

## TWENTY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, April 1, 1987

The Senate met at 12:00 noon and was called to order by the President.

### CALL OF THE SENATE

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

Prayer was offered by the Chaplain, James D. Habiger.

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

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

The President declared a quorum present.

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

### REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Department of Agriculture, Biennial Report, 1984-86; Department of Human Services, Chemical Dependency Program Division, Federal Alcohol and Drug Abuse Block Grant, Annual Report, 1986; Department of Health, Division of Environmental Health, Regulation of Urea Formaldehyde Containing Building Materials Exempted by Minnesota Law; Housing Finance Agency, Biennial Report, 1986-87; Board of Governors, Big Island Veterans Camp, Annual Report, 1986; Department of Finance, Third Annual Prompt Payment Report, 1987; Regional Transit Board, Work Program and Budget, 1987; Metropolitan Waste Control Commission, Program Budget, 1987; Metropolitan Council, Appendix, Annual Report, 1986; Metropolitan Waste Control Commission, User Charges and Fees; Metropolitan Council, Regional Parks Operation and Maintenance Funds, 1986; Metropolitan Council, Annual Report, 1986; State Board of Investment, External Money

Manager Report, 1986; Higher Education Coordinating Board, Status Report of the Average Cost Funding Task Force, 1986; State Board of Investment, Annual Report, 1986; Department of Human Services, Mental Retardation Division, Minnesota State Plan for Services to Persons with Mental Retardation and Related Conditions, 1987-89; Ethical Practices Board, Annual Report, 1985-86; Department of Finance and Department of Employee Relations, Metropolitan Agencies Study, Budget and Personnel, 1987; Departments of Natural Resources, Revenue and Transportation, Computation of Fuel Use by Recreational Watercraft in Minnesota, 1987; Department of Administration, Preference Program; Board of Electricity, Annual Report; Universities and Community Colleges, Planning Report; State Board of Investment, Prospectus for Supplemental Retirement Investment Fund; Department of Natural Resources, Acquisition of Private Dams; Minnesota Zoological Garden, Annual Report, 1986; Department of Agriculture, Weather Modification Activities Report, 1986; Legislative Commission to Review Administrative Rules, Biennial Report, 1985-86; Department of Corrections, Biennial Report, 1985-86; Department of Agriculture, Soil and Water Conservation Board, Public Drainage Ditch Systems, 1987; Department of Health, Maternal and Child Health Services Block Grant, 1987; Department of Public Safety, Emergency Response Plan for High-Level Radioactive Waste Transportation Accidents/Incidents, 1987; Department of Human Services, Community Work Experience Program, 1987; Metropolitan Council, Abatement Fund Expenditure Report, 1987; Crime Victims Reparations Board, Eleventh Annual Report, 1986; Crime Victims Ombudsman, First Annual Report, 1986; Crime Victims/Witness Advisory Council, First Annual Report, 1986; Program for Victims of Sexual Assault, Biennial Report, 1985-86; Minnesota Racing Commission, Annual Report, 1986; Commissioner of Revenue, Tax Expenditure Budget for the State of Minnesota, 1986-89; Public Employees Retirement Association, Comprehensive Annual Financial Report, 1986; Department of Human Services, Supplemental Aid Program, 1986; State Auditor, Trends in Local Government Finance and Fiscal Stress in Minnesota, 1982-85; Private Detective and Protective Agent Services Board, Biennial Report, 1984-86; Metropolitan Airports Commission, Affirmative Action Report, 1986; Department of Labor and Industry, Prevailing Wage Certifications, 1987; Department of Revenue, Biennial Report, 1985-86; Department of Natural Resources, Division of Minerals, Mine Fencing Report, 1987; Department of Agriculture, Agricultural Land Preservation Program Status Report, 1987.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 137, 529, 653 and 306.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1987

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the con-

currence of the Senate is respectfully requested:

S.F. No. 279: A bill for an act relating to the city of Brook Park; raising the city debt limit.

Senate File No. 279 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1987

### CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S.F. No. 279 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 279 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 499: A bill for an act relating to real property; providing for prima facie effect of certain statements in an acknowledgment; authorizing owners to create tenancies in common by direct conveyances to themselves and others; permitting the severance of joint tenancies by direct conveyances between spouses; providing for time limits upon actions relating to certain estates in real property; providing for the discharge of prior judgments against bankrupt debtors; providing for validation of certain conveyances executed by religious corporations; amending Minnesota Statutes 1986, sections 500.19, subdivision 4; 519.06; 519.09; and 519.101; Laws 1971, chapter 26; proposing coding for new law in Minnesota Statutes, chapters 358 and 548; repealing Minnesota Statutes 1986, section 548.18.

Senate File No. 499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1987

### CONCURRENCE AND REPASSAGE

Mr. Jude moved that the Senate concur in the amendments by the House to S.F. No. 499 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 499 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 38: A bill for an act relating to alcoholic beverages; permitting certain transactions by brewers and wholesalers; authorizing cities to issue temporary off-sale licenses for the sale of vintage wine at auctions; amending Minnesota Statutes 1986, sections 340A.308; and 340A.405, by adding a subdivision.

Senate File No. 38 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1987

Mr. Spear moved that the Senate do not concur in the amendments by the House to S.F. No. 38, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 117: A bill for an act relating to liquor; authorizing St. Louis county to issue one off-sale liquor license.

Senate File No. 117 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1987

### CONCURRENCE AND REPASSAGE

Mr. Dicklich moved that the Senate concur in the amendments by the House to S.F. No. 117 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 117: A bill for an act relating to liquor; authorizing St. Louis county to issue off-sale liquor licenses.

Was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 245: A bill for an act relating to intoxicating liquor; authorizing the city of Moorhead to issue an on-sale intoxicating liquor license to the Red River Valley Center-Hjemkomst Heritage Interpretive Center.

Senate File No. 245 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1987

### CONCURRENCE AND REPASSAGE

Mr. Langseth moved that the Senate concur in the amendments by the House to S.F. No. 245 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 245 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 721, 735, 294, 342, 660, 257, 286, 854, 354, 554, 653 and 737.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1987

### FIRST READING OF HOUSE BILLS

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

H.F. No. 721: A bill for an act relating to human services; providing for the recovery of medical assistance overpayments; amending Minnesota Statutes 1986, section 256B.0641, by adding a subdivision.

Referred to the Committee on Finance.

H.F. No. 735: A bill for an act relating to liquor; removing a restriction on issuance of off-sale licenses in Kanabec county; amending Minnesota Statutes 1986, section 340A.405, subdivision 2.

Referred to the Committee on Commerce.

H.F. No. 294: A bill for an act relating to intoxicating liquor; authorizing

counties to issue temporary on-sale licenses; amending Minnesota Statutes 1986, section 340A.404, subdivision 10.

Referred to the Committee on Commerce.

H.F. No. 342: A bill for an act relating to insurance; providing for premium reductions for automobile insurance for senior insureds who complete an approved accident prevention course; lowering the minimum age of eligibility; amending Minnesota Statutes 1986, section 65B.28.

Referred to the Committee on Commerce.

H.F. No. 660: A bill for an act relating to government data practices; providing an exception to the nondisclosure of welfare data to law enforcement officers in certain cases; amending Minnesota Statutes 1986, section 13.46, subdivision 2.

Referred to the Committee on Judiciary.

H.F. No. 257: A bill for an act relating to state government; requiring the board of investments to adopt an investment policy; authorizing certain investments by the board of investments; providing that certain state employees who are eligible to retire are eligible for state-paid insurance benefits; modifying definition of terms and conditions of employment for public employees; amending Minnesota Statutes 1986, sections 11A.04; 11A.24, subdivisions 2, 4, 5, and 6; 11A.25; 43A.24, subdivision 2; and 179A.03, subdivision 19.

Referred to the Committee on Governmental Operations.

H.F. No. 286: A bill for an act relating to witnesses; removing the presumption against the competency of certain witnesses; amending Minnesota Statutes 1986, section 595.02, subdivision 1.

Referred to the Committee on Judiciary.

H.F. No. 854: A bill for an act relating to judgments; clarifying the procedure and cost for filing foreign judgments; clarifying the procedure to be used in securing a judgment and execution; amending Minnesota Statutes 1986, sections 548.27; 548.30; 549.09; and 550.04.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 448, now on General Orders.

H.F. No. 354: A bill for an act relating to state government; providing for a job class entitled chiropractor in the state civil service; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations.

H.F. No. 554: A bill for an act relating to natural resources; changing certain provisions relating to state park motor vehicle permits; amending Minnesota Statutes 1986, section 85.05, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 450, now on General Orders.

H.F. No. 653: A bill for an act relating to wild animals; use of lights in taking or in tending traps; length of otter season; setting traps near water; amending Minnesota Statutes 1986, sections 97B.081; 97B.921; 97B.931; and 97B.945.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 737: A resolution memorializing the President and Congress to prevent from taking effect the proposed Internal Revenue Service regulations that limit the lobbying activities by nonprofit organizations.

Referred to the Committee on Elections and Ethics.

### REPORTS OF COMMITTEES

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

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

S.F. No. 997: A bill for an act relating to the city of Sabin; providing for apportionment of debt service levy in rural and urban service districts in the city; permitting inclusion of platted land in a rural service district in the city.

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. 782: A bill for an act relating to St. Louis county; providing for a clerk in the unclassified civil service; amending Minnesota Statutes 1986, section 383C.035.

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

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

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.

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 410.05, is amended by adding a subdivision to read:

*Subd. 5. [DISCHARGE.] If the charter commission of a statutory city determines that a charter is not necessary or desirable, the commission may be discharged by a vote of three-fourths of its members. Another commission may not be formed sooner than one year from the date of discharge."*

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



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

S.F. No. 407: A bill for an act relating to food licenses; regulating certain vending machine inspection fees; amending Minnesota Statutes 1986, section 28A.09, subdivision 1.

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

Page 1, line 11, strike "at least" and before the comma, insert "*except nut vending machines which are subject to an annual state inspection fee of \$5 for each machine*"

Page 2, line 1, strike "a reasonable" and insert "an"

Page 2, lines 2 and 4, after "fee" insert "*of no more than the state inspection fee for nonexempt machines*"

Page 2, line 3, strike "a reasonable" and insert "an"

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. 904: A bill for an act relating to the metropolitan government; authorizing municipalities in the metropolitan area to adopt ordinances related to aircraft noise; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Page 1, line 14, after the period, insert "*“Municipality” means a statutory or home rule charter city.*"

Page 1, line 20, before the period, insert "*in and around the noise zone*"

Pages 1 and 2, delete subdivision 4

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. 711: A bill for an act relating to Koochiching county; permitting the county to establish a bidstead development authority.

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

Delete everything after the enacting clause and insert:

"Section 1. [BIDSTEAD DEVELOPMENT AUTHORITY.]

*Subdivision 1. [AUTHORITY.] A public body corporate and politic may be created by the Koochiching county board, having all of the powers and duties of an economic development authority under Minnesota Statutes, sections 458C.01 to 458C.23, except as otherwise provided in this act and the powers and duties to operate the bidstead program. For the purposes*

of applying sections 458C.01 to 458C.23, the authority has all the powers and duties of a city and the commissioners of the authority have all the powers and duties of a city council, except as otherwise provided in this act. The authority may exercise all of the powers of the economic development authority act, including those contained in section 458C.14, within or without an economic development district.

The powers and duties of the authority may not be exercised until the Koochiching county board of commissioners passes a resolution establishing the authority. The resolution shall require the affirmative vote of three county board members.

Subd. 2. [AREA OF OPERATION.] The area of operation shall include all of Koochiching county. The city council of any city within Koochiching county must approve the use of any parcel within the city before the parcel is available to the authority for the purposes defined in this act.

Subd. 3. [MEMBERSHIP] The authority shall consist of five commissioners who shall be members of the county board of commissioners. The county board may set the terms of the commissioners to coincide with their terms of office as members of the county board.

## Sec. 2. [PURPOSE; PROGRAM.]

Subdivision 1. [PURPOSE; PROGRAM.] The legislature finds problems of declining population and depressed economic conditions exist in Koochiching county caused by the steady decline in jobs relating to farming and logging. These problems have impaired the value of private investments in the county and threaten sources of public revenue, causing underutilization of schools, other public facilities and land located in existing service corridors. It is found that these factors are injurious to the stability, health, safety and welfare of the residents of the county.

It is, therefore, in the public interest to establish a public program to encourage the homesteading of land serviced by existing public services and facilities, to encourage people with transferable livelihoods to establish residences within the county, to stabilize or increase the tax base, increase employment opportunities, alleviate problems of economic depression and declining population, and assure the stability of the community and the availability of governmental services and facilities.

It is hereby declared that the activities necessary to implement the public program to be known as the bidstead program, which activities cannot be accomplished by private enterprise alone, constitutes a public purpose.

Subd. 2. [PROGRAM.] The Koochiching bidstead program is a program to exchange parcels of land held by the authority, not to exceed 40 acres a parcel, for a commitment of a person or persons to build a home, sustain a livelihood, pay property taxes, and remain on the parcel for ten consecutive years. At the end of the ten-year period, a warranty deed shall be issued to the bidsteader upon the completion of specified covenants. The county will receive, in return, stabilization of the tax base, economic revitalization, and fuller utilization of existing services and infrastructure.

## Sec. 3. [BIDSTEAD POWERS AND PROCEDURES.]

Subdivision 1. [MARKETING; CONVEYANCE.] The authority may advertise and market the bidstead program and convey and receive public lands from other political subdivisions.

*Subd. 2. [GUIDELINES.] The authority shall promulgate guidelines for the bidstead program. The authority shall take into consideration such factors as highest and best use of the land, the number of jobs to be created, veteran status, and other factors in determining the allotment of land parcels.*

*Subd. 3. [ADVISORY COMMITTEE.] The commissioners of the authority may establish an advisory committee. The committee membership shall be geographically representative of the county. The committee shall advise the authority on the operation of the bidstead program.*

**Sec. 4. [EFFECTIVE DATE.]**

*This act takes effect the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the Koochiching county board."*

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

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

S.F. No. 804: A bill for an act relating to the University of Minnesota; appropriating money to develop and study health care delivery systems for dairy herds.

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

Page 1, line 9, delete "\$200,000" and insert "\$\_\_\_\_\_" and delete everything after "fund"

Page 1, line 10, delete everything before "to" and insert "in the fiscal years indicated"

Page 1, line 11, delete "and" and insert "or"

Page 1, after line 15, insert:

"1988	1989
\$_____	\$_____"

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

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

S.F. No. 336: A bill for an act relating to agriculture; changing the shade tree disease control program; imposing certain penalties; eliminating certain audit requirements and an insurance limitation; changing the cooperative associations law; amending Minnesota Statutes 1986, sections 18.023, subdivisions 1, 1a, and 9; 28A.08; 40.071; 308.58, subdivision 2; 308.62; 308.77; 308.83; and 308.85; repealing Minnesota Statutes 1986, sections 38.02, subdivision 2; 38.13; 308.71; 308.82; 308.84; and 308.901 to 308.92.

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

Page 2, line 8, delete "biotic-caused or abiotic-caused"

Page 2, line 9, delete "state's shade tree population" and insert "growth and life of shade trees"

Pages 2 and 3, delete sections 2 and 3

Page 3, line 21, strike "The fees for licenses and the" and insert "*License fees,*"

Page 3, line 22, after "licenses" insert a comma and after "and" insert "*penalties*"

Page 3, line 23, after "*handling*" insert "*that are*"

Page 3, line 30, delete "*or a designated representative*"

Page 8, line 35, delete everything after the first comma and insert "*section 18.023, subdivision 1a, is repealed.*"

Page 8, delete line 36

Page 9, delete line 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "subdivisions" and insert "subdivision" and delete ", 1a, and 9"

Page 1, delete lines 10 and 11 and insert "section 18.023, subdivision 1a."

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

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

S.F. No. 704: A bill for an act relating to administrative procedure; defining certain terms; requiring agencies to solicit outside information before publishing proposed rules; limiting instances in which agencies are required to consider the impact of proposed rules on small businesses; providing for regulatory analyses of proposed rules in certain instances; empowering agencies to adopt emergency rules in certain circumstances; providing a procedure for the commissioner of human services to adopt rules required by federal directive; abolishing the power of the legislative commission for review of administrative rules to suspend rules; requiring the commission to review exemptions from the administrative procedure act; permitting the commission to review federally mandated rules; amending Minnesota Statutes 1986, sections 14.02; 14.05, subdivisions 2 and 4; 14.07, subdivision 2; 14.08; 14.10; 14.115, subdivision 7, and by adding a subdivision; 14.131; 14.15, subdivision 3; 14.23; 14.26; 14.29; 14.30; 14.31; 14.32, subdivision 1; 14.33; 14.35; 14.36; 14.365; 14.37, subdivision 1; 14.40; 14.57; and 14.62, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 1986, sections 14.115, subdivision 1; 14.42; and 14.43.

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

Pages 4 and 5, delete section 5

Page 5, line 9, reinstate the stricken "or" and delete the first comma and delete ", or 14.366"

Page 5, lines 12 and 13, reinstate the stricken language and delete the

new language

Pages 6 and 7, delete section 9

Pages 11 and 12, delete section 15 and insert:

"Sec. 13. Minnesota Statutes 1986, section 14.29, subdivision 1, is amended to read:

Subdivision 1. When an agency is directed by statute, federal law, *regulation, or other directive*, or court order to adopt, amend, suspend, or repeal a rule in a manner that does not allow for compliance with sections 14.14 to 14.28, or if an agency is expressly required or authorized by statute to adopt emergency rules, the agency shall adopt emergency rules in accordance with sections 14.29 to 14.36."

Page 12, lines 35 and 36, delete "OR TEMPORARY"

Page 13, line 1, delete "or"

Page 13, line 2, delete "temporary"

Page 13, lines 3, 9, 18, and 26, delete "or temporary"

Page 13, line 11, delete "For emergency rules."

Page 13, line 24, delete "OR TEMPORARY"

Pages 13 to 15, delete sections 18 to 21

Pages 16 to 18, delete section 23

Page 19, line 27, delete "By January 1 of each year."

Page 19, line 28, delete everything after "the" and insert "rulemaking provisions of chapter 14. The commission shall report the results of its review to the appropriate policy committees in the house and senate. The report may include any recommendations for action the commission considers appropriate."

Page 19, delete lines 29 to 36

Page 20, delete lines 1 to 12

Page 20, line 13, delete "(d)" and insert "(c)"

Page 20, line 22, delete "(e) By an affirmative vote of at least six members," and insert "(d)"

Page 20, lines 24 to 32, reinstate the stricken language and delete the new language

Page 20, line 34, delete "(f)" and insert "(e)"

Page 21, delete section 26 and insert:

"Sec. 19. [14.561] [LIMITATION OF CONTESTED CASE ACTIONS.]

*A contested case action may not be brought under a rule or statute if a civil action in court under the rule or statute is barred by a statute of limitations. This section does not apply to a contested case action relating to the granting, suspension, or revocation of a license.*"

Page 21, after line 19, insert:

"Sec. 21. [541.011] [APPLICATION TO ADMINISTRATIVE ACTIONS.]

*The limitation periods in this chapter apply whether the action is brought*

*in court or before an administrative agency. This chapter does not apply to an administrative action relating to the granting, suspension, or revocation of a license."*

Page 21, line 21, delete "sections" and insert "section" and delete the semicolon and insert ", is repealed."

Page 21, delete line 22

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete everything after the semicolon

Page 1, delete lines 10 to 12

Page 1, line 13, delete everything before "the" and insert "authorizing"

Page 1, line 14, before "commission" insert "legislative" and after "commission" insert "for review of administrative rules"

Page 1, line 15, delete everything after the semicolon

Page 1, delete line 16

Page 1, line 18, delete "14.07, subdivision 2;"

Page 1, line 19, delete "subdivision 7, and"

Page 1, line 21, after "14.29" insert ", subdivision 1" and delete "14.32, subdivision 1;"

Page 1, line 22, delete everything before "14.365;"

Page 1, line 23, delete "14.57;"

Page 1, line 25, delete "chapter" and insert "chapters" and after "14" insert "and 541"

Page 1, line 26, delete "sections" and insert "section" and delete "; 14.42; and 14.43"

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. 925: A bill for an act relating to Ramsey county; authorizing the issuance of bonds for capital improvements and an annual levy for capital improvements and debt retirement; proposing coding for new law in Minnesota Statutes, chapter 383A.

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. 773: A bill for an act relating to Dakota county; authorizing the issuance of bonds for capital improvements and an annual levy for capital improvements and debt retirement.

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. 623: A bill for an act relating to Hennepin county; authorizing the issuance of bonds for capital improvements and an annual levy for debt retirement; proposing coding for new law in Minnesota Statutes, chapter 383B.

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. 748: A bill for an act relating to local improvements; authorizing the levy of special assessments for highway sound barriers; amending Minnesota Statutes 1986, sections 429.011, by adding a subdivision; and 429.021, subdivision 1.

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. 725: A bill for an act relating to local government; removing limitations on tax adjustments related to annexations; amending Minnesota Statutes 1986, section 414.035.

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

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

S.F. No. 225: A bill for an act relating to towns; providing for powers of town boards and board members; providing for elections; providing conditions for ownership of town cemetery lots; amending Minnesota Statutes 1986, sections 365.10; 365.27; 365.37; 365.51; 367.03; 471.705, by adding a subdivision; and 471.96.

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

Page 3, line 23, delete "power" and insert "authority" and before the colon, insert "*a specific activity that is within any of the following categories*"

Page 3, line 31, delete the comma and insert a period

Page 3, line 32, before "by" insert "*Authority under clause (17) may be exercised*"

Page 5, line 22, strike "selecting town"

Page 5, line 23, strike "officers or of"

Page 5, after line 26, insert:

"Sec. 5. Minnesota Statutes 1986, section 366.01, is amended by adding

a subdivision to read:

*Subd. 11. [OPEN MEETING LAW; EXEMPTION.] Except for the notice requirements, section 471.705 does not apply to gathering of town board members to perform on-site inspections, if the town has no employees or other staff able to perform the inspections and the town board is acting essentially in a staff capacity."*

Page 7, delete section 6 and insert:

"Sec. 7. Minnesota Statutes 1986, section 367.33, subdivision 1, is amended to read:

Subdivision 1. [ELECTION AT ANNUAL MEETING ELECTION OR SPECIAL ELECTION.] Following the adoption of option A in a town, except a town exercising the powers of a statutory city, the town board may call a special town election to be held not less than 30 days nor more than 60 days after the annual town meeting at which the option is adopted, for the purpose of electing two additional members to the board of supervisors. In lieu of calling a special election, the town board may determine to elect the additional two members of the town board at the next annual town ~~meeting~~ election. If the town is exercising the powers of a statutory city pursuant to section 368.01 or pursuant to a special law granting substantially similar powers, the town board shall call a special election to be held not less than 30 days nor more than 60 days after the annual meeting at which option A is adopted for the purpose of electing the two additional supervisors.

Sec. 8. Minnesota Statutes 1986, section 367.33, subdivision 4, is amended to read:

Subd. 4. [TERMS.] If the additional supervisors are elected at a special election, they shall serve only until the next annual town ~~meeting~~ election, at which the additional members shall stand for election, one for a term of two years and one for a term of three years. The candidate receiving the highest number of votes shall be elected for the longer term. If the additional supervisors are elected at an annual ~~meeting~~ election, one shall serve for a term of two years and the other for a term of three years with the candidate receiving the highest number of votes being elected for the longer term.

Sec. 9. Minnesota Statutes 1986, section 367.33, subdivision 5, is amended to read:

Subd. 5. [ABANDONMENT OF OPTION A.] In a town in which option A is abandoned, the terms of incumbent supervisors shall not be affected, but if one or more supervisors are to be elected at the annual town election held on the same day as the annual town meeting at which the option is abandoned, the election of one supervisor, or two if there be more than one elected, shall be considered null. Otherwise the offices of the two incumbent supervisors expiring at the annual ~~meeting~~ town election or ~~meetings~~ elections next following the annual meeting at which the option is abandoned shall not be filled. Thereafter the town board shall be composed of three supervisors unless option A is again adopted in that town."

Page 7, after line 26, insert:

"Sec. 11. [REPEALER.]

*Minnesota Statutes 1986, section 365.06, is repealed."*

Renumber the sections in sequence



Amend the title as follows:

Page 1, line 6, after "365.51;" insert "366.01, by adding a subdivision;" and delete "471.705, by adding a" and insert "367.33, subdivisions 1, 4, and 5;"

Page 1, line 7, delete "subdivision;" and before the period, insert "; repealing Minnesota Statutes 1986, section 365.06"

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

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

S.F. No. 918: A bill for an act relating to port authorities; appropriating money for the Seaway port authority of Duluth.

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

Page 1, delete lines 7 to 11 and insert:

*"\$4,200,000 is appropriated from the state building fund to the commissioner of energy and economic development to pay a grant to the Seaway port authority of Duluth. Of this appropriation, \$3,000,000 is to buy two mobile crawler cranes and \$1,200,000 is to improve berths 5 and 6.*

*To provide the money appropriated in this act from the state building fund, the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$4,200,000 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."*

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

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

S.F. No. 778: A bill for an act relating to employment; allowing commissioner of jobs and training to contract with service providers to deliver wage subsidies; requiring that 90 percent of wage subsidy money be allocated to priority groups; allowing eligible local service units to retain 75 percent of money repaid by employers receiving wage subsidies; appropriating money; amending Minnesota Statutes 1986, sections 268.673, subdivision 5, and by adding a subdivision; 268.676, subdivision 1; 268.678, subdivision 4; and 268.681, subdivision 3.

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 268.673, is amended by adding a subdivision to read:

*Subd. 4a. [CONTRACTS WITH SERVICE PROVIDERS.] The commissioner shall contract directly with a certified local service provider to deliver wage subsidies if (1) each county served by the provider agrees to*

*the contract and knows the amount of wage subsidy money allocated to the county under section 268.6751, and (2) the provider agrees to meet regularly with each county being served.*

Sec. 2. Minnesota Statutes 1986, section 268.673, subdivision 5, is amended to read:

Subd. 5. [REPORT.] Each ~~eligible local service unit~~ *entity delivering wage subsidies* shall report to the commissioner and the coordinator on a quarterly basis: (1) the number of persons ~~employed placed in private sector jobs, in temporary public sector jobs, or in other services;~~ (2) the number and type of employers *employing persons* under the program; (3) the amount of money spent in each eligible local service unit for wages for each type of employment and each type of other expense; (4) the ~~number~~ *age, gender, priority group status, race, educational status, and work experience of persons who have completed participation each person in the program and their current employment, educational, or training status;* (5) *the amount of wages received by persons while in the program and 60 days after completing the program;* (6) *the types of employment and the wages received by persons eligible to receive public assistance;* and ~~(5)~~ (7) any other information requested by the commissioner or the coordinator. Each report must include cumulative information, as well as information for each quarter.

*Data collected on individuals under this subdivision are private data on individuals as defined in section 13.02, subdivision 12, except that summary data may be provided under section 13.05, subdivision 7.*

Sec. 3. Minnesota Statutes 1986, section 268.6751, subdivision 1, is amended to read:

Subdivision 1. [WAGE SUBSIDIES.] Wage subsidy money must be allocated to eligible local service units in the following manner:

(a) The commissioner shall allocate ~~70~~ 85 percent of the funds available for allocation to eligible local service units for wage subsidy programs as follows: the proportion of the wage subsidy money available to each eligible local service unit must be based on the number of unemployed persons in the eligible local service unit for the most recent six-month period and the number of work readiness assistance cases and aid to families with dependent children cases in the eligible local service unit for the most recent six-month period.

(b) ~~Thirty~~ Fifteen percent of the money available for wage subsidy programs must be allocated at the direction and discretion of the coordinator. The commissioner shall distribute the discretionary portion of wage subsidy appropriations at the request of the coordinator. ~~For the biennium ending June 30, 1987, up to 25 percent of the discretionary portion of the wage subsidy appropriation may be used to support the office of full productivity and opportunity and the development of an intake, referral, and inventory system. In allocating the remaining discretionary portion of the wage subsidy appropriation, the coordinator shall give priority to eligible local service units that have:~~

(1) high numbers of farmers who can demonstrate severe household financial need;

(2) demonstrated success in placing public assistance applicants in private sector jobs;

(3) demonstrated need beyond the allocation distributed under paragraph (a);

(4) maximized use of money through coordination with other programs and state, local, and federal agencies, and through the use of matching money from private and nonprofit sources;

(5) demonstrated need to provide special assistance in order to serve unemployed persons who incur unusual costs such as necessary relocation expenses; or

(6) areas with high unemployment rates.

Sec. 4. Minnesota Statutes 1986, section 268.676, subdivision 1, is amended to read:

Subdivision 1. [AMONG JOB APPLICANTS.] ~~Allocation~~ *Eighty percent of funds allocated among eligible job applicants within an eligible local service unit shall give priority must be allocated to:*

(1) applicants living in households with no other income source;

(2) applicants whose incomes and resources are less than the standards for eligibility for general assistance;

(3) applicants who are eligible for aid to families with dependent children; and

(4) applicants who live in a farm household who demonstrate severe household financial need.

*An eligible local service unit has discretion in allocating the remaining 20 percent of funds among eligible job applicants.*

Sec. 5. Minnesota Statutes 1986, section 268.676, subdivision 2, is amended to read:

Subd. 2. [AMONG EMPLOYERS.] Allocation of funds among eligible employers within an eligible local service unit shall give priority to funding private sector jobs to the extent that eligible businesses apply for funds. If possible, no more than 25 percent of the statewide funds available for wages may be allocated for temporary jobs with eligible government and nonprofit agencies and for temporary community investment program jobs with eligible government agencies during the biennium.

Sec. 6. Minnesota Statutes 1986, section 268.677, subdivision 1, is amended to read:

Subdivision 1. To the extent allowable under federal and state law, wage subsidy money must be pooled and used in combination with money from other employment and training services or income maintenance and support services. At least 75 percent of the money appropriated for wage subsidies must be used to pay wages for eligible job applicants. For each eligible job applicant employed, the maximum state contribution from any combination of public assistance grant diversion and employment and training services governed under this chapter, including wage subsidies, is \$4 per hour for wages and \$1 per hour for fringe benefits. ~~In addition, The use of wage subsidies are is limited as follows:~~

(a) For each eligible job applicant placed in private or nonprofit employment, the state may subsidize wages for a maximum of 1,040 hours over a period of 26 weeks. Employers are encouraged to use money from

other sources to provide increased wages to applicants they employ.

(b) For each eligible job applicant participating in a job training program and placed in private sector employment, the state may subsidize wages for a maximum of 1,040 hours over a period of 52 weeks.

(c) For each eligible job applicant placed in a community investment program *job*, the state may provide wage subsidies for a maximum of 780 hours over a maximum of 26 weeks. For an individual placed in a community investment program *job*, the county share of the wage subsidy shall be 25 percent. Counties may use money from sources other than public assistance and wage subsidies, including private grants, contributions from nonprofit corporations and other units of government, and other state money, to increase the wages or hours of persons employed in community investment programs.

(d) Notwithstanding the limitations of paragraphs (a) and (b), money may be used to provide a state contribution for wages and fringe benefits in private sector jobs for eligible applicants who had previously held temporary jobs with eligible government and nonprofit agencies or who had previously held community investment program jobs for which a state contribution had been made, and who are among the priority groups established in section 268.676, subdivision 1. The use of money under this paragraph shall be for a maximum of 1,040 hours over a maximum period of 26 weeks per job applicant.

Sec. 7. Minnesota Statutes 1986, section 268.678, subdivision 4, is amended to read:

Subd. 4. [CONTRACTS.] Each eligible local service unit *that has not agreed to a contract under section 1*, may enter into contracts with certified service providers to deliver wage subsidies.

Sec. 8. Minnesota Statutes 1986, section 268.681, subdivision 2, is amended to read:

Subd. 2. [PRIORITIES.] In allocating funds among eligible businesses, the eligible local service unit or its contractor shall give priority to businesses which best satisfy the following criteria:

- (a) have a high potential for growth and long-term job creation;
- (b) are labor intensive;
- (c) meet the definition of a small business as defined in section 645.445;
- (d) make high use of local and Minnesota resources;
- (e) are under ownership of women and minorities;
- (f) make high use of new technology;
- (g) produce energy conserving materials or services or are involved in development of renewable sources of energy; ~~and~~
- (h) have their primary place of business in Minnesota;
- (i) export products outside of the state; and
- (j) are manufacturers.

Sec. 9. Minnesota Statutes 1986, section 268.681, subdivision 3, is amended to read:

Subd. 3. [PAYBACK.] A business receiving wage subsidies shall repay 70 percent of the amount initially received for each eligible job applicant employed, if the employee does not continue in the employment of the business beyond the six-month subsidized period. If the employee continues in the employment of the business for one year or longer after the six-month subsidized period, the business need not repay any of the funds received for that employee's wages. If the employee continues in the employment of the business for a period of less than one year after the expiration of the six-month subsidized period, the business shall receive a proportional reduction in the amount it must repay. If an employer dismisses an employee for good cause and works in good faith with the eligible local service unit or its contractor to employ and train another person referred by the eligible local service unit or its contractor, the payback formula shall apply as if the original person had continued in employment.

A repayment schedule shall be negotiated and agreed to by the eligible local service unit and the business prior to the disbursement of the funds and is subject to renegotiation. The eligible local service unit shall forward 25 percent of the payments received under this subdivision to the commissioner on a monthly basis and shall retain the remaining 75 percent for local program expenditures under section 268.677. The commissioner shall deposit these payments in the Minnesota wage subsidy account created by subdivision 4.

Sec. 10. [APPROPRIATION.]

*\$40,000,000 is appropriated to the commissioner of jobs and training for the Minnesota employment and economic development wage subsidy program."*

Amend the title as follows:

Page 1, line 4, delete "90" and insert "85"

Page 1, delete lines 10 and 11 and insert "adding a subdivision; 268.6751, subdivision 1; 268.676, subdivisions 1 and 2; 268.677, subdivision 1; 268.678, subdivision 4; and 268.681, subdivisions 2 and 3."

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

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

S.F. No. 654: A bill for an act relating to housing; creating advisory task force in the state pollution control agency to study and advise on moisture and air quality problems in single-family homes; requiring reports; appropriating money.

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

Page 2, after line 8, insert:

*"(6) an employee of the department of health, appointed by the commissioner of health;"*

Renumber the clauses in sequence

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

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 24: A bill for an act relating to independent school district No. 763; permitting the district to mail certain information instead of publishing it.

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 123.33, is amended by adding a subdivision to read:

*Subd. 11a. [MAILING OF PROCEEDINGS.] If a school board of a district that has no newspaper with its known office of issue or a secondary office located within the boundaries of the district, and no newspaper that is distributed to more than one-third of the residences in the district, determines that mailing a summary of its proceedings would be more economical than publication of the proceedings and that it would adequately inform the public, it may mail a summary of its proceedings to each residence in the district that can be identified as a homestead from the property tax records and to each other residence in the district that the board can identify. The county shall make the property tax records available to the board for this purpose. The board shall keep a copy of the summary of the proceedings as part of its records. The decision of a school board to mail summaries, rather than publish the proceedings under this subdivision, shall be presumed valid, subject to challenge by a court action."*

Delete the title and insert:

"A bill for an act relating to education; allowing certain districts to mail summaries of the school board proceedings rather than publish them; amending Minnesota Statutes 1986, section 123.33, by adding a subdivision."

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

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 344: A bill for an act relating to education; increasing the mill levy for secondary vocational education in certain intermediate school districts; recognizing in the statutes that districts 12 and 16 of Anoka county are members of district 916; amending Minnesota Statutes 1986, section 136D.71; 136D.74, subdivision 2; and 136D.87.

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

Page 1, line 17, after "832" insert ", 833,"

Page 3, line 30, delete "APPLICATION, NO"

Page 3, line 33, delete "without local approval under" and insert "the day after compliance with" and delete "645.023" and insert "645.021, subdivision 3"

Page 3, line 35, delete "without local" and insert "the day after compliance with"

Page 3, line 36, delete "approval under" and delete "645.023" and

insert "645.021, subdivision 3"

Amend the title as follows:

Page 1, line 3, delete "certain"

Page 1, line 4, after "districts" insert "916 and 917"

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

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 235: A bill for an act relating to missing children; requiring schools to develop policies on notifying parents whose children are absent from school; requiring that certain documents be provided to schools when new students enroll; proposing coding for new law in Minnesota Statutes, chapter 123.

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

Delete everything after the enacting clause and insert:

"Section 1. [123.751] [NOTIFICATION TO PARENTS REGARDING ABSENT OR TARDY PUPILS.]

*A school district must adopt a policy requiring notification of a pupil's parent or other person with whom a pupil resides when the pupil, without permission of the pupil's parent or person with whom the pupil resides, is late for or absent from school for two consecutive days. A district may provide more frequent notification.*

Sec. 2. [123.752] [DOCUMENTS REQUIRED FOR SCHOOL ADMISSION.]

*At the time a pupil initially enrolls in a public school district or nonpublic school, the person in charge of the school shall request the parent or guardian to provide a copy of the pupil's birth certificate and a copy of the pupil's school record from the school the pupil most recently attended. If copies of these documents are not provided within four weeks after the request, the person in charge of the school must inform the local law enforcement agency that the pupil's parent or guardian has failed to present the required documents and that the pupil may be a missing child. The law enforcement agency shall proceed according to section 299C.53, subdivision 1."*

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. 474: A bill for an act relating to motor vehicles; allowing tax-exempt license plates for vehicles owned by nonprofit charities and used for educational purposes; amending Minnesota Statutes 1986, section 168.012, subdivision 1.

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

Page 1, delete lines 11 to 21 and insert:

*"Subdivision 1. (a) The following vehicles are exempt from the provisions of this chapter requiring payment of tax and registration fees, except as provided in subdivision 1c:*

*(1) vehicles owned and used solely in the transaction of official business by representatives of foreign powers, by the federal government, the state, or any political subdivision thereof; or;*

*(2) vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from such institutions; or;*

*(3) vehicles owned by nonprofit charities and used exclusively to transport handicapped persons for educational purposes;*

*(4) vehicles owned or leased by nonpublic schools approved by the commissioner of public safety and used exclusively in driver's education programs; and*

*(5) vehicles owned and used by honorary consul or consul general of foreign governments shall be exempt from the provision of this chapter requiring payment of tax or registration fees, except as provided in subdivision 1e."*

Page 1, line 22, before "Vehicles" insert "(b)"

Page 1, line 26, before "Unmarked" insert "(c)"

Page 2, line 16, before "All" insert "(d)"

Page 2, line 19, delete the paragraph coding

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. 888: A bill for an act relating to the city of Melrose; regulating the stopping of school buses at certain railroad grade crossings.

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

Mr. Bertram from the Committee on Veterans, to which was referred

H.F. No. 424: A bill for an act relating to the military; authorizing the adjutant general to delegate certain duties to subordinates; amending Minnesota Statutes 1986, section 190.16, by adding a subdivision.

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

Mr. Bertram from the Committee on Veterans, to which was referred

S.F. No. 721: A bill for an act relating to veterans; requiring the placement of a plaque on the Capitol grounds recognizing certain prisoners of war and soldiers missing in action.

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



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

S.F. No. 508: A bill for an act relating to hazardous waste; requiring a license for the transportation of hazardous waste; providing for license administration, suspension, and revocation; requiring rulemaking; providing penalties; amending Minnesota Statutes 1986, sections 221.011, subdivision 31; 221.033, by adding a subdivision; 221.291, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 221.

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

Delete everything after the enacting clause and insert:

#### "ARTICLE 1

#### TRANSPORTATION OF HAZARDOUS WASTE

Section 1. Minnesota Statutes 1986, section 221.011, subdivision 31, is amended to read:

Subd. 31. "Hazardous waste" has the meaning given it in Code of Federal Regulations, title 49, section 171.8. *In addition, hazardous waste means a substance identified or listed as a hazardous waste under a rule adopted under section 116.07, subdivision 4.*

Sec. 2. Minnesota Statutes 1986, section 221.033, is amended by adding a subdivision to read:

Subd. 1a. [TRANSPORTATION OF HAZARDOUS WASTE.] *No person may transport or have transported within the state a hazardous waste except in compliance with sections 3 and 4.*

Sec. 3. [221.035] [HAZARDOUS WASTE TRANSPORTER LICENSE.]

Subdivision 1. [LICENSE REQUIREMENT.] (a) *A person who transports hazardous waste in this state shall first obtain a license from the commissioner.*

(b) *If the applicant complies with the requirements of this section, the commissioner shall issue the license and shall issue a vehicle identification decal for each single unit vehicle or trailer that the licensee will use to transport hazardous waste. The applicant shall pay a fee of \$500 for a three-year license and an annual fee of \$25 for each vehicle identification decal. The license must be maintained at the licensee's principal place of business. The name and address of the licensee must be displayed on both sides of each unit of the vehicle. The vehicle identification decal must be displayed on the single unit vehicle or trailer to which it is assigned, as prescribed by the commissioner. The decal is effective only when the license is effective. The license must be renewed in the third year following the date of the issuance of the license. The licensee must obtain new decals each year. The license may not be transferred to another person.*

(c) *An applicant for a license under this section, who is not otherwise subject to section 221.141, shall cause a certificate of insurance to be filed with the commissioner as provided in section 221.141. The certificate must state that the insurer has issued to the applicant a policy that by endorsement provides public liability insurance in the amount required by Code of Federal Regulations, title 49, part 387.*

Subd. 2. [OPERATION REQUIREMENTS.] *A vehicle operated under a license issued under this section must be operated in compliance with the*

rules of the commissioner adopted under this chapter governing:

- (1) driver qualifications;
- (2) safety of operation;
- (3) equipment, parts, and accessories;
- (4) inspection, repair, and maintenance; and
- (5) maximum hours of service.

**Subd. 3. [LICENSE SUSPENSION AND REVOCATION.]** (a) The commissioner may after notice and opportunity for hearing under chapter 14 suspend or revoke a license and vehicle identification decals issued under this section if the commissioner determines that a licensee's actions constitute a serious or repeated violation of a statute or rule governing the transportation of hazardous waste. Factors to be considered by the commissioner in determining whether to suspend or revoke a license and decals include:

- (1) the danger of exposing the public to toxic or hazardous substances;
- (2) the condition of vehicles used by the licensee to transport hazardous waste;
- (3) the history of past violations, including the similarity of the most recent violation and the violation to be penalized, the time elapsed since the last violation, the number of previous violations, and the response of the person to the most recent violation identified; and
- (4) other factors the commissioner considers relevant.

(b) The commissioner shall revoke by order, without a hearing, the license and vehicle identification decals of a licensee who fails to renew a license or fails to maintain insurance as required by this section. Revocation under this paragraph shall continue until the licensee renews the license and provides the commissioner with proof of insurance required under this section.

**Subd. 4. [RULEMAKING AUTHORITY.]** The commissioner shall adopt rules to implement this section, including rules to require licensed transporters to report to the commissioner as the commissioner deems necessary, and rules for suspending and revoking licenses and decals.

**Sec. 4. [221.036] [ADMINISTRATIVE PENALTIES.]**

**Subdivision 1. [AUTHORITY TO ISSUE PENALTY ORDERS.]** The commissioner may issue an order requiring violations to be corrected and administratively assessing monetary penalties for a violation of section 3, of a material term or condition of a license issued under section 3, or of a rule or order of the commissioner relating to the transportation of hazardous waste. An order shall be issued as provided in this section.

**Subd. 2. [ELECTION OF PENALTIES.]** The commissioner shall not both assess an administrative penalty under this section and seek a criminal sanction under section 221.291, subdivision 3, for violations arising out of the same inspection or audit.

**Subd. 3. [AMOUNT OF PENALTY; CONSIDERATIONS.]** (a) The commissioner may issue an order assessing a penalty up to a maximum of \$10,000 for all violations identified during a single inspection or audit.

*(b) In determining the amount of a penalty, the commissioner shall consider:*

*(1) the willfulness of the violation;*

*(2) the gravity of the violation, including damage to humans, animals, air, water, land, or other natural resources of the state;*

*(3) the history of past violations, including the similarity of the most recent violation and the violation to be penalized, the time elapsed since the last violation, the number of previous violations, and the response of the person to the most recent violation identified;*

*(4) the economic benefit gained by the person by allowing or committing the violation; and*

*(5) other factors as justice may require, if the commissioner specifically identifies the additional factors in the commissioner's order.*

*Subd. 4. [CONTENTS OF ORDER.] An order assessing an administrative penalty under this section shall include:*

*(1) a concise statement of the facts alleged to constitute a violation;*

*(2) a reference to the section of the statute, rule, order, or material term or condition of a license that has been violated;*

*(3) a statement of the amount of the administrative penalty to be imposed and the factors upon which the penalty is based; and*

*(4) a statement of the person's right to review of the order.*

*Subd. 5. [CORRECTIVE ORDER.] (a) The commissioner may issue an order assessing a penalty and requiring the violations cited in the order to be corrected within 30 calendar days from the date the order was received.*

*(b) The person to whom the order was issued shall provide information to the commissioner before the 31st day after the order was received demonstrating that the violation has been corrected or that appropriate steps toward correcting the violation have been taken. The commissioner shall determine whether the violation has been corrected and notify the person subject to the order of the commissioner's determination.*

*Subd. 6. [PENALTY.] (a) Except as provided in paragraph (b), if the commissioner determines that the violation has been corrected or appropriate steps have been taken to correct the action, the penalty must be forgiven. Unless the person requests review of the order under subdivision 7 or 8 before the penalty is due, the penalty in the order is due and payable:*

*(1) on the 31st day after the order was received, if the person subject to the order fails to provide information to the commissioner showing that the violation has been corrected or that appropriate steps have been taken toward correcting the violation; or*

*(2) on the 20th day after the receipt of a notice by the person subject to the order of the commissioner's determination under subdivision 5, paragraph (b), that information supplied to the commissioner is not sufficient to show that the violation has been corrected or that appropriate steps have been taken toward correcting the violation.*

(b) For a repeated or serious violation, the commissioner may issue an order with a penalty that will not be forgiven after the corrective action is taken. The penalty is due by 30 days after the order was received unless review of the order under subdivision 7 or 8 has been sought.

(c) Interest at the rate established in section 549.09 begins to accrue on penalties on the date that the penalty is due and payable if no request for review is filed under subdivision 7 or 8.

**Subd. 7. [EXPEDITED ADMINISTRATIVE HEARING.]** (a) Within 30 days after the date on which an order was received, or within 20 days after the receipt of a notice that the commissioner has determined that a violation has not been corrected or appropriate steps have not been taken, the person subject to an order under this section may request an expedited hearing. The person to whom the order is directed and the commissioner are the parties to the expedited hearing. The commissioner must notify the person to whom the order is directed of the time and place of the hearing at least 20 days before the hearing. The expedited hearing must be held within 30 days after a request for hearing has been filed with the commissioner unless the parties agree to a later date.

(b) The hearing will be limited to not more than six hours of hearing time, exclusive of any prehearing, unless the administrative law judge determines that circumstances require a longer hearing. All written arguments must be submitted within ten days following the close of the hearing. The hearing shall be conducted under the conference contested case rules of the office of administrative hearings, as modified by this subdivision. The office of administrative hearings may, in consultation with the department, adopt rules specifically applicable to cases under this section.

(c) The administrative law judge shall issue a report making recommendations to the commissioner within 30 days following the close of the record. The administrative law judge may not recommend a change in the amount of the proposed penalty unless the administrative law judge determines that, based on the factors in subdivision 3, the commissioner has committed an abuse of discretion in setting the amount of the penalty.

(d) If the administrative law judge makes a finding that the hearing was requested solely for purposes of delay or that the hearing request was frivolous, the commissioner may add to the amount of the penalty the costs charged to the department by the office of administrative hearings for the hearing.

(e) If a hearing has been held, the commissioner may not issue a final order until at least five days after receipt of the report of the administrative law judge. The person subject to the order may, within those five days, comment to the commissioner on the recommendations and the commissioner shall consider the comments. The final order may be appealed in the manner provided in sections 14.63 to 14.69.

(f) If a hearing has been held and a final order issued by the commissioner, the penalty shall be paid by the 15th day after the final order was mailed, together with interest accruing at the rate established in section 549.09 from 31 days after the original order was received.

**Subd. 8. [DISTRICT COURT HEARING.]** Within 30 days after the receipt of an order, or within 20 days after the receipt of a notice that the commissioner has determined that a violation has not been corrected or

*appropriate steps have not been taken, the person subject to an order under this section may file a petition in district court for review of the order. The petition shall be filed with the court administrator with proof of service on the commissioner. The petition shall be captioned in the name of the person making the petition as petitioner and the commissioner as respondent. The petition shall state with specificity the grounds upon which the petitioner seeks rescission of the order, including the facts upon which each claim is based.*

*Subd. 9. [ELECTION OF REMEDIES.] A person subject to a corrective order under this section may not seek review of the order under both subdivisions 7 and 8.*

*Subd. 10. [ENFORCEMENT.] (a) The attorney general may proceed on behalf of the state to enforce penalties that are due and payable under this section in any manner provided by law for the collection of debts.*

*(b) The attorney general may petition the district court to file the administrative order as an order of the court. At any court hearing, the only issues parties may contest are procedural and notice issues. Once entered, the administrative order may be enforced in the same manner as a final judgment of the district court.*

*(c) If a person fails to pay the penalty, the attorney general may bring a civil action in district court seeking payment of the penalties, injunctive, or other appropriate relief including monetary damages, attorney fees, costs, and interest.*

*Subd. 11. [REVOCATION AND SUSPENSION OF PERMIT.] If a person does not pay a penalty due and payable under this section, the department may revoke or refuse to reissue or renew a license and decals issued by the department under section 3.*

*Subd. 12. [CUMULATIVE REMEDY.] The authority of the department to issue a corrective order assessing penalties is in addition to other remedies available under statutory or common law. Except as provided in subdivision 2, the payment of a penalty does not preclude the use of other enforcement provisions in connection with the violation for which the penalty was assessed.*

*Subd. 13. [TRUNK HIGHWAY FUND.] Penalties collected under this section must be deposited in the state treasury and credited to the trunk highway fund.*

*Sec. 5. Minnesota Statutes 1986, section 221.291, subdivision 3, is amended to read:*

*Subd. 3. [TRANSPORTATION OF HAZARDOUS MATERIALS.] A person who ships, transports, or offers for transportation hazardous waste or hazardous material or hazardous substances in violation of a provision of this chapter or a rule or order of the commissioner or board adopted or issued under this chapter which specifically applies to the transportation of hazardous material or hazardous waste or hazardous substances is guilty of a misdemeanor and upon conviction may be fined up to the maximum fine which may be imposed for a misdemeanor for each violation.*

## ARTICLE 2 COMMON CARRIERS

Section 1. Minnesota Statutes 1986, section 221.061, is amended to read:

### 221.061 [OPERATION CERTIFICATE FOR REGULAR ROUTE COMMON CARRIER OR PETROLEUM CARRIER.]

A person desiring a certificate authorizing operation as a regular route common carrier or petroleum carrier, or an extension of or amendment to that certificate, shall file a petition with the board which must contain information as the board, by rule may prescribe.

Upon the filing of a petition for a certificate, the petitioner shall pay to the commissioner as a fee for issuing the certificate the sum of ~~\$75~~ \$300 and for a transfer or lease of the certificate the sum of ~~\$37.50~~ \$300.

The petition must be processed as any other petition. The board shall cause a copy and a notice of hearing thereon to be served upon a competing carrier operating into a city located on the proposed route of the petitioner and to other persons or bodies politic which the board deems interested in the petition. A competing carrier and other persons or bodies politic are hereby declared to be interested parties to the proceedings.

If, during the hearing, an amendment to the petition is proposed which appears to be in the public interest, the board may allow it when the issues and the territory are not unduly broadened by the amendment.

Sec. 2. Minnesota Statutes 1986, section 221.121, is amended by adding a subdivision to read:

*Subd. 6a. [HOUSEHOLD GOODS CARRIER.] A person holding out or desiring to operate as a carrier of household goods shall follow the procedure established in subdivision 1, and shall specifically request an irregular route common carrier permit with authority to transport household goods. The board shall grant a permit to operate as an irregular route common carrier of household goods to a person who complies with this subdivision and subdivision 1.*

Sec. 3. Minnesota Statutes 1986, section 221.121, subdivision 7, is amended to read:

*Subd. 7. [FEES.] The permit holder shall pay a fee of ~~\$25~~ \$150 into the treasury of the state of Minnesota for each kind of permit, ~~reinstatement~~, or extension of authority for which a petition is filed under this section.*

Sec. 4. Minnesota Statutes 1986, section 221.131, subdivision 2, is amended to read:

*Subd. 2. [PERMIT CARRIERS; ANNUAL VEHICLE REGISTRATION.] The permit holder shall pay an annual registration fee of \$20 on each vehicle, including pickup and delivery vehicles, operated by the holder under authority of the permit during the 12-month period or fraction of the 12-month period. Trailers and semitrailers used by a permit holder in combination with power units may not be counted as vehicles in the computation of fees under this section if the permit holder pays the fees for power units. The commissioner shall furnish a distinguishing annual identification card for each vehicle or power unit for which a fee has been paid. The identification card must at all times be carried in the vehicle or power*

unit to which it has been assigned. An identification card may be reassigned to another vehicle or power unit ~~without fee by the commissioner~~ upon application of the permit holder ~~and a transfer fee of \$10~~. An identification card issued under the provisions of this section is valid only for the period for which the permit is effective. The name and residence of the permit holder must be stenciled or otherwise shown on the outside of both doors of each registered vehicle operated under the permit. A fee of ~~\$3~~ \$10 is charged for the replacement of an unexpired identification card that has been lost or damaged.

Sec. 5. Minnesota Statutes 1986, section 221.131, subdivision 3, is amended to read:

Subd. 3. [CERTIFICATE CARRIERS; ANNUAL VEHICLE REGISTRATION.] Regular route common carriers and petroleum carriers, operating under sections 221.011 to 221.291, shall annually ~~on or before January 1 of each calendar year~~, pay into the treasury of the state of Minnesota an annual registration fee of \$20 for each vehicle, including pickup and delivery vehicles, operated during a calendar year. The commissioner shall issue distinguishing identification cards as provided in subdivision 2.

Sec. 6. [221.132] [PREPAID TEMPORARY VEHICLE IDENTIFICATION CARDS.]

*The commissioner may issue a prepaid temporary vehicle identification card to a permit or certificate holder for a fee of \$5 per card. The card must be preprinted by the commissioner with the carrier's name, address, and permit or certificate number. The card may be used by the motor carrier to whom it is issued to identify a vehicle temporarily added to its fleet. The card must be executed by the motor carrier by dating and signing the card and describing the vehicle in which it will be carried. The identification card is valid for a period of ten days from the date the motor carrier places on the card when the card is executed. The card must be used within one year from the date of issuance by the commissioner. The card may not be used if the permit or certificate is not in full force and effect. The card may not be transferred. The commissioner may not refund the cost of unused prepaid temporary vehicle identification cards.*

Sec. 7. Minnesota Statutes 1986, section 221.296, subdivision 5, is amended to read:

Subd. 5. [PERMIT FEES.] Upon filing a petition for a permit the petitioner shall pay to the commissioner as a fee for the issuance of the permit, the sum of ~~\$50~~ \$150, and shall thereafter pay an annual renewal fee of \$75 plus \$5 per motor vehicle if the local cartage carrier operates less than five motor vehicles, or \$100 plus \$5 per motor vehicle if the local cartage carrier operates at least five but less than 15 motor vehicles, or \$150 plus \$5 per motor vehicle if the local cartage carrier operates 15 or more vehicles ~~provided that the \$5 per motor vehicle charge does not apply to taxicabs operated under a local cartage permit~~. Upon issuance of the permit the commissioner shall assign the carrier a permit number, which must be painted or prominently displayed on both sides of vehicles used by the local cartage carrier under authority of the permit.

Sec. 8. Minnesota Statutes 1986, section 221.60, subdivision 2, is amended to read:

Subd. 2. [FORM AND FEES.] A motor carrier engaged in interstate

commerce shall register its interstate transportation authority or exemption before February 1 of each year on a form prescribed by the commissioner. The fee for the initial registration is \$25. The fee for each identification stamp is \$5; however, a lesser fee may be collected pursuant to a reciprocal agreement authorized by section 221.65. ~~No fee may be collected from a local cartage carrier that provides interstate transportation only within the zone described in United States Code, title 49, section 10526(b)(1)(1984). A local cartage carrier shall register its interstate transportation each year when it pays the local cartage carrier permit or annual renewal fee."~~

Delete the title and insert:

"A bill for an act relating to transportation; requiring a license for the transportation of hazardous waste; providing for license administration, suspension, and revocation; requiring rulemaking; providing penalties; specifying articles that may be carried as household goods; revising fees for certain motor carrier permits and certificates; amending Minnesota Statutes 1986, sections 221.011, subdivision 31; 221.033, by adding a subdivision; 221.061; 221.121, subdivision 7, and by adding a subdivision; 221.131, subdivisions 2 and 3; 221.291, subdivision 3; 221.296, subdivision 5; and 221.60, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 221."

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

Mr. Pehler from the Committee on Education, to which was referred

S.F. No. 452: A bill for an act relating to education; expanding the higher education coordinating board's career guidance program; changing membership on the career guidance advisory task force; appropriating money; amending Minnesota Statutes 1986, sections 136A.85; 136A.86, subdivision 1; and 136A.87.

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 136A.85, is amended to read:

136A.85 [~~CAREER GUIDANCE POST-HIGH SCHOOL PLANNING PROGRAM; ESTABLISHMENT.~~]

The Minnesota higher education coordinating board shall establish a *voluntary post-high school planning program* for all ~~eleventh grade students in the state who desire to participate~~, *secondary students in the eighth grade and above and adults*. The program is a statewide education and career guidance, testing, information and planning program designed to:

(a) ~~Assist students to make career plans and decisions regarding post-secondary education, training and goals~~ (1) *enable students and adults to consider the full range of available post-secondary opportunities;*

(2) *encourage early and systematic planning for education and careers by students and adults;*

(3) *encourage students and adults to acquire the academic skills that will prepare them for a wide range of post-secondary programs;*



(4) *increase completion of post-secondary education by helping students and adults enroll in appropriate institutions and programs;*

(5) *consolidate and make more efficient the testing procedures used to advise, admit, and place students and adults in post-secondary programs;*

(b) (6) *assist high school, college and vocational institute counselors in their work with students and adults;*

(c) (7) *assist Minnesota colleges and vocational institutes to identify students and adults for whose talents, interests and needs they have appropriate programs;*

(d) (8) *assist colleges and scholarship agencies to select from applicants those who show the most promise of benefiting from particular programs;*

(e) (9) *provide educators, state planners and policy makers in the state a continuous inventory of the talents, plans, needs and other characteristics of students and adults in individual educational institutions, in educational systems, and in the state as a whole; and*

(f) (10) *assist educators, state planners and policy makers to develop improved educational measures and counseling tools.*

Sec. 2. Minnesota Statutes 1986, section 136A.86, subdivision 1, is amended to read:

Subdivision 1. The board shall establish an advisory task force to ~~define the objectives of the program and make recommendations to the board on program goals, policies and, selection of tests, and coordination of tests administered by the program and post-secondary institutes. The task force shall study and make recommendations about a variety of methods, including using education brokers, that could be used throughout the community to provide assistance to adults considering post-secondary education.~~ Membership on the advisory task force shall include, but not be limited to, representatives of: the state university system, the university of Minnesota, the state community college system, ~~the area vocational technical institute system,~~ the Minnesota private college council, ~~the Minnesota association of private post-secondary schools,~~ the Minnesota school boards association, the Minnesota association of secondary school principals, the Minnesota school counselors association, ~~Minnesota area vocational technical institutes,~~ the Minnesota department of education, ~~the Minnesota association of private vocational schools,~~ and a minimum of one secondary and one post-secondary education student, ~~and other representatives who have knowledge of and interest in post-secondary education for adults.~~ The expiration of this advisory task force and the terms, compensation and removal of its members shall be as provided in section 15.059, subdivision 6.

Sec. 3. Minnesota Statutes 1986, section 136A.86, subdivision 2, is amended to read:

Subd. 2. The board shall periodically review and evaluate the ~~statewide career guidance, testing, information and planning~~ program and report to the governor and legislature the program status and the board's recommendations for legislation to improve the program.

Sec. 4. Minnesota Statutes 1986, section 136A.87, is amended to read:

136A.87 [ASPECTS OF THE PROGRAM.]

*Subdivision 1. [ASSESSMENT INSTRUMENTS AND QUESTIONNAIRES.]* The program shall:

(a) Administer to eleventh grade Minnesota high school students, who desire to participate in the program, educational measurement instruments and questionnaires as determined by the board to be appropriate to serve the purposes of sections 136A.85 to 136A.88;

(b) provide for administration of education and career assessment instruments and questionnaires to residents in the eighth to twelfth grades and to adults. The board shall determine the instruments and questionnaires that are appropriate to serve the purposes of sections 136A.85 to 136A.88.

*Subd. 2. [HIGH SCHOOL ASSESSMENTS.]* The program shall provide for administration of educational measurement instruments and questionnaires to high school students before their senior year. At least the following shall be included:

(1) an aptitude assessment for students anticipating entry to collegiate programs;

(2) an inventory of interests, career directions, background information, and education plans; and

(3) one or more preliminary placement tests to assist students in selecting courses.

*Subd. 3. [DATA BASE.]* A data base of information from the program's assessments and services shall be maintained to:

(1) provide individual reports of results to the students, to the high schools in which students are enrolled, and, if authorized by the students, to post-secondary educational institutions; and

(2) provide annual statewide summary reports of results on a statewide basis to all Minnesota high schools and, post-secondary educational institutions and to, the department of education, the education committees of the legislature, and the governor.

*Subd. 4. [COORDINATION.]* The program shall coordinate efforts and develop additional methods of providing information, guidance, and testing services to out-of-school youth and adults.

#### Sec. 5. [APPROPRIATION.]

\$\_\_\_\_\_ is appropriated for fiscal year 1988 and \$\_\_\_\_\_ is appropriated for fiscal year 1989 from the general fund to the higher education coordinating board for the post-high school planning program. The sums are available until expended."

Delete the title and insert:

"A bill for an act relating to education; expanding and altering the higher education coordinating board's career guidance program; making changes to the membership of the advisory task force; appropriating money; amending Minnesota Statutes 1986, sections 136A.85; 136A.86, subdivisions 1 and 2; and 136A.87."

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

Mr. Willet from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 183: A bill for an act relating to snowmobiles; authorizing certain operators possessing a motor vehicle operator's license to cross a highway; amending Minnesota Statutes 1986, section 84.872.

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

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

S.F. No. 686: A bill for an act relating to agriculture; establishing liens and security interests that are subject to federal notice and registration provisions and provisions prescribing when buyers of farm products purchase subject to or free of security interests; proposing coding for new law in Minnesota Statutes, chapter 223A.

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

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

S.F. No. 517: A bill for an act relating to agriculture; providing for selection, sale, and development of state land to produce wild rice; amending Minnesota Statutes 1986, section 92.501, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 30.

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

Pages 1 and 2, delete sections 1 and 2

Page 2, line 4, after "(a)" insert "*Notwithstanding section 92.501,*"

Page 2, line 18, after the second "*for*" insert "*public*"

Page 2, line 35, delete "Sec. 4. [30.63]" and insert "*Subd. 4.*"

Page 2, line 36, delete the paragraph coding

Page 3, line 19, delete "3" and insert "1"

Page 3, line 24, delete "*to 4*" and insert "*and 2*"

Renumber the sections in sequence

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

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

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.

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

as follows:

Page 1, line 13, delete "*There*" and insert "\$\_\_\_\_\_"

Page 1, line 15, delete "*the sum of \$20,000,000*"

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

S.F. No. 1203: A bill for an act relating to state government; reorganizing the department of agriculture, the department of energy and economic development, and the department of public service, and providing for the powers and duties of the three departments; changing the name of the department of energy and economic development to the department of trade and economic development; designating the department of jobs and training as the administrative agency for certain juvenile justice and delinquency prevention purposes; providing grants for youth intervention programs; transforming the Minnesota world trade center board into a public corporation; changing the membership of its governing board; establishing the world trade center institute as a joint venture of the corporation and the Minnesota trade office; authorizing the corporation and the world trade center office to contract for certain services and programs; transferring assets and liabilities of the world trade center board to the corporation; appropriating money; amending Minnesota Statutes 1986, sections 15.057; 17.03, subdivision 1; 18.023, subdivision 11; 18.024, subdivision 1; 43A.08, subdivision 1; 44A.01; 44A.02; 44A.031; 44A.08; 104.35, subdivisions 2 and 3; 115A.12, subdivision 2; 116C.03, subdivision 2; 116J.01; 116J.03; 116J.58, subdivision 2; 116J.60; and 116J.63, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 17; 44A; 116J; and 268; proposing coding for new law as Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1986, sections 4.09; 17.03, subdivision 5; 44A.03; 44A.04; 44A.05; 44A.06; 44A.07; 116J.404; and 116J.405.

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

Page 7, delete lines 30 to 32

Page 11, delete lines 26 to 36 and insert:

"Subd. 3. [DEPARTMENTAL ORGANIZATION.] The commissioner shall organize the department as provided in section 15.06. The department ~~shall must~~ be organized into ~~four~~ two divisions, ~~which shall be designated as the energy business promotion and marketing division; and the community development division, the economic development division, and the financial management division;~~ and three offices, the office of tourism, ~~the Minnesota trade office, and the policy analysis office.~~ Each division and office ~~is responsible for administering shall administer~~ the duties and functions assigned to it by law. When the duties of the divisions or office are not allocated by law, the commissioner may establish and revise the assignments of each division and office. Each division ~~shall be~~ is under the direction of a deputy commissioner in the unclassified service. ~~The~~ Each office ~~of tourism~~ is under the direction of a director ~~of tourism~~ in the unclassified service; ~~appointed by the governor shall appoint the director of tourism.~~"

Page 12, delete lines 1 to 7

Page 16, delete lines 23 to 35 and insert:

*"The divisions established within the department of trade and economic development by section 16 include the following divisions, offices, or functions in existence within and without the department before the effective date of this act:*

*(1) the business promotion and marketing division includes the office of science and technology;*

*(2) the community development division includes the community development division and the financial management division;*

*(3) the office of tourism includes the office of tourism;*

*(4) the Minnesota trade office includes the functions of the international trade division of the department of agriculture assigned to the department of trade and economic development by section 22; and*

*(5) the policy analysis office."*

Page 17, delete line 36

Page 18, delete lines 1 to 6

Page 18, line 7, delete "5" and insert "4"

Page 20, line 10, delete "state appropriations and"

Page 20, line 33, delete everything after "corporation"

Page 20, line 34, delete "trade office,"

Page 21, line 4, delete "a trade"

Page 21, line 5, delete everything before "a"

Page 21, lines 8, 11, and 23, delete "and the Minnesota trade office"

Page 21, line 13, delete "and the"

Page 21, line 14, delete "Minnesota trade office"

Page 21, line 15, delete everything after the period

Page 21, delete lines 16 to 21

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. 782, 1067, 407, 904, 704, 725, 225, 24, 344, 235, 888, 721, 183 and 686 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. No. 424 was read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Freeman moved that the name of Mr. Marty be added as a co-author to S.F. No. 670. The motion prevailed.

Ms. Berglin moved that the name of Mr. Pehler be added as a co-author to S.F. No. 790. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Pehler be added as a co-author to S.F. No. 827. The motion prevailed.

Mr. Cohen moved that the name of Mr. Marty be added as a co-author to S.F. No. 853. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Merriam be added as a co-author to S.F. No. 994. The motion prevailed.

Mr. Merriam moved that the name of Mr. Spear be added as a co-author to S.F. No. 1088. The motion prevailed.

Mr. Luther moved that the name of Mr. Jude be added as a co-author to S.F. No. 1175. The motion prevailed.

Mr. Cohen moved that his name be stricken as a co-author to S.F. No. 1203. The motion prevailed.

Mr. Luther moved that the name of Mr. Pehler be added as a co-author to S.F. No. 1203. The motion prevailed.

Mr. Spear moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 1223. The motion prevailed.

Mr. Morse moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 1228. The motion prevailed.

Mr. Samuelson moved that the name of Mr. Johnson, D.J. be added as a co-author to S.F. No. 1277. The motion prevailed.

Ms. Reichgott introduced—

Senate Resolution No. 45: A Senate resolution congratulating Ruby Reine of Crystal for winning the Minnesota American Mother of the Year title for 1987.

Referred to the Committee on Rules and Administration.

Mr. Lessard moved that S.F. No. 711 be withdrawn from the Committee on Economic Development and Housing and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Vickerman and Frederickson, D.J. introduced—

S.F. No. 1280: A bill for an act relating to public safety; increasing taxable gross weight of vehicles at which proof of payment of use tax is required; providing for permits for new vehicles used in events for promotion purposes; changing trip permit conditions; increasing fine for unlawful use of registration plates or certificates; allowing police to give age of parties in traffic accident to media; providing for service of notice of driver's license revocation by court; providing for chemical tests to determine presence of alcohol or controlled substance; prescribing contents of petition for judicial review of driver's license revocation; subjecting alcohol problem assessment

rules to administrative procedure act; prescribing actions by drivers on one-way road when emergency vehicle approaching; requiring school buses on one-way, separated roads with shoulders to load and unload without flashing lights; allowing peace officers to weigh pickup towing trailer or semitrailer; providing for \$10 fee for class A classified provisional driver's license; allowing inspection of school buses for approved wheelchair devices; amending Minnesota Statutes 1986, sections 168.013, subdivision 20; 168.187, subdivision 17; 168.36, subdivision 2; 169.09, subdivision 13; 169.121, subdivision 7; 169.123, subdivision 5c; 169.124, subdivision 2; 169.20, subdivision 5; 169.44, subdivision 2; 169.85; 171.06, subdivision 2; and 299A.11; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

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

S.F. No. 1281: A bill for an act relating to agriculture; establishing a task force on improving agricultural commodity utilization; appropriating money.

Referred to the Committee on Agriculture.

Ms. Piper introduced—

S.F. No. 1282: A bill for an act relating to human services; providing for a change in medical assistance and general assistance medical care reimbursements for treatment of mental illness; providing for a utilization review system of inpatient mental health care; amending Minnesota Statutes 1986, section 256.969, subdivision 2.

Referred to the Committee on Health and Human Services.

Ms. Olson introduced—

S.F. No. 1283: A bill for an act relating to corrections; Minnesota correctional industries; requiring the commissioner of corrections to consult with certain persons and groups before establishing a correctional industry or service; limiting the kinds of items that may be manufactured by a correctional industry; amending Minnesota Statutes 1986, section 241.27, subdivision 1.

Referred to the Committee on Health and Human Services.

Ms. Reichgott introduced—

S.F. No. 1284: A bill for an act relating to education; establishing a regent candidate search commission to assist the legislature in identifying candidates for the board of regents; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Education.

Mr. Samuelson introduced—

S.F. No. 1285: A bill for an act relating to waters; prohibiting certain ice blocks upon the surface of frozen waters; proposing coding for new law in Minnesota Statutes, chapter 97C.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 1286: A bill for an act relating to education; appropriating money for Indian education at the Grand Portage school.

Referred to the Committee on Education.

Messrs. DeCramer; Johnson, D.J. and Ms. Peterson, D.C. introduced—

S.F. No. 1287: A bill for an act relating to education; providing categorical aids and certain levy replacement money for Pine Point School; amending Minnesota Statutes 1986, section 128B.03, by adding subdivisions.

Referred to the Committee on Education.

Mr. Metzen introduced—

S.F. No. 1288: A bill for an act relating to education; authorizing exceptional need revenue for eligible school districts; appropriating money; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Education.

Messrs. Vickerman and Frederickson, D.J. introduced—

S.F. No. 1289: A bill for an act relating to law enforcement; providing for a program of law enforcement grants to local government units; appropriating money.

Referred to the Committee on Local and Urban Government.

Mr. Hughes introduced—

S.F. No. 1290: A bill for an act relating to liquor; authorizing the city of Little Canada to issue two additional on-sale licenses.

Referred to the Committee on Commerce.

Mr. Frederick introduced—

S.F. No. 1291: A bill for an act relating to state lands; directing sale and conveyance of certain state-owned lands to the city of Owatonna.

Referred to the Committee on Environment and Natural Resources.

Ms. Olson and Mr. Schmitz introduced—

S.F. No. 1292: A bill for an act relating to game and fish; changing the mandatory closing date for private shooting preserves; amending Minnesota Statutes 1986, section 97A.121, subdivision 2.

Referred to the Committee on Environment and Natural Resources.



Mr. Brandl, Ms. Piper, Messrs. Marty, Samuelson and Vickerman introduced—

S.F. No. 1293: A bill for an act relating to human services; providing for hospice care payments under medical assistance; amending Minnesota Statutes 1986, section 256B.02, subdivision 8.

Referred to the Committee on Health and Human Services.

Mr. Renneke introduced—

S.F. No. 1294: A bill for an act relating to agriculture; providing for reduction of payment adjustment obligations; authorizing principal buy-down for certain loans; establishing a special fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41.

Referred to the Committee on Agriculture.

Ms. Berglin introduced—

S.F. No. 1295: A bill for an act relating to the city of Minneapolis; giving the city certain powers pertaining to conventions and tourism activities.

Referred to the Committee on Local and Urban Government.

Ms. Berglin introduced—

S.F. No. 1296: A bill for an act relating to Gillette Children's Hospital; clarifying the hospital's exemption from certain tax provisions; amending Minnesota Statutes 1986, section 250.05, by adding subdivisions.

Referred to the Committee on Taxes and Tax Laws.

Mr. Frederickson, D.J. introduced—

S.F. No. 1297: A bill for an act relating to the city of Redwood Falls; authorizing an economic development authority to construct and furnish buildings; authorizing the authority to issue general obligation bonds subject to a reverse referendum; authorizing the establishment of certain economic development districts.

Referred to the Committee on Economic Development and Housing.

Mr. Frederickson, D.J., by request, introduced—

S.F. No. 1298: A bill for an act relating to the city of Redwood Falls; authorizing all property in the city to be assessed at a flat dollar amount per parcel for an infrastructure fund levy.

Referred to the Committee on Local and Urban Government.

Mr. Bernhagen introduced—

S.F. No. 1299: A bill for an act relating to the city of Hutchinson; providing an exception from the Hutchinson police civil service system for the chief of police.

Referred to the Committee on Local and Urban Government.

Mrs. Adkins introduced—

S.F. No. 1300: A bill for an act relating to traffic regulations; requiring school buses on one-way, separated roads with shoulders to load and unload without flashing lights; amending Minnesota Statutes 1986, section 169.44, subdivision 2.

Referred to the Committee on Transportation.

Mr. Wegscheid introduced—

S.F. No. 1301: A bill for an act relating to waste control; appropriating money to reimburse Farmington for excess charges.

Referred to the Committee on Local and Urban Government.

Messrs. Wegscheid, Merriam, Kroening and Anderson introduced—

S.F. No. 1302: A bill for an act relating to intoxicating liquor; requiring cities to issue off-sale wine licenses to general food stores in the metropolitan area upon application; imposing restrictions; amending Minnesota Statutes 1986, sections 340A.101, subdivision 29; and 340A.412, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

Ms. Peterson, D.C. introduced—

S.F. No. 1303: A bill for an act relating to the city of Minneapolis; providing for the appointment of the director of the office of emergency preparedness; amending Laws 1969, chapter 937, section 1, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

Messrs. Merriam, Pehler, Kroening and Mrs. Adkins introduced—

S.F. No. 1304: A bill for an act relating to firefighters; requiring payment of death, disability, and survivor benefits to firefighters suffering from occupationally related cancer.

Referred to the Committee on Employment.

Mr. Samuelson introduced—

S.F. No. 1305: A bill for an act relating to the town of Irondale; removing a town levy limitation; repealing Laws 1971, chapter 336.

Referred to the Committee on Taxes and Tax Laws.

Mr. Willet introduced—

S.F. No. 1306: A bill for an act relating to game and fish; establishing a program to compensate landowners and lessees for damages done by wild animals; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Environment and Natural Resources.

Mr. Waldorf introduced—

S.F. No. 1307: A bill for an act relating to education; adopting a common course numbering system for higher education; assigning the planning for implementation of a common course numbering system for higher education to a task force assisted by the staff of the higher education coordinating board; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Education.

Messrs. Marty, Merriam, Pehler, Novak and Laidig introduced—

S.F. No. 1308: A bill for an act relating to game and fish; designation and use of waterfowl feeding or resting areas; amending Minnesota Statutes 1986, section 97A.095, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Ms. Peterson, D.C. introduced—

S.F. No. 1309: A bill for an act relating to children; creating an office for children in the state planning agency; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116K.

Referred to the Committee on Governmental Operations.

Mr. Pehler introduced—

S.F. No. 1310: A bill for an act relating to education; directing the Minnesota academic excellence foundation to establish a state academic league; appropriating money; amending Minnesota Statutes 1986, section 121.612, subdivisions 3 and 5; proposing coding for new law in Minnesota Statutes, chapter 121.

Referred to the Committee on Education.

Messrs. Wegscheid, Moe, D.M. and Renneke introduced—

S.F. No. 1311: A bill for an act relating to retirement; excluding volunteer firefighters from membership in the public employees retirement association and the police and fire fund; amending Minnesota Statutes 1986, sections 353.01, subdivisions 2b, 10, and by adding a subdivision; and 353.64, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Waldorf, Moe, D.M. and Mrs. Lantry introduced—

S.F. No. 1312: A bill for an act relating to retirement; St. Paul police relief association and St. Paul fire department relief association; authorizing the voluntary consolidation of those local relief associations with the public employees police and fire fund; authorizing the individual election of applicable benefit coverage upon the consolidation of those relief associations; amending Minnesota Statutes 1986, sections 353.01, subdivisions 2b, 10, and 16; 353.271; 353.64, subdivision 1; and 353.65, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 353; proposing coding for new law as Minnesota Statutes, chapters 353A and 353B.

Referred to the Committee on Governmental Operations.

**ADJOURNMENT**

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

Patrick E. Flahaven, Secretary of the Senate