

SIXTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 3, 1988

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Paul Romstad.

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

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

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. Schmitz was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 22, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the Greater Minnesota Corporation Board of Directors are hereby respectfully submitted to the Senate for confirmation as required by law:

D. Bruce Merrifield, 1316 New Hampshire Ave. N.W., Washington, D.C., has been appointed by me, effective August 24, 1987, for a term expiring the first Monday in January, 1994.

Laurence L. Osterwise, Hwy. 52 and 37th St. N.W., Rochester, Olmsted County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1992.

May Yue, 6604 Cornelia Dr., Edina, Hennepin County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1992.

Francis Ryan, 1018 E. 24th St., Hibbing, St. Louis County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1990.

Dale R. Olseth, 132 Homedale Rd., Hopkins, Hennepin County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1994.

William C. Norris, 12760 Chinchilla Ave. W., Rosemount, Dakota County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1990.

(Referred to the Committee on Economic Development and Housing.)

February 22, 1988

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointments to the Greater Minnesota Corporation Board of Directors are hereby respectfully submitted to the Senate for confirmation as required by law:

William F. Miller, 821 San Francisco Ct., Stanford, California, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1992.

Elroy Webster, Rt. 2, Nicollet, Nicollet County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1994.

Howard Fortier, 4450 Stinson Blvd. N.E., Minneapolis, Hennepin County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1994.

Dr. Donald S. Fredrickson, 6615 Bradley Blvd., Bethesda, Maryland, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1992.

Harold W. Greenwood, Jr., 5145 Woodlawn Blvd., Minneapolis, Hennepin County, has been appointed by me, effective November 7, 1987, for a term expiring the first Monday in January, 1990.

(Referred to the Committee on Economic Development and Housing.)

Sincerely,

Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 29, 1988

Mr. President:

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

S.F. No. 1575: A bill for an act relating to game and fish; clarifying when a trout and salmon stamp is required and responsibility for road-kill deer; amending Minnesota Statutes 1986, section 97C.305; Minnesota Statutes 1987 Supplement, sections 97A.475, subdivisions 6 and 7; 97A.485, subdivision 6; and 97A.502; repealing Minnesota Statutes 1987 Supplement, section 97A.451, subdivision 1.

Senate File No. 1575 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 29, 1988

Mr. Moe, R.D. moved that S.F. No. 1575 be laid on the table. The motion prevailed.

Mr. President:

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

S.F. No. 1184: A bill for an act relating to state lands; authorizing the conveyance of certain lands in Pine county to the Amherst H. Wilder Foundation; amending Laws 1981, chapter 354, section 1, subdivisions 1 and 5; repealing Laws 1981, chapter 354, section 1, subdivisions 2, 3, and 4.

Senate File No. 1184 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 29, 1988

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S.F. No. 1184 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1184 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. Moe, R.D. moved that S.F. No. 1575 be taken from the table. The motion prevailed.

S.F. No. 1575: A bill for an act relating to game and fish; clarifying when a trout and salmon stamp is required and responsibility for road-kill deer; amending Minnesota Statutes 1986, section 97C.305; Minnesota Statutes 1987 Supplement, sections 97A.475, subdivisions 6 and 7; 97A.485, subdivision 6; and 97A.502; repealing Minnesota Statutes 1987 Supplement, section 97A.451, subdivision 1.

CONCURRENCE AND REPASSAGE

Mr. Berg moved that the Senate concur in the amendments by the House to S.F. No. 1575 and that the bill be placed on its repassage as amended.

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S.F. No. 1575, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House.

The question was taken on the adoption of the motion of Mr. Merriam.

The roll was called, and there were yeas 44 and nays 17, as follows:

Those who voted in the affirmative were:

Adkins	Dahl	Knutson	Metzen	Reichgott
Anderson	Davis	Kroening	Moe, D.M.	Samuelson
Beckman	DeCramer	Laidig	Morse	Spear
Belanger	Diessner	Lantry	Olson	Storm
Benson	Frank	Larson	Pehler	Stumpf
Bertram	Frederickson, D.J.	Marty	Peterson, D.C.	Taylor
Brandl	Freeman	McQuaid	Peterson, R.W.	Waldorf
Brataas	Johnson, D.E.	Mehrkens	Piper	Wegscheid
Chmielewski	Jude	Merriam	Ramstad	

Those who voted in the negative were:

Berg	Dicklich	Johnson, D.J.	Novak	Solon
Berglin	Frederick	Knaak	Pogemiller	
Bernhagen	Frederickson, D.R.	Langseth	Purfeerst	
Decker	Gustafson	Lessard	Renneke	

The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1761, 1790, 1836, 1858, 1816, 1850, 1851, 1867, 1704 and 1749.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 29, 1988

FIRST READING OF HOUSE BILLS

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

H.F. No. 1761: A bill for an act relating to Mille Lacs county; authorizing sale of certain tax-forfeited land.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 1790: A bill for an act relating to commerce; safe deposit companies; providing for performance of will searches upon safe deposit box renter's death; amending Minnesota Statutes 1986, section 55.10, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1768, now on General Orders.

H.F. No. 1836: A bill for an act relating to crimes; providing for proof of prior convictions at sentencing hearings and in certain criminal prosecutions; amending Minnesota Statutes 1986, section 244.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

H.F. No. 1858: A bill for an act relating to the environment; designating the Willard Munger Trail; amending Minnesota Statutes 1986, section 85.015, subdivision 11.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 1816: A bill for an act relating to traffic regulations; requiring

motor vehicle lessors to provide child passenger restraints on request; amending Minnesota Statutes 1987 Supplement, section 169.685, subdivision 6.

Referred to the Committee on Transportation.

H.F. No. 1850: A bill for an act relating to local improvements; special assessments; authorizing towns to make certain improvements; amending Minnesota Statutes 1986, section 429.011, subdivision 2b.

Referred to the Committee on Local and Urban Government.

H.F. No. 1851: A bill for an act relating to local government; regulating duties of town officers; setting town powers; amending Minnesota Statutes 1986, sections 18.272; 465.71; and 471.653; and Minnesota Statutes 1987 Supplement, section 115A.921; and repealing Minnesota Statutes 1986, section 365.03.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 1867: A bill for an act relating to Washington county; repealing a provision for county board expenses; repealing Laws 1965, chapter 524, as amended.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1699, now on Consent Calendar.

H.F. No. 1704: A bill for an act relating to taxation; property tax refunds; restoring the full amount for 1986 claims; removing the appropriation limit for 1987 claims; appropriating money; amending Laws 1987, chapter 268, article 3, section 12.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 1749: A bill for an act relating to transportation; increasing the tax on gasoline and special fuel to 20 cents per gallon; increasing the share of motor vehicle excise tax revenues dedicated to highways and transit to 35 percent; amending Minnesota Statutes 1986, section 296.02, subdivision 1b; and Minnesota Statutes 1987 Supplement, sections 296.025, subdivisions 2a and 2b; and 297B.09, subdivision 1.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

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

S.F. No. 1751: A bill for an act relating to utilities; improving the administration of the public utilities commission and the department of public service; encouraging settlements of gas and electric rate cases; authorizing the commission to extend the time period for considering rate cases under certain circumstances; providing for the imposition of interim rates in subsequent rate cases when the commission extends the time period for considering a rate case; requiring the administrative law judge to submit a report to the commission in a rate case within a certain period of time; requiring utilities and telephone companies to make refunds under certain

circumstances; providing for commission review of certain utility sales or acquisition of plants located outside the state; deregulating coin-operated telephones and providing minimum standards; requiring telephone companies to provide notice to the commission and department when making certain transactions with affiliated companies; amending Minnesota Statutes 1986, sections 216B.16, subdivisions 1a, 2, and 3; 216B.17, by adding a subdivision; 216B.50, subdivision 1; 237.01, subdivision 2, and by adding a subdivision; 237.075, subdivisions 2 and 3; and 237.081, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 237.65, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 237.

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 216B.16, subdivision 1a, is amended to read:

Subd. 1a. ~~[SETTLEMENT BARRED.]~~ When a public utility ~~proposes changes in general rates that would increase general rates paid by consumers, the commission may approve the change without a contested case hearing if applicant and all intervening parties agree to a stipulated settlement of the case and the settlement is supported by substantial evidence~~ submits a general rate filing, the office of administrative hearings, before conducting a contested case hearing, shall convene a settlement conference including all of the parties for the purpose of encouraging settlement of any or all the issues in the contested case. If a stipulated settlement is not reached before the contested case hearing, the office of administrative hearings may reconvene the settlement conference during or after completion of the contested case hearing at its discretion or a party's request. If the applicant and all intervening parties agree to a stipulated settlement of the case or parts of the case, the settlement must be submitted to the commission. The commission shall accept or reject the settlement in its entirety and, at any time until its final order is issued in the case, may require the office of administrative hearings to conduct a contested case hearing. The commission may accept the settlement if it finds it is in the public interest and it is supported by substantial evidence. If the commission does not accept the settlement, it may issue an order modifying the settlement subject to the approval of the parties. Each party has ten days in which to reject the proposed modification. If no party rejects the proposed modification, the commission's order becomes final. If the commission rejects the settlement, or a party rejects the commission's proposed modification, a contested case hearing must be completed.

Sec. 2. Minnesota Statutes 1986, section 216B.16, subdivision 2, is amended to read:

Subd. 2. [SUSPENSION OF RATES; HEARING.] (a) Whenever there is filed with the commission a schedule modifying or resulting in a change in any rates then in force as provided in subdivision 1, the commission may suspend the operation of the schedule by filing with the schedule of rates and delivering to the affected utility a statement in writing of its reasons for the suspension at any time before the rates become effective. The suspension shall not be for a longer period than ten months beyond the initial filing date *except as provided in paragraph (b)*. During the suspension the commission shall determine whether all questions of the

reasonableness of the rates requested raised by persons deemed interested or by the ~~administrative division~~ of the department of public service can be resolved to the satisfaction of the commission. If the commission finds that all significant issues raised have not been resolved to its satisfaction, or upon petition by ten percent of the affected customers or 250 affected customers, whichever is less, it shall refer the matter to the office of administrative hearings with instructions for a public hearing as a contested case pursuant to chapter 14, except as otherwise provided in this section. The commission may order that the issues presented by the proposed rate changes be bifurcated into two separate hearings as follows: (1) determination of the utility's revenue requirements and (2) determination of the rate design. Upon issuance of both ~~hearing examiner~~ *administrative law judge* reports, the issues shall again be joined for consideration and final determination by the commission. All prehearing discovery activities of state agency intervenors shall be consolidated and conducted by the department of public service. If the commission does not make a final determination concerning a schedule of rates within ten months after the initial filing date, the schedule shall be deemed to have been approved by the commission; except if a settlement has been submitted to and rejected by the commission, the schedule is deemed to have been approved 12 months after the initial filing.

(b) If the commission finds that it has insufficient time during the suspension period to make a final determination of a case involving changes in general rates because of the need to make final determinations of other previously filed cases involving changes in general rates under this section or section 237.075, the commission may extend the suspension period to the extent necessary to allow itself 20 working days to make the final determination after it has made final determinations in the previously filed cases. An extension of the suspension period under this paragraph does not alter the setting of interim rates under subdivision 3.

(c) For the purposes of this section, "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all those petitions.

Sec. 3. Minnesota Statutes 1986, section 216B.16, subdivision 3, is amended to read:

Subd. 3. [INTERIM RATES.] Notwithstanding any order of suspension of a proposed increase in rates, the commission shall order an interim rate schedule into effect not later than 60 days after the initial filing date. The commission shall order the interim rate schedule ex parte without a public hearing. Notwithstanding the provisions of sections 216.25, 216B.27 and 216B.52, no interim rate schedule ordered by the commission pursuant to this subdivision shall be subject to an application for a rehearing or an appeal to a court until the commission has rendered its final determination. Unless the commission finds that exigent circumstances exist, the interim rate schedule shall be calculated using the proposed test year cost of capital, rate base, and expenses, except that it shall include: (1) a rate of return on common equity for the utility equal to that authorized by the commission in the utility's most recent rate proceeding; (2) rate base or expense items the same in nature and kind as those allowed by a currently effective order of the commission in the utility's most recent rate proceeding; and (3) no change in the existing rate design. In the case of a utility which has not been subject to a prior commission determination, the commission shall

base the interim rate schedule on its most recent determination concerning a similar utility.

If, at the time of its final determination, the commission finds that the interim rates are in excess of the rates in the final determination, the commission shall order the utility to refund the excess amount collected under the interim rate schedule, including interest on it which shall be at the rate of interest determined by the commission. The utility shall commence distribution of the refund to its customers within 120 days of the final order, not subject to rehearing or appeal. If, at the time of its final determination, the commission finds that the interim rates are less than the rates in the final determination, the commission shall prescribe a method by which the utility will recover the difference in revenues from the date of the final determination to the date the new rate schedules are put into effect.

If the public utility fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and may recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled to it. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. The commission shall not order an interim rate schedule *in a general rate case* into effect as provided by this subdivision until at least four months after it has made a final determination concerning any previously filed change of the rate schedule or the change has otherwise become effective under subdivision 2, unless it:

(1) *the commission finds that a four month delay would unreasonably burden the utility, its customers, or its shareholders and that an earlier imposition of interim rates is therefore necessary; or*

(2) *the utility files a second general rate case at least 12 months after it has filed a previous general rate case for which the commission has extended the suspension period under subdivision 2.*

Sec. 4. Minnesota Statutes 1986, section 237.075, subdivision 2, is amended to read:

Subd. 2. [SUSPENSION OF RATES; HEARING.] (a) Whenever there is filed with the commission as provided in subdivision 1 a schedule modifying or resulting in a change in any rate then in force, the commission may suspend the operation of the schedule by filing with the schedule of rates and delivering to the affected telephone company a statement in writing of its reasons for the suspension at any time before the rates become effective. The suspension shall not be for a longer period than ten months beyond the initial filing date *except as provided in paragraph (b).* During the suspension the commission shall determine whether all questions of the reasonableness of the rates requested raised by persons deemed interested or by the administrative division of the department of public service can be resolved to the satisfaction of the commission. If the commission finds that all significant issues raised have not been resolved to its satisfaction, or upon petition by ten percent of the affected customers or 250 affected customers, whichever is less, it shall refer the matter to the office of administrative hearings with instructions for a public hearing as a contested case pursuant to chapter 14, except as otherwise provided in this

section. The commission may order that the issues presented by the proposed rate changes be bifurcated into two separate hearings as follows: (1) determination of the telephone company's revenue requirements and (2) determination of the rate design. Upon issuance of both administrative law judge reports, the issues shall again be joined for consideration and final determination by the commission. All prehearing discovery activities of state agency intervenors shall be consolidated and conducted by the department of public service. If the commission does not make a final determination concerning a schedule of rates within ten months after the initial filing date, the schedule shall be deemed to have been approved by the commission; except if a settlement has been submitted to and rejected by the commission, the schedule is deemed to have been approved 12 months after the initial filing.

(b) If the commission finds that it has insufficient time during the suspension period to make a final determination of a case involving changes in general rates because of the need to make final determinations of other previously filed cases involving changes in general rates under this section or section 216B.16, the commission may extend the suspension period to the extent necessary to allow itself 20 working days to make the final determination after it has made final determinations in the previously filed cases. An extension of the suspension period under this paragraph does not alter the setting of interim rates under subdivision 3.

(c) For the purposes of this section, "final determination" means the initial decision of the commission and not any order which may be entered by the commission in response to a petition for rehearing or other further relief. The commission may further suspend rates until it determines all those petitions.

Sec. 5. Minnesota Statutes 1986, section 237.075, subdivision 3, is amended to read:

Subd. 3. [INTERIM RATES.] Notwithstanding any order of suspension of a proposed increase in rates, the commission shall order an interim rate schedule into effect not later than 60 days after the initial filing date. The commission shall order the interim rate schedule ex parte without a public hearing. Notwithstanding the provisions of sections 216.25 and 237.25, no interim rate schedule ordered by the commission pursuant to this subdivision shall be subject to an application for a rehearing or an appeal to a court until the commission has rendered its final determination. Unless the commission finds that exigent circumstances exist, the interim rate schedule shall be calculated using the proposed test year cost of capital, rate base, and expenses, except that it shall include: (1) a rate of return on common equity for the company equal to that authorized by the commission in the company's most recent rate proceeding; (2) rate base or expense items the same in nature and kind as those allowed by a currently effective order of the commission in the company's most recent rate proceeding; and (3) no change in the existing rate design, except for products and services offered by nonregulated competitors. In the case of a company which has not been subject to a prior commission determination or has not had a general rate adjustment in the preceding three years, the commission shall base the interim rate schedule on its most recent determination concerning a similar company.

If, at the time of its final determination, the commission finds that the interim rates are in excess of the rates in the final determination, the

commission shall order the company to refund the excess amount collected under the interim rate schedule, including interest on it which shall be at the rate of interest determined by the commission. The company shall commence distribution of the refund to its customers within 120 days of the final order, not subject to rehearing or appeal. If, at the time of its final determination, the commission finds that the interim rates are less than the rates in the final determination, the commission shall prescribe a method by which the company will recover the difference in revenues from the date of the final determination to the date the new rate schedules are put into effect.

If the telephone company fails to make refunds within the period of time prescribed by the commission, the commission shall sue therefor and may recover on behalf of all persons entitled to a refund. In addition to the amount of the refund and interest due, the commission shall be entitled to recover reasonable attorney's fees, court costs and estimated cost of administering the distribution of the refund to persons entitled thereto. No suit under this subdivision shall be maintained unless instituted within two years after the end of the period of time prescribed by the commission for repayment of refunds. The commission shall not order an interim rate schedule *in a general rate case* into effect as provided by this subdivision until at least four months after it has made a final determination concerning any previously filed change of the rate schedule or the change has otherwise become effective under subdivision 2, unless it:

(1) *the commission finds that a four month delay would unreasonably burden the company, its customers, or its shareholders and that an earlier imposition of interim rates is therefore necessary; or*

(2) *the company files a second general rate case at least 12 months after it has filed a previous general rate case for which the commission has extended the suspension period under subdivision 2.*

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment and apply only to general rate cases filed on or after that date."

Delete the title and insert:

"A bill for an act relating to utilities; improving the administration of the public utilities commission and the department of public service; encouraging settlements of gas and electric rate cases; authorizing the commission to extend the time period for considering rate cases under certain circumstances; providing for the imposition of interim rates in subsequent rate cases when the commission extends the time period for considering a rate case; amending Minnesota Statutes 1986, sections 216B.16, subdivisions 1a, 2, and 3; and 237.075, subdivisions 2 and 3."

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

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 60, upon the request of three members, a roll call was taken on the Jude amendment to S.F. No. 1751.

There were yeas 6 and nays 5, as follows:

Those who voted in the affirmative were:

Messrs. Frank; Gustafson; Johnson, D.E.; Jude; Ms. Olson and Mr. Storm.

Those who voted in the negative were:

Messrs. Dicklich; Marty; Johnson, D.J.; Novak and Ms. Piper.

The amendment was adopted.

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

S.F. No. 1663: A bill for an act relating to health; allowing certified nurse-midwives to prescribe and administer certain drugs; amending Minnesota Statutes 1986, sections 148.171; and 151.01, subdivision 23.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 148.171, is amended to read:

148.171 [DEFINITIONS.]

As used in sections 148.171 to 148.285:

(1) The term "Board" shall mean Minnesota board of nursing.

(2) The term "Registered Nurse" abbreviated R.N., shall mean a natural person licensed by the Minnesota board of nursing to practice professional nursing.

(3) The practice of professional nursing means the performance for compensation or personal profit of the professional interpersonal service of: (a) providing a nursing assessment of the actual or potential health needs of individuals, families, or communities; (b) providing nursing care supportive to or restorative of life by functions such as skilled ministrations of nursing care, supervising and teaching nursing personnel, health teaching and counseling, case finding and referral to other health resources; and (c) evaluating these actions.

The practice of professional nursing includes both independent nursing functions and delegated medical functions which may be performed in collaboration with other health team members, or may be delegated by the professional nurse to other nursing personnel. Independent nursing function may also be performed autonomously. The practice of professional nursing requires that level of special education, knowledge, and skill ordinarily expected of an individual who has completed an approved professional nursing education program as described in section 148.211, subdivision 1. *A registered nurse who has graduated from a program of study designed to prepare registered nurses for advanced practice as nurse-midwives and who is certified through the national professional nursing organization for nurse-midwives may prescribe and administer drugs and therapeutic devices within practice as a nurse-midwife.*

Sec. 2. Minnesota Statutes 1986, section 151.37, subdivision 2, is amended to read:

Subd. 2. A licensed practitioner in the course of professional practice only, may prescribe, administer, and dispense a legend drug, or may cause the same to be administered by a nurse or intern under the practitioner's

direction and supervision, and may cause a person who is an appropriately certified and licensed health care professional to prescribe and administer the same within the expressed legal scope of the person's practice as defined in Minnesota Statutes.

Sec. 3. Minnesota Statutes 1986, section 152.12, subdivision 1, is amended to read:

Subdivision 1. A licensed doctor of medicine, a doctor of osteopathy, duly licensed to practice medicine, a doctor of dental surgery, or a doctor of dental medicine, or a licensed doctor of podiatry, and in the course of professional practice only, may prescribe, administer, and dispense a controlled substance included in Schedules II through V of section 152.02, ~~or~~ may cause the same to be administered by a nurse, an intern or an assistant under the direction and supervision of the doctor, *and may cause a person who is an appropriately certified and licensed health care professional to prescribe and administer the same within the expressed legal scope of the person's practice as defined in Minnesota Statutes.*

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to nurse-midwives; allowing a certified nurse-midwife to prescribe and administer drugs and therapeutic devices; allowing an appropriately certified and licensed health care professional to prescribe legend drugs and controlled substances; amending Minnesota Statutes 1986, sections 148.171; 151.37, subdivision 2; and 152.12, subdivision 1."

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

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

S.F. No. 1680: A bill for an act relating to human services; prohibiting reduction of benefits to persons receiving ERISA services; requiring HMO subscriber contracts and plans of health coverage that provide dependent coverage to cover dependents not residing with the covered employee; providing a time period within which the state agency may file and enforce a lien; providing that certain items must not be included as cash or liquid assets in determining medical assistance eligibility; providing that certain aliens are eligible to receive medical assistance; modifying eligibility criteria for supplemental aid recipients and applicants; amending Minnesota Statutes 1986, sections 62E.04, by adding subdivisions; 256B.14, subdivision 2; 256D.35, by adding a subdivision; and 256D.37, subdivision 2, and by adding subdivisions; Minnesota Statutes 1987 Supplement, sections 256.015, subdivision 2; 256.936; 256B.031, subdivision 5; 256B.042, subdivision 2; 256B.06, subdivisions 1 and 4; and 256D.37, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

Page 1, after line 24, insert:

"Section 1. [62A.047] [DEPENDENT COVERAGE.]

A policy of accident or sickness which covers an employee who is a Minnesota resident must, if it provides dependent coverage, allow dependent children who do not reside with the covered employee to be covered on the same basis as if they reside with the covered employee. Neither the amount of support provided by the employee to the dependent child nor the residency of the child can be used as an excluding or limiting factor for coverage or payment for any health care.

Sec. 2. [62C.143] [DEPENDENT COVERAGE.]

A subscriber contract of a nonprofit health service plan corporation which covers an employee who is a Minnesota resident must, if it provides dependent coverage, allow dependent children who do not reside with the covered employee to be covered on the same basis as if they reside with the covered employee. Neither the amount of support provided by the employee to the dependent child nor the residency of the child can be used as an excluding or limiting factor for coverage or payment for any health care."

Page 1, line 32, after the period, insert "Coverage under this section shall apply only if the dependent child resides within the service area of the health maintenance organization and if the dependent child is a birth or legally adopted child."

Page 2, line 12, delete "including, but not limited to, any plan"

Page 2, line 16, after "children" insert "who are eligible for or receiving benefits under chapter 256B and"

Page 3, line 3, reinstate the stricken language

Page 3, delete line 4 and insert "the date notice is received by it under subdivision 4, paragraph (c), or one year from the date medical bills are first paid by the state agency, whichever is later, to file its"

Page 3, line 5, reinstate the stricken language and delete the new language

Page 3, line 6, delete the new language

Page 3, line 17, delete "from" and insert "who are" and delete "up to six" and insert "or older but less than eleven"

Page 3, line 24, after the stricken period, insert "The period of eligibility extends from the first day of the month in which the child's first birthday occurs to the last day of the month in which the child becomes 11 years old."

Page 4, line 20, after "program" insert "and about other medical care programs administered or supervised by the department of human services"

Page 4, line 21, strike "the plan" and insert "medical programs"

Page 6, line 22, strike everything after "(c)"

Page 6, line 23, strike "choose a prepaid health plan by January 15, 1988."

Page 7, line 35, reinstate the stricken language

Page 7, delete line 36 and insert "it under subdivision 4, paragraph (c), or one year from the date medical bills are first paid by the state agency, whichever is later, to file its verified lien statement. The"

Page 8, line 1, reinstate the stricken language and delete the new language

Page 9, line 1, delete the new language and insert “; *the methodology for*”

Page 9, line 2, after “*income*” insert “*must be as*”

Page 14, after line 25, insert:

“Sec. 12. Minnesota Statutes 1986, section 256B.08, is amended to read:
256B.08 [APPLICATION.]

Subdivision 1. [APPLICATION PROCESS.] An applicant for medical assistance hereunder, or a person acting in the applicant's behalf, shall file an application with a county local agency in such the manner and form as shall be prescribed by the state agency. When a married applicant resides in a nursing home or applies for medical assistance for nursing home services, the county local agency shall consider an application on behalf of the applicant's spouse only upon specific request of the applicant or upon specific request of the spouse and separate filing of an application.

Subd. 2. [EXPEDITED REVIEW FOR PREGNANT WOMEN.] A pregnant woman who may be eligible for assistance under section 256B.06, subdivision 1, must receive an appointment for eligibility determination no later than five working days from the date of her request for assistance from the local agency. The local agency shall expedite processing her application for assistance and shall make a determination of eligibility on a completed application no later than ten working days following the applicant's initial appointment. The local agency shall assist the applicant to provide all necessary information and documentation in order to process the application within the time period required under this subdivision. The state agency shall provide for the placement of applications for medical assistance in eligible provider offices, community health offices, and women, infants and children (WIC) program sites.

Sec. 13. Minnesota Statutes 1987 Supplement, section 256B.091, subdivision 4, is amended to read:

Subd. 4. [SCREENING OF PERSONS.] Prior to nursing home or boarding care home admission, screening teams shall assess the needs of all applicants, except (1) patients transferred from other certified nursing homes or boarding care homes; (2) patients who, having entered acute care facilities from nursing homes or boarding care homes, are returning to a nursing home or boarding care home; (3) persons entering a facility described in section 256B.431, subdivision 4, paragraph (c); (4) individuals not eligible for medical assistance whose length of stay is expected to be 30 days or less based on a physician's certification, if the facility notifies the screening team upon admission and provides an update to the screening team on the 30th day after admission; (5) individuals who have a contractual right to have their nursing home care paid for indefinitely by the veteran's administration; or (6) persons entering a facility conducted by and for the adherents of a recognized church or religious denomination for the purpose of providing care and services for those who depend upon spiritual means, through prayer alone, for healing. The cost for screening applicants who are receiving medical assistance must be paid by the medical assistance program. The total screening cost for each county for applicants who are not eligible for medical assistance and residents of nursing homes who request a screening must be paid monthly by nursing homes and boarding care homes participating in the medical assistance program in the county. The monthly amount to be paid by each nursing home and boarding care

home must be determined by dividing the county's estimate of the total annual cost of screenings allowed by the commissioner in the county for the following rate year by 12 to determine the monthly cost estimate and allocating the monthly cost estimate to each nursing home and boarding care home based on the number of licensed beds in the nursing home or boarding care home. The monthly cost estimate for each nursing home or boarding care home must be submitted to the nursing home or boarding care home and the state by the county no later than February 15 of each year for inclusion in the nursing home's or boarding care home's payment rate on the following rate year. The commissioner shall include the reported annual estimated cost of screenings for each nursing home or boarding care home as an operating cost of that nursing home in accordance with section 256B.431, subdivision 2b, clause (g). For all individuals regardless of payment source, if delay-of-screening timelines are not met because a county is late in screening an individual who meets the delay-of-screening criteria, the county is solely responsible for paying the cost of the preadmission screening. Notwithstanding section 256B.0641, overpayments attributable to payment of the screening costs under the medical assistance program may not be recovered from a facility. *Any other interested person may be screened under this subdivision if the person pays a fee for the screening based upon a sliding fee scale determined by the commissioner.*"

Page 15, after line 33, insert:

"Sec. 15. Minnesota Statutes 1986, section 256B.69, subdivision 3, is amended to read:

Subd. 3. [GEOGRAPHIC AREA.] The commissioner shall designate the geographic areas in which eligible individuals may be included in the demonstration project. The geographic areas ~~shall~~ *may* include one urban, one suburban, and ~~at least~~ one rural county. In order to encourage the participation of long-term care providers, the project area may be expanded beyond the designated counties for eligible individuals over age 65.

Sec. 16. Minnesota Statutes 1986, section 256B.69, subdivision 4, is amended to read:

Subd. 4. [LIMITATION OF CHOICE.] The commissioner shall develop criteria to determine when limitation of choice may be implemented in the experimental counties. The criteria shall ensure that all eligible individuals in the county have continuing access to the full range of medical assistance services as specified in subdivision 6. *The commissioner shall exempt the following persons from participation in the project, in addition to those who do not meet the criteria for limitation of choice: (1) persons eligible for medical assistance according to section 256B.06, subdivision 1, clauses (1) and (2); and (2) persons eligible for medical assistance due to blindness or disability as determined by the social security administration or the state medical review team, unless they are 65 years of age or older.* Before limitation of choice is implemented, eligible individuals shall be notified and after notification, shall be allowed to choose only among demonstration providers. After initially choosing a provider, the recipient is allowed to change that choice only at specified times as allowed by the commissioner.

Sec. 17. Minnesota Statutes 1987 Supplement, section 256D.03, subdivision 3, is amended to read:

Subd. 3. [GENERAL ASSISTANCE MEDICAL CARE; ELIGIBILITY.] General assistance medical care may be paid for any person:

(1) who is eligible for assistance under section 256D.05 or 256D.051 and is not eligible for medical assistance under chapter 256B; or

(2) who is a resident of Minnesota; whose income as calculated under chapter 256B is not in excess of the medical assistance standards or whose excess income is spent down pursuant to chapter 256B; and whose equity in resources is not in excess of \$1,000 per assistance unit. Exempt real and liquid assets, the reduction of excess assets, and the waiver of excess assets must conform to the medical assistance program in chapter 256B.

Eligibility is available for the month of application and for three months prior to application if the person was eligible in those prior months. A redetermination of eligibility must occur every 12 months.

General assistance medical care is not available for applicants or recipients who do not cooperate with the local agency to meet the requirements of medical assistance."

Page 22, line 3, before "Section" insert:

(a) Sections 1, 2, 3, and 5 apply to a policy, plan, or contract issued or renewed on or after the date following final enactment.

(b)"

Page 22, lines 3 and 7, delete "2" and insert "4"

Page 22, after line 12, insert:

"(c) The changes in section 10, clauses (6) and (13), and sections 17 to 29 are effective January 1, 1989."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after the semicolon, insert "providing for expedited review of medical assistance applications submitted by pregnant women; changing requirements for the medicaid demonstration project; requiring general assistance medical care applicants and recipients to cooperate with local agency efforts to help them qualify for medical assistance;"

Page 1, line 12, after the semicolon, insert "requiring nursing and boarding care homes to pay screening costs monthly for residents and applicants for residence; allowing other persons to request screening and pay screening costs on a sliding fee scale;"

Page 1, line 15, after the first semicolon, insert "256B.08;"

Page 1, line 15, after the second semicolon, insert "256B.69, subdivisions 3 and 4;"

Page 1, line 20, after the semicolon, insert "256B.091, subdivision 4; 256D.03, subdivision 3;"

Page 1, line 22, delete "chapter" and insert "chapters 62A; 62C; and"

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

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

S.F. No. 1772: A bill for an act relating to North Suburban Hospital District; authorizing renovation and use of the Fridley Assembly of God Church property for health or social services.

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

Page 1, line 11, delete "*Moundsvew*" and insert "*Mounds View*"

Page 1, line 23, delete "*following final enactment*" and insert "*after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the hospital board of the North Suburban Hospital District.*"

Page 1, delete lines 24 and 25

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

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

S.F. No. 1228: A bill for an act relating to education; allowing the student council member of the higher education coordinating board to vote; amending Minnesota Statutes 1986, section 136A.02, subdivision 1.

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

Page 1, after line 23, insert:

"Sec. 2. Minnesota Statutes 1986, section 136A.02, subdivision 1a, is amended to read:

Subd. 1a. The term of each ~~voting~~ board member, *except the student member*, shall be six years. *The term of the student member shall be the same as the term of the chair of the student advisory council.* As nearly as possible, one-sixth of the terms of the ~~voting~~ board members shall expire each year. The compensation, removal of ~~voting~~ members, and filling of vacancies among ~~voting~~ members on the board shall be as provided in section 15.0575, subdivisions 3, 4, and 5.

Sec. 3. Minnesota Statutes 1986, section 136A.02, subdivision 7, is amended to read:

Subd. 7. [STUDENT ADVISORY COUNCIL.] A student advisory council to the board is established. The members of the council shall include the chair of the University of Minnesota university student senate, the state chair of the Minnesota state university student association, the president of the Minnesota community college student association, the president of the Minnesota vocational technical student association, the president of the Minnesota association of private college students, and a student who is enrolled in a private vocational school registered under this chapter, to be appointed by the Minnesota association of private post-secondary schools. A member may be represented by a designee.

The advisory council shall:

(1) bring to the attention of the board any matter that the council believes needs the attention of the board,

(2) make recommendations to the board as the council deems appropriate,
(3) review and comment upon proposals and other matters before the board,

(4) provide any reasonable assistance to the board, and

(5) select one of its members to serve as chair and as a ~~nonvoting~~ member of the board. The board shall inform the council of all matters under consideration by the board and shall refer all proposals to the council before the board acts or sends the proposals to the governor or the legislature. The board shall provide time for a report from the advisory council at each meeting of the board.

The student advisory council shall report to the board quarterly and at other times that the council considers desirable. The council shall determine its meeting time, but the council shall also meet with the executive director of the board within 30 days after the director's request for a council meeting. The student advisory council shall meet quarterly with the higher education advisory council and the board executive committee."

Amend the title as follows:

Page 1, line 5, delete "subdivision" and insert "subdivisions" and after "1" insert ", 1a, and 7"

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

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

S.F. No. 1705: A bill for an act relating to education; creating a task force on child care in higher education.

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

Page 1, line 9, after "*education*" insert "*in relation to existing child care programs*"

Page 1, line 22, delete "*chair*" and insert "*members*" and delete everything after "*force*" and insert "*shall elect the chair.*"

Page 1, delete lines 23 and 24

Page 2, line 1, delete everything before the first "*of*" and insert "*One representative*"

Page 2, line 3, delete "*coordinating*" and insert "*coordinating*"

Page 2, line 5, delete "*service*" and insert "*senate*"

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. 1980: A bill for an act relating to motor vehicles; removing restrictions regarding restricted gasoline fill pipes; amending Minnesota Statutes 1986, section 325E.0951.

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

Page 1, line 17, delete everything after the first comma and insert "*and includes an automobile, truck, or bus*"

Page 1, line 18, delete the new language

Page 2, line 19, delete "*Subd. 5.*" and insert "*Sec. 2.*" and delete "*This section*" and insert:

"Section 1"

Page 2, line 21, delete "*this*" and insert "*that*"

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. 1783: A bill for an act relating to motor vehicles; requiring mandatory annual inspection of motor vehicle emission control equipment on vehicles registered in the metropolitan area; prescribing powers and duties of the pollution control agency and the department of public safety; imposing fees for inspection; prescribing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Delete everything after the enacting clause and insert:

"Section 1. [116.60] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 1 to 6.

Subd. 2. [AGENCY.] "Agency" means the pollution control agency.

Subd. 3. [CERTIFICATE OF COMPLIANCE.] "Certificate of compliance" means a serially numbered written instrument or device indicating that a motor vehicle complies with the standards and criteria adopted by the agency under section 3.

Subd. 4. [CERTIFICATE OF WAIVER.] "Certificate of waiver" means a serially numbered written instrument or device indicating that the requirement of compliance with the standards and criteria of the agency has been waived for a motor vehicle under section 3.

Subd. 5. [DEPARTMENT.] "Department" means the department of public safety.

Subd. 6. [METROPOLITAN AREA.] "Metropolitan area" has the meaning given in section 473.121.

Subd. 7. [MOTOR VEHICLE.] "Motor vehicle" means a passenger automobile, station wagon, pickup truck, or van, as defined in section 168.011, licensed for use on the public streets and highways.

Subd. 8. [PUBLIC INSPECTION STATION.] "Public inspection station" means a facility for motor vehicle inspection operated under contract with the agency under section 3.

Subd. 9. [FLEET INSPECTION STATION.] "Fleet inspection station" means a facility for the inspection of motor vehicle fleets operated under license issued by the agency under section 3.

Subd. 10. [OWNER.] "Owner" has the meaning given it in section 168.011.

Subd. 11. [REGISTRAR.] "Registrar" means the registrar of motor vehicles under chapter 168.

Sec. 2. [116.61] [INSPECTION REQUIRED.]

Subdivision 1. [REQUIREMENT.] (a) Beginning no later than July 1, 1990, each motor vehicle registered to an owner who resides in the metropolitan area, and each motor vehicle customarily domiciled in the metropolitan area but exempt from registration under section 168.012 or section 473.448, must be inspected annually for air pollution emissions as provided in sections 1 to 6.

(b) The inspections must take place at a public or fleet inspection station. The inspections must take place within 90 days prior to the registration deadline for the vehicle or, for vehicles that are exempt from license fees under section 168.012 or section 473.448, at a time set by the agency.

(c) A motor vehicle subject to paragraph (a) may not be registered unless the vehicle has been inspected for air pollution emissions as provided in sections 1 to 6 and received a certificate of compliance or a certificate of waiver.

Subd. 2. [EXEMPT VEHICLES.] The following motor vehicles are exempt from the requirements of this section:

(1) a motor vehicle manufactured before the 1976 model year;

(2) a motor vehicle registered as classic, pioneer, collector, or street rod under section 168.10;

(3) a motor vehicle being registered in Minnesota for the first time since its manufacture; and

(4) any class of motor vehicle that is exempted by rule of the agency because the vehicles present prohibitive inspection problems or are inappropriate for inspection.

Sec. 3. [116.62] [MOTOR VEHICLE INSPECTION PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] The agency shall establish and administer a program to test and inspect for air pollution emissions the motor vehicles that are subject to the requirement of section 2.

Subd. 2. [CRITERIA AND STANDARDS.] (a) The agency shall adopt rules under chapter 14 establishing standards and criteria to govern the testing and inspection of motor vehicles for air pollution emissions.

(b) The rules must specify maximum pollutant emission levels for motor vehicles, giving consideration to the levels of emissions necessary to achieve applicable federal and state air quality standards. The standards may be different for different model years, sizes, and types of motor vehicles.

(c) The rules must establish testing procedures and standards for test equipment used for the inspection. The test procedures or procedures producing comparable results must be available to the automobile pollution equipment repair industry. The test equipment used for the inspection or comparable equipment must be available to the repair industry on the open market.

(d) The rules must establish standards and procedures for the issuance

of licenses for fleet inspection stations.

(e) The rules must establish standards and procedures for the issuance of certificates of compliance and waiver.

Subd. 3. [PUBLIC INSPECTION STATIONS; CONTRACT.] (a) The program shall provide for the inspection of motor vehicles at public inspection stations. The number and location of the stations must provide convenient public access.

(b) The agency shall contract with a private entity for the design, construction, equipment, establishment, maintenance, and operation of the public inspection stations and the provision of related services and functions. The contractor and its officers and employees may not be engaged in the business of selling, maintaining, or repairing motor vehicles or selling motor vehicle replacement or repair parts, except that the contractor may repair any motor vehicle owned or operated by the contractor. The contractor's employees are not employees of the state for any purpose. Contracts must require the contractor to operate the public inspection stations for a minimum of five years and may provide for equitable compensation, from the vehicle emission inspection account established by section 6, for capital costs and other appropriate expenditures to the contractor, as determined by the agency.

(c) A public inspection station shall inspect and reinspect motor vehicles in accordance with the agency rules and contract. The inspection station shall issue a certificate of compliance for a motor vehicle that has been inspected and determined to comply with the standards and criteria of the agency adopted under this section. If a certificate of compliance cannot be issued, the inspection station shall provide a written inspection report describing the reasons for rejection and, when appropriate, the repairs needed or likely to be needed to bring the vehicle into compliance with the standards and criteria.

Subd. 4. [FLEET INSPECTION STATIONS; LICENSE.] (a) The program shall provide for the licensing of fleet inspection stations by the agency. The license must be issued by the agency, upon payment of a licensing fee in a manner and an amount prescribed by the agency, when the agency determines that an applicant satisfies the requirements of this section and agency rules.

(b) An owner of a fleet of 50 or more motor vehicles may apply for a fleet inspection station license. Two or more persons each owning 25 or more motor vehicles may apply jointly for a fleet inspection station license.

(c) A licensee shall have the facilities, equipment, and personnel to competently perform the inspections required by sections 1 to 6 and the rules of the agency. A licensee shall provide for the inspection of each fleet vehicle in accordance with the requirements of section 2 and before registration of the vehicle shall indicate in a manner prescribed by the agency whether the vehicle complies with the emission standards of the agency.

(d) A fleet inspection station license authorizes and obligates the licensee to perform inspections only on motor vehicles owned or operated exclusively by the fleet licensee.

(e) A licensee shall maintain records of all inspections in a manner

prescribed by the agency and shall make the records available for inspection by authorized representatives of the agency during normal business hours.

(f) To ensure compliance, the agency may require fleet licensees to submit motor vehicles designated by the agency numbering five percent or five motor vehicles, whichever is larger, but no more than 25 vehicles, to annual inspection at public inspection stations.

Subd. 5. [CERTIFICATES OF WAIVER.] (a) A certificate of waiver, valid for one year, must be issued for a motor vehicle following inspection if:

(1) a low emissions adjustment has been performed on the vehicle within 90 days prior to the renewal of registration; and

(2) the repair cost limit is exceeded by either the estimated cost of repairs and adjustments necessary to bring the vehicle into compliance with emissions standards, or by the actual cost of repairs already performed on a vehicle in accordance with the inspection report under subdivision 3.

(b) The following costs may not be considered in determining eligibility for waiver under paragraph (a): costs covered by warranty and costs necessary to repair or replace any emission control equipment that has been removed, dismantled, tampered with, misfueled, or otherwise rendered inoperative in violation of section 325E.0951.

(c) The repair cost limit is \$75 for vehicles manufactured before the 1981 model year, and \$200 for vehicles manufactured in the 1981 model year and after.

(d) A temporary certificate of waiver, valid for not more than 30 days, may be issued for a vehicle to allow time for inspection and necessary repairs and adjustments.

Subd. 6. [FEDERAL GRANTS.] The agency shall apply for and accept on behalf of the state any funds made available by the federal government or by any other sources for motor vehicle pollution control programs.

Subd. 7. [STUDIES; DATA COLLECTIONS.] The agency shall collect data and undertake studies necessary to evaluate the cost, effectiveness, and benefits of the motor vehicle inspection program. The agency shall compile data on failure rate, compliance rate, the number of certificates issued and other similar matters. The agency shall report on the operation of the motor vehicle inspection program to the legislature by January 1, 1992, and every two years thereafter.

Subd. 8. [PUBLIC INFORMATION.] The agency shall design, prepare, and implement a public information program for the motor vehicle inspection program, in cooperation with the department and the contractor under subdivision 3. The program must include material for distribution, presentations, mass media releases, and other appropriate material.

Sec. 4. [116.63] [PROHIBITED ACTS.]

Subdivision 1. [WRONGFUL CERTIFICATION.] A person may not issue a certificate of compliance for a motor vehicle unless it has been inspected in accordance with, and is in compliance with, the rules of the agency under section 3.

Subd. 2. [REFERRAL FOR PARTS OR REPAIR.] An employee, owner,

or operator of a public inspection station may not furnish information, other than information provided by the state, about the name or other description of a parts or repair facility or other place where parts, repairs, or adjustments may be obtained to bring a motor vehicle into compliance with the rules of the agency under section 3.

Subd. 3. [ALTERATION.] A person may not materially alter or change any equipment or mechanism of a motor vehicle that has been certified to comply with the rules of the agency, so that the motor vehicle is no longer in compliance with those rules.

Subd. 4. [FALSE REPAIR COSTS.] A person may not provide false information to a public inspection station or the agency about estimated or actual repair costs or repairs needed to bring a motor vehicle into compliance with the standards of the agency. A person may not claim an amount spent for repair unless the repairs were made and the amount spent.

Subd. 5. [ENFORCEMENT.] A violation of this section is a misdemeanor and may be enforced only under section 115.071, subdivision 2.

Sec. 5. [116.64] [INSPECTION FEE.]

A fee of not more than \$10, as determined by a rule of the agency, must be paid for each motor vehicle inspected at a public inspection station, including a motor vehicle that is exempt from license fees under section 168.012 or section 473.448. The fee must be paid to the public inspection station at the time that the motor vehicle is inspected.

Sec. 6. [116.65] [VEHICLE EMISSION INSPECTION ACCOUNT.]

Revenue from the following sources must be deposited in a vehicle emission inspection account in the state treasury:

(1) money received by the agency in the form of gifts, grants, reimbursements, or appropriations from any source intended to be used for the purpose of the vehicle emission inspection account;

(2) fleet inspection station licensing fees;

(3) interest attributable to investment of money deposited in the vehicle emission inspection account; and

(4) the proceeds of the inspection fee.

Sec. 7. Minnesota Statutes 1986, section 296.16, is amended by adding a subdivision to read:

Subd. 1a. [MINIMUM OXYGEN CONTENT.] Unleaded gasoline with an octane rating of 90 or less may not be sold in the metropolitan area, as defined in section 473.121, for use in motor vehicles unless it is a gasoline blend consisting of 3.5 oxygen content by weight.

Sec. 8. [RECOMMENDATION OF AN OXYGENATED FUEL.]

By January 1, 1989, the commissioners of the departments of agriculture, transportation, and public service, and the pollution control agency shall recommend to the legislature a specific oxygenated fuel and a formula for combining that fuel with gasoline, to meet the requirement imposed by section 7. In selecting the recommended fuel, the following must be considered:

(1) the goals of improving air quality in Minnesota and meeting federal air quality standards;

(2) *the impact of federal legislation imposing a requirement that gasoline be blended with oxygenated fuel;*

(3) *the possibility of a reduced need for an inspection and maintenance program;*

(4) *the effect on engine use and wear of the various oxygenated fuels, and the impact of their use on the warranties of motor vehicles, and other gasoline-powered internal combustion engines;*

(5) *the energy efficiency of the various fuels;*

(6) *the physical feasibility of blending the fuels with gasoline;*

(7) *the current and potential availability of each oxygenated fuel from sources in Minnesota;*

(8) *the effect on the highway users distribution fund; and*

(9) *other relevant matters.*

Sec. 9. [REPAYMENT.]

Money in the vehicle emission inspection account is appropriated to the pollution control agency to pay the cost of inspecting a motor vehicle at a public inspection station and any reinspections allowed by the rules of the agency, the cost of the contract under section 3, subdivision 3, and the administrative costs of the agency and the department of public safety. By the end of the initial contract under section 3, subdivision 3, the amounts appropriated from the motor vehicle transfer fund to the vehicle emission inspection account must be repaid to the transfer fund, and the amounts necessary for this repayment are appropriated from the vehicle emission inspection account.

Sec. 10. [APPROPRIATION.]

\$. . . . is appropriated to the pollution control agency from the motor vehicle transfer fund for transfer to the vehicle emission inspection account.

Sec. 11. [APPROVED COMPLEMENT.]

The approved complement of the pollution control agency is increased by classified positions. The positions approved by this section must be paid from the vehicle emission inspection account.

Sec. 12. [EFFECTIVE DATE.]

Sections 1, 3, 4, 5, 6, and 8 are effective the day following final enactment. Sections 2 and 7 are effective January 1, 1990. Sections 9, 10, and 11 are effective July 1, 1988."

Delete the title and insert:

"A bill for an act relating to motor vehicles; requiring mandatory annual inspection of motor vehicle emission control equipment on vehicles registered in the metropolitan area; prescribing powers and duties of the pollution control agency and the department of public safety; imposing fees for inspection; prescribing penalties; requiring that gasoline sold in the metropolitan area for use in motor vehicles must contain oxygenated fuel; requiring the commissioners of agriculture, transportation, pollution control agency, and public service to recommend an oxygenated fuel to the legislature; appropriating money; amending Minnesota Statutes 1986, section 296.16, by adding a subdivision; proposing coding for new law in

Minnesota Statutes, chapter 116."

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

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

S.F. No. 1918: A bill for an act relating to health; creating an exception to the nursing home moratorium to allow beds to be moved from a separate nursing home to a building formerly used as a hospital; amending Minnesota Statutes 1987 Supplement, section 144A.071, subdivision 3.

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

Page 5, line 24, strike "or"

Page 5, line 29, before the period, insert "; or

(p) to license and certify up to 40 beds transferred from an existing facility owned and operated by the Amherst H. Wilder Foundation in the city of St. Paul to a new unit at the same location as the existing facility that will serve persons with Alzheimer's disease and other related disorders. The transfer of beds may occur gradually or in stages, provided the total number of beds transferred does not exceed 40. At the time of licensure and certification of a bed or beds in the new unit, the commissioner of health shall delicense and decertify the same number of beds in the existing facility. As a condition of receiving a license or certification under this clause, the facility must make a written commitment to the commissioner of human services that it will not seek to receive an increase in its property-related payment rate as a result of the transfers allowed under this clause"

Amend the title as follows:

Page 1, line 2, delete "an exception" and insert "exceptions"

Page 1, line 3, delete everything after "moratorium"

Page 1, delete line 4

Page 1, line 5, delete "a hospital"

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. 1793: A bill for an act relating to liquor; defining the term "restaurant" for purposes of county liquor licenses; amending Minnesota Statutes 1986, section 340A.101, subdivision 25.

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

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

S.F. No. 1692: A bill for an act relating to intoxicating liquor; authorizing extended off-sale hours on the day preceding Thanksgiving day; amending Minnesota Statutes 1986, section 340A.504, subdivision 4.

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

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

S.F. No. 1822: A bill for an act relating to liquor; prohibiting certain transactions by brewers and malt liquor wholesalers; amending Minnesota Statutes 1987 Supplement, section 340A.308.

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

Page 1, line 22, delete “, *as adjusted annually under*”

Page 1, line 23, delete the new language

Page 2, line 1, delete “, *as adjusted annually under paragraph (c)*”

Page 2, delete lines 13 to 19

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. 1667: A bill for an act relating to Becker county; authorizing issuance of one on-sale liquor license on an excursion and dinner boat on Detroit Lake.

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

Page 1, line 8, after “*may*” insert “, *with the approval of the commissioner of public safety,*”

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

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

S.F. No. 2111: A bill for an act relating to public utilities; pipeline safety; authorizing the office of pipeline safety to inspect and regulate intrastate pipeline facilities carrying liquefied natural gas, liquefied petroleum gas, and hazardous liquids; adopting federal safety regulations; providing for the calculation of pipeline inspection fees; appropriating money; amending Minnesota Statutes 1986, sections 299F56, subdivisions 1, 2, 4, 6, and by adding subdivisions; and 299F59; Minnesota Statutes 1987 Supplement, sections 116L.015, subdivision 3; 299F57, subdivision 1, and by adding a subdivision; 299F58; 299F62; 299F63, subdivision 1; 299F64; and 299J.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299F; repealing Minnesota Statutes 1987 Supplement, section 299F63, subdivision 4.

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

Page 3, after line 9, insert:

“Sec. 2. Minnesota Statutes 1987 Supplement, section 216D.01, subdivision 5, is amended to read:

Subd. 5. [EXCAVATION.] "Excavation" means an activity that moves, removes, or otherwise disturbs the soil at a depth of 18 inches or greater by use of a motor, engine, hydraulic or pneumatically-powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

(1) the repair or installation of agricultural drainage tile for which notice has been given as provided by section 1161.07, subdivision 2;

(2) the extraction of minerals;

(3) the opening of a grave in a cemetery;

(4) normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch; or

(5) plowing, cultivating, planting, harvesting, and similar operations in connection with growing crops, landscaping, or gardening, unless any of these activities disturbs the soil to a depth of 18 12 inches or more."

Page 3, line 30, before the period, insert "*distribution systems*"

Page 4, line 12, strike "state fire marshal" and insert "*commissioner*"

Page 4, line 15, strike "Power" and insert "*Energy Regulatory*"

Page 4, line 27, strike "STANARDS" and insert "*STANDARDS*"

Page 5, line 15, strike "Power" and insert "*Energy Regulatory*"

Page 5, line 22, delete "*part*" and insert "*parts 192 and*"

Page 6, lines 2, 6, 9, and 11, delete "*18*" and insert "*19*"

Page 7, line 25, delete "*18*" and insert "*19*"

Page 7, line 27, delete "*3*" and insert "*4*"

Page 7, line 28, delete "*before*" and insert "*after*"

Page 7, line 33, after the period, insert "*Fees collected under this section must be credited to the pipeline safety account.*"

Page 8, lines 2 and 27, delete "*18*" and insert "*19*"

Page 8, line 3, delete "*are*" and insert "*will be*"

Page 8, line 18, after "(4)" insert a comma

Page 8, line 24, delete "*following*" and insert "*preceding*"

Page 8, line 26, delete "*attributable*" and insert "*proportionate*"

Page 13, line 2, delete "*354*" and insert "*353*"

Page 13, line 8, delete "*5*" and insert "*6*"

Page 13, line 12, delete "*21*" and insert "*22*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "removing the depth limitation for the one call excavation notice system;"

Page 1, line 12, after the semicolon, insert "216D.01, subdivision 5;"

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

Mr. Moe, D.M. from the Committee on Governmental Operations, to which was 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 13, delete everything after the first "governor"

Page 1, line 14, delete everything before the semicolon

Page 2, line 22, before the comma, insert "*named in this subdivision*"

Page 3, delete lines 8 to 15 and insert:

"*Subd. 3. [CHAIR.] The governor, the chair of the senate committee on rules and administration, and the speaker of the house of representatives shall alternate in serving one year terms as chair of the commission.*"

Page 3, line 29, delete "determine" and insert "consider"

Page 4, line 6, delete from "By" to page 4, line 9, "*subdivisions.*"

Page 4, line 22, delete "*under chapter 14*" and after the period, insert "*Commission rules are not governed by chapter 14.*"

Page 5, delete lines 19 to 23 and insert:

"*(b) The governor shall be the first chair of the commission, serving a term as chair ending on the first Monday in January 1989. The chair of the senate committee on rules and administration shall serve the first term*"

Page 5, after line 29, insert:

"Sec. 8. [REPEALER.]

Sections 1 to 6 are repealed July 1, 1992."

Renumber the sections in sequence

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

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

S.F. No. 1673: A bill for an act relating to the city of St. Cloud; authorizing an on-sale liquor license for the St. Cloud Civic Center.

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

Page 1, delete section 1 and insert:

"Section 1. [SALE OF INTOXICATING LIQUOR AT ST. CLOUD CIVIC CENTER.]

Notwithstanding any law, charter provision or ordinance to the contrary, the city of St. Cloud may:

(1) dispense intoxicating liquor at on-sale at the premises known and used as the St. Cloud Civic Center without a license therefor, or

(2) authorize the holder of a retail intoxicating liquor license issued by the city of St. Cloud or an adjacent city to dispense intoxicating liquor at the premises known and used as the St. Cloud Civic Center, provided that the licensee has been engaged to dispense intoxicating liquor at an event held by the city or by a person or organization permitted to use the premises.

Intoxicating liquor may be dispensed at the St. Cloud Civic Center under this section only to members or guests of a person or organization leasing space in the premises for a convention, banquet, conference, meeting or social event, but not for any elementary, secondary or college athletic event. Authority to dispense intoxicating liquor under this section is in addition to any license authorized by law or ordinance. All provisions of law, charter or ordinance governing the sale and serving of intoxicating liquor not inconsistent with this section shall govern the dispensing of intoxicating liquor under this section."

Delete the title and insert:

"A bill for an act relating to intoxicating liquor; authorizing the dispensing of intoxicating liquor at the St. Cloud Civic Center."

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

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

S.F. No. 1121: 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.

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

Page 5, lines 3 and 7, after "*displaying*" insert "*, for sale,*"

Page 5, line 3, delete the comma

Page 9, line 24, before "*surrender*" insert "*permanent*"

Page 9, line 25, after "*title*" insert "*and license plates*"

Page 11, line 13, after "*vehicle*" insert "*that is a "class C" or "class D" total loss vehicle,*"

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

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

S.F. No. 1765: A bill for an act relating to horse racing; changing the date when the racetrack must submit its financial statement to the racing

commission; allowing the breeders' fund to be used to supplement purses for Minnesota horses racing in nonrestricted races; amending Minnesota Statutes 1986, sections 240.15, subdivision 4; and 240.18.

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

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

S.F. No. 1867: A bill for an act relating to consumer protection; regulating cemeteries, mausoleums, and prearranged funeral services; requiring the establishment of a construction fund account; requiring a permanent care account for any mausoleum; providing reporting requirements; broadening the powers of the county auditors and state auditor; amending Minnesota Statutes 1986, sections 149.11; 149.13; 306.03; 306.04; 306.37; 306.761; 306.77; and 306.773, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 306.

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 149.11, is amended to read:

149.11 [PREARRANGED FUNERAL PLANS; CONTRACTS; TRUST FUNDS.]

(a) When prior to the death of any person, that person or another enters into any transaction, makes a contract, or any series or combination of transactions or contracts with another person, partnership, association or corporation, other than an insurance company licensed to do business in the state of Minnesota, by the terms of which, certain personal property related to the funeral services or the burial, cremation, or other disposition of human remains will be used upon the death of the person for whom the property is to be used, or when the professional services of a funeral director or embalmer will then be furnished, or both, then the total of all money paid by the terms of the transaction, contract or series or combination of transactions or contracts shall be held in trust for the purpose for which it has been paid until the death of the person for whose benefit the money was paid, or refunded to the person who made the payment or payments, upon demand. Accruals of interest or dividends declared upon the sum of money held in trust are subject to the same trust. The person, partnership, association or corporation holding the money in trust shall inform the person on whose behalf the money is held that all money paid plus all accrued earnings will be held in trust until the death of that person or until a request for a refund is made if made prior to death. *The location of the trust account including the name and address of the institution in which the money is being held and any identifying account numbers, and any subsequent changes in that information must be disclosed in writing to the person on whose behalf the money is being held, at the time the funds are deposited into the trust account and at the time of any subsequent changes in the information.* The personal property shall include but not be limited to a casket, burial vault not interred in a grave, combination casket-vault or other receptacle not described in paragraph (b) for the interment, entombment, cremation, or other disposition of human remains.

(b) Nothing in this section shall prevent the sale and delivery of cemetery lots, graves, burial vaults preinterred in a grave, cremation urns, crypt spaces, niches, ~~columbaria~~, or grave or lot markers or monuments before their use is required. Nothing in this section prevents the preconstruction sale of crypt spaces to be permanently installed *except that any seller of mausoleum space or columbarium space, selling burial space in a mausoleum or columbarium that is not completely constructed and usable, must comply with section 10.*

(c) It is the intent of the legislature that the provisions of this section shall be construed as a limitation upon the manner in which a person or legal entity is permitted to accept funds in prepayment of funeral services to be performed in the future or in prepayment of funeral or burial goods to be used in connection with the funeral or final disposition of human remains. It is further intended to allow members of the public to arrange and pay for funerals, final dispositions, funeral services, and funeral and burial goods for themselves and their families in advance of need while at the same time providing all possible safeguards so that the prepaid funds cannot be dissipated, whether intentionally or not, so as to be available for the payment of the services and goods selected.

Sec. 2. Minnesota Statutes 1986, section 149.13, is amended to read:
149.13 [REPORTS.]

Subdivision 1. If a banking institution, a savings, building and loan association or a credit union receives money in trust, under section 149.12, it shall report the amount received and held in trust to the probate court of the county wherein the cestui que trust resides, within 30 days thereafter. This report shall show the name and address of each trustee and cestui que trust, the principal amount remaining, and the current interest rate applicable to the account.

Subd. 2. Every funeral establishment which is subject to the trust requirement in section 149.11 and is licensed by the commissioner of health to practice embalming or funeral directing must make a complete annual report to the commissioner of health, disclosing the state of the trust fund including all deposits and withdrawals of principal amounts and all receipts and disbursements. The report shall be filed on forms prescribed by the state auditor by March 31. The report shall be signed and notarized under oath. There shall be paid to the commissioner of health a filing fee of \$15 for each report. The state commissioner of health shall review these reports for indications of violations of this chapter.

Subd. 3. Any person, firm, partnership, association, or corporation which is subject to the trust requirement in section 149.11, but which is not licensed by the commissioner of health to practice embalming or funeral directing, must make a complete written annual report to the county auditor of the county in which the funeral establishment operates. If the funeral establishment is located outside of Minnesota, the report must be filed with the Minnesota county auditor in the county in which the funeral services or personal property is to be delivered. The report must disclose the state of the fund, including all deposits and withdrawals of principal amounts and receipts and disbursements. The report shall be filed on forms prescribed by the state auditor by March 31 for any person, firm, partnership, association, or corporation operating on a calendar year basis and by 90 days after the end of the fiscal year for any person, firm, partnership, association, or corporation operating on a fiscal year basis.

The report shall be signed and notarized under oath. There shall be paid to the county auditor a filing fee of \$15 for each report. The county auditor shall review these reports for indications of violations of this chapter.

Subd. 4. Any person, firm, partnership, association, or corporation subject to subdivision 2 or 3 when changing the trustee must file a notice of change of trustee of the trust fund. If subdivision 2 applies, the trustee change must be filed with the commissioner of health 30 days after the change of trustee. If subdivision 3 applies, the trustee change must be filed with the county auditor 30 days after the change of trustee.

Subd. 5. The county auditor and the commissioner of health must, if they have reason to believe violations of this chapter may exist, report that belief to the state auditor in a timely manner. Every county auditor and the commissioner of health must also file an annual letter by May 31 with the state auditor's office disclosing whether they have detected any indications of violations of this chapter. If the county auditor or commissioner of health has not detected, from the information supplied to them, indications of violations of this chapter, that fact must be reported to the state auditor in the annual letter.

Subd. 6. Upon notification from the county auditor or the commissioner of health of indications of violations of this chapter, the state auditor shall make an independent determination of whether a violation of the provisions in this chapter is occurring, or is about to occur. If the state auditor finds such evidence, the state auditor shall conduct an independent audit of the entity in accordance with generally accepted auditing standards and shall inform the appropriate agency of any finding of misconduct. The person, firm, partnership, association, or corporation audited under this section by the state auditor shall reimburse the state auditor for expenses incurred in conducting the audit within 30 days after the state auditor submits its expenses. Interest at the rate established in section 549.09 shall accrue on the outstanding balance starting on the 31st day after the state auditor's office submits its request for expenses.

Subd. 7. Any person, firm, partnership, association, or corporation required to hold money in trust under section 149.11 must retain records within Minnesota until three years after the death of the person for whose benefit the money was paid or the money is refunded or delivery occurs pursuant to section 149.11. The records must state on whose behalf the money is held, the location of the money, including any identifying numbers, and the name and address of the institution in which the money is held.

Subd. 8. Unless the data is summary data, data on individuals collected and maintained under this section is private data on individuals and shall not be disclosed except: (1) pursuant to court order; or (2) for law enforcement purposes. Individual is defined as in section 13.02, subdivision 8.

Subd. 9. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Sec. 3. Minnesota Statutes 1986, section 306.03, is amended to read:

306.03 [ACTUARY; RECORDS; REPORTS.]

Every such corporation, including any person, firm, partnership, association, or corporation owning or operating a mausoleum or columbarium,

in addition to its ordinary corporate officers, shall annually appoint an actuary, or provide by its bylaws that its secretary shall perform the duties of such office. The actuary shall keep a register of burials, entering the date of burial, *entombment*, or cremation, the name, age, sex, nativity, and cause of death of every person interred or cremated in such cemetery, so far as such facts can be ascertained from the friends, attending physician, or undertaker in charge, and in case of a pauper, stranger, or criminal, from the public official directing the burial. Such record shall be open to public inspection, and the actuary shall furnish to the state commissioner of health and to local health officers, when so requested, an accurate summary of such record during any specified year.

Sec. 4. Minnesota Statutes 1986, section 306.04, is amended to read:

306.04 [FAILURE TO KEEP REGISTER; FORFEITURE.]

Every actuary, or secretary performing the duties of an actuary, failing to keep such register of burials and to record therein all interments and cremations, for every such offense shall forfeit not less than \$2 nor more than \$10 for the benefit of the school fund of the district in which such cemetery, *mausoleum*, or crematory is situated.

Sec. 5. Minnesota Statutes 1986, section 306.37, is amended to read:

306.37 [CARE AND IMPROVEMENT FUND.]

Subdivision 1. Twenty percent of the proceeds of all sales of cemetery lots and ten percent of the proceeds of all sales of burial space in a *mausoleum or columbarium* made after the vote of the board of trustees of the association to establish said care and improvement fund shall be paid over to such trustee or trustees of the fund, on January 1, April 1, July 1, and October 1, in each year. Until so paid over, the foregoing amounts shall be held in trust by the cemetery association for payment thereof to the trustee or trustees of such fund. "*Proceeds*" includes any installment payment made towards the purchase of a cemetery lot or burial space in a *mausoleum or columbarium*.

Subd. 2. Any other income or funds of the association, in excess of its liabilities, may be added to such fund by a two-thirds vote of the members of its board of trustees. The principal of such fund shall not be subject to any minimum or maximum amount.

Subd. 3. The words "cemetery lots" as used in this section shall not be construed to include burial space in a *mausoleum or columbarium*. The term "burial space" as used herein shall include private rooms, crypts, niches or other designated space in which the bodies or ~~ashes~~ *cremated remains* of deceased persons are placed for permanent burial in a *mausoleum or columbarium*.

Subd. 4. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Sec. 6. Minnesota Statutes 1986, section 306.761, is amended to read:

306.761 [PERMANENT CARE AND IMPROVEMENT FUNDS; MINIMUM AMOUNTS; REPORTING; PENALTIES.]

Subdivision 1. Any cemetery association which operates a cemetery larger than ten acres shall establish a permanent care and improvement fund and all cemetery associations operating a cemetery larger than ten

acres and having a permanent care and improvement fund shall file annually as part of the report required in subdivision 2 a notice with the county auditor of the county in which the cemetery is situated. The notice shall include the names and addresses of each person or entity owning a five percent or greater interest in the cemetery, and the names and addresses of all officers if any change has taken place since the previous notice. The term "association" as used in this section shall include any person, firm, partnership, association or corporation.

Subd. 2. Any cemetery association which operates a cemetery larger than ten acres and ~~having any person, firm, partnership, association, or corporation owning or operating a mausoleum or columbarium, or constructing or selling space in a mausoleum or columbarium to be built, which has a permanent care and improvement fund shall make a full and complete written annual report to the county auditor of the county in which the cemetery or mausoleum or columbarium or future site of the mausoleum or columbarium is situated on the condition and state of the fund, including all deposits and withdrawals of principal amounts and all receipts and disbursements. The report shall be filed on forms prescribed by the county state auditor by March 31 for any cemetery association operating a cemetery larger than ten acres and operating entity described in this subdivision which operates on a calendar year basis and by 90 days after the end of the fiscal year for any cemetery association operating a cemetery larger than ten acres and operating entity described in this subdivision which operates on a fiscal year basis. The report shall be signed and notarized under oath. There shall be paid to the county auditor a filing fee of \$40 \$15 for each report.~~

Subd. 3. Any person, firm, partnership, association, or corporation holding money in trust under this section shall provide notice to the person purchasing the cemetery lot, or the burial space in a mausoleum or columbarium, at the time of the first payment. The notice shall be in writing, and shall identify the location where the money will be held in trust including any identifying account numbers and the name and address of the institution in which the money is held. Any person, firm, partnership, association, or corporation holding money in trust under this section shall notify the county auditor receiving the annual report if there is a change in the identifying account numbers or location of the fund within seven days of the change.

Subd. 4. Any person, firm, partnership, association, or corporation subject to this section must file a notice of change of trustee of any trust funds with the same county auditor who should receive the annual report required by this section within 30 days after the change of trustees.

Subd. 5. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Subd. 4 6. This section shall not apply to cemeteries, mausoleums, or columbariums owned and operated by a municipality, church, religious corporation or religious association.

Sec. 7. [306.762] [PERMANENT RETENTION OF RECORDS.]

Subdivision 1. Any cemetery association and any person, firm, partnership, association, and corporation owning or operating a mausoleum

or columbarium, or constructing or selling space in a mausoleum or columbarium to be built, required to deposit trust money in a permanent care and improvement fund must, in Minnesota, permanently retain records of the trust account. The records of the trust account must include the name of the person purchasing the cemetery lot or burial space, the name of the living representative of that person if one was designated, and the location of the money including any identifying numbers and the name and address of the institution in which the money is held.

Subd. 2. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Subd. 3. This section shall not apply to cemeteries, mausoleums, or columbariums owned and operated by a municipality, church, religious corporation, or religious association.

Sec. 8. Minnesota Statutes 1986, section 306.77, is amended to read:

306.77 [FUNDS, IN CARE OF TRUST COMPANY.]

The board of trustees of any such association shall, by a resolution adopted by a vote of at least two-thirds of its members, designate and appoint one or more trust companies organized under the laws of this state, or a board consisting of at least three individuals, to act as trustee or trustees of such fund. In case more than one trust company shall at any time be so designated and appointed, the board of trustees shall, from time to time, apportion all moneys available for the fund between these trust companies in such proportion as such board by vote may direct or determine. This designation and appointment shall be evidenced by a written instrument duly executed by the proper officers of the association under its corporate seal. Each trust company and individual so designated and appointed shall qualify as such trustee by filing written acceptance of such designation and appointment with the secretary of the association. All instruments of designation and appointment, and any revocation of the same, and the written acceptances shall be recorded at length by the secretary of the association in its corporate records. The appointment of any such trustee may be revoked by the board of trustees of the association at any time by a vote of two-thirds of its members. No trustee of such fund shall be liable as such except for neglect or willful default in the discharge of duties.

Seven days before any portion of the principal of a permanent care and improvement fund is transferred or withdrawn from its present location, the board of trustees must, in writing, notify the county auditor of such activity and of the destination of the funds. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Sec. 9. Minnesota Statutes 1986, section 306.773, subdivision 1, is amended to read:

Subdivision 1. Every cemetery association heretofore or hereafter organized under the laws of this state which has provided for a permanent care and improvement fund administered by one or more trust companies acting as trustee or trustees of such fund, pursuant to the provisions of section 306.77, may, when the principal of such fund remaining after withdrawals therefrom for purposes authorized by law shall have reached an amount exceeding ~~\$100,000~~ \$350,000, by resolution adopted by a vote of at least

two-thirds of the members of its board of trustees at any authorized meeting of the board, authorize the trust company or trust companies acting as such trustee or trustees, in investing, reinvesting, exchanging, and managing such fund, to acquire every kind of investment, specifically including, but not by way of limitation, bonds, debentures, and other corporate obligations, and corporate stocks, which any ordinarily prudent person of discretion and intelligence, who is a trustee of the property of others, would acquire as such trustee.

Sec. 10. [306.90] [CONSTRUCTION PERFORMANCE BOND.]

Subdivision 1. Any person, firm, partnership, association, or corporation selling burial space in a mausoleum or columbarium before the mausoleum or columbarium is completed and usable shall obtain a performance bond in an amount sufficient to cover all construction costs associated with building the mausoleum or columbarium as promised at the time of sale. The bond shall be executed by an insurance company authorized to do business in Minnesota which has sufficient net worth to satisfy the amount of the bond and which has given consent to be sued in Minnesota.

Subd. 2. The bond shall be in favor of the state for the benefit of any purchaser who suffers a loss due to failure of the seller to deliver the promised structure. Any person claiming against the bond may file a claim with the surety, and if the claim is not paid, may maintain an action based on the bond and recover against the surety. The attorney general may file a claim with the surety on behalf of any purchaser. The surety shall pay the amount of the claims to the attorney general for distribution to the claimants entitled to restitution and shall be relieved of liability to that extent. If the claim is not paid, the attorney general may maintain an action against the surety on behalf of the claimants.

Subd. 3. The aggregate liability of the surety to all persons buying space in the mausoleum or columbarium shall not exceed the amount of the bond.

Subd. 4. Any person, firm, partnership, association, or corporation selling burial space in a mausoleum or columbarium before the mausoleum or columbarium is completed and usable shall file a copy of the performance bond with the county auditor of the county in which the mausoleum or columbarium will be built 30 days before the entity may sell space and begin construction. There shall be paid to the county auditor a filing fee of \$15 for each copy of the bond.

Subd. 5. Any person, firm, partnership, association, or corporation which has begun selling burial space in a mausoleum or columbarium before the mausoleum or columbarium is complete and before the effective date of this section shall file a copy of the performance bond 30 days after the effective date of this section or cease all sales. There shall be paid to the county auditor a filing fee of \$15 for each copy of the bond.

Subd. 6. This section shall not apply to cemeteries, mausoleums, or columbariums owned and operated by a municipality, church, religious corporation, or religious association.

Subd. 7. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Sec. 11. [306.93] [CERTIFIED LETTER.]

Subdivision 1. Any person, firm, partnership, association, or corporation which is subject to section 306.761 is required to file, by March 31 if operating on a calendar year basis and by 90 days after the end of the fiscal year if operating on a fiscal year basis, either its independently audited financial statement or a certified letter prepared by a certified public accountant which reviews the permanent care and improvement fund and construction performance bond of the cemetery, mausoleum, or columbarium. The letter or audited financial statement must, at a minimum, review whether the amounts in the entity's permanent care and improvement fund and construction performance bond comply with the requirements of this chapter. The independently audited financial statement or the certified letter must be filed with the county auditor of the county in which the cemetery, mausoleum, or columbarium is situated. There shall be paid to the county auditor a filing fee of \$15 for each certified letter or independently audited financial statement.

Subd. 2. Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Sec. 12. [306.95] [DUTIES OF THE COUNTY AUDITOR.]

Subdivision 1. Any county auditor finding evidence of violations of this chapter when reviewing reports or bonds filed by any person, firm, partnership, association, or corporation operating a cemetery, mausoleum, or columbarium must notify the state auditor's office in a timely manner of such finding.

Subd. 2. Every county auditor must file an annual letter by May 31 with the state auditor's office disclosing whether the county auditor has detected any indications of violations of this chapter in the reports or bonds which were filed or should have been filed. If the county auditor has not detected from the information supplied to the county auditor any such indications, that fact must be reported to the state auditor in the annual letter.

Sec. 13. [306.97] [DUTIES OF THE STATE AUDITOR.]

Upon notification from a county auditor of indications of violations of this chapter the state auditor shall make an independent determination of whether a violation of the provisions in this chapter is occurring or is about to occur, and in those instances in which the state auditor finds such evidence the state auditor shall conduct an independent audit of the cemetery, mausoleum, or columbarium in accordance with generally accepted auditing standards and shall inform the appropriate agency of any finding of misconduct. The person, firm, partnership, association, or corporation audited under this section by the state auditor shall reimburse the state auditor for expenses incurred in conducting the audit within 30 days after the state auditor's office submits its expenses. Interest at the rate established in section 549.09 shall accrue on the outstanding balance starting on the 31st day after the state auditor demands expenses."

Delete the title and insert:

"A bill for an act relating to cemeteries; mausoleums, prearranged funeral services; consumer protection; requiring the establishment of a construction performance bond; requiring a permanent care account for any mausoleum; providing reporting requirements; broadening the powers of the county auditors and state auditor; amending Minnesota Statutes 1986, sections 149.11; 149.13; 306.03; 306.04; 306.37; 306.761; 306.77; and 306.773,

subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 306."

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

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

H.F. No. 1846 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.
1846	1725				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1846 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1846 and insert the language after the enacting clause of S.F. No. 1725, the first engrossment; further, delete the title of H.F. No. 1846 and insert the title of S.F. No. 1725, the first engrossment.

And when so amended H.F. No. 1846 will be identical to S.F. No. 1725, and further recommends that H.F. No. 1846 be given its second reading and substituted for S.F. No. 1725, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1886 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.
				1886	1694

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1886 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1886 and insert the language after the enacting clause of S.F. No. 1694, the second engrossment; further, delete the title of H.F. No. 1886 and insert the title of S.F. No. 1694, the second engrossment.

And when so amended H.F. No. 1886 will be identical to S.F. No. 1694, and further recommends that H.F. No. 1886 be given its second reading and substituted for S.F. No. 1694, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the

Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Schmitz from the Committee on Local and Urban Government, to which were referred the following appointments as reported in the Journal for February 23, 1987:

METROPOLITAN COUNCIL

Michael W. McLaughlin
Marcy Waritz

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

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

Mr. Schmitz from the Committee on Local and Urban Government, to which were referred the following appointments as reported in the Journal for February 26, 1987:

METROPOLITAN COUNCIL

John Robert Evans
Carol Flynn
Donald Stein
Gertrude Ulrich

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

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

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred the following appointment as reported in the Journal for March 2, 1987:

METROPOLITAN COUNCIL

Patrick J. Scully

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

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

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred the following appointment as reported in the Journal for March 5, 1987:

METROPOLITAN COUNCIL

Joan M. Campbell

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

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

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred the following appointment as reported in the Journal for March 16, 1987:

METROPOLITAN COUNCIL
CHAIR

Steve Keefe

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

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

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred the following appointment as reported in the Journal for April 6, 1987:

METROPOLITAN WASTE CONTROL COMMISSION
CHAIR

Peter Meintsma

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

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

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred the following appointment as reported in the Journal for February 9, 1988:

METROPOLITAN COUNCIL

David Fisher

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

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

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

S.F. No. 727: A bill for an act relating to lotteries; creating a Minnesota lottery agency and providing for its powers and duties; authorizing the sale of lottery tickets; providing penalties; requiring profits from the lottery to be dedicated to the reinvest in Minnesota resources fund and to the general fund to be used for economic development in greater Minnesota; establishing the reinvest in Minnesota resources endowment fund; appropriating money; amending Minnesota Statutes 1986, sections 10A.01, subdivision 18; 15A.081, subdivision 1; 290.09, by adding a subdivision; and 609.761; proposing coding for new law in Minnesota Statutes, chapters 84 and 297A; proposing coding for new law as Minnesota Statutes, chapter 240A.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. [240B.01] [DEFINITIONS.]

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

Subd. 2. [AGENCY.] "Agency" means the state lottery agency.

Subd. 3. [COMMISSION.] "Commission" means the Minnesota lottery commission.

Subd. 4. [DIRECTOR.] "Director" means the director of the state lottery agency.

Subd. 5. [LOTTERY.] "Lottery" means a lottery game conducted by the state lottery agency.

Subd. 6. [LOTTERY AGENT.] "Lottery agent" or "agent" means a person with whom the state lottery agency has contracted to sell lottery tickets to the public.

Subd. 7. [LOTTERY TICKET.] "Lottery ticket" or "ticket" means any tangible evidence issued to prove participation in a lottery game.

Subd. 8. [LOTTERY VENDOR.] "Lottery vendor" or "vendor" means a person who has entered into a contract to provide equipment, supplies, or services for the state lottery agency. A lottery vendor does not include a lottery agent.

Subd. 9. [MAJOR PROCUREMENT CONTRACT.] "Major procurement contract" means a contract to provide lottery products, facilities, equipment, computer hardware and software, lottery tickets, advertising, promotional services, and consulting services. Major procurement contracts do not include contracts to provide annuity or prize payment agreements, and materials, supplies, equipment, and services common to the ordinary operations of state agencies.

Sec. 2. [240B.02] [LOTTERY COMMISSION.]

Subdivision 1. [ESTABLISHED; MEMBERSHIP] The Minnesota lottery commission consists of five members who shall be appointed by the governor for terms of six years, with the advice and consent of the senate. At least two members must reside outside the seven-county metropolitan area. The governor shall designate the chair of the commission.

Subd. 2. [QUALIFICATIONS.] A member of the commission must have been a resident of Minnesota for at least five consecutive years immediately prior to appointment.

Subd. 3. [COMPENSATION; REMOVAL; VACANCIES.] The compensation, removal, and filling of vacancies of the commission members is as provided under section 15.0575.

Subd. 4. [DUTIES.] The commission has the following duties:

(1) to approve a budget for the lottery agency;

(2) to approve vendor contracts entered into by the director under section 7;

(3) to adopt rules and game procedures upon recommendation of the

director; and

(4) to approve any agreement entered into by the director to conduct a joint lottery with one or more other states.

Sec. 3. [240B.03] [LOTTERY AGENCY.]

Subdivision 1. [ESTABLISHED; DIRECTOR.] The state lottery agency is a state agency under the control of a director. The governor shall appoint the director of the agency, with the advice and consent of the senate, who serves at the pleasure of the governor, and is in the unclassified service. The director must devote full time to the duties of the office and not be engaged in any other profession or occupation while holding the office.

Subd. 2. [POWERS.] The director has the following powers and duties:

(1) to implement, supervise, and administer a state lottery at the earliest feasible time to produce the maximum amount of net revenue to the state consistent with the public interest;

(2) to recommend to the commission rules for the operation and administration of the lottery;

(3) to recommend to the commission lottery game procedures;

(4) to enter into contracts for the operation and promotion of the lottery and the supply of necessary goods and services with the approval of the commission;

(5) to issue subpoenas to compel the attendance of witnesses and the production of documents, books, records, and other evidence relating to any investigation relating to the lottery;

(6) to employ and supervise personnel;

(7) to enter into written agreements with one or more states, with the approval of the commission, for the operation, marketing, and promotion of a joint lottery;

(8) to prepare a budget for the agency, subject to the approval of the commission; and

(9) to take all necessary steps to ensure the integrity of the lottery in Minnesota.

Sec. 4. [240B.04] [EMPLOYEES.]

Subdivision 1. [DEPUTY AND ASSISTANT DIRECTORS.] The director shall appoint one deputy and three assistant directors for security, marketing, and operations, who shall serve in the unclassified service at the pleasure of the director. The deputy director shall serve as the acting director in the director's absence. The assistant director for security shall be responsible for ensuring the integrity, honesty, and fairness of the operation and administration of the lottery, including conducting background checks of prospective employees of the agency, prospective lottery agents, and prospective lottery vendors. The assistant director of security shall have had at least five years experience in law enforcement or security.

Subd. 2. [OTHER EMPLOYEES.] The director may employ and assign duties to other employees who shall be in the unclassified service as necessary to administer and operate the lottery.

Subd. 3. [BACKGROUND CHECKS.] The director shall conduct background checks on all prospective employees and require all persons employed by the agency to be fingerprinted. No employee of the lottery agency may have been convicted of a felony or a crime involving fraud or misrepresentation within five years of starting employment with the lottery agency, have a felony charge pending, or have been convicted of a gambling-related offense. The director has access to all criminal history data compiled by the bureau of criminal apprehension on employees and prospective employees of the lottery agency.

Subd. 4. [COMPENSATION.] The compensation of all agency employees is as provided in chapter 43A, except that the director may establish an incentive program for employees.

Subd. 5. [ASSISTANCE.] Other departments or agencies of the state shall provide reasonable assistance to the lottery agency at the request of the director. The lottery agency shall make appropriate reimbursement for all assistance.

Sec. 5. [240B.05] [CONFLICT OF INTEREST.]

No member of the commission, the director, or employee of the agency and no member of their families residing in the same household may:

(1) own more than five percent of the outstanding shares or have a management interest in a lottery vendor or lottery agent; or

(2) receive a gift, gratuity, or other thing of value, other than food and beverage, having an aggregate value in excess of \$100 in any calendar year from a lottery vendor or lottery agent.

Sec. 6. [240B.06] [LOTTERY AGENTS.]

Subdivision 1. [CONTRACTS.] The director may enter into contracts with persons to act as lottery agents to sell tickets for a particular lottery game with those persons the director determines meet the qualifications of this section and will serve the public convenience. Before entering into any contract under this section, the director must consider:

(1) the financial responsibility and security of the applicant as shown by, among other things, the applicant's credit history;

(2) the accessibility to the public of the applicant's place of business;

(3) the adequacy of existing lottery agents to serve the public convenience;

(4) the volume of expected sales; and

(5) the effect of the applicant becoming a lottery sales agent on the public health, welfare, and safety.

Subd. 2. [QUALIFICATIONS.] (a) A lottery agent must:

(1) be at least 18 years of age;

(2) be a resident of Minnesota;

(3) have never been convicted of a felony during the previous ten years in a state or federal court or have a state or federal felony charge pending;

(4) have never been convicted of a gambling-related offense;

(5) have never been found guilty of a crime involving fraud or misrepresentation during the previous ten years; or

(6) not be a member of the family residing in the same household of an employee of the agency, director, or member of the commission.

An organization, firm, partnership, or corporation that has a stockholder who owns more than five percent of the stock of the corporation, an officer, or director that does not meet the requirements of clauses (3) to (5) is not eligible to be a lottery agent under this section.

(b) The restrictions under this subdivision do not apply to an organization, partnership, or corporation if the director determines that the organization, partnership, or corporation has terminated its relationship with the individuals whose actions directly contributed to the disqualification under this subdivision.

Subd. 3. [ON-SALE LIQUOR ESTABLISHMENTS.] The director may not authorize the sale of lottery tickets within establishments licensed to sell alcoholic beverages for consumption on the premises.

Subd. 4. [APPLICATION FEE.] The director may charge a nonrefundable application fee to a person applying to become a lottery agent. A fee collected under this subdivision must be deposited into the lottery operations fund.

Subd. 5. [TEMPORARY CONTRACT.] The director may enter into a temporary contract with a person pending final determination of the person's qualifications under this section. A temporary contract may not be for a period greater than 90 days.

Subd. 6. [GOVERNMENT AGENCIES.] A contract may not be entered into with a department, commission, agency, or instrumentality of the state or its political subdivisions, but a contract may be entered into with a person engaged in nongovernmental business on governmental property. The lottery agency may sell lottery tickets to the public.

Subd. 7. [BOND.] The director shall require lottery agents to post a bond in an amount the director determines is sufficient to protect the interests of the state before undertaking the sale of lottery tickets. The bond is payable to the state and must be conditioned on the agent's timely payment of all money due from the sale of lottery tickets.

Subd. 8. [CRIMINAL HISTORY.] The director may request the assistance of the bureau of criminal apprehension in investigating lottery agents and applicants. The director has access to all criminal history data compiled by the bureau on lottery agents and applicants.

Subd. 9. [TRANSFERS.] A contract entered into under this section may not be transferred or assigned.

Subd. 10. [DURATION.] Contracts entered into under this section are for a period of one year.

Subd. 11. [RECORDS.] A lottery agent shall keep full sets of books of account, correspondence, and all other records necessary to show fully the lottery transactions of the agent. The director may require an audit to be conducted by the agency or an outside auditor approved by the director of the books of the agent. The costs of any examination, inspection, or audit may be assessed against the agent. The director may inspect the premises of an agent and examine the agent's books and records relating to the lottery at any reasonable time without a search warrant.

Subd. 12. [PROCEEDS OF SALES.] All proceeds from the sale of lottery

tickets received by a lottery agent constitute a trust fund until paid to the director. The lottery agent is personally liable for all lottery proceeds.

Subd. 13. [RESTRICTIONS.] The sale of lottery tickets by a lottery agent is subject to the restrictions in the agent's contract and must be made at the location specified in the contract.

Subd. 14. [CERTIFICATE.] The director shall issue each lottery agent a certificate, which must be conspicuously displayed at the place where the agent is authorized to sell lottery tickets.

Subd. 15. [AGENT RENTAL PAYMENTS.] If a lottery agent's rental payments for the business premises are contractually computed, in whole or in part, on the basis of a percentage of retail sales, and the computation of retail sales is not explicitly defined to include the sale of lottery tickets, the compensation received by the agent from the agency for the sale of lottery tickets shall be considered the amount of the retail sale for purposes of computing the rental payments.

Subd. 16. [CONTRACT SUSPENSION, CANCELLATION, AND NON-RENEWAL.] The director may suspend or cancel or refuse to renew a contract with a lottery agent for:

- (1) failure to account for tickets received or proceeds from the tickets;*
- (2) failure to comply with bond requirements under this section;*
- (3) a violation of law, rule, or order of the director;*
- (4) failure to file a report or keep records as required by this section or rules of the commission;*
- (5) fraud, misrepresentation, or conduct detrimental to public confidence in the lottery;*
- (6) insufficient sales to justify continuation as a lottery agent;*
- (7) a material change in any of the factors considered by the director under subdivisions 1 and 2; or*
- (8) failure to comply with any term in the agent's contract.*

Sec. 7. [240B.07] [VENDOR CONTRACTS.]

Subdivision 1. [AUTHORITY.] The director may contract for the design, operation, and promotion of the lottery or any part of it, including major procurement contracts, with the approval of the commission, except that no contract may provide for the entire management of the lottery or the entire operation of the lottery by a private entity. The commission may by rule designate certain classes of contracts, other than major procurement contracts, which do not require prior approval by the board. The director may not renew a contract or approve that an option be exercised under a contract without the approval of the commission. A contract entered into by the director may not be assigned except with the director's and commission's specific written approval.

Subd. 2. [BIDS.] The director shall utilize an open and competitive bid process which reflects the best interests of the lottery and the state of Minnesota. In awarding a contract, the director and commission must consider all relevant factors including price, security, competence, experience, timely performance, and maximization of net revenues to the state.

Subd. 3. [INVESTIGATION.] *Before entering into any major procurement contract the director shall conduct, or request the bureau of criminal apprehension to conduct, a comprehensive background and financial investigation of the person or corporation seeking to enter into the contract. The director may charge the person or corporation a fee to cover the cost of the investigation. Any fee collected under this subdivision must be deposited into the lottery operations fund. Any information gathered as part of a background or financial investigation of a vendor is confidential data under chapter 13. The director may require any additional information from a vendor or a potential vendor that is considered appropriate to preserve the integrity and security of the lottery. The director has access to all criminal history data compiled by the bureau of criminal apprehension on all vendors and potential vendors who have submitted a bid to the lottery agency.*

Subd. 4. [PERSONS INELIGIBLE FOR CONTRACT.] *(a) The director may not enter into a major procurement contract with an applicant that:*

(1) has been convicted of a felony in a state or federal court during the previous ten years or has a state or federal felony charge pending;

(2) has been convicted of a gambling-related offense;

(3) has been found guilty of any crime involving fraud or misrepresentation during the previous ten years; or

(4) has had a license to conduct or participate in any form of legal gambling revoked or suspended in any jurisdiction.

(b) The director may not enter into a major procurement contract with an applicant that has a person who owns more than five percent of the stock in the applicant, a partner, officer, director or a person in a supervisory or management capacity that does not meet the requirements of clause (1), (2) or (3) of paragraph (a).

(c) The restrictions under this subdivision do not apply to an applicant for a major procurement contract if the director determines that the applicant has terminated its relationship with the individuals whose actions directly contributed to the disqualification of the applicant under this subdivision.

Subd. 5. [BOND.] *The director shall require a performance bond to be executed by the person or corporation that is awarded a major procurement contract in an amount at least equal to the estimated value of the first year of the contract.*

Subd. 6. [EXEMPTION.] *Contracts entered into under this section and section 6 are not subject to the provisions of chapter 16B.*

Sec. 8. [240B.08] [RULES AND GAME PROCEDURES.]

Subdivision 1. [RULES.] *The commission shall upon recommendation of the director adopt rules for the operation and administration of the lottery. Adoption of lottery rules are not subject to chapter 14. The rules may include:*

(1) the manner of payment of prizes to the holders of winning tickets;

(2) the number and types of locations at which tickets are sold;

(3) the qualifications for lottery agents;

- (4) the procedures for applications for lottery agents;
- (5) the investigation of lottery agent applicants;
- (6) the compensation of lottery agents;
- (7) the deposit of lottery revenue by agents;
- (8) the distribution of lottery tickets;
- (9) the manner in which proceeds of ticket sales are maintained, reported, and otherwise accounted;
- (10) procedures necessary to ensure the security and integrity of the lottery;
- (11) procedures for major procurement contracts, including disclosure requirements for persons submitting bids; and
- (12) all other rules deemed necessary for the efficient operation and administration of the lottery in the public interest.

Subd. 2. [GAME PROCEDURES.] The commission shall upon recommendation of the director adopt lottery game procedures. Adoption of lottery game procedures are not subject to chapter 14. Lottery game procedures shall include:

- (1) the types of lotteries to be conducted;
- (2) the price of tickets;
- (3) the number and size of prizes on winning tickets;
- (4) the manner of selecting winning tickets; and
- (5) the frequency of drawings.

Sec. 9. [240B.09] [LOTTERY PRIZES.]

Subdivision 1. [AGREEMENT BY PLAYERS.] A person, by purchasing a lottery ticket, agrees to be bound by the rules applicable to the particular lottery game. The player acknowledges that the determination of whether the player is a valid winner is subject to the rules of the director, claims procedures established by the director for that lottery game, and any confidential or public validation tests established by the director for that lottery game.

Subd. 2. [MINIMUM AGE FOR PURCHASE.] A lottery ticket may not be sold to any person under the age of 18, but a person 18 years of age or older may make a gift of a lottery ticket to a person under the age of 18. The purchaser of a ticket sold in violation of this section is not eligible to receive a prize won by that ticket.

Subd. 3. [ASSIGNABILITY.] The right of a person to a lottery prize is not assignable, except that:

- (1) a prize may be paid to the estate of a deceased prize winner; and
- (2) a person under an appropriate judicial order may be paid a prize to which another person is entitled.

Subd. 4. [DISCHARGE OF LIABILITY.] Payment of a prize discharges the director and the commission of all further liability. No particular prize in a lottery game may be paid more than once, and if a binding determination is made that more than one claimant is entitled to a particular

prize, the sole remedy of the claimants is the award to each of them an equal share in the prize.

Subd. 5. [INELIGIBLE PERSONS.] No lottery prize may be paid to a member of the commission, director, or an employee of the agency, or a member of their families residing in the same household of the member, director, or employee. No lottery prize may be paid to an officer or employee of a vendor which at the time the game or drawing was being conducted was directly involved with providing goods or services to the agency under a major procurement contract.

Subd. 6. [STOLEN OR FRAUDULENT TICKETS.] No prize may be paid from tickets that are stolen, altered, or fraudulent.

Subd. 7. [PAYMENT BY AGENTS.] Subject to certain conditions specified by the director, lottery agents may be authorized to pay winners of certain prizes.

Subd. 8. [INSTALLMENT PAYMENTS.] If the director decides to pay all or part of a prize in the form of installments over a period of years, the director shall provide for the payment of all installments by:

(1) entering into a contract with a financially responsible person or firm or by purchasing an annuity to provide for the payment of the installments; or

(2) establishing and maintaining as a separate and independent fund outside the state treasury a reserve account with sufficient funds for the payment of the installments as they become due.

Subd. 9. [UNCLAIMED PRIZES.] A person may claim prize money within 180 days after the drawing or the announced end of the game in the case of a prize determined in a manner other than by means of a drawing. If a valid claim is not made for a prize directly payable by the agency within 180 days, the unclaimed prize money must be added to prize pools of subsequent lottery games, and the winner of the prize shall have no further claim to the prize. A prize won by a person who is ineligible to be awarded the prize under subdivision 2 or 5 must be treated as an unclaimed prize under this subdivision.

Sec. 10. [240B.10] [LOTTERY ODDS; ADVERTISING.]

Subdivision 1. [ODDS.] The director shall include on each instant lottery ticket and all printed advertising a prominent and clear statement of the estimated overall chances of winning a prize offered in the lottery game for which the ticket is offered for sale or to which the advertising material refers. Each lottery agent must prominently post at or near the place where lottery tickets are sold a notice or notices, provided by the director, of the odds of winning each prize in each game for which the lottery agent sells tickets.

Subd. 2. [ADVERTISING.] The director may only expend money for advertising if the purpose is to educate or inform the public concerning:

(1) the type of games to be conducted;

(2) the price of lottery tickets;

(3) the number and size of prizes on winning tickets, including the winners of lottery prizes;

(4) the manner of selecting winning tickets;

- (5) *the manner of payment of prizes;*
- (6) *the frequency of drawings;*
- (7) *the number or type of locations where tickets may be purchased; or*
- (8) *the manner in which the net proceeds from the lottery are to be used.*

Sec. 11. [240B.11] [LOTTERY FUNDS.]

Subdivision 1. [OPERATIONS ESTABLISHED.] The lottery operations fund is a separate fund outside the state treasury. The fund consists of all money received by the director from the sale of lottery tickets and all other money credited or transferred to it by law. The fund is under the control of the director, and no appropriation is required to permit expenditures and payment of obligations from it.

Subd. 2. [USE OF MONEY.] (a) Money in the lottery operations fund may be used only for:

- (1) payment of prizes to the holders of winning tickets;*
- (2) payment of expenses necessary for the operation and administration of the lottery; and*
- (3) payments into the lottery revenue fund as required by subdivision 5.*

(b) The director shall determine the percentage of money in the lottery operations fund to be allocated among the above purposes, except that the percentage allocated for prizes in a fiscal year may not be less than 45 percent of the gross revenues from the sale of lottery tickets, and the percentage allocated for payment into the lottery revenue fund in a fiscal year may not be less than 30 percent of the gross revenues from the sale of lottery tickets. Money not used for payment of prizes or necessary expenses must be transferred to the lottery revenue fund.

Subd. 3. [DEPOSIT OF RECEIPTS.] (a) The director may require lottery agents:

(1) to deposit to the credit of the lottery operations fund, in banks designated by the director, all money received by the agent from the sale of lottery tickets, less money retained as the agent's commission and for payment of prizes; and

(2) to file with the director reports of the agent's receipts and transactions in ticket sales in a form that the director prescribes.

(b) The director may make arrangements for any person, including a financial institution, to perform functions, activities, or services in connection with the receipt and distribution of lottery revenues.

(c) A lottery agent who fails to pay any money due to the director within 30 days of being due shall pay interest on the amount owed at the rate of one percent per month or fraction of a month from the date when the money was due and a penalty at the rate of ten percent of the amount due.

Subd. 4. [INVESTMENT OF FUNDS.] The director with the approval of the commission shall invest the money in the lottery operations fund to maximize the return and to assure the continuing availability of money with which to pay lottery prizes, to pay the expenses of the agency, and to make authorized transfers of money under subdivision 5. All interest earned must be credited to the lottery operations fund.

Subd. 5. [DETERMINATION OF NET PROCEEDS.] Within 30 days after the end of each quarter, the director shall determine the net proceeds from the lottery for that quarter. The net proceeds is determined by deducting from gross receipts to the agency for that quarter:

(1) total prizes paid out in that quarter;

(2) an amount the director determines to be reasonably required to pay future prize obligations resulting from lottery drawings in that quarter; and

(3) payment of expenses necessary for the operation and administration of the lottery.

Within five days of making the determination of net proceeds, the director shall deposit the net proceeds into the lottery revenue fund.

Subd. 6. [LOTTERY REVENUE FUND.] (a) The lottery revenue fund is a fund in the state treasury.

(b) All revenue deposited in the state treasury by the director under subdivision 5 must be credited to the lottery revenue fund.

(c) Money in the lottery revenue fund is available for appropriation for uses as designated by the legislature.

Subd. 7. [AUDIT.] The director shall contract for an annual certified audit of all accounts and transactions of the agency. The audit must be conducted by a certified public accountant in accordance with generally accepted accounting standards. The director shall file a copy of each audit report of the state lottery with the commission, governor, and legislature.

Subd. 8. [REPORTS.] The director shall file an annual report with the commission, governor, and the legislature. A report must include a full and complete statement of lottery revenues, prize disbursements, expenses, net revenues, and other financial transactions for the time period it covers.

Sec. 12. [240B.12] [PROHIBITED ACTS.]

Subdivision 1. [ILLEGAL SALES.] It is unlawful for a person to:

(1) sell a lottery ticket at a price greater than that fixed by the commission;

(2) sell a lottery ticket unless authorized by the director to do so, however, this does not prohibit lottery tickets from being given as gifts; or

(3) sell a lottery ticket at a place other than that specified in a lottery agent contract.

Subd. 2. [ILLEGAL TICKETS.] It is unlawful for a person to:

(1) with intent to defraud, falsely make, alter, or forge a lottery ticket;

(2) claim a lottery prize by means of a counterfeit or altered lottery ticket; or

(3) conspire, aid, abet, or agree to aid another person or persons to claim a lottery prize by means of an altered or forged ticket.

Subd. 3. [FALSE STATEMENT.] It is unlawful for a person to:

(1) make a false or misleading statement in a book or record required to be maintained or in a report required to be submitted under this chapter;

(2) willfully refuse to produce for inspection when required under this

chapter a book, record, or document required to be maintained; or

(3) make a false or misleading statement in information submitted to the director in an application for a lottery agent or a document related to a bid.

Subd. 4. [VIOLATION OF RULE.] It is unlawful for a person to violate a rule adopted by the commission under this chapter.

Subd. 5. [LOTTERY AGENTS AND VENDORS.] A person who is a lottery agent, or is applying to be a lottery agent, a person applying for a contract from the agency, or a person under contract with the agency to supply lottery games, equipment, or services may not pay, give, or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service, excluding food or beverage, having an aggregate value of over \$100 in any calendar year to a member of the commission, the director, or employee of the agency, or to a member of the immediate family residing in the same household of a member of the commission, director, or employee of the agency.

Sec. 13. [240B.13] [PENALTIES.]

Subdivision 1. [GROSS MISDEMEANOR.] A violation of section 12, subdivision 1 or 2, is a gross misdemeanor.

Subd. 2. [MISDEMEANORS.] A violation of any provision of this chapter for which another penalty is not provided is a misdemeanor.

Sec. 14. [TRANSITION.]

Of the members first appointed to the lottery commission, one is for a term expiring June 30, 1990, two are for terms expiring June 30, 1992, and two are for terms expiring June 30, 1994.

Sec. 15. [ADMINISTRATION EXPENSES.]

The director may expend up to 25 percent of gross receipts for administrative expenses during the first two years of operation.

Sec. 16. [APPROPRIATION.]

Subdivision 1. [LOTTERY ADVANCE.] There is appropriated from the general fund to the director of the state lottery agency for deposit in the state lottery operations fund the sum of \$ The appropriation is available until expended.

Subd. 2. [REPAYMENT.] The director shall deposit into the general fund from the lottery operations fund a sum sufficient to repay the advance made by subdivision 1 with interest at the rate of eight percent per year within 90 days of the beginning of the sale of lottery tickets under sections 1 to 13.

Sec. 17. [EFFECTIVE DATE.]

Sections 1 to 16 are effective the day following final certification of the adoption by the people at the 1988 general election of an amendment to the Minnesota Constitution which authorizes the state to conduct a lottery.

ARTICLE 2

Section 1. Minnesota Statutes 1986, section 10A.01, subdivision 18, is amended to read:

Subd. 18. "Public official" means any:

- (a) member of the legislature;
- (b) constitutional officer in the executive branch and the officer's chief administrative deputy;
- (c) member, chief administrative officer or deputy chief administrative officer of a state board or commission which has at least one of the following powers: (i) the power to adopt, amend or repeal rules, or (ii) the power to adjudicate contested cases or appeals;
- (d) commissioner, deputy commissioner or assistant commissioner of any state department as designated pursuant to section 15.01;
- (e) individual employed in the executive branch who is authorized to adopt, amend or repeal rules or adjudicate contested cases;
- (f) executive director of the state board of investment;
- (g) executive director of the Indian affairs intertribal board;
- (h) commissioner of the iron range resources and rehabilitation board;
- (i) director of mediation services;
- (j) deputy of any official listed in clauses (e) to (i);
- (k) judge of the workers' compensation court of appeals;
- (l) administrative law judge or compensation judge in the state office of administrative hearings or hearing examiner in the department of jobs and training;
- (m) solicitor general or deputy, assistant or special assistant attorney general;
- (n) individual employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher or attorney in the office of senate research, senate counsel, or house research;
or
- (o) member or chief administrative officer of the metropolitan council, regional transit board, metropolitan transit commission, metropolitan waste control commission, metropolitan parks and open spaces commission, metropolitan airports commission or metropolitan sports facilities commission;
or
- (p) the director, deputy director, and assistant directors of the state lottery agency.

Sec. 2. 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, 1983
Commissioner of finance;	\$57,500-\$78,500

Commissioner of transportation;
Commissioner of human services;
Executive director, state board of
investment;
Commissioner of revenue;
Director, state lottery agency;
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;
Coordinator of full productivity and
opportunity;
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.

Sec. 3. Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b, is amended to read:

Subd. 19b. [SUBTRACTIONS FROM FEDERAL TAXABLE INCOME.] For individuals, estates, and trusts, there shall be subtracted from federal taxable income:

(1) interest income on obligations of any authority, commission, or instrumentality of the United States to the extent includable in taxable income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) if included in federal taxable income, the amount of any overpayment of income tax to Minnesota or to any other state, for any previous taxable year, whether the amount is received as a refund or as a credit to another taxable year's income tax liability; ~~and~~

(3) the amount paid to others not to exceed \$650 for each dependent in grades kindergarten to six and \$1,000 for each dependent in grades seven to 12, for tuition, textbooks, and transportation of each dependent in attending an elementary or secondary school situated in Minnesota, North Dakota, South Dakota, Iowa, or Wisconsin, wherein a resident of this state may legally fulfill the state's compulsory attendance laws, which is not operated for profit, and which adheres to the provisions of the Civil Rights Act of 1964 and chapter 363. As used in this clause, "textbooks" includes books and other instructional materials and equipment used in elementary and secondary schools in teaching only those subjects legally and commonly taught in public elementary and secondary schools in this state. "Textbooks" does not include instructional books and materials used in the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such tenets, doctrines, or worship, nor does it include books or materials for, or transportation to, extracurricular activities including sporting events, musical or dramatic events, speech activities, driver's education, or similar programs. In order to qualify for the subtraction under this clause the taxpayer must elect to itemize deductions under section 63(e) of the Internal Revenue Code of 1986, as amended through December 31, 1986; ~~and~~

(4) prizes won in the state lottery conducted under article 1, sections 1 to 13.

Sec. 4. [297A.259] [SALE OF LOTTERY TICKETS.]

The sale of lottery tickets authorized under article 1, sections 1 to 13, is exempt from the sales and use tax imposed by this chapter.

Sec. 5. Minnesota Statutes 1986, section 340A.410, subdivision 5, is amended to read:

Subd. 5. [GAMBLING PROHIBITED.] (a) No retail establishment licensed to sell alcoholic beverages may keep, possess, or operate, or permit the keeping, possession, or operation on the licensed premises of dice or any gambling device as defined in section 349.30, or permit gambling therein except as provided in this subdivision.

(b) Gambling equipment may be kept or operated and raffles conducted on licensed premises and adjoining rooms when the use of the gambling equipment is authorized under chapter 349.

(c) Lottery tickets may be purchased and sold within the premises licensed to sell at off-sale as authorized under article 1, sections 1 to 13.

Sec. 6. Minnesota Statutes 1986, section 541.20, is amended to read:

541.20 [RECOVERY OF MONEY LOST.]

Every person who, by playing at cards, dice, or other game, or by betting on the hands or sides of such as are gambling, shall lose to any person so playing or betting any sum of money or any goods, and pays or delivers the same, or any part thereof, to the winner, may sue for and recover such money by a civil action, before any court of competent jurisdiction. For purposes of this section, gambling shall not include pari-mutuel wagering conducted under a license issued pursuant to chapter 240, or gambling authorized under chapter 349 or article 1, sections 1 to 13.

Sec. 7. Minnesota Statutes 1986, section 541.21, is amended to read:

541.21 [COMMITMENTS FOR GAMBLING DEBT VOID.]

Every note, bill, bond, mortgage, or other security or conveyance in which the whole or any part of the consideration shall be for any money or goods won by gambling or playing at cards, dice, or any other game whatever, or by betting on the sides or hands of any person gambling, or for reimbursing or repaying any money knowingly lent or advanced at the time and place of such gambling or betting, or lent and advanced for any gambling or betting to any persons so gambling or betting, shall be void and of no effect as between the parties to the same, and as to all persons except such as hold or claim under them in good faith, without notice of the illegality of the consideration of such contract or conveyance. The provisions of this section shall not apply to pari-mutuel wagering conducted under a license issued pursuant to chapter 240, or gambling authorized under article 1, sections 1 to 13.

Sec. 8. Minnesota Statutes 1986, section 609.75, subdivision 3, is amended to read:

Subd. 3. [WHAT ARE NOT BETS.] The following are not bets:

(1) A contract to insure, indemnify, guarantee or otherwise compensate another for a harm or loss sustained, even though the loss depends upon chance.

(2) A contract for the purchase or sale at a future date of securities or other commodities.

(3) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, endurance, or quality or to the bona fide owners of animals or other property entered in such a contest.

(4) The game of bingo when conducted in compliance with sections 349.11 to 349.23.

(5) A private social bet not part of or incidental to organized, commercialized, or systematic gambling.

(6) The operation of equipment or the conduct of a raffle under sections 349.11 to 349.22, by an organization licensed by the charitable gambling control board or an organization exempt from licensing under section 349.214.

(7) Pari-mutuel betting on horse racing when the betting is conducted

under chapter 240.

(8) The purchase or sale of a lottery ticket when conducted under article 1, sections 1 to 13.

Sec. 9. Minnesota Statutes 1986, section 609.761, is amended to read:
609.761 [OPERATIONS PERMITTED.]

Subdivision 1. [LAWFUL GAMBLING; PARI-MUTUEL HORSE BETTING.] Notwithstanding sections 609.755 and 609.76, an organization may conduct lawful gambling as defined in section 349.12, if authorized under chapter 349, and a person may manufacture, sell, or offer for sale a gambling device to an organization authorized under chapter 349 to conduct lawful gambling, and pari-mutuel betting on horse racing may be conducted under chapter 240.

Subd. 2. [STATE LOTTERY.] Sections 609.755 and 609.76 do not prohibit the operation of a state lottery or the sale, purchase, or possession of tickets for a state lottery under article 1, sections 1 to 13.

Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective the day following final certification of the adoption by the people at the 1988 general election of an amendment to the Minnesota Constitution which authorizes the state to conduct a lottery."

Delete the title and insert:

"A bill for an act relating to lotteries; creating a Minnesota lottery agency and providing for its powers and duties; authorizing the sale of lottery tickets; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 10A.01, subdivision 18; 340A.410, subdivision 5; 541.20; 541.21; 609.75, subdivision 3; and 609.761; Minnesota Statutes 1987 Supplement, sections 15A.081, subdivision 1; 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 297A; and proposing coding for new law as Minnesota Statutes, chapter 240B."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1751, 1663, 1772, 1228, 1705, 1980, 1918, 1793, 1692, 1822, 1667, 1673, 1121, 1765 and 1867 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1846 and 1886 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Dahl moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 18. The motion prevailed.

Ms. Peterson, D.C. moved that her name be stricken as chief author and the name of Mr. Chmielewski be added as chief author to S.F. No. 1249. The motion prevailed.

Mr. Dahl moved that the name of Mr. Beckman be added as a co-author to S.F. No. 1333. The motion prevailed.

Mr. Dicklich moved that the name of Mr. Samuelson be added as a co-author to S.F. No. 1365. The motion prevailed.

Mr. Metzen moved that the name of Mr. Marty be added as a co-author to S.F. No. 1679. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Spear be added as a co-author to S.F. No. 1758. The motion prevailed.

Mr. Johnson, D.J. moved that the name of Mr. Dicklich be added as a co-author to S.F. No. 1817. The motion prevailed.

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

Mr. Freeman moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1874. The motion prevailed.

Mrs. Adkins moved that the name of Mr. Wegscheid be added as a co-author to S.F. No. 1900. The motion prevailed.

Mr. Vickerman moved that the names of Messrs. Brandl and Anderson be added as co-authors to S.F. No. 1933. The motion prevailed.

Ms. Berglin moved that the names of Mr. Spear, Mrs. Lantry and Mr. Brandl be added as co-authors to S.F. No. 2009. The motion prevailed.

Mr. Dahl moved that the name of Mr. Marty be added as a co-author to S.F. No. 2131. The motion prevailed.

Mr. Beckman moved that the names of Ms. Piper and Mr. Chmielewski be added as co-authors to S.F. No. 2142. The motion prevailed.

Mr. Vickerman moved that the name of Ms. Piper be added as a co-author to S.F. No. 2157. The motion prevailed.

Mr. Vickerman moved that the name of Ms. Piper be added as a co-author to S.F. No. 2158. The motion prevailed.

Mr. Frederickson, D.J. moved that the name of Mr. Beckman be added as a co-author to S.F. No. 2195. The motion prevailed.

Mr. Benson moved that the name of Mr. Laidig be added as a co-author to S.F. No. 2204. The motion prevailed.

Mrs. Lantry moved that S.F. No. 994 be withdrawn from the Committee on Health and Human Services and re-referred to the Committee on Employment. The motion prevailed.

Mr. Diessner moved that S.F. No. 2029 be withdrawn from the Committee on Employment and returned to its author. The motion prevailed.

Mr. Renneke moved that S.F. No. 2041 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Agriculture. The motion prevailed.

Mr. Renneke moved that S.F. No. 2042 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Agriculture. The motion prevailed.

Mr. Wegscheid moved that S.F. No. 2053 be withdrawn from the Committee on Environment and Natural Resources and returned to its author. The motion prevailed.

Mr. Moe, R.D. moved that Senate Resolution No. 105 be withdrawn from

the Committee on Rules and Administration and laid on the table. The motion prevailed.

Mr. Moe, R.D. moved that Senate Resolution No. 105 be taken from the table. The motion prevailed.

Senate Resolution No. 105: A Senate resolution designating May 11 as Commonwealth Day.

WHEREAS, in the view of our nation's founders, the idea of "commonwealth" meant a democracy (republican government of the people), rather than a monarchy; and

WHEREAS, four states (Massachusetts, Pennsylvania, Virginia, and Kentucky) have, to date, officially declared themselves to be "Commonwealths"; and

WHEREAS, commonwealth means not only republican government but also the commonweal, or public good, the specific forms of "commonwealth" in which all citizens have a stake, and for which all bear a measure of responsibility; and

WHEREAS, Minnesota's history has, in many of its best moments, amply demonstrated the importance and effectiveness of the commonwealth ideal of widespread citizen participation in community and civic affairs and a widely shared sense of responsibility for those matters; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that May 11, Statehood Day, be declared also "Commonwealth Day," to commemorate and renew our understanding of this important civic tradition.

Mr. Brandl moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

CALENDAR

S.F. No. 1711: A bill for an act relating to Aitkin county; permitting the county to regulate certain public land interests by ordinance.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1622: A bill for an act relating to agriculture; clarifying which debtors are eligible for mediation; amending Minnesota Statutes 1986,

section 583.24, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1715: A bill for an act relating to local government; providing conditions for certain county contracts; amending Minnesota Statutes 1986, section 471.345, by adding a subdivision.

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Knaak, Knutson, Merriam and Peterson, R.W. voted in the negative.

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Benson, Decker and Frederickson, D.R. introduced—

S.F. No. 2218: A bill for an act relating to taxation; allocating motor vehicle excise tax; amending Minnesota Statutes 1987 Supplement, section 297B.09, subdivision 1.

Referred to the Committee on Transportation.

Mr. Solon introduced—

S.F. No. 2219: A bill for an act relating to insurance; removing certain life insurance products from the general restrictions on advertisements of investment products; requiring certain life insurance policy disclosures; amending Minnesota Statutes 1987 Supplement, section 45.025, subdivisions 1, 2, and by adding a subdivision.

Referred to the Committee on Commerce.

Ms. Berglin introduced—

S.F. No. 2220: A bill for an act relating to transportation; specifying fee for identification cards issued to physically handicapped persons; amending Minnesota Statutes 1986, section 171.07, subdivision 3.

Referred to the Committee on Transportation.

Mr. DeCramer introduced—

S.F. No. 2221: A bill for an act relating to motor vehicles; motorcycles; increasing the fee for duplicate driver's license obtained to add a two-wheeled vehicle endorsement; increasing portion of two-wheeled endorsement license fee that is dedicated to the motorcycle safety fund; amending Minnesota Statutes 1986, 171.06, subdivision 2a.

Referred to the Committee on Transportation.

Ms. Berglin introduced—

S.F. No. 2222: A bill for an act relating to judges; providing for the composition and operation of the board on judicial standards; amending Minnesota Statutes 1986, section 490.16, subdivisions 3, 5, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 490.15, subdivision 1.

Referred to the Committee on Judiciary.

Ms. Peterson, D.C. introduced—

S.F. No. 2223: A bill for an act relating to libraries; appropriating money for automated resource sharing.

Referred to the Committee on Education.

Ms. Peterson, D.C. introduced—

S.F. No. 2224: A bill for an act relating to elections; requiring optical scan voting systems to be tested within 14 days before election; amending Minnesota Statutes 1986, section 206.83.

Referred to the Committee on Elections and Ethics.

Mr. Hughes introduced—

S.F. No. 2225: A bill for an act relating to Ramsey county; permitting the county to make a negotiated land sale.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 2226: A bill for an act relating to state government; amending certain provisions governing advisory councils, committees, and task forces; amending Minnesota Statutes 1986, sections 3.922, subdivision 3; 3.9225, subdivision 1; 3.9226, subdivision 1; 6.65; 15.059, subdivision 5; 79.51, subdivision 4; 84B.11, subdivision 1; 85A.02, subdivision 4; 115.54; 116C.59, subdivisions 1, 2, and 4; 116C.839; 121.83; 124.48, subdivision 3; 126.56, subdivision 5; 128A.03, subdivision 3; 135A.05; 136A.02, subdivision 7; 138.97, subdivision 3; 162.02, subdivision 2; 162.09, subdivision 2; 174.031, subdivision 2; 175.008; 182.653, subdivision 4e; 214.141; 248.10, subdivision 2; 254A.035, subdivision 2; 256C.28, subdivision 2; 299F.097; 611A.34, subdivision 1; 611A.71, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 15.059, subdivision 3 and 6; 16B.20, subdivision 2; 43A.316, subdivision 4; 115A.12, subdivision 1; 116J.971, by adding a subdivision; 120.17, subdivision 11a; 121.934, subdivision 1; 123.935, subdivision 7; 126.665; 129C.10, subdivision 3; 136A.02, subdivision 6; 144.672, subdivision 1; 175.007, subdivision 1; 245.697, subdivision 1; 245.97, subdivision 6; 246.56, subdivision 2; 256.482, subdivision 1; 256.73, subdivision 7; 256B.064, subdivision 1a; 256B.27, subdivision 3; 256B.433, subdivisions 1 and 4; 299A.23, subdivision 2; 299J.06, subdivision 4; repealing Minnesota Statutes 1986, sections 116J.04; 160.80, subdivision 6; 174.031, subdivision 6; 177.28, subdivision 2; 326.66; Minnesota Statutes 1987 Supplement, section 115A.12, subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Wegscheid introduced—

S.F. No. 2227: A bill for an act relating to retirement; public employees retirement association; clarifying certain ambiguous provisions, changing administrative requirements, and amending member eligibility requirements; amending Minnesota Statutes 1986, sections 69.031, by adding a subdivision; 353.01, subdivisions 7, 15, 29, and by adding a subdivision; 353.028, subdivision 2; 353.03, subdivision 1; 353.27, subdivisions 7, 13, and by adding a subdivision; 353.32, subdivisions 2 and 5; 353.33, subdivision 7, and by adding a subdivision; 353.37, subdivision 1; 353.65, subdivision 2; 353.651, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 353.01, subdivisions 2b, 10, 16, and 20; 353.27, subdivisions 10 and 12; 353.29, subdivision 6; 353.32, subdivision 1a; 353.33, subdivision 1; 353.34, subdivision 3; 353C.02; 353C.04; 353C.06, subdivisions 1 and 4; 353C.08, subdivision 5, and by adding a subdivision; 353D.05, subdivision 2; 353D.07, subdivisions 1, 2, and 4; 353D.08; 356.302, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 1987 Supplement, section 353D.07, subdivision 5.

Referred to the Committee on Governmental Operations.

Mr. Vickerman introduced—

S.F. No. 2228: A bill for an act relating to traffic regulations; authorizing recreational vehicle combinations and restricting their use; amending Minnesota Statutes 1986, sections 169.01, by adding a subdivision; and 169.81, subdivision 3, and by adding a subdivision.

Referred to the Committee on Transportation.

Mrs. Adkins introduced—

S.F. No. 2229: A bill for an act relating to environment; providing priority for certain wastewater treatment facility projects to be funded by state grants; amending Minnesota Statutes 1987 Supplement, section 116.16, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 2230: A bill for an act relating to traffic regulations; providing for alternative slow-moving vehicle emblem for persons with sincerely held religious beliefs; amending Minnesota Statutes 1987 Supplement, section 169.522, subdivision 1.

Referred to the Committee on Transportation.

Messrs. Schmitz, Pehler and Lessard introduced—

S.F. No. 2231: A bill for an act relating to drainage; changing certain requirements for repair and abandonment of systems; amending Minnesota Statutes 1986, sections 106A.715, subdivision 1; 106A.745; and Minnesota Statutes 1987 Supplement, section 106A.811, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Ms. Olson, Messrs. Knaak, Larson, Knutson and Mehrkens introduced—

S.F. No. 2232: A bill for an act relating to education; increasing the regular special education reimbursement rate; reducing certain levy equity deductions; appropriating money; amending Minnesota Statutes 1987 Supplement, sections 124.32, subdivision 1b; 124.574, subdivision 2b; 275.125, subdivision 8c; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Education.

Mr. Knaak introduced—

S.F. No. 2233: A bill for an act relating to game and fish; authorizing party hunting of deer by firearms licensees and crossbow permit holders; amending Minnesota Statutes 1986, section 97B.301, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Mr. Stumpf introduced—

S.F. No. 2234: A bill for an act relating to emergency services; permitting political subdivisions to authorize aid under certain conditions; amending Minnesota Statutes 1986, section 12.27, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

Mr. Stumpf introduced—

S.F. No. 2235: A bill for an act relating to workers' compensation; regulating the location of certain medical examinations; amending Minnesota

Statutes 1987 Supplement, section 176.155, subdivision 1.

Referred to the Committee on Employment.

Mr. Schmitz introduced—

S.F. No. 2236: A bill for an act relating to education; providing levy adjustment aid to districts with auditor's errors.

Referred to the Committee on Education.

Mr. Wegscheid introduced—

S.F. No. 2237: A bill for an act relating to retirement; various public employee pension plans; clarifying certain ambiguous provisions; correcting certain oversights, inconsistencies, unintended results, and erroneous provisions; eliminating certain redundant, obsolete, or conflicting provisions; amending Minnesota Statutes 1986, sections 3.85, subdivision 11; 3A.01, by adding a subdivision; 3A.02, subdivision 1, and by adding a subdivision; 3A.03; 3A.06; 3A.11, subdivision 4; 3A.12, subdivision 1; 6.72, subdivisions 1 and 3; 11A.18, subdivisions 2, 4, and 5; 15.38, by adding a subdivision; 43A.44, subdivision 2; 60A.15, by adding a subdivision; 69.021, subdivisions 6 and 7; 69.031, subdivision 5; 69.051, subdivisions 1, 1a, and 3; 69.27; 69.28; 69.29; 69.62; 69.77, subdivisions 1, 1a, 2, 2a, 2c, 2e, 2f, 2g, 2i, and 3; 69.771, subdivisions 1 and 3; 69.772, subdivisions 2a and 4; 69.773, subdivision 5; 69.774, subdivision 1; 69.776; 69.78; 85A.01, subdivision 3; 136.80; 136.81, subdivision 1; 136.84; 176.021, subdivision 7; 256D.21; 290.35, subdivision 3; 345.381; 352C.01; 352C.021, subdivisions 4, 5, 6, and 7; 352C.031; 352C.033; 352C.04, subdivisions 1, 2a, 3, and 4; 352C.051; 352C.09; 352C.091, subdivision 1; 352D.02, subdivisions 1, 1a, and by adding a subdivision; 352D.03; 352D.05, subdivision 3; 352D.09, subdivisions 2, 4, and 7; 352D.11, subdivisions 1 and 4; 353.01, subdivision 18; 353.025; 353.05; 353.06; 353.27, subdivision 9, and by adding subdivisions; 353.34, subdivision 5; 353.36, subdivision 2b, and by adding a subdivision; 353.46, subdivision 2; 353.63; 353.64, subdivision 4; 353.661; 354.05, subdivisions 3, 11, and by adding a subdivision; 354.06, subdivisions 2, 3, 4, 5, 6, and 7; 354.07, subdivisions 4 and 7; 354.33, subdivisions 5 and 6; 354.42, subdivision 7, and by adding a subdivision; 354.44, subdivisions 6 and 7; 354.47, subdivisions 1 and 2; 354.48, subdivisions 2 and 4; 354.49, subdivisions 4 and 5; 354.531; 354.55, subdivision 17; 354.62, subdivision 2; 354A.011, subdivision 27; 354A.30; 354A.31, subdivisions 2 and 3; 354A.34; 354A.36, subdivisions 3, 3a, and 4; 355.58; 355.73, subdivision 8; 355.74, subdivision 2; 356.18, subdivision 1; 356.20, subdivision 4a; 356.24; 356.371, subdivision 1; 356.452; 356.453; 356.65, subdivision 1; 356.70, subdivision 2; 356.71; 363.02, subdivision 6; 383A.20; subdivision 4; 383B.39; 383B.46; 383B.51; 398A.03, subdivision 7; 422A.01, subdivisions 12 and 13; 422A.02; 422A.05, subdivisions 1, 2c, 5, and 6; 422A.06, subdivisions 1 and 3; 422A.08, subdivision 1; 422A.09, subdivisions 1, 2, and 4; 422A.10, subdivisions 1 and 2; 422A.11, subdivisions 1, 3, and 4; 422A.12, subdivision 2; 422A.13, subdivision 2; 422A.15, subdivision 4; 422A.156; 422A.16, subdivisions 8 and 9; 422A.18, subdivisions 1, 2, and 3; 422A.22, subdivisions 1, 2, and 4; 422A.23, subdivisions 2, 9, and 10; 422A.25; 423.37; 423.372; 423.381; 423.391; 423.41; 423.43; 423.801, subdivision 2; 423A.01, subdivisions 1, 2, and 4; 423A.02; 423A.16; 424.01; 424.03;

424.165, subdivision 3; 424A.001, subdivision 3 and by adding a subdivision; 424A.02, subdivisions 1, 2, 6, and 10; 424A.03, subdivisions 1 and 2; 453.61; 453A.11; 458A.03, subdivision 6; 462.389, subdivision 4; 471A.10; 473.512, subdivision 1; 473.565, subdivisions 1 and 2; 490.102, subdivisions 1, 3, and 6; 490.106; 490.107; 490.108; 490.109; 490.1091; 490.12, subdivision 3; 490.123, subdivisions 2 and 3; 490.124, subdivision 9; 490.126, subdivisions 2, 3, 4, and by adding a subdivision; and 490.129; Minnesota Statutes 1987 Supplement, sections 3.85, subdivision 12; 11A.04; 11A.18, subdivisions 6 and 11; 43A.316, subdivision 8; 43A.34, subdivision 3; 69.011, subdivision 2; 69.021, subdivision 5; 69.77, subdivisions 2b and 2h; 69.772, subdivision 3; 69.773, subdivision 4; 136.81, subdivision 3; 352.01, subdivisions 2b, 4, 5, 11, and by adding subdivisions; 352.021, subdivision 4; 352.03, subdivisions 4, 5, and 6; 352.04, subdivision 9; 352.05; 352.115, subdivisions 1, 3, 8, 10, and 11; 352.116; 352.119, subdivisions 2 and 3; 352.12, subdivisions 2, 12, and 13; 352.22, subdivisions 2, 3, 5, and 9; 352.23; 352.72, subdivisions 1 and 2; 352.73, subdivision 3; 352.85, subdivisions 1, 4, and 5; 352.86, subdivisions 1 and 3; 352.90; 352.92; 352.93; 352B.01, subdivisions 2 and 3; 352B.02; 352B.03, subdivision 2; 352B.05; 352B.08, subdivisions 1, 2, and by adding a subdivision; 352B.14, subdivisions 1, 2, 3, and by adding a subdivision; 352B.30, subdivision 1; 353.01, subdivisions 2b and 16; 353.33, subdivision 1; 353.64, subdivision 1; 353.71, subdivision 1; 353A.04, subdivision 8; 353A.07, subdivision 4; 353A.08, subdivisions 1, 2, and 3; 353A.09, by adding a subdivision; 353A.10, by adding a subdivision; 353B.07, subdivisions 1 and 3; 353B.08, subdivision 2, 6, and 7; 353B.11, subdivision 8; 353C.03; 353C.06, subdivisions 3 and 4; 353D.01; 353D.02; 353D.07, subdivision 5, and by adding a subdivision; 353D.10; 354.05, subdivisions 2 and 35; 354.06, subdivisions 1 and 2a; 354.07, subdivision 1; 354.48, subdivision 3; 354.51, subdivision 5; 354.532, subdivision 1; 354.60; 354.62, subdivision 5; 354A.39; 356.20, subdivisions 2 and 4; 356.215, subdivisions 1, 3, 4, 4d, 4f, 4g, 4h, 6, and by adding a subdivision; 356.216; 356.302, subdivisions 1, 3, and 7; 356.303, subdivision 4; 356.41; 422A.06, subdivisions 5 and 8; 422A.09, subdivision 3; 422A.101, subdivisions 1, 3, and by adding subdivisions; 423.39; 469.056, subdivision 1; 469.094, subdivision 3; and 518.582, subdivision 1; Laws 1969, chapter 224, section 3; Laws 1985, chapter 259, section 5; and chapter 261, sections 31, as amended; and 38, as amended; Laws 1986, chapter 359, section 25; reenacting Laws 1978, chapter 563, section 8; proposing coding for new law in Minnesota Statutes, chapters 60A; 69; 352; 353D; 354A; 356; and 490; repealing Minnesota Statutes 1986, sections 3.85, subdivision 10; 69.56; 69.58; 69.59; 69.60; 69.61; 136.88, subdivision 3; 251.011, subdivision 8; 352C.091, subdivision 2; 353.36, subdivisions 2a and 2c; 353.46, subdivision 1a; 353.662; 353.663; 353.74; 353.75; 353.83; 353.84; 353.85; 354.41, subdivision 3; 354.55, subdivisions 5, 6, 14, 15, and 18; 354.56; 355.311, subdivisions 2, 3, and 4; 356.325; 356.35; 356.36; 356.37; 356.38; 356.39; 356.45; 356.451, subdivision 2; 356.454; 356.455; 356.70, subdivisions 1 and 2; 383A.295, subdivision 3; 383B.40; 422A.06, subdivision 4; 422A.22, subdivision 2; 424.165, subdivisions 1, 2, and 4; 473.565, subdivisions 3 and 4; 490.102, subdivisions 7 and 8; 490.105; and 490.12, subdivision 9; repealing Minnesota Statutes 1987 Supplement, sections 69.54; 69.55; 352.01, subdivision 7; 352.115, subdivision 2; 352.119, subdivision 1; 352.73, subdivisions 1 and 2; 352.75, subdivisions 1, 2, 3, and 6; 352.76; 352B.14, subdivisions 4 and 5; 352B.261; 352B.262; 352B.27; 352B.28; 352B.29; 353.36, subdivision 2; 355.311, subdivision 1; 356.451, subdivision 1; 422A.101, subdivisions 2 and 2a; repealing Laws 1915,

chapter 68; Laws 1921, chapter 118; Laws 1923, chapter 54; Laws 1925, chapter 197; Laws 1935, chapter 208, section 4; Laws 1943, chapter 267; Laws 1949, chapter 153; Laws 1953, chapter 91, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, subdivisions 1, 2, and 3, 12, 13, 14, 15, and 16; Laws 1955, chapters 187; and 375, sections 30, as amended, and 31, 32, 33, 34, 35, and 36; Laws 1957, chapters 455, section 14 and 630; Laws 1959, chapter 191; Laws 1975, chapters 408 and 425; Laws 1976, chapters 99 and 247; Laws 1980, chapter 600, sections 11 and 12; Laws 1981, chapter 68, section 43; Laws 1982, chapter 578, article II, section 1, subdivision 8; Laws 1984, chapters 558, article I, section 9; 564, section 48, as amended, and 574, sections 18 and 20; and Laws 1985, chapter 261, sections 17 and 18; Laws 1986, chapter 458, section 23.

Referred to the Committee on Governmental Operations.

Mr. Stumpf introduced—

S.F. No. 2238: A bill for an act relating to state land; conveying title to state land in Kittson county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Johnson, D.E.; Mehrkens; Ramstad; Samuelson and Schmitz introduced—

S.F. No. 2239: A resolution memorializing the heads of the federal departments and agencies holding records concerning reported live sightings of American military personnel classified as prisoners of war or missing in action in Southeast Asia to make the records available to the public.

Referred to the Committee on Veterans.

Messrs. Waldorf and Samuelson introduced—

S.F. No. 2240: A bill for an act relating to human services; requiring procedures to increase the cost to revenue ratios for nursing homes; requiring legislators to sit on an advisory committee; regulating rates and reporting requirements for therapy costs of nursing homes; amending Minnesota Statutes 1987 Supplement, sections 256B.433, subdivisions 1, 3, and 4; and 256B.47, subdivision 3.

Referred to the Committee on Health and Human Services.

Mr. Waldorf introduced—

S.F. No. 2241: A bill for an act relating to health; allowing a certified boarding care facility to upgrade to a nursing facility; expanding the scope of the interagency board study; amending Minnesota Statutes 1987 Supplement, sections 144A.071, subdivision 3; 144A.073, subdivisions 1 and 3; Laws 1987, chapter 403, article 4, section 13; repealing Minnesota Statutes 1987 Supplement, section 144A.073, subdivision 7.

Referred to the Committee on Health and Human Services.

Messrs. Jude and Belanger introduced—

S.F. No. 2242: A bill for an act relating to crimes; providing mandatory minimum penalties for aggravated robbery of a pharmacy; amending Minnesota Statutes 1986, section 609.245.

Referred to the Committee on Judiciary.

Ms. Berglin, Mr. Solon, Ms. Piper, Messrs. Knutson and Benson introduced—

S.F. No. 2243: A bill for an act relating to vocational rehabilitation; providing employment program rights to persons with disabilities; requiring inclusion of these programs in county social services plans; amending Minnesota Statutes 1987 Supplement, section 256E.09, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 129A.

Referred to the Committee on Health and Human Services.

Messrs. Dicklich; Novak; Johnson, D.E.; Storm and Marty introduced—

S.F. No. 2244: A bill for an act relating to cable television; exempting certain small cable systems; requiring new franchises to be granted on same terms as original franchise; prohibiting utilities from giving unfair preference to affiliated companies that provide cable television service; amending Minnesota Statutes 1986, sections 238.02, subdivision 3; and 238.08, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 238.

Referred to the Committee on Public Utilities and Energy.

Ms. Berglin introduced—

S.F. No. 2245: A bill for an act relating to health; limiting reporting requirements for epidemiologic studies; providing grants for AIDS evaluation and counseling; providing fines for rule violations; creating an environmental health fee account; increasing fees for restaurant, hotel, and resort licenses; appropriating money; amending Minnesota Statutes 1986, section 144.053, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 145 and 157.

Referred to the Committee on Health and Human Services.

Mr. Knaak introduced—

S.F. No. 2246: A bill for an act relating to taxation; individual income; imposing tax on certain deemed discharges of indebtedness income; amending Minnesota Statutes 1987 Supplement, section 290.01, subdivisions 19a and 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Mr. Luther and Ms. Berglin introduced—

S.F. No. 2247: A bill for an act relating to human services; changing certain appeal procedures; amending Minnesota Statutes 1986, section 256B.50, as amended by Laws 1987, chapter 403, article 4, section 12; and Minnesota Statutes 1987 Supplement, section 256B.47, subdivision 1.

Referred to the Committee on Health and Human Services.

Messrs. Storm, Bernhagen and Jude introduced—

S.F. No. 2248: A bill for an act relating to environment; prohibiting operation of a solid waste business after conviction of a felony; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources.

Messrs. Davis, DeCramer and Stumpf introduced—

S.F. No. 2249: A bill for an act relating to agriculture; farm safety; restoring the position of extension safety program specialist in the extension service; assigning responsibilities; appropriating money.

Referred to the Committee on Agriculture.

Mr. Morse, Ms. Piper, Messrs. Stumpf, Solon and Pehler introduced—

S.F. No. 2250: A bill for an act relating to libraries; authorizing spending to contribute to acquiring and bettering public land and buildings for libraries with certain conditions; authorizing issuance of state bonds; appropriating money.

Referred to the Committee on Education.

Mr. Davis introduced—

S.F. No. 2251: A bill for an act relating to agriculture; prescribing milk marketing violations; authorizing enforcement of disruptive trade practices; authorizing entry, inspection, and investigation of milk marketing practices; requiring records and reports; providing remedies and penalties for milk marketing violations; authorizing assessments on milk processors; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, sections 32A.01 to 32A.09.

Referred to the Committee on Agriculture.

Mr. Davis introduced—

S.F. No. 2252: A bill for an act relating to agriculture; establishing a Minnesota dairy commission; providing for pilot projects and reports; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 32C.

Referred to the Committee on Agriculture.

Messrs. Cohen, Marty and Purfeerst introduced—

S.F. No. 2253: A bill for an act relating to law enforcement; barring traffic citation quotas; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation.

Mr. Lessard introduced—

S.F. No. 2254: A bill for an act relating to taxation; income; providing a pension exclusion; repealing the credit for elderly and disabled persons;

amending Minnesota Statutes 1987 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1987 Supplement, section 290.06, subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Vickerman introduced—

S.F. No. 2255: A bill for an act relating to agriculture; extending certain benefits under the family farm security act; amending Minnesota Statutes 1986, section 41.57, subdivision 4.

Referred to the Committee on Agriculture.

Mr. Novak introduced—

S.F. No. 2256: A bill for an act relating to the city of Mounds View; providing an exception from the Mounds View police civil service system for the chief and deputy chief of police.

Referred to the Committee on Local and Urban Government.

Mr. Novak introduced—

S.F. No. 2257: A bill for an act relating to statute of limitations; providing relief for certain individuals denied a remedy due to the unconstitutionality of a statute of limitation relating to real property improvement.

Referred to the Committee on Judiciary.

Mr. Novak introduced—

S.F. No. 2258: A bill for an act relating to real property; providing for the rights of persons holding certificates of title; amending Minnesota Statutes 1987 Supplement, section 508.25.

Referred to the Committee on Judiciary.

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

S.F. No. 2259: A bill for an act relating to local government; the city of Cook and Koochiching and St. Louis counties; providing for the establishment of a hospital district in portions of those counties.

Referred to the Committee on Local and Urban Government.

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

S.F. No. 2260: A bill for an act relating to property tax reform; changing property tax classifications, aids, and credits; abolishing certain levy limits; increasing the state share of financial participation in aid to families with dependent children, emergency assistance, general assistance, emergency general assistance, work readiness, Minnesota supplemental assistance, medical assistance, preadmission screening, alternative care grants, and general assistance medical care to 100 percent; clarifying the administration of human services programs; establishing a compliance system for certain

public assistance programs and public assistance incentive fund; appropriating money; amending Minnesota Statutes 1986, sections 6.62, subdivision 1; 18.023, subdivision 8; 110B.15, subdivision 4; 115.34, subdivision 1; 124.2137, subdivision 1; 134.34, subdivision 5; 164.041; 256.72; 256.81; 256.82, subdivision 1; 256.863; 256.871, subdivision 6; 256.935, subdivision 1; 256.991; 256B.041, subdivisions 5 and 7; 256B.05, subdivision 1; 256B.19, subdivision 2; 256D.03, subdivision 6; 256D.04; 256D.36, subdivision 1; 273.135, subdivision 5; 273.1391, subdivision 4; 275.14; 275.15; 275.16; 279.01, as amended; 298.28, subdivision 12; 298.282, subdivisions 2 and 3; 298.39; 298.396; 360.037, subdivision 2; 375.167, subdivision 1; 383C.55; 393.07, subdivision 2; 414.01, subdivision 15; 423.376, subdivision 3; 426.04; 444.075, subdivision 4; 465.73; 471.1921; 471.572, subdivision 2; 471A.03, subdivision 4; 473.87; 473.882, subdivision 3; 473F08, subdivision 3a; 475.74; 475.754; 477A.011, subdivisions 6, 10, 11, and by adding subdivisions; and 477A.012, subdivision 2; Minnesota Statutes 1987 Supplement, sections 38.27, subdivision 3; 124.155, subdivision 2; 124.2139; 124A.02, subdivision 11; 129A.06, subdivision 2; 256.01, subdivision 2; 256B.091, subdivision 8; 256B.15; 256B.19, subdivision 1; 256D.03, subdivision 2; 256G.01, subdivision 3; 256G.02, subdivision 4; 256G.04, subdivision 1; 256G.05; 256G.07; 256G.10; 256G.11; 272.02, subdivisions 1 and 1a; 272.115, subdivision 4; 273.123, subdivisions 1, 4, 5, and 7; 273.124, subdivisions 11 and 13; 273.13, subdivisions 23, 24, 25, and 31; 273.1392; 273.1393; 273.42, subdivision 2; 275.50, subdivision 2; 276.04; 279.06; 281.17; 290A.03, subdivisions 13 and 14; 290A.04, subdivisions 2 and 2a; 393.07, subdivision 10; 412.251; 447.34, subdivision 1; 447.35; 469.107; 471.74, subdivision 2; 473.446, subdivision 1; 473.8441, subdivision 1; 473F02, subdivision 4; 475.61, subdivision 3; and 477A.013, subdivisions 1, 2, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 256 and 273; amending Laws 1987, chapter 268, article 6, sections 19 and 53; repealing Minnesota Statutes 1986, sections 256.965; 273.13, subdivision 30; 275.11; 275.50, as amended; 275.51, as amended; 275.54; 275.55; 275.56; 275.561; 275.58; 383C.552; 471A.04; and 477A.011, subdivisions 3a, 4, 5, 7a, 13, and 14; Minnesota Statutes 1987 Supplement, sections 245.775; 256D.22; 273.13, subdivision 15a; 273.1394; 273.1395; 273.1396; 273.1397; 275.081; 275.082; 275.125, subdivision 22; 290A.04, subdivision 2b; 477A.011, subdivision 7; and 477A.012, subdivision 1; Laws 1987, chapter 268, article 5, section 4.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Marty; Solon; Moe, D.M. and Mrs. Lantry introduced—

S.F. No. 2261: A bill for an act relating to health; regulating the sale of hearing aids; regulating persons who dispense hearing aids; appropriating money; prescribing penalties; amending Minnesota Statutes 1986, section 145.43, subdivision 1; Minnesota Statutes 1987 Supplement, section 145.43, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 153A; repealing Minnesota Statutes 1986, sections 153A.01 to 153A.12.

Referred to the Committee on Health and Human Services.

Ms. Olson, Messrs. Merriam, Knaak, Larson and Novak introduced—

S.F. No. 2262: A bill for an act relating to environment; requiring the state board of education to require school districts to recycle paper; proposing coding for new law in Minnesota Statutes, chapter 121.

Referred to the Committee on Education.

Ms. Berglin, Messrs. Benson; Freeman; Moe, R.D. and Knutson introduced—

S.F. No. 2263: A bill for an act relating to health; providing a state administered insurance program for persons without health care coverage; requiring premiums on a sliding fee basis; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 256H.

Referred to the Committee on Health and Human Services.

Mr. Marty introduced—

S.F. No. 2264: A bill for an act relating to elections; allowing the city of Falcon Heights to consolidate election precincts.

Referred to the Committee on Elections and Ethics.

Mr. Dicklich introduced—

S.F. No. 2265: A bill for an act relating to state lands; allowing St. Louis county to sell up to 30 percent of its tax-forfeited waterfront land for forest management purposes.

Referred to the Committee on Environment and Natural Resources.

Mr. Cohen introduced—

S.F. No. 2266: A bill for an act relating to child abuse; authorizing counties to establish pilot programs; allowing the appointment of a children's intermediary in certain criminal child abuse proceedings; prescribing powers and duties of the intermediary; proposing coding for new law in Minnesota Statutes, chapter 631.

Referred to the Committee on Health and Human Services.

Mr. Dicklich introduced—

S.F. No. 2267: A bill for an act relating to education; providing for sale of permanent school fund lands; amending Minnesota Statutes 1986, section 92.67, subdivision 5; Minnesota Statutes 1987 Supplement, sections 92.46, subdivision 1; and 92.67, subdivisions 1, 3, and 4.

Referred to the Committee on Environment and Natural Resources.

Mr. Cohen introduced—

S.F. No. 2268: A bill for an act relating to retirement; former employees of the bureau of health of the city of Saint Paul; providing for a refund of excess employee contributions to the bureau of health pension fund.

Referred to the Committee on Governmental Operations.

Ms. Peterson, D.C.; Mr. Pogemiller, Ms. Reichgott and Mr. DeCramer introduced—

S.F. No. 2269: A bill for an act relating to education; requiring child care facilities and services in some state funded buildings at the University of Minnesota, Twin Cities campus; proposing coding for new law in Minnesota

Statutes, chapter 137.

Referred to the Committee on Education.

Ms. Peterson, D.C. introduced—

S.F. No. 2270: A bill for an act relating to state building code; allowing use of double cylinder deadbolt locks in certain instances; amending Minnesota Statutes 1987 Supplement, section 16B.61, subdivision 3.

Referred to the Committee on Economic Development and Housing.

Mr. Luther, Ms. Piper, Messrs. Frank, Kroening and Dahl introduced—

S.F. No. 2271: A bill for an act relating to taxation; property tax refunds; restoring the full amount for 1986 claims; removing the appropriation limit for 1987 claims; appropriating money; amending Laws 1987, chapter 268, article 3, section 12.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pehler introduced—

S.F. No. 2272: A resolution memorializing the Congress of the United States to investigate the connection between Agent Orange and health problems of Vietnam veterans.

Referred to the Committee on Veterans.

Ms. Berglin, Messrs. Samuelson; Chmielewski; Frederickson, D.R. and Johnson, D.E. introduced—

S.F. No. 2273: A bill for an act relating to human services; setting forth goals for regional treatment centers in the continuum of mental health services; proposing coding for new law in Minnesota Statutes, chapter 245.

Referred to the Committee on Health and Human Services.

Mr. Pehler introduced—

S.F. No. 2274: A bill for an act relating to agricultural trade; authorizing the establishment of a foreign trade office in the Federal Republic of Germany; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Economic Development and Housing.

Mr. Cohen introduced—

S.F. No. 2275: A bill for an act relating to juveniles; eliminating statutory references to "dependency" and "neglect" and substituting the term "child in need of protection or services"; eliminating juvenile court jurisdiction over children who are "habitually disobedient"; transferring alleged truants and runaways to the court's protective services jurisdiction; transferring certain young alleged delinquents to the court's protective services jurisdiction; limiting the duration of the court's continuing jurisdiction over truants; permitting the juvenile court to declare mature minors completely or partially emancipated; limiting the juvenile court's contempt authority

over nondelinquents; amending Minnesota Statutes 1986, sections 242.19, subdivision 2; 260.011, subdivision 2; 260.015, subdivision 21, and by adding a subdivision; 260.103, subdivision 1; 260.111; 260.121, subdivisions 1 and 2; 260.131, subdivision 1; 260.132, subdivisions 1 and 3; 260.133, subdivision 2; 260.135, subdivisions 1 and 3; 260.155, subdivisions 1, 4, and 4a; 260.156; 260.171, subdivision 4; 260.173, subdivision 3; 260.181, subdivision 4; 260.191, subdivisions 1 and 4; 260.194; 260.221; 260.235; 260.255; 260.291, subdivisions 1 and 4; 260.301; 260.315; 260.35; 260.36; and 484.73, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 260; repealing Minnesota Statutes 1986, section 260.015, subdivisions 6 and 10.

Referred to the Committee on Judiciary.

Mr. Cohen introduced—

S.F. No. 2276: A bill for an act relating to insurance; requiring insurance coverage for services provided by a private duty nurse or personal care assistant to a ventilator-dependent person; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

Mr. Cohen introduced—

S.F. No. 2277: A bill for an act relating to education; establishing a records destruction schedule for chemical abuse preassessment teams; requiring law enforcement reports of certain violations to preassessment teams; amending Minnesota Statutes 1987 Supplement, sections 126.034; 126.035; 126.037; and 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 126; repealing Minnesota Statutes 1987 Supplement, section 126.033, subdivision 4.

Referred to the Committee on Education.

Mr. Cohen introduced—

S.F. No. 2278: A bill for an act relating to civil process; specifying property exempt from final process issued by a court; modifying the exemption for employee benefits; amending Minnesota Statutes 1986, section 550.37, subdivision 24.

Referred to the Committee on Judiciary.

Mr. Cohen introduced—

S.F. No. 2279: A bill for an act relating to courts; prescribing when a referee's orders become effective; amending Minnesota Statutes 1986, section 484.70, subdivision 7.

Referred to the Committee on Judiciary.

Messrs. Langseth, Purfeerst, DeCramer, Mehrkens and Mrs. Lantry introduced—

S.F. No. 2280: A bill for an act relating to taxation; sales and motor vehicle excise; exempting purchases by the Minnesota department of transportation; amending Minnesota Statutes 1987 Supplement, sections 297A.25, subdivision 11; and 297B.03.

Referred to the Committee on Transportation.

Messrs. DeCramer and Merriam introduced—

S.F. No. 2281: A bill for an act relating to education; authorizing additional uses for arts program appropriations; allowing appropriations to be available for the biennium; requiring a report on categorical aids funding sources; amending Minnesota Statutes 1986, section 129B.20, subdivision 1; Laws 1987, chapter 398, article 5, section 2, subdivision 12; and article 7, section 40, subdivision 4.

Referred to the Committee on Education.

Mr. Dicklich introduced—

S.F. No. 2282: A bill for an act relating to liquors; authorizing municipalities to issue intoxicating malt liquor licenses to certain license holders; amending Minnesota Statutes 1987 Supplement, section 340A.404, subdivision 5.

Referred to the Committee on Commerce.

Messrs. DeCramer, Schmitz, Lessard, Bernhagen and Moe, R.D. introduced—

S.F. No. 2283: A bill for an act relating to local government; enacting an equalization grants program for wastewater treatment facilities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Mr. Frank introduced—

S.F. No. 2284: A bill for an act relating to courts; providing that the prosecuting political subdivision shall be responsible for the payment of witness fees in criminal and juvenile cases; amending Minnesota Statutes 1986, sections 357.24; 357.241; and 357.32.

Referred to the Committee on Judiciary.

Mr. Frank introduced—

S.F. No. 2285: A bill for an act relating to retirement; authorizing purchase of prior service credit in the teachers retirement association by a certain member.

Referred to the Committee on Governmental Operations.

Mr. Peterson, R.W. introduced—

S.F. No. 2286: A bill for an act relating to environment; amending certain statutes administered by the environmental quality board; prohibiting delegation of responsibilities; authorizing certain enforcement actions; prohibiting construction of certain projects; requiring project proposers to pay costs of environmental impact statements; appropriating money; amending Minnesota Statutes 1986, sections 116C.04, by adding a subdivision; 116D.04, by adding subdivisions; and 116D.045, subdivisions 1, 2, 3, and 4; Minnesota Statutes 1987 Supplement, section 116C.03, subdivision 2; repealing

Minnesota Statutes 1986, section 116D.045, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Mr. Peterson, R.W. introduced—

S.F. No. 2287: A bill for an act relating to trusts; permitting the creation of custodial trusts; adopting the uniform custodial trust act; proposing coding for new law as Minnesota Statutes, chapter 529.

Referred to the Committee on Judiciary.

Messrs. Davis, Solon, Wegscheid and Anderson introduced—

S.F. No. 2288: A bill for an act relating to commerce; regulating sales and repair of hearing aids; amending Minnesota Statutes 1986, section 145.43, subdivision 1a, and by adding a subdivision; Minnesota Statutes 1987 Supplement, section 145.43, subdivision 4.

Referred to the Committee on Commerce.

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

S.F. No. 2289: A bill for an act relating to the environment; authorizing the waste management board to enter agreements providing for the development and operation of a wholly or partially state owned stabilization and containment facility; directing the board to make recommendation for legislative changes needed to implement facility development and operation; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Natural Resources.

Mr. Lessard introduced—

S.F. No. 2290: A bill for an act relating to hazardous waste; strengthening waste management board oversight of the development of hazardous waste facilities; amending Minnesota Statutes 1986, section 115A.07, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Mr. Chmielewski introduced—

S.F. No. 2291: A bill for an act relating to public safety; providing penalty for railroad corporation that blocks railroad crossing for longer than ten minutes, under certain conditions; amending Minnesota Statutes 1986, section 219.383, subdivision 4.

Referred to the Committee on Transportation.

Mr. Chmielewski introduced—

S.F. No. 2292: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in Pine county.

Referred to the Committee on Environment and Natural Resources.

Mr. Chmielewski, Mrs. Adkins, Messrs. Brandl and Benson introduced—

S.F. No. 2293: A bill for an act relating to human services; providing medical assistance to certain work activity programs; establishing pilot program; amending Minnesota Statutes 1987 Supplement, section 256B.02, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services.

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

S.F. No. 2294: A bill for an act relating to taxation; changing the rate of gross premiums tax imposed on certain mutual insurance companies; amending Minnesota Statutes 1986, section 69.031, subdivision 3; Minnesota Statutes 1987 Supplement, sections 60A.15, subdivision 1; and 69.021, subdivision 5.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kroening introduced—

S.F. No. 2295: A bill for an act relating to motor vehicles; allowing full-service deputy registrar at pilot city regional center.

Referred to the Committee on Transportation.

Messrs. Jude; Johnson, D.J.; Vickerman; Merriam and Belanger introduced—

S.F. No. 2296: A bill for an act relating to the Minnesota Constitution; proposing to repeal article XIII, section 3.

Referred to the Committee on Education.

Ms. Berglin introduced—

S.F. No. 2297: A bill for an act relating to health; establishing two studies concerning blood lead levels in American Indian children and in pregnant women; appropriating money.

Referred to the Committee on Health and Human Services.

Messrs. Spear and Wegscheid introduced—

S.F. No. 2298: A bill for an act relating to liquor; requiring sale on equal basis to all retailers; prohibiting sales below cost; requiring certain price information; amending Minnesota Statutes 1986, section 340A.307, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

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

S.F. No. 2299: A bill for an act relating to St. Louis county; providing duties of the county board and the county administrator; regulating finances;

providing for property assessments; repealing obsolete laws; amending Minnesota Statutes 1986, sections 383C.031; 383C.034; 383C.091; 383C.094, subdivision 1; 383C.131; 383C.133, subdivision 1; 383C.135; 383C.16; 383C.161; 383C.162; 383C.231, subdivision 1; 383C.232; 383C.26; 383C.261; 383C.36; 383C.422; 383C.482, subdivision 1; 383C.74, subdivision 1; 383C.75; and 383C.78, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 1986, section 383C.075; 383C.076; 383C.095; 383C.132; 383C.13; 383C.133; 383C.17; 383C.171; 383C.174; 383C.175; 383C.20; 383C.201; 383C.202; 383C.203; 383C.291; 383C.292; 383C.339; 383C.361; 383C.362; 383C.363; 383C.392, subdivision 2; 383C.423; 383C.424; 383C.45; 383C.481; 383C.52; 383C.521; 383C.523; 383C.55; 383C.551; 383C.552; 383C.553; 383C.554; 383C.555, subdivision 2; 383C.556; 383C.557; 383C.61; 383C.611; 383C.612; 383C.613; 383C.64; 383C.641; 383C.642; 383C.643; 383C.644; 383C.645; 383C.646; 383C.647; 383C.648; 383C.649; 383C.65; 383C.651; 383C.66; 383C.67; 383C.671; 383C.672; 383C.673; 383C.674; 383C.675; 383C.676; 383C.677; 383C.77; 383C.80; 383C.801; 383C.802; 383C.803; 383C.804; and 383C.805; Minnesota Statutes 1987 Supplement, section 383C.76.

Referred to the Committee on Local and Urban Government.

Messrs. Solon, Samuelson, Ms. Peterson, D.C.; Messrs. Freeman and Anderson introduced—

S.F. No. 2300: A bill for an act relating to commerce; regulating preparation of certain financial information for membership camping contract applications and subdivider qualification statements; repealing an exception to the exemption of subdivided lands within a city; prohibiting advance payments relating to resale of time share property interests; providing for hearing on misleading or deceptive sales practices relating to subdivisions; amending Minnesota Statutes 1986, sections 82A.04, subdivision 2; 83.26, subdivision 2; and 83.44; Minnesota Statutes 1987 Supplement, sections 83.23, subdivision 3; and 83.45.

Referred to the Committee on Commerce.

Messrs. Pehler and Davis introduced—

S.F. No. 2301: A bill for an act relating to retirement; treating certain service credit in teachers retirement association as covered correctional service; amending Minnesota Statutes 1986, section 354.55, by adding a subdivision.

Referred to the Committee on Governmental Operations.

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

S.F. No. 2302: 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. Pehler introduced—

S.F. No. 2303: A bill for an act relating to taxation; providing an exemption from the sales tax for materials and equipment purchased in connection with the expansion of certain manufacturing plants; proposing coding for new law in Minnesota Statutes, chapter 297A.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pehler introduced—

S.F. No. 2304: A bill for an act relating to employment; requiring training for employees of correctional facilities for exposure to infectious agents; amending Minnesota Statutes 1986, section 182.653, subdivision 4f.

Referred to the Committee on Health and Human Services.

Mr. Pehler introduced—

S.F. No. 2305: A bill for an act relating to education; specifying the source of school district retirement and F.I.C.A. contributions for community education employees; setting community education and early childhood family education aids and levies; amending Minnesota Statutes 1987 Supplement, sections 121.912, subdivision 1; 124.271, subdivision 2b; 124.2711, subdivision 1; and 275.125, subdivision 8.

Referred to the Committee on Education.

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

S.F. No. 2306: A bill for an act relating to retirement; providing for the funding of certain retirement fund deficiencies; amending Minnesota Statutes 1986, sections 275.125, by adding a subdivision; and 354A.12, subdivision 2, and by adding a subdivision.

Referred to the Committee on Governmental Operations.

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

S.F. No. 2307: A bill for an act relating to retirement; permitting an amendment to the Minneapolis teachers retirement fund articles.

Referred to the Committee on Governmental Operations.

Mr. Wegscheid introduced—

S.F. No. 2308: A bill for an act relating to environment; repealing the requirement for installation of aircraft noise suppression equipment at the Minneapolis-St. Paul International Airport; repealing Minnesota Statutes 1986, section 473.608, subdivision 20.

Referred to the Committee on Local and Urban Government.

Mr. Pogemiller introduced—

S.F. No. 2309: A bill for an act relating to child support; providing that a court shall stay service of an automatic withholding order if an obligor establishes an escrow account for payment of child support or maintenance;

authorizing parties to waive automatic income withholding when there is a child support or maintenance order; amending Minnesota Statutes 1987 Supplement, section 518.613, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Health and Human Services.

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

S.F. No. 2310: A bill for an act relating to retirement; St. Paul police non-duty disability benefits; amending Laws 1955, chapter 151, section 9, subdivision 7, as amended.

Referred to the Committee on Governmental Operations.

Mr. Freeman introduced—

S.F. No. 2311: A bill for an act relating to employment and training; creating an advisory task force on the employment and training of dislocated workers.

Referred to the Committee on Employment.

Mr. Cohen introduced—

S.F. No. 2312: A bill for an act relating to drivers' licenses; requiring destruction of records of revocation or suspension when rescinded; amending Minnesota Statutes 1986, section 171.12, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Hughes, Dicklich and Pehler introduced—

S.F. No. 2313: A bill for an act relating to education; providing for faculty exchanges between secondary schools and post-secondary institutions.

Referred to the Committee on Education.

Mr. Jude introduced—

S.F. No. 2314: A bill for an act relating to environment; providing reciprocal access to courts and administrative agencies for injuries caused by transboundary pollution; proposing coding for new law in Minnesota Statutes, chapter 543.

Referred to the Committee on Judiciary.

Mr. Diessner introduced—

S.F. No. 2315: A bill for an act relating to workers' compensation; modifying definitions of daily and weekly wage; defining spendable weekly earnings; changing the basis for calculating indemnity benefits; clarifying availability of temporary partial benefit; limiting eligibility for permanent total compensation; limiting eligibility for subsequent disability benefits; changing eligibility for and amount of supplementary benefits; delaying cost of living adjustments; regulating workers' compensation insurers; regulating assigned risk insurance; amending Minnesota Statutes 1986, sections 79.251, subdivisions 2, 3, and 4; 79.252, subdivision 1; 176.011,

subdivisions 3, 18, and by adding a subdivision; 176.101, subdivisions 1, 2, 3a, 3e, 3h, 3j, 3k, 3n, 3p, 4, and 5; 176.105, subdivision 1; 176.132, subdivisions 1, 2, and 3; 176.261; 176.645, subdivision 2; Minnesota Statutes 1987 Supplement, section 176.131, subdivision 8; repealing Minnesota Statutes 1986, section 176.101, subdivision 6.

Referred to the Committee on Employment.

Mr. Marty introduced—

S.F. No. 2316: A bill for an act relating to the environment; requiring notice of the release of genetically engineered organisms; creating a task force to study certain issues relating to genetic engineering; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Environment and Natural Resources.

Messrs. Davis, Samuelson and Berg introduced—

S.F. No. 2317: A bill for an act relating to animals; preserving the Minnesota humane society as a nonprofit corporation; providing the society with certain statutory powers to protect animals and to provide assistance in the enforcement of laws prohibiting animal abuse; amending Minnesota Statutes 1987 Supplement, sections 343.01; 343.06; 343.10; 343.12; and 343.29, subdivision 1; repealing Laws 1987, chapter 394, section 13.

Referred to the Committee on General Legislation and Public Gaming.

Messrs. Morse, DeCramer, Davis, Vickerman and Novak introduced—

S.F. No. 2318: A bill for an act relating to natural resources; recodifying groundwater law; protecting groundwater; providing a cost-share program to protect abandoned wells; identifying fragile groundwater recharge areas; providing fragile groundwater recharge areas may be placed in the conservation reserve program; identification of wells on state property; prohibiting purchase of state land without identifying wells on the property; appropriating money; amending Minnesota Statutes 1986, sections 40.036, by adding a subdivision; 40.42, by adding a subdivision; Minnesota Statutes 1987 Supplement, section 40.43, subdivision 2, and by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 105E; repealing Minnesota Statutes 1986, sections 84.57; 84.58; 84.59; 84.60; 84.61; 84.611; 84.62; 84.621, subdivision 1; 156A.02; 156A.03; 156A.031, subdivision 1; 156A.04; 156A.05; 156A.06, subdivision 1; 156A.07, subdivisions 1, 2, 4, 5, 6, 7, 8, and 9; 156A.071; 156A.075; 156A.08; 156A.10; 156A.11; Minnesota Statutes 1987 Supplement, sections 105.416; 105.51; and 469.141.

Referred to the Committee on Environment and Natural Resources.

Mr. Taylor introduced—

S.F. No. 2319: A bill for an act relating to human services; exempting prepaid burial contracts from asset limitations; amending Minnesota Statutes 1987 Supplement, section 256B.06, subdivision 1.

Referred to the Committee on Health and Human Services.

Messrs. Anderson, Benson, Renneke, Frederick and Mehrkens introduced—

S.F. No. 2320: A bill for an act relating to traffic regulations; allowing pickup trucks to pull two trailers of hay under certain conditions; amending Minnesota Statutes 1986, section 169.81, subdivision 10.

Referred to the Committee on Transportation.

Mr. Spear introduced—

S.F. No. 2321: A bill for an act proposing an amendment to the Minnesota Constitution, article I, section 4; providing for six-member juries in non-felony cases; conforming statutes to either the approval or rejection of the proposed amendment.

Referred to the Committee on Judiciary.

Messrs. Davis, Morse, Beckman and Vickerman introduced—

S.F. No. 2322: A bill for an act relating to agriculture; appropriating money for beginning farmer educational programs.

Referred to the Committee on Education.

Messrs. Wegscheid and Solon introduced—

S.F. No. 2323: A bill for an act relating to financial institutions; authorizing certain investments for banks; amending Minnesota Statutes 1986, sections 48.152, subdivision 10; 48.24, subdivision 5; and 48.61, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Davis and Merriam introduced—

S.F. No. 2324: A bill for an act relating to agriculture; appropriating money for bluegrass seed and turf production.

Referred to the Committee on Agriculture.

Messrs. Davis, Morse, Beckman and Vickerman introduced—

S.F. No. 2325: A bill for an act relating to agriculture; appropriating money to collect and disseminate materials on soil and water stewardship for use in primary and secondary school curricula.

Referred to the Committee on Agriculture.

Messrs. Davis, Morse and Vickerman introduced—

S.F. No. 2326: A bill for an act relating to agriculture; authorizing designation of additional seed certification agencies; amending Minnesota Statutes 1986, section 21.91, subdivision 1.

Referred to the Committee on Agriculture.

Messrs. Davis, Morse, Beckman and Vickerman introduced—

S.F. No. 2327: A bill for an act relating to agriculture; appropriating money for sustainable agriculture; repealing Laws 1987, chapter 396, article 12, section 6, subdivision 2.

Referred to the Committee on Agriculture.

Messrs. Davis, Morse and Beckman introduced—

S.F. No. 2328: A bill for an act relating to agriculture; requiring certain entities with interests in agricultural lands or operations to file reports; providing a penalty; requiring study and report to the legislature; amending Minnesota Statutes 1986, section 500.24, subdivision 4.

Referred to the Committee on Agriculture.

Mr. Luther, Ms. Reichgott and Mr. Moe, R.D. introduced—

S.F. No. 2329: A bill for an act relating to corporations; applying the control share acquisition and business combination provisions of state law to certain issuing public corporations; amending Minnesota Statutes 1987 Supplement, sections 302A.671, subdivision 1; and 302A.673, subdivision 3.

Referred to the Committee on Judiciary.

Messrs. Vickerman and Wegscheid introduced—

S.F. No. 2330: A bill for an act relating to workers' compensation; modifying definitions of daily and weekly wage; defining spendable weekly earnings; changing the basis for calculating indemnity benefits; clarifying availability of temporary partial benefit; limiting eligibility for permanent total compensation; limiting eligibility for subsequent disability benefits; changing eligibility for and amount of supplementary benefits; delaying cost of living adjustments; regulating workers' compensation insurers; amending Minnesota Statutes 1986, sections 79.074, by adding a subdivision; 79.252, by adding a subdivision; 176.011, subdivisions 3, 18, and by adding a subdivision; 176.081, subdivision 7; 176.101, subdivisions 1, 2, 3a, 3e, 3h, 3j, 3k, 3l, 3n, 3p, 4, and 5; 176.105, subdivision 1; 176.132, subdivisions 1, 2, and 3; 176.261; 176.645, subdivision 2; Minnesota Statutes 1987 Supplement, section 176.131, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 1986, sections 79.50 to 79.62; 176.101, subdivision 6.

Referred to the Committee on Employment.

Messrs. Frederickson, D.J.; Davis; Jude and Berg introduced—

S.F. No. 2331: A bill for an act relating to workers' compensation; modifying definitions of daily and weekly wage; defining spendable weekly earnings; changing the basis for calculating indemnity benefits; clarifying availability of temporary partial benefit; limiting eligibility for permanent total compensation; limiting eligibility for subsequent disability benefits; changing eligibility for and amount of supplementary benefits; delaying cost of living adjustments; regulating workers' compensation insurers; amending Minnesota Statutes 1986, sections 79.074, by adding a subdivision; 79.252, by adding a subdivision; 176.011, subdivisions 3, 18, and

by adding a subdivision; 176.081, subdivision 7; 176.101, subdivisions 1, 2, 3a, 3e, 3h, 3j, 3k, 3l, 3n, 3p, 4, and 5; 176.105, subdivision 1; 176.132, subdivisions 1, 2, and 3; 176.261; 176.645, subdivision 2; Minnesota Statutes 1987 Supplement, section 176.131, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 1986, sections 79.50 to 79.62; 176.101, subdivision 6.

Referred to the Committee on Employment.

Messrs. Morse, Beckman, DeCramer and Pehler introduced—

S.F. No. 2332: A bill for an act relating to workers' compensation; modifying definitions of daily and weekly wage; defining spendable weekly earnings; changing the basis for calculating indemnity benefits; clarifying availability of temporary partial benefit; limiting eligibility for permanent total compensation; limiting eligibility for subsequent disability benefits; changing eligibility for and amount of supplementary benefits; delaying cost of living adjustments; regulating workers' compensation insurers; amending Minnesota Statutes 1986, sections 79.074, by adding a subdivision; 79.252, by adding a subdivision; 176.011, subdivisions 3, 18, and by adding a subdivision; 176.081, subdivision 7; 176.101, subdivisions 1, 2, 3a, 3e, 3h, 3j, 3k, 3l, 3n, 3p, 4, and 5; 176.105, subdivision 1; 176.132, subdivisions 1, 2, and 3; 176.261; 176.645, subdivision 2; Minnesota Statutes 1987 Supplement, section 176.131, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 1986, sections 79.50 to 79.62; 176.101, subdivision 6.

Referred to the Committee on Employment.

Messrs. Langseth, Stumpf, Purfeerst, Ms. Piper and Mr. Lessard introduced—

S.F. No. 2333: A bill for an act relating to workers' compensation; modifying definitions of daily and weekly wage; defining spendable weekly earnings; changing the basis for calculating indemnity benefits; clarifying availability of temporary partial benefit; limiting eligibility for permanent total compensation; limiting eligibility for subsequent disability benefits; changing eligibility for and amount of supplementary benefits; delaying cost of living adjustments; regulating workers' compensation insurers; amending Minnesota Statutes 1986, sections 79.074, by adding a subdivision; 79.252, by adding a subdivision; 176.011, subdivisions 3, 18, and by adding a subdivision; 176.081, subdivision 7; 176.101, subdivisions 1, 2, 3a, 3e, 3h, 3j, 3k, 3l, 3n, 3p, 4, and 5; 176.105, subdivision 1; 176.132, subdivisions 1, 2, and 3; 176.261; 176.645, subdivision 2; Minnesota Statutes 1987 Supplement, section 176.131, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 79; repealing Minnesota Statutes 1986, sections 79.50 to 79.62; 176.101, subdivision 6.

Referred to the Committee on Employment.

Ms. Peterson, D.C. introduced—

S.F. No. 2334: A bill for an act relating to adoption; allowing the court to classify addresses and telephone numbers as private in certain cases; amending Minnesota Statutes 1986, section 259.26, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Freeman introduced—

S.F. No. 2335: A bill for an act relating to statutes of limitation; regulating certain actions involving asbestos; amending Minnesota Statutes 1987 Supplement, section 541.22, subdivision 2.

Referred to the Committee on Judiciary.

Mr. Pogemiller, Ms. Berglin, Mr. Freeman and Ms. Piper introduced—

S.F. No. 2336: A bill for an act relating to health; establishing the Minnesota Institute for Addiction and Stress Research; proposing coding for new law as Minnesota Statutes, chapter 152A.

Referred to the Committee on Health and Human Services.

Messrs. Vickerman, Wegscheid and Purfeerst introduced—

S.F. No. 2337: A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; providing for a state-operated lottery with net proceeds allocated to environmental and economic development funds.

Referred to the Committee on General Legislation and Public Gaming.

Mr. Marty introduced—

S.F. No. 2338: A bill for an act relating to crimes; prescribing the penalty of murder in the first degree for the new crime of causing the death of a child while committing child abuse; amending Minnesota Statutes 1986, section 609.185.

Referred to the Committee on Judiciary.

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

S.F. No. 2339: A bill for an act relating to taxation; requiring recomputation of certain corporate taxes; providing for purchase of health insurance policies for certain employees; appropriating money; amending Minnesota Statutes 1986, section 290.34, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 2340: A bill for an act relating to minerals; authorizing the commissioner of natural resources to lease certain severed mineral interests; amending Minnesota Statutes 1986, section 93.55, subdivisions 1, 3, and by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Ms. Olson introduced—

S.F. No. 2341: A bill for an act relating to elections; providing for the election of Hennepin county park reserve district board members; amending Minnesota Statutes 1986, sections 383B.68, subdivisions 1, 3, and 4; and 383B.69; repealing Minnesota Statutes 1986, section 383B.68, subdivision 2.

Referred to the Committee on Elections and Ethics.

Messrs. Peterson, R.W.; Merriam and Bernhagen introduced—

S.F. No. 2342: A bill for an act relating to education; establishing revenue for school facilities used primarily for instructional purposes; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Education.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:30 p.m., Friday, March 4, 1988. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate