

## TWENTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 23, 1987

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

### CALL OF THE SENATE

Mr. Luther imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. O. Gordon Tang.

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

Adkins	Davis	Jude	Metzer	Reichgott
Anderson	DeCramer	Knaak	Moe, D.M.	Renneke
Beckman	Dicklich	Knutson	Moe, R.D.	Samuelson
Belanger	Diessner	Kroening	Morse	Schmitz
Benson	Frank	Laidig	Novak	Solon
Berg	Frederick	Langseth	Olson	Spear
Berglin	Frederickson, D.J.	Lantry	Pehler	Storm
Bernhagen	Frederickson, D.R.	Larson	Peterson, D.C.	Stumpf
Bertram	Freeman	Lessard	Peterson, R.W.	Taylor
Brataas	Gustafson	Luther	Piper	Vickerman
Chmielewski	Hughes	Marty	Pogemiller	Waldorf
Cohen	Johnson, D.E.	Mehrken	Purfeerst	Wegscheid
Dahl	Johnson, D.J.	Merriam	Ramstad	Willet

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. Brandl and Mrs. McQuaid were 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. 11, 345 and 470.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1987

### FIRST READING OF HOUSE BILLS

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

indicated.

H.F. No. 11: A bill for an act relating to tax forfeited land; providing for the sale of a certain tract.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 345: A bill for an act relating to local government; allowing certain cities to appropriate money for advertising; amending Minnesota Statutes 1986, section 465.56, subdivision 1.

Referred to the Committee on Local and Urban Government.

H.F. No. 470: A bill for an act relating to family law; eliminating the requirement that a husband's consent to donor insemination be filed with the commissioner of health; amending Minnesota Statutes 1986, section 257.56, subdivision 1.

Referred to the Committee on Judiciary.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S.F. No. 248: A bill for an act relating to elections; ensuring the availability of absentee ballots for statewide elections; amending Minnesota Statutes 1986, sections 40.05, subdivision 3; 203B.05, subdivision 2; 204B.09, subdivision 2; 204B.35, subdivision 4; 205.065, subdivisions 2 and 3; and 205.13, subdivision 1.

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. 438: A bill for an act relating to elections; changing what name may be used on ballots, nominating petitions, and affidavits of candidacy; repealing Minnesota Statutes 1986, section 204B.05.

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

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

S.F. No. 91: A bill for an act relating to employment; regulating drug and alcohol testing of employees and job applicants; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Delete everything after the enacting clause and insert:

"Section 1. [181.93] [DRUG AND ALCOHOL TESTING IN THE WORKPLACE; DEFINITIONS.]

*Subdivision 1. [TERMS AND PHRASES.] For the purposes of sections 1 to 7, the terms and phrases defined in this section have the meanings given them.*

*Subd. 2. [CONFIRMATORY TEST/RETEST.] "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test which utilizes any scientifically recognized method of analysis approved by the department under section 3, subdivision 1, as being reliable for providing specific data as to the drugs, alcohol, or metabolites thereof detected in an initial screening test.*

*Subd. 3. [DEPARTMENT.] "Department" means the department of health.*

*Subd. 4. [DRUG.] "Drug" means a controlled substance as defined in section 152.01, subdivision 4.*

*Subd. 5. [DRUG AND/OR ALCOHOL TEST/TESTING.] "Drug and alcohol testing", "drug or alcohol testing", and "drug or alcohol test" mean analysis of a sample of any body component which is scientifically recognized as appropriate and approved by the department under section 3, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or metabolites thereof in the sample tested.*

*Subd. 6. [EMPLOYEE.] "Employee" means any person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.*

*Subd. 7. [EMPLOYER.] "Employer" means any person or entity located or doing business in this state and having one or more employees, and includes the state and all political or other governmental subdivisions thereof.*

*Subd. 8. [INITIAL SCREENING TEST.] "Initial screening test" means a drug or alcohol test which utilizes any scientifically recognized method of analysis approved by the department under section 3, subdivision 1, as being capable of providing initial screening for general classes of drugs or alcohol rather than specific data as to particular drugs, alcohol, or metabolites thereof.*

*Subd. 9. [JOB APPLICANT.] "Job applicant" means any person, independent contractor, or person working for an independent contractor who applies to perform services for compensation, in whatever form, for an employer, and includes a person who has received an offer of employment made contingent on, and prior to, the person passing drug or alcohol testing.*

*Subd. 10. [POSITIVE TEST RESULT.] "Positive test result" means a finding of the presence of drugs, alcohol, or metabolites thereof in the sample tested in levels at or above the threshold detection levels set by the department under section 3, subdivision 1.*

**Sec. 2. [181.94] [DRUG AND ALCOHOL TESTING; POLICY REQUIRED; WRITTEN NOTICE PRIOR TO TESTING.]**

*Subdivision 1. [LIMITATION ON TESTING.] No employer may request or require an employee or job applicant to undergo drug or alcohol testing unless it is done pursuant to a written drug and alcohol testing policy.*

*Subd. 2. [CONTENTS OF THE POLICY.] The drug and alcohol testing policy must, at a minimum, set forth the following information:*

- (1) the employees or job applicants subject to testing under the policy;
- (2) the circumstances under which drug or alcohol testing may be requested or required;
- (3) that drug and alcohol testing may not be done without the consent of the employee or job applicant to be tested;
- (4) the consequences of a refusal to submit to testing;
- (5) any disciplinary or other adverse personnel action which may be taken based on a confirmatory test verifying a positive test result on an initial screening test;
- (6) the right of an employee or job applicant to explain a positive test result on a confirmatory test or request and pay for a confirmatory retest; and
- (7) any other appeal procedures available.

*Subd. 3. [NOTICE.] An employer shall provide written notice of its drug and alcohol testing policy to all affected employees upon adoption of the policy, to a previously nonaffected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and prior to any testing of that applicant if the offer of employment is made contingent on passing drug and alcohol testing. An employer shall also post notice in an appropriate and conspicuous location on the employer's premises that the employer has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection by its employees or job applicants in the employer's personnel office or other suitable locations during regular business hours.*

**Sec. 3. [181.95] [DRUG AND ALCOHOL TESTING; RELIABILITY AND FAIRNESS SAFEGUARDS.]**

*Subdivision 1. [USE OF LICENSED LABORATORY REQUIRED.] (a) An employer who requests or requires an employee or job applicant to undergo drug or alcohol testing shall use the services of a testing laboratory licensed by the department under this subdivision.*

*(b) The department shall promulgate rules by eight months following the effective date of sections 1 to 6 governing:*

- (1) standards for licensing, suspension, and revocation of a license;*
- (2) approved body component samples appropriate for drug and alcohol testing;*
- (3) approved methods of analysis and procedures for drug and alcohol testing;*
- (4) threshold detection levels for drugs, alcohol, or metabolites thereof for purposes of determining a positive test result;*
- (5) chain-of-custody procedures to ensure proper identification, labeling, and handling of the samples being tested; and*
- (6) retention and storage procedures to ensure reliable results on confirmatory tests or confirmatory retests of original samples.*

*(c) The department shall also grant licenses to laboratories conducting drug and alcohol testing which are located in another state, provided it has determined that either: (1) the laboratory is licensed by the other state*

or by a federal agency to conduct drug and alcohol testing and the other state's or federal agency's rules governing standards, methods, and procedures meet or exceed those adopted under this subdivision; or (2) the laboratory has agreed in writing with the department to comply with the rules adopted under this subdivision. A laboratory licensed under this paragraph must also, as a condition of obtaining and retaining a license, agree in writing with the department to comply with the other requirements set forth under sections 1 to 4 applicable to laboratories and to be subject to all remedies for violations thereof set forth under section 6.

(d) The department shall regularly monitor laboratories licensed under this subdivision to ensure compliance with the rules adopted under this subdivision.

(e) The department shall charge an annual license fee to offset the costs of administering this subdivision. The fee may vary depending on the number of Minnesota employee samples tested annually at a laboratory.

(f) Prior to the adoption of rules and issuing of licenses under this subdivision, an employer may use the services of a nonlicensed testing laboratory which agrees in writing with the department to comply with at least the following minimum requirements:

(1) The director of the laboratory must be a full-time employee of the laboratory and must possess a doctoral or master's degree in biological or medical science and have at least three years experience in an analytical toxicology laboratory.

(2) The laboratory must use drug and alcohol testing methods of analysis, and have in writing and use laboratory testing and chain-of-custody procedures, which are appropriate to ensuring reliable and properly handled and identified testing results.

(3) The laboratory must be participating in and continuing to demonstrate satisfactory performance in the drug proficiency testing program of the college of American pathology or American association for clinical chemists.

(4) A test report must indicate the drugs, alcohol, or metabolites thereof tested for and whether the test produced a negative or positive test result.

(5) All initial screening test, confirmatory test, and confirmatory retest results must be reviewed and certified as accurate by a qualified scientist.

(6) The laboratory must agree to comply with the requirements set forth under sections 1 to 4 applicable to laboratories and to be subject to the remedies for violations thereof set forth under section 6.

**Subd. 2. [LABORATORY REQUIREMENTS RELATING TO CONFIRMATORY TESTING, REPORTING OF TEST RESULTS, AND RETENTION OF SAMPLES.]** A testing laboratory shall conduct a confirmatory test on any sample which when tested produced a positive test result on an initial screening test. A laboratory shall disclose to the employer a written test result report for each sample tested within three working days following a negative test result on an initial screening test or, when the initial screening test produced a positive test result, within three working days following a negative or positive test result on a confirmatory test. A laboratory shall retain and properly store for at least six months all samples which when tested produced a positive test result.

*Subd. 3. [PROHIBITIONS ON EMPLOYERS.] An employer may not conduct drug or alcohol testing of its own employees and job applicants utilizing a testing laboratory owned and operated by the employer. Except as provided under subdivision 7, an employer may not request or require an employee or job applicant to contribute to, or pay the cost of, drug or alcohol testing under sections 1 to 4.*

*Subd. 4. [EMPLOYER REQUIRED TO COMPLY WITH CHAIN-OF-CUSTODY PROCEDURES.] An employer shall comply with rules promulgated by the department relating to chain-of-custody procedures to ensure proper handling and identification of the samples to be tested. Prior to adoption of rules under this subdivision, an employer shall establish its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested.*

*Subd. 5. [RIGHT OF EMPLOYEE OR JOB APPLICANT TO EXPLAIN A POSITIVE TEST RESULT OR REQUEST A CONFIRMATORY RE-TEST.] (a) Prior to requesting or requiring an employee or job applicant to undergo drug or alcohol testing, an employer shall provide the employee or job applicant to be tested an opportunity to indicate on a form any over-the-counter or prescription medications which the individual is currently taking or has recently taken and any other relevant information which may be pertinent to the reliability of, or explanation for, a positive test result.*

*(b) Within three working days following notice of a positive test result on a confirmatory test, the employee or job applicant has a right to: (1) submit information to the employer, in addition to any information which may have already been submitted under paragraph (a), to explain that result; or (2) request a confirmatory retest of the original sample at the employee's or job applicant's own expense as provided under subdivision 7.*

*Subd. 6. [NOTICE OF TEST RESULTS TO EMPLOYEE OR JOB APPLICANT.] An employer shall inform in writing an employee or job applicant who has undergone drug or alcohol testing of a negative test result on an initial screening test or a negative or positive test result on a confirmatory test within three working days following receipt of the test result report information from the testing laboratory. In the case of a positive test result on a confirmatory test, the employer shall also, at the time of this notice, inform the employee or job applicant in writing of the rights provided under subdivision 5, paragraph (b), and subdivisions 7 and either 8 or 9, whichever is applicable.*

*Subd. 7. [RETESTING AT EMPLOYEE'S OR JOB APPLICANT'S OWN EXPENSE.] An employee or job applicant has the right to request a confirmatory retest of the original sample at the employee's or job applicant's own expense following notice of a positive test result on a confirmatory test. Within five working days following notice of that result, the employee or job applicant shall notify the employer in writing of the employee's or job applicant's intention to obtain a confirmatory retest. Within three working days following receipt of this notice, the employer shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or transfer the sample to another laboratory licensed under subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that the chain-of-custody procedures adopted by the department under subdivision 1 are*

*followed if the sample is transferred to another laboratory. The confirmatory retest must utilize the same drug or alcohol threshold detection levels as used in the original confirmatory test.*

**Subd. 8. [LIMITATIONS ON DISCHARGE OR DISCIPLINE OF, OR DISCRIMINATION AGAINST, AN EMPLOYEE.]** *(a) An employer may not discharge, discipline, discriminate against, or request or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.*

*(b) In addition to the limitation under paragraph (a), an employer may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for that employee on a drug or alcohol test requested or required by that employer unless the following conditions have been met:*

*(1) the employer has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the employer after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency; and*

*(2) the employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program prior to its completion or by a positive test result on a confirmatory test pursuant to drug or alcohol testing following completion of the program.*

*(c) Notwithstanding paragraph (a), an employer may temporarily suspend the tested employee with or without pay or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test, provided the employer believes that it is reasonably necessary to protect the health or safety of the employee, co-employees, or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test is negative.*

*(d) An employer may not discharge, discipline, discriminate against, or request or require rehabilitation of an employee on the basis of medical history information revealed to the employer pursuant to subdivision 5 unless the employee was under an affirmative duty to provide the information at the time of or subsequent to hire.*

*(e) An employee must be given reasonable access to information in the employee's personnel file relating to positive test result reports and other data or information acquired in the drug and alcohol testing process, and conclusions drawn from and actions taken as a result thereof.*

**Subd. 9. [LIMITATIONS ON TESTING OF, AND WITHDRAWAL OF OFFER OF EMPLOYMENT TO, A JOB APPLICANT.]** *No employer may request or require a job applicant to undergo drug or alcohol testing prior to making an offer of employment to the job applicant. If the job applicant has received an offer of employment made contingent on the job applicant passing drug and alcohol testing, the employer may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test.*

**Sec. 4. [181.96] [DRUG AND ALCOHOL TESTING; PRIVACY, CONFIDENTIALITY, AND PRIVILEGE SAFEGUARDS.]**

**Subdivision 1. [PRIVACY LIMITATIONS ON TESTING AND DISCLOSURE.]** *A laboratory shall, to the extent feasible, ensure that the drug or alcohol testing method of analysis employed only measures the presence or absence of drugs, alcohol, or metabolites thereof in the sample of the employee or job applicant tested. A laboratory may only disclose to the employer test result information regarding the presence or absence of drugs, alcohol, or metabolites thereof in the sample tested.*

**Subd. 2. [CONFIDENTIALITY LIMITATIONS ON DISCLOSURE.]** *All samples, test results, reports, and other data and information acquired in the drug or alcohol testing process are, with respect to private sector employees and job applicants, private and confidential information, and, with respect to public sector employees and job applicants, "private data on individuals" as that phrase is defined under chapter 13, and may not be disclosed by an employer or laboratory to any other employer or third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.*

**Subd. 3. [EXCEPTIONS TO PRIVACY AND CONFIDENTIALITY DISCLOSURE LIMITATIONS.]** *Notwithstanding subdivision 2, evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under chapter 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; and (2) disclosed to any federal agency or other unit of the United States government as required under federal law, rule, regulation, or order, or in accordance with compliance requirements of a federal government contract.*

**Subd. 4. [PRIVILEGE.]** *Positive test results from an employer drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.*

**Sec. 5. [181.97] [CONSTRUCTION.]**

**Subdivision 1. [FREEDOM TO COLLECTIVELY BARGAIN.]** *Nothing in sections 1 to 4 shall be construed to limit employees from collectively bargaining with their employer for a drug and alcohol testing policy which meets or exceeds, and does not otherwise conflict with, the minimum standards and requirements for employee protection provided under those sections.*

**Subd. 2. [EMPLOYEE PROTECTIONS UNDER EXISTING COLLECTIVE BARGAINING AGREEMENTS.]** *Nothing in sections 1 to 4 shall be construed to interfere with or diminish any employee protections relating to drug and alcohol testing already provided under collective bargaining agreements in effect on the effective date of sections 1 to 7 which exceed the minimum standards and requirements for employee protection provided under those sections.*

**Sec. 6. [181.97] [REMEDIES.]**

**Subdivision 1. [EXHAUSTION.]** *An employee or collective bargaining agent may bring an action under this section only after first exhausting all applicable grievance procedures and arbitration proceeding requirements under a collective bargaining agreement.*

**Subd. 2. [DAMAGES.]** *In addition to any other remedies provided by law, an employer or laboratory that violates any provision of sections 1 to 4 is liable to an employee or job applicant injured by the violation in*



*a civil action for any damages allowable at law.*

**Subd. 3. [INJUNCTIVE RELIEF]** *An employee or job applicant, a state, county, or city attorney, or a collective bargaining agent who will fairly and adequately represent the interests of the protected class has standing to bring an action for injunctive relief requesting the district court to enjoin an employer or laboratory that commits or proposes to commit an act in violation of sections 1 to 4.*

**Subd. 4. [OTHER EQUITABLE RELIEF]** *Upon the finding of a violation under sections 1 to 4, or as part of any injunctive relief granted under subdivision 3, a court may, in its discretion, grant any other equitable relief it considers appropriate, including ordering the injured employee or job applicant reinstated with back pay.*

**Sec. 7. [FEDERAL PREEMPTION.]**

*Sections 1 to 6 do not apply to employees or job applicants of employers that are subject to regulation of drug and alcohol testing with respect to those employees or job applicants under federal rules or regulations to the extent that those rules or regulations specifically preempt, are inconsistent with, or exceed the state regulation of drug and alcohol testing with respect to that type of employer or their affected employees or job applicants.*

**Sec. 8. [EFFECTIVE DATE.]**

*Sections 1 to 7 are effective four months following the day after final enactment."*

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

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

S.F. No. 469: A bill for an act relating to public safety; motorized bicycles; establishing standards for the safe operation of motorized bicycles; amending Minnesota Statutes 1986, sections 65B.001, by adding a subdivision; 65B.43, subdivision 13; 168.011, subdivision 27; 169.01, subdivision 4a; 169.223; 171.01, subdivision 20; and 171.02, subdivision 3.

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

Page 3, line 8, strike "shall not" and before the period, insert "*that are equipped with headlights. After May 1, 1987, a new motorized bicycle sold or offered for sale in Minnesota must be equipped with a headlight*"

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. 449: A bill for an act relating to transportation; railroads; requiring occupied caboose car on certain trains; requiring caboose car to be equipped with shortwave radio; imposing a penalty; amending Minnesota Statutes 1986, section 219.56; proposing coding for new law in Minnesota Statutes, chapter 219.

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

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

S.F. No. 490: A bill for an act relating to Washington county; authorizing the issuance of county bonds for capital improvements.

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. 565: A bill for an act relating to metropolitan government; setting the maximum tax for the mosquito control district; amending Minnesota Statutes 1986, section 473.711, subdivision 2.

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. 557: A bill for an act relating to Ramsey county; providing for a charter commission to recommend a form of county government and providing for its adoption.

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

Page 2, line 27, delete "\$\_\_\_\_\_ shall be appropriated by"

Page 2, line 28, after "commissioners" insert "may make an appropriation"

Page 3, line 5, delete "June 1" and insert "December 31"

Page 3, line 36, delete "1988" and insert "1990"

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

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was referred

S.F. No. 206: A bill for an act relating to state energy contracts; imposing additional requirements on bidders for state energy efficiency installment purchase contracts; amending Minnesota Statutes 1986, section 16B.16, subdivision 1.

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

Page 1, line 15, strike "entire" and insert "annual" and strike "is a percentage of" and insert "does not exceed"

Page 1, line 16, after "resultant" insert "or projected" and after "costs" insert "for that year"

Page 1, line 18, before "the" insert "the commissioner has determined that" and after "is" insert "a" and before the comma, insert "bidder under rules adopted by the commissioner" and delete "which includes"

Page 1, line 19, delete "having" and insert "has"

Page 1, line 20, after "state" insert a comma and delete "having" and insert "has either established a record of" and delete "paid" and insert "paying"

Page 1, line 21, before the semicolon, insert "or has made secure provisions for doing so in connection with the current contract" and delete the second "and"

Page 1, line 22, after "(5)" insert "the contract bidder can finance or obtain financing for the performance of the contract without state assistance or guarantee; and

(6)"

Page 1, line 23, before the period, insert "or if the contractor at any time during the term of the contract fails to provide or maintain the equipment, to provide the services, or otherwise to meet specifications for performance"

Page 1, after line 25, insert:

"Sec. 2. Minnesota Statutes 1986, section 16B.16, is amended by adding a subdivision to read:

*Subd. 1a. [CONTRACT BIDDER.] For purposes of subdivision 1, "contract bidder" means a sole proprietorship, firm, corporation, or other business entity submitting a bid or, if the entity submitting the bid is a new enterprise, a person having a ten-percent or greater financial interest in the entity who has or has had a ten-percent or greater financial interest in any other entity that has entered into past contracts with the state or other purchasers."*

Amend the title as follows:

Page 1, line 5, before the period, insert ", and by adding a subdivision"

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

Mr. Davis from the Committee on Agriculture, to which was referred

S.F. No. 729: A bill for an act relating to motor fuels; providing that unleaded gasoline sold in Minnesota after June 30, 1987, must be blended with ethanol; amending Minnesota Statutes 1986, section 296.05, subdivision 1, and by adding a subdivision.

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 1986, section 296.05, is amended by adding a subdivision to read:

*Subd. 1a. [UNLEADED GASOLINE.] Unleaded gasoline having an octane rating of 90 or less may not be sold for use in motor vehicles unless it is a gasoline blend consisting of ten percent ethanol.*

Sec. 2. [REPEALER.]

*Minnesota Statutes 1986, section 296.02, subdivision 7, is repealed.*

Sec. 3. [EFFECTIVE DATES.]

*Section 1 is effective July 1, 1988. Section 2 is effective October 1, 1988."*

Delete the title and insert:

"A bill for an act relating to motor fuels; providing that unleaded gasoline having an octane rating of 90 or less and sold after June 30, 1988, must be blended with ethanol; amending Minnesota Statutes 1986, section 296.05, by adding a subdivision; repealing Minnesota Statutes 1986, section 296.02, subdivision 7."

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

Mr. Frank from the Committee on Economic Development and Housing, to which was referred

H.F. No. 280: A bill for an act relating to the city of St. Paul; repealing bonding authority and a sunset provision relating to the port authority; amending Laws 1983, chapter 110, section 4; repealing Minnesota Statutes 1986, section 458.773.

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. Frank from the Committee on Economic Development and Housing, to which was referred

S.F. No. 233: A bill for an act relating to local government; granting the city of Brainerd the authority to establish a port authority; authorizing the port authority to exercise the power of a municipal housing and redevelopment authority; authorizing the city to impose restrictions and limitations upon the powers and procedures of the port authority; permitting the city to choose the name of the port authority; providing for removal of port authority commissioners; requiring local approval.

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

Page 1, line 27, delete "*including, but not*" and delete the third comma

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 248, 438, 469, 449, 557 and 206 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Mr. Pehler be added as a co-author to S.F. No. 365. The motion prevailed.

Mr. Solon moved that the name of Mr. Purfeerst be added as a co-author to S.F. No. 474. The motion prevailed.

Ms. Berglin moved that the names of Messrs. Marty and Samuelson be added as co-authors to S.F. No. 492. The motion prevailed.

Mr. Lessard moved that the name of Mr. Beckman be added as a co-author to S.F. No. 699. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Dicklich and Solon be added as co-authors to S.F. No. 899. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 909. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 915. The motion prevailed.

Mr. Freeman moved that the name of Mr. Vickerman be added as a co-author to S.F. No. 924. The motion prevailed.

Mr. Taylor moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 926. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 942. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Dicklich, Lessard and Willet be added as co-authors to S.F. No. 952. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Gustafson and Lessard be added as co-authors to S.F. No. 954. The motion prevailed.

Mr. Wegscheid moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 960. The motion prevailed.

Mr. Luther moved that the name of Mr. Solon be added as a co-author to S.F. No. 967. The motion prevailed.

Mr. Freeman moved that the name of Mr. Cohen be added as a co-author to S.F. No. 991. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Cohen be added as a co-author to S.F. No. 992. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Cohen be added as a co-author to S.F. No. 1017. The motion prevailed.

Mr. Diessner moved that the names of Ms. Reichgott and Mr. Chmielewski be added as co-authors to S.F. No. 1025. The motion prevailed.

Mr. Spear moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1028. The motion prevailed.

Mr. Marty moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1029. The motion prevailed.

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

Mr. Pehler moved that the names of Messrs. Dahl, Moe, R.D. and Benson be added as co-authors to S.F. No. 1036. The motion prevailed.

Mr. Willet moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 1038. The motion prevailed.

Mr. Willet moved that the names of Messrs. Dicklich and Johnson, D.J. be added as co-authors to S.F. No. 1039. The motion prevailed.

Mr. Lessard moved that S.F. No. 905 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Judiciary. The motion prevailed.

Mrs. McQuaid introduced—

Senate Resolution No. 41: A Senate resolution congratulating the city of Hopkins on its centennial.

Referred to the Committee on Rules and Administration.

Mr. Johnson, D.E. introduced—

Senate Resolution No. 42: A Senate resolution commending Lucile Sanderson for 60 years of dedicated service to Girl Scouting.

Referred to the Committee on Rules and Administration.

Mr. Moe, R.D. moved that House Concurrent Resolution No. 6 be taken from the table and referred to the Committee on Rules and Administration. The motion prevailed.

### 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 reported that the committee had considered the following:

S.F. Nos. 133, 291, 333, 73 and H.F. No. 400, which the committee recommends to pass.

S.F. No. 182, which the committee recommends to pass with the following amendment offered by Mrs. Lantry:

Page 1, after line 19, insert:

*"For purposes of this subdivision, an employer includes a "debtor in possession" and excludes a bankruptcy "trustee" as those terms are used under federal bankruptcy law."*

The motion prevailed. So the amendment was adopted.

H.F. No. 369, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Amend H.F. No. 369, as amended pursuant to Rule 49, adopted by the Senate March 19, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 264.)

Page 2, line 36, delete "This"

Page 3, delete line 1 and insert *"For purposes of this paragraph, program access includes but is not limited to providing taped texts, interpreters or other methods of making orally delivered materials available, readers in libraries, adapted classroom equipment, and similar auxiliary aids or services. Program access does not include providing"*

The motion prevailed. So the amendment was adopted.

H.F. No. 23, which the committee reports progress, subject to the following motions:

Ms. Piper moved to amend H.F. No. 23, as amended pursuant to Rule 49, adopted by the Senate March 12, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 86.)

Page 1, line 11, delete "*the provisions of*"

Page 2, line 21, delete "*shall constitute*" and insert "*constitutes*"

Page 2, line 32, delete "*shall*" in both places and insert "*must*" in both places

Page 2, line 32, after "*record*" insert a comma

Page 2, line 33, delete "*that*" and insert "*the*"

Page 2, line 36, delete "*shall*" and insert "*is*"

Page 3, line 1, delete "*be*"

Page 3, line 2, delete "*cost of*"

Page 3, line 5, delete "*shall*" and insert "*must*" and delete "*the provisions of*"

Page 3, line 12, delete "*prior to*" and insert "*before*"

Page 3, line 15, delete "*on and applies to licensed hospitals*"

Page 3, line 16, delete "*as of*"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend H.F. No. 23, as amended pursuant to Rule 49, adopted by the Senate March 12, 1987, as follows:

(The text of the amended House File is identical to S.F. No. 86.)

Page 2, line 35, delete "OF FAMILY"

Page 3, line 2, after the period, insert "*If a hospital has established a protocol in compliance with this section and substantially complies with the protocol in a particular case, the hospital and its administrators, employees, or designees are immune from civil or criminal liability arising out of their actions relating to providing notification or obtaining consent or refusal to consent in that case. A family member notified pursuant to a protocol established under subdivision 2 is immune from civil or criminal liability for having consented or declined to consent to donation.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 23 was then progressed.

S.F. No. 440, which the committee recommends to pass with the following amendment offered by Ms. Piper:

Page 5, after line 30, insert:

"Sec. 10. Minnesota Statutes 1986, section 353.01, subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] The following persons are excluded from the meaning of "public employee":

(a) Persons employed for professional services where such service is incidental to regular professional duties.

(b) Election officers.

(c) Independent contractors and their employees.

(d) Patient and inmate help in governmental subdivision charitable, penal and correctional institutions.

(e) Members of boards, commissions, bands and others who serve the governmental subdivision intermittently.

(f) Employees who hold positions of an essentially temporary or seasonal character, provided such employment does not continue for a period in excess of 120 working days in any calendar year. Immediately following the expiration of such 120 working days if such employees continue in public service and earn in excess of \$325 in any one calendar month, the department heads must then report all such employees for membership and must cause employee contributions to be made on behalf of such employees in accordance with section 353.27, subdivision 4, and they shall remain members until termination of public service.

(g) Part-time employees who receive monthly compensation not exceeding \$325, and part-time employees and elected officials whose annual compensation is stipulated in advance to be not more than \$3,900 per year, except that members shall continue their membership until termination of public service.

(h) Persons who first occupy an elected office after March 1, 1978, the compensation for which does not exceed \$325 per month.

(i) Emergency employees who are employed by reason of work caused by fire, flood, storm or similar disaster.

(j) Employees who by virtue of their employment are required to contribute to any other pension, relief or retirement fund established for the benefit of officers and employees of a governmental subdivision, except as an act of the legislature has specifically enabled participation by employees of a designated governmental subdivision in a plan supplemental to the public employees retirement association; provided that this clause shall not prevent a person from contributing to the public employees retirement association and also belonging to or contributing to another public pension fund for other service occurring during the same period of time.

(k) Police matrons employed in a police department of any city who are transferred to the jurisdiction of a joint city and county detention and corrections authority.

~~(l) Chaplains and nuns who have taken a vow of poverty as members of a religious order~~ *Persons who are excluded from coverage under the federal old age, survivors, and disability insurance program for the performance of services specified in United States Code, title 42, section 410(a)(8)(A), as amended through January 1, 1987.*

(m) Full-time students who are enrolled and are regularly attending classes at an accredited school, college or university; provided, no person employed full time by a governmental subdivision shall be exempt under this paragraph.

(n) Resident physicians, medical interns and pharmacist interns who are serving in public hospitals.

(o) Appointed or elected officers, paid entirely on a fee basis, and who were not members on June 30, 1971.

(p) Nothing in Laws 1973, chapter 753 shall be interpreted to impair or revoke any option exercised under Laws 1963, chapter 793.

(q) Persons employed in subsidized on-the-job training, work experience or public service employment as enrollees under the federal Comprehensive



Employment and Training Act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing on forms prescribed by the executive director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal Comprehensive Training and Employment Act, or the person agrees in writing on forms prescribed by the executive director to make the required employer contributions in addition to the required employee contribution.

(r) Town, city or county assessors elected or appointed pursuant to chapter 273 who do not receive compensation in excess of \$325 per month from any one employing governmental subdivision or who are employed pursuant to an employment contract which sets forth the total compensation to be paid and the length of service, not to exceed three months in duration, required for the performance of the contract and which was entered into in advance of the commencement of employment.

(s) A person holding a part time adult supplementary vocational technical school license who renders part time teaching service in a vocational technical school if (1) the service is incidental to the person's regular nonteaching occupation; and (2) the applicable vocational technical school stipulates annually in advance that the part time teaching service will not exceed 300 hours in a fiscal year; and (3) the part time teaching service actually does not exceed 300 hours in a fiscal year.

(t) A person exempt from licensure pursuant to section 125.031."

Renumber the sections in sequence

Amend the title as follows:

Page 1; line 7, after the first semicolon, insert "353.01, subdivision 2b;"

The motion prevailed. So the amendment was adopted.

S.F. No. 128, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 20, delete "any" and insert "a"

Page 1, line 21, delete "holders" and insert "a holder" and after "of" insert "an" and delete "licenses" and insert "license"

Page 1, line 22, delete "are" and insert "is"

Page 2, delete section 2 and insert:

"Sec. 2. Laws 1979, chapter 200, section 1, is amended to read:

Section 1. (a) Notwithstanding any law to the contrary, the governing body of the city of Duluth may by ordinance provide that holders of on-sale wine licenses issued pursuant to Minnesota Statutes, Section ~~340.11~~ ~~340A.404~~, Subdivision ~~20~~ 5, who are also licensed to sell non-intoxicating malt liquor at on-sale pursuant to Minnesota Statutes, Section ~~340.01~~ ~~340A.411~~, may make on-sales of beer not exceeding seven percent alcohol by weight brewed and bottled outside the United States, without an additional license. Except as herein provided, all such sales shall be subject to the applicable provisions of Minnesota Statutes, Chapter ~~340~~ ~~340A~~.

*(b) This section applies only to persons who hold both an on-sale wine license and an on-sale non-intoxicating malt liquor license on August 1, 1987."*

The motion prevailed. So the amendment was adopted.

S.F. No. 397, which the committee recommends to pass with the following amendment offered by Ms. Peterson, D.C.:

Page 1, line 10, delete "REAPPORTIONMENT" and insert "REDISTRICTING"

Page 1, line 13, delete "reapportion" and insert "redistrict"

Page 1, lines 15, 16, 17, 21, 24, and 25, delete "reapportioned" and insert "redistricted"

Page 1, line 19, before "*Local*" insert "*For purposes of this subdivision, 'local government election district' means a county district, park and recreation district, school district, or soil and water conservation district.*"

Page 1, line 21, delete "reapportionment" and insert "redistricting"

Page 1, lines 22 and 23, delete "and until new precinct and city ward boundaries are established"

Page 2, lines 7 and 26, delete "reapportioned" and insert "redistricted"

Amend the title as follows:

Page 1, line 3, delete "reapportioning" and insert "redistricting"

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.

Ms. Berglin and Mr. Hughes introduced—

S.F. No. 1040: A bill for an act relating to employment; establishing demonstration projects to provide expanded employment opportunities for severely disabled persons.

Referred to the Committee on Health and Human Services.

Mr. Samuelson, Mrs. Lantry, Messrs. Benson, Chmielewski and Brandl introduced—

S.F. No. 1041: A bill for an act relating to health; providing for a local public health act; defining the powers and duties of boards of health; providing discretionary county ordinating power; authorizing the community health service subsidy; authorizing grants; providing penalties; amending Minnesota Statutes 1986, sections 35.67; 35.68; 144.36; 144.37; 145.075; and 145.923; and Laws 1969, chapter 235, section 3, subdivisions 2 and 4; proposing coding for new law as Minnesota Statutes, chapter 145A; repealing Minnesota Statutes 1986, sections 145.01 to 145.07; 145.08 to 145.125; 145.17 to 145.23; 145.24, subdivisions 1 and 2; 145.47 to

145.55; 145.911; 145.912, subdivisions 1 to 8, 10 to 15, 19, and 20; 145.913 to 145.92; and 145.922.

Referred to the Committee on Health and Human Services.

Ms. Olson, Messrs. Pehler, Stumpf, Mehrkens and Langseth introduced—

S.F. No. 1042: A bill for an act relating to education; clarifying that arts education aid may be used only for arts education programs; amending Minnesota Statutes 1986, section 124.275, subdivision 2.

Referred to the Committee on Education.

Mr. Luther introduced—

S.F. No. 1043: A bill for an act relating to insurance; regulating the formation and operation of risk retention groups; prescribing the powers and duties of the commissioner; defining terms; prescribing penalties; proposing coding for new law as Minnesota Statutes, chapter 60E.

Referred to the Committee on Commerce.

Messrs. Dahl, Merriam, Stumpf, Larson and Frederickson, D.J. introduced—

S.F. No. 1044: A bill for an act relating to education; providing for teacher seniority and severance pay in districts entering into agreements for secondary education and tuitioning agreements; amending Minnesota Statutes 1986, sections 122.535, subdivision 2; 122.541, subdivision 1; and 123.39, by adding a subdivision.

Referred to the Committee on Education.

Messrs. DeCramer; Dahl; Frederickson, D.J.; Mrs. Adkins and Mr. Dicklich introduced—

S.F. No. 1045: A bill for an act relating to education; establishing a minimum teacher salary; providing foundation aid; amending Minnesota Statutes 1986, section 124A.01; proposing coding for new law in Minnesota Statutes, chapters 124A and 125.

Referred to the Committee on Education.

Messrs. Solon, Wegscheid and Diessner introduced—

S.F. No. 1046: A bill for an act relating to human rights; regulating access to public accommodation by certain persons and guide dogs; amending Minnesota Statutes 1986, sections 256C.02; and 363.03, subdivision 10.

Referred to the Committee on Judiciary.

Messrs. Wegscheid and Solon introduced—

S.F. No. 1047: A bill for an act relating to insurance; authorizing employers to jointly self-insure for property or casualty liability; regulating these plans; proposing coding for new law as Minnesota Statutes, chapter 60E.

Referred to the Committee on Commerce.

Mrs. Lantry, Messrs. Brandl, Benson and Moe, R.D. introduced—

S.F. No. 1048: A bill for an act relating to health; making nutrition data reporting discretionary rather than mandatory; governing the hazardous substance injury compensation board; authorizing the commissioner to control activities of carriers of communicable diseases; regulating licensure and inspections of hospitals, nursing homes, life support transportation systems, and eating places; clarifying powers of the office of health facility complaints; changing certain duties of the interagency board for quality assurance; providing penalties; amending Minnesota Statutes 1986, sections 115B.28, subdivision 4; 144.0722; 144.092; 144.50, subdivisions 1 and 2; 144.55, by adding a subdivision; 144.653, subdivision 3; 144.804, subdivision 7; 144A.10, subdivisions 1 and 2; 144A.16; 144A.31; 144A.53, subdivision 1; 145.881, subdivision 1; 157.01; 157.02; 157.04; 157.09; and 157.14; proposing coding for new law in Minnesota Statutes, chapters 144 and 144A; repealing Minnesota Statutes 1986, sections 144.422; 144.424; 144.425; 144.471; 144.49, subdivision 5; 144.692; and 144.94.

Referred to the Committee on Health and Human Services.

Mr. Hughes introduced—

S.F. No. 1049: A bill for an act relating to retirement; providing benefit portability for disability benefits, survivor annuities, and survivor benefits; establishing a combined service disability benefit and a combined service survivor benefit; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations.

Messrs. Merriam, Cohen, Jude, Laidig and Spear introduced—

S.F. No. 1050: A bill for an act relating to property transfers; expanding the manner for creating custodial property under the uniform transfers to minors act; amending Minnesota Statutes 1986, section 527.29.

Referred to the Committee on Judiciary.

Messrs. Berg and Anderson introduced—

S.F. No. 1051: A bill for an act relating to independent school district No. 206, Alexandria; providing for elections of the school board.

Referred to the Committee on Elections and Ethics.

Messrs. Berg and Anderson introduced—

S.F. No. 1052: A bill for an act relating to retirement; Millerville volunteer firefighters relief association; authorizing the recognition of certain prior service in the computation of service pension amounts.

Referred to the Committee on Governmental Operations.

Mrs. McQuaid, Messrs. Luther, Solon and Wegscheid introduced—

S.F. No. 1053: A bill for an act relating to alcoholic beverages; providing for the licensing of low-volume brewers; allowing them to be granted an on-sale intoxicating liquor or nonintoxicating malt liquor license; amending Minnesota Statutes 1986, section 340A.301, subdivisions 6 and 7.

Referred to the Committee on Commerce.

Mr. Taylor introduced—

S.F. No. 1054: A bill for an act relating to retirement; authorizing the Mankato police benefit association to base certain postretirement increases on other increases granted.

Referred to the Committee on Governmental Operations.

Messrs. Mehrkens; Lessard; Johnson, D.E.; Chmielewski and Frederickson, D.R. introduced—

S.F. No. 1055: A bill for an act relating to retirement; transferring retirement coverage of certain employees; amending Minnesota Statutes 1986, section 352.91, subdivision 4, and by adding a subdivision; and 356.30, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Berg, Merriam, Wegscheid and Freeman introduced—

S.F. No. 1056: A bill for an act relating to natural resources; increasing certain game, fish, and related license and other fees; amending Minnesota Statutes 1986, sections 84.091, subdivision 3; 97A.415, subdivision 1; 97A.475, subdivisions 2, 3, 6, 7, 8, 9, 11, 12, 13, and 20.

Referred to the Committee on Environment and Natural Resources.

Ms. Piper, Messrs. Chmielewski, Dicklich, Ramstad and Knaak introduced—

S.F. No. 1057: A bill for an act relating to education; establishing a center at the University of Minnesota; appropriating money.

Referred to the Committee on Education.

Mr. Frederick introduced—

S.F. No. 1058: A bill for an act relating to state lands; authorizing conveyance of certain state easement.

Referred to the Committee on Environment and Natural Resources.

Mr. Diessner introduced—

S.F. No. 1059: A bill for an act relating to civil commitment; defining "mentally ill person"; and "the least restrictive alternative principle"; providing that mentally ill persons can be committed only to regional centers or hospitals that are appropriately accredited; amending Minnesota Statutes 1986, sections 253B.02, subdivision 13, and by adding subdivisions; and 253B.09, subdivision 1.

Referred to the Committee on Judiciary.

Messrs. DeCramer, Frederick, Bertram and Novak introduced—

S.F. No. 1060: A bill for an act relating to transportation; motor carriers; requiring brakes for towed vehicles over 3,000 pounds; requiring brakes

on all wheels of motor vehicles; amending Minnesota Statutes 1986, section 169.67, subdivisions 3 and 4.

Referred to the Committee on Transportation.

Messrs. Dahl and Metzen introduced—

S.F. No. 1061: A bill for an act relating to commerce; regulating terminations and nonrenewals of motor fuel franchises; proposing coding for new law in Minnesota Statutes, chapter 80C.

Referred to the Committee on Commerce.

Mr. Dahl introduced—

S.F. No. 1062: A bill for an act relating to commerce; prohibiting producers or refiners of petroleum from operating retail service stations with company personnel; providing exceptions; defining certain terms; providing for enforcement; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

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

S.F. No. 1063: A bill for an act relating to retirement; public employees retirement association; lowering vesting standards; amending Minnesota Statutes 1986, sections 353.29, subdivision 1; 353.30, subdivision 1c; 353.32, subdivision 1a; 353.33, subdivision 1; 353.34, subdivision 3; 353.651, subdivision 1; 353.657, subdivision 2a; 353.71, subdivision 1; and 356.30, subdivision 1.

Referred to the Committee on Governmental Operations.

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

S.F. No. 1064: A bill for an act relating to retirement; public employees retirement association administrative changes; privacy of certain membership data; amending Minnesota Statutes 1986, sections 353.01, subdivisions 2b and 20; 353.03, subdivision 3; 353.27, subdivisions 4, 10, and 12; 353.28, subdivision 5; 353.29, subdivision 8; 353.33, by adding a subdivision; 353.34, by adding a subdivision; 353.36, subdivision 2; 353.64, subdivisions 1 and 2; 353.651, by adding a subdivision; 353.656, subdivision 6, and by adding a subdivision; and 353.657; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1986, section 353.64, subdivision 6.

Referred to the Committee on Governmental Operations.

Mr. Cohen introduced—

S.F. No. 1065: A bill for an act relating to juveniles; clarifying certain recent changes to the juvenile court act; clarifying the hearing and records procedures of the juvenile court; providing for the enforcement of juvenile court restitution orders; permitting administrative docketing of certain unpaid county reimbursements; clarifying certain crime victim notification and protection laws; amending Minnesota Statutes 1986, sections 260.155,

subdivisions 1 and 1a; 260.156; 260.161; 260.185, by adding a subdivision; 548.091, subdivision 1; 595.02, subdivision 4; 609.3471; 611A.031; and 611A.035; repealing Minnesota Statutes 1986, section 636.08.

Referred to the Committee on Judiciary.

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

S.F. No. 1066: A bill for an act relating to retirement; regulating workers' compensation offsets to public employee retirement association benefits; amending Minnesota Statutes 1986, sections 353.29, subdivision 2; 353.33, subdivision 5, and by adding a subdivision; 353.651, subdivision 2; 353.656, subdivision 2, and by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid and Laidig introduced—

S.F. No. 1067: A bill for an act relating to local government; providing for the discharge of charter commissions; amending Minnesota Statutes 1986, section 410.05, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

Messrs. Benson, Frederick, Mrs. McQuaid, Messrs. Purfeerst and DeCramer introduced—

S.F. No. 1068: A bill for an act relating to motor vehicles; providing credit for registration tax paid on passenger automobile subsequently traded to purchase another passenger automobile from outside the state; amending Minnesota Statutes 1986, section 168.013, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Solon and Gustafson introduced—

S.F. No. 1069: A bill for an act relating to insurance; establishing a demonstration project to provide medical insurance to certain low income persons; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services.

Messrs. Wegscheid, Hughes, Jude and Pogemiller introduced—

S.F. No. 1070: A bill for an act relating to retirement; establishing a special retirement plan for correctional officers at correctional facilities or city or county jails; amending Minnesota Statutes 1986, sections 356.20, subdivision 2; 356.30, subdivision 3; and 356.32, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 353.

Referred to the Committee on Governmental Operations.

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

S.F. No. 1071: A bill for an act relating to retirement; public pension plan or fund assets; prohibiting certain transfers or uses of assets; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations.

Ms. Piper and Mr. Vickerman introduced—

S.F. No. 1072: A bill for an act relating to utilities; providing for initial and continuing education of public utilities commissioners; lengthening the time period for preparation for a hearing on territorial disputes; raising dollar limit on value of property that public utility may transfer without commission approval; amending Minnesota Statutes 1986, sections 216A.03, by adding subdivisions; 216B.43; and 216B.50, subdivision 1.

Referred to the Committee on Public Utilities and Energy.

Ms. Piper, Mrs. Lantry, Messrs. Spear and Knutson introduced—

S.F. No. 1073: A bill for an act relating to vocational rehabilitation; limiting grants to sheltered workshops; providing for use of community-based employment; regulating and defining vocational rehabilitation programs; amending Minnesota Statutes 1986, sections 129A.01; 129A.03; 129A.06; 129A.07; and 129A.08.

Referred to the Committee on Health and Human Services.

Ms. Piper, Messrs. Chmielewski, Vickerman and Mrs. Adkins introduced—

S.F. No. 1074: A bill for an act relating to labor; regulating the administration of the occupational safety and health act; clarifying employee rights to sue; amending Minnesota Statutes 1986, sections 182.659, subdivisions 6 and 8; 182.661, by adding a subdivision; 182.666, subdivisions 1, 2, 4, 5, and 6; and 182.669, subdivision 1.

Referred to the Committee on Employment.

Mr. Wegscheid introduced—

S.F. No. 1075: A bill for an act relating to malt liquor; allowing a licensed brewer to sell at retail without an additional license under certain circumstances; amending Minnesota Statutes 1986, section 340A.301, subdivision 8.

Referred to the Committee on Commerce.

Messrs. Storm, Chmielewski and Gustafson introduced—

S.F. No. 1076: A bill for an act relating to workers' compensation; regulating the content of notices; amending Minnesota Statutes 1986, section 176.84.

Referred to the Committee on Employment.

Messrs. Vickerman, Knutson, Novak, Storm and Ms. Piper introduced—

S.F. No. 1077: A bill for an act relating to occupations and professions; establishing a board of marriage and family therapy; licensing and regulating marriage and family therapists; providing penalties; appropriating money; amending Minnesota Statutes 1986, section 214.01, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 148B.



Referred to the Committee on Health and Human Services.

Messrs. Frederickson, D.R.; Berg; Davis; DeCramer and Anderson introduced—

S.F. No. 1078: A bill for an act relating to commerce; regulating conventional loans; requiring an additional notice of default under certain circumstances; amending Minnesota Statutes 1986, section 47.20, subdivision 8.

Referred to the Committee on Commerce.

Messrs. Frederickson, D.R.; Berg; Morse and DeCramer introduced—

S.F. No. 1079: A bill for an act relating to taxation; sales; changing the requirements for designation of a distressed county for purposes of the capital equipment exemption; amending Minnesota Statutes 1986, section 297A.257, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Ramstad and Mrs. Lantry introduced—

S.F. No. 1080: A bill for an act relating to human services; providing an exception to the nursing home operating cost rate limitation; amending Minnesota Statutes 1986, section 256B.431, subdivision 2b.

Referred to the Committee on Health and Human Services.

Mr. Spear, Ms. Berglin, Messrs. Cohen, Knaak and Ms. Reichgott introduced—

S.F. No. 1081: A bill for an act relating to custody; providing that evidence of domestic abuse is relevant to determinations of custody; amending Minnesota Statutes 1986, sections 518.17, subdivision 1; and 518B.01, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Spear, Pogemiller, Ms. Peterson, D.C. and Berglin introduced—

S.F. No. 1082: A bill for an act relating to special school district No. 1, Minneapolis; requiring a subsidy be paid to Minneapolis retired teachers for health insurance; authorizing a levy.

Referred to the Committee on Governmental Operations.

Mr. Freeman, Mrs. Lantry and Mr. Peterson, R.W. introduced—

S.F. No. 1083: A bill for an act relating to state government; requiring the proposed judicial building to provide space for a child day care facility.

Referred to the Committee on Governmental Operations.

Messrs. Schmitz, Wegscheid and Renneke introduced—

S.F. No. 1084: A bill for an act relating to local government; authorizing cities to impose a street access charge and providing for its collection; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on Local and Urban Government.

Mses. Peterson, D.C.; Piper; Messrs. Moe, D.M.; Vickerman and Knutson introduced—

S.F. No. 1085: A bill for an act relating to human services; establishing a board of social work examiners; licensing and regulating social workers; providing penalties; appropriating money; amending Minnesota Statutes 1986, section 214.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148A.

Referred to the Committee on Health and Human Services.

Messrs. Pehler; DeCramer; Berg; Johnson, D.E. and Samuelson introduced—

S.F. No. 1086: A bill for an act relating to commerce; permitting certain charitable trusts to dispose of certain bank assets; proposing coding for new law in Minnesota Statutes, chapter 501.

Referred to the Committee on Commerce.

Mr. Merriam introduced—

S.F. No. 1087: A bill for an act relating to the city of Champlin; permitting the city to use unexpended public improvement funds for a low-income special assessment grant program.

Referred to the Committee on Local and Urban Government.

Mr. Merriam introduced—

S.F. No. 1088: A bill for an act relating to crimes; juveniles; limiting detention of juveniles in adult jails; amending Minnesota Statutes 1986, section 260.173, subdivision 4.

Referred to the Committee on Judiciary.

Messrs. DeCramer, Willet, Pehler, Morse and Taylor introduced—

S.F. No. 1089: A bill for an act relating to education; age for redemption of shares in the supplemental retirement investment fund; amending Minnesota Statutes 1986, section 136.82, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Vickerman; Frederickson, D.R.; Mrs. Brataas and Mr. Freeman introduced—

S.F. No. 1090: A bill for an act relating to agriculture; requiring all milk sold for human consumption to be pasteurized; amending Minnesota Statutes 1986, section 32.393, subdivision 1.

Referred to the Committee on Agriculture.

Mr. Stumpf introduced—

S.F. No. 1091: A bill for an act relating to retirement; public employees retirement association; permitting certain employees to purchase credit for prior service for which no salary deductions were made for the association.

Referred to the Committee on Governmental Operations.

Messrs. Willet and Luther introduced—

S.F. No. 1092: A bill for an act relating to water; prohibiting the commissioner of natural resources from issuing certain permits or approving certain plans for diversion of water from certain water basins before consultation with state and Canadian officials; amending Minnesota Statutes 1986, sections 105.37, by adding subdivisions; 105.405, subdivision 2, and by adding subdivisions; and 105.44, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Mr. Chmielewski introduced—

S.F. No. 1093: A bill for an act relating to employees; providing for a wage protection program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Employment.

Mr. Morse, Mses. Peterson, D.C.; Piper; Mr. DeCramer and Ms. Olson introduced—

S.F. No. 1094: A bill for an act relating to education; providing for payment of fees for pupils taking advanced placement program examinations; requiring the University of Minnesota to award post-secondary credit for certain scores on advanced placement examinations; appropriating money; amending Minnesota Statutes 1986, section 135A.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 123.

Referred to the Committee on Education.

Messrs. Merriam and Dahl introduced—

S.F. No. 1095: A bill for an act relating to taxation; clarifying determination of estimated property taxes for settlement with local taxing districts; providing an appeal mechanism; amending Minnesota Statutes 1986, section 276.11.

Referred to the Committee on Taxes and Tax Laws.

Mr. Merriam introduced—

S.F. No. 1096: A bill for an act relating to education; increasing the aid and levy for programs for handicapped adults; appropriating money; amending Minnesota Statutes 1986, sections 121.88, subdivision 7; 124.271, subdivisions 2b and 7; and 275.125, subdivision 8.

Referred to the Committee on Education.

Ms. Peterson, D.C.; Messrs. Marty, Spear, Cohen and Knaak introduced—

S.F. No. 1097: A bill for an act relating to crimes; domestic assault; requiring courts to issue written orders for conditional release; requiring arrest on violation of conditions of release; providing for notice to alleged victims of conditions of release; amending Minnesota Statutes 1986, section 629.72, subdivision 2, and by adding subdivisions.

Referred to the Committee on Judiciary.

Mrs. Lantry introduced—

S.F. No. 1098: A bill for an act relating to human services; defining purpose of aid to families with dependent children; providing case management services to certain clients; defining case management services to include goal-setting, education, and counseling; providing for state share of case management costs; directing employment services at jobs which provide medical coverage; defining suitable employment; establishing priorities for use of child care funds; requiring commissioner to pursue federal waivers; appropriating money; amending Minnesota Statutes 1986, sections 268.85, subdivision 2; 268.86, subdivision 4, and by adding a subdivision; 268.91, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Messrs. Lessard, Merriam and Berg introduced—

S.F. No. 1099: A bill for an act relating to natural resources; waiving indirect cost billings to the federal government and other states and provinces in certain circumstances; amending Minnesota Statutes 1986, section 16A.127, by adding a subdivision.

Referred to the Committee on Finance.

Mr. Moe, D.M. and Mrs. Lantry introduced—

S.F. No. 1100: A bill for an act relating to metropolitan government; regulating participation in a transportation program; providing conditions for incurrence of debt for certain purposes; removing fare restrictions; amending Minnesota Statutes 1986, section 473.388, subdivision 2; 473.39; and 473.446, subdivision 1; repealing Minnesota Statutes 1986, section 473.436, subdivisions 6 and 7; and Laws 1985, First Special Session chapter 10, section 122.

Referred to the Committee on Local and Urban Government.

Mr. Spear and Ms. Peterson, D.C. introduced—

S.F. No. 1101: A bill for an act relating to elections; increasing the size of the board of education of special school district No. 1 of the city of Minneapolis to nine members; providing for six members to be elected by districts; requiring compliance with certain campaign disclosure provisions; amending Minnesota Statutes 1986, sections 383B.041; 383B.042, subdivisions 5 and 9; 383B.053, subdivision 1; and 383B.058; and Laws 1959, chapter 462, section 3, subdivision 1, as amended.

Referred to the Committee on Elections and Ethics.

Mr. Metzen introduced—

S.F. No. 1102: A bill for an act relating to peace officers; peace officers benefit fund; expanding the definition of peace officer to include certain persons employed or authorized to provide emergency medical services; amending Minnesota Statutes 1986, section 176B.01, subdivision 2.

Referred to the Committee on Governmental Operations.

Ms. Peterson, D.C.; Messrs. Hughes and Merriam introduced—

S.F. No. 1103: A bill for an act relating to education; providing for adult basic education programs; creating an advisory task force; establishing a revenue formula; appropriating money; amending Minnesota Statutes 1986, section 275.125, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 124; repealing Minnesota Statutes 1986, section 124.26.

Referred to the Committee on Education.

Messrs. Moe, D.M. and Pogemiller introduced—

S.F. No. 1104: A bill for an act relating to retirement; first class city teachers retirement fund associations; Minneapolis employees retirement fund; clarifying the obligation of the legislative auditor to undertake periodic audits; amending Minnesota Statutes 1986, sections 354A.021, by adding a subdivision; and 422A.06, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Novak, Dahl, Merriam, Dicklich and Benson introduced—

S.F. No. 1105: A bill for an act relating to recreation and natural resources; authorizing grants to local government units for park acquisition and betterment; authorizing dam safety projects; authorizing the acquisition of natural habitat; authorizing acquisition and betterment of units of the outdoor recreation system including, but not limited to, state parks, trails, forests, fishing management lands, wildlife management areas, scientific and natural areas, wild, scenic, and recreational rivers, canoe and boating routes, and public water access; authorizing acquisition and development of amateur athletic training facilities; imposing the sales tax on certain clubs dues; providing for deposit and expenditures of certain sales tax revenues; authorizing the issuance of state bonds; appropriating money; amending Minnesota Statutes 1986, sections 297A.01, subdivision 3; and 297A.44, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Environment and Natural Resources.

Mr. Pehler, Ms. Reichgott and Mr. Morse introduced—

S.F. No. 1106: A bill for an act relating to education; prohibiting private sectarian post-secondary institutions from requiring high school students participating in the post-secondary enrollment options program to sign statements of religious belief; amending Minnesota Statutes 1986, section 123.3514, subdivision 4.

Referred to the Committee on Education.

Mr. Pehler introduced—

S.F. No. 1107: A bill for an act relating to the permanent school fund; requiring the commissioner of administration to acquire certain trust fund lands by condemnation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 92.

Referred to the Committee on Education.

Messrs. Novak, Pogemiller, Mrs. Lantry, Messrs. Purfeerst and Ramstad introduced—

S.F. No. 1108: A bill for an act relating to transportation; providing for standards for special transportation service; requiring standards for special transportation service in the metropolitan area; amending Minnesota Statutes 1986, sections 174.30, subdivisions 1, 2, 4, 6, 7, and by adding subdivisions; 473.386, subdivisions 1, 2, 3, 4, 6, and by adding subdivisions; repealing Minnesota Statutes 1986, section 473.386, subdivision 7.

Referred to the Committee on Transportation.

Mr. Hughes introduced—

S.F. No. 1109: A bill for an act relating to elections; providing for automatic recounts and election contest procedures for congressional races; amending Minnesota Statutes 1986, sections 204C.35, by adding a subdivision; and 209.12.

Referred to the Committee on Elections and Ethics.

Ms. Piper, Mr. Marty, Mrs. Lantry and Mr. Vickerman introduced—

S.F. No. 1110: A bill for an act relating to labor; regulating mediation, fact finding, and other functions of the bureau of mediation services; providing for violations of the labor union democracy act; amending Minnesota Statutes 1986, sections 179.02, subdivision 2, and by adding a subdivision; 179.07; 179.08; 179.083; 179.22; 179.38; proposing coding for new law in Minnesota Statutes, chapter 179; repealing Minnesota Statutes 1986, sections 179.05; 179.23; and 179.24.

Referred to the Committee on Employment.

Messrs. Dicklich; Johnson, D.J.; Moe, R.D.; Samuelson and Lessard introduced—

S.F. No. 1111: A bill for an act relating to economic development; appropriating money to the commissioner of iron range resources and rehabilitation for use in economic development projects and investments; authorizing investment of earnings of the northeast Minnesota economic protective trust in venture capital enterprises; amending Minnesota Statutes 1986, section 298.292.

Referred to the Committee on Economic Development and Housing.

Messrs. Luther; Pehler; Johnson, D.J.; Novak and Merriam introduced—

S.F. No. 1112: A bill for an act relating to athletic and sporting events; creating the Minnesota amateur sports commission and providing its powers and duties; requiring the sponsorship of certain amateur athletic events; authorizing an admission tax; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 240A.

Referred to the Committee on General Legislation and Public Gaming.

Ms. Piper, Mrs. Lantry, Messrs. Brandl, Benson and Ms. Berglin introduced—

S.F. No. 1113: A bill for an act relating to human services; regulating the licensure of programs for the care of children or of adults with certain disabilities; providing penalties; replacing the existing licensure law; proposing coding for new law as Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 1986, sections 245.781; 245.782; 245.783; 245.791; 245.792; 245.801; 245.802; 245.803; 245.804; 245.805; 245.811; 245.812; 245.88; 245.881; 245.882; 245.883; 245.884; and 245.885.

Referred to the Committee on Health and Human Services.

### ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, March 26, 1987. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate