

SIXTY-SECOND DAY

St. Paul, Minnesota, Monday, February 29, 1988

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

CALL OF THE SENATE

Mrs. Lantry 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. Hal Hoekstra.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Diessner was excused from the Session of today. Mr. Frederickson, D.J. was excused from the Session of today until 3:00 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 5, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Minnesota Environmental Quality Board is hereby respectfully submitted to the Senate for confirmation as required by law:

Martha C. Brand, 1904 Humboldt Ave. S., Minneapolis, 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 Environment and Natural Resources.)

February 5, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the State Board of Vocational Technical Education are hereby respectfully submitted to the Senate for confirmation as required by law:

Donna Anderson, 2221 Marillac Ln., St. Paul, Ramsey County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1989.

Frank E. Adams, 605 Ramsey St. N.E., Minneapolis, Hennepin County, has been appointed by me, effective January 26, 1988, for a term expiring the first Monday in January, 1992.

Scott Rocci Norcia, Eastview Apts., Eveleth, St. Louis 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.)

February 16, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Board on Judicial Standards is hereby respectfully submitted to the Senate for confirmation as required by law:

Lawrence Redmond, 1920 S. 1st St., Minneapolis, 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 Judiciary.)

February 18, 1988

The Honorable Jerome M. Hughes
President of the Senatē

Dear Sir:

The following appointment to the Board on Judicial Standards is hereby respectfully submitted to the Senate for confirmation as required by law:

Edward Matonich, 2031 - 2nd Ave. E., Hibbing, St. Louis County, has been appointed by me, effective February 17, 1988, for a term expiring the first Monday in January, 1990.

(Referred to the Committee on Judiciary.)

Sincerely,
Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1741, 1846, 1853 and 1886.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 25, 1988

FIRST READING OF HOUSE BILLS

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

H.F. No. 1741: A bill for an act relating to consumer protection; prohibiting the resale of liners used in flotation bedding; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 325F

Referred to the Committee on Commerce.

H.F. No. 1846: A bill for an act relating to environment; authorizing inspection of certain records kept by waste facilities; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1725, now on General Orders.

H.F. No. 1853: A bill for an act relating to health; clarifying an existing statute that requires insurance plans to cover the services provided by a registered nurse engaged in advanced nursing practice to the same extent that the services would be covered if provided by a physician; including nurse practitioners and clinical specialists in psychiatric or mental health nursing among the roles specifically listed as examples of advanced nursing practice; amending Minnesota Statutes 1986, section 62A.15, subdivision 3a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1758.

H.F. No. 1886: A bill for an act relating to crime; increasing penalties for advertising, selling, and renting devices designed to make an unauthorized connection to a cable communications system; amending Minnesota Statutes 1986, section 609.80.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1694, now on the Calendar.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 308, 1595 and 1618. The motion prevailed.

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

S.F. No. 1686: A bill for an act relating to agriculture; prescribing procedure for delivery of dry edible beans from a grain warehouse; requiring the grade of dry edible beans on warehouse receipts; prescribing a delivery charge; amending Minnesota Statutes 1986, sections 223.16, subdivision 4; 232.21, subdivision 7; and 232.23, by adding a subdivision.

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

Page 3, lines 17, 24, 28, 30, and 31, delete "*delivery*" and insert "*redelivery*"

Page 3, line 21, delete "DELIVERY" and insert "REDELIVERY"

Amend the title as follows:

Page 1, line 5, delete "*delivery*" and insert "*redelivery*"

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. 1761: A bill for an act relating to crime; traffic safety; providing that operating a vehicle at a speed of 85 miles per hour or more is careless driving; limiting plea negotiations for speeding violations; amending Minnesota Statutes 1986, sections 169.13, subdivision 2; and 169.141, by adding a subdivision.

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

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

S.F. No. 1801: A bill for an act relating to consumer protection; requiring certain disclosures regarding storage fees imposed by repair shops; amending Minnesota Statutes 1986, sections 325F58, subdivisions 1 and 3; and 325F62, subdivision 3; Minnesota Statutes 1987 Supplement, sections 325F56, subdivision 8; and 325F60, subdivision 1.

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 1987 Supplement, section 325F56, subdivision 8, is amended to read:

Subd. 8. "Written estimate" means a writing which includes:

(a) The name and address of the shop;

(b) A description of the problem to be repaired as described by the customer and any specific repair requested by the customer;

(c) The charges for parts or materials listed with reasonable particularity and indicating whether the parts are new, used, rebuilt, reconditioned, or replated if this information is known by the shop. If parts, other than window glass, used in the repair are new parts, the estimate must indicate whether or not those parts are original equipment parts;

(d) *A reasonable storage fee, if the shop imposes a fee for storage;*

(e) Labor charges;

~~(e)~~ (f) Tax;

~~(f)~~ (g) Any delivery charge;

~~(g)~~ (h) Any other charges; and

~~(h)~~ (i) The total estimated price.

Sec. 2. Minnesota Statutes 1986, section 325F58, subdivision 3, is amended to read:

Subd. 3. At the time a shop provides a customer with a written estimate, the shop shall inform the customer that any charge for *storage or care*, a service call or a charge for making an estimate shall be in addition to the estimated price for the repairs.

Sec. 3. Minnesota Statutes 1987 Supplement, section 325F60, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION; REQUIREMENTS.] Notwithstanding the provisions of section 325F56, subdivision 2, for the purpose of this section "repair" means work of any value performed under a manufacturer's warranty, a service contract, or an insurance policy; or any repair work performed for a total value of more than \$50, including the price of parts and materials, to restore a malfunctioning, defective, or worn motor vehicle, appliance, or dwelling place used primarily for personal, family, or household purposes and not primarily for business or agricultural purposes. "Repairs" do not include service calls or estimates. Upon completion of repairs, a shop shall provide the customer with a copy of a dated invoice for the repairs performed. If the customer receives a repaired motor vehicle or appliance without face to face contact with the shop, the shop shall mail the invoice to the customer within two business days after the shop has knowledge of removal of the item. The invoice shall contain the following information:

(a) The date of repair;

(b) The name and address of the shop;

(c) A description of all repairs performed;

(d) An itemization of the charges for parts, materials, labor, tax, delivery, *storage or care*, and any other charges assessed against the customer;

(e) A notation specifying which parts, if any, are new, used, rebuilt, reconditioned, or replated if that information is known by the shop. If parts, other than window glass, used in the repair are new parts, the invoice must indicate whether or not those parts are original equipment parts;

(f) A statement of any charge for *storage or care*, a service call or for making an estimate;

(g) A statement of the odometer reading at the time a motor vehicle is

presented for repairs; and

(h) A statement of the symptoms, as described by the customer, for which the repairs were sought.

Sec. 4. Minnesota Statutes 1986, section 325F62, subdivision 3, is amended to read:

Subd. 3. Each shop shall conspicuously display a sign that states the following: "Upon a customer's request, this shop is required to provide a written estimate for repairs costing \$100 to \$2,000 if the shop agrees to perform the repairs. The shop's final price cannot exceed its written estimate by more than ten percent without the prior authorization of the customer". *You must request that the estimate be in writing. An oral estimate is not subject to the above repair cost limitations. If the shop charges a fee for the storage or care of repaired motor vehicles or appliances, the shop shall conspicuously display a sign that states the amount assessed for storage or care, when the charge begins to accrue, and the interval of time between assessments."*

Amend the title as follows:

Page 1, line 5, delete "subdivisions 1 and" and insert "subdivision"

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. 1844: A bill for an act relating to commerce; motor vehicles; regulating motor vehicle franchises; clarifying the intent of the legislature regarding cancellations, terminations, or nonrenewals; specifying unfair practices; prohibiting agreements designed to waive, nullify, or modify statutory regulation; requiring lessors to title and register vehicles; amending Minnesota Statutes 1986, sections 80E.06; 80E.07; 80E.08; 80E.09; 80E.13; and 168.27, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 80E.

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

Page 9, line 16, after "*chapter*" insert "*, or prevent a new motor vehicle dealer from bringing an action in a particular forum otherwise available under law*"

Page 9, delete section 7

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete "register vehicles;"

Page 1, line 9, before "80E.13" insert "and" and after the last semicolon, delete "and"

Page 1, line 10, delete everything before "proposing"

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. 1758: A bill for an act relating to health; clarifying an existing statute that requires insurance plans to cover the services provided by a registered nurse engaged in advanced nursing practice to the same extent that the services would be covered if provided by a physician; including nurse practitioners and clinical specialists in psychiatric or mental health nursing among the roles specifically listed as examples of advanced nursing practice; amending Minnesota Statutes 1986, section 62A.15, subdivision 3a.

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

Page 2, line 11, delete "EFFECTIVE DATE" and insert "APPLICABILITY"

Page 2, line 12, delete "*is effective 60 days following final enactment*"

Page 2, line 13, delete "and" and after "all" insert "*individual and*"

Page 2, line 14, delete "*that date*" and insert "*the effective date*"

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 re-referred

S.F. No. 1930: A bill for an act relating to state and local government; establishing the Minnesota advisory commission on intergovernmental relations; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 15B.

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

Page 1, line 19, before the semicolon, insert ", *or their designees*"

Page 2, line 3, before the comma, insert "*or city council members*"

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

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

S.F. No. 1749: A bill for an act relating to the city of Minneapolis; providing conditions for contractors bonds; amending Laws 1980, chapter 595, section 3, by adding a subdivision.

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

Page 1, lines 13 and 24, delete "*at discretion*" and insert "*in accordance with criteria adopted by the Minneapolis city council by ordinance*"

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. 1473: A bill for an act relating to Morrison county; authorizing the board of county commissioners to levy a tax for the building fund.

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

Page 1, line 14, delete "1987" and insert "1988" and delete "1988" and insert "1989"

Page 1, line 15, delete "1996" and insert "1997" and delete "1997" and insert "1998"

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

S.F. No. 1618: A bill for an act relating to armories; increasing the limit on bonded indebtedness; amending Minnesota Statutes 1986, section 193.143.

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

Page 5, after line 3, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

And when so amended the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 1650: A bill for an act relating to human services; providing for the eligibility for and calculation of general assistance and AFCD grants; amending Minnesota Statutes 1986, sections 256.73, subdivisions 2 and 6; 256.76, subdivision 1; 256D.02, subdivision 7, and by adding a subdivision; 256D.06, by adding a subdivision; and 256D.07; Minnesota Statutes 1987 Supplement, sections 256D.01, subdivision 1a; and 256D.06, subdivision 1.

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

Page 4, after line 4, insert:

"Sec. 3. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:"

Page 4, line 5, delete "7" and insert "8"

Page 4, line 14, delete everything after the period

Page 4, delete lines 15 and 16

Page 4, line 17, delete "is less." and insert "For any month in which an overpayment must be recovered, recoupment may be made by reducing the grant but only if the reduced assistance payment, together with the

assistance unit's total income after deducting work expenses as allowed under section 256.74, subdivision 1, clauses (3) and (4), equals at least 95 percent of the standard of need for the assistance unit, except that if the overpayment is due solely to agency error, this total after deducting allowable work expenses must equal at least 99 percent of the standard of need. Notwithstanding the preceding sentence, beginning on the date on which the commissioner implements a computerized client eligibility and information system in one or more counties, all local agencies in the state shall reduce the assistance payment by three percent of the assistance unit's standard of need or the amount of the monthly payment, whichever is less, for all overpayments whether or not the overpayment is due solely to agency error."

Page 4, after line 30, insert:

"Sec. 4. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:"

Page 4, line 31, delete "8" and insert "9"

Page 4, after line 33, insert:

"Sec. 5. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:"

Page 4, line 34, delete "9" and insert "10"

Page 5, after line 2, insert:

"Sec. 6. Minnesota Statutes 1986, section 256.73, is amended by adding a subdivision to read:"

Page 5, line 3, delete "10" and insert "11"

Page 5, line 12, after the period, insert "*A decision on an application for assistance shall be made as promptly as possible and no more than 30 days from the date of application.*"

Page 11, line 10, after the period, insert "*The first grant may be reduced by the amount of emergency general assistance provided to the applicant.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "AFCD" and insert "AFDC"

Page 1, line 5, after "6" insert ", and by adding subdivisions"

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

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

S.F. No. 1857: A bill for an act relating to human services; providing for the duration of work incentive subsidized housing emergency rules; requiring mandatory school attendance for certain AFDC recipients who are minors; providing for implementation of the food stamp employment and training program; appropriating money; amending Minnesota Statutes 1986, sections 245.771, by adding a subdivision; 256.736, by adding subdivisions; Minnesota Statutes 1987 Supplement, section 256.736, subdivisions 1b and 4.

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 245.771, is amended by adding a subdivision to read:

Subd. 3. [EMPLOYMENT AND TRAINING PROGRAMS.] The commissioner of human services may contract with the commissioner of jobs and training to implement and supervise employment and training programs for food stamp recipients that are required by federal regulations.

Sec. 2. Minnesota Statutes 1987 Supplement, section 256.736, subdivision 1b, is amended to read:

Subd. 1b. [WORK INCENTIVE SUBSIDIZED HOUSING PROGRAM.] Within the limit of available appropriations, employed recipients of aid to families with dependent children who meet eligibility requirements established by the commissioner of human services are eligible for a state housing subsidy as an incentive to seek and retain employment. The commissioner of human services shall adopt rules for the work incentive subsidized housing program using eligibility criteria, subsidy amounts, and an administrative system developed jointly by the commissioner of human services and the commissioner of jobs and training. Unless superseded by permanent rules, emergency rules adopted to implement this section remain in effect until July 1, 1989. The rules must:

(1) target recipients who are or are likely to become long-term recipients or who experience substantial barriers to employment;

(2) establish a fixed or sliding scale subsidy amount that will create a significant work incentive yet enable the program to serve the greatest possible number of recipients;

(3) limit the subsidy to persons who become employed while receiving assistance; and

(4) provide for continued subsidy payments for up to one year after termination of assistance to ease the transition from assistance to self-sufficiency.

The program must be coordinated with existing work and training programs and must be designed to maximize savings in the aid to families with dependent children program. The subsidy must be provided as in-kind assistance, and it is not available if it would be considered countable income under state and federal requirements.

Sec. 3. Minnesota Statutes 1986, section 256.736, is amended by adding a subdivision to read:

Subd. 1c. [EDUCATION INCENTIVE PROGRAM.] (a) Within the limits of available appropriations, a recipient who is either a minor parent living with his or her child or a pregnant minor and who meets the requirements of this subdivision is eligible for a subsidy for child care, nonschool transportation, or clothing and food items for the recipient's child as an incentive to attend and complete the recipient's education through high school or its equivalent. The subsidy must be provided as in-kind assistance and is not available if it would be considered countable income under state and federal law.

(b) A recipient who is either a minor parent living with his or her child or a pregnant minor and who is attending a school as defined in section 4, paragraph (a), is eligible for an education incentive subsidy according to the following schedule:

No. of consecutive school days attended without an unexcused absence per calendar month	Value of Voucher
5	\$ 7.50
10	17.50
15	30.00
20	45.00

The term "school day" means a day when school is in session for purposes of calculating the required minimum number of school days under section 124.19.

(c) The educational incentive subsidy must:

(1) be in the form of a voucher for the purchase of clothing, diapers, or food items for the minor parent's child, for the provision of child care services outside normal school hours, or for the purchase of nonschool transportation services;

(2) be calculated on at least a monthly basis and be provided to the recipient no later than the eighth day following the end of the preceding month;

(3) continue until the recipient receives a high school diploma, earns a graduate equivalency diploma, or is no longer a recipient, whichever occurs first;

(4) not be calculated on a pro rata basis; and

(5) be vouchered to a vendor chosen by the recipient, provided the vendor furnishes the goods or services described in clause (1).

(d) For purposes of calculating the education incentive subsidy under this subdivision, an absence with good cause as described in section 4, paragraph (d), is not a break in the number of consecutive days of school attendance but does not count as an attended school day. Absence from school for any other reason is an unexcused absence.

(e) Every six months beginning August 1, 1988, the commissioner shall mail to each recipient who is a pregnant minor or a minor parent a written notice informing the recipient of the availability of the education subsidy, the eligibility conditions, and an application for the education subsidy with instructions on how to apply for the subsidy.

(f) In order to implement this section, and notwithstanding section 13.32, subdivision 3, schools shall furnish and verify information about school attendance to the commissioner and to case management services providers for the purpose of establishing eligibility for and the amount of the education subsidy.

(g) Every recipient who has applied for an education subsidy must be given monthly notice of his or her eligibility for and the amount of the subsidy and of the right to request a fair hearing in accordance with section 256.045 and the Code of Federal Regulations, title 45, section 205.10. Pending the outcome of an appeal, the subsidy must be issued in the amount

determined by the case manager based on information provided by the school. If the appeal is decided in the recipient's favor, the additional subsidy voucher to which the recipient is entitled must be promptly issued.

(h) The commissioner shall report to the legislature by January 1, 1990, on the effectiveness of the education incentive program in improving school attendance and performance.

Sec. 4. Minnesota Statutes 1986, section 256.736, is amended by adding a subdivision to read:

Subd. 3b. [MANDATORY SCHOOL ATTENDANCE FOR MINOR PARENTS.] (a) [DEFINITIONS.] The definitions in this paragraph apply to this subdivision.

(1) "Minor parent" means a recipient of AFDC who is under age 18 and who is the natural or adoptive parent of a child living with the minor parent.

(2) "School" means:

(i) an educational program which leads to a high school diploma. The program or coursework may be, but is not limited to, a program under the post-secondary enrollment options of section 123.3514, a regular or alternative program of an elementary or secondary school, a technical institute, or a college;

(ii) coursework for a general educational development (GED) diploma of not less than six hours of classroom instruction per week; or

(iii) any other post-secondary educational program that is approved by the public school or the local agency under subdivision 11.

(b) [SCHOOL ATTENDANCE REQUIRED.] Notwithstanding section 256.736, subdivision 3, a minor parent must attend school if all of the following apply:

(1) the minor parent has no child living with the parent who is younger than six weeks of age;

(2) transportation services needed to enable the minor parent to attend school are available;

(3) licensed or legal nonlicensed child care services needed to enable the minor parent to attend school are available;

(4) the minor parent has not already graduated from high school and has not received a general educational development (GED) diploma; and

(5) the minor parent does not have good cause for failing to attend school, as provided in paragraph (d).

(c) [ENROLLMENT AND ATTENDANCE.] The minor parent must be enrolled in school and meeting the school's attendance requirements. The minor parent is considered to be attending when the minor parent is enrolled but the school is not in regular session, including holidays and summer breaks.

(d) [GOOD CAUSE FOR NOT ATTENDING SCHOOL.] The local agency shall determine whether good cause for not attending school exists, according to this paragraph:

(1) Good cause exists when the minor parent is ill or injured seriously

enough to prevent the minor parent from attending school.

(2) Good cause exists when the minor parent's child is ill or injured and the minor parent's presence in the home is required to care for the child.

(3) Good cause exists when the local agency has verified that the only available school program requires round trip commuting time from the minor parent's residence of more than two hours by available means of transportation, excluding the time necessary to transport children to and from child care.

(4) Good cause exists when there is an interruption in availability of child care services.

(5) Good cause exists when the minor parent has indicated a desire to attend school, but the public school system is not providing for the minor parent's education and alternative programs are not available.

(6) Good cause exists when the school does not cooperate with the local agency in providing verification of the minor parent's education or attendance.

(7) Good cause exists when the minor parent or the minor parent's child has a medical appointment or an appointment with the local welfare agency, is required to appear in court during the minor parent's normal school hours, or has any other obligation consistent with the case management contract.

(e) [FAILURE TO COMPLY.] If the school notifies the local agency that the minor parent is not enrolled or is not meeting the school's attendance requirements and the local agency determines that the minor parent does not have good cause, the local agency shall apply the sanctions listed in subdivision 4 beginning with the first payment month after issuance of notice.

(f) [NOTICE AND HEARING.] A right to notice and fair hearing shall be provided in accordance with section 256.045 and the Code of Federal Regulations, title 45, section 205.10.

(g) [SOCIAL SERVICES.] When a minor parent has failed to attend school and does not have good cause, the local agency shall refer the minor parent to social services for services, as provided in section 257.33.

(h) [VERIFICATION.] No less often than quarterly, the local agency must verify that the minor parent is meeting the requirements of this subdivision. Notwithstanding section 13.32, subdivision 3, when the local agency notifies the school that a minor parent is subject to this subdivision, the school must furnish verification of school enrollment and attendance to the local agency.

Sec. 5. Minnesota Statutes 1986, section 256.736, is amended by adding a subdivision to read:

Subd. 3c. [MINOR PARENTS NOT LIVING WITH RELATIVES.] (a) This subdivision applies to a minor parent who is not living with a parent or other adult relative and who is not living in a group or foster home licensed by the commissioner.

(b) For purposes of this subdivision, the following terms have the meanings given them:

(1) "Minor parent" means an applicant for or recipient of AFDC who is under age 18 and who is the natural or adoptive parent of a child living

with the minor parent.

(2) "Other adult relative" means a person who qualifies to be an eligible relative caretaker for AFDC, as specified in federal regulations.

(c) The agency shall determine, for each minor parent who applies for or receives AFDC, whether this section applies. For a minor parent to whom this section applies, the local agency shall refer the minor parent to its social services unit within 30 days of the date the application for assistance is approved for development of a social service plan as required in section 257.33. The agency shall notify the minor parent of the referral to social services and that cooperation in developing and participating in a social service plan is required in order for AFDC eligibility to continue.

(d) In addition to meeting the requirements of section 257.33, the social service plan may, based upon the social service unit's evaluation of the minor caretaker's needs and parenting abilities and the health, safety, and parenting needs of the minor caretaker's child, require the minor caretaker to live in a group or foster home or participate in available programs that teach skills in parenting or independent living.

(e) If the minor parent fails to cooperate in developing or participating in the social service plan, the social services unit shall notify the income maintenance unit of the local agency, which shall then notify the minor parent of the determination and that the sanctions in subdivision 4 will be applied.

Sec. 6. Minnesota Statutes 1987 Supplement, section 256.736, subdivision 4, is amended to read:

Subd. 4. [CONDITIONS OF CERTIFICATION.] The commissioner of human services shall:

(1) Arrange for or provide any caretaker or child required to participate in employment and training services pursuant to this section with child-care services, transportation, and other necessary family services;

(2) Pay 10 percent of the cost of the work incentive program and any other costs that are required of that agency by federal regulation for employment and training services for recipients of aid to families with dependent children;

(3) Provide that in determining a recipient's needs any monthly incentive training payment made to the recipient by the department of jobs and training is disregarded and the additional expenses attributable to participation in a program are taken into account in grant determination to the extent permitted by federal regulation; and

(4) Provide that ~~when it has been certified by the county board that a caretaker or child required to participate in an employment and training program has been found by the employment and training service provider to have refused without good cause to participate in appropriate employment and training services or to have refused without good cause to accept a bona fide offer of public or other employment, the county board shall provide that the county board shall impose the sanctions in clause (5) or (6) when the county board:~~

(a) is notified that a caretaker or child required to participate in employment and training services has been found by the employment and training

service provider to have failed without good cause to participate in appropriate employment and training services or to have failed without good cause to accept a bona fide offer of public or other employment;

(b) determines that a minor parent who is required to attend school under section 4 has, without good cause, failed to attend school;

(c) determines that section 5 applies to a minor parent and the minor parent has, without good cause, failed to cooperate with development of a social service plan or to participate in execution of the plan, to live in a group or foster home, or to participate in a program that teaches skills in parenting and independent living; or

(d) determines that a caretaker has, without good cause, failed to attend orientation.

(5) To the extent permissible by federal law, the following sanctions must be imposed for a recipient's failure to participate in required employment and training services, education, orientation, or the requirements of section 5:

(a) For the first failure, 50 percent of the grant provided to the family for the month following the failure must be made in the form of protective or vendor payments;

(b) For the second and subsequent failures, the entire grant provided to the family must be made in the form of protective or vendor payments. Assistance provided to the family must be in the form of protective or vendor payments until the recipient complies with the requirement; and

(c) When protective payments are required, the local agency may continue payments to the caretaker if a protective payee cannot reasonably be found.

(6) When the sanctions provided by clause (5) are not permissible under federal law, the following sanctions must be imposed for a recipient's failure to participate in required employment and training services, education, orientation, or the requirements of section 5:

(a) If the caretaker ~~makes the refusal~~ fails to participate, the caretaker's needs shall not be taken into account in making the grant determination, and aid for any dependent child in the family will be made in the form of protective or vendor payments, except that when protective payments are made, the local agency may continue payments to the caretaker if a protective payee cannot reasonably be found. The standard of assistance for the remaining eligible members of the assistance unit is the standard that is used in other instances in which the caretaker is excluded from the assistance unit for noncompliance with a program requirement.

(b) Aid with respect to a dependent child will be denied if a child who ~~makes the refusal~~ fails to participate is the only child receiving aid in the family.

(c) If there is more than one child receiving aid in the family, aid for the child who ~~makes the refusal~~ fails to participate will be denied and the child's needs will not be taken into account in making the grant determination.

(d) If the assistance unit's eligibility is based on the nonexempt principal earner's unemployment and this principal earner fails ~~or refuses~~ without good cause to participate or to accept employment, the entire assistance unit is ineligible for benefits under sections 256.72 to 256.87.

Sec. 7. Minnesota Statutes 1987 Supplement, section 256.736, subdivision 11, is amended to read:

Subd. 11. [CASE MANAGEMENT SERVICES.] (a) For clients described in subdivision 2a, the case manager shall:

(1) Assess the education, skills, and ability of the caretaker to secure and retain a job which, when added to child support, will support the caretaker's family. The case manager must work with the caretaker in completing this task;

(2) Set goals and develop a timetable for completing education and employment goals. The case manager must work with the caretaker in completing this task. For caretakers who are not literate or who have not completed high school, the first goal for the caretaker must be to complete literacy training or a general education diploma. Caretakers who are literate and have completed high school shall be counseled to set realistic attainable goals, taking into account the long-term needs of both the caretaker and the caretaker's family;

(3) Coordinate services such as child care, transportation, and education assistance necessary to enable the caretaker to work toward the goals developed in clause (2). When a client needs child care services in order to attend a Minnesota public or nonprofit college, university or technical institute, the case manager shall contact the appropriate agency to reserve child care funds for the client. A caretaker who needs child care services in order to complete high school or a general education diploma is eligible for child care under section 268.91;

(4) Develop, execute, and monitor a contract between the local agency and the caretaker. The contract must include: (a) specific goals of the caretaker including stated measurements of progress toward each goal; (b) specific services provided by the county agency; and (c) conditions under which the county will withdraw the services provided;

The contract may include other terms as desired or needed by either party. In all cases, however, the case manager must ensure that the caretaker has set forth in the contract realistic goals consistent with the ultimate goal of self-sufficiency for the caretaker's family; and

(5) Develop and refer caretakers to counseling or peer group networks for emotional support while participating in work, education, or training.

(b) In addition to the duties in paragraph (a), for minor parents *and pregnant minors*, the case manager shall:

(1) Ensure that the contract developed under paragraph (a)(4) considers all factors set forth in section 257.33, subdivision 2; ~~and~~

(2) Assess the housing and support systems needed by the caretaker in order to provide the dependent children with adequate parenting. The case manager shall encourage minor parents *and pregnant minors* who are not living with friends or relatives to live in a group home or foster care setting. If minor parents *and pregnant minors* are unwilling to live in a group home or foster care setting or if no group home or foster care setting is available, the case manager shall assess ~~the minor parent's~~ *their* need for training in parenting and independent living skills and *when appropriate* shall refer ~~appropriate minor parents~~ *them* to available counseling programs designed to teach needed skills; *and*

(3) *Inform the minor parent or pregnant minor of, and assist them in evaluating the appropriateness of, the high school graduation incentives program under section 126.22, including post-secondary enrollment options, and the employment-related and community-based instruction programs.*

(c) A caretaker may request a conciliation conference to attempt to resolve disputes regarding the contents of a contract developed under this section or a housing and support systems assessment conducted under this section. The caretaker may request a hearing pursuant to section 256.045 to dispute the contents of a contract or assessment developed under this section. The caretaker need not request a conciliation conference in order to request a hearing pursuant to section 256.045.

Sec. 8. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 1, is amended to read:

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

(a) "Child care services" means child care provided in family day care homes, group day care homes, nursery schools, day nurseries, child day care centers, play groups, head start, and parent cooperatives, or in the child's home.

(b) "Child" means a person 12 years old or younger, or a person age 13 or 14 who is handicapped, as defined in section 120.03.

(c) "Commissioner" means the commissioner of human services.

(d) "Child care" means the care of a child by someone other than a parent or legal guardian in or outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

(e) "County board" means the board of county commissioners in each county.

(f) "Education program" means remedial or basic education or English as a second language instruction, high school education, a program leading to a general equivalency diploma, and post-secondary education excluding post-baccalaureate programs.

(g) "Employment program" means employment of recipients financially eligible for the child care sliding fee program, vocational assessment, and job readiness and job search activities.

(h) *"Family" means parents, stepparents, guardians, or other caretaker relatives, and their blood related dependent children and adoptive siblings under the age of 18 years living in the same home including children temporarily absent from the household in settings such as schools, foster care, and residential treatment facilities. When a minor parent or parents and his, her, or their children are living with other relatives, and the minor parent or parents apply for child care subsidy, "family" means only the minor parent or parents and the child. An adult may be considered a dependent member of the family unit if 50 percent of the adult's support is being provided by the parents, stepparents, guardians, or other caregiver relatives residing in the same household.*

(i) "Human services board" means a board established under section 402.02, Laws 1974, chapter 293, or Laws 1976, chapter 340.

(j) *"Income" means earned or unearned income received by all family*

members 16 years or older, including public assistance benefits, unless specifically excluded. The following are excluded from income: scholarships and grants that cover costs for tuition, fees, books, or educational supplies; student loans for tuition fees, books, supplies, and living expenses; in-kind income such as food stamps, energy assistance, medical assistance and housing subsidies; income from summer or part-time employment of 16-, 17- and 18-year-old full-time secondary school students; and non-recurring lump sum income only to the extent that it is earmarked and used for the purpose for which it is paid.

(k) "Provider" means the child care license holder or the legal non-licensed caregiver who operates a family day care home, a group family day care home, a day care center, a nursery school, or a day nursery, or who functions in the child's home.

(l) "Post-secondary educational systems" means the University of Minnesota board of regents, the state university board, the state board for community colleges, and the state board of vocational technical education.

(m) "AFDC priority groups" means the recipients defined in section 256.736, subdivision 2a.

(n) "AFDC" means aid to families with dependent children.

Sec. 9. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3, is amended to read:

Subd. 3. [ALLOCATION.] (a) By June 1 of each odd-numbered year, the commissioner shall notify all county and human services boards and post-secondary educational systems of their allocation. If the appropriation is insufficient to meet the needs in all counties, the amount must be prorated among the counties.

(b) Except for set-aside money allocated under subdivisions 3a, 3b, 3c, and 3d, the commissioner shall allocate money appropriated between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, and the area outside the metropolitan area so that no more than 55 percent of the total appropriation goes to either area after excluding allocations for statewide administrative costs. The commissioner shall allocate 50 percent of the money among counties on the basis of the number of families below the poverty level, as determined from the most recent special census, and 50 percent on the basis of caseloads of aid to families with dependent children for the preceding fiscal year, as determined by the commissioner of human services.

(c) Once each quarter, the commissioner shall review the use of child care fund allocations by county. ~~In accordance with the formula found in paragraph (b).~~ The commissioner may reallocate unexpended or unencumbered money among those counties who have expended their full portion. Any unexpended money from the first year of the biennium may be carried forward to the second year of the biennium.

Sec. 10. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3b, is amended to read:

Subd. 3b. [SET-ASIDE MONEY FOR AFDC PRIORITY GROUPS.] (a) Set-aside money for AFDC priority groups must be allocated among the counties based on the average monthly number of caretakers receiving AFDC under the age of 21 and the average monthly number of AFDC cases open 24 or more consecutive months. For each fiscal year the average

monthly caseload shall be based on the 12-month period ending March 31 of the previous fiscal year. The commissioner may reallocate quarterly unexpended or unencumbered set-aside money to counties that expend their full allocation. The county shall use the set-aside money for AFDC priority groups *and for former AFDC recipients who (1) have had their child care subsidized under the set-aside for AFDC priority groups; (2) continue to require a child care subsidy in order to remain employed; and (3) are on a waiting list for the basic sliding fee program.*

(b) The county shall develop cooperative agreements with the employment and training service provider for coordination of child care funding with employment, training, and education programs for aid to families with dependent children priority groups. The cooperative agreement shall specify that individuals receiving employment, training, and education services under an employability plan from the employment and training service provider shall, as resources permit, be guaranteed set-aside money for child care assistance from the county of their residence.

(c) Counties may contract for administration of the program or may arrange for or contract for child care funds to be used by other appropriate programs, in accordance with this section and as permitted by federal law and regulations.

(d) If the commissioner finds, on or after January 1 of a fiscal year, that set-aside money for AFDC priority groups is not being fully utilized, the commissioner may permit counties to use set-aside money for other eligible applicants, as long as priority for use of the money will continue to be given to the AFDC priority groups.

(e) A county may claim federal reimbursement under the AFDC special needs program for money spent for persons listed in subdivision 3a, clause (1). The commissioner shall allocate any federal earnings to the county. The county shall use the money to expand services to AFDC recipients under the child care sliding fee program.

Sec. 11. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3c, is amended to read:

Subd. 3c. [SET-ASIDE MONEY FOR AFDC POST-SECONDARY STUDENTS.] (a) For the fiscal year ending June 30, 1988, set-aside money for persons listed in subdivision 3a, clause (2), shall be allocated to the counties based on caseloads of aid to families with dependent children for the preceding fiscal year, as determined by the commissioner. For succeeding fiscal years, the commissioner shall, in cooperation with the director of the higher education coordinating board, develop a formula for allocation of the funds to counties based on the number of AFDC caretakers in each county who are enrolled at post-secondary institutions.

(b) Money allocated in paragraph (a) must be used for child care expenses of AFDC recipients attending post-secondary educational programs, excluding post-baccalaureate programs, and making satisfactory progress towards completion of the program.

(c) Once each quarter the commissioner shall review the use of child care fund allocations under this subdivision by county. The commissioner may reallocate unexpended or unencumbered money among those counties that have expended their full portion for the purposes of this subdivision.

(d) A county may claim federal reimbursement under the AFDC special

needs program for money spent for persons listed in subdivision 3a, clause (2). The commissioner shall allocate any federal earnings to the county. The county shall use the money to expand services to AFDC recipients under the child care sliding fee program.

(e) Recipients of AFDC who have completed their post-secondary education and had received child care funds during that education shall be assured, to the extent of available ~~resources~~ *allocations*, of sliding fee money for employment programs after graduation if they meet sliding fee program eligibility standards.

Sec. 12. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 3e, is amended to read:

Subd. 3e. [USE OF MONEY.] Money for persons listed in subdivision 3a, clauses (2) and (3), shall be used to reduce the costs of child care for students, including the costs of child care for students while employed if enrolled in an eligible education program at the same time and making satisfactory progress towards completion of the program. The county may plan for and provided child care assistance to persons listed in subdivision 3a, clauses (2) and (3), from the regular sliding fee fund to supplement the set-aside funds. *Financially eligible* students ~~provided who have received~~ child care assistance for one academic year shall be provided child care assistance in the following academic year, ~~providing they remain financially eligible~~ *if funds allocated under subdivision 3c or 3d are available*.

Sec. 13. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 4, is amended to read:

Subd. 4. [FINANCIAL ELIGIBILITY.] (a) Child care services must be available to families who need child care to find or keep employment or to obtain the training or education necessary to find employment and who:

- (1) receive aid to families with dependent children;
- (2) have household income below the eligibility levels for aid to families with dependent children; or
- (3) have household income within a range established by the commissioner.

(b) Child care services for the families receiving aid to families with dependent children must be made available as in-kind services, to cover any difference between the actual cost and the amount disregarded under the aid to families with dependent children program. Child care services to families whose incomes are below the threshold of eligibility for aid to families with dependent children, but that are not receiving aid to families with dependent children, must be made available without cost to the families.

(c) Child care services to families with incomes in the commissioner's established range must be made available on a sliding fee basis. The lower limit of the sliding fee range must be the eligibility limit for aid to families with dependent children. The upper limit of the range must be neither less than 70 percent nor more than 90 percent of the state median income for a family of four, adjusted for family size.

(d) If a disproportionate amount of the available money is provided to any one of the groups described in subdivision 4, paragraph (a), the county board shall document to the commissioner the reason the group received a disproportionate share. If a county projects that its child care allocation is insufficient to meet the needs of all eligible groups, it may prioritize

among the groups to be served. *If a county maintains a waiting list of applicants for the sliding fee program, it shall place at the top of the list former AFDC recipients who (1) have had their child care subsidized under the set-aside for AFDC priority groups; (2) continue to require a child care subsidy in order to remain employed; and (3) continue to have their child care needs paid for out of the set-aside for AFDC priority groups until money is available through the basic sliding fee program.* Counties shall assure that a person receiving child care assistance from the sliding fee program prior to July 1, 1987, continues to receive assistance, providing the person meets all other eligibility criteria. Set-aside money must be prioritized by the state, and counties do not have discretion over the use of this money.

(e) Annual income of the applicant family is the current monthly income of the family multiplied by 12 or the income for the 12-month period immediately preceding the date of application, whichever provides the most accurate assessment of income available to the family. Self-employment income must be calculated based on gross receipts less operating expenses. Income must be redetermined when the family's income changes, but no less often than every six months. Income must be verified with documentary evidence. If the applicant does not have sufficient evidence of income, verification must be obtained from the source of the income.

Sec. 14. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 12, is amended to read:

Subd. 12. [FAIR HEARING PROCESS.] (a) Applicants and recipients have the option to request the county to conduct a conciliation conference to attempt to resolve complaints arising from any of the following actions:

- (1) a determination of ineligibility for child care assistance;
- (2) unauthorized termination of child care assistance;
- (3) determination of the factors considered in setting the family fee; and
- (4) income redetermination resulting in change of a family fee.

(b) The county shall notify the applicant or the recipient, in writing, of any adverse action. The determination described in paragraph (a), clauses (1) and (3), must include written notice of the applicant's or recipient's right to the election described in paragraph (c), where and how to request the election, the time limit within which to make the request, and the reasons for the determination. Notice of the proposed actions described in paragraph (a), clauses (2) and (4), must be mailed to the applicant or recipient at least 15 calendar days before the effective date of the action. The notice must clearly state what action the county proposes to take, the effective date of the proposed action, the reasons for the proposed action, the necessary corrective measures, the option to request either a conciliation conference or an administrative hearing, where and how to make the request, the time limits within which a request must be made, and the consequence of the action.

(c) An applicant or recipient who receives a determination or notice of proposed action under paragraph (b) must mail or deliver either a written notice of request for a conciliation conference to the administering agency or a written notice of request for the hearing specified under paragraph (e) to the administering agency on or before the effective date of the proposed action or the date specified in the notice, or the action will be final.

(d) The county shall provide a conciliation conference within 30 days of receipt of a written request.

The county shall give the applicant or recipient ten calendar days' notice of the conference date. The applicant or recipient and the county's representative have the right to appear, to bring witnesses, and to submit documentation. The written request and the resolution, if any, of the conference shall be maintained as part of the official record. The county's representative shall issue a written resolution only if mutual agreement is reached between the county's representative and the applicant or recipient. The resolution must be signed by both parties and issued the same day as the conciliation conference is held. Participating in a conciliation conference or signing a resolution does not constitute a waiver of the right to an administrative hearing.

An applicant or recipient may, within 15 calendar days of the conference, mail or deliver a written request to the administering agency for an administrative hearing. Unless an appeal is requested, a determination, proposed action, or resolution of a conciliation conference will be final after the 15-day period has passed.

(e) A fair hearing shall be conducted in the manner prescribed by section 268.10, subdivision 3. A right to review will be provided in accordance with section 268.10, subdivision 5. The proposed action will not take effect until the appeal is decided by the administrative hearing process.

An applicant or recipient adversely affected by a county agency action may request a fair hearing in accordance with section 256.045, subdivision 3. The county agency shall offer an informal conference to applicants and recipients adversely affected by an agency action to attempt to resolve the dispute. The county agency shall advise adversely affected applicants and recipients that a request for a conference with the agency is optional and does not delay or replace the right to a fair hearing.

Sec. 15. [APPROPRIATION.]

\$460,000 is appropriated from the general fund to the commissioner of human services for fiscal years 1988 and 1989 to implement the food stamp employment and training program.

\$. . . . is appropriated from the general fund to the commissioner of human services for the education incentive subsidy program established in section 3, to be available until expended.

Sec. 16. [EFFECTIVE DATE.]

Sections 9 and 10 are effective July 1, 1988."

Delete the title and insert:

"A bill for an act relating to human services; providing for the duration of work incentive subsidized housing emergency rules; requiring mandatory school attendance for certain AFDC recipients who are minors; expanding case management services for minor parents to include pregnant minors; establishing an education incentive subsidy program; providing for implementation of the food stamp employment and training program; authorizing the use of AFDC priority group child care assistance money for priority caretakers who are former AFDC recipients but continue to require child care assistance; requiring counties to place former AFDC priority caretakers who continue to need child care assistance at the top of the waiting

list for the regular sliding fee child care program; providing definitions of family and income for purposes of the sliding fee program; changing appeal procedures; appropriating money; amending Minnesota Statutes 1986, sections 245.771, by adding a subdivision; 256.736, by adding subdivisions; Minnesota Statutes 1987 Supplement, sections 256.736, subdivisions 1b, 4, and 11; and 268.91, subdivisions 1, 3, 3b, 3c, 3e, 4, and 12."

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

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

S.F. No. 1121: A bill for an act relating to motor vehicles; establishing titling system for salvage and rebuilt motor vehicles; providing penalties; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 3, 10, 16, and 17, and by adding subdivisions; 168A.01, subdivision 1, and by adding subdivisions; and 168A.15; proposing coding for new law in Minnesota Statutes, chapter 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, scrap metal processors, used vehicle parts dealers, and salvage pools.

(6) "Commercial building" means a building adapted to commercial use and located in an area zoned for commercial or other less restrictive non-residential use by the governmental unit in which it is located.

(7) "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.

(8) "Junked vehicle" means a vehicle that is graded and stamped as a "class D" total loss vehicle under section 19.

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. *A new motor vehicle dealer may engage in the business of buying or otherwise acquiring vehicles for dismantling the vehicles and selling used parts and remaining scrap materials under chapter 168A, except that a new motor vehicle dealer may not purchase a junked vehicle from a salvage pool, insurance company, or its agent unless the dealer is also licensed as a used vehicle parts 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, subdivision 3, is amended to read:

Subd. 3. [USED MOTOR VEHICLE DEALER.] No person shall engage in the business of selling or arranging the sale of used motor vehicles or shall offer to sell, solicit, arrange, or advertise the sale of used motor vehicles without first acquiring a used motor vehicle dealer license. A used motor vehicle dealer licensee shall be entitled thereunder to sell, lease, broker, wholesale or auction and to solicit and advertise the sale, lease, broker, wholesale or auction of any used motor vehicles for consumer use at retail or for resale to a dealer. *A used motor vehicle dealer may engage in the business of buying or otherwise acquiring vehicles for dismantling the vehicles and selling used parts and remaining scrap materials under chapter 168A, except that a used motor vehicle dealer may not acquire a junked vehicle from a salvage pool, insurance company, or its agent, unless the dealer is also licensed as a used vehicle parts dealer.*

Sec. 4. Minnesota Statutes 1986, section 168.27, is amended by adding

a subdivision to read:

Subd. 3a. [SCRAP METAL PROCESSOR.] (a) A person must have a scrap metal processor license to engage in the business of:

(1) buying or otherwise acquiring vehicles other than hulks; or

(2) offering to buy or otherwise acquire, or soliciting or advertising the buying or acquiring of, vehicles other than hulks for processing and selling the metal for remelting. For purposes of this subdivision, a "hulk" is a motor vehicle that is incapable, under its own power, of moving and is incapable of transporting persons or property and has had any valuable used parts removed. Its sole value is its metallic content.

(b) A scrap metal processor licensee is entitled to buy or otherwise acquire vehicles and to solicit and advertise the buying or acquiring of vehicles for processing and selling the metal for remelting. A scrap metal processor licensee may not acquire a junked vehicle for the purpose of dismantling and selling used vehicle parts and remaining scrap materials unless the scrap metal processor is also licensed as a used vehicle parts dealer.

Sec. 5. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

Subd. 3b. [USED VEHICLE PARTS DEALER.] A person must have a used vehicle parts dealer's license to be primarily engaged in the business of buying or otherwise acquiring vehicles for the purpose of dismantling the vehicles and selling used parts and the remaining scrap metals.

Sec. 6. Minnesota Statutes 1986, section 168.27, is amended by adding a subdivision to read:

Subd. 3c. [VEHICLE SALVAGE POOL.] A person must have a vehicle salvage pool license to engage in the business of: storing and displaying, offering to store or display, or soliciting or advertising the storing or displaying of, damaged or junked vehicles as an agent or escrow agent of an insurance company. A vehicle salvage pool licensee is entitled to store and display and to solicit and advertise the storing and displaying of damaged or junked vehicles as an agent or escrow agent of an insurance company. A vehicle salvage pool licensee shall not sell junked vehicles to any party other than a licensed used parts dealer.

Sec. 7. 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 required to be licensed under this section and does not qualify to receive dealer plates under subdivision 16. "Isolated or occasional sales or leases" means the sale, purchase, or lease of not more than five motor vehicles in a 12-month period.

Sec. 8. Minnesota Statutes 1986, section 168.27, subdivision 10, is amended to read:

Subd. 10. [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;

(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 to display motor vehicles, which is owned or under lease by the licensee.*

(2) For a used motor vehicle dealer *or vehicle salvage pool*, the following: a ~~permanent enclosed commercial building on a permanent foundation and an area to display motor vehicles~~, 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.

(3) For a motor vehicle lessor *or 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.

(4) For a ~~motor vehicle broker~~ *used parts dealer or scrap metal processor*, the following: a ~~commercial office space~~ *street address* 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.~~

(6) 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 or *salvage pool* 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, used parts dealer, scrap metal processor*, 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.

Sec. 9. Minnesota Statutes 1987 Supplement, section 168.27, subdivision 16, is amended to read:

Subd. 16. [PLATES, DISTINGUISHING NUMBERS.] (a) The registrar shall issue to every motor vehicle dealer, upon a request from the motor vehicle dealer licensed as provided in subdivision 2 or 3, one or more plates displaying a general distinguishing number upon the payment of \$10 to the registrar. *This subdivision does not apply to a scrap metal processor, a used vehicle parts dealer, or a vehicle salvage pool.* In addition the dealer shall pay a motor vehicle excise tax of \$15 annually for each dealer plate purchased as required by section 297B.035. The registrar shall deposit the tax in the state treasury and it shall be credited as provided in section 297B.09. Motor vehicles, new or used, owned by the motor vehicle dealer and bearing the number plate, except vehicles leased to the user who is not an employee of the dealer during the term of the lease, held for hire, or customarily used by the dealer as a tow truck, service truck, or parts pickup truck, may be driven upon the streets and highways of this state as follows:

(1) by the motor vehicle dealer, or any employee of the motor vehicle dealer or by any member of the immediate family of the dealer or employee for either private or business purposes;

(2) for demonstration purposes by any prospective buyer thereof for a period of 48 hours or in the case of a truck, truck-tractor, or semitrailer, for a period of seven days; or

(3) in a promotional event that lasts no longer than four days in which at least three motor vehicles are involved.

(b) A new or used motor vehicle sold by the motor vehicle dealer and bearing the motor vehicle dealer's number plate may be driven upon the public streets and highways for a period of 72 hours by the buyer for either of the following purposes: (1) Removing the vehicle from this state for registration in another state, or (2) permitting the buyer to use the motor vehicle before the buyer receives number plates pursuant to registration. Use of a motor vehicle by the buyer under the provisions of clause (2) of the preceding sentence before the buyer receives number plates pursuant to registration constitutes a use of the public streets or highways for the purpose of the time requirements for registration of motor vehicles.

Sec. 10. Minnesota Statutes 1986, section 168.27, subdivision 24, is amended to read:

Subd. 24. [BONDS.] All persons licensed hereunder shall keep in full force and effect a bond with a corporate surety to be approved by the registrar of motor vehicles in amounts as herein provided; in the case of boat trailer, snowmobile trailer, horse trailer or motorized bicycle dealers in the amount of \$5,000; and as to all other persons in the amount of

\$25,000. The bond shall be conditioned on the faithful performance by the licensee of the obligations imposed by the laws of this state, including the conduct required of a licensee by this section and other sections governing the sale or transfer of motor vehicles, and the payment of all taxes, license fees, and penalties. The bond shall be for the benefit of the state of Minnesota and any transferor, seller, or purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above. Proceedings on the forfeiture of the bonds shall be commenced in the district court of the county wherein the business of the licensed person was carried on, or if in more than one county, the county in which the offense occurred. *This subdivision does not apply to a used vehicle parts dealer or a scrap metal processor.*

Sec. 11. Minnesota Statutes 1986, section 168.33, subdivision 7, is amended to read:

Subd. 7. [FEES.] In addition to all other statutory fees and taxes, a filing fee of \$3.25 is imposed on every application; except that a filing fee may not be charged for a document returned for a refund or for a correction of an error made by the department or a deputy registrar. The filing fee shall be shown as a separate item on all registration renewal notices sent out by the department of public safety. *No filing fee or other fee may be charged for the surrender of a certificate of title for a motor vehicle.*

Sec. 12. Minnesota Statutes 1986, section 168A.01, subdivision 2, is amended to read:

Subd. 2. "Dealer" ~~means a person who is licensed to engage in the business of buying, selling, or exchanging vehicles, and has an established place of business, in this state has the meaning given it in section 168.27, subdivision 1.~~

Sec. 13. Minnesota Statutes 1986, section 168A.01, is amended by adding a subdivision to read:

Subd. 6a. "High value vehicle" *means a vehicle manufactured six or more years before the start of the current model year that had an actual cash value in excess of \$5,000 before being damaged, or a vehicle with a manufacturer's rating of over 26,000 pounds gross vehicle weight.*

Sec. 14. Minnesota Statutes 1986, section 168A.01, is amended by adding a subdivision to read:

Subd. 8a. "Late model vehicle" *means a vehicle manufactured in the current model year or the five model years immediately preceding the current model year.*

Sec. 15. Minnesota Statutes 1986, section 168A.01, is amended by adding a subdivision to read:

Subd. 12a. "Older model vehicle" *means a vehicle manufactured in the sixth model year immediately preceding the current model year or earlier that is not a high value vehicle.*

Sec. 16. Minnesota Statutes 1986, section 168A.01, is amended by adding a subdivision to read:

Subd. 17a. "Salvage title" *means a certificate of title that is issued to a vehicle graded and stamped as a "class C" total loss vehicle under section 19.*

Sec. 17. Minnesota Statutes 1986, section 168A.01, is amended by adding a subdivision to read:

Subd. 17b. "Salvage vehicle" means a vehicle that has been graded and stamped under section 19.

Sec. 18. Minnesota Statutes 1986, section 168A.15, is amended to read:

168A.15 [SCRAPPED, DISMANTLED, DESTROYED OR RECONSTRUCTED VEHICLES.]

Subdivision 1. ~~An owner who scraps, dismantles, or destroys a vehicle and a person who purchases a vehicle as scrap or to be dismantled or destroyed shall immediately cause the certificate of title to be mailed or delivered to the department for cancellation. A certificate of title of the vehicle shall not again be issued except upon application containing the information the department requires, accompanied by a certificate of inspection in the form and content specified in section 168A.04, subdivision 4, clause (3).~~

Subd. 2. ~~If a vehicle is altered so as to become a reconstructed vehicle, the owner shall apply for a certificate of title to the reconstructed vehicle in the manner provided in section 168A.04, and any existing certificate of title to the vehicle shall be surrendered for cancellation.~~

Sec. 19. [168A.151] [GRADING OF LATE MODEL AND HIGH VALUE VEHICLES.]

Subdivision 1. [INSURERS.] *When an insurer, licensed to conduct business in Minnesota, acquires ownership of a late model or high value vehicle through payment of damages, the insurer shall stamp and grade the assigned certificate of title as required under subdivision 3 and comply with all requirements of this chapter.*

Subd. 2. [DEALERS.] *When a dealer acquires ownership of a late model or high value vehicle and receives an assigned certificate of title, the dealer shall stamp and grade the certificate of title as required by subdivision 3, and comply with all requirements of this chapter.*

Subd. 3. [GRADING.] *An insurer or dealer who acquires ownership of a late model or high value vehicle as described in subdivision 1 or 2 must grade and stamp the certificate of title as follows:*

(a) A "class A" total loss vehicle means a vehicle with damage of less than ten percent of the actual cash value, as approved by an insurer.

(b) A "class B" total loss vehicle means a vehicle with damage of at least ten percent but less than 70 percent of the vehicle's actual cash value, as approved by an insurer.

(c) A "class C" total loss vehicle means a vehicle with damage of at least 70 percent of the vehicle's actual cash value that is repairable.

(d) A "class D" total loss vehicle means a vehicle with damage of at least 70 percent of the vehicle's actual cash value that is unrepairable, such as a total fire loss or a vehicle that cannot be restored for public use. A "class D" total loss vehicle may not be retitled, and the certificate of title must be surrendered to the department even if the vehicle is an out-of-state vehicle. A salvage pool, insurance company, or its agent may sell a "class D" total loss vehicle only to a licensed used parts dealer.

Subd. 4. [OTHER OWNERS.] *When a person other than a dealer or*

insurer acquires ownership of a late model or high value vehicle that is a "class C" total loss vehicle, the person shall surrender the assigned certificate of title to the department and apply for a salvage certificate of title.

Sec. 20. [168A.152] [USE AND CERTIFICATION OF TITLE.]

A salvage certificate of title authorizes the holder to possess, transport, register, and transfer ownership in a vehicle. A certificate of title must not be issued for a vehicle for which a salvage certificate of title has been issued unless a certification of inspection in the form and content specified by the department accompanies the application for a certificate of title.

Sec. 21. [168A.153] [REPORT OF VEHICLE RECEIPT; SURRENDER OF CERTIFICATE.]

Subdivision 1. [OLDER MODEL VEHICLES.] A dealer who buys an older model vehicle to be dismantled or destroyed shall report to the department within 30 days including the vehicle's license plate number and identification number, and the seller's name and driver's license number.

Subd. 2. [LATE MODEL OR HIGH VALUE VEHICLES.] A dealer who buys a late model or high value vehicle to be dismantled or destroyed shall surrender the certificate of title and a properly completed application for a salvage certificate of title to the department within ten days.

Sec. 22. [168A.154] [SALVAGE VEHICLES TAKEN OUT OF STATE.]

A dealer who sells a salvage vehicle to a buyer who intends to remove the vehicle from the state shall report the sale within ten days to the department on a form prescribed by the department.

Sec. 23. [EFFECTIVE DATE.]

Sections 1 to 22 are effective January 1, 1989."

Delete the title and insert:

"A bill for an act relating to motor vehicles; establishing a titling system for salvage and rebuilt motor vehicles; requiring licenses for scrap metal processors, used vehicle parts dealers, and salvage pool operators; amending Minnesota Statutes 1986, sections 168.27, subdivisions 1, 2, 3, 8, 10, 24, and by adding subdivisions; 168.33, subdivision 7; 168A.01, subdivision 2, and by adding subdivisions; and 168A.15; Minnesota Statutes 1987 Supplement, section 168.27, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 168A."

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

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

S.F. No. 1595: A bill for an act relating to state agencies; returning the control of the Minnesota veterans home to the department of veterans affairs.

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

Delete everything after the enacting clause and insert:

"Section 1. [196.021] [DEPUTY COMMISSIONERS TO BE

APPOINTED; DUTIES.]

Subdivision 1. [APPOINTMENT.] The commissioner shall appoint a deputy commissioner for veteran services as provided in subdivision 2, and the board of directors of the Minnesota veterans homes may appoint a deputy commissioner for veteran health care as provided in section 7. Both deputy commissioners serve in the unclassified service, the deputy for veteran services at the pleasure of the commissioner and the deputy for veteran health care at the pleasure of the board. The salary of both deputies is not subject to section 43A.17, subdivision 1. Both deputies shall be residents of Minnesota, citizens of the United States, and veterans as defined in section 197.447.

Subd. 2. [DEPUTY FOR VETERAN SERVICES; POWERS AND DUTIES.] The deputy commissioner for veteran services has those powers delegated by the commissioner that have not otherwise been delegated to the deputy commissioner for veteran health care by the commissioner or assigned to that deputy commissioner by law. A delegation must be in writing, signed by the commissioner, and filed with the secretary of state.

Sec. 2. Minnesota Statutes 1986, section 196.03, is amended to read:

196.03 [OFFICERS AND EMPLOYEES.]

Except as provided in chapter 198, all officers and employees of the department shall be appointed by the commissioner and they shall perform such duties as may be assigned to them by the commissioner.

Sec. 3. Minnesota Statutes 1986, section 196.05, is amended to read:

196.05 [DUTIES OF COMMISSIONER.]

The commissioner shall:

(1) Act as the agent of a resident of the state having a claim against the United States for benefits arising out of or by reason of service in the armed forces and prosecute the claim without charge;

(2) Act as custodian of veterans' bonus records;

(3) Administer the laws relating to the providing of bronze flag holders at veterans' graves for memorial purposes;

(4) Administer the laws relating to recreational or rest camps for veterans so far as applicable to state agencies;

(5) Administer the state soldiers' welfare fund and veterans' relief fund and other funds appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation of veterans;

(6) Cooperate with national, state, county, municipal, and private social agencies in securing to veterans and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;

(7) Provide necessary assistance where other adequate aid is not available to the dependent family of a veteran while the veteran is hospitalized and after the veteran is released for as long a period as is necessary as determined by the commissioner;

(8) Act as the guardian of the estate for a minor or an incompetent person receiving moneys from the United States government when requested to do so by an agency of the United States of America provided sufficient

personnel are available;

(9) Cooperate with United States governmental agencies providing compensation, pensions, insurance, or other benefits provided by federal law, by supplementing the benefits prescribed therein, when conditions in an individual case make it necessary;

(10) Assist in implementing state laws, rights and privileges relating to the reemployment of veterans upon their separation from the armed forces;

(11) Contact, at times as the commissioner deems proper, war veterans, as defined in section 197.447, who are confined in a public institution; investigate the treatment accorded those veterans and report annually to the governor the results of the investigations; and the heads of the public institutions shall permit the commissioner, or the commissioner's representative, to visit any veteran; and, if the commissioner, or the commissioner's representative requests any information relative to any veteran and the veteran's affairs, the head of the institution shall furnish it; and

(12) *Exercise* other powers as may be authorized and necessary to carry out the provisions of this chapter and chapters 197 and 198, *consistent with those chapters.*

Sec. 4. Minnesota Statutes 1986, section 198.001, is amended to read:
198.001 [DEFINITIONS.]

Subdivision 1. For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. "Resident" means a person admitted to *any of the Minnesota veterans home homes.*

Subd. 4. "Administrator" means ~~the~~ *an* administrator of *any of the Minnesota veterans home homes.*

Subd. 5. "Commissioner" means the commissioner of veterans affairs.

Subd. 6. "Board" means *the board of directors of the Minnesota veterans homes, created by section 5.*

Subd. 7. "Deputy commissioner" means *the deputy commissioner of veterans affairs for veteran health care.*

Subd. 8. "Home" means *any of the Minnesota veterans homes.*

Sec. 5. [198.002] [BOARD OF DIRECTORS.]

Subdivision 1. [CREATION.] *The Minnesota veterans homes are governed by a board of directors appointed by the governor.*

Subd. 2. [MEMBERSHIP.] *The board consists of nine voting members appointed by the governor with the advice and consent of the senate. The members of the board shall fairly represent the geographic areas of the state. The members are:*

(1) *a chair, designated by the governor;*

(2) *three public members experienced in policy formulation and knowledgeable about health care delivery; and*

(3) *five members who are members of congressionally chartered veterans organizations that have a statewide organizational structure and state level officers in Minnesota.*

The commissioner of veterans affairs and the chair of the senate veterans affairs committee and the chair of the house committee on general legislation, veterans affairs and gaming serve as ex officio, nonvoting members of the board.

Subd. 3. [TERMS; COMPENSATION.] Membership terms, compensation of members, removal of members, and filling of vacancies are as provided in section 15.0575.

Subd. 4. [INITIAL APPOINTMENTS.] Initial appointments to the board of directors are not subject to section 15.0597.

Subd. 5. [ADMINISTRATIVE SERVICES.] The commissioner of veterans affairs shall provide administrative services to the board necessary for it to carry out its responsibilities.

Subd. 6. [FUTURE ELIMINATION.] If the governor fails to appoint a board, or if the board is eliminated by any other means, its authority vests in the commissioner of veterans affairs.

Sec. 6. [198.003] [POWERS AND DUTIES.]

(a) It is the duty of the board and the board has the power to:

(1) determine policy and, subject to chapter 14, adopt, amend, and repeal rules for the governance of the homes;

(2) report quarterly to the governor on the management, operations, and quality of care provided at the homes;

(3) designate a person to participate as a member of the interagency board for quality assurance established under section 144A.31; and

(4) take other action as provided by law.

(b) The board may appoint a deputy commissioner who shall serve as secretary of the board.

Sec. 7. [198.004] [DEPUTY COMMISSIONER FOR VETERAN HEALTH CARE TO BE APPOINTED; DUTIES.]

Subdivision 1. [APPOINTMENT.] The board may appoint a deputy commissioner of veterans affairs for veteran health care who shall have the training, experience, and other qualifications in the field of health care management as the board determines.

Subd. 2. [POWERS AND DUTIES.] If a deputy commissioner is appointed by the board, the deputy commissioner is the administrative head of the veterans homes and has the powers and duties provided by law and delegated by the commissioner. A delegation must be in writing, signed by the commissioner, and filed with the secretary of state. If appointed, the deputy commissioner shall:

(1) act as an advisor to the board and shall also act as its secretary;

(2) attend the meetings of the board;

(3) prepare and recommend to the board policies and rules for governance of the homes;

(4) appoint an administrator of each home with the approval of the board;

(5) appoint other employees of the homes in accordance with chapter

43A, which appointment power must be delegated to administrators;

(6) define the duties of the administrators and employees, and delegate to the administrators those powers and duties determined by the deputy, subject to the control of the deputy;

(7) with the assistance of the administrators, prepare and submit biennial and annual budgets for the homes to the board and with the approval of the board submit the budgets to the commissioner of veterans affairs for review and comment. The commissioner shall forward the budgets to the commissioner of finance as part of the department's budget;

(8) report to the board, at least quarterly, on the management, operations, and quality of care at the homes; and

(9) with the approval of the board, perform other duties as may be required for the management and administration of the homes.

Sec. 8. [198.005] [ADMINISTRATORS.]

If a deputy commissioner of veteran health care is appointed by the board, the deputy commissioner shall, with the approval of the board, appoint an administrator for each of the veterans homes. The administrators act as the administrative head for their respective veterans homes. The administrators shall have a current Minnesota nursing home administrator's license and shall serve in the unclassified service. The salaries of the administrators are not subject to section 43A.17, subdivision 1. The deputy commissioner may remove an administrator with the approval of the board. If a deputy commissioner is not appointed by the board, the board shall appoint the administrators.

Sec. 9. [198.006] [SUPPLEMENTAL PROGRAMS.]

The board of directors shall work with federal, state, local, and private agencies to develop alternative institutional and noninstitutional care programs for veterans to supplement the mission of the homes. Veterans shall be afforded the least restrictive, most appropriate level of care available.

Sec. 10. [198.007] [QUALITY ASSURANCE.]

The board shall use the case-mix system established under section 144.072 to assess the appropriateness and quality of care and services provided residents of the homes.

The board shall adopt a preadmission screening program, such as the one established under section 256B.091, for all applicants for admission to the homes who may require nursing or boarding care.

Sec. 11. Minnesota Statutes 1986, section 198.01, is amended to read:

198.01 [VETERANS HOME; ELIGIBILITY OF VETERANS.]

The Minnesota veterans home shall provide a home nursing care and related health and social services for veterans and their spouses, surviving spouses, and parents, who meet eligibility and admission requirements, and who comply with the rules of the Minnesota veterans home. Persons who served in the armed forces of the United States during a period of war, and who were discharged or released from the armed forces under conditions other than dishonorable, and who did not receive a bad conduct discharge, shall be eligible for admission to the Minnesota veterans home. Persons who received bad conduct or dishonorable discharges from the armed forces of the United States as a result of drug

dependency or abuse shall be eligible for admission to the Minnesota veterans home. The word "veteran" as used in this section means any person who is a citizen of the United States or resident alien and has been separated under honorable conditions from any branch of the armed forces of the United States: (a) after service on active duty for 181 consecutive days; or, (b) after service during a period of war; or, (c) by reason of disability incurred while serving on active duty has the meaning provided in section 197.447. A "period of war" is:

- (1) The Spanish American War, April 21, 1898, through July 4, 1902.
- (a) Includes Philippine Insurrection and Boxer Rebellion.
- (b) Includes service in Moro Province, April 21, 1898, through July 15, 1903.
- (2) World War I, April 6, 1917, through April 1, 1920.
- (a) Includes service in Russia, April 16, 1917, through April 1, 1920.
- (b) Includes service through July 2, 1921, if active duty performed during basic war period.
- (3) World War II, December 7, 1941, through December 31, 1946 and through July 25, 1947, if continuous duty began on or before December 31, 1946.
- (4) The Korean Conflict, June 27, 1950, through January 31, 1955.
- (5) The Vietnam era, August 5, 1964, through July 27, 1973.

Sec. 12. Minnesota Statutes 1986, section 198.022, is amended to read:

198.022 [ELIGIBILITY OF SPOUSES, SURVIVING SPOUSES, PARENTS.]

The ~~commissioner board~~ is hereby authorized to admit eligible spouses ~~accompanying veterans, or to admit spouses, surviving spouses and parents~~ of those veterans who are or if living would be, eligible for admission to the home ~~homes~~.

(1) All applicants for admission to the Minnesota veterans home must be without adequate means of support and unable by reason of wounds, disease, old age, or infirmity to properly maintain themselves.

(2) Veterans must have served in a Minnesota regiment or have been credited to the state of Minnesota, or have been a resident of the state preceding the date of application for admission.

(3) Spouses, surviving spouses, and parents of eligible veterans must be at least 55 years of age, and have been residents of the state of Minnesota preceding the date of application for admission.

(4) A surviving spouse, eligible for admission except that the veteran did not serve in a Minnesota regiment or was not a resident of Minnesota at the time of death may be eligible for admission provided the surviving spouse has resided in the state not less than 15 years next preceding the date of application for admission.

(5) A spouse, surviving spouse or parent of the veteran who has previously been a resident of Minnesota for not less than ten years and who lost residency in the state by moving therefrom for the benefit of health or the health of a spouse or child, and who has returned to the state for

the purpose of making it home is eligible for admission to the veterans home provided the spouse is otherwise eligible.

(6) A spouse or surviving spouse of a veteran of the Civil War shall be eligible for admission if married to the veteran prior to the year 1905. A spouse or surviving spouse of a veteran of the Spanish-American War, the Philippine Insurrection, or the Boxer Rebellion shall be eligible for admission if married to the veteran prior to December 31, 1937.

Sec. 13. Minnesota Statutes 1986, section 198.03, is amended to read:
198.03 [MAINTENANCE CHARGES.]

Any person otherwise eligible for admission to the Minnesota veterans home homes, except that the person has means of support, may, at the discretion of the ~~commissioner of veterans affairs board~~, be admitted to one of the Minnesota veterans home homes upon entering into and complying with the terms of a contract made by the person with the ~~commissioner board~~, providing for reasonable compensation to be paid by such person to the state of Minnesota for care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support.

Sec. 14. Minnesota Statutes 1986, section 198.05, is amended to read:
198.05 [NEW BUILDINGS.]

The department of administration shall have and exercise full authority in the erection and construction of new buildings at the veterans home homes. When new buildings are to be erected and constructed by authority of the state or old buildings to be remodeled it shall be the duty of the department of administration to cause to be prepared plans and specifications for the same, but in so doing it shall consult with the ~~commissioner board~~ in respect to these plans and specifications and shall adopt and carry out, so far as it deems practicable, their requests and desires in the matter.

Sec. 15. Minnesota Statutes 1986, section 198.065, is amended to read:
198.065 [CHIROPRACTIC CARE AVAILABILITY.]

In addition to the other services now provided to residents of the Minnesota veterans home homes, the ~~commissioner board~~ shall provide chiropractic services. The services shall be provided, as appropriations permit, without charge to residents by a licensed chiropractor who is either employed by the ~~commissioner board~~ for the purpose or who has contracted with the ~~commissioner board~~ to provide the services.

Sec. 16. [198.066] [GERIATRIC RESEARCH AND TEACHING.]

The board of directors shall develop a geriatric research and teaching mission for the homes in collaboration with the Veterans Administration and other medical education and allied health facilities.

Sec. 17. Minnesota Statutes 1986, section 198.075, is amended to read:

198.075 [MINNESOTA VETERANS HOME EMPLOYEES; EXCLUDED FROM COMMISSARY PRIVILEGES.]

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employee of the Minnesota veterans home homes.

Sec. 18. Minnesota Statutes 1986, section 198.16, is amended to read:

198.16 [DONATIONS; GENERAL PURPOSES.]

The ~~commissioner board~~ is hereby authorized to accept on behalf of the state any gift, grant, bequest, or devise made for the purposes of this chapter, and administer the same as directed by the donor. All proceeds therefrom including moneys derived from the sale of any real or personal property shall be deposited in the state treasury and credited to the Minnesota veterans home endowment, bequest, and devises fund. Said fund shall consist of two accounts, one of which shall include any trusts prescribed by the donor, the other shall include any currently expendable proceeds. Disbursements from this fund shall be made in the manner provided for the issuance of other state warrants.

Whenever the ~~commissioner board~~ shall deem it advisable, in accordance with law, to sell or otherwise dispose of any real or personal property thus acquired, the commissioner of administration upon the request of the ~~commissioner of veterans affairs board~~ shall sell or otherwise dispose of said property in the manner provided by law for the sale or disposition of other state property by the commissioner of administration.

Sec. 19. Minnesota Statutes 1986, section 198.161, is amended to read:

198.161 [DONATIONS; PARTICULAR PURPOSES.]

The commissioner may accept donations and gifts of money for the benefit of the residents of the ~~home homes~~. All moneys so received shall be deposited in a separate account ~~at for~~ the home and records shall be kept, clearly showing the identity of the donor, the purpose of the donation and the ultimate disposition of the donation. Each donation shall be duly receipted and shall be expended or used by the ~~commissioner board~~ as nearly in accordance with the condition of the gift or donation as is compatible with the best interests of the residents of the ~~home homes~~. The donations so received to the extent they are made to the state of Minnesota are hereby appropriated to the ~~commissioner of veterans affairs board~~ for the purposes of this chapter.

Sec. 20. Minnesota Statutes 1986, section 198.23, is amended to read:

198.23 [PERSONAL PROPERTY OF RESIDENTS; WILLS.]

Upon the decease of any resident of the ~~home homes~~, the ~~commissioner board~~ shall cause such of the resident's personal estate as may be left in the resident's possession to be disposed of pursuant to the resident's will, if any. All property of the deceased resident of the home not so bequeathed by will, and remaining ~~at the~~ a home, unclaimed, for one year after the resident's death, shall be inventoried, appraised, and sold, and the proceeds thereof paid into the state treasury to the credit of the Minnesota veterans ~~home homes~~ endowment, bequest and devises fund.

Sec. 21. Minnesota Statutes 1986, section 198.231, is amended to read:

198.231 [PERSONAL PROPERTY OF DISCHARGED RESIDENTS.]

Personal property of discharged residents of the veterans ~~home homes~~ that remains unclaimed for one year after discharge may be inventoried, appraised, and sold. The proceeds from the sale must be deposited into the state treasury. Proceeds from the sale of personal property and any funds held on behalf of the resident in the member's depository accounts must be credited to a separate state account and disposed of in accordance with

sections 345.41 to 345.43.

Sec. 22. Minnesota Statutes 1986, section 198.261, is amended to read:
198.261 [CANTEEN AND COFFEE SHOP]

Any profits derived from the operation of ~~the canteen~~ *canteens* and coffee ~~shop~~ *shops* at the Minnesota veterans ~~home~~ *homes* shall be used by the ~~commissioner~~ *board* only for the direct benefit of the residents of the ~~home~~ *homes*.

Sec. 23. Minnesota Statutes 1986, section 198.265, is amended to read:
198.265 [DEPOSITORY ACCOUNTS.]

The ~~commissioner~~ *board* may accept moneys from residents for safe keeping purposes to be returned to such residents on demand. Sufficient money shall be retained at the ~~home~~ *homes* to satisfy normal demand withdrawal requests of the residents and other anticipated needs. Residents' deposits shall otherwise be deposited in the state treasury to a separate investment account provided by the commissioner of finance, which shall be invested by the state board of investment in accordance with section 11A.21. Residents' moneys on deposit in this account may be placed in this account only after the member has signed an agreement that the resident is willing to have the money in an account that does not draw interest directly to the resident personally.

There is annually appropriated from the account established by this section a sufficient amount to return to the Minnesota veterans ~~home~~ *homes*, upon written request, sufficient money to satisfy the demand of residents for the return of their money and other requirements.

The interest earned from the investment of the deposits is annually appropriated to the commissioner from the account established by this section to be used by the ~~commissioner~~ *board* only for the direct benefit of the residents of the ~~home~~ *homes*, and the interest shall be available to the ~~home~~ *homes* not less than twice each year.

Sec. 24. Minnesota Statutes 1986, section 198.266, is amended to read:
198.266 [IMPREST CASH FUNDS.]

The ~~commissioner~~ *board* may establish an imprest cash fund in accordance with section 15.191, subdivision 2. The purpose of the fund is to maintain sufficient money to satisfy normal demand withdrawal requests from residents of the veterans homes as provided for in section 198.265. The fund may also be utilized for the payment of costs for residents to participate in on campus work therapy programs.

Sec. 25. Minnesota Statutes 1986, section 198.31, is amended to read:
198.31 [VETERANS HOME, HASTINGS.]

Control of the state hospital facilities at Hastings is transferred to the ~~commissioner of veterans affairs~~ *board*. This transfer includes the cemetery. The ~~commissioner~~ *board* shall establish a 200 bed veterans home in these facilities. The veterans home shall be licensed in accordance with the boarding care rules of the department of health. ~~To the extent practical,~~ the veterans home at Hastings shall be operated in the same manner as provided for the Minnesota veterans home at Minneapolis by sections 198.001 to 198.265.

Sec. 26. Minnesota Statutes 1986, section 198.32, is amended to read:

198.32 [VETERANS HOME; COMPLAINTS; RESIDENT'S RIGHTS.]

Subdivision 1. [RESIDENT'S RIGHTS.] A resident of ~~the~~ *a* Minnesota veterans home has the right to complain and otherwise exercise freedom of expression and assembly which is guaranteed by amendment I of the United States Constitution. The administrator of the home shall inform each resident in writing at the time of admission of the right to complain to the administrator about home accommodations and services. A notice of the right to complain shall be posted in the home. The administrator shall also inform each resident of the right to complain to the *board or to the* commissioner of veterans affairs. Each resident of ~~the~~ *a* home shall be encouraged and assisted, throughout the period of stay in the home, to understand and exercise the rights of freedom of expression and assembly as a resident and as a citizen, and, to this end, the resident may voice grievances and recommend changes in policies and services to home staff, other residents, and outside representatives of the resident's choice, free from restraint, interference, coercion, discrimination, or reprisal, including retaliatory eviction. A resident of ~~the~~ *a* home may not be denied any tenant rights available under chapter 566, including the right to recover possession of the premises.

Subd. 2. [RETALIATION PROHIBITED.] ~~The~~ *An* administrator may not retaliate against any resident who exercises the right to voice grievances by evicting the resident. There shall be a rebuttable presumption that any eviction within 45 days of the exercise by a resident of the right to voice grievances is retaliatory.

Sec. 27. Minnesota Statutes 1986, section 198.33, is amended to read:

198.33 [PRIVACY OF RESIDENTS; SEARCH AND SEIZURE LIMITED TO CRIMINAL WARRANT.]

Subdivision 1. [SEARCHES PROHIBITED.] Residents of the Minnesota veterans ~~home~~ *homes* have the right to a legitimate expectation of privacy in their persons and property against unreasonable searches and seizures. A search of a resident's room or property may be conducted only when necessary to protect the residents from weapons, illegal drugs, or alcohol, if possession is prohibited by the ~~commissioner~~ *board*, and is subject to the following:

(a) Prior to conducting a search of a resident's room or property, the administrator shall provide written authorization to conduct the search. This authorization must identify the resident whose room or property is to be searched, state the nature of the risk to the health or safety of that resident or to other individuals in the home, set forth the facts which establish that the risk exists and the source of those facts, and particularly describe the area to be searched and the property to be seized. A separate authorization must be completed for each resident whose room or property is to be searched.

(b) The resident shall be informed of the reasons necessitating a search of the room or property and shall be present during the conduct of the search if the resident requests to be present. A copy of the administrator's authorization must be given to the resident.

(c) If property or other items are taken, a written receipt describing the property or items taken must be given to the resident.

(d) The provisions of this section do not restrict the entry by employees of the home into a resident's room or into areas where the personal possessions of residents are stored for the purpose of providing care or services to the resident or for housekeeping and maintenance purposes. The provisions of this section do not apply to inspections conducted by governmental agencies for the purpose of assessing compliance with state or federal laws and regulations.

(e) Unauthorized searches or seizures by employees of the Minnesota veterans ~~home~~ homes may be grounds for dismissal.

Subd. 2. [WAIVER PROHIBITED.] The Minnesota veterans ~~home~~ homes may not require a resident to waive protection against unreasonable searches and seizures as a condition of eligibility for admission or continuing residence at ~~the a~~ home. A search conducted under a waiver obtained in violation of this section is an unlawful search and seizure and the person aggrieved may move the district court for return of the property under section 626.21.

Sec. 28. Minnesota Statutes 1986, section 198.34, is amended to read:
198.34 [DEPOSIT OF RECEIPTS.]

Federal money received by the ~~commissioner~~ board for the care of veterans in a veterans home, after being credited to a federal receipt account, must be transferred to the ~~special~~ general revenue fund in the state treasury. Money paid to the ~~commissioner~~ board by a veteran or by another person on behalf of a veteran for care in a veterans home must be deposited in the state treasury and credited to the ~~special~~ general revenue fund.

Sec. 29. [TRANSFER.]

The duties of the commissioner of veterans affairs relating to the governance, management, and administration of the Minnesota veterans homes in Minneapolis and Hastings, transferred to the commissioner of human services by the commissioner of administration by reorganization order 149, are transferred to the board of directors of the Minnesota veterans homes created in section 5. The transfer is governed by Minnesota Statutes, section 15.039.

Sec. 30. [TRANSFER OF LICENSE; INSPECTION.]

Notwithstanding Minnesota Statutes, sections 144A.04, subdivision 4, and 144A.11, subdivision 2, the commissioner of health shall issue new licenses for the Minnesota veterans homes in Minneapolis and Hastings to the board of directors of the homes upon the application of the board.

The commissioner of health shall conduct an announced on-site review of the Minnesota veterans homes within 30 days after the issuance of licenses to the board of directors. The board shall invite officials of the Veterans Administration to also conduct an inspection.

Sec. 31. [APPROPRIATION.]

\$30,000 in fiscal year 1988 and \$125,000 in fiscal year 1989 is appropriated from the general fund to the board of the Minnesota veterans homes for the purposes of Minnesota Statutes, chapter 198.

Sec. 32. [REPEALER.]

Minnesota Statutes 1986, sections 196.02, subdivision 3; and 198.06, are repealed.

Sec. 33. [EFFECTIVE DATE.]

Sections 1 to 32 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to state agencies; returning the control of the Minnesota veterans home to the department of veterans affairs; creating the veterans home board of directors and providing for its powers and duties; providing for the appointment of deputy commissioners and providing for their powers and duties; appropriating money; amending Minnesota Statutes 1986, sections 196.03; 196.05; 198.001; 198.01; 198.022; 198.03; 198.05; 198.065; 198.075; 198.16; 198.161; 198.23; 198.231; 198.261; 198.265; 198.266; 198.31; 198.32; 198.33; and 198.34; proposing coding for new law in Minnesota Statutes, chapters 196 and 198; repealing Minnesota Statutes 1986, sections 196.02, subdivision 3; and 198.06."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Moe, D.M. questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred

S.F. No. 1744: A bill for an act relating to dogs; identifying and requiring licenses for potentially dangerous dogs; requiring licenses for pet stores and sellers who sell and kennels who keep potentially dangerous dogs; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 347.

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

Delete everything after the enacting clause and insert:

"Section 1. [347.50] [DEFINITIONS.]

Subdivision 1. [TERMS.] For the purpose of sections 1 to 6 the terms defined in this section have the meanings given them.

Subd. 2. [DANGEROUS DOG.] "Dangerous dog" means any dog that according to the records of the licensing authority has:

(1) inflicted substantial bodily harm on a human being without provocation on public or private property;

(2) killed a domestic animal without provocation while off the owner's property; or

(3) been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Subd. 3. [POTENTIALLY DANGEROUS DOG.] "Potentially dangerous dog" means any dog that:

(1) when unprovoked inflicts bites on a human or domestic animal on public or private property;

(2) when unprovoked chases or approaches a person upon the streets,

sidewalks, or any public property in a menacing fashion or apparent attitude of attack; or

(3) has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Subd. 4. [PROPER ENCLOSURE.] "Proper enclosure" means securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping. The pen or structure must have secure sides and a secure top, and must provide protection from the elements for the dog.

Subd. 5. [OWNER.] "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having custody or control of a dog.

Subd. 6. [SUBSTANTIAL BODILY HARM.] "Substantial bodily harm" has the meaning given it under section 609.02, subdivision 7a.

Sec. 2. [347.51] [DANGEROUS DOGS; REGISTRATION.]

Subdivision 1. [REQUIREMENT.] No person may own a dangerous dog in this state unless the dog is registered as provided in this section.

Subd. 2. [REGISTRATION.] A county shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence that:

(1) a proper enclosure exists for the dangerous dog and a posting on the premises with a clearly visible warning sign, including a warning symbol to inform children, that there is a dangerous dog on the property; and

(2) a surety bond issued by a surety company authorized to conduct business in this state in a form acceptable to the county in the sum of at least \$50,000, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in this state in the amount of at least \$50,000, insuring the owner for any personal injuries inflicted by the dangerous dog.

Subd. 3. [FEE.] The county may charge the owner an annual fee, in addition to any regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under this section.

Subd. 4. [LAW ENFORCEMENT; EXEMPTION.] The provisions of this section do not apply to dangerous dogs used by law enforcement officials for police work.

Subd. 5. [EXEMPTION.] Dogs may not be declared dangerous if the threat, injury, or damage was sustained by a person:

(1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog;

(2) who was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog; or

(3) who was committing or attempting to commit a crime.

Sec. 3. [347.52] [DANGEROUS DOGS; REQUIREMENTS.]

An owner of a dangerous dog shall keep the dangerous dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent it from biting any person or animal, but that will not cause injury to the dog or interfere with its vision or respiration.

Sec. 4. [347.53] [POTENTIALLY DANGEROUS DOGS.]

Any statutory or home rule charter city, or any county, may regulate potentially dangerous dogs. Nothing in sections 1 to 6 limits any restrictions the local jurisdictions may place on owners of potentially dangerous dogs.

Sec. 5. [347.54] [CONFISCATION.]

Subdivision 1. [DANGEROUS DOGS.] The county shall immediately confiscate any dangerous dog if:

- (1) the dog is not validly registered under section 2;*
- (2) the owner does not secure the proper liability insurance or surety coverage as required under section 2, subdivision 2;*
- (3) the dog is not maintained in the proper enclosure; or*
- (4) the dog is outside the proper enclosure and not under physical restraint of a responsible person as required under section 3.*

Sec. 6. [347.55] [PENALTY.]

Any person who violates any provision of section 2 or 3 is guilty of a gross misdemeanor.

Sec. 7. [347.56] [LIABILITY.]

Subdivision 1. [LIABILITY.] The owner of any dog which bites another person, while the person is in or on a public place or lawfully in or on a private place including the property of the owner, shall be liable for any damages suffered by the person bitten, regardless of the former viciousness of the dog or the owner's knowledge of the viciousness.

Subd. 2. [LAWFULLY ON PRIVATE PROPERTY.] A person is lawfully on the private property of the owner of the dog under subdivision 1 if the person is on the property with the express or implied consent of the owner. Consent may not be presumed if the property of the owner of the dog is fenced or reasonably posted.

Subd. 3. [COMPARATIVE FAULT.] The provisions of section 604.01 apply to any action for damages under this section.

Sec. 8. Minnesota Statutes 1986, section 609.226, is amended to read:
609.226 [HARM CAUSED BY A DOG.]

Subdivision 1. [GREAT OR SUBSTANTIAL BODILY HARM.] A person who causes great or substantial bodily harm to another by negligently or intentionally permitting any dog to run uncontrolled off the owner's premises, or negligently failing to keep it properly confined is guilty of a petty misdemeanor. A person who is convicted of a second or subsequent violation of this section involving the same dog is guilty of a gross misdemeanor.

Subd. 2. [DANGEROUS DOGS.] An owner of a dangerous dog, as defined under section 1, subdivision 2, who has been convicted of a gross

misdemeanor under section 6, and the dog causes bodily injury to a person, is guilty of a felony.

Subd. 3. [AGGRESSIVE ATTACK.] The owner of a dog that aggressively attacks a person and causes great bodily harm or death is guilty of a felony.

Subd. 4. [DEFENSE.] If proven by a preponderance of the evidence, it shall be an affirmative defense to liability under this section that the victim provoked the dog to cause the victim's bodily harm.

Sec. 9. Minnesota Statutes 1986, section 609.227, is amended to read:
609.227 [DANGEROUS ANIMALS DESTROYED.]

When a person has been ~~convicted of~~ charged with a ~~crime under~~ violation of section 609.205, clause (4), or of 609.226, subdivision 2 or 3, or a gross misdemeanor violation of section 609.226, subdivision 1, the court ~~may~~ shall order that the animal which caused the death or injury be seized by the appropriate local law enforcement agency ~~and~~. The animal shall be killed in a proper and humane manner ~~if the person has been convicted of the crime for which the animal was seized~~. The owner of the animal shall pay the cost of killing the animal. This section shall not preempt local ordinances with more restrictive provisions."

Delete the title and insert:

"A bill for an act relating to animals; regulating dangerous and potentially dangerous dogs; providing liability to an owner of a dog when that dog bites another person; providing penalties; amending Minnesota Statutes 1986, sections 609.226; and 609.227; proposing coding for new law in Minnesota Statutes, chapter 347."

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

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which was referred

S.F. No. 308: A bill for an act relating to animals; providing for the return of lost animals to their owners; prohibiting transfer of certain dogs and cats for use in research; providing a penalty; amending Minnesota Statutes 1986, section 35.71.

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 35.71, subdivision 3, is amended to read:

Subd. 3. [STRAY ANIMALS; SEIZURE, DISPOSITION.] All animals seized by public authority must be held for redemption by the owner for at least five ~~regular~~ business days of the impounding agency or for a longer time specified by municipal ordinance. *At least one of the business days must be a Saturday or Sunday.* For the purpose of this subdivision, "~~regular~~ business day" means a day during which the establishment having custody of an animal is open to the public not less than four consecutive hours between the hours of 8:00 a.m. and 7:00 p.m. Establishments must maintain the following records of the animals in custody, and preserve the records

for at least six months:

(a) the description of the animal by species, breed, sex, approximate age, and other distinguishing traits;

(b) the location at which the animal was seized;

(c) the date of seizure;

(d) the name and address of the person from whom any animal three months of age or over was received; and

(e) the name and address of the person to whom any animal three months of age or over was transferred.

The records must be maintained in a form permitting easy perusal by the public. A person may view the records and animals in custody at any time during which the establishment is open to the public. At the end of the five-day period, all animals which remain unredeemed ~~must~~ *may* be made available to any licensed institution which has requested that number of animals. However, if a tag affixed to the animal or a statement by the animal's owner after the animal's seizure specifies that the animal may not be used for research, the animal must not be made available to any institution and may, in the discretion of the establishment, be destroyed after the expiration of the five-day period. If a request is made by a licensed institution to an establishment for more animals than are available at the time of the request, the establishment must withhold from destruction all unclaimed and unredeemed animals until the request has been filled. The actual expense of holding animals beyond the time of notice to the institution of their availability must be borne by the institution receiving them. An establishment which fails or refuses to comply with this section is ineligible for any further public funds from any county or municipality. Upon receipt of a sworn statement by an authorized officer or employee of a licensed institution of noncompliance by any establishment with this section, the treasurer of any municipality or other political subdivision of the state may not pay any public funds to the establishment until the complainant withdraws its statement of noncompliance or until the board either determines that the complaint of noncompliance was without foundation or that the establishment has given adequate assurance of future compliance and the treasurer of the municipality or other political subdivision has been notified of the determination in writing. If it appears upon a person's complaint that an officer, agent, or employee of an establishment is violating or failing to carry out the provisions of this section, the attorney general or county attorney of the county in which the establishment is located, in addition to any other remedies, may bring an action in the name of the state against the establishment, officer, agent, or employee to enjoin compliance with this section.

Sec. 2. Minnesota Statutes 1986, section 35.71, is amended by adding a subdivision to read:

Subd. 3a. [CONVEYANCE PROHIBITED WITHOUT LICENSE.] An establishment may not convey a dog or cat to an institution that is not licensed under this section.

Sec. 3. Minnesota Statutes 1986, section 35.71, is amended by adding a subdivision to read:

Subd. 3b. [DOGS AND CATS BEARING IDENTIFICATION.] An establishment may not convey to an institution a dog or cat with a collar or

other form of identification attached, unless there is in the possession of the establishment a surrender form signed by the owner of the dog or cat that it may be released to an institution for research and teaching.

Sec. 4. Minnesota Statutes 1986, section 35.71, is amended by adding a subdivision to read:

Subd. 3c. [DISPOSITION OF DOGS AND CATS.] Dogs and cats not returned to their owners or conveyed to institutions must be adopted out as pet and companion animals or humanely euthanized. An establishment may not transfer dogs or cats to dealers, as defined in section 347.31, subdivision 4, or out-of-state institutions.

Sec. 5. Minnesota Statutes 1986, section 35.71, is amended by adding a subdivision to read:

Subd. 3d. [NOTICE TO PUBLIC.] An establishment that conveys dogs and cats to institutions must post a conspicuous notice at the establishment's site where dogs and cats are surrendered and must place a notice on each surrender form. The notice must state that dogs and cats left with the establishment may be conveyed to an institution for research and teaching purposes.

Sec. 6. Minnesota Statutes 1986, section 35.71, is amended by adding a subdivision to read:

Subd. 4a. [RECOVERY OF DOGS AND CATS.] An institution that receives dogs and cats from an establishment must have a procedure for permitting the owner of a lost dog or cat to determine if the institution has the animal."

Delete the title and insert:

"A bill for an act relating to animals; permitting establishments that seize dogs or cats to decide whether to convey unredeemed dogs and cats to institutions for research; prohibiting establishments from transferring dogs or cats to dealers; requiring establishments to post a notice that the animals may be conveyed to institutions for research; amending Minnesota Statutes 1986, section 35.71, subdivision 3, and by adding subdivisions."

And when so amended the bill do pass. Mrs. Brataas questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 573: A bill for an act relating to administrative procedure; clarifying provisions relating to emergency rules; amending Minnesota Statutes 1986, section 14.29, subdivisions 1 and 2.

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

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

S.F. No. 2003: A bill for an act relating to state government; providing for salary ranges for certain state employees; regulating emergency civil service appointments; regulating affirmative action; regulating health and

other fringe benefit coverages; providing duties for the commissioner of employee relations; amending Minnesota Statutes 1986, sections 43A.15, subdivisions 2 and 11; 43A.19, subdivision 1; 43A.23, subdivisions 1 and 3; 43A.27, subdivision 3; Minnesota Statutes 1987 Supplement, sections 15A.081, subdivision 1; 43A.191, subdivision 3; 43A.316, subdivisions 2, 4, 8, and by adding a subdivision; 43A.421; 79.34, subdivision 1; and 176.611, subdivisions 2 and 3a.

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 1987 Supplement, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range Effective July 1, 1987
Commissioner of finance;	\$57,500-\$78,500
Commissioner of education;	
Commissioner of transportation;	
Commissioner of human services;	
Commissioner of revenue;	
Executive director, state board of investment;	
Commissioner of administration;	\$50,000-\$67,500
Commissioner of agriculture;	
Commissioner of commerce;	
Commissioner of corrections;	
Commissioner of jobs and training;	
Commissioner of employee relations;	
Commissioner of energy and economic development;	
Commissioner of health;	
Commissioner of labor and industry;	
Commissioner of natural resources;	
Commissioner of public safety;	
Chair, waste management board;	
Chief administrative law judge; office of administrative hearings;	
Director, pollution control agency;	

Director, state planning agency;

Executive director, housing finance agency;

Executive director, public employees
retirement association;

Executive director, teacher's retirement
association;

Executive director, state retirement system;

Chair, metropolitan council;

Chair, regional transit board;

Commissioner of human rights; \$42,500-\$60,000

Director, department of public service;

Commissioner of veterans' affairs;

Director, bureau of mediation services;

Commissioner, public utilities commission;

Member, transportation regulation board;

Ombudsman for corrections;

Ombudsman for mental health and retardation.

Sec. 2. Minnesota Statutes 1987 Supplement, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. [HIGHER EDUCATION OFFICERS.] The state university board, the state board for community colleges, the state board of vocational technical education, and the higher education coordinating board shall set the salary rates for, respectively, the chancellor of the state universities, the chancellor of the community colleges, the state director of vocational technical education, and the executive director of the higher education coordinating board. ~~At least 30 days before the respective board adopts a salary increase according to this subdivision,~~ The respective board shall submit the proposed salary increase to the legislative commission on employee relations for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. Salary rates for the positions specified in this subdivision may not exceed 95 percent of the salary set for of the governor under section 15A.082, subdivision 6 3.

Sec. 3. Minnesota Statutes 1986, section 43A.04, subdivision 7, is amended to read:

Subd. 7. [REPORTING.] The commissioner shall issue a written report by ~~January~~ February 1 and ~~July~~ August 1 of each year to the chair of the legislative commission on employee relations. The report ~~shall~~ must list the number of appointments made pursuant to under each of the categories in section 43A.15, subdivisions 2 to 12 the number made to the classified service other than under section 43A.15, and the number made pursuant to under section 43A.08, subdivision 2a, during the six-month period covered by the report periods ending June 30 and December 31, respectively.

Sec. 4. Minnesota Statutes 1986, section 43A.15, subdivision 2, is amended to read:

Subd. 2. [EMERGENCY APPOINTMENTS.] An appointing authority

may make an emergency appointment for up to 30 working days. *If necessary, the commissioner may grant an extension of the emergency appointment for 30 additional working days.* No person ~~shall~~ *may* be employed in any one agency on an emergency basis for more than ~~30~~ 60 working days in any 12-month period.

Sec. 5. Minnesota Statutes 1986, section 43A.15, subdivision 11, is amended to read:

Subd. 11. [APPOINTMENTS TO POSITIONS IN SHORTAGE OCCUPATIONS.] The commissioner may designate classifications *or positions* for which qualified applicants are in critically short supply and may develop recruitment, qualifying examination and referral processes as will provide agencies opportunity to make prompt appointments.

Sec. 6. Minnesota Statutes 1986, section 43A.17, subdivision 1, is amended to read:

Subdivision 1. [SALARY LIMITS.] As used in ~~this section~~ *subdivisions 1 to 8*, "salary" means hourly, monthly, or annual rate of pay including any lump-sum payments and cost-of-living adjustment increases but excluding payments due to overtime worked, shift or equipment differentials, work out of class as required by collective bargaining agreements or plans established ~~pursuant to~~ *under* section 43A.18, and back pay on reallocation or other payments related to the hours or conditions under which work is performed rather than to the salary range or rate to which a class is assigned.

The salary, as established in section 15A.081, of the head of a state agency in the executive branch is the upper limit of compensation in the agency. The salary of the commissioner of labor and industry is the upper limit of compensation of employees in the bureau of mediation services. However, if an agency head is assigned a salary that is lower than the current salary of another agency employee, the employee ~~shall retain~~ *retains* the salary, but ~~shall may~~ *may* not receive ~~any~~ *an* increase in salary as long as the salary is above that of the agency head. The commissioner may grant exemptions from these upper limits as provided in subdivisions 3 and 4.

Sec. 7. Minnesota Statutes 1986, section 43A.17, subdivision 9, is amended to read:

Subd. 9. [POLITICAL SUBDIVISION SALARY ~~COMPENSATION~~ LIMIT.] *For purposes of this subdivision, "salary" means the annual amount of money set under section 15A.082, subdivision 3. "Total compensation" means all money and items or services of value provided to or for a person in compensation for that person's services except reimbursement for actual expenses incurred in the performance of those services and benefits that are also provided on the same basis to other permanent, full-time employees of the political subdivision. Benefits excluded from total compensation include vacation and sick leave and contributions to a group insurance plan or a public pension fund covered by section 356.20. "Total compensation" includes the value of accrued vacation or sick leave paid in cash to a person during the person's employment by the political subdivision. The salary total compensation of a person employed by a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision of this state, or employed pursuant to section 422A.03, may not exceed 95 percent of the salary of the governor, except as provided in this subdivision. The salary total compensation of a medical doctor occupying a position that the governing body of the political*

subdivision has determined requires an M.D. degree is excluded from the limitation in this subdivision. The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary compensation to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary compensation rates paid to other persons with similar responsibilities in the state. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the legislative commission on employee relations and received the commission's recommendation on it. The recommendation is advisory only.

Sec. 8. Minnesota Statutes 1986, section 43A.18, subdivision 5, is amended to read:

Subd. 5. [GOVERNOR TO RECOMMEND CERTAIN SALARIES.] The governor shall, ~~on or before~~ by July 1 of each odd-numbered year, submit to the legislative commission on employee relations recommendations for salaries within the salary range for the positions listed in section 15A.081, subdivisions 1 and 7. The governor may also propose additions or deletions of positions from those listed.

(a) Before submitting the recommendations, the governor shall consult with the commissioner of administration, the commissioner of finance, and the commissioner of employee relations concerning the recommendations.

(b) In making recommendations, the governor shall consider only ~~those~~ the criteria established in subdivision 8 and ~~shall may~~ not take into account performance of individual incumbents. The governor shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities, and accountabilities and in determining recommendations rate each position by this system.

(c) Before the governor's recommended salaries take effect, the recommendations ~~shall must~~ be reviewed and approved, rejected, or modified by the legislative commission on employee relations and the legislature in the same manner as provided for the commissioner's plan in subdivision 2. The governor may also at any time propose changes in the salary rate of any positions covered by this subdivision, which ~~shall must~~ be submitted and approved in the same manner as provided in this subdivision.

(d) The governor shall set the initial salary of a head of ~~an~~ a new agency or a chair of a new metropolitan board or commission ~~hereafter established~~ whose salary is not specifically prescribed by law ~~shall be fixed by the governor~~, after consultation with the commissioner, whose recommendation ~~shall be~~ is advisory only; ~~in an~~. The amount of the new salary must be comparable to the salary of an agency head or commission chair having similar duties and responsibilities.

(e) The salary of a newly appointed head of an agency or chair of a metropolitan agency listed in section 15A.081, subdivision 1 or 7, may be increased or decreased by the governor from the salary previously set for that position within 30 days of the new appointment after consultation with the commissioner. If the governor increases a salary under this paragraph, the governor shall submit the new salary to the legislative commission on employee relations and the full legislature for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. If the legislature rejects an increased salary or adjourns without action during

the following legislative session, the salary for the position reverts to the level in effect before the governor proposed the change.

Sec. 9. Minnesota Statutes 1986, section 43A.19, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE AFFIRMATIVE ACTION PROGRAM.]

(a) To assure that positions in the executive branch of the civil service are equally accessible to all qualified persons, and to eliminate the underutilization of qualified members of protected groups, the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative action program. The statewide affirmative action program ~~shall~~ *must* consist of at least the following:

- (1) objectives, ~~long-range and interim~~ goals, and policies;
 - (2) procedures, standards and assumptions to be used by agencies in the preparation of agency affirmative action plans, including methods by which goals and timetables ~~shall be~~ *are* established; and
 - (3) requirements for annual *objectives and* submission of affirmative action progress reports from heads of agencies.
- (b) The commissioner shall base ~~interim~~ *affirmative action* goals on at least the following factors:
- (1) the percentage of members of each protected class in the recruiting area population who have the necessary skills;
 - (2) the availability for promotion or transfer of members of protected classes in the recruiting area population;
 - (3) the extent of unemployment of members of protected classes in the recruiting area population;
 - (4) the existence of training programs in needed skill areas offered by employing agencies and other institutions; and
 - (5) the expected number of available positions to be filled.

(c) The commissioner shall designate a state director of equal employment opportunity who may be delegated the preparation, revision, implementation and administration of the program. The commissioner of employee relations may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

Sec. 10. Minnesota Statutes 1987 Supplement, section 43A.191, subdivision 3, is amended to read:

Subd. 3. [SANCTIONS AND INCENTIVES.] (a) The director of equal employment opportunity shall annually audit the record of each agency to determine the rate of compliance with annual hiring goals of each goal unit and to evaluate the agency's overall progress toward its affirmative action goals and objectives.

(b) By ~~February~~ *March* 1 of each year, the commissioner shall submit a report on affirmative action progress of each agency and the state as a whole to the governor and to the finance committee of the senate, the appropriations committee of the house of representatives, ~~and the governmental operations committees of both houses of the legislature, and the legislative commission on employee relations.~~ The report must include *noncompetitive appointments made under section 43A.08, subdivision 2a,*

or 43A.15, and cover each agency's rate of compliance with annual hiring goals. In addition, any agency that has not met its affirmative action hiring goals, that fails to make an affirmative action hire, or fails to justify its nonaffirmative action hire in 25 percent or more of the appointments made in the previous calendar year must be designated in the report as an agency not in compliance with affirmative action requirements.

(c) The commissioner shall study methods to improve the performance of agencies not in compliance with affirmative action requirements. ~~By January 15, 1986, the commissioner shall submit to the legislature a proposal for improving compliance rates. This proposal must include penalties for noncompliance.~~

(d) The commissioner shall establish a program to recognize agencies that have made significant and measurable progress toward achieving affirmative action objectives.

Sec. 11. Minnesota Statutes 1986, section 43A.23, subdivision 1, is amended to read:

Subdivision 1. [GENERAL.] The commissioner is authorized to request bids from carriers or to negotiate with carriers and to enter into contracts with carriers which in the judgment of the commissioner are best qualified to underwrite and service the benefit plans. The commissioner may negotiate premium rates and coverage provisions with all carriers licensed under chapters 62A, 62C, and 62D. The commissioner may also negotiate reasonable restrictions to be applied to all carriers under chapters 62A, 62C, and 62D. Contracts to underwrite the benefit plans ~~shall~~ *must* be bid or negotiated separately from contracts to service the benefit plans, which ~~shall~~ *may* be awarded only on the basis of competitive bids. The commissioner shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers and any other factors which the commissioner deems appropriate. Each benefit contract ~~shall~~ *must* be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. The commissioner shall, to the extent feasible, make hospital and medical benefits available from at least one carrier licensed to do business pursuant to each of chapters 62A, 62C and 62D. The commissioner need not provide health maintenance organization services to an employee who resides in an area which is not served by a licensed health maintenance organization. The commissioner may refuse to allow a health maintenance organization to continue as a carrier ~~if it was selected by less than 200 employees in the preceding benefit year.~~ The commissioner may elect not to offer all three types of carriers if there are no bids or no acceptable bids by that type of carrier or if the offering of additional carriers would result in substantial additional administrative costs. ~~Any~~ A carrier licensed pursuant to under chapter 62A ~~shall be~~ *is* exempt from the tax imposed by section 60A.15 on premiums paid to it by the state.

Sec. 12. Minnesota Statutes 1986, section 43A.23, subdivision 3, is amended to read:

Subd. 3. [CONTRACT WITH INSURANCE CARRIERS.] The commissioner of ~~labor and industry~~ *employee relations* may contract with carriers authorized to provide coverage under the state employees group insurance plan to extend coverage to eligible employees who incur medical expenses due to a personal injury which results from their state employment which

is compensable under chapter 176.

Sec. 13. Minnesota Statutes 1986, section 43A.27, subdivision 3, is amended to read:

Subd. 3. [RETIRED EMPLOYEES.] A retired employee of the state who receives an annuity under a state retirement program may elect to purchase at personal expense individual and dependent hospital, medical and dental coverages *that are actuarially equivalent to those made available through collective bargaining agreements or plans established pursuant to section 43A.18 to employees in positions equivalent to that from which retired.* A spouse of a deceased retired employee who received an annuity under a state retirement program may purchase the coverage listed in this subdivision if the spouse was a dependent under the retired employee's coverage at the time of the employee's death. Coverages ~~shall~~ *must* be coordinated with relevant health insurance benefits provided through the federally sponsored medicare program. Appointing authorities shall provide notice to employees no later than the effective date of their retirement of the right to exercise the option provided in this subdivision. The retired employee must notify the commissioner or designee of the commissioner within 30 days after the effective date of the retirement of intent to exercise this option.

Sec. 14. Minnesota Statutes 1986, section 43A.27, is amended by adding a subdivision to read:

Subd. 6. [FOOD SERVICE EMPLOYEES.] *Employees of a contracted food service operation employed at Bemidji state university, St. Cloud state university, or Southwest state university, if the employer and the representative of employees, defined under section 179.01, subdivision 5, agree, may elect to enroll themselves and their dependents at their own or their employer's expense in the appropriate state plans for life insurance, hospital, medical, and dental benefits, and optional coverages at the time, in the manner, and under the conditions of eligibility the commissioner prescribes and otherwise approves.*

Sec. 15. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purpose of this section, the terms defined in this subdivision have the meaning given them.

(a) [COMMISSIONER.] "Commissioner" means the commissioner of employee relations.

(b) [EMPLOYEE.] "Employee" means (1) a person who is a public employee within the definition of section 179A.03, subdivision 14, *who is insurance eligible* and is employed by an eligible employer or (2) a person employed by a labor organization or employee association certified as an exclusive representative of employees of an eligible employer or by another public employer approved by the commissioner.

(c) [ELIGIBLE EMPLOYER.] "Eligible employer" means

(1) a public employer within the definition of section 179A.03, subdivision 15, that is a town, county, city, school district as defined in section 120.02, educational cooperative service unit as defined in section 123.58, intermediate district as defined in section 136C.02, subdivision 7, cooperative center for vocational education as defined in section 123.351, regional

management information center as defined in section 121.935; or an education unit organized under the joint powers action, section 471.59; or

(2) an exclusive representative of employees, as defined in paragraph (b); or

(3) another public employer approved by the commissioner.

(d) [EXCLUSIVE REPRESENTATIVE.] "Exclusive representative" means an exclusive representative as defined in section 179A.03, subdivision 8.

(e) [LABOR-MANAGEMENT COMMITTEE.] "Labor-management committee" means the committee established by subdivision 4.

(f) [PLAN.] "Plan" means the statewide public employees insurance plan created by subdivision 3.

Sec. 16. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 4, is amended to read:

Subd. 4. [LABOR-MANAGEMENT COMMITTEE.] ~~There is created a~~ The labor-management committee *consists of ten members appointed by the commissioner. The labor-management committee shall consist of must comprise five members who represent employees, including at least one retired employee, and five members who represent eligible employers. Committee members are eligible for expense reimbursement in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. The commissioner shall consult with the labor-management committee in major decisions that affect the plan. The committee shall study issues relating to the insurance plan including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency.*

Sec. 17. Minnesota Statutes 1987 Supplement, section 43A.316, subdivision 8, is amended to read:

Subd. 8. [CONTINUATION OF COVERAGE.] (a) A participating employee who is laid off or is on ~~unrequested~~ leave may elect to continue the plan coverage. This coverage is at the expense of the employee unless otherwise provided by a collective bargaining agreement. Premiums for these employees ~~shall must~~ be established by the commissioner. Coverage continues until one of the following occurs:

(1) the employee is reemployed and eligible for health care coverage under a group policy; or

(2) the insurance continuation periods required by state and federal laws expire.

(b) A participating employee who retires and is receiving an annuity or is eligible for and has applied for an annuity under chapter 352, 352B, 352C, 352D, 353, 354, 354A, 356, 422A, 423, 423A, 424, or 490 is eligible to continue participation in the plan. Any employer's contribution must cease when the retiree reaches age 65. These employees, and employees who have already retired prior to the group from which they retired entering the plan, are eligible to participate as long as their group continues to participate. This participation is at the retiree's expense unless a collective bargaining agreement provides otherwise. *Premiums for these participants must be established by the commissioner. An employer shall notify an employee of this option no later than the effective date of retirement. The retired employee shall notify the employer within 30 days of the effective*

date of retirement of intent to exercise this option.

(c) The spouse of a deceased, *active*, or retired employee may purchase the benefits provided at premiums established by the commissioner if ~~the deceased retired employee received an annuity under chapter 352, 353, 354, 354A, 356, 422A, 423, 423A, or 424 and~~ if the spouse was a dependent under the *active* or retired employee's coverage under this section at the time of the death of ~~the retired employee~~. *These participants are eligible to participate as long as the group which included their spouse participates.* Coverage under this clause ~~shall~~ *must* be coordinated with relevant insurance benefits provided through the federally sponsored Medicare program.

(e) ~~(d)~~ The plan benefits ~~shall~~ *must* continue in the event of strike permitted by section 179A.18, if the exclusive representative chooses to have coverage continue and the employee pays the total monthly premiums when due.

~~(d)~~ *(e)* A person who desires to participate under paragraphs (a) to ~~(e)~~ *(d)* shall notify the eligible employer or former employer of intent to participate according to rules established by the commissioner. The eligible employer shall notify the commissioner, and coverage ~~shall begin~~ *begins* as soon as the commissioner permits.

Persons participating under these paragraphs shall make appropriate premium payments in the time and manner established by the commissioner.

Sec. 18. Minnesota Statutes 1987 Supplement, section 43A.316, is amended by adding a subdivision to read:

Subd. 10. [BIDDING REQUIREMENT EXEMPTION.] The public employee insurance plan is exempt from the requirements imposed by section 471.616, subdivision 1.

Sec. 19. Minnesota Statutes 1987 Supplement, section 43A.421, is amended to read:

43A.421 [SUPPORTED WORK PROGRAM.]

A total of 50 additional full-time positions within agencies of state government may be selected for inclusion for a supported work program for persons with severe disabilities. A full-time position may be shared by up to three persons with severe disabilities and their job coach. *The job coach is not a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision 14, unless the job coach holds another position within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision 14.*

Sec. 20. Minnesota Statutes 1987 Supplement, section 44A.02, subdivision 1, is amended to read:

Subdivision 1. [SELECTION.] The president of the world trade center corporation is selected by a majority of the board and serves at the pleasure of the board. The president must be familiar with the international business community, and have demonstrated proficiency in communication skills, administration, and management. The salary of the president is set by the board, but may not exceed the *top of the salary range* set for the commissioner of finance under section 15A.081, subdivision 1.

Sec. 21. Minnesota Statutes 1987 Supplement, section 79.34, subdivision 1, is amended to read:

Subdivision 1. ~~A~~ *The* nonprofit association known as the workers' compensation reinsurance association ~~is created, which~~ may be incorporated under chapter 317 with all the powers of a corporation formed under that chapter, except that if the provisions of that chapter are inconsistent with sections 79.34 to 79.40 ~~or any amendments thereto~~, sections 79.34 to 79.40 ~~shall~~ govern. Each insurer as defined by section 79.01, subdivision 2, shall, as a condition of its authority to transact workers' compensation insurance in this state, be a member of the reinsurance association and ~~shall be~~ is bound by the plan of operation of the reinsurance association; provided, that all affiliated insurers within a holding company system as defined in sections 60D.01 to 60D.13 ~~shall be are~~ considered a single entity for purposes of the exercise of all rights and duties of membership in the reinsurance association. Each self-insurer approved pursuant to under section 176.181 and each political subdivision ~~which that~~ self-insures shall, as a condition of its authority to self-insure workers' compensation liability in this state, be a member of the reinsurance association and ~~shall be~~ is bound by its plan of operation; provided, that:

(a) (1) all affiliated companies within a holding company system, as determined by the commissioner in a manner consistent with the standards and definitions in sections 60D.01 to 60D.13, ~~shall be are~~ considered a single entity for purposes of the exercise of all rights and duties of membership in the reinsurance association; and

(b) (2) all group self-insurers granted authority to self-insure pursuant to section 176.181 ~~shall be are~~ considered a single ~~entity~~ entities for purposes of the exercise of all the rights and duties of membership in the reinsurance association.

As a condition of its authority to self-insure workers' compensation liability, and for losses incurred ~~on or after January 1, 1984~~ December 31, 1983, the state ~~shall be~~ is a member of the reinsurance association and is bound by its plan of operation. The commissioner of ~~labor and industry employee relations~~ represents the state in the exercise of all the rights and duties of membership in the reinsurance association. The state treasurer shall pay the premium to the reinsurance association from the state compensation revolving fund upon warrants of the commissioner of ~~labor and industry employee relations~~. For the purposes of this section "state" means the administrative branch of state government, the legislative branch, the judicial branch, the University of Minnesota, and any other entity whose workers' compensation liability is paid from the state revolving fund. The commissioner of finance may calculate, prorate, and charge a department or agency the portion of premiums paid to the reinsurance association for employees who are paid wholly or in part by federal funds, dedicated funds, or special revenue funds. The reinsurance association is not a state agency. Actions of the reinsurance association and its board of directors and actions of the commissioner of labor and industry with respect to the reinsurance association are not subject to chapters 13, 14, and 15. All property owned by the association is exempt from taxation. The reinsurance association is not obligated to make any payments or pay any assessments to any funds or pools established pursuant to this chapter or chapter 176 or any other law.

Sec. 22. Minnesota Statutes 1987 Supplement, section 176.611, subdivision 2, is amended to read:

Subd. 2. [STATE DEPARTMENTS.] Every department of the state,

including the University of Minnesota, shall reimburse the fund for money paid for its claims and the costs of administering the revolving fund at such times and in such amounts as the commissioner of ~~labor and industry employee relations~~ shall certify has been paid out of the fund on its behalf. The heads of the departments shall anticipate these payments by including them in their budgets. In addition, the commissioner of ~~labor and industry employee relations~~, with the approval of the commissioner of finance, may require an agency to make advance payments to the fund sufficient to cover the agency's estimated obligation for a period of at least 60 days. Reimbursements and other money received by the commissioner of ~~labor and industry employee relations~~ under this subdivision must be credited to the state compensation revolving fund.

Sec. 23. Minnesota Statutes 1987 Supplement, section 176.611, subdivision 3a, is amended to read:

Subd. 3a. [LOANS.] To maintain an ongoing balance sufficient to pay sums currently due for benefits and administrative costs, the commissioner of finance, upon request of the commissioner of ~~labor and industry employee relations~~, may transfer money from the general fund to the state compensation revolving fund. Before requesting the transfer, the commissioner of ~~labor and industry employee relations~~ must decide there is not enough money in the fund for an immediate, necessary expenditure. The amount necessary to make the transfer is appropriated from the general fund to the commissioner of finance. The commissioner of ~~labor and industry employee relations~~ shall make schedules to repay the transferred money to the general fund. The repayment may not extend beyond five years.

Sec. 24. Minnesota Statutes 1986, section 179A.10, subdivision 3, is amended to read:

Subd. 3. [STATE EMPLOYEE SEVERANCE.] Each of the following groups of employees has the right, as specified in this subdivision, to separate from the general professional, health treatment, or general supervisory units provided for in subdivision 2: attorneys, physicians, professional employees of the higher education coordinating board who are compensated ~~pursuant to~~ under section 43A.18, subdivision 4, state patrol-supervisors, *regional enforcement officers employed by the department of natural resources*, and criminal apprehension investigative-supervisors. This right ~~shall~~ *must* be exercised by petition during the 60-day period commencing 270 days prior to the termination of a contract covering the units. If one of these groups of employees exercises the right to separate from the units they ~~shall~~ have no right to meet and negotiate, but ~~shall~~ retain the right to meet and confer with the commissioner of employee relations and with the appropriate appointing authority on any matter of concern to them. The ~~manner of exercise of the right to separate shall be~~ *must be exercised* as follows: An employee organization or group of employees claiming that a majority of any one of these groups of employees on a statewide basis wish to separate from their units may petition the director for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support for the petitioner from the employees, the director shall hold an election to ascertain the wishes of the majority with respect to the issue of remaining within or severing from the units provided in subdivision 2. This election ~~shall~~ *must* be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from the unit in favor of separate meet and confer status for any one of

these groups of employees, the director shall certify that result. This election ~~shall~~, where not inconsistent with other provisions of this section, ~~be~~ is governed by section 179A.16. If a group of employees elects to sever ~~they~~, *the group* may rejoin that unit by following the same procedures specified above for severance, but may only do so during the periods provided for severance.

Sec. 25. Minnesota Statutes 1987 Supplement, section 214.04, subdivision 3, is amended to read:

Subd. 3. The executive secretary of each health-related and non-health-related board shall be the chief administrative officer for the board but shall not be a member of the board. The executive secretary shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive secretaries and other employees of the following boards shall be hired by the board, and the executive secretaries shall be in the unclassified civil service, except as provided in this subdivision:

- (1) dentistry;
- (2) medical examiners;
- (3) nursing;
- (4) pharmacy;
- (5) accountancy;
- (6) architecture, engineering, land surveying and landscape architecture;
- (7) barber examiners;
- (8) cosmetology;
- (9) electricity;
- (10) teaching;
- (11) peace officer standards and training;
- (12) social work;
- (13) marriage and family therapy;
- (14) unlicensed mental health service providers; and
- (15) office of social work and mental health boards.

The board of medical examiners shall set the salary of its executive director, which may not exceed 95 percent of the top of the salary range set for the commissioner of health in section 15A.081, subdivision 1. ~~In June of the year in which a salary increase is to be adopted, and at least 30 days before the board of medical examiners adopts a salary increase for its executive director,~~ The board shall submit ~~the~~ a proposed salary increase to the legislative commission on employee relations ~~and the full legislature~~ for approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2.

The executive secretaries serving the remaining boards ~~shall be~~ are hired by those boards, and ~~shall be~~ are in the unclassified civil service, except for part-time executive secretaries, who are not required to be in the unclassified service. Boards not requiring a full-time executive ~~secretary~~ secretaries may employ ~~such services~~ them on a part-time basis. To the extent

practicable, the sharing of part-time executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive secretaries of the boards and employees of the attorney general, ~~shall be~~ are classified civil service employees of the department servicing the board. To the extent practicable, the commissioner shall ensure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

Sec. 26. [WASTE MANAGEMENT BOARD EMPLOYEES.]

By January 1, 1990, the commissioner of employee relations shall transfer employees of the waste management board in the unclassified service to the classified service of the state without competitive or qualifying examination and shall place them in their proper classifications. A transferred employee with less than six months of service in the employee's position at the time of the transfer shall serve a probationary period appropriate for the employee's classification under section 43A.16. The probation period must include the time since the employee's hire in the unclassified position from which the employee was transferred."

Delete the title and insert:

"A bill for an act relating to state government; providing for salary ranges for certain state employees; clarifying requirements for submitting certain salaries for legislative approval; requiring certain reports; regulating emergency civil service appointments; clarifying limits on certain salaries; authorizing the governor to change the salaries of newly appointed agency heads; regulating affirmative action; regulating separation from certain bargaining units; regulating health and other fringe benefit coverages; providing duties for the commissioner of employee relations; amending Minnesota Statutes 1986, sections 43A.04, subdivision 7; 43A.15, subdivisions 2 and 11; 43A.17, subdivisions 1 and 9; 43A.18, subdivision 5; 43A.19, subdivision 1; 43A.23, subdivisions 1 and 3; 43A.27, subdivision 3, and by adding a subdivision; and 179A.10, subdivision 3; Minnesota Statutes 1987 Supplement, sections 15A.081, subdivisions 1 and 7b; 43A.191, subdivision 3; 43A.316, subdivisions 2, 4, 8, and by adding a subdivision; 43A.421; 44A.02, subdivision 1; 79.34, subdivision 1; 176.611, subdivisions 2 and 3a; and 214.04, subdivision 3."

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. 2002: A bill for an act relating to state government; ratifying labor agreements, compensation plans, and salaries for state employees, and salaries for certain employees of metropolitan agencies.

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

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

S.F. No. 2000: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; establishing a Minnesota

environment and natural resources trust fund; providing implementing legislation; creating a legislation commission and an advisory committee; proposing coding for new law as Minnesota Statutes, chapter 115C.

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

Delete everything after the enacting clause and insert:

"Section 1. [CONSTITUTIONAL AMENDMENT PROPOSED.]

Subdivision 1. [AMENDMENT.] The following amendment to the Minnesota Constitution, adding a section to article XI, is proposed to the people. If the amendment is adopted, the section will read as follows:

Sec. 14. A Minnesota environment, natural resources, and wildlife trust fund is established in the state treasury. The sources and uses of money in the fund must be established by law. State contributions to the fund may not exceed \$1,000,000,000 or be made after the year 2015.

Subd. 2. [SUBMISSION TO VOTERS.] The proposed amendment must be submitted to the people at the 1988 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to establish a Minnesota environment, natural resources, and wildlife trust fund that may receive state contributions until the year 2015?"

Yes

No

Sec. 2. [86.80] [FINDINGS.]

The legislature finds that all Minnesotans share the responsibility to ensure wise stewardship of the state's environment, natural resources, and wildlife for the benefit of current citizens and future generations. Proper management of the state's environment, natural resources, and wildlife includes and requires foresight, planning, and long-term activities that allow the state to preserve its high quality environment and provides for wise use of its natural resources. The legislature also finds that to undertake the activities properly, a long-term, consistent, and stable source of funding must be provided.

Sec. 3. [86.81] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 3 to 12.

Subd. 2. [COMMISSION.] "Commission" means the Minnesota future resources commission.

Subd. 3. [TRUST FUND.] "Trust fund" means the Minnesota environment, natural resources, and wildlife trust fund.

Sec. 4. [86.82] [PURPOSE AND INTENT OF TRUST FUND.]

Subdivision 1. [PURPOSE.] The purpose of the Minnesota environment, natural resources, and wildlife trust fund is to ensure that the environment, natural resources, and wildlife of the state will be protected, conserved, preserved and enhanced for current citizens and for future generations. Expenditures from the trust fund must be made only for activities that provide or contribute to long-term protection, conservation, preservation,

or enhancement of the state's air, water, land, fish, wildlife, forestry, and other natural resources.

Subd. 2. [TRUST FUND NOT TO SUPPLANT EXISTING FUNDING.] (a) The trust fund may not be used as a substitute for traditional sources of funding environment, natural resources, and wildlife activities, but the trust fund shall supplement the traditional sources, including those sources used to support the criteria in section 8, subdivision 3. The trust fund must be used to primarily support activities whose benefits become available only over an extended period of time.

(b) The commission must determine the amount of the state budget spent from traditional sources to fund environment, natural resources, and wildlife activities before and after the trust fund is established and include a comparison of the amount in the report under section 10, subdivision 5.

Sec. 5. [86.83] [TRUST FUND ACCOUNT.]

Subdivision 1. [ESTABLISHMENT.] A Minnesota environment, natural resources, and wildlife trust fund, under article XI, section 14, of the Minnesota Constitution, if approved by the voters in the 1988 general election, is established as an account in the state treasury. The commissioner of finance shall credit designated revenue to the trust fund and ensure that trust fund money is invested under section 11A.24.

Subd. 2. [INVESTMENT AND EARNINGS.] The principal of the trust fund shall be invested by the state board of investment. Money earned by the trust fund must be credited to the trust fund.

Subd. 3. [GIFTS.] Gifts, including land and interests in land, may be donated to the trust fund. The noncash gifts must be disposed of for cash as soon as the board can prudently maximize the value of the gift. Gifts of marketable securities may be held or disposed of for cash at the option of the board. The cash receipts attributable to gifts of cash, capital assets, and marketable securities turned into cash must be credited immediately to the principal of the trust fund. The present value of marketable securities obtained as gifts must be considered as part of the trust fund and any earnings from the securities are an earning of the trust fund.

Subd. 4. [ROYALTIES, COPYRIGHTS, PATENTS.] The trust fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the trust fund equal to the percentage of the project's total funding provided by the trust fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the trust fund's rights to a royalty, copyright, or patent, must be immediately credited to the principal of the trust fund. Before a project is included in the budget plan, the commission may vote to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the trust fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the trust fund.

Subd. 5. [AUDITS REQUIRED.] (a) The Minnesota future resources commission shall select a certified public accountant to annually audit the trust fund. The audit must be given to the governor and the legislature and be available to the public.

(b) The legislative audit commission shall audit trust fund expenditures to ensure that the money is spent for the purposes provided in the commission's budget plan.

Sec. 6. [86.84] [MINNESOTA FUTURE RESOURCES COMMISSION.]

Subdivision 1. [ESTABLISHMENT AND MEMBERSHIP] (a) A Minnesota future resources commission of 16 members is established, consisting of the chairs of the house of representatives and senate committees on environment and natural resources, the chairs of the house of representatives appropriations and senate finance committees, six members of the senate appointed by the majority leader and six members of the house of representatives appointed by the speaker. At least two members from the senate and two members from the house of representatives must be from the minority caucus.

(b) Members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the commission.

Subd. 2. [DUTIES.] The commission shall develop a budget plan for expenditures from the trust fund and shall adopt a strategic plan as provided in section 8.

Sec. 7. [86.85] [RESOURCES CONGRESS.]

The commission must convene a resources congress once every biennium. The congress must be open to all interested individuals. The purpose of the congress is to collect public input necessary to allow the Minnesota future resources commission to develop a strategic plan to guide expenditures from the trust fund.

Sec. 8. [86.86] [STRATEGIC AND BUDGET PLANS.]

Subdivision 1. [STRATEGIC PLAN REQUIRED.] The commission shall adopt a strategic plan for making expenditures from the trust fund, including identifying the priority areas for funding for the next six years. In adopting the strategic plan, the commission must first consider the reinvest in Minnesota program under section 84.95, subdivision 2. The strategic plan must be updated every two years. Project proposals inconsistent with the strategic plan are not eligible for funding from the trust fund.

Subd. 2. [BUDGET PLAN.] (a) The commission may only fund projects that meet the criteria under subdivision 3.

(b) Research proposals to be considered for funding must be reviewed by the peer review panel.

(c) The commission must adopt a budget plan before expenditures are made from the trust fund. The budget plan must be submitted to the governor for inclusion in the biennial budget and supplemental budget submitted to the legislature.

(d) Individual projects must be approved or not approved in their entirety and new projects may not be added.

Subd. 3. [EXPENDITURE CRITERIA.] (a) Money in the trust fund may be spent for:

(1) research that contributes to increasing the effectiveness of protecting or managing the state's environment, natural resources, and wildlife;

(2) collection and analysis of information that assists in developing the state's environment, natural resources, and wildlife policies;

(3) enhancement of public education, awareness, and understanding necessary for the protection, conservation, restoration, and enhancement

of air, land, water, wildlife, forests, and other natural resources;

(4) the reinvest in Minnesota program as provided in section 84.95, subdivision 2;

(5) capital projects for the preservation and protection of natural resources and wildlife; and

(6) activities that conserve, preserve, or enhance wildlife and other natural resources.

(b) Money from the trust fund may not be spent for:

(1) purposes of environmental compensation and liability under chapter 115B and response actions under chapter 115C;

(2) purposes of municipal water pollution control under the authority of chapters 115 and 116, including combined sewer overflow under section 116.162;

(3) costs associated with the decommissioning of nuclear power plants;

(4) hazardous waste disposal facilities; or

(5) solid waste disposal facilities.

Sec. 9. [86.87] [PROJECT REVIEW BY PEER REVIEW PANEL.]

Subdivision 1. [RESEARCH PROPOSALS.] *(a) Research proposals must include a stated purpose, timeline, potential outcomes and an explanation of the need for the research. Research proposals must be reviewed by a peer review panel before receiving an appropriation from the trust fund. In conducting research proposal reviews, the peer review panel must provide comments on:*

(1) the methodology proposed and whether it can be expected to yield appropriate and useful information and data;

(2) the need for the research and about similar existing information available, if any; and

(3) whether the research proposed meets the expenditure criteria under section 8, subdivision 3.

(b) The peer review panel must report to the commission on the comments made in conducting the reviews.

Subd. 2. [COMPLETED PROJECT REVIEW.] *The peer review panel must review completed research proposals that have received an appropriation from the trust fund and comment and report upon whether the project reached the intended goals.*

Subd. 3. [PEER REVIEW PANEL.] *(a) The peer review panel must consist of at least five but not more than 11 members who are knowledgeable in general research methods, including the areas of air quality research, water research, fish and wildlife management research, environmental health research, forest management research, and soil conservation research. Not more than two members of the panel may be employees of state agencies.*

(b) Members of the peer review panel shall be selected by the commission and serve four-year staggered terms according to section 15.059.

(c) Members of the peer review panel shall elect a chair every two years, who is responsible for convening meetings of the peer review panel as

often as is necessary to fulfill its duties as prescribed in this section.

(d) *Compensation of panel members is governed by section 15.059, subdivision 3.*

Sec. 10. [86.88] [ADMINISTRATION.]

Subdivision 1. [ADMINISTRATIVE AUTHORITY.] *The commission may appoint legal and other personnel and consultants necessary to carry out the commission's functions and duties. The commission may request staff assistance from agencies of state government as needed for the execution of the responsibilities of the commission.*

Subd. 2. [ADMINISTRATIVE EXPENSE.] (a) *The administrative expenses of the commission shall be paid from the general fund until June 30, 1990.*

(b) The expenses of the commission may not exceed an amount equal to two percent of the total interest earned by the trust fund in the preceding fiscal year.

(c) The commission must include its administrative expense in the budget plan submitted to the governor or the legislature.

Subd. 3. [COMMISSION MEETINGS.] *The commission meetings must be open to the public. The commission shall attempt to meet at least once in each of the state's congressional districts during each biennium.*

Subd. 4. [CONFLICT OF INTEREST.] *A commission member, peer review panel member, or an employee of the commission, may not participate in or vote on a decision of the commission or peer review panel relating to an organization in which the commission member, panel member, or employee has either a direct or indirect financial interest. While serving on the legislative commission or peer review panel, or being an employee of the commission, a person shall avoid potential conflicts of interest.*

Subd. 5. [REPORTS REQUIRED.] (a) *The commission shall, by July 1 of each even-numbered year, submit a report to the governor, the chairs of the house of representatives appropriations and senate finance committees and the chairs of the house of representatives and senate committees on environment and natural resources and to organizations and individuals that request in writing a copy of the report. Copies of the report must be available to the public.*

(b) The report must include:

(1) a copy of the current strategic plan;

(2) a description of each project receiving money from the trust fund during the preceding two years;

(3) a summary of research projects completed in the preceding two years;

(4) to the extent known by the commission, descriptions of the projects anticipated to be supported by the trust fund during the next two years;

(5) the source and amount of revenues collected and credited to the trust fund and expenditures from the trust fund by the commission, including all administrative and other expenses;

(6) a description of the trust fund's assets and liabilities;

(7) a list of all gifts with a value over \$1,000;

(8) *a copy of the most recent certified financial and compliance audit; and*

(9) *a comparison of the amounts spent by the state for environment, natural resources, and wildlife activities through the most recent fiscal year.*

Sec. 11. [86.89] [FUNDS AVAILABLE TO FUND BUDGET PLAN.]

Subdivision 1. [AMOUNTS AVAILABLE FOR FUNDING.] The amount of money available to fund the budget consists of the earnings from the trust fund generated in the preceding fiscal year and the amounts provided under subdivision 2.

Subd. 2. [INITIAL FUNDING FROM PRINCIPAL.] (a) For funding projects during the second fiscal year, up to 25 percent of the revenue credited to the trust fund during the first fiscal year, which ends June 30 after the effective date of this act, is available to fund the budget plan.

(b) For funding projects during the third fiscal year, up to 20 percent of the revenue credited to the trust fund the preceding fiscal year is available to fund the budget plan.

(c) For funding projects during the fourth fiscal year, up to 15 percent of the revenue credited to the fund the previous fiscal year is available to fund the budget plan.

(d) For funding projects during the fifth fiscal year, up to ten percent of the revenue credited to the fund the previous fiscal year is available to fund the budget plan.

(e) For funding projects during the sixth fiscal year, up to five percent of the revenue credited to the fund the previous fiscal year is available to fund the budget plan.

Sec. 12. [86.90] [NATURAL RESOURCES LOAN PROGRAM.]

Subdivision 1. [LOANS AUTHORIZED.] (a) If the principal of the trust fund equals or exceeds \$250,000,000, the commission may vote to set aside up to five percent per year of the principal of the trust fund in a natural resources loan account for investment purposes. The purpose of the natural resources loan account is to offer below market rate interest loans to local units of government for the purposes of water system improvements or emergency environmental protection, or both, including wastewater treatment, cleanup, and other programs consistent with the expenditure criteria established and section 8, subdivision 3.

(b) The interest on a loan shall be calculated on the declining balance at a rate four percentage points below the secondary market yield of one-year United States treasury bills calculated according to section 549.09, subdivision 1, paragraph (c).

(c) An eligible project for emergency environmental protection must prove that existing federal or state loans or grants have not been adequate for the emergency purpose.

(d) Payments on the principal and interest of loans under this section must be credited to the trust fund.

(e) Repayment of loans made under this section must be completed within 20 years.

(f) *The public facilities authority must report to the commission each year on the loan program under this section.*

Subd. 2. [APPLICATION AND ADMINISTRATION.] (a) The commission must adopt a procedure for the issuance of the natural resource loans by the public facilities authority.

(b) The commission also must ensure that the loan account is administered according to its fiduciary standards and requirements.

Subd. 3. [EXCEPTION INAPPLICABLE.] The spending prohibition in section 8, subdivision 3, paragraph (b), clause (2), does not apply to loans from the natural resources loan account.

Sec. 13. [INSTRUCTION TO REVISOR.]

The revisor shall change references to "legislative commission on Minnesota resources" to "the future resources commission" wherever it appears in the 1988 edition of Minnesota Statutes.

Sec. 14. [REPEALER.]

Minnesota Statutes 1986, sections 86.01; 86.02; 86.03; 86.06; 86.07; and 86.08 are repealed.

Sec. 15. [EFFECTIVE DATE.]

Sections 2 to 14 are effective immediately upon approval by the voters of the constitutional amendment proposed by section 1."

Delete the title and insert:

"A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; establishing a Minnesota environment, natural resources, and wildlife trust fund; providing implementing legislation; creating a legislative commission; proposing coding for new law in Minnesota Statutes, chapter 86; repealing Minnesota Statutes 1986, sections 86.01; 86.02; 86.03; 86.06; 86.07; and 86.08."

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

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

H.F. No. 1740 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1740	1738				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1740 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1740 and insert the language after the enacting clause of S.F. No. 1738, the first engrossment; further, delete the title of H.F. No. 1740 and insert the title of S.F. No. 1738, the first engrossment.

And when so amended H.F. No. 1740 will be identical to S.F. No. 1738, and further recommends that H.F. No. 1740 be given its second reading

and substituted for S.F. No. 1738, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1686, 1801, 1844, 1758, 1749, 573 and 2003 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1740 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Chmielewski moved that the names of Messrs. Purfeerst, Benson and Laidig be added as co-authors to S.F. No. 88. The motion prevailed.

Mr. Dahl moved that the names of Messrs. Pogemiller and Merriam be added as co-authors to S.F. No. 1462. The motion prevailed.

Mr. Johnson, D.J. moved that his name be stricken as chief author, shown as a co-author, and the name of Mr. Lessard be added as chief author to S.F. No. 1536. The motion prevailed.

Ms. Berglin moved that the names of Messrs. Brandl and Chmielewski be added as co-authors to S.F. No. 1625. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Spear be added as a co-author to S.F. No. 1769. The motion prevailed.

Mr. Dicklich moved that the name of Ms. Berglin be added as a co-author to S.F. No. 1840. The motion prevailed.

Mr. Metzen moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 1894. The motion prevailed.

Ms. Piper moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1904. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Solon be added as a co-author to S.F. No. 1933. The motion prevailed.

Mr. Dahl moved that the name of Mr. Jude be added as a co-author to S.F. No. 1953. The motion prevailed.

Mr. Solon moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1984. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Marty be added as a co-author to S.F. No. 1989. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Morse be added as a co-author to S.F. No. 2015. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 2016. The motion prevailed.

Mr. Dahl moved that the names of Messrs. Frank and Jude be added as co-authors to S.F. No. 2043. The motion prevailed.

Mr. Storm moved that the name of Mr. Jude be added as a co-author to S.F. No. 2056. The motion prevailed.

Mr. Schmitz moved that the name of Mr. Frederick be added as a co-author to S.F. No. 2096. The motion prevailed.

Mr. Novak moved that the name of Mr. Johnson, D.E. be added as a co-author to S.F. No. 2111. The motion prevailed.

Ms. Piper moved that the names of Messrs. Beckman and Vickerman be added as co-authors to S.F. No. 2112. The motion prevailed.

Mr. Morse moved that the names of Messrs. Luther, Davis and Dahl be added as co-authors to S.F. No. 2128. The motion prevailed.

Mr. Morse moved that the names of Messrs. Davis and Freeman be added as co-authors to S.F. No. 2129. The motion prevailed.

Mr. Morse moved that the name of Mr. Davis be added as a co-author to S.F. No. 2130. The motion prevailed.

Ms. Berglin moved that the name of Mr. Vickerman be added as a co-author to S.F. No. 2139. The motion prevailed.

Mr. Frederickson, D.R. introduced—

Senate Resolution No. 114: A Senate resolution congratulating the students of St. Peter High School for winning the North Star Challenge.

Referred to the Committee on Rules and Administration.

Messrs. Moe, R.D.; Langseth and Stumpf introduced—

Senate Concurrent Resolution No. 13: A Senate concurrent resolution establishing July 2 and 3, between Canada Day and Independence Day, as the annual Minnesota Manitoba, North Dakota, and Saskatchewan Days of Peace and Friendship.

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 13 be laid on the table. The motion prevailed.

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

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.

Mr. Moe, D.M. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 257, 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.

CALENDAR

S.F. No. 1594: A bill for an act relating to human services; providing for definitions, exclusions, access to records, and period of receivership under the human services licensing act; liability of the state for municipal inspection functions; amending Minnesota Statutes 1986, section 466.132; and Minnesota Statutes 1987 Supplement, sections 245A.02, subdivision 13; 245A.03, subdivision 2; 245A.04, subdivisions 3 and 5; 245A.095, subdivision 1; 245A.11, subdivision 5; 245A.13, subdivision 5; 256D.01, subdivision 1d; and 256D.37, subdivision 5; repealing Minnesota Statutes 1987 Supplement, sections 256D.01, subdivision 1c; and 256D.37, subdivision 4.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1644: A bill for an act relating to statutes; revising the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws; amending Minnesota Statutes 1986, chapters 3, as amended; 31A; 227; 228; 306, as amended; 451; 456; and 560.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1710: A bill for an act relating to insurance; clarifying powers of state compensation insurance fund; amending Minnesota Statutes 1987 Supplement, section 176A.04; proposing coding for new law in Minnesota Statutes, chapter 176A.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1608: A bill for an act relating to the city of Minneapolis; updating references in its development laws; amending Laws 1980, chapter 595, section 3, subdivisions 1, as amended, 3, 6, and 7; and section 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 1622 and 1715, which the committee recommends to pass.

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. Beckman and Morse introduced—

S.F. No. 2142: A bill for an act relating to workers' compensation; reassigning certain administrative duties; regulating reporting of injuries and information about injuries; regulating the payment of benefits; regulating the membership of the rehabilitation review panel; regulating rehabilitation services; changing certain administrative procedures; regulating dependent benefits; prohibiting excessive treatment or medical services; providing for data privacy; amending Minnesota Statutes 1986, sections 129A.05, subdivision 2; 176.021, subdivision 3; 176.081, subdivision 1; 176.101, subdivision 3e; 176.104, subdivision 1; 176.111, subdivisions 7 and 8; 176.135, by adding a subdivision; 176.191, subdivision 3; 176.221, subdivision 9; 176.225, subdivision 5; 176.231, subdivisions 8 and 9; Minnesota Statutes 1987 Supplement, sections 176.102, subdivisions 3 and 4; 176.103, subdivision 3; 176.106, subdivisions 7 and 9; 176.131, subdivision 1; 176.135, subdivisions 1 and 6; 176.155, subdivision 1; 176.238, subdivisions 1 and 9; 176.305, subdivisions 1 and 4; repealing Minnesota Statutes 1986, sections 176.021, subdivision 3a; 176.111, subdivision 8a; and 176.136, subdivision 3.

Referred to the Committee on Employment.

Messrs. Samuelson, Kroening, Ms. Peterson, D.C. and Mr. Anderson introduced—

S.F. No. 2143: A bill for an act relating to insurance; regulating certain medical examinations in no-fault automobile insurance cases; amending Minnesota Statutes 1986, section 65B.56, subdivision 1.

Referred to the Committee on Commerce.

Messrs. Wegscheid, Solon, Chmielewski and Samuelson introduced—

S.F. No. 2144: A bill for an act relating to health; health maintenance organizations; regulating chiropractic care; amending Minnesota Statutes 1986, sections 62D.02, subdivision 7; 62D.12, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 62D.102.

Referred to the Committee on Health and Human Services.

Messrs. Wegscheid, Solon, Chmielewski and Samuelson introduced—

S.F. No. 2145: A bill for an act relating to health; providing equal access to chiropractic services; providing for the licensure of doctors of chiropractic; amending Minnesota Statutes 1986, sections 62A.15, subdivisions 1, 2, and 4; 148.08, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 148.06, subdivision 1.

Referred to the Committee on Health and Human Services.

Messrs. Pehler, Luther, Mrs. Adkins and Mr. Bertram introduced—

S.F. No. 2146: A bill for an act relating to health maintenance organizations; waiving the preexisting condition restriction for coverage under the comprehensive health insurance plan for former health maintenance organization enrollees; requiring medical care providers to contract with health maintenance organizations; amending Minnesota Statutes 1986, section 62E.14, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62D.

Referred to the Committee on Health and Human Services.

Messrs. Pehler, Luther and Mrs. Adkins introduced—

S.F. No. 2147: A bill for an act relating to health maintenance organizations; creating an arbitration panel to resolve controversies between health maintenance organizations and health care providers; proposing coding for new law in Minnesota Statutes, chapter 62D.

Referred to the Committee on Health and Human Services.

Messrs. Pehler, Luther, Mrs. Adkins and Mr. Bertram introduced—

S.F. No. 2148: A bill for an act relating to health maintenance organizations; requiring a reserve fund; prohibiting regional termination of health plans; requiring 90 days' notice of termination; creating conversion rights for enrollees; requiring the comprehensive health insurance plan to offer four medicare supplement options; waiving the preexisting condition restriction for coverage under the comprehensive health insurance plan for medicare supplement enrollees who are terminated due to bankruptcy of a health maintenance organization; amending Minnesota Statutes 1986, sections 62D.041, subdivision 2; 62D.12, subdivision 2, and by adding a subdivision; 62E.12; and 62E.14, subdivision 4; repealing Minnesota Statutes 1986, section 62D.041, subdivisions 1, 3 to 6, and 8.

Referred to the Committee on Health and Human Services.

Messrs. Beckman, Frank and Vickerman introduced—

S.F. No. 2149: A bill for an act relating to local government; increasing the maximum amount of capital notes home rule charter cities may issue for capital equipment; amending Minnesota Statutes 1986, section 410.32.

Referred to the Committee on Local and Urban Government.

Mr. Davis introduced—

S.F. No. 2150: A bill for an act relating to state contracts; prohibiting the state from requiring Indian tribes or bands to deny their sovereignty to contract with the state; amending Minnesota Statutes 1986, section 16B.06, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Stumpf; Bernhagen; Purfeerst; Johnson, D.E. and Mrs. Adkins introduced—

S.F. No. 2151: 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.

Mr. Waldorf, Mrs. Brataas, Messrs. Moe, R.D.; Benson and Langseth introduced—

S.F. No. 2152: A bill for an act relating to higher education; establishing the university center at Rochester; establishing its responsibilities, duties, and powers; providing for its governance; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 136E.

Referred to the Committee on Education.

Mr. Frank introduced—

S.F. No. 2153: A bill for an act relating to economic development; changing the structure of the Minnesota job skills partnership board; repealing the sunset of the board; amending Minnesota Statutes 1987 Supplement, section 116L.03, subdivisions 1, 2, and 5; repealing Laws 1983, chapter 334, section 7, as amended.

Referred to the Committee on Governmental Operations.

Mr. Stumpf introduced—

S.F. No. 2154: A bill for an act relating to retirement; authorizing the Thief River Falls firefighters relief association to pay service pensions to members otherwise qualified at age 50.

Referred to the Committee on Governmental Operations.

Mr. Pogemiller, Mrs. Brataas, Messrs. Luther; Moe, R.D. and Ms. Peterson, D.C. introduced—

S.F. No. 2155: A bill for an act relating to state government; authorizing the sale or lease of property within the jurisdiction of the commissioner of administration under certain conditions.

Referred to the Committee on Governmental Operations.

Mr. Spear introduced—

S.F. No. 2156: A bill for an act relating to criminal procedure; defining "crime" in the law governing issuance of search warrants to include violations of municipal ordinances; amending Minnesota Statutes 1986, section 626.05, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Vickerman introduced—

S.F. No. 2157: A bill for an act relating to human services; establishing minimum maintenance and difficulty of care rates for adults in foster care; amending Minnesota Statutes 1987 Supplement, section 256D.37, subdivision 1.

Referred to the Committee on Health and Human Services.

Mr. Vickerman introduced—

S.F. No. 2158: A bill for an act relating to health; extending foster care insurance to providers of adult foster care; appropriating money; amending Minnesota Statutes 1986, section 245.814, subdivisions 1, 2, and 3.

Referred to the Committee on Health and Human Services.

Messrs. Solon, Chmielewski and Samuelson introduced—

S.F. No. 2159: A bill for an act relating to human services; affecting the demonstration project for uninsured low-income persons; adding Crow Wing county to the demonstration project geographic area; allowing additional demonstration projects; appropriating money; amending Minnesota Statutes 1987 Supplement, section 256B.73, subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1987 Supplement, section 256B.73, subdivision 10.

Referred to the Committee on Health and Human Services.

Mr. Luther introduced—

S.F. No. 2160: A bill for an act relating to state lands; conveying certain lands to the city of Brooklyn Center in Hennepin county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Stumpf and Pogemiller introduced—

S.F. No. 2161: A bill for an act relating to taxation; making technical corrections and administrative changes to cigarette taxes and sales; liquor taxes; pull-tab taxes; sales and use taxes; insurance premiums tax; deed tax; telegraph gross earnings tax; and controlled substances tax; appropriating money; amending Minnesota Statutes 1986, sections 271.01, subdivision 5; 287.21, by adding a subdivision; 297.03, subdivision 12, and by adding a subdivision; 297.041, subdivision 1; 297.06, subdivisions 1, 2, 3, and by adding a subdivision; 297.08, subdivision 1; 297.12, subdivision 1; 297.35, by adding a subdivision; 297A.15, subdivision 5; 297A.25, subdivision 5, and by adding a subdivision; 297A.35, subdivision 1; 297C.02, subdivision 4; 297C.03, by adding a subdivision; 297C.07; 297D.08; 325D.33, by adding a subdivision; 329.11; 349.12, subdivision 18, and by adding subdivisions; 349.2121, subdivisions 1, 2, 5, and by adding a subdivision; 349.22, subdivision 1, and by adding subdivisions; and 473.843, subdivision 2; Minnesota Statutes 1987 Supplement, sections 69.54; 295.32; 297.01, subdivisions 7 and 14; 297.03, subdivision 6; 297.11, subdivision 5; 297A.01, subdivision 3; 297A.212; 297A.25, subdivision 11; 297C.04; 325D.32, subdivision 10; 325D.33, subdivision 4; 349.212, subdivisions 1 and 4; 349.2121, subdivisions 4a and 10; 349.2122; and 349.2123; proposing coding for new law in Minnesota Statutes 1986, chapters 297;

297C; and 349; repealing Minnesota Statutes 1986, section 297C.03, subdivision 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Wegscheid introduced—

S.F. No. 2162: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Luther; Johnson, D.J.; Moe, R.D.; Schmitz and Novak introduced—

S.F. No. 2163: A bill for an act relating to metropolitan government; limiting the metropolitan council's taxing authority; amending Minnesota Statutes 1986, section 473.249, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Wegscheid introduced—

S.F. No. 2164: A bill for an act relating to retirement; Minnesota state retirement system; authorizing the purchase of prior service credit by certain metropolitan sports facilities commission employees; repealing Minnesota Statutes 1986, section 473.565, subdivisions 3 and 4.

Referred to the Committee on Governmental Operations.

Mr. Dahl introduced—

S.F. No. 2165: A bill for an act relating to environment; requiring persons to notify the pollution control agency of and take steps to avoid air pollution; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 2166: A bill for an act relating to taxation; income; making technical and administrative corrections and changes; amending Minnesota Statutes 1986, sections 290.06, by adding a subdivision; 290.39, by adding a subdivision; and 290A.03, subdivision 7; Minnesota Statutes 1987 Supplement, sections 290.01, subdivisions 3a, 7, and 19a; 290.06, subdivisions 2c and 20; 290.067, subdivision 1; 290.081; 290.17, subdivision 2; 290.38; 290.41, subdivision 2; 290.92, subdivisions 7 and 15; 290A.03, subdivisions 3 and 8; 290A.06; and 290A.19; repealing Minnesota Statutes 1987 Supplement, section 290.077, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 2167: A bill for an act relating to taxation; making technical corrections and administrative changes to gross premiums, corporate franchise, royalty, and mineral taxes; appropriating money; amending Minnesota Statutes 1986, sections 62C.01, by adding a subdivision; and 64B.24; Minnesota Statutes 1987 Supplement, sections 60E.04, subdivision 4; 290.01,

subdivisions 19, 19a, 19c, 19d, and 19e; 290.06, subdivisions 1 and 21; 290.092, subdivisions 3, 4, and by adding a subdivision; 290.095, subdivision 3, and by adding a subdivision; 290.191, subdivisions 6 and 11; 290.371, subdivision 5; 290.9725; and 299.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 290 and 298; repealing Minnesota Statutes 1986, sections 298.013 and 298.401; and Minnesota Statutes 1987 Supplement, section 290.10.

Referred to the Committee on Taxes and Tax Laws.

Mr. Bertram introduced—

S.F. No. 2168: A bill for an act relating to traffic regulations; providing for safety of school safety patrol members; amending Minnesota Statutes 1986, section 169.21, subdivision 2.

Referred to the Committee on Transportation.

Messrs. Dahl and Morse introduced—

S.F. No. 2169: A bill for an act relating to education; appropriating money to the higher education coordinating board, University of Minnesota, and state board of vocational technical education.

Referred to the Committee on Education.

Messrs. Kroening and Cohen introduced—

S.F. No. 2170: A bill for an act relating to housing; requiring a landlord to pay damages for renting condemned residential premises; proposing coding for new law in Minnesota Statutes, chapter 504.

Referred to the Committee on Economic Development and Housing.

Messrs. Johnson, D.E.; Storm; Bernhagen; Larson and Anderson introduced—

S.F. No. 2171: A bill for an act relating to taxation; exempting railroad retirement benefits from taxation; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Metzen and Bertram introduced—

S.F. No. 2172: A bill for an act relating to veterans; requiring the commissioner of veterans affairs to provide certain grave markers; appropriating money; amending Minnesota Statutes 1986, section 197.23.

Referred to the Committee on Veterans.

Mrs. McQuaid, Messrs. Ramstad, Larson and Knaak introduced—

S.F. No. 2173: A bill for an act relating to education; restoring certain categorical programs; creating reimbursement aid for special academic programs; increasing interdistrict cooperation aid; increasing summer program aid; appropriating money; amending Minnesota Statutes 1986, sections 124.247, by adding a subdivision; 124.272, subdivisions 3 and 4; Minnesota Statutes 1987 Supplement, section 124.246, subdivision 2; Laws

1987, chapter 398, article 1, section 27, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 124A; repealing Minnesota Statutes 1986, section 124.272, subdivision 5; Minnesota Statutes 1987 Supplement, section 124A.27.

Referred to the Committee on Education.

Messrs. Morse; Peterson, R.W.; Vickerman; Moe, D.M. and Benson introduced—

S.F. No. 2174: A bill for an act relating to courts; repealing the law allowing the court administrator to appeal the salary set by the county board to the district court; repealing Minnesota Statutes 1986, section 485.018, subdivision 7.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid and Pogemiller introduced—

S.F. No. 2175: A bill for an act relating to retirement; local government correctional service retirement plan; clarifying coverage periods; adjusting member and employer contribution rates; clarifying annuity calculations for fractional service; clarifying the duration of initial annuity payments; providing for the augmentation of deferred annuities; amending Minnesota Statutes 1987 Supplement, sections 353C.03; 353C.05; 353C.06, subdivisions 3 and 4; and 353C.07.

Referred to the Committee on Governmental Operations.

Messrs. Metzen, Schmitz, Jude, Frederick and Belanger introduced—

S.F. No. 2176: A bill for an act relating to taxation; sales; exempting nonprescription drugs and health products; amending Minnesota Statutes 1987 Supplement, section 297A.25, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Belanger, Mrs. McQuaid, Mr. Schmitz and Mrs. Adkins introduced—

S.F. No. 2177: A bill for an act relating to zoning; providing for filing requirements of variances to real property; amending Minnesota Statutes 1986, section 462.36, subdivision 1.

Referred to the Committee on Local and Urban Government.

Messrs. Ramstad, Knaak and Mrs. McQuaid introduced—

S.F. No. 2178: A bill for an act relating to negligence; granting immunity to municipalities for claims arising from nonprofit athletic associations' use of facilities and property; granting immunity to certain athletic coaches, managers, volunteers, and nonprofit athletic associations from claims of spectators; amending Minnesota Statutes 1986, section 466.03, by adding a subdivision; and Minnesota Statutes 1987 Supplement, section 604.08, subdivision 1.

Referred to the Committee on Judiciary.

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

S.F. No. 2179: A bill for an act relating to economic development; recreating a tourism loan program within the department of trade and economic development; providing for the powers and duties of the commissioner; authorizing rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Economic Development and Housing.

Messrs. Belanger, Mehrkens, Freeman, Knutson and Larson introduced—

S.F. No. 2180: A bill for an act relating to education; allowing transportation of walking pupils in certain circumstances; amending Minnesota Statutes 1986, section 123.39, by adding a subdivision.

Referred to the Committee on Education.

Ms. Berglin introduced—

S.F. No. 2181: A bill for an act relating to human services; creating an advisory committee to study case mix changes and to develop a training program for providers; amending Minnesota Statutes 1986, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Metzen, Jude, Laidig, Ms. Reichgott and Mr. Novak introduced—

S.F. No. 2182: A bill for an act relating to taxation; providing for payment of tax increments attributable to referendum levy increases to school districts; amending Minnesota Statutes 1987 Supplement, section 469.177, by adding a subdivision.

Referred to the Committee on Economic Development and Housing.

Ms. Berglin, Messrs. Spear, Knaak, Marty and Luther introduced—

S.F. No. 2183: A bill for an act relating to crimes; increasing penalties for certain crimes when committed because of the victim's race, color, religion, sex, affectional or sexual orientation, or national origin; amending Minnesota Statutes 1986, sections 609.223; 609.605, by adding a subdivision; 609.79, by adding a subdivision; and Minnesota Statutes 1987 Supplement, sections 609.595, subdivisions 2, 3, and by adding a subdivision; 609.746, by adding a subdivision; and 609.795.

Referred to the Committee on Judiciary.

Mr. Pogemiller, Ms. Reichgott, Mr. Kroening, Ms. Peterson, D.C. and Mr. Wegscheid introduced—

S.F. No. 2184: A bill for an act relating to retirement; teachers retirement fund and teachers retirement, certain cities; imposing penalties on late payment of employer contributions to the teachers retirement fund; imposing interest and penalties on late payments to the teachers retirement fund associations in certain cities; amending Minnesota Statutes 1986, sections

354.52, subdivision 4; and 354A.12, subdivision 2.

Referred to the Committee on Governmental Operations.

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

S.F. No. 2185: A bill for an act relating to the organization of state government; restoring certain duties of the state treasurer; appropriating money; amending Minnesota Statutes 1986, sections 11A.20, subdivision 1; 16A.055, subdivision 7; 16A.42, subdivision 2, and by adding a subdivision; 16A.45, subdivision 2; 16A.47; 16A.58; 16A.672, subdivisions 1, 2, and 3; 69.031, by adding a subdivision; 268.05, subdivision 2; 349.212, by adding a subdivision; 361.03, subdivision 5; 361.27; and 473.606, subdivision 1; and Minnesota Statutes 1987 Supplement, sections 16A.275, subdivision 1; and 609.101, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 7 and 10.

Referred to the Committee on Governmental Operations.

Mr. Berg introduced—

S.F. No. 2186: A bill for an act relating to environment; providing assistance to equalize excessive wastewater treatment charges; establishing an engineering services bureau for assistance to wastewater authorities; imposing a surcharge for funding equalization of wastewater treatment rates; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 446A.

Referred to the Committee on Environment and Natural Resources.

Mr. Samuelson, Mrs. Lantry, Mses. Piper, Berglin and Mr. Knutson introduced—

S.F. No. 2187: A bill for an act relating to human services; eliminating certain limitations on reimbursement to providers; appropriating money; amending Minnesota Statutes 1986, section 256B.03, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 256.969, subdivision 2; and 256D.03, subdivision 4.

Referred to the Committee on Health and Human Services.

Messrs. Wegscheid, Knaak, Knutson, Ms. Reichgott and Mr. Dicklich introduced—

S.F. No. 2188: A bill for an act relating to education; increasing the capital expenditure and general education revenue amounts; amending Minnesota Statutes 1987 Supplement, sections 124.244, subdivision 1; and 124A.22, subdivision 2.

Referred to the Committee on Education.

Mr. Davis introduced—

S.F. No. 2189: A bill for an act relating to game and fish; lowering the percentage of a disability required of veterans to qualify for a permanent license; amending Minnesota Statutes 1987 Supplement, section 97A.441, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Mr. Pogemiller introduced—

S.F. No. 2190: A bill for an act relating to local economic development powers; abolishing economic development authorities; enabling housing and redevelopment authorities to become community development agencies and to exercise the powers of economic development authorities; correcting citations; amending Minnesota Statutes 1986, section 117.521, subdivision 3; Minnesota Statutes 1987 Supplement, sections 353.01, subdivision 2a; 355.11, subdivision 5; 462C.02, subdivision 9; 469.002, subdivision 2; 469.091, subdivision 1; 469.094, by adding a subdivision; 469.107, subdivision 1; 469.155, subdivision 2; 469.174, subdivision 8; and 469.181, subdivision 1; Laws 1987, chapter 182, section 2, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 469; repealing Minnesota Statutes 1987 Supplement, sections 469.090 to 469.108.

Referred to the Committee on Economic Development and Housing.

Mr. Pogemiller introduced—

S.F. No. 2191: A bill for an act relating to animals; modifying regulations of kennels and dealers of certain animals used for research purposes; amending Minnesota Statutes 1987 Supplement, sections 347.31, subdivision 4; and 347.37.

Referred to the Committee on General Legislation and Public Gaming.

Mr. Frank, Mrs. Lantry, Messrs. Dicklich, Solon and Kroening introduced—

S.F. No. 2192: A bill for an act relating to economic development; permitting certain development authorities to hold certain licenses; amending Minnesota Statutes 1987 Supplement, section 469.155, subdivision 13.

Referred to the Committee on Economic Development and Housing.

Mr. Pogemiller introduced—

S.F. No. 2193: A bill for an act relating to state government; permitting employee payroll deductions for homeowners and automobile insurance programs; amending Minnesota Statutes 1986, section 16A.133, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Mr. Frederickson, D.J. introduced—

S.F. No. 2194: A bill for an act relating to environment; prohibiting the sale of certain polyethylene material; requiring rulemaking; providing penalties; creating an advisory task force and providing for its duties; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 2195: A bill for an act relating to education; making technical corrections to the cooperative secondary facilities grant act; amending Minnesota Statutes 1987 Supplement, section 124.494, subdivisions 5 and 6.

Referred to the Committee on Education.

Mr. Frederickson, D.J. introduced—

S.F. No. 2196: A bill for an act relating to economic development; authorizing the commissioner to award set-aside procurements to local small businesses; amending Minnesota Statutes 1986, section 16B.19, subdivision 5; Minnesota Statutes 1987 Supplement, sections 16B.19, subdivision 6; and 645.445, subdivision 5.

Referred to the Committee on Governmental Operations.

Mr. Frederickson, D.J. introduced—

S.F. No. 2197: A bill for an act relating to advertising devices; permitting directional signs for rural commercial businesses; amending Minnesota Statutes 1986, sections 173.02, by adding a subdivision; and 173.08, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 173.

Referred to the Committee on Transportation.

Messrs. Solon and Gustafson introduced—

S.F. No. 2198: A bill for an act relating to the city of Duluth; authorizing the expenditure of previously appropriated funds for acquisition or construction of Duluth's Western Waterfront Trail.

Referred to the Committee on Finance.

Messrs. Stumpf and Lessard introduced—

S.F. No. 2199: A bill for an act relating to game and fish; adjusting the height of deer stands; amending Minnesota Statutes 1986, section 97B.325.

Referred to the Committee on Environment and Natural Resources.

Mr. Renneke introduced—

S.F. No. 2200: A bill for an act relating to retirement; public employees retirement association; authorizing certain public hospital employees to obtain retirement coverage; authorizing certain public hospital employees to purchase prior service credit; repealing Minnesota Statutes 1986, section 355.73, subdivision 8.

Referred to the Committee on Governmental Operations.

Messrs. Renneke, Frederick, Bernhagen, Belanger and Gustafson introduced—

S.F. No. 2201: 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. Renneke, Frederick, Bernhagen, Gustafson and Benson introduced—

S.F. No. 2202: A bill for an act relating to taxation; income; excluding certain compensation for military services; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Mr. Benson introduced—

S.F. No. 2203: A bill for an act relating to human services; authorizing a county to establish an adult protection team; requiring records to be maintained; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Health and Human Services.

Messrs. Benson, Decker and Frederickson, D.R. introduced—

S.F. No. 2204: A bill for an act relating to taxation; exempting railroad retirement benefits from taxation; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Ms. Peterson, D.C. introduced—

S.F. No. 2205: A bill for an act relating to education; creating a productivity improvement project; appropriating money.

Referred to the Committee on Education.

Ms. Peterson, D.C. introduced—

S.F. No. 2206: A bill for an act relating to human services; requiring county community social service plans to address the county's responsibility to establish a system of early intervention services for handicapped children; amending Minnesota Statutes 1987 Supplement, section 256E.09, subdivision 3.

Referred to the Committee on Health and Human Services.

Ms. Berglin introduced—

S.F. No. 2207: A bill for an act relating to marriage dissolution; providing for parties to a dissolution to disclose assets and liabilities; requiring the supreme court to prepare forms for disclosure; providing sanctions for misrepresentations or omissions or failure to file any disclosure; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

Messrs. Chmielewski; Johnson, D.J.; Ms. Piper, Messrs. Kroening and Frank introduced—

S.F. No. 2208: A bill for an act relating to workers' compensation; providing a single type of benefit for permanent partial disabilities; requiring all employers to purchase workers' compensation insurance from the state insurance fund; amending Minnesota Statutes 1986, sections 176.021, subdivision 3; 176.061, subdivision 10; 176.101, subdivisions 3e, 3f, 3i, 3j, 3l, 3r, and by adding a subdivision; 176.185, by adding a subdivision; 176.221, subdivision 6a; 176A.03, subdivision 2; Minnesota Statutes 1987 Supplement, sections 176.179; and 176A.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 176A; repealing Minnesota Statutes 1986, sections 176.011, subdivision 26; 176.101, subdivisions 3a,

3b, 3c, 3g, 3m, 3o, 3p, 3q, 3s, and 3t; and 176.105.

Referred to the Committee on Employment.

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

S.F. No. 2209: A bill for an act relating to health; requiring the elimination of designated smoking areas in certain instances; protecting complainants of smoke-induced discomfort; amending Minnesota Statutes 1986, section 144.415; and Minnesota Statutes 1987 Supplement, section 144.412; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

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

S.F. No. 2210: A bill for an act relating to education; allowing noncontiguous school districts to consolidate; amending Minnesota Statutes 1986, section 122.23, subdivision 1.

Referred to the Committee on Education.

Messrs. Marty and Merriam introduced—

S.F. No. 2211: A bill for an act relating to taxation; individual income; modifying the tax rates; amending Minnesota Statutes 1987 Supplement, section 290.06, subdivision 2c.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Samuelson, Lessard and Moe, R.D. introduced—

S.F. No. 2212: A bill for an act relating to natural resources; revising provisions relating to the Heartland Trail; amending Minnesota Statutes 1986, section 85.015, subdivision 12.

Referred to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. introduced—

S.F. No. 2213: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in East Grand Forks, Polk county.

Referred to the Committee on Environment and Natural Resources.

Mr. Merriam introduced—

S.F. No. 2214: A bill for an act relating to natural resources; authorizing the commissioner to sell certain surplus lands to local governments for local recreation or natural resource purposes; specifying the amount above appraised value that the commissioner may pay when acquiring land; transferring certain duties of county auditors and treasurers relating to the sale of state land to the commissioner; authorizing long-term leases of state land for certain purposes; modifying certain provisions of land exchange laws relating to appraisals and fees; amending Minnesota Statutes 1986, sections 84.027, by adding a subdivision; 92.16, subdivision 1; 92.23; 92.24; 92.26; 92.27; 92.50, subdivision 1; 94.343, subdivision 3; and 94.348; Minnesota Statutes 1987 Supplement, section 84.0272; repealing

Minnesota Statutes 1986, section 92.25.

Referred to the Committee on Environment and Natural Resources.

Mr. Johnson, D.J. introduced—

S.F. No. 2215: A bill for an act relating to state lands; authorizing private conveyance of tax-forfeited land in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

Mr. Johnson, D.J. introduced—

S.F. No. 2216: A bill for an act relating to land exchange; authorizing the exchange of certain state lands free from reservations of public travel under certain conditions; amending Minnesota Statutes 1986, section 94.342, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Mr. Novak introduced—

S.F. No. 2217: A bill for an act relating to state lands; authorizing transfer of certain state lands in Ramsey county to the city of Mounds View.

Referred to the Committee on Environment and Natural Resources.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS

Mr. Purfeerst moved that S.F. No. 1592 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Finance. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, March 3, 1988. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate