

SIXTY-FIRST DAY

St. Paul, Minnesota, Thursday, February 25, 1988

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. John G. Krueger.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Brandl, Pehler and Peterson, R. W. were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

February 3, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the Minnesota Higher Education Coordinating Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Charles Mourin, 732 Arrowhead, Aurora, St. Louis County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1994.

Charles Neerland, 330 Prospect Ave. S., Minneapolis, Hennepin County, has been appointed by me, effective February 8, 1988, for a term expiring the first Monday in January, 1994.

(Referred to the Committee on Education.)

February 4, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the Board of the Minnesota School and Resource Center for the Arts are hereby respectfully submitted to the Senate for confirmation as required by law:

Nancy B. Vollertsen, 1007 - 20th St. N.W., Rochester, Olmsted County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

Florence Grieve, 280 Salem Church Rd., Sunfish Lake, Dakota County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

Jack R. Fena, HCR5, Box 350A, Hibbing, St. Louis County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

Reginald T. Buckner, 7225 Green Valley Rd., Golden Valley, Hennepin County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

(Referred to the Committee on Education.)

Sincerely,
Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

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. 236: A bill for an act relating to obscenity; prohibiting the distribution and exhibition of obscene materials and performances; prescribing penalties; amending Minnesota Statutes 1986, section 617.241.

Senate File No. 236 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 22, 1988

CONCURRENCE AND REPASSAGE

Mr. Waldorf moved that the Senate concur in the amendments by the House to S.F. No. 236 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 236 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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Spear voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

Pursuant to Joint Rule 3.02, the Conference Committee on House File No. 236 was discharged after adjournment May 18, 1987 and the bill was laid on the table.

H.F. No. 236: A bill for an act relating to elections; requiring fair campaign practices; imposing penalties; amending Minnesota Statutes 1986, sections 123.015; 200.015; 201.275; 204C.04; proposing coding for new law as Minnesota Statutes, chapters 211A and 211B; repealing Minnesota Statutes 1986, chapter 210A.

I have the honor to announce that on February 22, 1988, House File No. 236 was taken from the table and new House conferees were appointed.

Scheid, Neuenschwander and Knickerbocker have been appointed as such committee on the part of the House.

House File No. 236 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1988

Ms. Peterson, D.C. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 236, 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 appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 257:

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.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Simoneau; Johnson, R. and Knickerbocker have been appointed as such committee on the part of the House.

House File No. 257 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1988

Mr. Moe, D.M. moved that H.F. No. 257 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 727:

H.F. No. 727: A bill for an act relating to state government; amending the process for establishing salaries for the chair of the regional transit board and directors of statewide pension systems; amending Minnesota Statutes 1986, section 15A.081, subdivisions 1 and 7, and by adding a subdivision.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Simoneau; Johnson, R. and Knickerbocker have been appointed as such committee on the part of the House.

House File No. 727 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1988

Mr. Moe, D.M. moved that the Senate accede to the request of the House

for a Conference Committee on H.F. No. 727, 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 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 House Files, herewith transmitted: H.F. Nos. 421, 1740, 1754 and 1766.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1988

FIRST READING OF HOUSE BILLS

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

H.F. No. 421: A bill for an act relating to health; authorizing the commissioner of health to issue subpoenas in certain instances; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

H.F. No. 1740: A bill for an act relating to criminal sexual conduct; clarifying the definition of "consent"; amending Minnesota Statutes 1986, section 609.341, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1738, now on General Orders.

H.F. No. 1754: A bill for an act relating to crime victims; authorizing the crime victims reparations board to pay the costs of returning an abducted child home; authorizing the board to determine and award reparations and damage claims from proceeds of a commercial exploitation of a crime; permitting an offender's minor dependents to receive some proceeds of a commercial exploitation of a crime; clarifying certain duties of the crime victim ombudsman; prescribing penalties; amending Minnesota Statutes 1986, sections 611A.56; 611A.67; 611A.68, subdivisions 1, 4, 6, 8, and by adding subdivisions; and 611A.74, subdivision 3; and Minnesota Statutes 1987 Supplement, section 611A.52, subdivision 8; repealing Minnesota Statutes 1986, section 611A.68, subdivisions 2 and 5.

Referred to the Committee on Judiciary.

H.F. No. 1766: A bill for an act relating to local government; making explicit the power of towns to take certain action at a special meeting; amending Minnesota Statutes 1986, section 477A.018, subdivision 1.

Referred to the Committee on Local and Urban Government.

REPORTS OF COMMITTEES

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

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

S.F. No. 1646: A bill for an act relating to insurance; accident and health; clarifying certain coverages for newborn infants; amending Minnesota Statutes 1986, section 62A.042.

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

Page 1, line 10, before "No" insert "(a)"

Page 1, line 22, delete "This" and insert:

"(b) The" and after "coverage" insert "under paragraph (a)"

Page 1, line 23, after "treatment" insert "up to age 18"

Page 2, line 1, after the period, insert "*If orthodontic services are eligible for coverage under a dental insurance plan, that plan shall have primary responsibility for covering those services. Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.*"

Page 2, line 2, before "No" insert "(a)"

Page 2, line 12, delete "This" and insert:

"(b) The" and after "coverage" insert "under paragraph (a)"

Page 2, line 14, after "treatment" insert "up to age 18"

Page 2, line 16, after the period, insert "*If orthodontic services are eligible for coverage under a dental insurance plan, that plan shall have primary responsibility for covering those services. Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.*"

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

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

S.F. No. 1768: A bill for an act relating to commerce; safe deposit companies; providing for performance of will searches upon safe deposit box renter's death; amending Minnesota Statutes 1986, section 55.10, by adding a subdivision.

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

Page 1, line 15, after "individual" insert "believes"

Page 1, line 16, delete "believes" and delete "or burial"

Page 1, line 17, delete "documents"

Page 1, line 18, after "(2)" insert "the individual"

Page 2, line 4, delete "subdivision" and insert "section"

Page 2, line 6, delete "a copy of"

Page 2, line 7, delete "furnished by that person"

Page 2, after line 17, insert:

“(d) For purposes of this section, the term “will” includes a will or a codicil.”

Page 2, line 18, delete “(d)” and insert “(e)”

Page 2, lines 19 and 23, delete “or codicil”

Page 2, line 24, delete “The safe deposit company may”

Page 2, delete line 25

Page 2, line 26, delete “person.”

Page 2, line 28, delete “(e)” and insert “(f)”

Page 2, line 30, delete “. The safe deposit company's determination of” and insert “and when acting in reliance upon an affidavit, it is discharged as if it dealt with the personal representative of the lessee. If the safe deposit company is not satisfied that the requirements of this subdivision have been met, it may decline to open the box.”

Page 2, delete lines 31 to 33

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

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

H.F. No. 85: A bill for an act relating to consumer protection; requiring certain disclosures in sales of used motor vehicles; regulating new and used motor vehicle licenses; providing certain standards in applications for certificates of title; requiring certain disclosures upon the transfer of a motor vehicle; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 3, 4, 8, 10, 12, and 24; 169.57, by adding a subdivision; 325E.0951, by adding a subdivision; 325G.18; and 336.2-316; proposing coding for new law in Minnesota Statutes, chapters 168 and 168A.

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 168.27, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them:

(1) “Leasing motor vehicles” means furnishing a motor vehicle for a fee under a bailor-bailee relationship where no incidences of ownership are intended to be transferred other than the right to use the vehicle for a stated period of time.

(2) “Brokering motor vehicles” means arranging sales between willing buyers and sellers of motor vehicles and receiving a fee for said service.

(3) “Wholesaling motor vehicles” means selling new or used motor vehicles to dealers for resale to the public.

(4) “Auctioning motor vehicles” means arranging for and handling the sale of motor vehicles, not the property of the auctioneer, to the highest bidder.

(5) “Dealer” includes new motor vehicle dealers, used motor vehicle

dealers, ~~brokers~~, wholesalers, auctioneers and lessors of new or used motor vehicles.

(6) "Commercial building" means a *permanent, enclosed building that is on a permanent foundation and connected to local sewer and water facilities or otherwise complying with local sanitary codes, is adapted to commercial use and located in an area zoned for commercial or other less restrictive nonresidential use by the governmental unit in which it is located, and conforms to local government zoning requirements.* "Commercial building" may include strip office malls or garages if a separate entrance and a separate address are maintained and the dealership is clearly identified as a separate business.

(7) "Commercial office space" means office space occupying all or part of a commercial building.

(8) "Horse trailer" is a trailer designed and used to carry horses and other livestock, which has not more than three axles and a maximum gross weight capacity of not more than 24,000 pounds.

(9) "Isolated or occasional sales or leases" means the sale or lease of not more than five motor vehicles in a 12-month period, exclusive of pioneer or classic motor vehicles as defined in section 168.10, subdivisions 1a and 1b.

(10) "Used motor vehicle" means a motor vehicle for which title has been transferred from the person who first acquired it from the manufacturer, distributor, or dealer. A new motor vehicle will not be considered a used motor vehicle until it has been placed in actual operation and not held for resale by an owner who has been granted a certificate of title on the motor vehicle and has registered the motor vehicle in accordance with chapters 168, 168A, and 297B, or the laws of the residence of the owner.

(11) "New motor vehicle" means a motor vehicle other than described in paragraph (10).

Sec. 2. Minnesota Statutes 1986, section 168.27, subdivision 2, is amended to read:

Subd. 2. [NEW MOTOR VEHICLE DEALER.] (a) No person shall engage in the business of selling or ~~arranging the sale of~~ new motor vehicles or shall offer to sell, solicit, ~~arrange~~ or advertise the sale of new motor vehicles without first acquiring a new motor vehicle dealer license. A new motor vehicle dealer licensee shall be entitled thereunder to sell, broker, wholesale or auction and to solicit and advertise the sale, broker, wholesale or auction of new motor vehicles covered by the franchise and any used motor vehicles or to lease and to solicit and advertise the lease of new motor vehicles and any used motor vehicles and such sales or leases may be either for consumer use at retail or for resale to a dealer. Nothing herein shall be construed to require an applicant for a dealer license who proposes to deal in: (1) new and unused motor vehicle bodies; or (2) type A, B, or C motor homes as defined in section 168.011, subdivision 25, to have a bona fide contract or franchise in effect with either the first-stage manufacturer of the motor home or the manufacturer or distributor of any motor vehicle chassis upon which the new and unused motor vehicle body is mounted. The modification or conversion of a new van-type vehicle into a multipurpose passenger vehicle which is not a motor home does not constitute dealing in new or unused motor vehicle bodies, and a person engaged in the business of selling these van-type vehicles must have a bona

fide contract or franchise with the appropriate manufacturer under subdivision 10. A van converter or modifier who owns these modified or converted van-type vehicles may sell them at wholesale to new motor vehicle dealers having a bona fide contract or franchise with the first-stage manufacturer of the vehicles.

(b) The requirements pertaining to franchises do not apply to persons who remodel or convert motor vehicles for medical purposes. For purposes of this subdivision, "medical purpose" means certification by a licensed physician that remodeling or conversion of a motor vehicle is necessary to enable a handicapped person to use the vehicle.

Sec. 3. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

Subd. 5a. [CONSIGNMENT SALES.] No person may solicit, accept, offer for sale, or sell motor vehicles for consignment sale unless licensed as a new or used motor vehicle dealer, a motor vehicle wholesaler, or a motor vehicle auctioneer.

Sec. 4. Minnesota Statutes 1986, section 168.27, subdivision 8, is amended to read:

Subd. 8. [EXEMPTIONS.] (1) Salespeople and other employees of licensed dealers under this section shall not be required to obtain individual licenses.

(2) Isolated or occasional sales or leases of new or used motor vehicles shall be exempt from the provisions of this section. A person who makes only isolated or occasional sales or leases is not considered to be in the business of selling or leasing motor vehicles and does not qualify to receive dealer plates pursuant to subdivision 16.

Sec. 5. Minnesota Statutes 1986, section 168.27, subdivision 10, is amended to read:

Subd. 10. [ESTABLISHED PLACE OF DOING BUSINESS.] All licensees under this section shall have an established place of business which shall include as a minimum:

(1) For a new motor vehicle dealer, the following:

(a) a permanent enclosed commercial building on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours. Dealership business hours must be conspicuously posted on the place of doing business and readily viewable by the public;

(b) a bona fide contract or franchise (1) in effect with a manufacturer or distributor of the new motor vehicles the dealer proposes to sell, broker, wholesale or auction, or (2) in effect with the first-stage manufacturer or distributor of new motor vehicles purchased from a van converter or modifier which the dealer proposes to sell, broker, wholesale, or auction, or (3) in effect with the final stage manufacturer of the new type A, B or C motor homes which the dealer proposes to sell, broker, wholesale, or auction;

(c) a facility for the repair and servicing of motor vehicles and the storage of parts and accessories, not to exceed ten miles distance from the principal place of business. Such service may be provided through contract with bona fide operators actually engaged in such services;

(d) *an area either indoors or outdoors to display motor vehicles which is owned or under lease by the licensee; and*

(e) *a sign clearly identifying the dealership by name which is readily viewable by the public.*

(2) For a used motor vehicle dealer, the following:

(a) ~~a permanent enclosed commercial building on a permanent foundation~~, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space ~~for~~ where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or automatic telephone answering service during normal ~~working business~~ hours. *Dealership business hours must be conspicuously posted on the place of doing business and readily viewable by the public;*

(b) *an area either indoors or outdoors to display motor vehicles which is owned or under lease by the licensee; and*

(c) *a sign clearly identifying the dealership by name which is readily viewable by the public.*

(3) For a motor vehicle lessor, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours. *Business hours must be conspicuously posted on the place of doing business and readily viewable by the public. The office space must be owned or under lease for a minimum term of one year by the licensee.*

(4) ~~For a motor vehicle broker, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.~~

(5) For a motor vehicle wholesaler, the following: a commercial office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours. *The office space must be owned or under lease for a minimum term of one year by the licensee.*

(6) (5) For a motor vehicle auctioneer, the following: a permanent enclosed commercial building, within or without the state, on a permanent foundation, owned or under lease by the licensee. The lease shall be for a minimum term of one year. The building shall contain office space where the books, records and files necessary to conduct the business are kept and maintained with personnel available during normal business hours or an automatic telephone answering service during normal business hours.

(7) (6) If a new or used motor vehicle dealer maintains more than one place of doing business in a county, the separate places shall be listed on the application. If additional places of business are maintained outside of one county, separate licenses shall be obtained for each county.

(8) (7) If a motor vehicle lessor, ~~broker~~ wholesaler, or auctioneer maintains more than one permanent place of doing business, either in one or more counties, the separate places shall be listed in the application, but only one license shall be required. *If a lessor proposes to sell previously*

leased or rented vehicles at a location outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2, other than cities of the first or second class, the lessor must obtain a license for each nonmetropolitan area county in which sales are to take place.

(8) If a motor vehicle dealer, lessor, or wholesaler does not have direct access to a public road or street, any privately owned roadway providing access to a public road or street must be clearly identified and adequately maintained.

Sec. 6. Minnesota Statutes 1986, section 168.27, subdivision 11, is amended to read:

Subd. 11. [LICENSES.] *Application for license or notification of a change of location of a license must include a street address, not a post office box, and is subject to the registrar's approval. Upon the filing of an application for a license and the proper fee, the registrar is authorized, unless the application on its face appears to be invalid, to grant a 90-day temporary license and during said 90-day period shall investigate the fitness of the applicant, inspect the site and make such other investigation as is necessary to insure compliance with the licensing law. The registrar may extend the temporary license 30 days. At the end of the period of investigation the license shall either be granted or denied. The license must be denied if within the previous five years the applicant was enjoined due to a violation of section 325F.69 or convicted of violating section 325E.14, 325E.15, 325E.16, or 325F.69, or convicted under section 609.53 of receiving or selling stolen vehicles, or convicted of violating United States Code, title 15, sections 1981 to 1991, as amended through December 31, 1984. If the application is approved, the registrar shall license the applicant as a motor vehicle dealer for the remainder of the calendar year, and issue a certificate of license therefor as the registrar may provide upon which shall be placed a distinguishing number of identification of such dealer. Each initial application for a license shall be accompanied by a fee of \$50 in addition to the annual fee. The annual fee shall be \$100. All initial fees and annual fees shall be paid into the state treasury and credited to the general fund. If the initial application is received by the registrar after July 1 of any year, the first annual fee shall be reduced by one-half.*

Sec. 7. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

Subd. 12a. [GROUNDS FOR CANCELLATION WITHOUT HEARING.] *A license may be canceled by the registrar upon satisfactory proof that the dealer has failed to provide or maintain the required surety bond, or that the dealer has failed to provide or maintain the insurance required under chapter 65B. Surety companies and insurers providing required coverages shall promptly notify the registrar upon canceling any surety bond or required insurance. The registrar shall notify the dealer of the reason or reasons for cancellation before the cancellation occurs.*

Sec. 8. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

Subd. 26. [ADVERTISING DISCLOSURE.] *All advertising by a motor vehicle dealer must disclose that the vehicle is being offered for sale by a dealer through use of the dealership name, the term "dealer", or the abbreviation "DLR."*

Sec. 9. [168A.085] [APPLICATIONS FOR TITLE, CERTAIN CASES.]

Subdivision 1. [LIMITATIONS.] No application for certificate of title or registration may be issued for a vehicle that was not manufactured in compliance with applicable federal emission standards in force at the time of manufacture as provided by the Clean Air Act, United States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto, and safety standards as provided by the National Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto, unless the applicant furnishes either proof satisfactory to the agent that the vehicle was not brought into the United States from outside the country or all of the following:

(1) a bond release letter, with all attachments, issued by the United States Department of Transportation acknowledging receipt of a statement of compliance submitted by the importer of the vehicle and that the statement meets the safety requirements as provided by Code of Federal Regulations, title 19, section 12.80(e);

(2) a bond release letter, with all attachments, issued by the United States Environmental Protection Agency stating that the vehicle has been tested and known to be in conformity with federal emission requirements; and

(3) a receipt or certificate issued by the United States Department of the Treasury showing that any gas-guzzler taxes due on the vehicle as provided by Public Law Number 95-618, title 2, section 201(a), have been fully paid.

Subd. 2. [ACCOMPANYING DOCUMENTS.] The application for certificate of title and the application for registration must be accompanied by a manufacturer's certificate of origin in the English language which was issued by the actual vehicle manufacturer and either:

(1) the original documents constituting valid proof of ownership in the country in which the vehicle was originally purchased, together with a translation of the documents into the English language verified as to accuracy of the translation by affidavit of the translator; or

(2) with regard to a vehicle imported from a country that cancels the vehicle registration and title for export, a bond as required by section 168A.07, subdivision 1, clause (2).

Sec. 10. Minnesota Statutes 1987 Supplement, section 297B.031, is amended to read:

297B.031 [REFUND OF TAX; MANDATORY REFUND OR REPLACEMENT LAWS.]

If a manufacturer of motor vehicles is required by a court order under section 325F.665 or a decision of an informal dispute settlement mechanism as defined in section 325F.665, or a dealer or lessor of motor vehicles is required by section 12, to pay the consumer the tax imposed by this chapter, a portion of the tax so paid shall must be refunded to the manufacturer, dealer, or lessor. The amount of the refund shall be is the tax paid by the purchaser less an amount equal to the tax paid multiplied by a fraction, the denominator of which is the purchase price of the vehicle and the numerator of which is the allowance deducted from the refund for the consumer's use of the vehicle. The refund shall must be paid to the manufacturer, dealer, or lessor only upon filing of a written application, in a

form and providing information as prescribed by the commissioner. Payment of a refund pursuant to this section ~~shall~~ *must* be made out of the general and highway user funds in the same proportion provided for deposit of tax proceeds for the fiscal year pursuant to section 297B.09, subdivision 1. The amounts necessary to pay the refunds are appropriated out of the respective funds.

Sec. 11. Minnesota Statutes 1986, section 325E.0951, is amended by adding a subdivision to read:

Subd. 3a. [DISCLOSURE.] No person may transfer a motor vehicle without certifying in writing to the transferee that to the best of the person's knowledge, the pollution control system, including the restricted gasoline pipe, has not been removed, altered, or rendered inoperative. The registrar of motor vehicles shall prescribe the manner and form in which this written disclosure must be made. No transferor may knowingly give a false statement to a transferee in making a disclosure required by this subdivision.

Sec. 12. [325E.662] [SALE OF USED MOTOR VEHICLES.]

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given to them.

(a) "Consumer" means the purchaser, other than for purposes of resale, of a used motor vehicle used primarily for personal, family, or household purposes.

(b) "Dealer" means a motor vehicle dealer or lessor, as defined in section 168.27, subdivisions 2, 3, and 4, whether licensed or unlicensed, or the dealer's or lessor's agent, who is engaged in the business of selling or arranging the sale of used motor vehicles in this state; except that, the term does not include a bank or financial institution, a business selling a used motor vehicle to an employee of that business, or a lessor selling a leased used motor vehicle to that vehicle's lessee or a family member or employee of the lessee.

(c) "Motor vehicle" means a passenger automobile, as defined in section 168.011, subdivision 7, including pickup trucks and vans.

(d) "Used motor vehicle" means any motor vehicle which has been driven more than the limited use necessary in moving or road testing a new motor vehicle prior to delivery to a consumer.

(e) "Express warranty" means a dealer's written statement, as defined in section 325G.17, subdivision 5, provided to a consumer in connection with the sale of a used motor vehicle.

(f) "Buyer's Guide" means the window form required by the Federal Trade Commission's "Used Motor Vehicle Trade Regulation Rule," Code of Federal Regulations, title 16, section 455.2.

Subd. 2. [WRITTEN WARRANTY REQUIRED.] (a) Every used motor vehicle sold by a dealer is covered by an express warranty which the dealer shall provide to the consumer. At a minimum, the express warranty applies for the following terms:

(1) if the used motor vehicle has less than 36,000 miles, the warranty must remain in effect for at least 60 days or 2,500 miles, whichever comes first;

(2) if the used motor vehicle has 36,000 miles or more, but less than

75,000 miles, the warranty must remain in effect for at least 30 days or 1,000 miles, whichever comes first;

(b) The express warranty must require the dealer, in the event of a malfunction, defect, or failure in a covered part, to repair or replace the covered part, or at the dealer's election, to accept return of the used motor vehicle from the consumer and provide a refund to the consumer.

(c) For used motor vehicles with less than 36,000 miles, the dealer's express warranty shall cover, at minimum, the following parts:

(1) with respect to the engine, all lubricated parts, intake manifolds, engine block, cylinder head, rotary engine housings, and ring gear;

(2) with respect to the transmission, the automatic transmission case, internal parts, and the torque converter; or, the manual transmission case, and the internal parts;

(3) with respect to the drive axle, the axle housings and internal parts, axle shafts, drive shafts and output shafts, and universal joints; but excluding the secondary drive axle on vehicles, other than passenger vans, mounted on a truck chassis;

(4) with respect to the brakes, the master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brakes calipers;

(5) with respect to the steering, the steering gear housing and all internal parts, power steering pump, valve body, piston, and rack;

(6) the water pump;

(7) the externally-mounted mechanical fuel pump;

(8) the radiator;

(9) the alternator, generator, and starter.

(d) For used motor vehicles with 36,000 miles or more, but less than 75,000 miles, the dealer's express warranty shall cover, at minimum, the following parts:

(1) with respect to the engine, all lubricated parts, intake manifolds, engine block, cylinder head, rotary engine housings, and ring gear;

(2) with respect to the transmission, the automatic transmission case, internal parts, and the torque converter; or, the manual transmission case, and internal parts;

(3) with respect to the drive axle, the axle housings and internal parts, axle shafts, drive shafts and output shafts, and universal joints; but excluding the secondary drive axle on vehicles, other than passenger vans, mounted on a truck chassis;

(4) with respect to the brakes, the master cylinder, vacuum assist booster, wheel cylinders, hydraulic lines and fittings, and disc brake calipers;

(5) with respect to the steering, the steering gear housing and all internal parts, power steering pump, valve body, and piston;

(6) the water pump;

(7) the externally-mounted mechanical fuel pump.

(e)(1) A dealer's obligations under the express warranty remain in effect

notwithstanding the fact that the warranty period has expired, if the consumer promptly notified the dealer of the malfunction, defect, or failure in the covered part within the specified warranty period and, within a reasonable time after notification, brings the vehicle or arranges with the dealer to have the vehicle brought to the dealer for inspection and repair.

(2) If a dealer does not have a repair facility, the dealer shall designate where the vehicle must be taken for inspection and repair.

(3) In the event the malfunction, defect, or failure in the covered part occurs at a location which makes it impossible or unreasonable to return the vehicle to the selling dealer, the consumer may have the repairs completed elsewhere with the consent of the selling dealer, which consent may not be unreasonably withheld.

(4) Notwithstanding the provisions of this paragraph, a consumer may have non-warranty maintenance and non-warranty repairs performed other than by the selling dealer and without the selling dealer's consent.

(f) Nothing in this section diminishes the obligations of a manufacturer under an express warranty issued by the manufacturer. The express warranties created by this section do not require a dealer to repair or replace a covered part if the repair or replacement is covered by a manufacturer's new car warranty, or the manufacturer otherwise agrees to repair or replace the part.

(g) The express warranties created by this section do not cover defects or repair problems which result from collision, abuse, negligence, or lack of adequate maintenance following sale to the consumer.

(h) The terms of the express warranty, including the duration of the warranty and the parts covered, must be fully, accurately, and conspicuously disclosed by the dealer on the front of the Buyers Guide.

Subd. 3. [EXCLUSIONS.] Notwithstanding the provisions of subdivision 2, a dealer is not required to provide an express warranty for the following used motor vehicles:

(1) vehicles sold for a total cash sale price of less than \$3,000, including the trade-in value of any vehicle traded in by the consumer, but excluding tax, license fees, registration fees, and finance charges;

(2) vehicles with engines designed to use diesel fuel;

(3) vehicles with gross weight, as defined in section 168.011, subdivision 16, in excess of 9,000 pounds;

(4) vehicles that have been custom-built or modified for show or for racing;

(5) vehicles that are eight years of age or older, as calculated from the first day in January of the designated model year of the vehicle;

(6) vehicles that have been produced by a manufacturer which has never manufactured more than 10,000 motor vehicles in any one year;

(7) vehicles having 75,000 miles or more at time of sale;

(8) vehicles that are not manufactured in compliance with applicable federal emission standards in force at the time of manufacture as provided by the Clean Air Act, United States Code, title 42, sections 7401 through 7642, and regulations adopted pursuant thereto, and safety standards as

provided by the National Traffic and Motor Safety Act, United States Code, title 15, sections 1381 through 1431, and regulations adopted pursuant thereto.

Subd. 4. [WAIVER.] When purchasing a used motor vehicle, a consumer may waive the express warranty for a covered part if:

(1) the dealer discloses in a clear and conspicuous typed or printed statement on the front of the Buyers Guide that the waived part contains a malfunction, defect, or repair problem; and

(2) the consumer circles this typed or printed statement and signs the Buyers Guide next to the circled statement.

Subd. 5. [WARRANTY AUTOMATIC.] If a dealer fails to give the express warranty required by this section, the dealer nevertheless is considered to have given the express warranty as a matter of law.

Subd. 6. ["BUYERS GUIDE" REQUIREMENTS.] In selling or offering to sell any used motor vehicle, and in providing the express warranty required by this section, a dealer shall comply in all respects with the Federal Trade Commission's "Used Motor Vehicle Trade Regulation Rule," Code of Federal Regulations, title 16, part 455.

Subd. 7. [HONORING OF EXPRESS WARRANTIES.] (a) In accordance with section 325G.19, subdivision 2, every express warranty in connection with the sale of a used motor vehicle must be honored by the dealer according to the terms of the express warranty.

(b) Following repair or replacement of a covered part, the dealer remains responsible under the express warranty for that covered part for one additional warranty period.

(c) By honoring the terms of the express warranty by repairing or replacing a covered part, the dealer does not create an additional implied warranty on any portion of the used motor vehicle.

(d) A dealer may limit the duration of implied warranties to the duration of the express warranty.

Subd. 8. [REFUNDS.] (a) A refund, as provided under subdivision 2, must consist of the full purchase price of the used motor vehicle and all other charges, including but not limited to excise tax, registration tax, license fees, and reimbursement for towing expenses incurred by the consumer as a result of the vehicle being out of service for warranty repair, less a reasonable allowance for the consumer's use of the vehicle not exceeding ten cents per mile driven or ten percent of the purchase price, whichever is less. Refunds must include the amount stated by the dealer as the trade-in value of any vehicle traded in and applied to the purchase price of the used motor vehicle. Refunds must be made to the consumer and lienholder, if any, as their interests appear on the records of the registrar of motor vehicles.

(b) The amount of the excise tax to be paid by the dealer to the consumer under paragraph (a) is the tax paid by the consumer when the vehicle was purchased less an amount equal to the tax paid multiplied by a fraction, the denominator of which is the purchase price of the vehicle and the numerator of which is the allowance deducted from the refund for the consumer's use of the vehicle.

Subd. 9. [CIVIL REMEDIES.] Any dealer who is found to have violated

this section is subject to the penalties and remedies, including a private right of action, as provided in section 8.31. In addition, a violation of subdivision 7 is also a violation of section 325F.69.

Subd. 10. [LIMITATION ON ACTIONS.] A private civil action brought by a consumer under this section must be commenced within one year of the expiration of the express warranty.

Subd. 11. [REMEDY NONEXCLUSIVE.] Nothing in this section limits the rights or remedies which are otherwise available to a consumer under any other law."

Delete the title and insert:

"A bill for an act relating to consumer protection; regulating sales of used motor vehicles under certain circumstances; regulating new and used motor vehicle dealer licenses; providing certain standards in applications for certificates of title; requiring certain disclosures upon the transfer of a motor vehicle; providing for refund of certain taxes; providing penalties; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 8, 10, 11, and by adding subdivisions; and 325E.0951, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 297B.031; proposing coding for new law in Minnesota Statutes, chapters 168A and 325F."

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. 1699: A bill for an act relating to Washington county; repealing a provision for county board expenses; repealing Laws 1965, chapter 524, as amended.

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. 1875: A bill for an act relating to the city of Minneapolis; authorizing contracts with labor organizations for the provision of certain skilled trade and craft services.

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

Page 2, line 10, delete "not"

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. 1877: A bill for an act relating to counties; exempting the issuance of certain county bonds from the election requirement; authorizing county building fund levies; amending Minnesota Statutes 1986, sections 373.25, subdivision 1; 475.52, subdivision 3; and 475.58, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 373.

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

Page 2, line 5, after the first comma, insert "*health or social service facility,*"

Page 2, line 9, delete "*revenue*" and insert "*trade and economic development*"

Page 2, delete lines 10 and 11 and insert:

"(d) *Metropolitan county*" means a county located in the seven county metropolitan area as defined in section 473.121 or a county with a population of 90,000 or more."

Page 2, line 26, after "*section*" insert "*375.18 or*"

Page 2, line 28, after the period, insert "*In the case of a metropolitan county, the bonds must be approved by vote of at least two-thirds of the members of the county board.*"

Page 3, delete lines 9 and 10 and insert "*this paragraph do not apply to metropolitan counties.*"

Page 3, line 31, after "*and*" insert "*annual*"

Page 4, lines 11 and 21, delete "*two mills*" and insert "*one mill*"

Page 4, line 14, after the period, insert "*This section does not limit the authority to issue bonds under any other special or general law.*"

Page 4, line 20, after "(a)" insert "*If the county has an approved capital improvement plan,*"

Page 4, line 25, after "*the*" insert "*approved*"

Page 5, line 21, after the first comma, insert "*health or social service facilities,*"

Page 6, line 25, after "*sell*" insert "*not more than*"

Page 6, line 26, after "*construction*" insert "*and purchase*"

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

S.F. No. 1743: A bill for an act relating to agriculture; changing the continuing effect of certain farmer-lender mediation rules; repealing certain conflicting language relating to food handler license fees; amending Laws 1987, chapter 292, section 35; repealing Laws 1987, chapter 358, section 85.

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. 1651: A bill for an act relating to agriculture; creating a laboratory services account in the state treasury; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Reports the same back with the recommendation that the bill do pass

and be re-referred to the Committee on Finance. Report adopted.

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

S.F. No. 1593: A bill for an act relating to transportation; creating a transportation study board and prescribing its duties; appropriating money.

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

Page 3, line 22, after "[REPORT.]" insert "*The board shall make a preliminary report to the transportation committees of the senate and the house of representatives by January 15, 1989, which must detail the transportation issues that require immediate attention and provide a schedule of the board's activities.*"

Page 3, lines 24 and 28, delete "June 30" and insert "January 1"

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

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

S.F. No. 1587: A bill for an act relating to transportation; authorizing vending machines in certain highway rest areas, weigh stations, and tourist information centers; amending Minnesota Statutes 1986, section 160.28, subdivision 2.

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

Page 1, line 14, delete the new language and strike "for the purpose of"

Page 1, strike line 15

Page 1, line 16, strike "peanuts, cookies, or gum" and insert "*and primary trunk highways*"

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

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

S.F. No. 1218: A bill for an act relating to the office of the secretary of state; providing for the preservation of land surveys; establishing time for the permanent microfilming of the surveys; appropriating money; amending Minnesota Statutes 1986, section 5.03.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 1986, section 5.03, is amended to read:
5.03 [CLERK OF GOVERNMENT SURVEYS.]

~~There is hereby created in the office of the secretary of state~~ The position of clerk of government surveys and documents ~~for the purpose of in the office of the secretary of state is responsible for receiving and for the safekeeping of all the records and archives of the office of United States~~

surveyor general for the state as soon as they ~~shall be~~ are received from the commissioner of the general land office at Washington, D.C. The secretary of state shall maintain a microfilmed copy of government survey documents for public inspection. The original documents ~~shall must~~ be preserved in a climate controlled environment *provided by the Minnesota historical society and prescribed by the Minnesota historical society and the secretary of state.* The documents ~~shall must~~ be maintained so that they are available for public inspection.

Sec. 2. [DEADLINE.]

By July 1, 1990, the secretary of state shall microfilm all documents covered by section 5.03 and received by the secretary up to that time."

Page 1, line 26, delete "2" and insert "3"

Page 2, lines 4 and 8, delete "1989" and insert "1990"

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. 1784: A bill for an act relating to state agencies; amending and repealing various statutes administered by the state board of investments; amending Minnesota Statutes 1986, sections 11A.17, subdivisions 1, 4, 9, 11, and 14; 11A.19, subdivision 4; and 352D.04, subdivision 1; Minnesota Statutes 1987 Supplement, sections 11A.24, subdivisions 4 and 6; 136.81, subdivision 3; and 353D.05, subdivision 2; repealing Minnesota Statutes 1986, section 11A.17, subdivisions 12 and 13.

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 11A.17, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT PURPOSE.] ~~There is hereby established a~~ *The purpose of the supplemental investment fund for the purpose of providing is to provide* an investment vehicle for the assets of various public retirement plans and funds. ~~This~~ *The* fund ~~shall consist~~ *consists* of ~~seven~~ *six* investment accounts: an income share account, a growth share account, ~~a bond account,~~ a money market account, a guaranteed return account, a bond market account, and a common stock index account. The supplemental investment fund ~~shall be~~ *is* a continuation of the supplemental retirement fund in existence on January 1, 1980.

Sec. 2. Minnesota Statutes 1986, section 11A.17, subdivision 4, is amended to read:

Subd. 4. [INVESTMENT.] The assets of the supplemental investment fund ~~shall must~~ be invested by the state board subject to the provisions of section 11A.24; provided, however, that:

(1) the bond market account and the ~~bond~~ money market account ~~shall must~~ be invested entirely in debt obligations;;

(2) the growth share account and the common stock index account may

be invested entirely in corporate stocks; and

(2) (3) the guaranteed return account may be invested entirely in guaranteed investment contracts; and

(3) the money market account shall be invested entirely in debt obligations maturing within three years.

Sec. 3. Minnesota Statutes 1986, section 11A.17, subdivision 9, is amended to read:

Subd. 9. [VALUATION OF INVESTMENT SHARES.] The value of investment shares in the income share account, the growth share account, the bond market account, and the common stock index account shall *must* be determined by dividing the total market value of the securities constituting the respective account by the total number of shares then outstanding in the investment account. The value of investment shares in the money market account and the guaranteed return account ~~shall be is~~ \$1 per a share. ~~The value of investment shares in the bond account shall be \$5 per share; provided, however, if the account shares are redeemed by a public retirement fund prior to the expiration of the multiyear period set by the board for the payment of the applicable assumed rate, the value of the investment shares shall be at market value.~~ Terms as to withdrawal schedules will be agreed upon by the public retirement fund and the state board.

Sec. 4. Minnesota Statutes 1986, section 11A.17, subdivision 11, is amended to read:

Subd. 11. [PROSPECTUS.] Annually, ~~on or before July 1 by July 2~~, the state board shall prepare and shall issue a prospectus for the supplemental investment fund with separate exhibits for each investment account. The exhibit for each account ~~shall list for~~ *must include its investment objectives, asset allocation, and past investment performance. Upon request, the board shall provide a list of each security representing the current assets of the account in the fund and show* the following items, whichever are applicable:

(1) The purchase price of the security;

(2) The current market value of the security;

(3) The current dividend or interest rate of the security;

(4) The rating of a debt security issued by a nationally recognized rating agency if it is other than a security issued or guaranteed by the United States government.

~~The prospectus shall set forth the statutory provisions governing the supplemental investment fund.~~

The state board shall transmit sufficient copies of the prospectus shall be transmitted to each public retirement plan or fund participating in the supplemental investment account to meet the plan or fund's distribution requirements. Ten copies of the prospectus shall must be filed with the director of the legislative reference library.

Sec. 5. Minnesota Statutes 1986, section 11A.17, subdivision 14, is amended to read:

Subd. 14. [PROCEDURES FOR DISTRIBUTION OF INCOME FOR MONEY MARKET ACCOUNT, BOND ACCOUNT, AND GUARANTEED RETURN ACCOUNT.] At the end of each fiscal year, and *as often as at other times that the state board shall in addition might* determine

appropriate, the state board shall determine the earnings of the money market account; ~~and the guaranteed return account; and the bond account.~~ ~~Notwithstanding the provisions of section 11A.12,~~ The earnings shall *must* be used to purchase additional shares in the respective accounts on behalf of each participating public retirement plan or fund.

Sec. 6. Minnesota Statutes 1986, section 11A.19, subdivision 4, is amended to read:

Subd. 4. [INVESTMENT.] The assets of the variable annuity investment fund ~~shall must~~ be invested by the state board subject to the provisions of section 11A.24 except that:

(a) (1) up to 100 percent of the book value may be invested in corporate stocks;

(b) (2) up to six percent of the book value may be invested in the stock of any one corporation;

(c) Up to ten percent of the book value may be invested in corporate stocks which do not conform with the dividend standard provided for in section 11A.24, subdivision 5.

Sec. 7. Minnesota Statutes 1987 Supplement, section 11A.24, subdivision 4, is amended to read:

Subd. 4. [OTHER OBLIGATIONS.] (a) The state board may invest funds in bankers acceptances, certificates of deposit, commercial paper, mortgage participation certificates and pools, repurchase agreements and reverse repurchase agreements, guaranteed investment contracts, savings accounts, and guaranty fund certificates, surplus notes, or debentures of domestic mutual insurance companies if they conform to the following provisions:

(a) (1) bankers acceptances of United States banks ~~shall be~~ *are* limited to those issued by banks rated in the highest four quality categories by a nationally recognized rating agency;

(b) (2) certificates of deposit ~~shall be~~ *are* limited to those issued by United States banks and savings institutions that are rated in the highest four quality categories by a nationally recognized rating agency or whose certificates of deposit are fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. ~~Sections 16A.58 and 16B.06 do not apply to certifications of deposit and collateralization agreements executed by the state board;~~

(c) (3) commercial paper ~~shall be~~ *is* limited to those issued by United States corporations or their Canadian subsidiaries ~~and shall be~~ rated in the highest two quality categories by a nationally recognized rating agency;

(d) (4) mortgage participation or pass through certificates evidencing interests in pools of first mortgages or trust deeds on improved real estate located in the United States where the loan to value ratio for each loan as calculated in accordance with section 61A.28, subdivision 3, does not exceed 80 percent for fully amortizable residential properties and in all other respects meets the requirements of section 61A.28, subdivision 3. In addition, the state board may purchase from the Minnesota housing finance agency all or any part of any pool of residential mortgages, not in default, which has previously been financed by the issuance of bonds or notes of the agency. The state board may also enter into a commitment with the agency, at the time of any issue of bonds or notes, to purchase

at a specified future date, not exceeding 12 years from the date of the issue, the amount of mortgage loans then outstanding and not in default, which have been made or purchased from the proceeds of the bonds or notes. The state board may charge reasonable fees for any such commitment, and may agree to purchase the mortgage loans at a price such that the yield thereon to the state board will, in its judgment, be comparable to that available on similar mortgage loans at the date of the bonds or notes. The state board may also enter into agreements with the agency for the investment of any portion of the funds of the agency for such period, with such withdrawal privileges, and at such guaranteed rate of return, if any, as may be agreed between the state board and the agency;

(e) (5) collateral for repurchase agreements and reverse repurchase agreements shall be is limited to letters of credit and securities authorized in this section;

(f) (6) guaranteed investment contracts shall be are limited to those issued by insurance companies or banks rated in the top four quality categories by a nationally recognized rating agency;

(g) (7) savings accounts shall be are limited to those fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

(b) Sections 16A.58 and 16B.06 do not apply to certifications of deposit and collateralization agreements executed by the state board under paragraph (a), clause (2).

(c) In addition to investments authorized by paragraph (a), clause (4), the state board may purchase from the Minnesota housing finance agency all or any part of a pool of residential mortgages, not in default, that has previously been financed by the issuance of bonds or notes of the agency. The state board may also enter into a commitment with the agency, at the time of any issue of bonds or notes, to purchase at a specified future date, not exceeding 12 years from the date of the issue, the amount of mortgage loans then outstanding and not in default that have been made or purchased from the proceeds of the bonds or notes. The state board may charge reasonable fees for any such commitment and may agree to purchase the mortgage loans at a price sufficient to produce a yield to the state board comparable, in its judgment, to the yield available on similar mortgage loans at the date of the bonds or notes. The state board may also enter into agreements with the agency for the investment of any portion of the funds of the agency. The agreement must cover the period of the investment, withdrawal privileges, and any guaranteed rate of return.

Sec. 8. Minnesota Statutes 1987 Supplement, section 11A.24, subdivision 6, is amended to read:

Subd. 6. [OTHER INVESTMENTS.] (a) In addition to the investments authorized in subdivisions 1 to 5, and subject to the provisions in clause (b), the state board may invest funds in:

(1) Venture capital investment businesses through participation in limited partnerships and corporations;

(2) Real estate ownership interests or loans secured by mortgages or deeds of trust through investment in limited partnerships, bank sponsored collective funds, trusts, and insurance company commingled accounts, including separate accounts;

(3) Regional and mutual funds through bank sponsored collective funds and open-end investment companies registered under the Federal Investment Company Act of 1940;

(4) Resource investments through limited partnerships, private placements and corporations; ~~and~~

(5) Debt obligations not subject to subdivision 3; *and*

(6) *International securities.*

(b) The investments authorized in clause (a) ~~may only be made if they must~~ conform to the following provisions:

(1) The aggregate value of all investments made according to clause (a) ~~shall~~ may not exceed 35 percent of the market value of the fund for which the state board is investing;

(2) There ~~shall~~ must be at least four unrelated owners of the investment other than the state board for investments made under paragraph (a), clause (1), (2), (3), or (4);

(3) State board participation in an investment vehicle ~~shall be~~ is limited to 20 percent thereof for investments made under paragraph (a), clause (1), (2), (3), or (4); and

(4) State board participation in a limited partnership does not include a general partnership interest or other interest involving general liability. The state board ~~shall~~ may not engage in any activity as a limited partner which creates general liability.

Sec. 9. Minnesota Statutes 1987 Supplement, section 136.81, subdivision 3, is amended to read:

Subd. 3. (a) Each person described in section 136.80, subdivision 1, may elect to purchase shares in one or a combination of the income share account, the growth share account, the money market account, the bond market account, the *guaranteed return account*, or the common stock index account established in section 11A.17. The person may elect to participate in one or more of the investment accounts in the fund by specifying, on a form provided by the executive director of the teachers retirement fund, the percentage of salary deductions and state matching funds to be used to purchase shares in each of the accounts.

(b) Twice in any calendar year, ~~each~~ a person described in section 136.80, subdivision 1, may indicate in writing on forms provided by the teachers retirement association a choice of options for subsequent purchases of shares. After a choice is made, and until a different written indication is made, the executive director shall purchase shares in the supplemental fund as selected. A change in choice of investment ~~option options~~ is effective ~~no later than the first pay date that occurs 30 or more days after the first of the month following~~ receipt of the request for a change.

(c) *One month before the start of a new guaranteed investment contract, a person described in section 136.80, subdivision 1, may elect to transfer all or a portion of the participant's shares previously purchased in the income share, growth share, common stock index, bond market, or money market accounts to the new guaranteed investment contract in the guaranteed return account. If a partial transfer is made, a minimum of \$1,000 must be transferred and a minimum balance of \$1,000 must remain in the previously selected investment options. Upon expiration of a guaranteed*

investment contract, the participant's shares attributable to that contract must be transferred to a new guaranteed investment contract unless the executive director is otherwise directed by the participant. Shares in the guaranteed return account may not be withdrawn from the fund or transferred to another account until the guaranteed investment contract has expired, unless the participant qualifies for redemption of shares under section 136.82, subdivisions 1 and 2.

(d) Twice in any calendar year a person described in section 136.80, subdivision 1, may also change the investment options selected for all or a portion of the person's shares previously purchased in accounts other than the guaranteed return account. If a partial transfer is made, a minimum of \$1,000 must be transferred and a minimum balance of \$1,000 must remain in the previously selected investment option. Before January 1, 1989, a change is restricted to a transfer from one or more accounts to a single account. Changes in investment options for the person's shares must be effected the first of the month following the receipt of a request for a change or as soon as cash flow to an account practically permits but not provided all changes are made no later than six months after the requested change receipt of a request.

(e) If a person fails to indicate a choice as provided herein in this section, the executive director of the teachers retirement fund shall purchase shares in the income account of the Minnesota supplemental retirement investment fund for the coming year until a different written indication is made by the person. The shares so purchased shall must stand in the name of the board of trustees of the teachers retirement fund, but a record shall must be kept indicating the number of shares in each account of the Minnesota supplemental retirement investment fund purchased with the salary deductions and state matching funds attributable to the salary deductions of each person. The record shall be is known as the "employee's share account record." The employee's share account record shall must show, in addition to the number of shares therein in the account, any cash balance of salary deductions or state matching funds attributable to those deductions which that stands uninvested in shares.

Sec. 10. Minnesota Statutes 1986, section 352D.04, subdivision 1, is amended to read:

Subdivision 1. (a) An employee exercising an option to participate in the retirement program provided by this chapter may elect to purchase shares in one or a combination of the income share account, the growth share account, the money market account, the bond market account, the guaranteed return account, or the common stock index account established in section 11A.17. The employee may elect to participate in one or more of the investment accounts in the fund by specifying, on a form provided by the executive director, the percentage of the employee's contributions provided in subdivision 2 to be used to purchase shares in each of the accounts.

(b) Twice in any calendar year, each a participant may indicate in writing on forms provided by the Minnesota state retirement system a choice of options for subsequent purchases of shares. Thereafter Until a different written indication is made by such the participant, the executive director shall purchase shares in the supplemental fund as selected by the participant. If no initial option is chosen, 100 percent income shares shall must be purchased for a participant. A change in choice of investment option shall be is effective no later than the first pay date first occurring after 30

days following the receipt of the request for a change.

(c) *One month before the start of a new guaranteed investment contract, a participant or former participant may elect to transfer all or a portion of the participant's shares previously purchased in the income share, growth share, common stock index, bond market, or money market accounts to the new guaranteed investment contract in the guaranteed return account. If a partial transfer is made, a minimum of \$1,000 must be transferred and a minimum balance of \$1,000 must remain in the previously selected investment options. Upon expiration of a guaranteed investment contract, the participant's shares attributable to that contract must be transferred to a new guaranteed investment contract unless the executive director is otherwise directed by the participant. Shares in the guaranteed return account may not be withdrawn from the fund or transferred to another account until the guaranteed investment contract has expired, unless the participant qualifies for withdrawal under section 352D.05 or for benefit payments under sections 352D.06 to 352D.075.*

(d) Twice in any calendar year a participant or former participant may also change the investment options selected for all or a portion of the participant's shares previously purchased in accounts other than the guaranteed return account. However, if a partial transfer is made a minimum of \$1,000 must be transferred and a minimum balance of \$1,000 must remain in the previously selected investment option. ~~A change is restricted to a transfer from one or more accounts to a single account.~~ Changes in investment options for the participant's shares ~~shall~~ must be effected as soon as cash flow to an account practically permits, but not later than six months after the requested change.

Sec. 11. Minnesota Statutes 1987 Supplement, section 353D.05, subdivision 2, is amended to read:

Subd. 2. [INVESTMENT OPTIONS.] (a) An individual participant may elect to purchase shares in the income share account, the growth share account, the money market account, the bond market account, *the guaranteed return account*, or the common stock index account established by section 11A.17, or a combination of those accounts. The participant may elect to purchase shares in a combination of those accounts by specifying the percentage of contributions to be used to purchase shares in each of the accounts.

(b) Twice in a calendar year, a participant may indicate in writing a choice of options for subsequent purchases of shares. ~~Thereafter,~~ Until the participant makes a different written indication, the executive director of the association shall purchase shares in the supplemental investment fund or funds specified by the participant. If no initial option is indicated by a participant, the executive director shall invest all contributions made by or on behalf of a participant in the income share account. A choice of investment options is effective no later than the first pay date first occurring more than 30 days after receipt of the written choice of options.

(c) *One month before the start of a new guaranteed investment contract, a participant may elect to transfer all or a portion of the participant's shares previously purchased in the income share, growth share, common stock index, bond market, or money market accounts to the new guaranteed investment contract in the guaranteed return account. If a partial transfer is made, a minimum of \$500 must be transferred and a minimum balance of \$500 must remain in the previously selected investment options. Upon*

expiration of a guaranteed investment contract, the participant's shares attributable to that contract must be transferred to a new guaranteed investment contract unless the executive director is otherwise directed by the participant. Shares in the guaranteed return account may not be withdrawn from the fund or transferred to another account until the guaranteed investment contract has expired, unless the participant qualifies for a benefit payment under section 353D.07.

(d) Twice in a calendar year, a participant or former participant may also change the investment options selected for all or a portion of the individual's previously purchased shares in accounts other than the guaranteed return account. If a partial transfer of previously purchased shares is selected, a minimum of \$500 must be transferred and a minimum balance of \$500 must remain in the previously selected investment option. A change may be made only from one account or a combination of accounts to a single account. A change under this paragraph is effective as soon as cash flow to an account permits, but not later than six months from the requested change.

Sec. 12. [REPEALER.]

Minnesota Statutes 1986, section 11A.17, subdivisions 12 and 13, are repealed.

Sec. 13. [EFFECTIVE DATES.]

Sections 1 to 8 and 12 are effective the day following final enactment. Section 9 is effective the day following final enactment except that contributions or transfers to the guaranteed return account may not be made before November 1, 1989. Sections 10 and 11 are effective the day following final enactment except that contributions or transfers to the guaranteed return account may not be made before November 1, 1988."

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

Mr. Dicklich from the Committee on Public Utilities and Energy, to which was referred

S.F. No. 1819: A bill for an act relating to housing; landlord and tenant; providing for tenant's remedies for failure of owner to repair premises; authorizing tenants in single-metered residential buildings to pay for gas and electric utilities and deduct the payments from rent due; providing a procedure for actions involving nonpayment of rent; providing penalties; amending Minnesota Statutes 1986, section 566.28; proposing coding for new law in Minnesota Statutes, chapters 504 and 506.

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

Page 3, line 24, after the period, insert "*If the utility discovers that there is a single-metered residential building, the utility must place the billing or account in the name of the landlord.*"

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. Dicklich from the Committee on Public Utilities and Energy, to which was referred

S.F. No. 1840: A bill for an act relating to telephones; combining local telephone service surcharges for emergency telephone service, telephone access for hearing impaired, and the telephone assistance plan into one surcharge; requiring the department of administration to separate the surcharges and administer the three separate accounts; adding low-income disabled persons to those eligible for the telephone assistance plan; clarifying eligibility for telephone assistance; clarifying administrative functions of and reimbursements to state agencies and telephone companies; amending Minnesota Statutes 1987 Supplement, sections 237.69, subdivision 6, and by adding subdivisions; and 237.70, subdivisions 3, 4, and 7; Laws 1987, chapter 340, section 17; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1987 Supplement, section 237.72.

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

Page 1, line 24, delete "911/T.A.C.I.P./T.A.P." and insert "State Programs"

Page 1, line 29, after the period, insert "A telephone company may choose to remit the appropriate amount as required in this section without assessing the surcharge on individual subscribers."

Page 3, lines 25 and 26, delete "and provide to the telephone companies"

Page 5, lines 20 and 24, after "department" insert "of public service"

Page 6, after line 26, insert:

"Sec. 10. [EMERGENCY RULES.]

The public utilities commission may adopt emergency rules to implement sections 2 to 9."

Page 6, line 31, delete "10" and insert "11"

Renumber the sections in sequence

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. 1564: A bill for an act relating to traffic regulations; regulating the operation of motorized bicycles; amending Minnesota Statutes 1987 Supplement, section 169.223.

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

Page 1, line 14, delete "during daytime hours" and insert "when section 169.48 would not require vehicle headlights to be lighted"

Page 2, line 1, strike everything after "2."

Page 2, strike line 2

Page 2, line 3, strike "section 160.263."

Page 2, line 12, before the semicolon, insert ", if the motorized bicycle is equipped with a seat and foot rests for a second passenger"

Page 2, lines 28 to 30, reinstate the stricken language and delete the new language

Page 2, line 33, strike everything after "5."

Page 2, strike lines 34 to 36

Page 3, strike lines 1 to 4

Page 3, line 5, strike everything before "This" and insert "(a) A person operating a motorized bicycle on a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except in one of the following situations:

(i) when overtaking and passing another vehicle proceeding in the same direction;

(ii) when preparing for a left turn at an intersection or into a private road or driveway; or

(iii) when reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge.

(b) Persons operating motorized bicycles on a roadway may not ride more than two abreast and may not impede the normal and reasonable movement of traffic. On a laned roadway, a person operating a motorized bicycle shall ride within a single lane.

(c)"

Page 3, line 6, strike "bikeway or other lane" and insert "bicycle path or bicycle lane"

Page 3, after line 7, insert:

"Sec. 2. [OPERATION WITHOUT LIGHTED HEADLIGHTS.]

Notwithstanding Minnesota Statutes, section 169.223, subdivision 4, a motorized bicycle may be operated without a lighted headlight except when lights would be required by section 169.48.

Sec. 3. [REPEALER.]

Section 2 is repealed.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. Section 3 is effective December 31, 1989."

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

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

S.F. No. 1708: A bill for an act relating to credit unions; permitting managers to be directors; providing conditions for the expulsion of members; amending Minnesota Statutes 1986, sections 52.08; and 52.19.

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

Page 2, line 5, after "policy" insert "adopted"

Page 2, delete line 24

Page 2, line 25, delete "(2)" and insert "(1)" and after the semicolon, insert "or"

Page 2, delete line 26

Page 2, line 27, delete "(4)" and insert "(2)"

Page 2, lines 29 and 32, delete "shall" and insert "must"

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

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

H.F. No. 464: A bill for an act relating to insurance; accident and health; increasing the maximum lifetime benefit for major medical coverage; amending Minnesota Statutes 1986, sections 62E.04, subdivision 4; and 62E.06, subdivision 1.

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

Pages 1 to 4, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1987 Supplement, section 62E.06, subdivision 1, is amended to read:

Subdivision 1. [NUMBER THREE PLAN.] A plan of health coverage shall be certified as a number three qualified plan if it otherwise meets the requirements established by chapters 62A and 62C, and the other laws of this state, whether or not the policy is issued in Minnesota, and meets or exceeds the following minimum standards:

(a) The minimum benefits for a covered individual shall, subject to the other provisions of this subdivision, be equal to at least 80 percent of the cost of covered services in excess of an annual deductible which does not exceed \$150 per person. The coverage shall include a limitation of \$3,000 per person on total annual out-of-pocket expenses for services covered under this subdivision. The coverage shall be subject to a maximum lifetime benefit of not less than ~~\$250,000~~ \$500,000.

The \$3,000 limitation on total annual out-of-pocket expenses and the ~~\$250,000~~ \$500,000 maximum lifetime benefit shall not be subject to change or substitution by use of an actuarially equivalent benefit.

(b) Covered expenses shall be the usual and customary charges for the following services and articles when prescribed by a physician:

(1) hospital services;

(2) professional services for the diagnosis or treatment of injuries, illnesses, or conditions, other than dental, which are rendered by a physician or at the physician's direction;

(3) drugs requiring a physician's prescription;

(4) services of a nursing home for not more than 120 days in a year if the services would qualify as reimbursable services under Medicare;

(5) services of a home health agency if the services would qualify as reimbursable services under Medicare;

- (6) use of radium or other radioactive materials;
 - (7) oxygen;
 - (8) anesthetics;
 - (9) prostheses other than dental but including scalp hair prostheses worn for hair loss suffered as a result of alopecia areata;
 - (10) rental or purchase, as appropriate, of durable medical equipment other than eyeglasses and hearing aids;
 - (11) diagnostic X-rays and laboratory tests;
 - (12) oral surgery for partially or completely unerupted impacted teeth, a tooth root without the extraction of the entire tooth, or the gums and tissues of the mouth when not performed in connection with the extraction or repair of teeth;
 - (13) services of a physical therapist;
 - (14) transportation provided by licensed ambulance service to the nearest facility qualified to treat the condition; or a reasonable mileage rate for transportation to a kidney dialysis center for treatment; and
 - (15) services of an occupational therapist.
- (c) Covered expenses for the services and articles specified in this subdivision do not include the following:
- (1) any charge for care for injury or disease either (i) arising out of an injury in the course of employment and subject to a workers' compensation or similar law, (ii) for which benefits are payable without regard to fault under coverage statutorily required to be contained in any motor vehicle, or other liability insurance policy or equivalent self-insurance, or (iii) for which benefits are payable under another policy of accident and health insurance, Medicare or any other governmental program except as otherwise provided by law;
 - (2) any charge for treatment for cosmetic purposes other than for reconstructive surgery when such service is incidental to or follows surgery resulting from injury, sickness or other diseases of the involved part or when such service is performed on a covered dependent child because of congenital disease or anomaly which has resulted in a functional defect as determined by the attending physician;
 - (3) care which is primarily for custodial or domiciliary purposes which would not qualify as eligible services under Medicare;
 - (4) any charge for confinement in a private room to the extent it is in excess of the institution's charge for its most common semiprivate room, unless a private room is prescribed as medically necessary by a physician, provided, however, that if the institution does not have semiprivate rooms, its most common semiprivate room charge shall be considered to be 90 percent of its lowest private room charge;
 - (5) that part of any charge for services or articles rendered or prescribed by a physician, dentist, or other health care personnel which exceeds the prevailing charge in the locality where the service is provided; and
 - (6) any charge for services or articles the provision of which is not within the scope of authorized practice of the institution or individual rendering the services or articles.

(d) The minimum benefits for a qualified plan shall include, in addition to those benefits specified in clauses (a) and (e), benefits for well baby care, effective July 1, 1980, subject to applicable deductibles, coinsurance provisions, and maximum lifetime benefit limitations.

(e) Effective July 1, 1979, the minimum benefits of a qualified plan shall include, in addition to those benefits specified in clause (a), a second opinion from a physician on all surgical procedures expected to cost a total of \$500 or more in physician, laboratory and hospital fees, provided that the coverage need not include the repetition of any diagnostic tests.

(f) Effective August 1, 1985, the minimum benefits of a qualified plan must include, in addition to the benefits specified in clauses (a), (d), and (e), coverage for special dietary treatment for phenylketonuria when recommended by a physician.

(g) Outpatient mental health coverage is subject to section 62A.152, subdivision 2."

Amend the title as follows:

Page 1, line 4, delete "sections" and insert "section"

Page 1, line 5, after "and" insert "Minnesota Statutes 1987 Supplement, section"

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

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

S.F. No. 203: A bill for an act relating to financial institutions; permitting interstate banking with additional reciprocating states; amending Minnesota Statutes 1986, section 48.92, subdivision 7.

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. 1786: A bill for an act relating to agriculture; clarifying and imposing penalties for violations related to diseased animals under the jurisdiction of the board of animal health; authorizing inspection upon notice; authorizing enforcement of violations; authorizing civil judicial enforcement actions; authorizing administrative remedies for violations; imposing civil and criminal penalties; amending Minnesota Statutes 1986, sections 35.15, subdivision 2; 35.245, subdivision 5; 35.80; 35.82, subdivision 2; and 35.830; Minnesota Statutes 1987 Supplement, section 35.68; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 1986, sections 35.069; 35.70; 35.71, subdivision 8; and 35.72, subdivision 6.

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

Page 2, line 15, before "Action" insert "An"

Page 7, line 4, before the period, insert "and may authorize the executive secretary to act in the board's behalf"

Page 7, line 14, after "attorney" insert "refuses to prosecute"

Page 7, line 15, delete "*appropriate*" and insert "*a violation is under the jurisdiction of a city attorney*"

Page 9, line 3, delete "*day of*"

Page 10, line 20, after "*control*" insert "*, a rule of the board under section 35.245,*"

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

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

S.F. No. 1823: A bill for an act relating to water; amending the Minnesota watershed act by adding reasons for termination of a watershed district and deleting the requirement for a bond; amending Minnesota Statutes 1987 Supplement, section 112.411, subdivision 4; repealing Minnesota Statutes 1987 Supplement, section 112.411, subdivision 3.

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

Page 2, delete section 2

Amend the title as follows:

Page 1, line 4, delete "and deleting the requirement for a bond"

Page 1, line 6, delete ";; repealing Minnesota Statutes" and insert a period

Page 1, delete line 7

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. Solon from the Committee on Commerce, to which was referred the following appointment as reported in the Journal for March 12, 1987:

**DEPARTMENT OF COMMERCE
COMMISSIONER**

Mike Hatch

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1646, 1768, 1699, 1875, 1743, 1587, 1784, 1840, 1564, 1708, 203 and 1786 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 85 and 464 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Ms. Piper be added as a co-author to S.F. No. 308. The motion prevailed.

Ms. Peterson, D.C. moved that her name be stricken as chief author, shown as a co-author, and the name of Mr. Pogemiller be shown as chief author to S.F. No. 1608. The motion prevailed.

Mr. Peterson, R.W. moved that the name of Mr. Frank be added as a co-author to S.F. No. 1613. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Peterson, R.W. be added as a co-author to S.F. No. 1729. The motion prevailed.

Mr. Merriam moved that the name of Mr. Novak be added as a co-author to S.F. No. 1735. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Marty be added as a co-author to S.F. No. 1816. The motion prevailed.

Mr. Samuelson moved that the name of Mr. Anderson be added as a co-author to S.F. No. 1823. The motion prevailed.

Mr. Solon moved that the name of Mr. Gustafson be added as a co-author to S.F. No. 1836. The motion prevailed.

Mr. Frederickson, D.J. moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1849. The motion prevailed.

Mr. Solon moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1853. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1857. The motion prevailed.

Mr. Ramstad moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1871. The motion prevailed.

Mr. Frank moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1887. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1892. The motion prevailed.

Mr. Schmitz moved that his name be stricken as chief author and the name of Mrs. Adkins be added as chief author to S.F. No. 1900. The motion prevailed.

Mr. Peterson, R.W. moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1911. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Frank be added as a co-author to S.F. No. 1913. The motion prevailed.

Mr. Spear moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1920. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Solon be added as a co-author to S.F. No. 1926. The motion prevailed.

Mr. Morse moved that the name of Mr. Dahl be added as a co-author to S.F. No. 1928. The motion prevailed.

Mr. Freeman moved that the name of Mr. Dahl be added as a co-author

to S.F. No. 1937. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Marty be added as a co-author to S.F. No. 1958. The motion prevailed.

Mr. Frank moved that the name of Mr. Novak be added as a co-author to S.F. No. 1962. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1967. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1979. The motion prevailed.

Mr. DeCramer moved that the name of Mr. Vickerman be added as a co-author to S.F. No. 1985. The motion prevailed.

Mr. Davis moved that the name of Mr. Renneke be added as a co-author to S.F. No. 1996. The motion prevailed.

Mr. Davis moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 1997. The motion prevailed.

Mr. Moe, D.M. moved that the name of Mr. Knaak be added as a co-author to S.F. No. 1999. The motion prevailed.

Mr. Moe, R.D. moved that the names of Messrs. Lessard, Novak, Merriam and Frederickson, D.R. be added as co-authors to S.F. No. 2000. The motion prevailed.

Mr. Moe, D.M. moved that the name of Mr. Anderson be added as a co-author to S.F. No. 2002. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Anderson be added as a co-author to S.F. No. 2005. The motion prevailed.

Ms. Berglin moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 2009. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Morse be added as a co-author to S.F. No. 2012. The motion prevailed.

Mr. Marty moved that the name of Mr. Merriam be added as a co-author to S.F. No. 2014. The motion prevailed.

Mr. Freeman moved that the name of Mrs. McQuaid be added as a co-author to S.F. No. 2025. The motion prevailed.

Messrs. Ramstad and Jude introduced—

Senate Resolution No. 113: A Senate resolution congratulating the Trojets Danceline from Wayzata High School for winning the 1988 State Class AAA Danceline Competition.

Referred to the Committee on Rules and Administration.

Mr. Dicklich moved that S.F. No. 1840 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 11 be taken from the table. The motion prevailed.

Senate Concurrent Resolution No. 11: A Senate concurrent resolution providing session deadline dates for the legislature pursuant to Joint Rule 2.03.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

CALENDAR

S.F. No. 1643: A bill for an act relating to crimes; child abuse; eliminating the need to show emotional harm in proving unreasonable restraint or malicious punishment of a child; amending Minnesota Statutes 1986, sections 609.255, subdivision 3; and 609.377.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1574: A bill for an act relating to real property; mandating that city of Savage is owner in fee simple of title to certain land.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. Nos. 1710, 1711 and 1608, which the committee recommends to pass.

S.F. No. 1594, which the committee recommends to pass with the following amendment offered by Mr. Knaak:

Page 8, after line 26, insert:

"Sec. 12. [EFFECTIVE DATE.]

Section 6 is effective January 1, 1989."

The motion prevailed. So the amendment was adopted.

S.F. No. 1694, which the committee recommends to pass with the following amendment offered by Ms. Reichgott:

Page 2, line 11, after "to" insert "*not more than*" and delete the second "*and*" and insert "*or*"

Page 2, line 12, after "*of*" insert "*not more than*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1644, which the committee recommends to pass with the following amendment offered by Mr. Marty:

Page 7, lines 22 and 23, reinstate the stricken language

Page 7, line 24, reinstate the stricken "allowance"

The motion prevailed. So the amendment was adopted.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Samuelson and Vickerman introduced—

S.F. No. 2026: A bill for an act relating to human services; requiring the commissioner of health and human services to study and recommend changes in law; requiring coordinated laws affecting services for persons with mental retardation and other related conditions; appropriating money.

Referred to the Committee on Health and Human Services.

Mr. Diessner introduced—

S.F. No. 2027: A bill for an act relating to workers' compensation; requiring certain provisions in labor agreements; proposing coding for new law in Minnesota Statutes, chapter 176.

Referred to the Committee on Employment.

Mr. Diessner introduced—

S.F. No. 2028: A bill for an act relating to workers' compensation; providing compensation for the loss of certain fringe benefits; amending Minnesota Statutes 1986, section 176.101, by adding a subdivision.

Referred to the Committee on Employment.

Mr. Diessner introduced—

S.F. No. 2029: A bill for an act relating to workers' compensation; regulating benefit discontinuations; amending Minnesota Statutes 1987 Supplement, section 176.238, subdivisions 1, 5, and 7; repealing Minnesota Statutes 1987 Supplement, sections 176.238, subdivision 2, 3, and 5; and 176.239.

Referred to the Committee on Employment.

Mr. Diessner introduced—

S.F. No. 2030: A bill for an act relating to workers' compensation; regulating the payment of temporary total benefits; amending Minnesota Statutes 1986, section 176.101, subdivisions 1, 3e, 3f, 3j, 3l, 3o, and 3p.

Referred to the Committee on Employment.

Mr. Diessner introduced—

S.F. No. 2031: A bill for an act relating to workers' compensation; requiring the department of labor and industry to provide counsel in certain instances; amending Minnesota Statutes 1986, section 176.261.

Referred to the Committee on Employment.

Mr. Diessner introduced—

S.F. No. 2032: A bill for an act relating to workers' compensation; providing for review of rehabilitation plans; amending Minnesota Statutes 1986, section 176.102, subdivision 7.

Referred to the Committee on Employment.

Messrs. Gustafson and Solon introduced—

S.F. No. 2033: A bill for an act relating to intoxicating liquor; exempting new municipal liquor stores from vote on discontinuance for failure to show a profit; amending Minnesota Statutes 1986, section 340A.602.

Referred to the Committee on Commerce.

Messrs. Benson, Decker, Renneke, Ms. Olson and Mr. Larson introduced—

S.F. No. 2034: A bill for an act relating to taxation; income; providing a credit for long-term care policy premiums; appropriating money; amending Minnesota Statutes 1986, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. DeCramer introduced—

S.F. No. 2035: A bill for an act relating to snowmobiles; requiring payment of the sales and use tax before registration; amending Minnesota Statutes 1986, section 84.82, by adding subdivisions.

Referred to the Committee on Environment and Natural Resources.

Messrs. DeCramer and Pehler introduced—

S.F. No. 2036: A bill for an act relating to education; appropriating money for a history center at Southwest State University and St. Cloud State University.

Referred to the Committee on Finance.

Messrs. Langseth; Frederickson, D.J. and DeCramer introduced—

S.F. No. 2037: A bill for an act relating to education; creating disparity reduction revenue; authorizing a levy; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Mr. DeCramer introduced—

S.F. No. 2038: A bill for an act relating to retirement; state university and community college supplemental plan; authorizing a deduction for administrative expenses; deleting the age minimum for withdrawal of shares; permitting the boards to act through designees in authorizing accelerated withdrawals; amending Minnesota Statutes 1986, section 136.81, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 136.82, subdivisions 1 and 2.

Referred to the Committee on Governmental Operations.

Messrs. Freeman, Knutson, Pogemiller, Chmielewski and Dicklich introduced—

S.F. No. 2039: A bill for an act relating to employment; regulating youth employment programs; providing for compensation at the state or federal minimum wage; regulating employment contracts; amending Minnesota Statutes 1986, sections 268.31, 268.32, and 268.34.

Referred to the Committee on Employment.

Mr. Chmielewski introduced—

S.F. No. 2040: A bill for an act relating to state government; regulating the deadline for job applications with the state; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations.

Mr. Renneke introduced—

S.F. No. 2041: A bill for an act relating to agriculture; shifting the responsibility for eradication of purple loosestrife in certain public waters and wetlands; amending Minnesota Statutes 1986, section 18.191.

Referred to the Committee on Environment and Natural Resources.

Mr. Renneke introduced—

S.F. No. 2042: A bill for an act relating to agriculture; appropriating money for purple loosestrife eradication grants.

Referred to the Committee on Environment and Natural Resources.

Messrs. Dahl, Ramstad and DeCramer introduced—

S.F. No. 2043: A bill for an act relating to education; conditioning University of Minnesota appropriations on having a financial audit done.

Referred to the Committee on Education.

Mr. DeCramer introduced—

S.F. No. 2044: A bill for an act relating to education; clarifying one membership requirement for the board of teaching; amending Minnesota Statutes 1986, section 125.183, subdivision 3.

Referred to the Committee on Education.

Messrs. Stumpf, Dicklich, Langseth, Ramstad and Pogemiller introduced—

S.F. No. 2045: A bill for an act relating to education; reinstating a capital expenditure levy for leasing buildings; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Mr. Vickerman introduced—

S.F. No. 2046: A bill for an act relating to the city of Westbrook; permitting the city to expend city funds for a private hospital.

Referred to the Committee on Local and Urban Government.

Mrs. McQuaid introduced—

S.F. No. 2047: A bill for an act relating to education; making changes in the training and experience revenue and the minimum allowance aid formulas; amending Minnesota Statutes 1987 Supplement, sections 124A.22, subdivision 4; and 124A.25, subdivision 2.

Referred to the Committee on Education.

Messrs. Benson, Frederickson, D.R.; Renneke; Larson and Johnson, D.E. introduced—

S.F. No. 2048: A bill for an act relating to taxation; income; excluding certain volunteer firefighters lump sum distributions; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knaak, Storm, Knutson and Larson introduced—

S.F. No. 2049: A bill for an act relating to taxation; property tax refunds; restoring the full amount for 1986 claims with interest; removing the appropriation limit for 1987 claims; appropriating money; repealing Laws 1987, chapter 268, article 3, section 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knaak, Storm, Knutson and Larson introduced—

S.F. No. 2050: A bill for an act relating to taxation; income; allowing a subtraction over three years for previously taxed retirement contributions; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Wegscheid, Decker, Taylor, DeCramer and Morse introduced—

S.F. No. 2051: A bill for an act relating to retirement; increasing the rate of deferred annuity augmentation for major public retirement funds; amending Minnesota Statutes 1986, section 353.71, subdivision 2; Minnesota Statutes 1987 Supplement, sections 352.72, subdivision 2; 352B.30, subdivision 2; and 354.55, subdivision 11.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid, Decker, Taylor, DeCramer and Morse introduced—

S.F. No. 2052: A bill for an act relating to retirement; increasing the formula percentage for the first ten years of service in major public retirement plans; amending Minnesota Statutes 1986, sections 353.29, subdivision 3; 354.44, subdivisions 6 and 7; and 354A.31, subdivision 4; and Minnesota Statutes 1987 Supplement, section 352.115, subdivision 3.

Referred to the Committee on Governmental Operations.

Mr. Wegscheid introduced—

S.F. No. 2053: A bill for an act relating to environment; requiring the pollution control agency to reimburse small business operators who render waste nonhazardous; requiring rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 2054: A bill for an act relating to employment; prohibiting employer reprisals against employees who decline to participate in charitable fund drives; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Employment.

Mses. Berglin; Peterson, D.C.; Messrs. Diessner, Brandl and Storm introduced—

S.F. No. 2055: A bill for an act relating to human services; defining terms; requiring that court receive annual reviews of people with indeterminate commitments; providing for court-ordered community-based non-residential treatment; defining procedures for community-based nonresidential commitment; requiring procedures for release before commitment and provisional discharge; ensuring insurance coverage for court-ordered treatment; amending Minnesota Statutes 1986, sections 253B.02, subdivisions 13, 19, and by adding subdivisions; 253B.03, subdivision 5; 253B.09, subdivision 1; 253B.15, subdivisions 1, 3, 5, 6, 7, and by adding a subdivision; and 253B.16, subdivision 1; Minnesota Statutes 1987 Supplement, sections 62A.152, subdivision 2; and 62D.102; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1986, section 253B.09, subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Storm; Johnson, D.E.; Frederickson, D.R. and Larson introduced—

S.F. No. 2056: A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Spear, Ms. Peterson, D.C.; Messrs. Purfeerst, Metzen and Anderson introduced—

S.F. No. 2057: A bill for an act relating to financial institutions; authorizing state banks to engage in certain securities activities; permitting state banks to invest in certain corporations and to establish subsidiaries under certain circumstances; authorizing the commissioner to adopt rules and issue orders regarding activities of banks and bank subsidiaries; amending Minnesota Statutes 1986, sections 48.15, by adding a subdivision; and 48.61, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Knaak, Anderson, Renneke and Mehrkens introduced—

S.F. No. 2058: A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Moe, D.M.; Wegscheid; Pogemiller; Frederickson, D.J. and Frederickson, D.R. introduced—

S.F. No. 2059: A bill for an act relating to state agencies; amending, enacting and repealing certain laws administered by the department of administration; appropriating money; amending Minnesota Statutes 1986, sections 16A.41, subdivision 1; 16B.07, subdivisions 2 and 3; 16B.08, subdivision 4; 16B.09, subdivision 3; 16B.28; 16B.42, subdivision 1; 16B.48, subdivision 2; 16B.54, subdivision 8; 16B.55, subdivisions 3 and 6; 16B.65,

subdivision 3; 16B.85; 94.12; 214.07, subdivision 1; and 382.153; Minnesota Statutes 1987 Supplement, sections 16B.09, subdivision 1; 16B.67; 115A.15, subdivision 6; and 168.012, subdivision 1; Laws 1987, chapters 365, section 24; and 404, section 16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1986, sections 15.38; 16B.29; and 214.07, subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Pehler, Ms. Reichgott, Mr. Larson, Ms. Peterson, D.C. and Mr. Stumpf introduced—

S.F. No. 2060: A bill for an act relating to libraries; excluding library services levies from certain levy limitations; requiring recommendations about regional public library districts; amending Minnesota Statutes 1986, section 134.34, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Ramstad, Belanger, Mrs. Brataas and Mr. Taylor introduced—

S.F. No. 2061: A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knutson introduced—

S.F. No. 2062: A bill for an act relating to courts; permitting parties in civil actions to electronically record the proceedings; amending Minnesota Statutes 1986, section 484.72, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Bertram introduced—

S.F. No. 2063: A bill for an act relating to taxation; changing the rate of gross premiums tax imposed on certain mutual insurance companies; allowing a subtraction from taxable income for certain pension income, unemployment compensation, military pay, charitable contributions, and tuition payments; restoring the reduction in 1986 property tax refunds; exempting sales of nonprescription drugs, interstate phone calls, and laundering and dry cleaning services from the sales tax; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 60A.15, subdivision 1; 290.01, subdivision 19b; 297A.01, subdivision 3; 297A.25, subdivision 3; and Laws 1987, chapter 268, article 3, section 12; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Mr. Knaak introduced—

S.F. No. 2064: A bill for an act relating to financial institutions; authorizing certain banks to offer services on behalf of other banks; amending Minnesota Statutes 1986, section 48.34.

Referred to the Committee on Commerce.

Messrs. Mehrkens and Johnson, D.E. introduced—

S.F. No. 2065: A bill for an act relating to crimes; making it a crime for a person in custody for an alleged act of delinquency or on a juvenile adjudication of delinquency to escape; amending Minnesota Statutes 1986, section 609.485, subdivisions 2 and 4.

Referred to the Committee on Judiciary.

Mr. Ramstad introduced—

S.F. No. 2066: A bill for an act relating to education; providing for reporting of consumption of alcohol by minors; amending Minnesota Statutes 1987 Supplement, section 126.035.

Referred to the Committee on Education.

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

S.F. No. 2067: A bill for an act relating to traffic regulations; allowing haulers of timber products to carry increased axle loads under certain circumstances; amending Minnesota Statutes 1986, section 169.825, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Knaak introduced—

S.F. No. 2068: A bill for an act relating to guardianship; permitting appointment of any number of guardians; permitting the appointment of guardians who reside outside the state; amending Minnesota Statutes 1986, section 525.54, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Morse, Ms. Reichgott; Peterson, D.C. and Mr. Luther introduced—

S.F. No. 2069: A bill for an act relating to insurance; prohibiting health insurance rate discrimination on the basis of sex; proposing coding for new law in Minnesota Statutes, chapters 62A; 62C; and 62D.

Referred to the Committee on Commerce.

Messrs. Ramstad and Jude introduced—

S.F. No. 2070: A bill for an act relating to political subdivisions; clarifying tort liability for certain actions; amending Minnesota Statutes 1986, section 466.03, subdivision 5.

Referred to the Committee on Judiciary.

Messrs. Pogemiller, Kroening, Ms. Peterson, D.C.; Berglin and Mrs. Lantry introduced—

S.F. No. 2071: A bill for an act relating to crimes; requiring a neighborhood impact statement to be submitted as part of the presentence investigation report for controlled substance offenses; amending Minnesota Statutes 1986, section 609.115, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Bertram, Anderson and DeCramer introduced—

S.F. No. 2072: A bill for an act relating to workers' compensation; regulating premium for certain classifications of trucking employees; authorizing the state compensation insurance fund to write all states coverage; amending Minnesota Statutes 1986, section 176A.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 79.

Referred to the Committee on Employment.

Messrs. Anderson; Bertram; Pehler; Johnson, D.E. and Berg introduced—

S.F. No. 2073: A bill for an act relating to insurance; health and accident; providing state plan coverage for certain residents who have been terminated because of a health maintenance organization's termination of coverage in a geographic area of the state.

Referred to the Committee on Health and Human Services.

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

S.F. No. 2074: A bill for an act relating to retirement; Minneapolis employees retirement fund; adding state representatives to the retirement board of the fund; transferring administration of the fund from the retirement board to the public employees retirement association effective June 30, 1990; amending Minnesota Statutes 1986, sections 422A.02; and 422A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 422A; repealing Minnesota Statutes 1986, sections 422A.01, subdivision 13; 422A.02; 422A.03; 422A.04, subdivisions 1 and 4; 422A.05; and 422A.06, subdivisions 1, 3, 4, and 6; Minnesota Statutes 1987 Supplement, sections 422A.04, subdivisions 2 and 3; and 422A.06, subdivisions 2, 5, 7, and 8.

Referred to the Committee on Governmental Operations.

Messrs. Larson; Decker; Johnson, D.E.; Mehrkens and Anderson introduced—

S.F. No. 2075: A bill for an act relating to human services; excluding nursing home pension contributions from operating cost limits; amending Minnesota Statutes 1987 Supplement, section 256B.431, subdivision 2b.

Referred to the Committee on Health and Human Services.

Mr. Davis introduced—

S.F. No. 2076: A bill for an act relating to agriculture; appropriating money for a seller-sponsored loan program for beginning farmers.

Referred to the Committee on Agriculture.

Mr. Davis introduced—

S.F. No. 2077: A bill for an act relating to agriculture; directing the attorney general to study ownership of Minnesota farmland by limited partnerships.

Referred to the Committee on Agriculture.

Mrs. McQuaid, Ms. Olson, Messrs. Benson and Decker introduced—

S.F. No. 2078: A bill for an act relating to taxation; repealing the law providing for a contingent tax increase upon forecast of a revenue shortfall; repealing Laws 1987, chapter 268, article 18, section 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Lessard introduced—

S.F. No. 2079: A bill for an act relating to natural resources; regulating fish spearing on lakes within Indian reservations; amending Minnesota Statutes 1986, section 97C.371, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Luther, Jude and Merriam introduced—

S.F. No. 2080: A bill for an act relating to education; reenacting the capital expenditure levy for leased buildings with certain additional restrictions; authorizing a levy to make up for the levy not made in 1987; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Mr. Vickerman and Mrs. Adkins introduced—

S.F. No. 2081: A bill for an act relating to health; authorizing the public facilities authority to make health care planning grants and capital equipment loans available to small hospitals; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 446A.

Referred to the Committee on Health and Human Services.

Messrs. Wegscheid, DeCramer, Morse and Pehler introduced—

S.F. No. 2082: A bill for an act relating to retirement; teachers retirement association; changing the method of computation of early retirement reductions; amending Minnesota Statutes 1986, section 354.44, subdivision 6.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid, Decker, DeCramer, Morse and Pehler introduced—

S.F. No. 2083: A bill for an act relating to retirement; teachers; removing the requirement that service used in annuity computation be consecutive years; amending Minnesota Statutes 1986, section 354.44, subdivision 6.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid, Decker, DeCramer, Morse and Pehler introduced—

S.F. No. 2084: A bill for an act relating to retirement; teachers; lowering the normal retirement age to 62 and adjusting the formula for early retirement; amending Minnesota Statutes 1986, sections 354.44, subdivision 6; 354.46, subdivision 1; and 354.48, subdivision 10; Minnesota Statutes 1987 Supplement, sections 354.48, subdivision 3; 354.49, subdivision 3; and 354.55, subdivision 11.

Referred to the Committee on Governmental Operations.

Ms. Berglin, Mr. Spear, Mrs. Lantry and Mr. Brandl introduced—

S.F. No. 2085: A bill for an act relating to child support; clarifying that guidelines apply in public assistance contribution actions; requiring disclosure of information; allowing use of revenue recapture act by any public agency; allowing use of child support remedies for medical support; providing for termination of income withholding; clarifying application of income withholding; amending Minnesota Statutes 1986, section 256.87, subdivisions 1 and 1a; 256.978; 270A.03, subdivision 4; 518.171, by adding a subdivision; and 518.611, subdivision 10; Minnesota Statutes 1987 Supplement, section 518.611, subdivision 2.

Referred to the Committee on Health and Human Services.

Mrs. McQuaid introduced—

S.F. No. 2086: A bill for an act relating to health; health maintenance organizations; regulating terminations and cancellations; requiring an organization to provide conversion coverage to enrollees upon termination or cancellation of coverage; amending Minnesota Statutes 1986, sections 62D.03, subdivision 4; 62D.07, subdivision 3; 62D.12, subdivision 2; 62D.13; and 62D.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62D.

Referred to the Committee on Health and Human Services.

Mrs. McQuaid introduced—

S.F. No. 2087: A bill for an act relating to taxation; property tax refund; changing refund schedules and income limits; amending Minnesota Statutes 1987 Supplement, sections 290A.03, subdivisions 3 and 8; and 290A.04, subdivisions 2 and 2b; repealing Minnesota Statutes 1987 Supplement, section 290A.04, subdivision 2a; and Laws 1987, chapter 268, article 3, section 12.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Luther, Wegscheid, Samuelson and Anderson introduced—

S.F. No. 2088: A bill for an act relating to insurance; regulating unfair settlement practices; requiring disclosure of coverage; amending Minnesota Statutes 1987 Supplement, section 72A.201, subdivision 4.

Referred to the Committee on Commerce.

Messrs. Novak, Metzen, Mmes. McQuaid, Lantry and Mr. Schmitz introduced—

S.F. No. 2089: A bill for an act relating to metropolitan government; regulating financing and duties of the regional transit board; amending Minnesota Statutes 1986, section 473.39, as amended; and Minnesota Statutes 1987 Supplement, section 473.446, subdivision 1; repealing Minnesota Statutes 1987 Supplement, sections 473.393 and 473.398.

Referred to the Committee on Transportation.

Mr. Lessard introduced—

S.F. No. 2090: A bill for an act relating to state lands; authorizing a certain conveyance by the commissioner of natural resources to the city of Big Fork.

Referred to the Committee on Environment and Natural Resources.

Mr. Purfeerst introduced—

S.F. No. 2091: A bill for an act relating to highway traffic regulations; providing that the attorney who prosecutes DWI misdemeanor violations also must prosecute aggravated DWI while driving after revocation violations; amending Minnesota Statutes 1986, section 169.129.

Referred to the Committee on Judiciary.

Messrs. Samuelson, Diessner and Bertram introduced—

S.F. No. 2092: A bill for an act relating to veterans; providing for state veterans' cemeteries; requiring land donated to state for use as veterans' cemetery in Morrison county to be returned to donors if not used as veterans' cemetery; amending Minnesota Statutes 1986, section 197.235.

Referred to the Committee on Veterans.

Messrs. Morse, DeCramer and Decker introduced—

S.F. No. 2093: A bill for an act relating to education; eliminating the cap on the state university system student health service fee; amending Minnesota Statutes 1986, section 136.11, subdivision 7.

Referred to the Committee on Education.

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

S.F. No. 2094: A bill for an act relating to constables; authorizing town boards to form law enforcement agencies; abolishing the office of constable; authorizing the board of peace officer standards and training to issue peace officer licenses to persons possessing constable licenses; transferring responsibilities imposed by law upon constables to peace officers; amending Minnesota Statutes 1986, sections 38.01; 88.10, subdivision 2; 88.18; 97A.205; 115.32, subdivision 3; 123.352, subdivision 3; 136C.08, subdivision 4; 169.123, subdivision 1; 169.965, subdivisions 4 and 5; 169.966, subdivisions 4 and 5; 169.98, subdivision 1; 176.011, subdivision 9; 192.68, subdivision 1; 192.85; 260.133, subdivision 3; 277.11; 299C.03; 299C.06; 299D.03, subdivision 1; 306.13; 315.43; 317.66, subdivision 4; 325E.21, subdivision 1; 326.337, subdivision 1; 327.76, subdivision 3; 329.07; 329.14; 330.06; 332.37; 343.29, subdivision 1; 345.04; 345.05; 345.14; 346.05; 346.14; 346.17; 346.18; 347.06; 347.14, subdivisions 1 and 2; 349.33; 357.12; 359.11; 367.11; 367.40, by adding a subdivision; 367.42, subdivision 1, and by adding a subdivision; 375.24; 382.27; 383C.645; 383C.673; 395.23; 398.13; 398.35, subdivision 2; 412.101; 412.861, subdivision 1; 473.608, subdivision 17; 514.22; 514.58; 518B.01, subdivision 6; 541.06; 561.07; 566.06; 566.16; 566.175, subdivision 1; 617.27; 624.24; 624.62; 626.05, subdivision 2; 626.84, subdivision 1; 626.848; 626.86; 626.861, subdivision 4; 626.88, subdivisions 1 and 2; 629.34, subdivision 1; and 631.04; proposing coding for new law in Minnesota Statutes, chapter 367;

repealing Minnesota Statutes 1986, sections 367.03, subdivision 3; 367.40, subdivision 3; 367.41; 367.42, subdivision 2; 626.843, subdivision 1a; and 626.845, subdivision 2.

Referred to the Committee on Judiciary.

• Messrs. Peterson, R.W.; Pehler; DeCramer; Meses. Peterson, D.C. and Reichgott introduced—

S.F. No. 2095: A bill for an act relating to education; establishing the amount of the formula allowance for general education revenue for fiscal year 1990; amending Minnesota Statutes 1987 Supplement, section 124A.22, subdivision 2.

Referred to the Committee on Education.

Messrs. Schmitz and Dahl introduced—

S.F. No. 2096: A bill for an act relating to commerce; regulating and governing business relations between manufacturers of agricultural equipment and independent retail dealers of those products; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

Messrs. Marty, Pogemiller and Frederickson, D.R. introduced—

S.F. No. 2097: A bill for an act relating to the board of the arts; regulating distribution of funds to regional arts councils; regulating conflict of interest; amending Minnesota Statutes 1986, section 139.10.

Referred to the Committee on General Legislation and Public Gaming.

Mr. Lessard introduced—

S.F. No. 2098: A bill for an act relating to game and fish; removing crows from the unprotected list; authorizing a season on crow and raven; amending Minnesota Statutes 1986, sections 97A.015, subdivision 52; and 97B.711, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Bertram, Pehler, Laidig, Jude and Samuelson introduced—

S.F. No. 2099: A bill for an act relating to the military; providing tuition reimbursement to members of the Minnesota national guard; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 192.

Referred to the Committee on Veterans.

Messrs. Bertram, Samuelson, Laidig, Jude and Pehler introduced—

S.F. No. 2100: A bill for an act relating to the military; restoring the military pay exclusion for national guard pay; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bertram, Samuelson, Laidig and Pehler introduced—

S.F. No. 2101: A bill for an act relating to the military; providing a state bonus for national guard service; providing state tuition assistance for national guard members; restoring the military pay exclusion for national guard pay; appropriating money; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 192.

Referred to the Committee on Veterans.

Mr. Kroening introduced—

S.F. No. 2102: A bill for an act relating to the city of Minneapolis; authorizing the Minneapolis park and recreation board to establish compensation for its members; amending Laws 1974, chapter 181, section 1, as amended.

Referred to the Committee on Local and Urban Government.

Ms. Berglin and Mr. Moe, D.M. introduced—

S.F. No. 2103: A bill for an act relating to human services; implementing minority child heritage protection act; requiring minority councils to review placement data; requiring rule revision; planning for permanency; improving recruitment of minority adoptive and foster care families; designating recruitment specialist; requiring out-of-home placement reports; creating task force; requiring training of adoption and foster care families and workers; providing grants for support services; expanding definition of "relative" for purposes of placement priority; appropriating money; amending Minnesota Statutes 1986, sections 3.9223, subdivision 3; 3.9225, subdivision 3; 3.9226, subdivision 3; 256F03, subdivision 8; 257.071, subdivisions 2, 3, and by adding a subdivision; 257.072; and 260.015, subdivision 13; Minnesota Statutes 1987 Supplement, section 3.922, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 257; repealing Minnesota Statutes 1986, section 257.071, subdivision 6.

Referred to the Committee on Health and Human Services.

Ms. Berglin introduced—

S.F. No. 2104: A bill for an act relating to domestic abuse; requiring recording of all domestic abuse protection hearings; amending Minnesota Statutes 1986, section 518B.01, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Freeman, Pehler and Dahl introduced—

S.F. No. 2105: A bill for an act relating to education; authorizing the sale of college savings bonds; providing financial incentives for students to enroll at post-secondary institutions located in this state; creating an advisory task force; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Education.

Mr. Freeman, Mses. Berglin, Piper, Messrs. Storm and Benson introduced—

S.F. No. 2106: A bill for an act relating to vocational rehabilitation; changing terminology; regulating funding allocations; providing for facility governance; amending Minnesota Statutes 1986, section 129A.02, subdivision 3; 129A.09; and 129A.10; Minnesota Statutes 1987 Supplement, sections 129A.01, subdivisions 5, 6, and 7; 129A.03; 129A.06, subdivision 1; 129A.07, subdivision 1; 129A.08, subdivisions 1, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1987 Supplement, sections 129A.01, subdivision 8; 129A.07, subdivision 2; and 129A.08, subdivision 3.

Referred to the Committee on Health and Human Services.

Messrs. Luther, Spear, Mrs. Lantry, Messrs. Mehrkens and Hughes introduced—

S.F. No. 2107: A bill for an act relating to crimes; expanding aggravated robbery and burglary in the first degree to include crimes committed with an article that appears to be a dangerous weapon; creating a felony offense of terrorizing with a replica firearm; amending Minnesota Statutes 1986, sections 609.245; 609.582; and 609.713, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Diessner introduced—

S.F. No. 2108: A bill for an act relating to taxation; creating a commission to study the concept of a single business tax or value added tax; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bertram, Pehler, Laidig, Jude and Samuelson introduced—

S.F. No. 2109: A bill for an act relating to the military; providing a state bonus for national guard service; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 192.

Referred to the Committee on Veterans.

Messrs. Novak, Pehler, Benson, Jude and Chmielewski introduced—

S.F. No. 2110: A bill for an act relating to taxation; property; classifying utility property as commercial-industrial; classifying certain personal property; amending Minnesota Statutes 1986, section 273.13, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 273.13, subdivision 24.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Novak, Merriam, Ms. Piper and Mr. Dicklich introduced—

S.F. No. 2111: A bill for an act relating to public utilities; pipeline safety; authorizing the office of pipeline safety to inspect and regulate intrastate pipeline facilities carrying liquefied natural gas, liquefied petroleum gas, and hazardous liquids; adopting federal safety regulations; providing for the calculation of pipeline inspection fees; appropriating money; amending

Minnesota Statutes 1986, sections 299F56, subdivisions 1, 2, 4, 6, and by adding subdivisions; and 299F59; Minnesota Statutes 1987 Supplement, sections 116I.015, subdivision 3; 299F57, subdivision 1, and by adding a subdivision; 299F58; 299F62; 299F63, subdivision 1; 299F64; and 299J.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299F; repealing Minnesota Statutes 1987 Supplement, section 299F63, subdivision 4.

Referred to the Committee on Public Utilities and Energy.

Ms. Piper, Messrs. Marty and Morse introduced—

S.F. No. 2112: A bill for an act relating to taxation; exempting sales of aspirin and other pain relievers from taxation; amending Minnesota Statutes 1987 Supplement, section 297A.25, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Peterson, R.W. introduced—

S.F. No. 2113: A bill for an act relating to agriculture; providing a computerized system for notification of security interests in farm products; imposing a penalty; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 336A.

Referred to the Committee on Agriculture.

Messrs. Luther, Spear, Mrs. Lantry, Messrs. Mehrkens and Hughes introduced—

S.F. No. 2114: A bill for an act relating to crimes; requiring a warning label on replica firearms; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Mr. Dahl introduced—

S.F. No. 2115: A bill for an act relating to public safety; requiring the superintendent of the bureau of criminal apprehension to set standards requiring firearms to be readily identifiable and detectable as firearms; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Judiciary.

Mr. Dahl introduced—

S.F. No. 2116: A bill for an act relating to environment; requiring variable waste collection and disposal fees; requiring direct billing for collection and disposal of certain wastes; requiring counties to offer an opportunity to recycle; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources.

Mr. Diessner introduced—

S.F. No. 2117: A bill for an act relating to employment; allowing certain nonlicensed facilities to perform breath tests for alcohol; amending Minnesota Statutes 1987 Supplement, section 181.951, subdivision 1.

Referred to the Committee on Employment.

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

S.F. No. 2118: A bill for an act relating to occupations and professions; creating the state board of examiners for speech-language pathology and audiology and providing for its powers and duties; providing for the licensure and regulation of speech-language pathologists, and audiologists; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 214.01, subdivision 2; and 214.04, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 153B.

Referred to the Committee on Health and Human Services.

Mr. Spear and Ms. Reichgott introduced—

S.F. No. 2119: A bill for an act relating to child abuse reporting; clarifying the assessment duties of the local welfare agency; providing for the retention of records in certain circumstances; amending Minnesota Statutes 1986, section 626.556, subdivision 5, and by adding subdivisions; and Minnesota Statutes 1987 Supplement, section 626.556, subdivision 11.

Referred to the Committee on Judiciary.

Mrs. Lantry and Mr. Berg introduced—

S.F. No. 2120: A bill for an act relating to charitable gambling; licensing operators of bingo halls; requiring organizations to be directly responsible for the conducting of bingo it holds; changing definition of gross receipts for the purposes of bingo; amending Minnesota Statutes 1986, section 349.19, subdivision 1; Minnesota Statutes 1987 Supplement, section 349.17, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349.

Referred to the Committee on General Legislation and Public Gaming.

Messrs. Pogemiller and Freeman introduced—

S.F. No. 2121: A bill for an act relating to human services; appropriating money for administering service delivery improvement pilot projects.

Referred to the Committee on Health and Human Services.

Messrs. Peterson, R.W.; Merriam; Cohen and Knaak introduced—

S.F. No. 2122: A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private and nonpublic; amending Minnesota Statutes 1986, sections 13.04, subdivision 4; 138.17, by adding a subdivision; and 473.843, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Messrs. Hughes, Morse, Meses. Peterson, D.C.; Reichgott and Mr. Knaak introduced—

S.F. No. 2123: A bill for an act relating to education; changing the membership of the board of teaching; amending Minnesota Statutes 1986, section 125.183, subdivision 3.

Referred to the Committee on Education.

Messrs. Spear, Ramstad, Knutson, Marty and Hughes introduced—

S.F. No. 2124: A bill for an act relating to crime; law enforcement; requiring the reporting of crimes motivated by bias; requiring the peace officer standards and training board to mandate training for peace officers in recognizing, responding to, and reporting crimes of bias; proposing coding for new law in chapter 626.

Referred to the Committee on Judiciary.

Messrs. Spear and Merriam introduced—

S.F. No. 2125: A bill for an act relating to sentencing; directing the sentencing guidelines commission to study certain sentencing issues; requiring the commission to report back to the legislature with proposed changes to respond to these issues; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Judiciary.

Messrs. Diessner, Bertram and Renneke introduced—

S.F. No. 2126: A bill for an act relating to veterans; providing for treatment of certain veterans convicted of crimes who suffer from posttraumatic stress disorder; amending Minnesota Statutes 1987 Supplement, sections 609.115, subdivision 1; and 609.135, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Veterans.

Mr. Marty introduced—

S.F. No. 2127: A bill for an act relating to energy; modifying the program that promotes investments in energy conservation; establishing an energy conservation board; appropriating money; amending Minnesota Statutes 1986, sections 116J.09; 116J.18, subdivision 1a; 216A.07, subdivision 3; 216B.03; 216B.16, subdivisions 1 and 6b; and 216B.243, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 1986, section 216B.241.

Referred to the Committee on Public Utilities and Energy.

Mr. Morse introduced—

S.F. No. 2128: A bill for an act relating to food; requiring labeling of certain foods that may contain banned substances harmful to human health; making findings; prescribing country of origin labeling for fresh, processed, and prepared foods; requiring findings and rules to determine goods requiring country of origin labeling; requiring seizure of mislabeled food; establishing liability for persons injured for mislabeled food; prescribing penalties;

amending Minnesota Statutes 1986, section 31.12.

Referred to the Committee on Agriculture.

Mr. Morse introduced—

S.F. No. 2129: A bill for an act relating to agriculture; renaming the department of agriculture to the department of agriculture and food; authorizing distinction of and expanded use of the Minnesota grown label; establishing certification of soil testing laboratories; requiring real dairy products to be offered where artificial dairy products are served; appropriating money; amending Minnesota Statutes 1986, section 17.01; Minnesota Statutes 1987 Supplement, section 17.102, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 17 and 32; repealing Minnesota Statutes 1986, section 17.013.

Referred to the Committee on Agriculture.

Mr. Morse introduced—

S.F. No. 2130: A bill for an act relating to agriculture; establishing liability for persons injured while using private land for recreational purposes with or without charge; establishing duty of care and liability for persons using a "pick your own" farm; amending Minnesota Statutes 1986, sections 87.01; 87.021; 87.0221; 87.023; 87.024; 87.025; 87.026; and 87.03.

Referred to the Committee on Agriculture.

Mr. Dahl introduced—

S.F. No. 2131: A bill for an act relating to the environment; prohibiting government units and takeout food vendors from purchasing and using chlorofluorocarbon-processed food packaging materials; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Ms. Piper and Mr. Moe, D.M. introduced—

S.F. No. 2132: A bill for an act relating to health; regulating the practice of acupuncture; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Messrs. Diessner, Bertram and Laidig introduced—

S.F. No. 2133: A bill for an act relating to workers' compensation; providing coverage for preventive rabies treatment; amending Minnesota Statutes 1987 Supplement, section 176.135, subdivision 1.

Referred to the Committee on Employment.

Mr. Dicklich introduced—

S.F. No. 2134: A bill for an act relating to St. Louis county; requiring a polling place at a certain location.

Referred to the Committee on Elections and Ethics.

Mr. Dicklich introduced—

S.F. No. 2135: A bill for an act relating to retirement; authorizing optional Medicare coverage for certain pre-1986 public employees; providing for a special referendum; proposing coding for new law in Minnesota Statutes, chapter 355.

Referred to the Committee on Governmental Operations.

Mr. Dicklich introduced—

S.F. No. 2136: A bill for an act relating to taxation; allowing the city of Biwabik to exceed certain property tax levy limits; allowing for a referendum on the issue of exceeding the levy limits.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pehler introduced—

S.F. No. 2137: A bill for an act relating to education; modifying certain requirements relating to school health services; amending Minnesota Statutes 1986, section 123.35, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, sections 123.35, subdivision 16; and 126.201.

Referred to the Committee on Education.

Mr. Vickerman and Ms. Berglin introduced—

S.F. No. 2138: A bill for an act relating to human services; providing exceptions to the moratorium on beds in intermediate care facilities for persons with mental retardation or related conditions; amending Minnesota Statutes 1986, sections 252.291, subdivisions 1 and 2; and 256B.092, subdivisions 5 and 7; Minnesota Statutes 1987 Supplement, sections 252.291, subdivision 3; and 256B.501, subdivision 1.

Referred to the Committee on Health and Human Services.

Ms. Berglin introduced—

S.F. No. 2139: A bill for an act relating to establishment of rates for intermediate care facilities for the mentally retarded (ICF/MR); changing the procedures for determining ICF/MR rates beginning in 1988; amending Minnesota Statutes 1986, section 256B.501, by adding subdivisions.

Referred to the Committee on Health and Human Services.

Mr. Johnson, D.J. introduced—

S.F. No. 2140: A bill for an act relating to state finance; changing provisions providing for a contingent tax increase; requiring or allowing certain retailers to register for a permit and collect and remit the use tax; reducing the tax on pari-mutuel betting and requiring an increase in purses; clarifying the sales tax exemption for the University of Minnesota hospital; taxing foreign income for purposes of the corporate franchise tax; changing corporate franchise tax definitions; allowing franchise tax deductions for deemed dividends from a foreign operating corporation and for foreign payments; updating income and corporate franchise tax provisions to the Internal Revenue Code; providing a separate income tax rate schedule for married

individuals filing separate returns and estates and trusts; increasing the income tax credit for elderly and disabled persons; amending Minnesota Statutes 1986, sections 240.15, subdivisions 1 and 2; 240.18; 290.01, by adding subdivisions; 290.931, subdivision 1; 290.934, subdivisions 1, 3, and by adding a subdivision; 297A.01, subdivision 10; 297A.15, subdivision 1; 297A.16; 297A.17; and 297A.21; Minnesota Statutes 1987 Supplement, sections 16A.1541; 240.13, subdivision 5; 290.01, subdivisions 4, 5, 19, and 20; 290.06, subdivisions 2c and 20; 290.095, subdivision 3; 290.17, subdivision 4; 290.191, subdivision 5; 290.21, subdivision 4; 290.934, subdivision 2; 290A.03, subdivision 15; and 297A.25, subdivision 11; Laws 1987, chapter 268, article 18, section 5; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1986, sections 290.07, subdivisions 1, 2, 3, 6, and 7; 290.11; 290.12, as amended; 290.131, as amended; 290.132, as amended; 290.133, as amended; 290.134, as amended; 290.135, as amended; 290.136, as amended; 290.138, as amended; 290.934, subdivision 4; and 297A.15, subdivision 2; Minnesota Statutes 1987 Supplement, sections 290.14; and 290.21, subdivision 8.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, D.J.; Moe, R.D.; Merriam; Gustafson and Luther introduced—

S.F. No. 2141: A bill for an act relating to natural resources; ratifying and affirming the settlement agreement arising from litigation concerning certain treaty related claims of Chippewa Indians; prescribing powers and duties of the commissioner of natural resources in relation to the settlement agreement; proposing coding for new law in Minnesota Statutes, chapter 97A.

Referred to the Committee on Environment and Natural Resources.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Monday, February 29, 1988. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate