the county board chairpersons of counties located along the proposed transportation route. Written notice shall also be given by publication in at least one newspaper of general circulation in each affected county. The commissioner shall afford the affected cities and counties ample opportunity to transmit to the director, data, objections, concerns, and other information relevant to the selection of the route. The commissioner shall in turn forward the data, objections, concerns, and other information to the nuclear regulatory commission.*

Subd. 4 8. [EMERGENCY RESPONSE PLAN.] *The commissioner of public safety shall consult with the commissioners of health and transportation, the director of the pollution control agency, and representatives of the federal nuclear regulatory commission, the federal emergency management*

agency, and the United States department of transportation and before December 1, 1984, shall prepare a plan for emergency response to a high level radioactive waste transportation accident, including plans for evacuation and cleanup. *The plan shall be revised annually to achieve conformity to the extent practicable given fiscal constraints with the response system described in the nuclear regulatory commission document number NUREG/CR-2225, entitled "An unconstrained overview of critical elements in a model state system for emergency response to radiological rail transportation incidents."* The commissioner of public safety shall report by January 1 of each year to the ~~legislature~~ *committee on agriculture and natural resources and house environment and natural resources committee* on the status of the plan and the ability of the state to respond adequately to an accident. *The report shall include, but is not limited to:*

(a) *all revisions to the state emergency response plan pursuant to this subdivision;*

(b) *all recommendations received for making any revisions; and*

(c) *the results of all hearings held pursuant to this subdivision.*

Pursuant to the goal of conformity, the commissioner of public safety may solicit, from communities situated along proposed shipment routes, information relevant to the improvement of local emergency training, equipment, and planning. The commissioner shall afford such communities annual hearings at their request.

Subd. 5 9. [APPLICABILITY.] This section does not apply to radioactive materials shipped by or for the United States government for military, national security, or national defense purposes. This section does not require disclosure of defense information or restricted data as defined in the Atomic Energy Act of 1954, United States Code, title 42, section 2014, as amended.

Sec. 11. [REPEALER.]

Minnesota Statutes 1984, section 116C.71, subdivision 12, is repealed.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 11 are effective the day following their final enactment."

Delete the title and insert:

"A bill for an act relating to environment; requiring the issuance of transportation certificates prior to the shipment of high level radioactive waste; providing for the administration of a certification and inspection program; providing for the designation of transportation routes; creating the governor's nuclear waste council; providing coordination with the federal government's nuclear waste site planning; providing for emergency preparedness to nuclear incidents; amending Minnesota Statutes 1984, sections 116C.705; 116C.71, by adding subdivisions; 116C.72; 116C.723; 116C.724; and 116C.731; proposing coding for new law in Minnesota Statutes, chapter 116C; repealing Minnesota Statutes 1984, section 116C.71, subdivision 12."

And when so amended the bill do pass and be re-referred to the Committee on Governmental Operations. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1029, 657, 853, 269, 646, 1185, 750, 193, 1073, 1193, 303,

843, 920, 1183, 609, 31, 295, 987, 434, 934, 783, 795, 679 and 986 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 273, 485 and 158 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Wegscheid moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 643. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Anderson be added as a co-author to S.F. No. 863. The motion prevailed.

Ms. Berglin moved that the name of Mr. Ramstad be added as a co-author to S.F. No. 912. The motion prevailed.

Mr. Novak moved that the name of Mr. Chmielewski be added as a co-author to S.F. No. 936. The motion prevailed.

Mr. Peterson, C.C. moved that the name of Mr. Mehrkens be added as a co-author to S.F. No. 1012. The motion prevailed.

Mr. Ramstad moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 1031. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1035. The motion prevailed.

Mr. Ramstad moved that his name be stricken as a co-author to S.F. No. 1076. The motion prevailed.

Mrs. Lantry moved that the name of Mrs. Kronebusch be added as a co-author to S.F. No. 1169. The motion prevailed.

Mr. Davis moved that the name of Mr. Petty be added as a co-author to S.F. No. 1225. The motion prevailed.

Mr. Diessner moved that the name of Mr. Spear be added as a co-author to S.F. No. 1255. The motion prevailed.

Mr. Stumpf moved that S.F. No. 889 be withdrawn from the Committee on Local and Urban Government and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Johnson, D.J. moved that S.F. No. 1241 be withdrawn from the Committee on Local and Urban Government and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Chmielewski moved that S.F. No. 1247 be withdrawn from the Committee on Local and Urban Government and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mrs. Kronebusch introduced—

Senate Resolution No. 59: A Senate resolution congratulating the gymnastic team from Winona State University for winning the 1985 National Association of Intercollegiate Athletics National Championship.

Referred to the Committee on Rules and Administration.

Messrs. Kroening and Pogemiller introduced—

Senate Resolution No. 60: A Senate resolution congratulating the Polars boys basketball team from Minneapolis North High School for winning second place in the 1985 Class AA Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Messrs. Kroening and Pogemiller introduced—

Senate Resolution No. 61: A Senate resolution congratulating the Islanders boys basketball team from DeLaSalle High School for winning the 1985 Class A Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Johnson, D.E. introduced—

Senate Resolution No. 62: A Senate resolution congratulating the Lakers boys basketball team from Glenwood High School for winning the consolation championship at the 1985 Class A Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Johnson, D.E. introduced—

Senate Resolution No. 63: A Senate resolution congratulating the Cardinals boys basketball team from Willmar High School for winning sixth place in the 1985 Class AA Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Frederickson introduced—

Senate Resolution No. 64: A Senate resolution congratulating the Cougars boys basketball team from Cedar Mountain High School of Morgan for winning sixth place in the 1985 Class A Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Frederickson introduced—

Senate Resolution No. 65: A Senate resolution congratulating the Giants boys basketball team from Le Sueur High School for participating in the 1985 Class A Boys State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

S.F. No. 122 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 122

A bill for an act relating to retirement; public employees retirement asso-

ciation; setting the salary range of the executive director; changing the membership of the board; providing qualifications for the executive director; requiring advice and consent of the senate for appointment of the executive director; defining the duties of the board; ending the terms of current board members; defining the duties of the executive director; amending Minnesota Statutes 1984, sections 15A.081, subdivision 1; 43A.10, subdivision 6; and 353.03, subdivisions 1, 1a, 2, 3, 3a, and 5; proposing coding for new law in Minnesota Statutes, chapter 353.

March 28, 1985

The Honorable Jerome M. Hughes
President of the Senate

The Honorable David M. Jennings
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 122, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 122 be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. [FINDINGS.]

The legislature reaffirms that the public employees retirement association is a public agency, created by and subject to the control of the legislature. The legislature is responsible for assuring that the laws establishing the association lead to responsible governance and efficient administration. The legislature must assure that the board of trustees fulfills its fiduciary obligations to the state, to the taxpayers, and to the members of the association.

The legislature finds that actions of the association board of trustees have damaged public confidence in the association's ability to fulfill its fiduciary obligations and to operate in accordance with legislative intent. The legislature finds that this act is necessary to assure that the board of trustees will fulfill its fiduciary obligations and will responsibly administer the affairs of the association in keeping with legislative intent.

Sec. 2. Minnesota Statutes 1984, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. [SALARY.] 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, 1983

Commissioner of education;
Commissioner of finance;
Commissioner of transportation;
Commissioner of human services;
Chancellor, community college system;

\$57,500-\$70,000

Chancellor, state university system;
Director, vocational technical education;
Executive director, state board of investment;
Commissioner of administration; \$50,000-\$60,000
Commissioner of agriculture;
Commissioner of commerce;
Commissioner of corrections;
Commissioner of economic security;
Commissioner of employee relations;
Commissioner of energy and economic
development;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of revenue;
Commissioner of public safety;
Chairperson, waste management board;
Chief administrative law judge; office of ad-
ministrative hearings;
Director, pollution control agency;
Director, state planning agency;
Executive director, higher education coordin-
ating board;
Executive director, housing finance agency;
*Executive director, public employees retire-
ment association;*
Executive director, teacher's retirement asso-
ciation;
Executive director, state retirement system;
Commissioner of human rights; \$40,000-\$52,500
Director, department of public service;
Commissioner of veterans' affairs;
Director, bureau of mediation services;
Commissioner, public utilities commission;
Member, transportation regulation board;
Director, zoological gardens.

Sec. 3. Minnesota Statutes 1984, section 43A.04, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE LEADERSHIP.] The commissioner shall be the chief personnel and labor relations manager of the civil service in the executive branch.

(a) Whenever any power or responsibility is given to the commissioner by any provision of Laws 1981, Chapter 210, unless otherwise expressly provided, the power or authority shall apply to all employees of agencies in the executive branch and to employees in classified positions in the office of the legislative auditor, the Minnesota state retirement system, *the public employees retirement association*, and the teacher's retirement association. Unless otherwise provided by law, the power or authority shall not apply to unclassified employees in the legislative and judicial branches.

(b) The commissioner shall operate an information system from which

personnel data, as defined in section 13.43, concerning employees and applicants for positions in the classified service can be retrieved.

The commissioner shall have access to all public and private personnel data kept by appointing authorities which will aid in the discharge of the commissioner's duties.

(c) The commissioner may consider and investigate any matters concerned with the administration of provisions of Laws 1981, Chapter 210 and may order any remedial actions consistent with law.

Sec. 4. Minnesota Statutes 1984, section 43A.10, subdivision 6, is amended to read:

Subd. 6. [ELIGIBILITY FOR COMPETITIVE PROMOTIONAL EXAMINATIONS.] Competitive promotional examinations shall be open only to employees of the civil service, the Minnesota state retirement system, *the public employees retirement association*, and the teacher's retirement association. The commissioner may require that competition be extended to all employees as defined above or may limit competition to employees of one or more agencies or organizational units thereof or to employees meeting specified employment conditions.

Sec. 5. Minnesota Statutes 1984, section 353.03, subdivision 1, is amended to read:

Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of ~~15 the state auditor and eight members, who shall be known as the board of trustees. This board shall consist of four trustees. The governor shall appoint five trustees to four-year terms, one of whom shall be designated by each of the following associations or organizations, Minnesota to represent school boards association, League of Minnesota one to represent cities, Association of Minnesota one to represent counties and the executive committee of the statewide general labor organization which includes among its membership the employee organizations, as defined in section 179A.03, subdivision 6, which represent the largest number of employees who are association members; nine area trustees, who shall be elected from the membership employed in one of the areas described below by the members employed in such area except members of the police and fire funds; one trustee who shall be a retired annuitant elected at large by other retired annuitants and disability; and one trustee who is a public member of the police and fire fund elected at large by the membership of the police and fire fund knowledgeable in pension matters. Trustees elected by The membership of the association or by the retired annuitants and disability of the association shall be elected elect three trustees for a term terms of four years. Trustees designated by an association or organization or elected or selected by the use of a procedure other than direct election by the membership of the association or by the annuitants of the association shall hold office for a term of two years or until the designation, election or selection procedure is changed, if that occurs earlier be public employees and members of the association. For seven days beginning November 1 of each year preceding a year in which an election is held, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. An area A candidate shall submit at the time of filing a nominating petition signed by 25 or more members of the fund~~

from the area of the candidate, a retired annuitant candidate, a nominating petition signed by any combination of 25 or more retired annuitants or disabilitants, and a police and fire fund candidate, a nominating petition signed by 25 or more members of such fund. No name may be withdrawn from nomination by the nominee after November 15. At the request of a candidate for an elected position on the board of trustees, the board shall mail a statement of up to 300 words prepared by the candidate to all persons eligible to vote in the election of the candidate. The board may adopt policies to govern form and length of these statements, timing of mailings, and deadlines for submitting materials to be mailed. These policies must be approved by the secretary of state. Disputes between the board and a candidate concerning application of these policies to a particular statement shall be resolved by the secretary of state. A candidate who:

(a) receives contributions or makes expenditures in excess of \$100; or

(b) has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$100;

for the purpose of bringing about the candidate's election, must file a report with the ethical practices board disclosing the source and amount of all contributions to his or her campaign. The ethical practices board shall prescribe forms governing these disclosures. Expenditures and contributions have the meaning defined in section 10A.01. These terms do not include the mailing made by the association board on behalf of the candidate. A candidate must file a report within 30 days from the day that the results of the election are announced. The ethical practices board shall maintain these reports and make them available for public inspection in the same manner as the board maintains and makes available other reports filed with it. By January 10 of each year in which elections are to be held the board shall distribute by mail to the members, retired annuitants and disabilitants, ballots listing the candidates. No member may vote for more than one candidate for each board position to be filled. A ballot indicating a vote for more than one person for any position shall be void. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be January 31. Except as provided in this section, all Terms expire on January 31 of the fourth year, and the position shall remain positions are vacant until the newly elected member is members are qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. For the purpose of electing the nine area trustees, the state shall be divided into three areas as follows: Area one shall include Anoka, Hennepin, Ramsey and Washington counties. Area two shall include Big Stone, Swift, Kandiyohi, Meeker and Wright counties and all counties south thereof, except counties in area one. Area three shall include all the remaining counties of the state. If any governmental unit is located in more than one area, place of employment shall be deemed to be in the area in which the main office of the governmental unit is located. Each year for three years one area trustee shall be elected to a four-year term from each area by the members employed in the respective areas. In the fourth year one trustee shall be elected at large by the police and fire fund membership and one trustee elected at large by the retired annuitants and disabilitants.

The elections shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice

and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries. *They shall act in good faith and shall exercise that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs.*

Sec. 6. Minnesota Statutes 1984, section 353.03, subdivision 1a, is amended to read:

Subd. 1a. [VACANCY, HOW FILLED.] Any vacancy on the board caused by death, resignation, or removal of any ~~member so elected shall trustee, or occurring because an elected trustee ceases to be a public employee and an active member of the association, must~~ be filled by the board for trustees elected by members, and by the governor for other trustees, for the unexpired portion of the term in which the vacancy occurs.

Sec. 7. Minnesota Statutes 1984, section 353.03, subdivision 2, is amended to read:

Subd. 2. [NO COMPENSATION EXPENSES.] The members of the board of trustees ~~and members of any authorized committee of said retirement association~~ shall serve without compensation, but shall be reimbursed out of the retirement fund for expenses actually and necessarily paid or incurred in the performance of their duties. Members of the board of trustees shall suffer no loss of compensation from ~~their~~ a public employer by reason of service on or for the board or on any authorized committee thereof.

Sec. 8. Minnesota Statutes 1984, section 353.03, subdivision 3, is amended to read:

Subd. 3. [~~OFFICERS; EMPLOYEES; BYLAWS DUTIES AND POWERS OF THE BOARD.~~] (a) The board shall elect a ~~chairman president and vice-chairman, and shall appoint an executive director and other employees and may adopt bylaws, and procure other services as it may reasonably deem necessary and fix their compensation subject to subdivision 2 hereof vice-~~president. The board shall approve the staffing complement necessary to administer the fund. The cost of administering this chapter must be paid by the fund.

(b) The board shall adopt bylaws for its own government and for the management of the fund consistent with the laws of the state and may modify them at pleasure. It shall adopt, alter, and enforce reasonable rules consistent with the laws of the state for the administration and management of the fund, for the payment and collection of payments from members, and for the payment of withdrawals and benefits. It shall pass upon and allow or disallow all applications for membership in the fund and shall allow or disallow claims for withdrawals, pensions, or benefits payable from the fund. It shall adopt an appropriate mortality table based on experience of the fund as recommended by the association actuary, with interest set at the rate specified in section 356.215, subdivision 4, clause (4). It shall provide for the payment out of the fund of all necessary expenses for the administration of the fund and of all claims for withdrawals, pensions, or benefits allowed. The board shall approve or disapprove all recommendations and actions of the execu-

tive director made subject to its approval or disapproval by subdivision 3a:

(c) In passing upon all applications and claims, the board may summon, swear, hear, and examine witnesses and, in the case of claims for disability benefits, may require the claimant to submit to a medical examination by a physician of the board's choice, at the expense of the fund, as a condition precedent to the passing on the claim, and, in the case of all applications and claims, may conduct investigations necessary to determine their validity and merit.

(d) The board may continue to authorize the sale of life insurance to members under the insurance program in effect on January 1, 1985, but must not change that program without the approval of the commissioner of finance. The association shall not receive any financial benefit from the life insurance program beyond the amount necessary to reimburse the association for costs incurred in administering the program. The association shall not engage directly or indirectly in any other activity involving the sale or promotion of goods or services, or both, whether to members or nonmembers.

(e) The board shall establish procedures governing reimbursement of expenses to board members. These procedures shall define the types of activities and expenses that qualify for reimbursement, shall provide that all out-of-state travel must be authorized by the board, and shall provide for independent verification of claims for expense reimbursement. The procedures must comply with applicable rules and policies of the department of finance, the department of administration, and the department of employee relations.

Sec. 9. Minnesota Statutes 1984, section 353.03, subdivision 3a, is amended to read:

Subd. 3a. **[DUTIES AND POWERS OF THE EXECUTIVE DIRECTOR.]** (a) **[QUALIFICATIONS APPOINTMENT.]** The board shall appoint, with the advice and consent of the senate, an executive director on the basis of education, experience in the retirement field, and leadership ability. The executive director shall have had at least five years' experience in an executive level management position, which has included responsibility for pensions, deferred compensation, or employee benefits. The executive director serves at the pleasure of the board. The salary of the executive director is as provided by section 15A.081, subdivision 1.

(b) **[DUTIES.]** The management of the association is vested in the executive director who shall be the executive and administrative head of the association. He shall act as adviser to the board on all matters pertaining to the association. He shall also act as the secretary of the board. ~~It is the duty of The executive director and he has the power to shall:~~

- (1) Attend all meetings of the board;
- (2) Prepare and recommend to the board rules ~~and regulations~~ for the purpose of carrying out the provisions of this chapter;
- (3) Establish and maintain an adequate system of records and accounts following recognized accounting principles and controls;
- (4) Designate an assistant director, with the approval of the board, who shall serve in the unclassified service and whose salary is set in accordance

with section 43A.18, subdivision 3, appoint a confidential secretary in the unclassified service, and appoint such employees, both permanent and temporary, as are necessary to carry out the provisions of said this chapter, and with the approval of the board fix their compensation who are subject to chapters 43A and 179A in the same manner as are executive branch employees;

(5) Organize the work of the association as he deems necessary to fulfill the functions of the association, and define the duties of its employees and delegate to them any of his powers or duties, subject to his control and under such conditions as he may prescribe;

(6) With the approval of the board, contract for actuarial services, professional management services, and consulting services as may be necessary and fix the compensation therefor to fulfill the purposes of this chapter. Such All contracts shall not be are subject to the competitive bidding procedure prescribed by chapter 16 16B. The commissioner of administration shall not approve, and the association shall not enter into, any contract to provide lobbying services or legislative advocacy of any kind. Copies of all professional management survey reports shall be sent directly to the legislature and the legislative auditor at the same time reports are furnished the board. Only management firms experienced in conducting management surveys of federal, state or local public retirement systems shall be qualified to contract with the director hereunder;

(7) With the approval of the board provide inservice training for all employees of the association;

(8) Make refunds of accumulated contributions to former members and to the designated beneficiary, surviving spouse, legal representative or next of kin of deceased members or deceased former members, all as provided in this chapter;

(9) Determine the amount of the annuities and disability benefits of members covered by the association and authorize payment thereof beginning as of the dates such annuities and benefits begin to accrue, all in accordance with the provisions of said this chapter;

(10) Pay annuities, ~~refunds~~ ~~refunds~~ refunds, survivor benefits, salaries and all necessary operating expenses of the association;

(11) Prepare and submit to the board and the legislature an annual report covering the operation of the association, as required by chapter 356;

(12) Prepare and submit biennial and annual budgets to the board for its approval and submit the approved budgets to the department of finance for approval by the commissioner; and

(13) With the approval of the board, perform such other duties as may be required for the administration of the association and the other provisions of this chapter and for the transaction of its business.

Sec. 10. Minnesota Statutes 1984, section 353.03, subdivision 5, is amended to read:

Subd. 5. [APPLICATION OF LAWS.] Laws applicable to state agencies and agencies with statewide jurisdiction shall not be construed to apply to the

association unless such laws make specific reference to this subdivision; provided, however, the applicable provisions of chapters 355 and 356 shall apply to the association.

Sec. 11. [TERMS ENDED.]

Notwithstanding any other law to the contrary, the terms of all people who are members of the public employees retirement association board prior to the effective date of this section, whether they were elected or designated, end on the effective date of this section. Incumbent members, including those elected in January 1985, do not hold over and cease to have any authority to carry out the decisions of the board unless reappointed or reelected to the board. If individuals elected in January 1985 have not become members of the board by the effective date of this section, they shall not take office. In addition, all committees established by the board are abolished on the effective date of this section.

Sec. 12. [TRANSITION.]

Subdivision 1. [APPOINTMENTS.] Within 30 days after the effective date of this act, the governor shall appoint the five trustees specified in Minnesota Statutes, section 353.03, subdivision 1. In addition, and notwithstanding any provision of section 353.03, subdivision 1, the governor shall appoint three trustees who are public employees and members of the association. The term of one trustee who is a public employee and member of the association and who is appointed under this subdivision ends January 31, 1986. The terms of the other two trustees who are public employees and members of the association and who are appointed under this subdivision end January 31, 1987. In making those appointments, the governor shall designate the trustee whose term ends in 1986 and the trustees whose terms end in 1987. Minnesota Statutes, section 15.0597 does not govern appointments made under this subdivision.

Subd. 2. [INTERIM DIRECTOR.] The acting interim director of the association, actively serving in that position on the effective date of this section, from that date until a new board has taken office may exercise all powers vested in the board by Minnesota Statutes, section 353.03, subdivisions 1, 3, and 3a. Until a new executive director has been appointed by the board, the acting interim director has the powers and duties assigned to the executive director under Minnesota Statutes, section 353.03, subdivision 3a.

Subd. 3. [ELECTION PROCEDURES.] The board shall accept filings for one elected position on the board in November 1985 and shall conduct an election for that position in January 1986. The board shall accept filings for two elected positions on the board in November 1986 and shall conduct an election for those positions in January 1987. Thereafter, the board shall follow the election procedures described in Minnesota Statutes, section 353.03, subdivision 1, as necessary to fill the positions of elected trustees.

Subd. 4. [EMPLOYEES.] Notwithstanding any provision of Minnesota Statutes, section 353.03, subdivision 3a, employees of the association are not subject to Minnesota Statutes, chapters 43A and 179A until July 1, 1985.

Sec. 13. [CURRENT EMPLOYEES.]

Employees who hold or are on leave from positions of the association on

July 1, 1985, are appointed to the civil service of the state without competitive or qualifying examination. The commissioner of employee relations shall place the employees in the proper classifications in the classified service, except for those holding or on leave from unclassified positions listed in Minnesota Statutes, section 353.03, subdivision 3a, who are to be placed in the proper classifications in the unclassified service. Each employee is appointed at no loss in salary or accrued vacation benefits, but no increase in salary until the employee's salary comes within the range for the employee's class and no additional accrual of vacation benefits until the employee's total accrued vacation benefits falls below the maximum permitted by the state for the employee's position. An employee so appointed shall begin on July 1, 1985, to serve a probationary period not to exceed six months, which the executive director may terminate earlier. Employees who retire by June 30, 1985, are entitled to the cash value of their accrued sick leave under the formula in use by the association the day before the day of final enactment of this act. The association shall provide health insurance for employees who are retired on the day of final enactment of this act and employees who retire or qualify for retirement by June 30, 1985. The health insurance provided under this section is subject to any change in plan design or coverage that occurs through collective bargaining or implementation of a plan established under Minnesota Statutes, section 43A.18 for employees in positions equivalent to that from which the insured employee retired. Coverages must be coordinated with relevant health insurance benefits provided through the federal medicare program. Notwithstanding other law to the contrary, the commissioners of employee relations and finance may adjust reporting of hours worked by association employees after July 1, 1985, as needed to facilitate the transition to the state's biweekly payroll system.

Sec. 14. [SEVERABILITY.]

The provisions of this act are severable. If any provision is found to be void, the remaining provisions shall remain valid.

Sec. 15. [EFFECTIVE DATE.]

Sections 1, 2, 5 to 12, and 14 are effective the day following final enactment. Sections 3, 4, and 13 are effective July 1, 1985."

Delete the title and insert:

"A bill for an act relating to retirement; public employees retirement association; setting the salary range of the executive director; changing the membership of the board; providing qualifications for the executive director; requiring advice and consent of the senate for appointment of the executive director; defining the duties of the board; ending the terms of current board members; defining the duties of the executive director; amending Minnesota Statutes 1984, sections 15A.081, subdivision 1; 43A.04, subdivision 1; 43A.10, subdivision 6; and 353.03, subdivisions 1, 1a, 2, 3, 3a, and 5."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Donald M. Moe, Darril Wegscheid, Allan H. Spear, Earl W. Renneke, Fritz Knaak

House Conferees: (Signed) Gerald C. Knickerbocker, Rich O'Connor, Tony Bennett, Dale A. Clausnitzer, Dee Long

Mr. Moe, D.M. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 122 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 122 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kroening	Novak	Samuelson
Anderson	Frank	Kronebusch	Olson	Schmitz
Belanger	Frederick	Laidig	Pehler	Sieloff
Benson	Freeman	Langseth	Peterson, C.C.	Solon
Berglin	Gustafson	Lantry	Peterson, D.C.	Spear
Bernhagen	Hughes	Lessard	Peterson, D.L.	Storm
Bertram	Isackson	Luther	Peterson, R.W.	Stumpf
Brataas	Johnson, D.E.	McQuaid	Petty	Taylor
Chmielewski	Johnson, D.J.	Mehrkins	Pogemiller	Vega
Dahl	Jude	Merriam	Purfeerst	Waldorf
Davis	Kamrath	Moe, D.M.	Ramstad	Wegscheid
DeCramer	Knaak	Moe, R.D.	Reichgott	Willet
Diessner	Knutson	Nelson	Renneke	

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Vega moved that S.F. No. 1189 be withdrawn from the Committee on Energy and Housing and re-referred to the Committee on Local and Urban Government. The motion prevailed.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the proceedings on the Calendar. The Sergeant at Arms was instructed to bring in the absent members.

CALENDAR

S.F. No. 77: A bill for an act relating to real property; extending the provisions authorizing courts to approve postponements of mortgage foreclosure and contract for deed terminations and making them permanent law in certain cases; abolishing certain exclusionary provisions; clarifying certain provisions; declaring a public economic emergency to exist; prohibiting mortgage foreclosure and foreclosure sales for one year; prohibiting repossession, foreclosure, and foreclosure sales of agricultural personal property for one year; providing for an application to the court to allow repossession, foreclosure, and foreclosure sale; prohibiting actions for deficiency judgments; providing for the parties to compromise; and repealing the act after one year; amending Minnesota Statutes 1984, sections 47.20, subdivision 15; 559.21, subdivision 6; 580.031; 583.02; 583.03; 583.04; 583.05; 583.07; and

583.10; repealing Laws 1983, chapter 215, section 16, as amended.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Berg	Frank	Merriam	Peterson, D.L.	Solon
Berglin	Freeman	Moe, D.M.	Pogemiller	Spear
Dahl	Hughes	Moe, R.D.	Purfeerst	Stumpf
Davis	Johnson, D.J.	Nelson	Reichgott	Vega
DeCramer	Kroening	Novak	Renneke	Wegscheid
Dicklich	Lessard	Peterson, C.C.	Samuelson	Willet
Diessner	Luther	Peterson, D.C.	Schmitz	

Those who voted in the negative were:

Adkins	Chmielewski	Kamrath	McQuaid	Sieloff
Anderson	Dieterich	Knaak	Mehrrens	Taylor
Belanger	Frederick	Knutson	Olson	Waldorf
Benson	Gustafson	Kronebusch	Pehler	
Bernhagen	Isackson	Laidig	Peterson, R.W.	
Bertram	Johnson, D.E.	Langseth	Petty	
Brataas	Jude	Lantry	Ramstad	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 635: A bill for an act relating to advertising devices; allowing "star city" signs on interstate highways; amending Minnesota Statutes 1984, sections 173.02, subdivisions 2 and 6; and 173.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 173.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	Dieterich	Kroening	Pehler	Sieloff
Anderson	Frank	Kronebusch	Peterson, C.C.	Solon
Belanger	Frederick	Laidig	Peterson, D.C.	Spear
Benson	Freeman	Langseth	Peterson, D.L.	Storm
Berglin	Gustafson	Lantry	Peterson, R.W.	Stumpf
Bernhagen	Hughes	Lessard	Petty	Taylor
Bertram	Isackson	Luther	Pogemiller	Vega
Brataas	Johnson, D.E.	McQuaid	Purfeerst	Waldorf
Chmielewski	Johnson, D.J.	Mehrrens	Ramstad	Wegscheid
Dahl	Jude	Moe, R.D.	Reichgott	Willet
Davis	Kamrath	Nelson	Renneke	
DeCramer	Knaak	Novak	Samuelson	
Dicklich	Knutson	Olson	Schmitz	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 625: A bill for an act relating to energy; delaying the effective date of energy efficiency ratings for certain devices sold in Minnesota;

amending Minnesota Statutes 1984, section 116J.19, subdivision 13.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knutson	Nelson	Schmitz
Anderson	Diessner	Kroening	Novak	Sieloff
Belanger	Dieterich	Kronebusch	Olson	Solon
Benson	Frank	Laidig	Peterson, C. C.	Spear
Berg	Frederick	Langseth	Peterson, D. C.	Storm
Berglin	Freeman	Lantry	Peterson, D. L.	Stumpf
Bernhagen	Gustafson	Lessard	Peterson, R. W.	Taylor
Bertram	Hughes	Luther	Pogemiller	Vega
Brataas	Johnson, D. E.	McQuaid	Purfeerst	Waldorf
Chmielewski	Johnson, D. J.	Mehrkins	Ramstad	Wegscheid
Dahl	Jude	Merriam	Reichgott	
Davis	Kamrath	Moe, D. M.	Renneke	
DeCramer	Knaak	Moe, R. D.	Samuelson	

Messrs. Pehler, Petty and Willet voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 923: A bill for an act relating to controlled substances; prescribing "small amount" of marijuana; clarifying certain Schedule II controlled substances; prescribing amount of marijuana for possession in a motor vehicle; amending Minnesota Statutes 1984, sections 152.01, subdivision 16; 152.02, subdivision 3; and 152.15, subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Dicklich	Knaak	Moe, R. D.	Reichgott
Anderson	Diessner	Knutson	Nelson	Renneke
Belanger	Dieterich	Kroening	Novak	Samuelson
Benson	Frank	Kronebusch	Olson	Schmitz
Berg	Frederick	Laidig	Pehler	Sieloff
Berglin	Freeman	Langseth	Peterson, C. C.	Spear
Bernhagen	Gustafson	Lantry	Peterson, D. C.	Storm
Bertram	Hughes	Lessard	Peterson, D. L.	Stumpf
Brataas	Isackson	Luther	Peterson, R. W.	Taylor
Chmielewski	Johnson, D. E.	McQuaid	Petty	Vega
Dahl	Johnson, D. J.	Mehrkins	Pogemiller	Waldorf
Davis	Jude	Merriam	Purfeerst	Wegscheid
DeCramer	Kamrath	Moe, D. M.	Ramstad	Willet

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes re-

ported that the committee had considered the following:

S.F. No. 1199, which the committee recommends to pass.

S.F. No. 374, which the committee recommends to pass with the following amendment offered by Mr. Sieloff:

Page 15, line 19, after "527.06," insert "527.07,"

The motion prevailed. So the amendment was adopted.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Messrs. Merriam and Johnson, D.J. introduced—

S.F. No. 1300: A bill for an act relating to taxation; imposing a penalty for substantially understating tax liability; setting a fee for certifications of debts; repealing the permit for transportation of petroleum products; amending Minnesota Statutes 1984, sections 270A.07, subdivision 1; 290.50, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 270; repealing Minnesota Statutes 1984, section 296.10.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Storm, Belanger, Bernhagen, Benson and Frederick introduced—

S.F. No. 1301: A bill for an act relating to workers' compensation; repealing the state workers' compensation insurance fund; repealing Minnesota Statutes 1984, chapter 176A.

Referred to the Committee on Employment.

Mr. Knaak introduced—

S.F. No. 1302: A bill for an act relating to transportation; defining city for purposes of including town with population of 5,000 or more in municipal state-aid street system; amending Minnesota Statutes 1984, section 160.02, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Chmielewski, Langseth, Davis, Benson and Johnson, D.E. introduced—

S.F. No. 1303: A bill for an act relating to local government aids; cities of the first class; amending Minnesota Statutes 1984, section 477A.013, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pehler, Ramstad, Langseth and Peterson, C.C. introduced—

S.F. No. 1304: A bill for an act relating to taxation; exempting certain

property from the property tax and certain transactions from the sales and use taxes; amending Minnesota Statutes 1984, sections 272.02, subdivision 1; and 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knutson, Wegscheid and Vega introduced—

S.F. No. 1305: A bill for an act relating to local government; authorizing county employees to make certain contracts; amending Minnesota Statutes 1984, section 382.18.

Referred to the Committee on Local and Urban Government.

Messrs. Wegscheid, Knutson and Vega introduced—

S.F. No. 1306: A bill for an act relating to human services; adjusting eligibility requirements for the child day care sliding fee program; permitting county boards to set limits on the day care rates that will be subsidized; amending Minnesota Statutes 1984, section 245.84.

Referred to the Committee on Health and Human Services.

Mr. Vega introduced—

S.F. No. 1307: A bill for an act relating to cemeteries; providing for the maintenance of certain cemeteries containing the remains of pioneers and Minnesotans who died through the year 1875; amending Minnesota Statutes 1984, section 306.243, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

Mr. Benson and Mrs. Brataas introduced—

S.F. No. 1308: A bill for an act relating to Olmsted county; providing for sales, leases, and conveyances; providing certain exceptions to public bidding requirements.

Referred to the Committee on Local and Urban Government.

Mr. Kamrath introduced—

S.F. No. 1309: A bill for an act relating to taxation; property; changing the requirements for local option to reduce property taxes on damaged homestead property; amending Minnesota Statutes 1984, section 273.123, subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson, D.L. introduced—

S.F. No. 1310: A bill for an act relating to judges; providing for the election of incumbent judges by submitting to the voters whether they should succeed themselves; amending Minnesota Statutes 1984, sections 204B.06, subdivision 6, and by adding a subdivision; 204B.34, subdivision 3; 204B.36, subdivisions 4 and 5; 204D.08, subdivision 6; proposing coding for new law in

Minnesota Statutes, chapter 204C.

Referred to the Committee on Judiciary.

Messrs. Peterson, D.L.; Davis; Berg and Langseth introduced—

S.F. No. 1311: A bill for an act relating to commerce; removing certain limitations on the scope of the statutory prohibition on certain deficiency judgments; amending Minnesota Statutes 1984, section 325G.21, subdivision 2; and 325G.22, subdivision 1.

Referred to the Committee on Economic Development and Commerce.

Mr. Peterson, D.L. introduced—

S.F. No. 1312: A bill for an act relating to education; authorizing independent school district No. 458, Truman, to make a permanent fund transfer.

Referred to the Committee on Education.

Messrs. Novak; Johnson, D.J.; Dicklich and Laidig introduced—

S.F. No. 1313: A bill for an act relating to taxes; exempting sales of electricity used to make ski snow from the sales tax; amending Minnesota Statutes 1984, section 297A.25, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Johnson, D.J. introduced—

S.F. No. 1314: A bill for an act relating to public improvements; providing for loans for firefighting facilities; providing for a state bond issue; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on Governmental Operations.

Messrs. Bernhagen; Merriam; Peterson, C.C.; Laidig and Anderson introduced—

S.F. No. 1315: A bill for an act relating to game and fish; discharge of firearms and access to agricultural lands; amending Minnesota Statutes 1984, section 100.273, subdivisions 5 and 7.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Petty, Luther, Dahl and Mrs. Kronebusch introduced—

S.F. No. 1316: A bill for an act relating to natural resources; designating the eastern timber wolf as the official state mammal; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Petty, Anderson, Diessner, Bernhagen and Davis introduced—

S.F. No. 1317: A bill for an act relating to taxation; establishing a legisla-

tive commission to study the distribution of property taxes on land values and improvement values; providing for a report by the department of revenue.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chmielewski, Johnson, D.E.; Purfeerst; Samuelson and Merriam introduced—

S.F. No. 1318: A bill for an act relating to health; authorizing the committees on health and human services to develop a policy and action plan concerning state hospitals.

Referred to the Committee on Health and Human Services.

Mrs. Lantry introduced—

S.F. No. 1319: A bill for an act relating to motor vehicles; establishing a special account to reimburse municipalities with unpaid citations for traffic violations committed by operators of leased or rented motor vehicles; imposing a surcharge; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

Mrs. Lantry introduced—

S.F. No. 1320: A bill for an act relating to health; establishing a system of regional poison information centers; providing for less frequent applications and less frequent program reporting; rescinding permission for poison control centers to contract with centers in other states; amending Minnesota Statutes 1984, section 145.93, subdivisions 1, 3, 4, and 6; repealing Minnesota Statutes 1984, section 145.93, subdivision 5.

Referred to the Committee on Health and Human Services.

Messrs. Storm, Ramstad, Kamrath and Waldorf introduced—

S.F. No. 1321: A bill for an act relating to licensed occupations; requiring a certified signature on final documents prepared by certain licensed professionals; amending Minnesota Statutes 1984, section 326.12, subdivision 3.

Referred to the Committee on Economic Development and Commerce.

Mr. Luther, Ms. Reichgott, Messrs. Diessner and Merriam introduced—

S.F. No. 1322: A bill for an act relating to economic development; creating a council on biotechnology; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Governmental Operations.

Ms. Peterson, D.C.; Messrs. Pogemiller and Nelson introduced—

S.F. No. 1323: A bill for an act relating to education; clarifying the term "Minnesota resident" for purposes of financial aid; amending Minnesota Statutes 1984, sections 136A.101, by adding a subdivision; 136A.15, sub-

division 7; and 136A.233, subdivision 2.

Referred to the Committee on Education.

Ms. Peterson, D.C.; Mr. Kroening, Ms. Berglin and Mr. Samuelson introduced—

S.F. No. 1324: A bill for an act relating to economic security; defining temporary housing; deleting a sunset provision; requiring certain followup information on persons assisted; appropriating money; amending Minnesota Statutes 1984, section 268.38, subdivisions 1, 2, 6, 7, and 8.

Referred to the Committee on Energy and Housing.

Mr. Luther, Ms. Peterson, D.C. and Mr. Hughes introduced—

S.F. No. 1325: A bill for an act relating to elections; making certain changes in the ethics in government act; changing the time when certain campaign bills must be rendered; amending Minnesota Statutes 1984, sections 10A.02, subdivision 11, and by adding a subdivision; 10A.04, subdivision 4a; 10A.18; 10A.20, subdivisions 3, 5, and 12; 10A.24; 10A.27, subdivision 1; and 210A.24; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 1984, sections 10A.02, subdivision 11a; and 10A.25, subdivision 7.

Referred to the Committee on Elections and Ethics.

Messrs. Knaak; Moe, D.M.; Ramstad; Merriam and Freeman introduced—

S.F. No. 1326: A bill for an act relating to animals; changing certain requirements; changing the size of the Minnesota humane society; changing the application of certain animal laws; transferring the responsibility for administration and enforcement of certain animal laws; amending Minnesota Statutes 1984, sections 343.01, subdivision 3; 343.21, subdivision 6; 343.33; 346.36, subdivision 1; 346.39, subdivision 6; 347.09; 347.31, subdivision 2; 347.32; 347.33; 347.34; 347.35; 347.37; 347.38; and 347.39.

Referred to the Committee on Veterans and General Legislation.

Mr. Bertram introduced—

S.F. No. 1327: A bill for an act relating to education; changing provisions relating to second tier levy fund balances; amending Minnesota Statutes 1984, section 124A.08, subdivision 5.

Referred to the Committee on Education.

Mr. Waldorf introduced—

S.F. No. 1328: A bill for an act relating to education; authorizing an income-contingent loan repayment program for medical, dental, pharmacy and veterinary students; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Education.

Messrs. Merriam; Peterson, C.C.; Johnson, D.J. and Novak introduced—

S.F. No. 1329: A bill for an act relating to taxation; clarifying definitions for sales and use tax; clarifying exemptions; imposing civil and criminal penalties for underreporting or failing to report motor vehicle excise tax; repealing certain refund procedures; amending Minnesota Statutes 1984, sections 297A.01, subdivisions 4, 11, and by adding subdivisions; 297A.041; 297A.25, subdivision 1; 297B.10; and 297B.11; repealing Minnesota Statutes 1984, section 297A.35, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dicklich introduced—

S.F. No. 1330: A resolution memorializing the President, Congress, and Secretary of Labor of the United States in support of increased funding for training grants for displaced workers and summer youth employment.

Referred to the Committee on Employment.

Ms. Berglin introduced—

S.F. No. 1331: A bill for an act relating to human services; providing for the funding of a demonstration project for certain combined senior citizen and child care facilities; appropriating money.

Referred to the Committee on Health and Human Services.

Mr. Dahl introduced—

S.F. No. 1332: A bill for an act relating to motor vehicles; requiring record keeping and reporting by vehicle parts dealers and vehicle scrap processors; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Economic Development and Commerce.

Mr. Dahl introduced—

S.F. No. 1333: A bill for an act relating to commerce; regulating vehicle towers; providing penalties; amending Minnesota Statutes 1984, section 465.75, subdivisions 1, 2, and by adding subdivisions.

Referred to the Committee on Economic Development and Commerce.

Messrs. Vega, Dicklich and Jude introduced—

S.F. No. 1334: A bill for an act relating to utilities; regulating certain intrastate gas pipelines; amending Minnesota Statutes 1984, section 216B.02, subdivision 4.

Referred to the Committee on Public Utilities and State Regulated Industries.

Mr. Langseth introduced—

S.F. No. 1335: A bill for an act relating to historical interpretive centers;

conforming certain laws to a name change; amending Minnesota Statutes 1984, section 138.93, subdivision 3.

Referred to the Committee on Veterans and General Legislation.

Mr. Langseth introduced—

S.F. No. 1336: A bill for an act relating to retirement; Moorhead police and firefighters relief associations; consolidation into the public employees police and fire fund; terminating the special fund of the Moorhead firefighters relief association; transferring of assets and records; repealing Laws 1945, chapter 277; Laws 1951, chapter 499; Laws 1955, chapter 75; Laws 1965, chapter 190; Laws 1967, chapter 775; Laws 1969, chapter 138; Laws 1975, chapter 120; Laws 1978, chapter 563, section 8; Laws 1979, chapter 216, sections 27 to 43; Laws 1980, chapter 600, section 16; Laws 1981, chapter 224, section 236; and Laws 1982, chapter 578, article 3, section 18.

Referred to the Committee on Governmental Operations.

Messrs. Petty, Johnson, D.E. and Dicklich introduced—

S.F. No. 1337: A bill for an act relating to human services; establishing the position of coordinator for state outreach efforts concerning the federal food stamp program and other emergency food assistance; providing for a food stamp information hotline; providing for an advisory task force on outreach; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Messrs. Moe, D.M.; Renneke; Wegscheid; Spear and Pogemiller introduced—

S.F. No. 1338: A bill for an act relating to the operation of state government; changing certain procedures and deadlines relating to insurance; amending Minnesota Statutes 1984, sections 60A.15, subdivisions 1, 1c, 2, 2a, and by adding a subdivision; 69.021, subdivision 3a; 69.051, subdivisions 1, 3, and 4; 69.77, subdivision 1; 69.771, subdivision 3.

Referred to the Committee on Economic Development and Commerce.

Mr. Stumpf introduced—

S.F. No. 1339: A bill for an act relating to natural resources; appropriating money to relocate agricultural dikes along the Red River; amending Laws 1981, chapter 361, section 3, subdivision 3.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Purfeerst, Knutson, Pogemiller and Johnson, D.E. introduced—

S.F. No. 1340: A bill for an act relating to drivers licenses; increasing fee for restoration of certain revoked licenses; dedicating revenue to programs for prevention of alcohol-impaired driving and for education on avoidable health hazards; appropriating money; amending Minnesota Statutes 1984, section 171.29, subdivision 2.

Referred to the Committee on Transportation.

Mr. Dahl introduced—

S.F. No. 1341: A bill for an act relating to the state treasurer; transferring most of the duties of the state treasurer to the commissioner of finance and other state officials; transferring personnel positions from the office of state treasurer to the department of finance; abolishing the state treasurer's revolving fund for cashing checks; amending Minnesota Statutes 1984, sections 6.60; 7.06; 7.09, subdivisions 1, 3, and 4; 7.10; 7.12, subdivision 1; 7.19; 7.193, subdivisions 1 and 2; 7.20; 9.031, subdivisions 1, 2, 3, 6, 7, 8, 10, and 12; 10.24; 10.25; 10.26; 10.27; 10A.31, subdivisions 6, 7, 8, 9, and 10; 10A.32, subdivisions 2 and 3; 11A.04; 11A.07, subdivision 4; 11A.10, subdivisions 1 and 4; 11A.15, subdivision 3; 11A.20, subdivision 1; 12.24, subdivision 2; 15.16, subdivision 3; 15.73, subdivision 3; 15A.081, subdivision 6; 16A.055, subdivision 1; 16A.125, subdivisions 5 and 6; 16A.127, subdivision 7; 16A.13, subdivisions 1 and 2a; 16A.131, subdivision 1; 16A.27, subdivision 1; 16A.275; 16A.40; 16A.42, subdivision 2; 16A.45, subdivisions 1 and 2; 16A.47; 16A.58; 16A.672, subdivisions 1, 2, and 3; 16B.05, subdivision 2; 18.434, subdivision 2; 31.15; 32.394, subdivision 8; 32A.05, subdivision 4; 32A.09, subdivision 6; 35.08; 35.09, subdivision 3; 42.06, subdivision 4; 42.09, subdivision 3; 43A.08, subdivisions 1 and 1a; 43A.37, subdivision 1; 46.041, subdivision 1; 47.54, subdivision 1; 48.67; 49.24, subdivisions 7, 13, and 16; 51A.51, subdivisions 1, 2, 3, 3a, and 5; 52.06, subdivision 1; 52.20, subdivision 5; 53.03, subdivisions 1 and 6; 56.02; 60A.15, subdivision 8; 60A.17, subdivisions 1a, 7a, and 13; 60A.199, subdivision 2; 60B.47, subdivisions 1 and 2; 69.54; 69.55; 69.56; 72B.04, subdivision 10; 79.34, subdivision 1; 82.34, subdivisions 1 and 5; 84.153, subdivision 5; 84.415, subdivision 5; 84A.04; 84A.11; 84A.23; 84A.33; 84A.40; 84A.52; 88.063, subdivision 3; 89.036; 89.43; 90.173; 92.06, subdivision 4; 92.21, subdivision 1; 92.23; 92.24; 93.08, subdivision 2; 93.17; 93.19, subdivisions 1 and 2; 93.20, subdivisions 7, 9, 19, and 31; 93.22; 93.283, subdivisions 5 and 6; 94.346, subdivision 2; 94.53; 97.49, subdivision 1; 97.85, subdivision 1; 98.50, subdivision 10; 115.77, subdivision 2; 115A.54, subdivision 3; 115A.57, subdivision 1; 115A.58, subdivisions 2 and 4; 116.16, subdivisions 4 and 8; 116.17, subdivisions 2 and 4; 116J.64, subdivisions 6, 7, and 10; 117.135, subdivision 2; 121.28; 124.12, subdivision 2; 124.42, subdivision 3; 124.43, subdivision 5; 124.46, subdivision 2; 124.62, subdivision 3; 124A.031, subdivision 2; 125.08; 128A.07; 136.40, subdivision 3; 136C.211; 136C.212; 136C.223; 136C.41, subdivision 5; 136C.42, subdivision 3; 136C.43, subdivisions 2, 4, and 5; 141.25, subdivision 5; 141.26, subdivision 3; 144.09; 144.10; 145.125, subdivision 2; 156.02, subdivision 2; 156.072, subdivision 2; 156A.07, subdivision 2; 161.04, subdivision 2; 161.05; 161.06, subdivision 1; 161.07; 161.36, subdivision 5; 161.41, subdivision 3; 162.16; 163.051, subdivision 2; 167.50, subdivision 2; 167.51, subdivision 2; 168.33, subdivision 2; 168.67; 168C.11, subdivision 1; 174.50, subdivision 3; 174.51, subdivisions 2, 4, and 5; 176.129, subdivisions 1, 7, and 8; 176.134, subdivision 1; 176.181, subdivisions 2 and 5; 176.421, subdivision 4; 176.581, subdivision 2; 176.591, subdivisions 2 and 3; 176.602; 177.27, subdivision 5; 186.04; 190.11; 193.23, subdivision 1; 204B.11, subdivision 1; 214.06, subdivision 1; 214.13, subdivision 1; 222.025; 223.175, subdivision 4; 237.11; 240.10; 240.15, subdivision 6; 240.22; 241.08, subdivision 1; 241.09, subdivision 1; 241.10; 241.13, subdivision 1; 241.27, subdivision 4; 243.48, subdivision 1; 246.15, subdivision 1; 246.16; 246.18; 246.21; 246.41, subdivision 2;

246.51, subdivision 1; 248.07, subdivision 12; 256.01, subdivision 11; 256.89; 256.90; 256.92; 256B.041, subdivision 5; 256B.20; 260.311, subdivisions 4 and 6; 268.05, subdivisions 2 and 3; 268.15, subdivision 3; 270.45; 271.12; 272.68, subdivision 1; 273.02, subdivision 6; 276.11; 280.29; 282.19; 282.226; 282.33, subdivision 1; 282.36; 284.28, subdivisions 8 and 9; 287.11; 287.25; 291.32, subdivision 1; 293.06; 293.08; 293.09; 293.11; 296.06, subdivision 2; 296.421, subdivision 3; 298.39; 298.396; 298.64; 299.08; 299D.03, subdivision 5; 299F.17, subdivision 1; 299F.22; 299F.60, subdivision 4; 300.19; 300.49, subdivision 1; 302A.771; 303.07, subdivision 1; 303.16, subdivision 2; 303.19, subdivision 2; 303.25, subdivision 3; 308.84; 308.905; 325A.06, subdivision 3; 332.15, subdivision 4; 340.11, subdivision 21; 340.461, subdivision 2; 340.62; 340.63, subdivision 2; 341.10; 345.515; 349.212, subdivision 2; 349.52, subdivisions 2 and 3; 351.11; 352.01, subdivision 3; 352.04, subdivision 4; 352.05; 352B.01, subdivision 4; 352B.02, subdivision 1; 352B.03, subdivision 2; 353.05; 353.27, subdivision 4; 354.06, subdivision 3; 354.07, subdivision 4; 354.52, subdivisions 4 and 5; 355.04, subdivision 5; 357.021, subdivision 2a; 360.017, subdivision 2; 360.305, subdivisions 1, 2, and 5; 361.03, subdivision 5; 361.27, subdivision 2; 385.05; 385.20; 424.165, subdivisions 1 and 2; 458A.03, subdivision 3; 462A.17, subdivision 3; 462A.18, subdivisions 1 and 2; 473.606, subdivision 1; 475A.04; subdivisions 1, 2, and 4; 475A.06, subdivisions 2, 4, and 5; 481.01; 490.102, subdivision 6; 490.123, subdivision 2; 508.75; 508.77; 508.82; 508A.22, subdivision 3; 508A.77; 508A.82; 517.08, subdivision 1c; 525.161; 525.841; 574.261; 609.101; 626.85, subdivisions 2 and 3; and 626.861, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapter 7; repealing Minnesota Statutes 1984, sections 7.01; 7.013; 7.02; 7.03; 7.04; 7.05; 7.13; 7.14; 7.15; 7.16; 7.17; 7.18; 10.18; 10.19; 10.20; 10.21; 10.22; 10.23; 16A.42, subdivision 3; 46.15; 48.87; 69.031, subdivision 2; 124.471; 349.212, subdivision 3; 360.301; 360.302; 360.304; 360.306; 360.388; and 360.389.

Referred to the Committee on Governmental Operations.

Mr. Stumpf introduced—

S.F. No. 1342: A bill for an act relating to local government; extending deadlines for reporting on and complying with laws requiring equitable compensation relationships; amending Minnesota Statutes 1984, sections 471.992; 471.996; 471.997; 471.9975; 471.998, subdivision 1; and 471.999.

Referred to the Committee on Employment.

Ms. Berglin introduced—

S.F. No. 1343: A resolution memorializing the President and Congress of the United States to enact a program of national health insurance.

Referred to the Committee on Health and Human Services.

Mr. Dieterich introduced—

S.F. No. 1344: A bill for an act relating to cable communication; transferring the responsibilities of the cable communications board to the commissioner of administration; allowing municipalities to choose not to be subject

to regulation by the commissioner; amending Minnesota Statutes 1984, sections 238.02, subdivision 4; 238.03; 238.05; 238.06; 238.08, subdivisions 2 and 3; 238.09; 238.11, subdivision 1; 238.13; 238.14; 238.15; 238.16, subdivision 1; 238.17, subdivisions 1, 5, 6, and 8; repealing Minnesota Statutes 1984, sections 238.04; and 238.17, subdivision 7.

Referred to the Committee on Public Utilities and State Regulated Industries.

Messrs. Isackson, Chmielewski, Sieloff and Stumpf introduced—

S.F. No. 1345: A bill for an act relating to taxation; property; providing for homestead classification in certain cases for agricultural land occupied by persons holding a remainder interest in the property; amending Minnesota Statutes 1984, section 273.13, subdivision 6.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Taylor and Bernhagen introduced—

S.F. No. 1346: A bill for an act relating to the Minnesota historical society; authorizing local heritage preservation commissions; amending Minnesota Statutes 1984, section 471.193.

Referred to the Committee on Veterans and General Legislation.

Mr. Lessard introduced—

S.F. No. 1347: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Koochiching County.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Purfeerst introduced—

S.F. No. 1348: A bill for an act relating to transportation; railroads; prescribing fees for commencement of various proceedings before the transportation regulation board; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation.

Mr. Peterson, R.W. introduced—

S.F. No. 1349: A bill for an act relating to insurance; providing that insurers or health maintenance organizations must not require a public employer to contribute toward the payment of insurance premiums or charges for insurance for retired officers or employees; amending Minnesota Statutes 1984, section 471.61, subdivision 2a.

Referred to the Committee on Economic Development and Commerce.

Messrs. DeCramer, Stumpf, Langseth, Moe, R.D. and Davis introduced—

S.F. No. 1350: A bill for an act relating to taxation; modifying the pro-

cedure used by the state board of equalization for determining property values for taxes payable in 1986.

Referred to the Committee on Taxes and Tax Laws.

Mr. Vega introduced—

S.F. No. 1351: A bill for an act relating to the environment; decreasing local government charges for infiltrated water in a combined metropolitan storm and sewage disposal system; amending Minnesota Statutes 1984, section 473.517, subdivision 2.

Referred to the Committee on Agriculture and Natural Resources. Mr. Vega questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Vega and Moe, R.D. introduced—

S.F. No. 1352: A bill for an act relating to water pollution control; establishing a state financial assistance program for the abatement of combined sewer overflow; appropriating money; amending Minnesota Statutes 1984, sections 116.16, subdivisions 2 and 5; 116.18, subdivision 3a, and by adding a subdivision.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Lessard introduced—

S.F. No. 1353: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in St. Louis county.

Referred to the Committee on Agriculture and Natural Resources.

Mr. Laidig introduced—

S.F. No. 1354: A bill for an act relating to elections; limiting the number of registration applicants for whom a person may vouch; amending Minnesota Statutes 1984, section 201.061, subdivision 3.

Referred to the Committee on Elections and Ethics.

Messrs. Gustafson and Taylor introduced—

S.F. No. 1355: A bill for an act relating to economic development; providing a state advocacy function for business license applicants; amending Minnesota Statutes 1984, section 116J.76.

Referred to the Committee on Economic Development and Commerce.

Mr. Jude, Ms. Reichgott and Mr. Knaak introduced—

S.F. No. 1356: A bill for an act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; amending Minnesota Statutes 1984, sections 3.736, subdivision 3; 65B.44, subdivision 6; 181.13; 268.06, subdivision 5; 429.061, subdivision 1;

471.705, subdivision 2; 609.11, subdivision 8; and 631.09; repealing Minnesota Statutes 1984, section 422A.156.

Referred to the Committee on Judiciary.

Ms. Reichgott and Mr. Pogemiller introduced—

S.F. No. 1357: A bill for an act relating to contempt of court; providing penalties for failure to file a complete income tax return pursuant to court order; proposing coding for new law in Minnesota Statutes, chapter 588.

Referred to the Committee on Judiciary.

Messrs. Frederickson, Davis and Peterson, C.C. introduced—

S.F. No. 1358: A bill for an act relating to local government; providing for the maintenance of town cartways; amending Minnesota Statutes 1984, section 164.08, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

Messrs. Solon; Johnson, D.J.; Gustafson; Dicklich and Chmielewski introduced—

S.F. No. 1359: A bill for an act relating to the economic crisis in northeastern Minnesota; creating the Northeastern Minnesota Economic Development Corporation to promote economic development in northeastern Minnesota and to provide incentives for industrial and manufacturing enterprises to locate in northeastern Minnesota; providing for a board of directors and an advisory committee; establishing a northeastern Minnesota economic recovery fund; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 116N.

Referred to the Committee on Governmental Operations.

Messrs. Solon, Dicklich, Gustafson and Chmielewski introduced—

S.F. No. 1360: A bill for an act relating to taxation; segregating certain sales tax revenues; providing for the establishment of a national class state convention center in the city of Duluth; authorizing the issuance of bonds and appropriating money.

Referred to the Committee on Economic Development and Commerce.

Messrs. Solon, Dicklich, Gustafson and Chmielewski introduced—

S.F. No. 1361: A bill for an act relating to the establishment of a convention center in the city of Duluth; appropriating money.

Referred to the Committee on Economic Development and Commerce.

Mr. Jude, Ms. Reichgott and Mr. Knaak introduced—

S.F. No. 1362: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing

changes in the meaning of the laws affected; amending Minnesota Statutes 1984, chapters 35; 37; 92; 219; 315; 344; 390; 458; 589; 629; and 631; Laws 1959, chapter 699, section 4; Laws 1961, chapter 545, section 1; Laws 1963, chapters 254, section 1; and 827, section 1; Laws 1965, chapter 344, as amended; Laws 1967, chapter 541, section 1, as amended; Laws 1971, extra session, chapter 35, sections 7, 8, and 9; Laws 1974, chapter 218; Laws 1975, chapter 326, section 1; Laws 1976, chapter 234, section 3, as amended; Laws 1979, chapters 269, section 1; and 303, article 10, section 16; Laws 1980, chapter 453, section 1; and chapter 595, section 5; Laws 1982, chapter 523, article 24, section 2; Laws 1983, chapters 110, sections 1 and 2; and 257, section 1; Laws 1984, chapters 397, section 1; 498, section 1; and 548, section 9; repealing Minnesota Statutes 1984, sections 458.13; 458.16, subdivision 3; 458.192, subdivision 3a; 458.41; 458.50; 458.51; 458.52; 458.54; 458.55; 458.56; 458.57; 458.58; and 458.60.

Referred to the Committee on Judiciary.

Mr. Jude, Ms. Reichgott and Mr. Knaak introduced—

S.F. No. 1363: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted, and obsolete references and text; eliminating certain redundant, conflicting, and superseded provisions; reenacting certain laws; providing instructions to the revisor; amending Minnesota Statutes 1984, sections 3C.12, subdivision 2; 8.31, subdivision 2; 13.37, subdivision 2; 14.47, subdivision 8; 16A.065; 16A.133, subdivision 1; 16B.64, subdivision 2; 21.92; 35.09, subdivision 1; 42.09, subdivision 9; 46.046, subdivision 1; 47.101, subdivisions 2 and 3; 47.29, subdivision 1; 47.30, subdivisions 2 and 3; 47.51; 48.89, subdivision 1; 60A.03, subdivision 2; 62D.04, subdivision 1; 62D.041, subdivision 5; 62D.09; 62H.06; 83.23, subdivision 3; 106.631, subdivisions 2 and 4; 116J.58, subdivision 4; 122.531, subdivisions 3a and 5; 124A.03, subdivision 3; 204B.14, subdivision 5; 214.13, subdivision 4; 240.16, subdivision 6; 256B.431, subdivision 4; 257.67, subdivision 3; 260.121, subdivision 3; 268.04, subdivision 32; 268.08, subdivision 1; 268.675, subdivision 1; 270.84, subdivision 1; 290.531; 290A.111, subdivision 2; 296.18, subdivision 1; 297A.391; 307.06; 309.502; 349.51, subdivision 5; 352.01, subdivision 2A; 360.531, subdivision 7; 363.071, subdivision 1; 388.051, subdivision 2; 422A.101, subdivision 2; 453.55, subdivision 11; 473.384, subdivision 6; 473.446, subdivision 1; 474.17, subdivision 3; 474.19, subdivisions 3 and 7; 519.01; 525.619; 571.41, subdivision 5b; amending Laws 1984, chapter 463, article 7, section 53, subdivision 2; reenacting Minnesota Statutes 1984, sections 10A.31, subdivision 5; 62D.03, subdivision 4; repealing Minnesota Statutes 1984, sections 124A.035, subdivision 6; 177.295; 204B.19, subdivision 3; repealing Laws 1977, chapter 434, sections 4 and 5; chapter 386, section 1; Laws 1978, chapter 772, section 8; Laws 1980, chapter 522, section 4; Laws 1983, chapter 222, section 14; chapter 247, sections 122, 176, and 217; chapter 253, section 19; chapter 299, section 20; chapter 301, section 220; chapter 314, article 11, section 19; chapter 359, section 149; Laws 1984, chapter 464, section 12, clause (g), and the second paragraph after clause (g); chapter 468, section 1; chapter 471, sections 14, 15, and 16; chapter 514, article 2, section 13; chapter 541, section 1; chapter 543, section 8; chapter 618, section 59; that part of Laws 1984, chapter 629, section 2, that amends

section 375.193; Laws 1984, chapter 638, section 3; chapter 654, article 2, section 118.

Referred to the Committee on Judiciary.

Mrs. Lantry introduced—

S.F. No. 1364: A bill for an act relating to human services; providing for a volunteer respite care demonstration project; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Mr. Dieterich introduced—

S.F. No. 1365: A bill for an act relating to charitable gambling; providing for local licensing and statewide regulation; authorizing the department of revenue to collect the tax imposed; amending Minnesota Statutes 1984, sections 340.14, subdivision 2; 349.12, subdivisions 11 and 16; 349.14; 349.16; 349.17; 349.18, subdivisions 1 and 2; 349.19; 349.20; 349.21; 349.211, subdivision 3; 349.212, as amended; 349.213, subdivision 1; 349.214, subdivision 2; 349.22, subdivision 2; 349.31, subdivision 1; 609.75, subdivision 3; and 609.761; repealing Minnesota Statutes 1984, sections 349.151; 349.161; 349.162; and 349.213, subdivision 2.

Referred to the Committee on Public Utilities and State Regulated Industries.

Messrs. Luther; Knaak; Moe, R.D.; Johnson, D.J. and Jude introduced—

S.F. No. 1366: A bill for an act relating to corporations; providing an alternative corporate governing statute for certain publicly held corporations; imposing a franchise tax; amending Minnesota Statutes 1984, sections 53.01; 168.33, subdivision 2; 316.24; and 508.16, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 302B.

Referred to the Committee on Judiciary.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:45 p.m., Tuesday, April 2, 1985. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate