

SEVENTY-FIRST DAY

St. Paul, Minnesota, Thursday, March 17, 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. James D. Gorman.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Novak and Taylor were excused from the Session of today. Mrs. Brataas was excused from the Session of today from 2:00 to 2:30 p.m.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2120, 2331, 2558, 2559, 2615, 2029, 1950, 1966, 2025, 2036, 258, 1486, 1534, 2246, 2063, 2092, 718, 1656, 2018 and 2340.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 16, 1988

FIRST READING OF HOUSE BILLS

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

H.F. No. 2120: A bill for an act relating to public meetings; authorizing the governing board of a joint vocational technical district to establish meeting sites; amending Minnesota Statutes 1986, section 136C.61, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1859, now on General Orders.

H.F. No. 2331: A bill for an act relating to elections; establishing hours when polls will remain open for election to change county seat; amending Minnesota Statutes 1986, section 372.07.

Referred to the Committee on Elections and Ethics.

H.F. No. 2558: 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 Rules and Administration for comparison with S.F. No. 2224, now on the Consent Calendar.

H.F. No. 2559: 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 Rules and Administration for comparison with S.F. No. 2288, now on General Orders.

H.F. No. 2615: A bill for an act relating to health; providing for a temporary license for freestanding 24-hour emergency medical centers until permanent rules are adopted.

Referred to the Committee on Health and Human Services.

H.F. No. 2029: A bill for an act relating to education; modifying provisions related to general education revenue and foundation revenue; correcting erroneous and obsolete references and text; providing instructions to the revisor; making miscellaneous corrections to statutes and other laws; amending Minnesota Statutes 1986, sections 3.866; 120.17, subdivisions 6 and 7; 120.181; 120.80, subdivision 1; 121.151; 121.904, subdivision 5; 121.931, subdivision 5; 122.45, subdivision 3a; 122.531, subdivisions 1 and 6; 123.32, subdivision 29; 123.3514, subdivision 6; 123.933, subdivision 3; 124.15, subdivisions 5 and 6; 124.18, subdivision 2; 124.19, subdivisions 1, 3, and 6; 124.274, subdivision 1; 124.32, subdivisions 4 and 6; 124A.02, subdivision 21; 124A.03, subdivision 2; 124A.034, subdivisions 1 and 1b; 124A.035, subdivisions 2 and 4; 124A.036, subdivisions 1 and 2; 126.70, subdivision 2; 129B.40, subdivision 1; 273.138, subdivision 6; 275.125, subdivision 1; 275.128; 298.39; and 475.61, subdivision 4; Minnesota Statutes 1987 Supplement, sections 120.17, subdivisions 5a and 7a; 121.912, subdivision 1; 123.3515, subdivision 9; 124.01, subdivision 1; 124.14, subdivision 7; 124.155, subdivision 2; 124.17, subdivisions 1 and 1b; 124.195, subdivisions 8 and 9; 124.217, subdivision 1; 124.223; 124.225, subdivisions 1 and 4b; 124.245, subdivision 3b; 124.271, subdivision 7; 124.2711, subdivision 1; 124.32, subdivisions 1c, 1d, and 5; 124A.02, subdivisions 8 and 16; 124A.032; 124A.035, subdivision 5;

124A.22, subdivision 1, and by adding subdivisions; 124A.23, subdivisions 2, 3, 4, and by adding a subdivision; 124A.24; 124A.26, subdivision 2; 124A.27, subdivisions 7 and 10; 124A.30; 126.23; 126.661, subdivision 1; 126.666, subdivision 1; 126.70, subdivision 2a; 129B.39; 129B.55, subdivision 2; 136D.27; 136D.74, subdivision 2; 136D.87; 275.125, subdivisions 5e, 6e, 8c, 9, 9b, and 15; and 298.28, subdivision 4; Laws 1987, chapter 398, article 1, section 25, subdivision 3; article 1, section 26, subdivision 2; article 7, section 40, subdivision 4; article 8, section 39, subdivision 2; and article 8, section 44, subdivision 5; repealing Minnesota Statutes 1986, sections 121.904, subdivision 7; 122.531, subdivision 8; 124.245, subdivision 4; and 124A.031, subdivision 3; Minnesota Statutes 1987 Supplement, sections 121.904, subdivision 11b; 124A.02, subdivision 5a; 124A.03, subdivision 3a; and 124A.25.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1911, now on General Orders.

H.F. No. 1950: A bill for an act relating to watershed districts; setting the limit on certain borrowing authority; amending Minnesota Statutes 1987 Supplement, sections 112.43, subdivision 1; and 112.65, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1897, now on General Orders.

H.F. No. 1966: A bill for an act relating to zoning; providing for filing requirements of variances and certain official maps to real property; amending Minnesota Statutes 1986, section 462.36, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2177, now on General Orders.

H.F. No. 2025: A bill for an act relating to state lands; authorizing private sale of tax-forfeited land in St. Louis county.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1982, now on General Orders.

H.F. No. 2036: A bill for an act relating to crimes; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 624.21; 624.23; and 624.25.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1934.

H.F. No. 258: A bill for an act relating to retirement; increasing the retirement formula for covered correctional service; amending Minnesota Statutes 1987 Supplement, section 352.93, subdivision 2.

Referred to the Committee on Governmental Operations.

H.F. No. 1486: A bill for an act relating to railroads; providing reporting and disclosure requirements for railroad acquisitions; preserving contracts between acquiring railroad carriers and shippers and governmental entities; proposing coding for new law in Minnesota Statutes, chapter 222.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1442, now on General Orders.

H.F. No. 1534: A bill for an act relating to education; changing licensing requirements for registered barbers and registered apprentice barbers; amending Minnesota Statutes 1986, sections 154.05; 154.07; 154.09; and

154.18.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1469.

H.F. No. 2246: A bill for an act relating to economic development; extending various development programs to nonprofit organizations.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2405.

H.F. No. 2063: A bill for an act relating to housing; providing a definition; authorizing certain refinancing; providing for reservation of low-income housing credits; amending Minnesota Statutes 1986, sections 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.07, subdivisions 14 and 15; Minnesota Statutes 1987 Supplement, section 462A.222, subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 2092: A bill for an act relating to environment; authorizing sanitary districts to apply for and receive assistance from the waste management board for certain solid waste programs; amending Minnesota Statutes 1986, section 115A.50; and Minnesota Statutes 1987 Supplement, section 115A.49.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1952, now on General Orders.

H.F. No. 718: A bill for an act relating to public employees; defining terms and conditions of public employment; allowing expanded payment of certain accumulated sick leave; amending Minnesota Statutes 1986, sections 179A.03, subdivision 19; and 465.72, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 465.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 970.

H.F. No. 1656: A bill for an act relating to traffic regulations; permitting county and city attorneys to provide certain services; providing for allocation of civil fines for motor vehicle maximum weight violations; amending Minnesota Statutes 1986, section 169.871, subdivisions 3 and 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1517.

H.F. No. 2018: A bill for an act relating to agriculture; clarifying and imposing penalties for violations related to diseased animals under the jurisdiction of the board of animal health; authorizing inspection upon notice; authorizing enforcement of violations; authorizing civil judicial enforcement actions; authorizing administrative remedies for violations; imposing civil and criminal penalties; amending Minnesota Statutes 1986, sections 35.245, subdivision 5; 35.80; 35.82, subdivision 2; and 35.830; Minnesota Statutes 1987 Supplement, section 35.68; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 1986, sections 35.069; 35.15, subdivision 2; 35.70; 35.71, subdivision 8; and 35.72, subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1786, now on General Orders.

H.F. No. 2340: A bill for an act relating to crime; law enforcement;

requiring the reporting of crimes motivated by bias; requiring the peace officer standards and training board to mandate preservice training for peace officers in recognizing, responding to, and reporting crimes of bias; requiring the board to make similar instructional materials available to peace officers for continuing education credit; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2124.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments and the report on S.F. No. 1517. The motion prevailed.

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

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

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

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

H.F. No. 1926: 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.

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1769: A bill for an act relating to human rights; clarifying marital status discrimination and housing discrimination; enforcing comparable worth and affirmative action requirements; making procedural and administrative changes; amending Minnesota Statutes 1986, sections 363.01, by adding a subdivision; 363.02, subdivisions 2, 2a, and by adding a subdivision; 363.03, subdivision 2; 363.06, subdivision 3; 363.073, subdivisions 1 and 3; 363.074; 363.091; and 363.14, subdivisions 1 and 3; Minnesota Statutes 1987 Supplement, sections 363.03, subdivision 1; 363.06, subdivision 1; and 363.071, subdivision 2.

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 363.01, is amended by adding a subdivision to read:

Subd. 40. [MARITAL STATUS.] "Marital status" means whether a person is single, married, divorced, separated, or a surviving spouse and, in employment cases, includes protection against discrimination on the

basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

Sec. 2. Minnesota Statutes 1986, section 363.02, subdivision 2a, is amended to read:

Subd. 2a. [MANUFACTURED HOME PARKS.] The provisions of subdivision 2, prohibiting discrimination because of familial status:

(1) do not apply to a manufactured home park the majority of whose lots are reserved by park rule to households containing at least one elderly person; and

(2) do not apply to a section or sections of a manufactured home park which are identified by park rule and do not comprise more than one-third of the lots in the park. *In order to qualify for exemption under this subdivision does not allow, a park owner to avoid complying must comply* with section 327C.02, subdivision 2, 327C.05 or 327C.07, subdivision 4 when adopting or amending a rule concerning the permitted familial status of residents or of buyers of homes offered for in park sale.

Sec. 3. Minnesota Statutes 1986, section 363.02, is amended by adding a subdivision to read:

Subd. 2b. [EVICITION DUE TO FAMILIAL STATUS.] The provisions of section 363.03, subdivision 2, prohibiting discrimination because of familial status, do not apply to eviction from, or denial of continuing tenancy in, dwelling units exempt through certification under this section, provided that (1) one year has elapsed from the commencement of the familial status and (2) six months prior written notice has been given to the tenant, unless the eviction or denial of continuing tenancy is for non-payment of rent, damage to the premises, disturbance of other tenants, or other breach of the lease.

Sec. 4. Minnesota Statutes 1986, section 363.03, subdivision 2, is amended to read:

Subd. 2. [REAL PROPERTY.] It is an unfair discriminatory practice:

(1) For an owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these:

(a) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or group of persons any real property because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status; or

(b) to discriminate against any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith, except that nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended to protect the safety of minors in their use of the real property or any facilities or services furnished in connection therewith; or

(c) in any transaction involving real property, to print, circulate or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental or lease of real property,

or make any record or inquiry in connection with the prospective purchase, rental, or lease of real property which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status, or any intent to make any such limitation, specification, or discrimination except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit.

(2) For a real estate broker, real estate salesperson, or employee, or agent thereof:

(a) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property to any person or group of persons or to negotiate for the sale, rental, or lease of any real property to any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status or represent that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or otherwise deny or withhold any real property or any facilities of real property to or from any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status; or

(b) to discriminate against any person because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status in the terms, conditions or privileges of the sale, rental or lease of real property or in the furnishing of facilities or services in connection therewith; or

(c) to print, circulate, or post or cause to be printed, circulated, or posted any advertisement or sign, or use any form of application for the purchase, rental, or lease of any real property or make any record or inquiry in connection with the prospective purchase, rental or lease of any real property, which expresses directly or indirectly, any limitation, specification or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status or any intent to make any such limitation, specification or discrimination except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit.

(3) For a person, bank, banking organization, mortgage company, insurance company, or other financial institution or lender to whom application is made for financial assistance for the purchase, lease, acquisition, construction, rehabilitation, repair or maintenance of any real property or any agent or employee thereof:

(a) to discriminate against any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status of the person or group of persons or of the prospective occupants or tenants of the real property in the granting, withholding, extending, modifying or renewing, or in the rates, terms, conditions, or privileges of the financial assistance

or in the extension of services in connection therewith; or

(b) to use any form of application for the financial assistance or make any record or inquiry in connection with applications for the financial assistance which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or familial status or any intent to make any such limitation, specification, or discrimination; or

(c) to discriminate against any person or group of persons who desire to purchase, lease, acquire, construct, rehabilitate, repair or maintain real property in a specific urban or rural area or any part thereof solely because of the social, economic or environmental conditions of the area in the granting, withholding, extending, modifying, or renewing, or in the rates, terms, conditions, or privileges of the financial assistance or in the extension of services in connection therewith.

(4) For any real estate broker or real estate salesperson, for the purpose of inducing a real property transaction from which the person, the person's firm, or any of its members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to race, creed, color, national origin, sex, marital status, status with regard to public assistance, or disability of the owners or occupants in the block, neighborhood, or area in which the real property is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood, or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other public facilities.

(5) For a person to deny a totally or partially blind or deaf person with a service dog full and equal access to real property provided for in this section. The person may not be required to pay extra compensation for the service dog but is liable for damage done to the premises by the service dog.

(5) Notwithstanding the provisions of any law, ordinance, or home rule charter to the contrary, no person shall be deemed to have committed an unfair discriminatory practice based upon age if the unfair discriminatory practice alleged is attempted or accomplished for the purpose of obtaining or maintaining one of the exemptions provided for a dwelling unit provided for in section 363.02, subdivision 2.

Sec. 5. Minnesota Statutes 1987 Supplement, section 363.06, subdivision 1, is amended to read:

Subdivision 1. [ACTIONS.] Any person aggrieved by a violation of this chapter may bring a civil action as provided in section 363.14, subdivision 1, clause (a), or may file a verified charge with the commissioner or the commissioner's designated agent. A charge filed with the commissioner must be in writing on a form provided by the commissioner and signed by the charging party. The charge must state the name of the person alleged to have committed an unfair discriminatory practice, and set out a summary of the details of the practice complained of. The commissioner may require a charging party to provide the address of the person alleged to have committed the unfair discriminatory practice, names of witnesses, documents, and any other information necessary to process the charge. The

commissioner may dismiss a charge when the charging party fails to provide required information. The commissioner within ten days of the filing shall serve a copy of the charge and a form for use in responding to the charge upon the respondent personally or by mail. The respondent shall file with the department a written response to the charge within 20 days of receipt of the charge. *If the respondent fails to respond within 30 days after service of the charge, and service was consistent with rule 4 of the rules of civil procedure, the commissioner, on behalf of the complaining party, may bring an action for default in district court pursuant to rule 55.01 of the rules of civil procedure.*

Sec. 6. Minnesota Statutes 1986, section 363.06, subdivision 3, is amended to read:

Subd. 3. [TIME FOR FILING CLAIM.] A claim of an unfair discriminatory practice must be brought as a civil action pursuant to section 363.14, subdivision 1, clause (a), filed in a charge with a local commission pursuant to section 363.116, or filed in a charge with the commissioner within ~~300 days~~ *one year* after the occurrence of the practice. The running of the ~~300 day~~ *one-year* limitation period is suspended during the time a potential charging party and respondent are voluntarily engaged in a dispute resolution process involving a claim of unlawful discrimination under chapter 363, including arbitration, conciliation, mediation or grievance procedures pursuant to a collective bargaining agreement or statutory, charter, or ordinance provisions for a civil service or other employment system. A potential respondent who participates in such a process with a potential charging party before a charge is filed or a civil action is brought shall notify the department and the charging party in writing of the participation in the process and the date the process commenced, and shall also notify the department and the charging party of the ending date of the process. A respondent who fails to provide this notification is barred from raising the defense that the statute of limitations has run unless ~~the 300 days one year~~ *the 300 days one year* period of time equal to the suspension period has passed.

Sec. 7. Minnesota Statutes 1987 Supplement, section 363.071, subdivision 2, is amended to read:

Subd. 2. [DETERMINATION OF DISCRIMINATORY PRACTICE.] The administrative law judge shall make findings of fact and conclusions of law, and if the administrative law judge finds that the respondent has engaged in an unfair discriminatory practice, the administrative law judge shall issue an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the administrative law judge will effectuate the purposes of this chapter. The order shall be a final decision of the department. The administrative law judge shall order any respondent found to be in violation of any provision of section 363.03 to pay a civil penalty to the state. This penalty is in addition to compensatory and punitive damages to be paid to an aggrieved party. The administrative law judge shall determine the amount of the civil penalty to be paid, taking into account the seriousness and extent of the violation, the public harm occasioned by the violation, whether the violation was intentional, and the financial resources of the respondent. Any penalties imposed under this provision shall be paid into the general fund of the state. In all cases where the administrative law judge finds that the respondent has engaged in an unfair discriminatory practice the administrative law judge shall order the respondent to pay an aggrieved party, who has suffered discrimination, compensatory damages in an amount up

to three times the actual damages sustained. In all cases, the administrative law judge may also order the respondent to pay an aggrieved party, who has suffered discrimination, damages for mental anguish or suffering and reasonable attorney's fees, in addition to punitive damages in an amount not more than ~~\$6,000~~ \$25,000. Punitive damages shall be awarded pursuant to section 549.20. In any case where a political subdivision is a respondent the total of punitive damages awarded an aggrieved party may not exceed ~~\$6,000~~ \$25,000 and in that case if there are two or more respondents the punitive damages may be apportioned among them. Punitive damages may only be assessed against a political subdivision in its capacity as a corporate entity and no regular or ex officio member of a governing body of a political subdivision shall be personally liable for payment of punitive damages pursuant to this subdivision. In addition to the aforesaid remedies, in a case involving discrimination in

(a) employment, the administrative law judge may order the hiring, reinstatement or upgrading of an aggrieved party, who has suffered discrimination, with or without back pay, admission or restoration to membership in a labor organization, or admission to or participation in an apprenticeship training program, on-the-job training program, or other retraining program, or any other relief the administrative law judge deems just and equitable.

(b) housing, the administrative law judge may order the sale, lease, or rental of the housing accommodation or other real property to an aggrieved party, who has suffered discrimination, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the administrative law judge deems just and equitable.

The administrative law judge shall cause the findings of fact, conclusions of law, and order to be served on the respondent personally, on the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Sec. 8. Minnesota Statutes 1986, section 363.073, subdivision 1, is amended to read:

Subdivision 1. [SCOPE OF APPLICATION.] No department or agency of the state shall *receive, enter into, or accept* any bid or proposal for a contract ~~or nor~~ execute any contract for goods ~~or~~, services, ~~or the performance of any function, or any agreement to transfer funds for any reason~~ in excess of \$50,000 with any ~~business person~~ having more than 20 full-time employees in Minnesota at any time during the previous 12 months, unless the ~~firm or business person~~ has an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights. Receipt of a certificate of compliance issued by the commissioner shall signify that a ~~firm or business person~~ has an affirmative action plan that has been approved by the commissioner. A certificate shall be valid for a period of two years.

Sec. 9. Minnesota Statutes 1986, section 363.073, subdivision 3, is amended to read:

Subd. 3. [REVOCATION OF CONTRACT.] A contract awarded by a department or agency of the state may be terminated or abridged by the department or agency because of suspension or revocation of a certificate

based upon a contractor's failure to implement or make a good faith effort to implement an affirmative action plan approved by the commissioner under this section. *If a contract is awarded to a person who does not have a contract compliance certificate required under subdivision 1, the commissioner may void the contract on behalf of the state.*

Sec. 10. Minnesota Statutes 1986, section 363.074, is amended to read:

363.074 [RULES FOR CERTIFICATES OF COMPLIANCE.]

The commissioner shall adopt rules to implement section 363.073 specifying the criteria used to review affirmative action plans and the standards used to review implementation of affirmative action plans. A firm or business certified to be in compliance with affirmative action requirements of a local human rights agency or the federal government ~~shall~~ *may* be deemed to be in compliance with section 363.073 upon submission to the commissioner of an affirmative action plan approved by a local human rights agency or the federal government and amendments to the plan which are necessary to address the employment of disabled persons protected by section 363.03, subdivision 1.

Sec. 11. Minnesota Statutes 1986, section 363.091, is amended to read:

363.091 [ENFORCEMENT.]

When a respondent fails or refuses to comply with a final decision of the department, the commissioner may file with the court administrator of district court in the judicial district in which the hearing was held a petition requesting the court to order the respondent to comply with the order of the department. Thereupon the court shall issue an order to show cause directed to the respondent why an order directing compliance should not be issued. ~~Notwithstanding the provisions of any law or rule of civil procedure to the contrary, the court shall examine at the hearing on the order to show cause all the evidence in the record and may amend the order of the department in any way the court deems just and equitable.~~ If the panel or examiner has ordered an award of damages pursuant to section 363.071 ~~and if the court sustains or modifies the award, it the court shall enter judgment on the order or modified order in the same manner as in the case of an order of the district court, as provided in section 546.27.~~

Sec. 12. Minnesota Statutes 1986, section 363.121, is amended to read:

363.121 [DEPARTMENT ATTORNEY.]

The attorney general shall be the attorney for the department. *When a matter has been referred to the attorney general by the commissioner after a finding of probable cause or for the purpose of interim relief, communications between members of the attorney general's office and charging parties or members of a class formed pursuant to section 363.06, subdivision 4, clause (7), are privileged as would be a communication between an attorney and a client.*

Sec. 13. Minnesota Statutes 1986, section 363.14, subdivision 1, is amended to read:

Subdivision 1. [COURT ACTIONS, SUITS BY PRIVATE PARTIES, INTERVENTION.] (a) *The commissioner or a person may bring a civil action seeking redress for an unfair discriminatory practice directly to district court. In addition, a person may bring a civil action:*

(a) Directly to district court; or

(b) Notwithstanding the provisions of any law to the contrary,

(1) within 45 days after the commissioner has dismissed a charge because it is frivolous or without merit, because the charging party has failed to provide required information, because the commissioner has determined that further use of department resources is not warranted, or because the commissioner has determined that there is no probable cause to credit the allegations contained in a charge filed with the commissioner;

(2) within 45 days after the commissioner has reaffirmed a determination of no probable cause if the charging party requested a reconsideration of the probable cause determination; or

(3) after 45 days from the filing of a charge pursuant to section 363.06, subdivision 1 if a hearing has not been held pursuant to section 363.071 or if the commissioner has not entered into a conciliation agreement to which the charging party is a signator. The charging party shall notify the commissioner of an intention to bring a civil action, which shall be commenced within 90 days of giving the notice;

(b) If the commissioner has issued both probable cause and no probable cause determinations on separate issues in the same charge, the charging party may, if a hearing is held, require that all matters be heard at the hearing or may bring a civil action for the no probable cause charges at the same time as the probable cause charges under the rules and time frames that govern the probable cause charges.

(c) The commissioner may dismiss, without prejudice to the charging party, any case filed with the department on or before June 30, 1978. The commissioner shall notify a charging party by regular mail sent before August 1, 1981, of the right to bring a civil action pursuant to this section. Upon giving this notice the commissioner shall end all proceedings in the department relating to the charge. Notwithstanding any statutory period of limitation to the contrary, an individual notified pursuant to this clause may bring a civil action relating to the charge; provided that the action is filed on or before February 1, 1982.

A charging party bringing a civil action shall mail by registered or certified mail a copy of the summons and complaint to the commissioner, and upon their receipt the commissioner shall terminate all proceedings in the department relating to the charge. No charge shall be filed or reinstituted with the commissioner after a civil action relating to the same unfair discriminatory practice has been brought unless the civil action has been dismissed without prejudice.

(d) Upon application by the complaining party to the district court at a special term and under circumstances the court deems just, the court may appoint an attorney for the person and may authorize the commencement of the action without payment of fees, costs, or security.

(e) Upon timely application, the court may permit the department to intervene in a civil action brought pursuant to this section upon certification that the case is of general public importance.

Sec. 14. Minnesota Statutes 1986, section 363.14, subdivision 3, is amended to read:

Subd. 3. [ATTORNEY'S FEES AND COSTS.] In any action or proceeding brought pursuant to this section the court, in its discretion, may

allow the prevailing party, ~~other than the department~~, a reasonable attorney's fee as part of the costs.

Sec. 15. [363.15] [NOTICE OF APPEAL TO THE COMMISSIONER.]

In any case that is appealed to the supreme court or the court of appeals in which an issue is raised under this chapter, the party raising the issue shall serve a copy of the notice of appeal on the commissioner. The clerk of the appellate courts may not accept a notice of appeal or other papers, documents, or briefs from any party in an action involving this chapter without proof of service of the papers, documents, or briefs upon the commissioner."

Amend the title as follows:

Page 1, line 7, delete "subdivisions 2," and insert "subdivision"

Page 1, line 10, after the first semicolon, insert "363.121;"

Page 1, lines 11 and 12, delete "363.03, subdivision 1;"

Page 1, line 12, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 363"

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 2395: A bill for an act relating to nonprofit corporations; requiring a notice of meetings or elections to inform members whether proxy voting is permitted and the manner of doing so; providing an administrative hearing for certain violations by officers or directors; giving members access to the membership list; amending Minnesota Statutes 1986, sections 317.22, subdivision 4; and 317.28; proposing coding for new law in Minnesota Statutes, chapter 317.

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 317.22, subdivision 4, is amended to read:

Subd. 4. [NOTICE.] Subject to waiver under section 317.24, notice of meetings and elections, as provided in section 317.02, subdivision 6, shall be given to all members entitled to vote at the meeting or election. *If proxies are permitted at the meeting, the notice shall so inform members and state the procedure for appointing proxies.*

Sec. 2. Minnesota Statutes 1986, section 317.22, subdivision 6, is amended to read:

Subd. 6. [PROXIES.] (1) Unless specifically ~~prohibited~~ *permitted* by the articles or bylaws, proxies are ~~permitted~~ *prohibited* at all meetings.

(2) The appointment of a proxy shall be in writing filed at or before the meeting with the person who has been designated to act as secretary of the meeting.

(3) Except where the instrument of appointment prescribes otherwise:

- (a) the authority of a proxy ceases 11 months from the date of appointment;
- (b) an appointment of a proxy terminates all prior appointments when the appointment has been filed with the secretary of the meeting;
- (c) when a member appoints two or more persons to act as proxies, a majority of the member's proxies present at the meeting have the entire authority conferred by the instrument; when such proxies are equally divided upon the manner of voting in a particular case, they share the votes equally; and if only one proxy is present, that proxy has the entire authority conferred by the instrument.
- (4) Authority of a proxy is not terminated by the death or incapacity of the maker unless written notice of the fact of death or incapacity is given to the corporation before the vote has been cast or the authority otherwise exercised.

Sec. 3. Minnesota Statutes 1986, section 317.28, is amended to read:
317.28 [BOOKS AND RECORDS; FINANCIAL STATEMENT.]

(1) A domestic corporation shall keep at its registered office correct and complete books of account and minutes of proceedings of meetings of (a) members, (b) board of directors, and (c) committees having any of the authority of the board of directors.

(2) A member, or the member's agent or attorney, may inspect all books and records for any proper purpose at any reasonable time.

(3) Upon request by a member, the domestic corporation shall furnish the member with a statement showing the financial result of all operations and transactions affecting income and surplus during its last annual accounting period and a balance sheet containing a summary of its assets and liabilities as of the closing date of such accounting period.

(4) If the articles or bylaws permit a specified percentage of members to call a meeting of the board of directors or the membership, the corporation shall provide any voting member, within ten days after receiving a request, a statement showing the number of members required to call the meeting. The statement is binding on the corporation."

Amend the title as follows:

Page 1, delete lines 5 and 6 and insert "providing that proxies are prohibited unless authorized by the articles or bylaws"

Page 1, line 7, delete "access to the membership list"

Page 1, line 8, delete "subdivision" and insert "subdivisions" and after "4" insert "and 6"

Page 1, line 9, delete everything after "317.28" and insert a period

Page 1, delete line 10

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

Mr. Spear from the Committee on Judiciary, to which was re-referred

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.

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

Delete everything after the enacting clause and insert:

"Section 1. [APPOINTMENT OF CHILD INTERMEDIARY IN CERTAIN CHILD ABUSE CASES; PILOT PROGRAM.]

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Criminal sexual conduct" means conduct defined as criminal by Minnesota Statutes, sections 609.342, 609.343, 609.344, and 609.345.

(b) "Significant relationship" means a relationship as defined by Minnesota Statutes, section 609.341, subdivision 15.

(c) "Child" means a person under the age of 18 who is the alleged victim of criminal sexual conduct perpetrated by an adult who has a significant relationship with the child victim.

Subd. 2. [ESTABLISHMENT OF PILOT PROGRAM.] Until July 1, 1989, a county board may establish a three-year pilot project authorizing the appointment of a child intermediary under this section and setting forth criteria for selecting and training the intermediary and monitoring the program. The intermediaries may be paid or may be volunteers, but shall function independently of the county human services agency, the county attorney's office, local law enforcement agencies, and the public defender's office.

By January 1, 1991, a county participating in the program must report to the legislature the interim results of its pilot program. The county must submit a final report of the results of the program to the legislature by January 1, 1993.

Subd. 3. [APPOINTMENT BY COURT.] In a county with a pilot program established under subdivision 2, a child intermediary shall be appointed by the district court at the time a criminal charge is filed alleging criminal sexual conduct against a child by an adult who has a significant relationship with that child. In making the appointment, the court shall consider the person's background in and familiarity with the judicial process, social service programs, and child sexual abuse. If a guardian ad litem or other representative has been appointed to represent the child in concurrent judicial proceedings, the district court shall appoint the same individual to be the child intermediary if possible and if qualifications are met. The court must not appoint as a child intermediary a person who is likely to be a witness in any proceeding associated with the alleged criminal sexual conduct.

Subd. 4. [DUTIES.] A child intermediary's duties include the following:

(1) protecting the child from unnecessary further trauma by marshalling and coordinating the delivery of available resources and special services to the child and the child's family;

(2) advising the court as to the child's special needs with regard to pretrial interviews, deposition or trial testimony, and the expediting of

proceedings, and with respect to the child's ability to understand the process;

(3) advising the prosecuting attorney as to a child's ability to cooperate with the prosecution, and the potential effects of the proceedings on the child; and

(4) guaranteeing that the rights established for victims in Minnesota Statutes, section 611A.037 are extended to the child or to the child intermediary on the child's behalf.

Subd. 5. [POWERS.] A child intermediary has the power to:

(1) gain access to all reports, evaluations, and records necessary to perform the intermediary's functions; and

(2) make motions or objections to motions and petition the court for the appointment of an attorney for the intermediary if necessary to adequately protect the best interests of the child.

The intermediary may not introduce evidence or examine or cross-examine witnesses in the presence of the jury.

Subd. 6. [WITNESS PRIVILEGE.] Notwithstanding Minnesota Statutes, section 595.02, subdivision 1, child intermediaries appointed in criminal sexual conduct cases under this section may not be compelled to testify in any court action or proceeding about any opinion or information received from or about the child victim in the course of serving as an intermediary."

Amend the title as follows:

Page 1, line 4, delete "children's" and insert "child"

Page 1, line 6, delete everything after "intermediary" and insert a period

Page 1, delete line 7

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 2402: A bill for an act relating to criminal procedure; updating the wiretap law to conform to modern electronic communication technologies; providing procedures for interception of wire, electronic, or oral communication; regulating use of pen registers and trap and trace devices; prescribing penalties; amending Minnesota Statutes 1986, section 626A.01, subdivisions 3, 4, 5, 6, 8, 9, and by adding subdivisions; 626A.02, subdivisions 1, 2, and by adding subdivisions; 626A.03, subdivisions 1, and 2; 626A.05, subdivision 1; 626A.06, subdivisions 3, 4, 5, 6, and by adding subdivisions; 626A.08, subdivision 1; 626A.09, subdivisions 1, 2, 3, 4, and 5; 626A.10, subdivisions 1 and 2; 626A.11, subdivisions 1 and 2, and by adding a subdivision; 626A.12, subdivision 1, and by adding a subdivision; 626A.13; Minnesota Statutes 1987 Supplement, section 626A.05, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 8; 388; 609; and 626A.

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

Pages 1 to 3, delete sections 1 to 3

Page 6, lines 29 and 30, delete "the Rules of Federal Communications

Commission" and insert "*title 47 of the Code of Federal Regulations*"

Page 6, line 31, after "74" insert "*of title 47 of the Code of Federal Regulations*"

Page 8, line 6, delete "20" and insert "17"

Page 8, line 7, delete "21" and insert "18"

Page 9, line 12, delete "*unlawful under*" and insert "*a violation of*"

Page 9, line 13, delete "50 to 58" and insert "47 to 55"

Page 9, lines 31 and 32, delete "*633 of the Communications Act of 1934*" and insert "*553 of title 47 of the United States Code*"

Page 9, lines 33 and 34, delete "*705(a) of the Communications Act of 1934*" and insert "*605(a) of title 47 of the United States Code*"

Page 9, line 34, delete "*705(b)*" and insert "*605(b)*" and delete "*act*" and insert "*title*"

Page 10, line 11, delete "63" and insert "60"

Page 11, lines 8 and 21, delete "21" and insert "18"

Page 11, line 36, delete "*is*" and insert:
"*is*"

Page 12, lines 12 and 13, delete "*the rules of the Federal Communications Commission*" and insert "*title 47 of the Code of Federal Regulations and*"

Page 12, line 14, delete "*this chapter*" and insert "*sections 626A.01 to 626A.23*"

Page 12, lines 22 and 27, delete "20" and insert "17"

Page 15, line 26, delete "32" and insert "29"

Page 17, line 2, delete "32" and insert "29"

Page 18, line 21, after the period, insert "*The ten-day period begins on the earlier of the day on which the investigative or law enforcement officer first begins to conduct an interception under the order or ten days after the order is received.*"

Page 18, line 27, delete "*this chapter*" and insert "*sections 626A.01 to 626A.23*"

Page 20, line 25, after "(ii)" insert a comma and after "(d)" insert a comma

Page 21, line 14, after "(ii)" insert a comma

Page 21, line 15, after "(d)" insert a comma and delete "32" and insert "29"

Page 21, line 20, delete "32" and insert "29"

Page 27, line 12, delete "*which*" and insert "*that*"

Page 27, line 16, delete "*preliminary*" and insert "*temporary*"

Page 27, line 23, delete "*this chapter*" and insert "*sections 626A.01 to 626A.23*"

Page 27, lines 27 and 28, delete "*the rules of the Federal Communications Commission*" and insert "*title 47 of the Code of Federal Regulations*"

Page 27, line 33, delete "21" and insert "18"

Page 28, line 3, delete "21" and insert "18"

Page 28, line 22, delete "*completed*" and insert "*complete*"

Page 28, line 29, delete "a" and insert "an"

Page 29, line 8, delete "*any*" and insert "a"

Page 29, line 17, delete "a" in both places and insert "*the*" in both places

Page 29, line 18, delete "*violation of this chapter*"

Page 30, line 16, delete "52 or 53" and insert "49 or 50"

Page 31, line 6, delete "52" and insert "49"

Page 31, line 25, delete the comma

Page 32, line 2, delete "*from*" and insert "*if*"

Page 32, line 7, delete "54" and insert "51"

Page 32, line 33, after "2" insert a comma

Page 33, line 10, delete "*subdivisions*" and insert "*subdivision*"

Page 33, line 26, delete "50 to 58" and insert "47 to 55"

Page 33, line 29, delete "52" and insert "49" and after "(b)" insert a comma

Page 34, line 7, delete "54" and insert "51"

Page 34, line 14, after "*release*" insert "*the*"

Page 34, line 26, delete "52" and insert "49"

Page 34, line 32, delete "(a)" and insert "(b)"

Page 35, line 16, delete "50 to 58" and insert "47 to 55"

Page 35, line 18, after "*person*" insert a comma

Page 35, line 19, after "*designee*" insert a comma

Page 35, line 23, delete "*that*" and insert ". *The response*"

Page 36, line 7, delete "50 to 58" and insert "47 to 55"

Page 36, lines 14, 17, and 24, delete "52" and insert "49"

Page 37, line 3, delete "(1)(B)" and insert "(a), *clause* (2)"

Page 37, lines 5 and 35, delete "52" and insert "49"

Page 37, line 26, delete "50 to 58" and insert "47 to 55"

Page 37, line 29, after "*sergeant*" insert a comma

Page 37, line 30, delete the first "*of*" and insert "*from*"

Page 38, line 1, delete "52" and insert "49"

Page 38, lines 21 and 22, delete "51, 52, and 53" and insert "48, 49, and 50"

Page 38, line 23, delete "as" and insert "that"

Page 38, line 24, delete "which" and insert "that"

Page 38, line 27, after the second "of" insert "the"

Page 39, lines 6 and 12, delete "52" and insert "49"

Page 39, line 20, delete "preliminary" and insert "temporary"

Page 39, line 29, delete "or" and insert "to"

Page 39, line 34, delete "is" and insert:
"is"

Page 39, line 36, delete "50 to 58" and insert "47 to 55"

Page 40, lines 6, 8, and 10, delete "52 to 58" and insert "47 to 55"

Page 40, line 19, delete "61" and insert "58"

Page 41, line 7, delete "61" and insert "58"

Page 41, line 9, delete "59 to 63" and insert "56 to 60"

Page 41, line 22, delete "60" and insert "57"

Page 42, line 11, delete "62" and insert "59"

Page 42, line 17, delete "60" and insert "57"

Page 43, lines 1 and 14, delete "59 to 63" and insert "56 to 60"

Page 43, lines 10 and 25, delete "61" and insert "58"

Page 44, lines 4 and 5, delete "59 to 63" and insert "56 to 60"

Page 44, lines 9 and 12, delete "59 to 63" and insert "56 to 60"

Page 44, line 34, delete "48 to 63" and insert "45 to 60"

Page 44, after line 36, insert:

"Sec. 62. [REPEALER.]

Minnesota Statutes 1986, sections 626A.01, 626A.02, 626A.03, 626A.04, 626A.05, as amended by Laws 1987, chapters 217, section 3; 329, section 17; and 384, article 2, section 112, 626A.06, 626A.07, 626A.08, 626A.09, 626A.10, 626A.11, 626A.12, 626A.13, 626A.14, 626A.15, 626A.16, 626A.17, 626A.18, 626A.19, 626A.20, 626A.21, 626A.22, 626A.23, and sections 1 to 61 are repealed.

Sec. 63. [EFFECTIVE DATE.]

Sections 1 to 61 are effective August 1, 1988, and apply to crimes committed on or after that date. Section 62 is effective August 1, 1989."

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 19 and insert "in Minnesota Statutes, chapter 626A; repealing Minnesota Statutes 1986, sections 626A.01 to 626A.04; 626A.05, as amended; and 626A.06 to 626A.23."

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

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

S.F. No. 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.

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

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

S.F. No. 2371: A bill for an act relating to agriculture; requiring a study on the feasibility of using ink with a soybean oil base for state printing.

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

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

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.

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

Page 3, line 11, delete "\$" and insert "\$75,000"

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1944: A bill for an act relating to health; requiring hospitals to notify physicians and patients before destroying medical records; amending Minnesota Statutes 1986, section 145.32, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 145.32, subdivision 2, is amended to read:

Subd. 2. **[RESPONSIBILITIES OF THE COMMISSIONER OF HEALTH INDIVIDUAL PERMANENT MEDICAL RECORD.]** (a) The commissioner of health shall define by rule the term "individual permanent medical record" by enumerating the specific types of records or other information ~~which~~ *that*, at a minimum, must be maintained on a permanent basis by the hospital.

(b) *"Individual permanent medical record" includes outpatient diagnostic and laboratory test results."*

Delete the title and insert:

"A bill for an act relating to health; requiring outpatient diagnostic and test results to be retained as part of an individual permanent medical record; amending Minnesota Statutes 1986, section 145.32, subdivision 2."

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

adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1972: A bill for an act relating to the handicapped; permitting equal access to public accommodations for persons using a service dog; amending Minnesota Statutes 1986, section 256C.025, subdivision 4.

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

Amend the title as follows:

Page 1, line 3, delete "public accommodations" and insert "housing accommodations"

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1821: A bill for an act relating to crimes; police pursuit; increasing the penalty for fleeing a peace officer; providing for civil forfeiture of vehicle used to flee a peace officer; requiring local governments to establish pursuit procedures and training requirements by October 1, 1989; authorizing peace officer standards and training board to assist local governments in establishing procedures and training requirements; requiring reporting of all police pursuits to department of public safety; amending Minnesota Statutes 1986, sections 609.487, subdivision 3; 609.531, subdivisions 2, 4, and 6; 626.843, subdivision 1; and 626.845, subdivision 1; Minnesota Statutes 1987 Supplement, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 1986, section 171.13, is amended by adding a subdivision to read:

Subd. 1c. [DRIVER'S MANUAL; FLEEING A PEACE OFFICER.] The commissioner shall include in each edition of the driver's manual published by the department a section relating to the criminal sanctions and forfeiture provisions applicable to persons who flee a peace officer in a motor vehicle."

Page 2, line 20, after the first comma, insert "the department of natural resources, division of enforcement."

Page 2, line 26, delete the new language and insert "felony-level"

Page 2, line 32, strike "609.487;"

Page 2, line 36, before the period, insert "; or a felony or gross misdemeanor violation of section 609.487"

Pages 3 to 7, delete sections 3 to 5

Page 8, line 10, delete "The"

Page 8, delete lines 11 to 14

Page 8, line 23, after "require" insert "that" and delete "to respond

with immediate" and insert "be responsible for"

Page 10, line 15, delete "6" and insert "3"

Page 12, line 26, delete ", 2, 3, 4, and 5" and insert "and 2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 2 and 3, delete "increasing the penalty for fleeing a peace officer" and insert "requiring certain driver's manual information"

Page 1, line 12, delete everything after "sections"

Page 1, line 13, delete everything before the semicolon and insert "171.13, by adding a subdivision"

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

Mr. Spear from the Committee on Judiciary, to which was referred

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

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

Page 1, line 14, delete "it appears" and insert "the officer has reason to believe"

Page 1, line 16, after "origin," insert "sex, age, disability," and after "or" insert "characteristics identified as"

Page 1, line 23, after "(3)" insert "whether" and before "person" delete the parenthesis and insert "is a"

Page 1, line 24, after "property" delete the parenthesis

Page 1, line 26, delete everything after "bias"

Page 2, line 1, delete "or sexual orientation)"

Page 2, line 20, after "origin," insert "sex, age, disability," and after "or" insert "characteristics identified as"

Page 2, line 24, after the period, insert "The course must be updated periodically as the board considers appropriate."

Page 2, delete lines 25 to 30 and insert:

"Subd. 2. [PRE-SERVICE TRAINING REQUIREMENT.] An individual may not be licensed as a peace officer after August 1, 1989, unless the individual has received the training described in subdivision 1.

Subd. 3. [IN-SERVICE TRAINING; BOARD REQUIREMENTS.] The board must provide to chief law enforcement officers instructional materials patterned after the materials developed by the board under subdivision 1. These materials must meet board requirements for continuing education credit and be updated periodically as the board considers appropriate. The board must also seek funding for an educational conference to

inform and sensitize chief law enforcement officers and other interested persons to the law enforcement issues associated with bias crimes. If funding is obtained, the board may sponsor the educational conference on its own or with other public or private entities.

Subd. 4. [IN-SERVICE TRAINING; CHIEF LAW ENFORCEMENT OFFICER REQUIREMENTS.] *A chief law enforcement officer must inform all peace officers within the officer's agency of (1) the requirements of section 1, (2) the availability of the instructional materials provided by the board under subdivision 3, and (3) the availability of continuing education credit for the completion of these materials. The chief law enforcement officer must also encourage these peace officers to review or complete the materials."*

Delete the title and insert:

"A bill for an act relating to crime; law enforcement; requiring the reporting of crimes motivated by bias; requiring the peace officer standards and training board to mandate pre-service training for peace officers in recognizing, responding to, and reporting crimes of bias; requiring the board to make similar instructional materials available to peace officers for continuing education credit; proposing coding for new law in Minnesota Statutes, chapter 626."

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

Mr. Spear from the Committee on Judiciary, to which was re-referred

S.F. No. 392: A bill for an act relating to public safety; providing for the mandatory surrender of registration plates and certificates of motor vehicles operated by repeat DWI offenders; providing for administrative and judicial review; appropriating money; amending Minnesota Statutes 1986, sections 168.041; 169.123, subdivisions 5b, 5c, and 6; 169.1261; and 171.29, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 168.041, is amended to read:

168.041 [IMPOUNDING REGISTRATION PLATES AND CERTIFICATES.]

Subdivision 1. ~~When any a person is convicted of driving a motor vehicle after the suspension or, revocation or cancellation of the drivers person's driver's license or driving privileges of such person, the court shall require the registration plates and registration certificates certificate of any the motor vehicle involved in such the violation owned by such the person or registered in that the person's name to be surrendered to the court. Upon surrender thereof The court shall issue a receipt therefor for the surrendered registration plates and registration certificate.~~

If the violator is not the owner of ~~such the~~ motor vehicle, the court shall require the registration plates and ~~the~~ registration certificate of ~~any the~~ motor vehicle ~~to be surrendered to the court if the vehicle was used by the~~

violator, with the permission of the owner ~~who and the owner~~ had knowledge of the fact that the violator's ~~drivers~~ driver's license had been revoked or suspended prior to the commission of the offense, ~~to be surrendered to the court.~~

Subd. 2. If ~~any~~ a person is convicted of violating ~~any~~ a law or municipal ordinance, except a parking ~~laws or ordinances~~ law or ordinance, regulating the operation of motor vehicles on the streets or highways, and the record of ~~such~~ the person so convicted shows a previous conviction for driving after suspension or revocation of the person's driver's license or driving privileges, the court may direct the commissioner of public safety to suspend the driver's license of ~~such~~ the person for a period not exceeding one year. The court may also require the registration plates and registration ~~certificates~~ certificate of any motor ~~vehicles~~ vehicle owned by the violator or registered in the violator's name to be surrendered to the court.

Subd. 3. *Except as otherwise provided in subdivision 3a*, if a person is convicted of ~~any~~ an offense ~~which~~ that makes mandatory the revocation of the ~~drivers~~ person's driver's license of ~~such~~ person, or is convicted of driving a motor vehicle without having a valid driver's license in force, the court may require the registration plates and registration ~~certificates~~ certificate of any motor vehicle owned by ~~such~~ the person or any motor ~~vehicles~~ vehicle registered in ~~that~~ the person's name to be surrendered to the court.

Subd. 3a. If a person's driver's license or driving privileges are revoked pursuant to a third violation of section 169.121 or 169.123 within five years, or a fourth or subsequent violation of section 169.121 or 169.123 within ten years, the court shall issue an impoundment order requiring the surrender of the registration plates and registration certificate of any motor vehicle owned by, registered, or leased in the name of the violator, including vehicles registered or leased jointly in the name of the violator and the violator's spouse and any vehicle involved in the violation if the vehicle owner was a passenger at the time of the violation and knew or should have known of the revocation. This requirement does not apply to rental motor vehicles, as defined in subdivision 10. An impoundment order must be issued under this subdivision when the driver appears in court on a criminal charge or civil driver's license matter arising out of the incident resulting in the most recent license revocation, whichever hearing occurs first. If no criminal charge or civil license matter is initiated in court, the attorney general may request an impoundment order under this subdivision in municipal or county court, or the unified district court in the jurisdiction where the violation of section 169.121 or 169.123 occurred.

In determining whether to issue an impoundment order, the court may rely on the following:

- (1) certified or uncertified copies of the violator's driving record;*
- (2) certified or uncertified copies of vehicle registration records; and*
- (3) other relevant documentation.*

Subd. 4. *Except as provided in subdivision 6 or subdivision 7, the court shall retain custody of the surrendered plates and certificates. Within three days after the court issues an impoundment order, the registration plates and certificates must be surrendered to the court. The court shall forward surrendered registration certificates to the registrar of motor vehicles within seven days. The court may destroy the surrendered registration plates. Except as provided in subdivision 5, 6, or 7, no new registration*

plates may be issued to the violator or owner until such time as the driver's license of the violator has been reissued or reinstated. The court shall notify the commissioner of public safety within ten days after issuing an impoundment order.

Subd. 4a. [ADMINISTRATIVE REVIEW.] At any time during the effective period of an impoundment order, a person may request in writing a review of the impoundment order by the commissioner of public safety. Upon receiving a request the commissioner or the commissioner's designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. The commissioner shall report in writing the results of the review within 15 days of receiving the request. The review provided in this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 14.01 to 14.70. As a result of this review, the commissioner may authorize the issuance at no cost of new registration plates and a registration certificate to the owner of the vehicle if the owner's driver's license or driving privileges were not revoked under section 169.121 or 169.123 and the owner was not a passenger in the vehicle at the time of the violation.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's license revocation under section 169.123, subdivision 5b.

Subd. 5. At the time of ordering the surrender of the registration plates and registration certificates of a violator or owner, the court shall notify the registrar of motor vehicles of that fact. Except as provided in subdivision 6 or subdivision 7, no new or duplicate registration plates or new registration certificates shall be issued to such violator or owner until the surrendered plates and certificates are returned to the violator or owner by the court. If the driver's license revocation that is the basis for an impoundment order is rescinded, the registrar of motor vehicles shall issue new registration plates and a registration certificate for the vehicle at no cost, when the registrar receives an application that includes a copy of the order rescinding the driver's license revocation.

Subd. 6. Any such (a) A violator or owner may apply to the registrar of motor vehicles commissioner for new registration plates, which shall must bear a special series number which may of numbers or letters so as to be readily identified by traffic law enforcement officers. A fee of \$5 shall accompany the application. The registrar of motor vehicles shall forthwith notify the court of such application. The court may return the registration certificate of such violator or owner to the registrar of motor vehicles, together with its consent to the issuance of such registration plates to such violator or owner. Thereupon the registrar of motor vehicles shall issue such new registration plates. The commissioner may authorize the issuance of special plates if (1) a member of the violator's household has a valid driver's license, (2) the violator or owner has a limited license issued under section 171.30, or (3) the owner is not the violator and the owner has a valid or limited license or a member of the owner's household has a valid driver's license. The commissioner may issue the special plates on payment of a \$25 fee for each vehicle for which special plates are requested. The commissioner may not authorize the issuance of special plates unless the court that impounded the vehicle's plates gives written approval for the issuance of the special plates.

(b) Until the ~~drivers~~ driver's license of ~~such~~ the violator is reinstated or reissued, the violator shall inform the commissioner that an impoundment order is in effect when requesting any new registration plates issued to the violator or to an owner whose plates have been impounded shall bear a special series number.

Subd. 7. If An owner wishes to may not sell a motor vehicle during the time its registration plates and registration certificate are impounded have been ordered surrendered or during the time its registration plates bear a special series number, unless the owner may apply applies to the court which that impounded such the plates and certificate, for consent to transfer title to the motor vehicle. If the court is satisfied that the proposed sale is in good faith and for a valid consideration, that the owner will thereby be deprived of the custody and control of the motor vehicle, and that the sale is not for the purpose of circumventing the provisions of this section, it may certify its consent to the registrar of motor vehicles and return the impounded registration plates and certificates. If during The registrar shall then transfer the registration certificate to the new owner upon proper application and issue new registration plates. After the time the registration plates and certificate of registration are impounded certificate have been ordered surrendered to the court under this section, if the title to said the motor vehicle is transferred by the foreclosure of a chattel mortgage, the cancellation of a conditional sales contract, a sale upon execution, or by decree or order of a court of competent jurisdiction, the court shall order the license plates and registration certificate surrendered to the new owner and notify the registrar of motor vehicles of such action. The registrar of motor vehicles shall then transfer the registration plates and registration certificates to the new owner certificate and issue new registration plates to the new owner.

Subd. 8. Nothing contained in this section is intended to change or modify any provision of this chapter, with respect to the taxation of motor vehicles or the time within which the motor vehicle taxes thereon shall must be paid.

Subd. 9. Any A person who fails to surrender any impounded registration plates or a registration certificates certificate to the court upon demand or under this section, who operates any a motor vehicle on a street or highway at a time when a court has ordered the surrender of its registration plates and registration certificate, or who fails to comply with subdivision 6, paragraph (b), is guilty of a misdemeanor.

Subd. 10. "Rental motor vehicle" means a passenger vehicle, truck, motorcycle, or motorized bicycle:

(1) that is involved in a violation under subdivision 3a, leased in the name of the violator, or leased jointly in the name of the violator and the violator's spouse; and

(2) that is one of a fleet of two or more vehicles rented for periods of 30 days or less.

Sec. 2. Minnesota Statutes 1986, section 169.123, subdivision 5b, is amended to read:

Subd. 5b. [ADMINISTRATIVE REVIEW.] At any time during a period of revocation imposed under this section a person may request in writing a review of the order of revocation by the commissioner of public safety. Upon receiving a request the commissioner or the commissioner's designee

shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request the commissioner shall report in writing the results of the review. The review provided in this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 14.01 to 14.70.

The availability of administrative review for an order of revocation ~~shall have~~ has no effect upon the availability of judicial review under this section.

Review under this subdivision shall take place, if possible, at the same time as any administrative review of the person's impoundment order under section 168.041, subdivision 4a.

Sec. 3. Minnesota Statutes 1986, section 169.1261, is amended to read:

169.1261 [REINSTATEMENT OF DRIVING PRIVILEGES; NOTICE.]

Upon expiration of ~~any~~ a period of revocation under section 169.121 or 169.123, the commissioner of public safety shall notify the person of the terms upon which driving privileges can be reinstated, *and new registration plates issued*, which terms are: (1) successful completion of a driving test and proof of compliance with any terms of alcohol treatment or counseling previously prescribed, if any; and (2) any other requirements imposed by the commissioner and applicable to that particular case. *The commissioner shall notify the owner of a motor vehicle subject to an impoundment order under section 168.041 as a result of the violation who is not the violator of the procedures for obtaining new registration plates.* The commissioner shall also notify the person that if driving is resumed without reinstatement of driving privileges or without valid registration plates and registration certificate, the person will be subject to criminal penalties.

Sec. 4. Minnesota Statutes 1986, section 171.29, is amended by adding a subdivision to read:

Subd. 3. A person whose license has been revoked under section 169.121 or 169.123 may not be issued another license at the end of the revocation period unless the person has complied with all applicable registration plate impoundment provisions of section 168.041.

Sec. 5. [DESTRUCTION OF STORED LICENSE PLATES.]

License plates surrendered to courts before the effective date of section 1 may be destroyed.

Sec. 6. [EVALUATION.]

The commissioner of public safety shall monitor and evaluate the implementation and effects of the registration plate impoundment provisions of sections 1 to 5, and shall submit a written report to the legislature by January 1, 1990, containing the commissioner's findings and recommendations.

Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective August 1, 1988, and apply to violations committed on or after that date."

Amend the title as follows:

Page 1, line 5, delete "and judicial"

Page 1, line 6, delete "appropriating money" and insert "requiring a report"

Page 1, line 7, delete "subdivisions" and insert "subdivision" and delete ", 5c, and 6"

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

Mr. Spear from the Committee on Judiciary, to which was re-referred

S.F. No. 1762: A bill for an act relating to agriculture; allowing exemptions for partnerships if the partnership is made up of certain individuals; amending Minnesota Statutes 1986, sections 323.24; and 550.37, subdivisions 18 and 19.

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

Page 2, line 5, delete "the homestead or"

Page 2, lines 21 to 24, delete the new language and insert ". When a debtor is a partnership of spouses or a partnership of natural persons related to each other within the third degree of kindred according to the rules of the civil law, for the purposes of the exemptions in this section, the partners may elect to treat the assets of the partnership as assets of the individual partners"

Page 3, after line 1, insert:

"Sec. 4. [EFFECTIVE DATE.]

Section 3 is effective January 1, 1989."

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

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

S.F. No. 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.

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

Page 6, delete lines 18 to 28 and insert:

"Sec. 3. Minnesota Statutes 1987 Supplement, section 383C.035, is amended to read:

383C.035 [UNCLASSIFIED CIVIL SERVICE.]

The officers and employees of such county and of any agency, board, or commission, supported in whole or in part by taxation upon the taxable property of such county or appointed by the judges of the district or probate court for such county, are hereby divided into the unclassified and classified service. The unclassified service shall comprise:

(a) All officers elected by popular vote or persons appointed to fill vacancies in such offices.

(b) Judges and receivers, referees, arbiters, court reporters, jurors, notaries public, and persons appointed by a court to make or conduct any special inquiry of a judicial and temporary character.

(c) Superintendent or principal administrative officer or comptroller of any separate department of county government which is now or hereafter created pursuant to law, who is directly responsible to the board of county commissioners or any other board or commission, as well as the county agricultural agents and the home demonstration agents under the control of the county extension committee.

(d) Members of nonpaid board, or commissioners appointed by the board of county commissioners or acting in an advisory capacity.

(e) Assistant county attorneys or special investigators in the employ of the county attorney.

(f) All common labor temporarily employed on an hourly basis.

(g) All inmate or patient help in county institutions.

(h) All physicians, dentists, registered nurses and medical laboratory technicians working under the direction of a licensed physician or dentist in any hospital or sanatorium operated by a commission or board of such county.

(i) ~~All county commissioners' clerks appointed by the county board after the passage of sections 383C.03 to 383C.059; but nothing in sections 383C.03 to 383C.059 shall affect the civil service status of any person previously appointed and now holding such a position in the classified service of the county Not more than a total of nine clerks serving the county board and administrator.~~

(j) A legislative lobbyist/grant coordinator appointed by the county board to act as legislative liaison with the St. Louis county legislative delegation and pursue legislative concerns and grant opportunities for the county, and the clerk for that position.

(k) The county recorder.

(l) Any department head designated by the county board.

(m) ~~One clerk for the county administrator~~ Two administrative assistants

in the county administrator's office.

The classified service shall include all other positions now existing and hereinafter created in the service of the county or any board or commission, agency, or offices of such county."

Page 12, after line 2, insert:

"Sec. 13. Minnesota Statutes 1986, section 383C.17, is amended to read:
383C.17 [COURTHOUSE BUILDING COMMISSION.]

~~In St. Louis county, the courthouse building commission~~ *The board of county commissioners of St. Louis county shall have the authority to assign and reassign space and rooms to the various offices in the courthouses and county office buildings in said county."*

Page 14, line 12, reinstate the stricken ", not to exceed" and after the stricken "\$15,000" insert "\$75,000" and reinstate the stricken "annually,"

Page 17, line 30, delete "383C.17;"

Page 17, line 31, delete "383C.201;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "383C.162;" insert "383C.17;"

Page 1, line 11, after the third semicolon, insert "Minnesota Statutes 1987 Supplement, section 383C.035;"

Page 1, line 15, delete "383C.17;"

Page 1, line 16, delete "383C.201;"

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

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

S.F. No. 655: A bill for an act relating to agriculture; providing a milk marketing and price stabilization plan; declaring state policy relating to milk; creating a milk stabilization board; authorizing the board to prescribe milk stabilization plans and maximum and minimum prices for marketing milk; requiring licenses for persons involved in milk marketing; 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 local advisory boards; authorizing assessments on milk processors; authorizing a referendum on continuance of stabilized prices; proposing coding for new law as Minnesota Statutes, chapter 32C; repealing Minnesota Statutes 1986, chapter 32A.

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

Delete everything after the enacting clause and insert:

"Section 1. [32C.15] [MINNESOTA DAIRY TASK FORCE.]

Subdivision 1. [ESTABLISHMENT.] The Minnesota dairy task force is established consisting of:

- (1) the commissioner of agriculture or the commissioner's designee;
- (2) two members representing statewide farm organizations appointed by the commissioner of agriculture;
- (3) one member representing a dairy producer's organization appointed by the commissioner of agriculture;
- (4) a representative from the University of Minnesota designated by the dean of the college of agriculture;
- (5) two milk producers appointed by the governor; and
- (6) two dairy processors appointed by the governor.

Subd. 2. [OBJECTIVES.] The objectives of the Minnesota dairy task force are to:

- (1) increase production efficiency of dairy cow herds;
- (2) reduce input costs of production;
- (3) increase profitability of individual dairy farms; and
- (4) establish long-range goals, objectives, and time line achievement strategies for the dairy industry.

Subd. 3. [DUTIES.] The Minnesota dairy task force shall by June 1, 1989:

- (1) gather existing information on increasing milk production efficiency of dairy cow herds, reducing input costs, and increasing profitability of dairy farms;
- (2) establish a mechanism to disseminate gathered information to dairy farmers in a practical form;
- (3) examine computerized analysis of dairy records and the available software, and recommend practical alternatives for dairy farmers to use computerized analysis;
- (4) develop a preliminary draft of long-range goals, objectives, and time line achievement strategies for the dairy industry; and
- (5) recommend legislation needed to accomplish the objectives and goals in subdivision 2.

Subd. 4. [PILOT PROJECTS.] The Minnesota dairy task force shall develop pilot projects of general application on dairy farms to demonstrate methods of increasing profitability of dairy farms.

Sec. 2. [REPORT.]

The Minnesota dairy task force shall prepare and submit a report on its activities, accomplishments, and recommendations to the agriculture committees of the senate and house of representatives by February 1, 1989.

Sec. 3. [APPROPRIATION.]

\$30,000 is appropriated from the general fund to the commissioner of agriculture to be matched equally by private funds to pay for the expenses of the Minnesota dairy task force and pilot projects authorized under section 1, subdivision 4.

Sec. 4. [REPEALER.]

Section 1 is repealed effective June 30, 1990.

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 3 are effective July 1, 1988."

Delete the title and insert:

"A bill for an act relating to agriculture; establishing a Minnesota dairy task force; providing for pilot projects and reports; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 32C."

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

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

H.F. No. 2056: A bill for an act relating to state lands; requiring corrective deed to be issued to Basilica of St. Mary of Minneapolis for state lands authorized to be conveyed to Basilica of St. Mary's, Inc.

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

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

S.F. No. 1827: A bill for an act relating to public safety; providing that a fee for applications for quarterly reporting of fuel tax be deposited in the highway user tax distribution fund; amending Minnesota Statutes 1987 Supplement, section 296.17, subdivision 9a.

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

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

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.

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1934: A bill for an act relating to crimes; prohibiting possession of fireworks; increasing penalties for selling or possessing certain quantities of fireworks; providing penalties; amending Minnesota Statutes 1986, sections 624.21; 624.23; and 624.25.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1986, section 609.50, is amended to read:

609.50 [OBSTRUCTING LEGAL PROCESS OR ARREST.]

Whoever intentionally obstructs, hinders or prevents the lawful execution

of any legal process, civil or criminal, or apprehension of another on a charge or conviction of a criminal offense or *obstructs, resists or interferes* with a peace officer while the officer is engaged in the performance of official duties, or by force or threat of force endeavors to obstruct any employee of the department of revenue while the employee is lawfully engaged in the performance of official duties for the purpose of deterring or interfering with the performance of those duties, may be sentenced as follows:

(1) If the act was accompanied by force or violence or the threat thereof, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both; or

(2) In other cases to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both.

Sec. 2. Minnesota Statutes 1986, section 624.20, is amended to read:

624.20 [FIREWORKS.]

Subdivision 1. As used in sections 624.20 to 624.25, the term "fireworks" means any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, sky-rockets, Roman candles, daygo bombs, sparklers, or other fireworks of like construction, and any fireworks containing any explosive or inflammable compound, or any tablets or other device containing any explosive substance and commonly used as fireworks. The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing 25 hundredths grains or less of explosive compound are used and toy pistol caps which contain less than 20 hundredths grains of explosive mixture.

Subd. 2. As used in sections 624.20 to 624.25, the term "explosive fireworks" means any fireworks that contain pyrotechnic powder, gunpowder, black powder, or any other explosive compound."

Page 2, delete section 3 and insert:

"Sec. 5. Minnesota Statutes 1986, section 624.25, is amended to read:

624.25 [VIOLATION; PENALTIES.]

Any person violating the provisions of sections 624.20 to 624.24 ~~shall~~ may be ~~guilty of a misdemeanor~~ sentenced as follows:

(1) if the violation involves explosive fireworks in an amount of 50 pounds gross container weight or more, to imprisonment for not more than three years, or to payment of a fine of not more than \$5,000, or both;

(2) if the violation involves explosive fireworks in an amount of at least 10 pounds gross container weight but less than 50 pounds gross container weight, to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both;

(3) if the violation involves explosive fireworks in an amount of less than 10 pounds gross container weight, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$700, or both; and

(4) if the violation involves any amount of fireworks other than explosive fireworks, to imprisonment for not more than 90 days, or to payment of a

fine of not more than \$700, or both."

Page 2, line 32, delete "3" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "prohibiting the obstruction of a peace officer; defining explosive fireworks;"

Page 1, line 5, after "sections" insert "609.50; 624.20;"

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. 2103: A bill for an act relating to human services; implementing minority child heritage protection act; requiring minority councils to review placement data; requiring rule revision; planning for permanency; improving recruitment of minority adoptive and foster care families; designating recruitment specialist; requiring out-of-home placement reports; creating task force; requiring training of adoption and foster care families and workers; providing grants for support services; expanding definition of "relative" for purposes of placement priority; appropriating money; amending Minnesota Statutes 1986, sections 3.9223, subdivision 3; 3.9225, subdivision 3; 3.9226, subdivision 3; 256F03, subdivision 8; 257.071, subdivisions 2, 3, and by adding a subdivision; 257.072; and 260.015, subdivision 13; Minnesota Statutes 1987 Supplement, section 3.922, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 257; repealing Minnesota Statutes 1986, section 257.071, subdivision 6.

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

Page 3, line 16, delete "10" and insert "11"

Page 4, line 13, delete "10" and insert "11"

Page 5, line 13, delete "10" and insert "11"

Page 6, line 27, delete "10" and insert "11"

Page 7, after line 5, insert:

"Sec. 6. Minnesota Statutes 1986, section 256F07, is amended by adding a subdivision to read:

Subd. 3a. [MINORITY FAMILY SERVICES.] In addition to services listed in subdivision 3, placement prevention and family reunification services for minority children include:

(1) development of foster and adoptive placement resources, including recruitment, licensing, and support;

(2) advocacy in working with the county and private social service agencies, and activities to help provide access to agency services;

(3) family and community involvement strategies to combat child abuse and chronic neglect of children;

(4) coordinated child welfare and mental health services to minority

families; and

(5) other activities and services approved by the commissioner that further the goals of the minority heritage preservation act."

Page 7, line 16, delete "10" and insert "11"

Page 7, line 30, after "offered" insert "or approved"

Page 10, line 18, after "of" insert "minority"

Page 10, line 19, delete "each year" and insert "during their first year, followed by at least 12 hours of cultural sensitivity training in each subsequent year"

Page 12, line 4, after "11." insert "[257.073]"

Page 12, line 14, delete "257.073" and insert "257.074"

Page 12, line 33, after "develop" insert "and provide to agencies"

Page 13, line 4, after "provide" insert "or approve"

Pages 13 and 14, delete section 14

Page 14, line 8, delete "13" and insert "14"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, after "8;" insert "256F07, by adding a subdivision;"

Page 1, line 16, after the semicolon, insert "and"

Page 1, line 17, delete "and 260.015, subdivision 13;"

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

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

S.F. No. 1508: A bill for an act relating to child care; expanding eligibility for child care sliding fee program; providing for reimbursement of child care provider accreditation fees; creating an office of child care providers assistance in the department of human services; increasing the number of certain licensing inspections; requiring a study of day care funding sources; requiring a privately operated child care in capitol complex; establishing state policy for certain inspections; exempting construction materials and equipment from sales tax; creating a tuition tax credit; creating an employer tax credit for child care operations; establishing state grants to county government; appropriating money; amending Minnesota Statutes 1986, sections 16B.04, subdivision 2; 16B.39, by adding a subdivision; 245.783, by adding a subdivision; 245.884; 256.01, subdivision 2; 268.91, subdivision 4, and by adding a subdivision; 290.06, by adding subdivisions; and 297A.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 245 and 256.

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 16B.04, subdivision 2, is

amended to read:

Subd. 2. [POWERS AND DUTIES, GENERAL.] Subject to other provisions of this chapter, the commissioner is authorized to:

- (1) supervise, control, review, and approve all state contracts and purchasing;
- (2) provide agencies with supplies and equipment and operate all central store or supply rooms serving more than one agency;
- (3) approve all computer plans and contracts, and oversee the state's data processing system;
- (4) investigate and study the management and organization of agencies, and reorganize them when necessary to ensure their effective and efficient operation;
- (5) manage and control state property, real and personal;
- (6) maintain and operate all state buildings including the state capitol building and grounds;
- (7) supervise, control, review, and approve all capital improvements to state buildings and the capitol building and grounds;
- (8) provide central duplicating, printing, and mail facilities;
- (9) oversee publication of official documents and provide for their sale;
- (10) manage and operate parking facilities for state employees and a central motor pool for travel on state business; and
- (11) establish and administer a state building code; and
- (12) ~~provide rental space within the capitol complex for a private day care center for children of state employees. The commissioner shall contract for services as provided in this chapter. The commissioner shall report back to the legislature by October 1, 1984, with the recommendation to implement the private day care operation.~~

Sec. 2. Minnesota Statutes 1986, section 16B.39, is amended by adding a subdivision to read:

Subd. 3. [DAY CARE FOR STATE EMPLOYEES.] The commissioner must provide rental space within the capitol complex for a private day care center for children of state employees. The commissioner shall contract for services as provided in this chapter.

Sec. 3. Minnesota Statutes 1987 Supplement, section 245A.04, subdivision 4, is amended to read:

Subd. 4. [INSPECTIONS; WAIVER.] (a) Before issuing a license, the commissioner shall conduct an inspection of the program. The inspection must include but is not limited to:

- (1) an inspection of the physical plant;
- (2) an inspection of records and documents;
- (3) an evaluation of the program by consumers of the program; and
- (4) observation of the program in operation.

For the purposes of this subdivision, "consumer" means a person who receives the services of a licensed program, the person's legal guardian, or the parent or individual having legal custody of a child who receives the

services of a licensed program.

(b) The evaluation required in paragraph (a), clause (3) or the observation in paragraph (a), clause (4) is not required prior to issuing a provisional license under subdivision 7. If the commissioner issues a provisional license under subdivision 7, these requirements must be completed within one year after the issuance of a provisional license. The observation in paragraph (a), clause (4) is not required if the commissioner determines that the observation would hinder the persons receiving services in benefiting from the program.

(c) The licensing authority must make one unannounced inspection of day care facilities licensed under chapter 245A each year they are licensed. If a violation is found during inspection or a complaint is filed against the operator, a second unannounced inspection may be made.

Sec. 4. Minnesota Statutes 1987 Supplement, section 245A.09, is amended by adding a subdivision to read:

Subd. 8. [ACCREDITATION OF DAY CARE PROGRAMS.] The commissioner shall encourage day care providers to participate in a nationally recognized accreditation system for early childhood programs. The commissioner shall allow a credit toward the license fees of licensed day care operators who obtain accreditation in an amount equal to the cost of the accreditation validation fee.

Sec. 5. [245A.17] [OFFICE OF CHILD CARE PROVIDERS ASSISTANCE.]

Subdivision 1. [CREATION.] An office of child care providers assistance is created within the department of human services.

Subd. 2. [DUTIES; REPORT.] The office shall provide and advertise the existence of a toll-free telephone number that child care service providers may use to contact the office. The commissioner shall, by the toll-free number, give to child care service providers free technical assistance in understanding licensing rules, information concerning the operation of child care services as a business, information on the training of providers, and accept suggestions and criticism concerning licensing, funding, training, or related issues.

The staff of the office shall present an annual report to the legislature on its duties, services, and the complaints received.

Sec. 6. Minnesota Statutes 1987 Supplement, section 256.01, subdivision 2, is amended to read:

Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of section 241.021, subdivision 2, the commissioner of human services shall:

(1) Administer and supervise all forms of public assistance provided for by state law and other welfare activities or services as are vested in the commissioner.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting handicapped, dependent, neglected and delinquent children, and children born to mothers who were not married to the children's fathers at the times of the conception nor at the births of the children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to

the field of child welfare now vested in the state board of control.

(3) Administer and supervise all noninstitutional service to handicapped persons, including those who are visually impaired, hearing impaired, or physically impaired or otherwise handicapped. The commissioner may provide and contract for the care and treatment of qualified indigent children in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, chapter 431.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, chapter 431, and including the promulgation of rules making uniformly available medical care benefits to all recipients of public assistance, at such times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain any administrative units reasonably necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise any additional welfare activities and services as are vested by law in the department.

(8) The commissioner is designated as guardian of both the estate and the person of all the wards of the state of Minnesota, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as mentally retarded.

(9) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(10) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(11) Establish county, regional, or statewide schedules of maximum fees and charges which may be paid by local agencies for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under all programs of medical care provided by the state and for congregate living care under the income maintenance programs.

(12) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of human services is authorized to waive the enforcement of existing specific statutory program requirements, rules, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed four years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall

become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the secretary of the senate and chief clerk of the house of representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to statewide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory commission and filed with the commissioner of administration.

(13) In accordance with federal requirements establish procedures to be followed by local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(14) Allocate federal fiscal disallowances or sanctions which are based on quality control error rates for the aid to families with dependent children, medical assistance, or food stamp program in the following manner:

(a) One-half of the total amount of the disallowance shall be borne by the county boards responsible for administering the programs. For the medical assistance and AFDC programs, disallowances shall be shared by each county board in the same proportion as that county's expenditures for the sanctioned program are to the total of all counties' expenditures for the AFDC and medical assistance programs. For the food stamp program, sanctions shall be shared by each county board, with 50 percent of the sanction being distributed to each county in the same proportion as that county's administrative costs for food stamps are to the total of all food stamp administrative costs for all counties, and 50 percent of the sanctions being distributed to each county in the same proportion as that county's value of food stamp benefits issued are to the total of all benefits issued for all counties. Each county shall pay its share of the disallowance to the state of Minnesota. When a county fails to pay the amount due hereunder, the commissioner may deduct the amount from reimbursement otherwise due the county, or the attorney general, upon the request of the commissioner, may institute civil action to recover the amount due.

(b) Notwithstanding the provisions of paragraph (a), if the disallowance results from knowing noncompliance by one or more counties with a specific program instruction, and that knowing noncompliance is a matter of official county board record, the commissioner may require payment or recover from the county or counties, in the manner prescribed in paragraph (a), an amount equal to the portion of the total disallowance which resulted from the noncompliance, and may distribute the balance of the disallowance according to paragraph (a).

(15) Develop and implement special projects that maximize reimbursements and result in the recovery of money to the state. For the purpose of recovering state money, the commissioner may enter into contracts with third parties. Any recoveries that result from projects or contracts entered into under this paragraph shall be deposited in the state treasury and credited to a special account until the balance in the account reaches \$400,000. When the balance in the account exceeds \$400,000, the excess shall be transferred and credited to the general fund. All money in the account is appropriated to the commissioner for the purposes of this paragraph.

(16) Have the authority to make direct payments to facilities providing shelter to women and their children pursuant to section 256D.05, subdivision 3. Upon the written request of a shelter facility that has been denied payments under section 256.05, subdivision 3, the commissioner shall review all relevant evidence and make a determination within 30 days of the request for review regarding issuance of direct payments to the shelter facility. Failure to act within 30 days shall be considered a determination not to issue direct payments.

(17) Distribute grants to counties to be used to reduce the backlog in day care licensing applications.

Sec. 7. [RULES.]

The commissioner of human services may adopt emergency rules and shall adopt permanent rules to implement grants to counties under Minnesota Statutes, section 256.01, subdivision 2, paragraph (17), to be used to reduce the backlog in day care licensing applications.

Sec. 8. Minnesota Statutes 1987 Supplement, section 268.91, subdivision 4, is amended to read:

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

(1) receive aid to families with dependent children;

(2) have household income below ~~the eligibility levels for aid to families with dependent children~~ 125 percent of the federal poverty level or who meet the requirements of paragraph (b), clause (2); or

(3) have household income within ~~a~~ the range established by the ~~commissioner~~ in paragraph (c).

(b) Child care services for the families receiving aid to families with dependent children must be made available as in-kind services, to cover any difference between the actual cost and the amount disregarded under the aid to families with dependent children program. Child care services to the following families must be made available without cost to the families:

(1) families whose incomes are below ~~the threshold of eligibility for aid to families with dependent children~~ 125 percent of the federal poverty level, but that are not receiving aid to families with dependent children; ~~must be made available without cost to the families; and~~

(2) families headed by a parent under age 21 who is completing requirements for a high school diploma or equivalency degree whose family income is less than 270 percent of the federal poverty level without regard to the income of the parents or siblings of the minor parent.

(c) Child care services to families with incomes in the ~~commissioner's established range between 125 percent and 270 percent of the federal poverty level, except families described in paragraph (b), clause (2),~~ must be made available on a sliding fee basis. ~~The lower limit of the sliding fee range must be the eligibility limit for aid to families with dependent children. The upper limit of the range must be neither less than 70 percent nor more than 90 percent of the state median income for a family of four, adjusted for family size.~~

(d) If a disproportionate amount of the available money is provided to

any one of the groups described in subdivision 4, paragraph (a), the county board shall document to the commissioner the reason the group received a disproportionate share. If a county projects that its child care allocation is insufficient to meet the needs of all eligible groups, it may prioritize among the groups to be served. Counties shall assure that a person receiving child care assistance from the sliding fee program prior to July 1, 1987, continues to receive assistance, providing the person meets all other eligibility criteria. Set-aside money must be prioritized by the state, and counties do not have discretion over the use of this money.

Sec. 9. Minnesota Statutes 1986, section 268.91, is amended by adding a subdivision to read:

Subd. 13. [RULES.] The commissioner of human services shall adopt permanent rules to implement the sliding fee scale program in subdivision 4.

Sec. 10. Minnesota Statutes 1986, section 290.06, is amended by adding a subdivision to read:

Subd. 22. [CONTINUING EDUCATION FOR DAY CARE PROVIDERS.] A credit may be taken against the tax due under this chapter equal to 50 percent of the cost incurred by a taxpayer for tuition and required fees, books, and supplies for a course of study to improve skills as a day care operator. The credit provided in this subdivision is available to an employee of a child day care or residential facility that is licensed under chapter 245A or to an owner or operator of a facility who pays for courses taken by persons employed at the facility. The credit is available for classes in subject areas approved by the commissioner of human services in agency rules. To be certified, a course must provide information or training that is directly related to knowledge and skills necessary to provide day care services.

Sec. 11. Minnesota Statutes 1986, section 290.06, is amended by adding a subdivision to read:

Subd. 23. [EMPLOYERS' DAY CARE FACILITIES.] A taxpayer may take a credit against the tax due under this chapter equal to 50 percent of amounts paid by the taxpayer for qualified employer day care facility costs during the first taxable year. The credit shall be reduced in the following tax years to 40 percent in the second year; 30 percent in the third year; 20 percent in the fourth year; and 10 percent in the fifth year. For purposes of this subdivision, "qualified employer day care facility costs" means the following expenditures made in connection with an employer-provided day care facility:

- (1) the cost of construction, renovation, or remodeling of the facility;*
- (2) the cost of furniture, equipment, materials, and supplies used to provide day care services at the facility; and*
- (3) amounts expended for salaries paid and benefits provided to employees whose primary function is providing day care services at the facility.*

For purposes of this subdivision, "employer-provided day care facility" means a child day care facility that:

- (1) is licensed under chapter 245A;*
- (2) is located either at the site of the employer's business operation or within two miles of that site; and*

(3) is owned by the employer or receives over 75 percent of its annual gross revenues as payments from the employer. A taxpayer may take the credit provided under this subdivision for no more than five taxable years.

Sec. 12. Minnesota Statutes 1986, section 290.06, is amended by adding a subdivision to read:

Subd. 24. [EMPLOYER'S DAY CARE SUBSIDY.] A taxpayer may take a credit against the tax due under this chapter equal to 50 percent of amounts paid by the taxpayer for direct subsidy of individual employees' costs for day care at a home or facility licensed under chapter 245A during the taxable year. The credit shall be reduced in the following tax years to 40 percent in the second year; 30 percent in the third year; 20 percent in the fourth year; and 10 percent in the fifth year. A taxpayer may take a credit under this subdivision for no more than five taxable years.

Sec. 13. Minnesota Statutes 1986, section 297A.25, is amended by adding a subdivision to read:

Subd. 37. [DAY CARE CENTER MATERIALS AND EQUIPMENT.] (a) The gross receipts from the sale or use of all materials and supplies or equipment used or consumed in constructing or incorporated into the construction of a child day care facility licensed under chapter 245A, are exempt, as are other educational facilities. In the case of a day care facility that is located in a private residence, the exemption shall apply to materials, supplies, and equipment purchased for construction of improvements to the residence that are required to meet the state day care facility licensing standards and are used exclusively for the purpose of providing day care services.

(b) The gross receipts from the sale or use of all materials or supplies used or consumed in the process of providing child day care services licensed under chapter 245A are exempt.

Sec. 14. [STUDY OF FUNDING SOURCES.]

The commissioner of human services, in conjunction with the council on children, youth, and families, shall study the existing public and private funding sources for child care services licensed under Minnesota Statutes, chapter 245A, including the AFDC special needs program, the sliding fee child care program, the maternal and child nutrition program, county funding, Title XX funding, and private foundation, corporate, community social services act, or nonprofit funding to child care services providers and parents.

The study shall determine if:

(1) individual funding sources meet existing needs and at what level each source is funded;

(2) the need for subsidized child care services for low-income parents is being met;

(3) present funding mechanisms are efficient or can be made more efficient;

(4) there are alternative or better ways to encourage private funding for child care services;

(5) the funding level has an impact on availability of day care facilities; and

(6) day care reimbursement rates are meeting actual costs for quality

child care.

The commissioner shall report the results of the study, together with any proposed legislation to implement study recommendations, to the legislature by January 1, 1989.

Sec. 15. [APPROPRIATIONS; EFFECT ON REVENUE AND COLLECTIONS.]

Subdivision 1. [APPROPRIATIONS.] (a) \$100,000 is appropriated from the general fund to the commissioner of human services to provide grants to counties under sections 6 and 7 to reduce the backlog of day care licensing applications, to be available until June 30, 1989.

(b) \$3,140,000 is appropriated from the general fund to the commissioner of human services for the child care sliding fee program established in Minnesota Statutes, section 268.91, to be available until June 30, 1989.

(c) \$100,000 is appropriated from the general fund to the commissioner of human services for the office of child care providers assistance established in section 5, to be available until June 30, 1989. The staff complement of the department of human services is increased by three full-time equivalent positions.

Subd. 2. [EFFECT ON REVENUE AND COLLECTIONS.] *(a) \$17,500 is the projected annual reduction in the amounts collected through licensing fees under Minnesota Statutes, chapter 245A, the human services licensing act, as a result of section 4.*

(b) \$689,018 is the annual decrease in income tax revenues that is projected to result from the day care continuing education tax credit established in section 10.

(c) The income tax credits established in section 11, for employer-operated day care facilities, and section 12, for employee day care subsidies, are not projected to result in a decrease in income tax revenues.

(d) \$308,940 is the annual decrease in sales tax revenues that is projected to result from the exemptions established in section 13 for day care materials, supplies, and equipment.

Sec. 16. [EFFECTIVE DATE.]

Sections 1, 2, 3, and 14 are effective August 1, 1988. Sections 4, 5, 6, 7, 9, and 15 are effective July 1, 1988. Section 8 is effective January 1, 1989. Sections 10, 11, 12, and 13 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to child care; expanding eligibility for child care sliding fee program; providing for reimbursement of child care provider accreditation fees; creating an office of child care providers assistance in the department of human services; increasing the number of certain licensing inspections; requiring a study of day care funding sources; requiring a privately operated child care in capitol complex; exempting construction materials and equipment from sales tax; creating a tuition tax credit; creating an employer tax credit for child care operations; establishing state grants to county government; appropriating money; amending Minnesota Statutes 1986, sections 16B.04, subdivision 2; 16B.39, by adding a subdivision; 268.91, by adding a subdivision; 290.06, by adding subdivisions;

and 297A.25, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 245A.04, subdivision 4; 245A.09, by adding a subdivision; 256.01, subdivision 2; and 268.91, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 245A."

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

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

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.

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

Pages 1 and 2, delete section 1 and insert:

"Section 1. [105E.01] [GROUNDWATER IS WATER OF THE STATE.]

This chapter is intended to reflect the regulation of groundwater of the state, which is in addition to the regulation of waters of this state under other law. Groundwater is water of the state and subject to the provisions of other law as well as this chapter."

Pages 27 to 30, delete article 2 and insert:

"ARTICLE 2

GROUNDWATER PROTECTION

Section 1. Minnesota Statutes 1986, section 40.036, is amended by adding a subdivision to read:

Subd. 1a. [ABANDONED WELLS.] (a) The state board shall provide cost-sharing funds for sealing abandoned wells and properly abandoning wells that are not subject to the abandonment requirements under article 1 and sections 14 and 15. The cost share contracts must be based on a 75 percent state cost-share for the project.

(b) The abandonment project must be implemented under procedures adopted by the state board that protect groundwater from further contamination from the well. The district board must certify the location of the wells that have been properly sealed with cost-share funds and forward the certification to the state board.

(c) The owner of a well that has been certified as being properly sealed is not liable for contamination of groundwater from the well after the well has been sealed.

Sec. 2. [40.0371] [COST-SHARING CONTRACTS TO SEAL ABANDONED WELLS.]

The board shall establish a program to share the cost of projects to identify and permanently seal abandoned wells. The abandoned wells projects must protect groundwater from pollution. The wells must be abandoned and sealed under article 1 and sections 14 and 15.

Sec. 3. [40.0372] [STATEWIDE ASSESSMENT.]

The board shall assess geographical areas for a potential for groundwater pollution caused by abandoned wells. The assessment must include notice of the program and assessment that is published in newspapers of general circulation and opportunities for persons to report abandoned wells to the district board. Districts having staff trained in groundwater resources must assess areas within their districts, in cooperation with the board. The board shall provide financial and technical assistance to districts for projects that have been assessed as areas with a high potential for groundwater pollution caused by abandoned wells.

Sec. 4. [40.0373] [FINANCIAL AND TECHNICAL ASSISTANCE.]

Subdivision 1. [FINANCIAL ASSISTANCE.] (a) The board must allocate at least 70 percent of available well abandonment cost-sharing funds to districts to share the cost of identifying or properly sealing abandoned wells in high-priority areas. Areas must be selected based on statewide priorities established by the board.

(b) Remaining cost-sharing funds may be allocated to districts for administrative expenses, not exceeding 20 percent of the funds, and sealing wells in lower-priority areas.

Subd. 2. [TECHNICAL ASSISTANCE.] The board may provide technical assistance to districts to efficiently and effectively develop and implement projects.

Sec. 5. [40.0374] [ELIGIBILITY FOR ASSISTANCE.]

Subdivision 1. [GENERALLY.] Only projects that are a part of, or responsive to, a district comprehensive or annual work plan are eligible for the assistance provided in section 4. After July 1, 1991, only projects that are a part of, or responsive to, a local water plan under chapter 110B or section 473.8785 are eligible for the assistance provided in section 4.

Subd. 2. [DOCUMENTS REQUIRED.] To be eligible for the assistance provided in section 4, a district must provide the board with:

- (1) an application prescribed by the board;*
- (2) evidence that the district has consulted the local health department in preparing the application;*
- (3) one of the following documents:*
 - (i) the comprehensive water plan authorized under chapter 110B;*
 - (ii) the county groundwater plan authorized under section 473.8785; or*
 - (iii) the district comprehensive or annual work plan that provides an*

inventory of existing physical and hydrologic information about the area, that provides general identification of water quality problems and goals, and that demonstrates a local commitment to water quality protection or improvement.

Sec. 6. [40.0375] [BOARD REVIEW OF APPLICATIONS.]

Subdivision 1. [RANKING OF APPLICATIONS.] *The district boards must rank applications for technical and financial assistance in order of priority and within the limits of available funding and grant applications with the highest priority.*

Subd. 2. [RANKING CRITERIA.] *The state board must by rule adopt appropriate criteria for the district boards to determine the priority of projects. The criteria used to rank projects must include:*

- (1) current use of the affected aquifer or aquifers for water supply;*
- (2) projected water demand;*
- (3) availability of alternate sources of drinking water;*
- (4) proximity of potential contaminant sources;*
- (5) aquifer susceptibility to contamination;*
- (6) current contamination of the wells and the aquifer; and*
- (7) present and anticipated land use in the area.*

Sec. 7. [40.0376] [IMPLEMENTATION.]

Subdivision 1. [CONTRACTS BY DISTRICTS.] *A district may contract on a cost-share basis to furnish financial aid to a land occupier to seal abandoned wells. Payment to a land occupier must not be made until the well, or wells, specified in the contract has been properly sealed by a licensed water well contractor.*

Subd. 2. [REVIEW BY BOARD.] *The board or its designated representative may inspect a project at any reasonable time and must audit the cost-sharing funds expended by the district.*

Sec. 8. [40.0377] [RULES FOR COST-SHARING PROGRAM.]

The board, in consultation with the commissioner of the department of health, must adopt rules specifying:

- (1) procedures and criteria for allocating funds to districts for cost-sharing contracts;*
- (2) standards and guidelines for all cost-sharing contracts;*
- (3) scope and content of comprehensive plans, plan amendments, and annual work plans which districts submit under section 40.07, subdivision 9;*
- (4) standards and methods necessary to plan and implement a priority cost-sharing program, including guidelines to identify high-priority areas;*
- (5) the share of the cost of sealing abandoned wells to be paid from cost-sharing funds; and*
- (6) requirements for districts to document their efforts to identify and contact land occupiers in high-priority areas.*

Sec. 9. Minnesota Statutes 1986, section 40.42, is amended by adding

a subdivision to read:

Subd. 4a. [SUSCEPTIBLE GROUNDWATER RECHARGE AREA.] "Susceptible groundwater recharge area" means an area of land where surface water enters the ground and recharges groundwater without adequate percolation to filter out harmful substances that result from land use practices.

Sec. 10. Minnesota Statutes 1987 Supplement, section 40.43, subdivision 2, is amended to read:

Subd. 2. [ELIGIBLE LAND.] (a) Land may be placed in the conservation reserve program if the land:

(1) is marginal agricultural land, or is adjacent to marginal agricultural land and is either beneficial to resource protection or necessary for efficient recording of the land description, or consists of a drained wetland, or is land that with a windbreak would be beneficial to resource protection, or is land consisting of a susceptible groundwater recharge area. Cropland adjacent to the restored wetland may also be enrolled to the extent of up to four acres of cropland for each acre of wetland restored;

(2) was owned by the landowner on January 1, 1985, or was owned by the landowner, or a parent or other blood relative of the landowner, for at least three years before the date of application;

(3) is at least five acres in size, except for a windbreak, or is a whole field as defined by the United States Agricultural Stabilization and Conservation Services;

(4) is not set aside, enrolled or diverted under another federal or state government program; and

(5) was in agricultural crop production for at least two years during the period 1981 to 1985.

(b) The enrolled land of a landowner may not exceed 20 percent of the landowner's total agricultural land acreage in the state, if the landowner owns at least 200 acres of agricultural land as defined by section 500.24, subdivision 2. If a landowner owns less than 200 acres of agricultural land the amount that may be enrolled in the conservation reserve is:

(a) (1) all agricultural land owned, if 20 acres or less; or

(b) (2) if the total agricultural land owned is more than 20 acres but less than 200 acres, 20 acres plus ten percent of the balance of the agricultural land.

(c) In selecting land for enrollment in the program, highest priority must be given to permanent easements that are consistent with the purposes stated in section 40.41.

Sec. 11. Minnesota Statutes 1986, section 40.43, is amended by adding a subdivision to read:

Subd. 2a. [SUSCEPTIBLE GROUNDWATER RECHARGE AREA DESIGNATION.] *The board of water and soil resources in cooperation with the commissioner of natural resources shall designate criteria for identifying susceptible groundwater recharge areas by December 31, 1988. A susceptible groundwater recharge area is an area where groundwater would be better protected by a conservation easement than agricultural practices. The board of water and soil resources shall include maps to guide soil and*

water conservation districts to where fragile groundwater recharge areas are located.

Sec. 12. Minnesota Statutes 1986, section 40.43, is amended by adding a subdivision to read:

Subd. 8. [CORRECTION OF CONSERVATION EASEMENT BOUNDARY LINES.] To correct errors in legal descriptions for easements obtained that affect the ownership interests in the state and adjacent landowners, the commissioner may, in the name of the state, with the approval of the attorney general, convey, without consideration, interests of the state necessary to correct legal descriptions of boundaries. The conveyance must be by quitclaim deed or release in a form approved by the attorney general.

Sec. 13. [40.435] [LIABILITY AFTER PROTECTION OF SUSCEPTIBLE GROUNDWATER RECHARGE AREA.]

A landowner is not liable for contamination of groundwater through a susceptible groundwater recharge area occurring after a project is implemented if:

(1) the soil and water conservation district adopts a plan protecting the groundwater recharge area;

(2) projects or practices are implemented according to the plan and certified as being implemented by the district;

(3) unlawful practices are not allowed by the landowner on the property subject to the plan; and

(4) after implementation the project and practices are maintained according to the plan.

GROUNDWATER PROTECTION

Sec. 14. [105E.50] [GROUNDWATER DEGRADATION PROHIBITED.]

The state, a state agency, or a person may not allow degradation of groundwater in the state.

Sec. 15. [105E.51] [IDENTIFICATION OF WELLS ON STATE PROPERTY.]

Subdivision 1. [IDENTIFICATION OF WELLS.] The commissioner of natural resources in cooperation with other state agencies must identify the location and status of wells and abandoned wells located on state property.

Subd. 2. [PLAN AND APPROPRIATION REQUEST FOR WELL SEALING.] In each budget year of a biennium, the commissioner must present a plan and an appropriation request to properly seal wells on state property.

Subd. 3. [PROHIBITION ON STATE LAND PURCHASES WITHOUT WELL IDENTIFICATION.] The state may not purchase or sell real property or an interest in real property without identifying the location of all wells in use and abandoned on the property and making provisions to have the wells properly abandoned at the cost of the seller as part of the contract and deed for sale. A transfer of land is void if this subdivision is not complied with.

Sec. 16. [RULES.]

The board of water and soil resources shall adopt rules to implement

sections 1 to 13 by July 1, 1989.

Sec. 17. [APPROPRIATION.]

Subdivision 1. [BOARD OF WATER AND SOIL RESOURCES.] \$4,000,000 is appropriated from the general fund to the board of water and soil resources to be available until June 30, 1990, for:

- | | |
|---|---------------------|
| <i>(1) cost-share projects for well sealing</i> | <i>\$</i> |
| <i>(2) conservation easements on susceptible recharge areas</i> | <i>\$</i> |
| <i>(3) identification of susceptible recharge areas</i> | <i>\$</i> |

Subd. 2. [DEPARTMENT OF NATURAL RESOURCES.] \$ is appropriated from the general fund to the commissioner of natural resources to identify wells on state property.

Sec. 18. [EFFECTIVE DATE.]

Section 8 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "40.43, by adding subdivisions;"

Page 1, line 13, delete ", and by"

Page 1, line 14, delete "adding a subdivision" and after the semicolon, insert "proposing coding for new law in Minnesota Statutes, chapter 40;"

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

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

S.F. No. 1886: A bill for an act relating to transportation; authorizing issuance of bonds to establish a fund for loans to purchase highway rights-of-way outside the metropolitan area; providing for acquisition and relocation assistance in cases of hardship to owners of homestead property located in a proposed state highway right-of-way; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 161.

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

Page 1, line 25, delete "3" and insert "4,"

Page 2, line 1, delete "3" and insert "4"

Page 2, after line 5, insert:

"Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given them.

(b) "Acquiring authority" means a town, statutory or home rule charter city, or county, located outside the metropolitan area.

(c) "Homestead property" means a single-family dwelling occupied by the owner, and the surrounding land.

(d) "Metropolitan area" has the meaning given it in section 473.121, subdivision 2.

(e) "Salvage value" means the probable sale price of the dwelling and other property that is severable from the land if offered for sale on the condition that it be removed from the land at the buyer's expense, allowing a reasonable time to find a buyer with knowledge of the possible uses of the property, including separate use of serviceable components and scrap when there is no other reasonable prospect of sale."

Page 2, line 6, delete "Subdivision 1." and insert "Subd. 2."

Page 2, line 16, delete "3" and insert "4"

Page 2, line 28, delete "2" and insert "3"

Page 3, lines 10 and 13, delete "3" and insert "4"

Page 3, line 17, delete "2" and insert "3"

Page 3, line 24, delete "1" and insert "2"

Page 4, line 7, delete "which" and insert "who"

Page 4, line 8, delete "be" and delete "withheld" and insert "withhold approval"

Page 4, delete lines 16 to 31

Page 4, line 32, delete "3" and insert "4"

Page 4, line 36, delete "4" and insert "5"

Page 5, line 2, before "section" insert "this" and delete "2"

Page 5, line 3, delete "4" and insert "5" and delete everything after "On"

Page 5, line 4, delete "thereafter" and insert "taking title to lands acquired under this section"

Page 5, line 6, delete "unencumbered balances" and insert "money"

Page 5, line 8, delete "3" and insert "4" and delete everything after the period and insert "The amount of money transferred must equal the loan amount made available to acquire the lands under this section."

Page 5, delete lines 9 to 12

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

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

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

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

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

S.F. No. 1517: A bill for an act relating to traffic regulations; providing for allocation of civil fines for motor vehicle maximum weight violations; amending Minnesota Statutes 1986, section 169.871, subdivision 5.

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

as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1986, section 169.871, subdivision 3, is amended to read:

Subd. 3. [APPEARANCES.] Notwithstanding the provisions of section 8.01, county or city attorneys may appear ~~for the commissioner of public safety~~ in civil actions commenced under this section at the request of the attorney general."

Page 1, line 19, strike "In all cases" and insert "*Except as provided in paragraph (d),*"

Page 1, lines 22 and 23, delete "*a county or a municipality within that*" and insert "*Hennepin*"

Page 2, line 2, delete everything after the period

Page 2, delete lines 3 and 4

Page 2, line 6, delete "*Section 1 is*" and insert "*Sections 1 and 2 are*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "subdivision" and insert "subdivisions 3 and"

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 2009: A bill for an act relating to family law; modifying and clarifying provisions for the collection and enforcement of child support; providing for cost-of-living adjustments in spousal maintenance awards; providing for grandparent visitation rights in all family law proceedings; providing for reopening of judgments; providing for custody rights; amending Minnesota Statutes 1986, sections 256.87, subdivisions 1 and 1a; 256.978; 257.022, subdivision 2; 270A.03, subdivision 4; 518.145; 518.156, subdivision 1; 518.17, subdivision 3; 518.171, subdivision 10; 518.175, subdivision 7; 518.551, subdivision 11; 518.552, subdivision 4; 518.611, subdivision 10; 518.64, subdivision 2; and 518.641; Minnesota Statutes 1987 Supplement, section 518.611, subdivision 2.

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

Pages 1 and 2, delete sections 1 and 2 and insert:

"Section 1. Minnesota Statutes 1986, section 69.62, is amended to read:

69.62 [PENSION PAYMENTS EXEMPT FROM PROCESS.]

No payment made or to be made by any fire department relief association in a city of the first class under the provisions of ~~section~~ *sections* 69.25 to 69.53 to any member of the pension roll shall be subject to judgment, garnishment, execution, or other legal process, except as provided in section 518.58, 518.581, or 518.611; ~~and~~. No person entitled to ~~this~~ a payment from a fire department relief association shall have the right to assign the

same, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned."

Page 3, line 5, delete "to identify and locate" and insert "regarding"

Page 3, line 6, delete "potentially" and insert "allegedly" and after the period, insert "A request for this information may be made to an employer when there is reasonable cause to believe that the subject of the inquiry is or was employed by the employer where the request is made. The request must include a statement that reasonable cause exists. Information to be released by utility companies is restricted to place of residence. Information to be released by employers is restricted to place of residence, employment status and wage information."

Page 4, after line 6, insert:

"Sec. 5. Minnesota Statutes 1987 Supplement, section 356.80, is amended to read:

356.80 [PROVISION OF INFORMATION IN THE EVENT OF MARRIAGE DISSOLUTION.]

Subdivision 1. [INFORMATION FOR A PENDING MARRIAGE DISSOLUTION.] (a) Upon written request by a person with access to the data under subdivision 3 *who cites this statute*, a public or private pension plan administrator must provide the court and the parties to a marriage dissolution action involving a plan member or former plan member with information regarding pension benefits or rights of the plan member or former plan member. The pension plan shall provide this information upon request of the court or a party to the action without requiring a signed authorization from the plan member or former plan member.

(b) The information must include the pension benefits or rights of the plan member or former plan member as of the first day of the month following the date of the request, ~~as of the first day of the seventh month following the date of the request if the action involves an active plan member,~~ and as of the date of valuation of marital assets under section 518.58, if the person requesting the information specifies that date. The information must ~~also~~ include the accrued service credit of the person, the credited salary of the person for the most current five-year period, a summary of the benefit plan, and any other information relevant to the calculation of the present value of the benefits or rights.

Subd. 2. [INFORMATION FOR AN EXISTING DISSOLUTION DECREE.] If a marriage dissolution decree rendered by a court of competent jurisdiction prior to August 1, 1987, provided a procedure for ~~dividing pension benefits or rights in the form of the distribution of future pension plan payments,~~ upon request the applicable pension plan administrator shall provide on a timely basis to the court and the parties to the action the required information to implement that procedure ~~without requiring a signed authorization from the plan member or former plan member.~~

Subd. 3. [ACCESS TO DATA.] Notwithstanding any provision of chapter 13 to the contrary, ~~a responsible authority an administrator~~ may release private or confidential data on individuals to the court, the parties to a marriage dissolution, their attorneys, and an actuary appointed under section 518.582, to the extent necessary to comply with this section.

Sec. 6. Minnesota Statutes 1986, section 383B.51, is amended to read:

383B.51 [NO ASSIGNMENT OR GARNISHMENT.]

The right of a participant who has shares to the credit of the participant's share account record to redeem all or any portion of the shares is a personal right only and shall ~~not be assignable. Legal title to the assets of the Hennepin county supplemental retirement program shall be in the state of Minnesota or the state board of investment or the nominee of either, subject to the rights of the county of Hennepin. Any assignment or attempted assignment of shares to the credit of a participant's share account record by any person is null and void. The shares are exempt from garnishment or levy under attachment or execution and or other legal process, except as provided in section 518.58, 518.581, or 518.611. The shares are also exempt from all taxation by the state of Minnesota.~~

Sec. 7. Minnesota Statutes 1986, section 423A.16, is amended to read:
423A.16 [EXEMPTION FROM ASSIGNMENTS; PROCESS.]

Notwithstanding any law to the contrary, none of the moneys, annuities, or other benefits provided by any police or salaried firefighters' relief association shall be assignable in law or in equity, nor be subject to execution, levy, attachment, garnishment, or other legal process, except as provided in section 518.58, 518.581, or 518.611.

Sec. 8. Minnesota Statutes 1986, section 424A.02, subdivision 6, is amended to read:

Subd. 6. [PAYMENT OF SERVICE PENSIONS; NONASSIGNABILITY.] The method of calculating service pensions shall be applied uniformly for all years of active service and credit shall be given for all years of active service, except as otherwise provided in this section. No service pension shall be paid to any person while the person remains an active member of the respective fire department, and no person who is receiving a service pension shall be entitled to receive any other benefits from the special fund of the relief association. No service pension or ancillary benefits paid or payable from the special fund of a relief association to any person receiving or entitled to receive a service pension or ancillary benefits shall be subject to garnishment, judgment, execution or other legal process, except as provided in section 518.58, 518.581, or 518.611. No person entitled to a service pension or ancillary benefits from the special fund of a relief association may assign any service pension or ancillary benefit payments, nor shall the association have the authority to recognize any assignment or pay over any sum which has been assigned.

Sec. 9. Minnesota Statutes 1986, section 490.126, is amended by adding a subdivision to read:

Subd. 5. [EXEMPTION FROM PROCESS; NO ASSIGNMENT.] *None of the money, annuities, or other benefits provided in this chapter is assignable either in law or equity or is subject to execution, levy, attachment, garnishment, or other legal process, except as provided in section 518.58, 518.581, or 518.611.*

Page 4, line 33, delete "innenominated" and insert "denominated"

Page 7, line 12, delete "medical support is" and insert "the costs of individual or group health or hospitalization coverage or liabilities established pursuant to section 518.171, subdivision 8; are"

Page 7, line 14, after "Statutes" insert "1986"

Page 7, after line 19, insert:

"Sec. 15. Minnesota Statutes 1987 Supplement, section 518.54, subdivision 10, is amended to read:

Subd. 10. [PUBLIC PENSION PLAN BENEFITS OR RIGHTS.] "Public pension plan benefits or rights" means a benefit or right from a public or private pension plan accrued to the end of the month in which marital assets are valued, as determined under the terms of the laws or other plan document provisions governing the plan, including section 356.30.

Sec. 16. Minnesota Statutes 1986, section 518.54, is amended by adding a subdivision to read:

Subd. 12. [PRIVATE PENSION PLAN.] "Private pension plan" means a plan, fund, or program maintained by an employer or employee organization that provides retirement income to employees or results in a deferral of income by employees for a period extending to the termination of covered employment or beyond."

Page 7, after line 27, insert:

"Sec. 19. Minnesota Statutes 1987 Supplement, section 518.58, subdivision 2, is amended to read:

Subd. 2. [PENSION PLANS.] The division of marital property that represents vested public pension plan benefits or rights in the form of future public pension plan payments:

(1) may not commence until the public plan member submits a valid application for a public pension plan benefit and the benefit becomes payable;

(2) is payable only to the extent of the amount of the public pension plan benefit payable under the terms of the plan;

(3) (2) is not payable for a period that exceeds the time that public pension plan benefits are payable to the public pension plan benefit recipient;

(4) (3) is not payable in a lump sum amount from public pension plan assets attributable in any fashion to a spouse with the status of an active member, deferred retiree, or benefit recipient of a public pension plan; and

(5) (4) if the former spouse to whom the payments are to be made dies prior to the end of the specified payment period with the right to any remaining payments accruing to an estate or to more than one survivor, is payable only to a trustee on behalf of the estate or the group of survivors for subsequent apportionment by the trustee; and

(5) in the case of public pension plan benefits or rights, may not commence until the public plan member submits a valid application for a public pension plan benefit and the benefit becomes payable.

Sec. 20. Minnesota Statutes 1987 Supplement, section 518.581, subdivision 4, is amended to read:

Subd. 4. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given in this subdivision.

(a) "Current or former public employee" or "employee" means an individual who has an interest in a pension plan.

(b) "Surviving spouse benefit" means (1) a benefit a surviving spouse

may be eligible for under the laws and bylaws of the pension plan if the employee dies before retirement, or (2) a benefit selected for or available to a surviving spouse under the laws and bylaws of the pension plan upon the death of the employee after retirement."

Page 9, line 31, after "*terminated*" insert "*under the terms of the order or decree establishing the obligation*"

Page 9, line 36, after "*withholding*" insert "*, unless a hearing has been requested under paragraph (a)*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "clarifying and modifying provisions relating to pension plan rights in marriage dissolutions;"

Page 1, line 9, delete "256.87, subdivisions 1 and 1a" and insert "69.62"

Page 1, line 10, after the second semicolon, insert "383B.51; 423A.16; 424A.02, subdivision 6; 490.126, by adding a subdivision;"

Page 1, delete lines 12 and 13 and insert "3; 518.171, by adding a subdivision; 518.175, by adding a subdivision; 518.551, by adding a subdivision; 518.552, by adding a subdivision; 518.54, by adding a subdivision;"

Page 1, line 15, delete "section" and insert "sections 356.80; 518.54, subdivision 10; 518.58, subdivision 2; 518.581, subdivision 4; and"

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

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

S.F. No. 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.

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

as follows:

Pages 3 and 4, delete section 5

Page 4, line 14, delete "1993" and insert "1989"

Page 10, line 32, after "5" insert a comma

Page 33, line 33, delete "174.031, subdivision 6;"

Page 34, line 1, delete "58" and insert "57"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 18, delete "3 and"

Page 1, line 30, delete "174.031, subdivision 6;"

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

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 1668: A bill for an act relating to civil actions; imposing civil liability for the theft of merchandise and shopping carts; proposing coding for new law in Minnesota Statutes, chapter 332.

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

Delete everything after the enacting clause and insert:

"Section 1. [332.51] [CIVIL LIABILITY FOR THEFT.]

Subdivision 1. [LIABILITY FOR THEFT OF PROPERTY.] A person who steals personal property from another is civilly liable to the owner of the property for its value when stolen plus punitive damages of either \$50 or up to 100 percent of its value when stolen, whichever is greater.

Subd. 2. [NOTICE.] In order to recover under subdivision 1 for the theft of a shopping cart, a store must have posted at the time of the theft a conspicuous notice describing the liability under subdivision 1.

Subd. 3. [LIABILITY OF PARENT OR GUARDIAN.] The provisions of section 540.18 apply to this section.

Subd. 4. [CRIMINAL ACTION.] The filing of a criminal complaint, conviction, or guilty plea is not a prerequisite to liability under this section. Payment or nonpayment may not be used as evidence in a criminal action.

Subd. 5. [RECOVERY OF PROPERTY.] The recovery of stolen property by a person does not affect liability under this section, other than liability for the value of the property.

Subd. 6. [RIGHT TO DEMAND PAYMENT.] A person may make a written demand for payment for the liability imposed by this section before beginning an action, including a copy of this section and a description of the liability contained in this section."

Amend the title as follows:

Page 1, line 3, delete "merchandise and shopping carts" and insert "property"

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. 2384: A bill for an act relating to trade practices; providing for payment to farm implement retailer by successor in interest of the manufacturer, wholesaler, or distributor who repurchases stock and inventory; amending Minnesota Statutes 1986, sections 325E.05; and 325E.06, subdivisions 1, 4, and 5, and by adding a subdivision.

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

Page 4, line 27, after the period, insert "*Any contract in force and effect on July 1, 1988, which by its terms will terminate on a date subsequent thereto and which is not renewed is governed by the law as it existed before July 1, 1988.*"

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. 2347: A bill for an act relating to commerce; regulating franchises; modifying the definition of franchise to include certain royalty or residuals agreements; amending Minnesota Statutes 1986, section 80C.01, subdivision 4.

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

Page 2, line 19, after "seller" insert a stricken period

Page 2, line 22, after "selling" insert "security systems"

Page 2, line 26, underscore the period

Page 3, after line 7, insert:

"Sec. 2. [80C.30] [BURGLAR ALARM FRANCHISES.]

A manufacturer of a burglar alarm product having been sold to a distributor in Minnesota for at least five years may establish itself as a franchisor as provided in this section. Such franchisor may require a distributor to begin paying an annual franchise fee and/or a sign up fee for operations within Minnesota provided the manufacturer gives an existing nonfranchised distributor ten years notice of intent to establish a franchisor/franchisee relationship and grants an automatic extension of the existing distributor contractual arrangement during the notice period. The manufacturer may not establish any business in Minnesota in competition with the distributor during the notice period. A manufacturer terminating an existing burglar alarm distributor contract in Minnesota must wait ten years before opening a distributorship in Minnesota."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "regulating burglar alarm franchises;"

Page 1, line 5, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 80C"

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. 2096: A bill for an act relating to commerce; regulating and governing business relations between manufacturers of agricultural equipment and independent retail dealers of those products; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Page 1, line 15, after "*balers*," insert "*skid steer balers*,"

Page 1, line 25, after the period, insert "*The term also includes any successor in interest of the farm equipment manufacturer, including any purchaser of assets or stock, any surviving corporation resulting from a merger or liquidation, any receiver or assignee, or any trustee of the original farm equipment manufacturer.*"

Page 2, line 22, after "(1)" insert "*without the consent of the farm equipment manufacturer who shall not withhold consent unreasonably, (a)*"

Page 2, line 23, delete "*without the manufacturer's*"

Page 2, line 24, delete "*consent*" and after "*or*" insert "*(b)*"

Page 2, line 26, after "*or*" insert "*(c)*"

Page 2, line 27, delete "*without*"

Page 2, line 28, delete "*the consent of the manufacturer*"

Page 3, line 17, delete "*has consistently failed to*"

Page 3, line 18, delete "*meet the manufacturer's*" and insert "*, after receiving notice from the manufacturer of its*"

Page 3, line 20, after "*areas*" insert "*, consistently fails to meet the manufacturer's market penetration requirements*"

Page 5, after line 3, insert:

"Sec. 7. [325E.067] [APPLICABILITY.]

The provisions of sections 1 to 5 apply to all dealership agreements now in effect which have no expiration date and which are continuing contracts, and all other contracts entered into, amended, or renewed after July 31, 1988. Any contract in force and effect on August 1, 1988, which by its terms will terminate on a date subsequent thereto and which is not renewed is governed by the law as it existed before August 1, 1988."

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. 1469: A bill for an act relating to education; changing licensing requirements for registered barbers and registered apprentice barbers; amending Minnesota Statutes 1986, sections 154.05; 154.07; 154.09; and 154.18.

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 154.05, is amended to read:

154.05 [WHO MAY RECEIVE CERTIFICATES.]

A person is qualified to receive a certificate of registration to practice barbering:

- (1) Who is qualified under the provisions of section 154.06;
- (2) Who is at least 18 years of age;
- (3) Who is of good moral character and temperate habits and free from any contagious or infectious disease; *and*
- (4) Who has practiced as a registered apprentice for a period of ~~15~~ 12 months under the immediate personal supervision of a registered barber; and
- (5) Who has passed a satisfactory examination conducted by the board of barber examiners to determine fitness to practice barbering.

An applicant for a certificate of registration to practice as a registered barber who fails to pass a satisfactory examination conducted by the board must continue to practice as an apprentice for an additional ~~six~~ two months before being again entitled to take the examination for a registered barber.

Sec. 2. Minnesota Statutes 1986, section 154.07, is amended to read:

154.07 [QUALIFICATION OF STUDENTS IN BARBER SCHOOLS; REQUIREMENTS.]

Subdivision 1. [ADMISSION REQUIREMENTS; COURSE OF INSTRUCTION.] No school of barbering shall be approved by the board of barber examiners unless it requires, as a prerequisite to admission thereto, ten grades of an approved school or its equivalent, as determined by an examination conducted by the state board of education, which shall issue a certificate that the student has passed the required examination, and unless it requires, as a prerequisite to graduation, a course of instruction of not less than 1,500 hours, to be completed within 15 months, of not more than eight hours in any one working day; such course of instruction to include the following subjects: scientific fundamentals for barbering, hygiene, practical study of the hair, skin, muscles, and nerves, structure of the head, face, and neck, elementary chemistry relating to sterilization and antiseptics; diseases of the skin, hair, glands, massaging and manipulating the muscles of the face and neck, haircutting, shaving, and trimming the beard; bleaching, tinting and dyeing the hair, and the chemical straightening of the hair of males.

Subd. 2. [ADDING SCHOOLS.] In considering the establishment of additional schools in the state, the board of barber examiners shall consider the following:

- (a) (1) the total needs for barbers throughout the state;
- (b) (2) the number who are being graduated from the barber schools and available for employment throughout the state;
- (c) (3) the ability of the community to support the proposed school to

insure adequate practice for its students; and

(d) (4) the economic effect of the proposed barber school on the local barber shops in the local community.

The state board of barber examiners shall conduct a hearing for each proposed additional school and notify the Minnesota state department of jobs and training of each such hearing.

Subd. 3. [COSTS; NUMBER OF INSTRUCTORS; HOURS.] It shall be permissible for barber schools and barber colleges teaching the occupation of barbering to make a reasonable charge for materials used and services rendered by students for work done in such schools or colleges by students and there shall be one instructor to every 15 17 students or minor fraction in excess thereof. Barber colleges and schools shall open at 8:00 a.m. and close at 5:00 p.m.

Subd. 4. [BUILDING REQUIREMENTS.] Each barber school or college shall be conducted and operated in one building, or in connecting buildings, and no barber school or college shall have any department or branch in a building completely separated or removed from the remainder of the barber school or college.

Subd. 5. [OWNER'S REQUIREMENTS.] Any person may own and operate a barber college school who has had ten six years' continuous experience as a barber, provided such person shall first secure from the board an annual permit to do so, keep the same prominently displayed, and before commencing business, file with the secretary of state a bond to the state approved by the attorney general in the sum of \$1,000, conditioned upon the faithful compliance of the barber school with all the provisions herein, and to pay all judgments that may be obtained against the school, or the owners thereof, on account of fraud, misrepresentation, or deceit practiced by them or their agents; provided, that all barber schools or colleges shall keep prominently displayed a substantial sign as barber school or college. All barber schools upon receiving students shall immediately apply to the board for student permits upon blanks for that purpose furnished by the board.

Subd. 6. [OPERATION BY AVTI OR STATE INSTITUTION.] A public area vocational technical school or a state institution may operate a barber school provided it has in its employment a qualified instructor holding a current certificate of registration as a barber instructor and provided that it shall secure from the board of barber examiners an annual permit without payment of fees prescribed by this chapter to do so and shall do so in accordance with the provisions of this chapter and the rules of the board of barber examiners for barber schools but without the requirement to file a performance bond with the secretary of state.

Sec. 3. Minnesota Statutes 1986, section 154.09, is amended to read:

154.09 [EXAMINATIONS, CONDUCT AND SCOPE.]

The board of barber examiners shall conduct examinations of applicants for certificates of registration to practice as registered barbers and registered apprentices not more than four six times each year, at such time and place as the board may determine. An affidavit shall be filed with the board by the proprietor of a barber college or barber school that the student has completed 1,500 hours in a duly approved barber school or barber college in the state.

The examination of applicants for certificates of registration as registered barbers and registered apprentices shall include both a practical demonstration and a written and oral test and embrace the subjects usually taught in schools of barbering approved by the board. *The examination for registered apprentices must also include a practical demonstration.*

Sec. 4. Minnesota Statutes 1986, section 154.18, is amended to read:

154.18 [FEES.]

The fees collected, as required in this chapter, *chapter 214, and the rules of the board of barber examiners*, shall be paid in advance to the secretary of the board of barber examiners. The secretary shall deposit the fees in the state treasury, to be disbursed by the secretary on the order of the chair in payment of expenses lawfully incurred by the board.

The fees to be paid the board of barber examiners required by this chapter, as amended, are:

- (1) for examining applicant and issuing certificate of registration as a registered barber, \$30;
- (2) for renewing certificate of registration as a registered barber, \$10;
- (3) for restoring certificate of registration as a registered barber within one year of expiration, \$15; provided, however, no such restoration fee is required of barbers age 70 or over;
- (4) for examining applicant and issuing a certificate of registration as a registered apprentice, \$17;
- (5) for renewing a certificate of registration as a registered apprentice, \$7;
- (6) for restoring a certificate of registration as a registered apprentice, within one year of expiration, \$10;
- (7) for examining applicant for a teacher's certificate, \$25;
- (8) for issuing a certificate of registration as a registered teacher, \$25;
- (9) for renewing a certificate of registration as a registered teacher, \$25;
- (10) for restoring a certificate of shop registration within 30 days after expiration date, \$10; provided, however, no such restoration fee is required of those age 70 or over and who operates a barbershop as part of the barber's residence;
- (11) for issuing a certificate of registration as an approved barber school, \$100;
- (12) for renewing a certificate of registration as an approved barber school, \$100;
- (13) for issuing a student permit, \$5.

The fees prescribed above for the renewal of certificates of registration as a registered barber and registered apprentice include the assessment made for the Unfair Trade Practice Act and shall be effective for the renewal of the 1968 licenses.

The fee to be paid for issuing an initial certificate of shop registration shall be \$25 and for renewing a certificate of shop registration of a shop within a community on or before June 30 of each year, \$5.

Every barber shop in business on May 20, 1967 shall have the right to continue until June 30, 1967, without the payment of any fees or any other act and shall thereafter apply for renewal of a certificate of shop registration in accordance with the provisions of this chapter, as amended."

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. 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.

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

Page 1, line 23, reinstate the stricken "1,000" and delete "2,000"

Page 2, line 2, delete "2,000" and insert "1,000"

Page 2, line 3, reinstate the stricken "1,000" and delete "2,000"

Page 2, line 17, after "1." insert "(a)"

Page 2, lines 19 to 21, delete the new language and insert:

"(b) No municipality shall grant an additional franchise for cable service for an area included in an existing franchise on terms and conditions more favorable or less burdensome than those in the existing franchise pertaining to: (1) the area served; (2) public, educational, or governmental access requirements; or (3) franchise fees. The provisions of this paragraph shall not apply when the area in which the additional franchise is being sought is not actually being served by any existing cable communications company holding a franchise for the area. Nothing in this paragraph prevents a municipality from imposing additional terms and conditions on any additional franchises."

Page 3, line 16, delete "shall" and insert "may"

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

H.F. No. 1189: A resolution memorializing the United States Congress to amend the Employment Retirement Security Act to permit the direct regulation of self-insured health care plans.

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

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

S.F. No. 1928: A bill for an act relating to health; establishing a safe drinking water account; prohibiting the use of certain lead pipe and pipe fittings; appropriating money; amending Minnesota Statutes 1986, sections 144.382, subdivision 1, and by adding a subdivision; 326.371; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1986, section 144.388.

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

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

H.F. No. 1943 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.
1943	1722				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1943 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1943 and insert the language after the enacting clause of S.F. No. 1722, the first engrossment; further, delete the title of H.F. No. 1943 and insert the title of S.F. No. 1722, the first engrossment.

And when so amended H.F. No. 1943 will be identical to S.F. No. 1722, and further recommends that H.F. No. 1943 be given its second reading and substituted for S.F. No. 1722, 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. 2109 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.
2109	1983				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2109 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2109 and insert the language after the enacting clause of S.F. No. 1983, the first engrossment; further, delete the title of H.F. No. 2109 and insert the title of S.F. No. 1983, the first engrossment.

And when so amended H.F. No. 2109 will be identical to S.F. No. 1983, and further recommends that H.F. No. 2109 be given its second reading and substituted for S.F. No. 1983, 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. 1732 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
1732	1692				

and that the above 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. Report adopted.

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

H.F. No. 2529 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
2529	2352				

and that the above 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. Report adopted.

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

H.F. No. 1731 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.
1731	2033				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1731 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1731 and insert the language after the enacting clause of S.F. No. 2033, the first engrossment; further, delete the title of H.F. No. 1731 and insert the title of S.F. No. 2033, the first engrossment.

And when so amended H.F. No. 1731 will be identical to S.F. No. 2033, and further recommends that H.F. No. 1731 be given its second reading and substituted for S.F. No. 2033, 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. 2254 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.
2254	2357				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2254 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2254 and insert the language after the enacting clause of S.F. No. 2357; further, delete the title of H.F. No. 2254 and insert the title of S.F. No. 2357.

And when so amended H.F. No. 2254 will be identical to S.F. No. 2357, and further recommends that H.F. No. 2254 be given its second reading and substituted for S.F. No. 2357, 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. 2022 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.
2022	1936				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2022 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2022 and insert the language after the enacting clause of S.F. No. 1936; further, delete the title of H.F. No. 2022 and insert the title of S.F. No. 1936.

And when so amended H.F. No. 2022 will be identical to S.F. No. 1936,

and further recommends that H.F. No. 2022 be given its second reading and substituted for S.F. No. 1936, 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. 1961 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.
		1961	2394		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1961 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1961 and insert the language after the enacting clause of S.F. No. 2394, the first engrossment; further, delete the title of H.F. No. 1961 and insert the title of S.F. No. 2394, the first engrossment.

And when so amended H.F. No. 1961 will be identical to S.F. No. 2394, and further recommends that H.F. No. 1961 be given its second reading and substituted for S.F. No. 2394, 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. 1831 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.
1831	1667				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1831 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1831 and insert the language after the enacting clause of S.F. No. 1667, the first engrossment; further, delete the title of H.F. No. 1831 and insert the title of S.F. No. 1667, the first engrossment.

And when so amended H.F. No. 1831 will be identical to S.F. No. 1667, and further recommends that H.F. No. 1831 be given its second reading and substituted for S.F. No. 1667, 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. 2637 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.
2637	2410				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2637 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2637 and insert the language after the enacting clause of S.F. No. 2410, the first engrossment; further, delete the title of H.F. No. 2637 and insert the title of S.F. No. 2410, the first engrossment.

And when so amended H.F. No. 2637 will be identical to S.F. No. 2410, and further recommends that H.F. No. 2637 be given its second reading and substituted for S.F. No. 2410, 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. 2402 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
2402	2192				

and that the above 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. Report adopted.

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

H.F. No. 1681 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.
1681	1532				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1681 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1681 and insert the language after the enacting clause of S.F. No. 1532, the first engrossment; further, delete the title of H.F. No. 1681 and insert the title of S.F. No. 1532, the first engrossment.

And when so amended H.F. No. 1681 will be identical to S.F. No. 1532, and further recommends that H.F. No. 1681 be given its second reading and substituted for S.F. No. 1532, 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. 1904 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
1904	1793				

and that the above 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. Report adopted.

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

H.F. No. 1844 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
1844	2279				

and that the above 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. Report adopted.

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

H.F. No. 2508 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
2508	2257				

and that the above 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. Report adopted.

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

H.F. No. 2358 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
2358	2213				

and that the above 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. Report adopted.

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

H.F. No. 1589 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.
1589	1615				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1589 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1589 and insert the language after the enacting clause of S.F. No. 1615, the first engrossment; further, delete the title of H.F. No. 1589 and insert the title of S.F. No. 1615, the first engrossment.

And when so amended H.F. No. 1589 will be identical to S.F. No. 1615, and further recommends that H.F. No. 1589 be given its second reading and substituted for S.F. No. 1615, 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. 1922 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.
		1922	2400		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1922 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1922 and insert the language after the enacting clause of S.F. No. 2400; further, delete the title of H.F. No. 1922 and insert the title of S.F. No. 2400.

And when so amended H.F. No. 1922 will be identical to S.F. No. 2400, and further recommends that H.F. No. 1922 be given its second reading and substituted for S.F. No. 2400, 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.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which were referred the following appointments as reported in the Journal for February 9, 1988:

CHARITABLE GAMBLING CONTROL BOARD.

Jane A. Elsen

Rita Fassbinder

Louis A. Murray

Rozann Prich

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.

Mrs. Lantry from the Committee on General Legislation and Public Gaming, to which were referred the following appointments as reported in the Journal for February 15, 1988:

BOARD OF THE ARTS

Ludmilla Sahlstrom

David M. Lilly, Jr.

Karen B. Gray

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

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

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

Page 1, line 12, before the period, insert "*, including contributions to the employer itself. 'Employer' means any person having one or more employees in Minnesota and includes the state, the University of Minnesota, and any political subdivisions of the state*"

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

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

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.

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

Page 1, line 15, after "*department*" insert "*or a compensation judge*"

Page 1, line 25, after "*expenses*" insert "*, in advance if requested,*"

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

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

S.F. No. 2452: A bill for an act relating to public safety; providing that bomb disposal workers are state employees when disposing of bombs outside the jurisdiction of their municipal employer, for purposes of tort claims

and workers' compensation; amending Minnesota Statutes 1987 Supplement, section 3.732, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 176.

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

Page 2, line 3, delete "*bomb disposal employees*" and insert "*members of a bomb disposal unit approved by the commissioner of public safety and*"

Page 2, line 19, after "*unit*" insert "*approved by the commissioner of public safety and*"

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

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

H.F. No. 521: A bill for an act relating to lake improvement districts; providing for notice of their annual meetings; amending Minnesota Statutes 1986, section 378.545, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 378.

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

Page 1, line 15, delete the first comma and insert "*and*" and delete "*or*" and insert "*and*" and before the second comma, insert "*wholly or partially within the district*"

Page 1, lines 18 and 19, delete "*to the assessment area*"

Page 2, line 1, delete the second comma and insert "*and city councils of statutory and home rule charter cities wholly or partially within the district, the*"

Page 2, line 2, after "*and*" insert "*the*" and delete "*within*" and insert "*by*"

Page 2, line 3, delete "*of*" and insert "*after*"

Page 2, after line 3, insert:

"Sec. 3. [EFFECTIVE DATE.]

This act is effective June 1, 1988."

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

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

S.F. No. 2199: A bill for an act relating to game and fish; adjusting the height of deer stands; amending Minnesota Statutes 1986, section 97B.325.

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

Page 1, delete section 1 and insert:

"Section 1. [REPEALER.]

Minnesota Statutes 1986, section 97B.325, is repealed."

Amend the title as follows:

Page 1, line 2, delete "adjusting" and insert "removing the restriction on"

Page 1, line 3, delete "amending" and insert "repealing"

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

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

S.F. No. 2194: A bill for an act relating to environment; prohibiting the sale of certain polyethylene material; requiring rulemaking; providing penalties; creating an advisory task force and providing for its duties; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Delete everything after the enacting clause and insert:

"Section 1. [325E.045] [PURCHASE, SALE, AND USE OF CERTAIN POLYETHYLENE MATERIAL PROHIBITED.]

Subdivision 1. [DEFINITIONS.] The definitions in this subdivision apply to section 1.

(a) "Nondegradable" means not capable of being decomposed by natural biological processes, including exposure to ultraviolet rays of the sun, within five years after the date of disposal.

(b) "Person" means an individual, partnership, corporation, sole proprietorship, association, or other for profit or not for profit organization, including the state and its political subdivisions.

(c) "Polyethylene disposal bag" means a bag made of polyethylene that is used or intended to be used for disposal of mixed municipal solid waste as defined in section 115A.03.

(d) "Polyethylene beverage ring" means a device made of polyethylene that is used or intended to be used to hold beverage bottles or other beverage containers together.

(e) "Public agency" means the state, an office, agency, or institution of the state, a county, statutory or home rule charter city, town, school district, or other special taxing district.

Subd. 2. [USE AND SALE PROHIBITED.] A person may not use, sell, or offer for sale a nondegradable polyethylene beverage ring.

Subd. 3. [GOVERNMENTAL PURCHASE PROHIBITED.] A public agency may not purchase nondegradable polyethylene disposal bags.

Subd. 4. [GOVERNMENTAL USE PROHIBITED.] A public agency may not use nondegradable polyethylene disposal bags.

Sec. 2. [DEGRADABLE PLASTICS TASK FORCE.]

Subdivision 1. [ESTABLISHMENT.] An advisory task force on degradable plastics is established. The task force consists of the commissioners

of agriculture, commerce, and the pollution control agency, the director of the waste management board, the president of the greater Minnesota corporation, the head of the consumer affairs division of the attorney general's office, and two representatives of industry and one retailer appointed by the rural development board. Representatives of other state agencies may also become members of the task force with the approval of a majority of its members.

Subd. 2. [DUTIES.] *The task force shall study the feasibility and consequences of requiring industry and consumer products other than items in section 1 be nondegradable.*

Subd. 3. [REPORT.] *The task force shall report its findings, along with any proposed legislation the task force believes necessary, to the legislature by January 1, 1990, after which the task force expires.*

Subd. 4. [ADMINISTRATION AND EXPENSES.] *The task force is attached to the rural development board for administrative purposes and the board shall furnish the task force with office space and administrative assistance necessary to fulfill the duties of the task force. Members of the task force shall be paid their expenses under section 15.059.*

Sec. 3. [APPROPRIATION.]

\$ is appropriated from the general fund to the rural development board for the purposes of section 2, to be available until January 1, 1991.

Sec. 4. [EFFECTIVE DATE.]

Section 1, subdivision 2, is effective January 1, 1989. Section 1, subdivisions 3 and 4, are effective July 1, 1990."

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "creating"

Page 1, line 5, after the semicolon, insert "appropriating money;"

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

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

S.F. No. 2012: A bill for an act relating to human services; authorizing grants for additional semi-independent living services; appropriating money; amending Minnesota Statutes 1986, section 252.275, by adding a subdivision.

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

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

S.F. No. 1870: A bill for an act relating to human services; establishing a demonstration project; requiring an evaluation and report; appropriating money.

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

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

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

S.F. No. 1590: A bill for an act relating to transportation; providing that uniform relocation assistance standards comply with recent amendments to federal law; authorizing commissioner of transportation to accept gifts to department; appropriating gift funds to commissioner; exempting lessees of highway easement property from tax on its use and possession; providing that governmental body may file deed conveying partial parcel of land without current taxes having been paid on whole parcel; repealing conflicting provision related to charges for users of air transportation services provided by the commissioner of transportation; amending Minnesota Statutes 1986, section 161.20, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 117.52, subdivision 1; 272.01, subdivision 3; and 272.121; repealing Minnesota Statutes 1986, section 360.015, subdivision 20.

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

Page 2, line 1, delete everything after the first comma

Page 2, line 2, delete "401 to 418,"

Page 2, line 10, strike "either (1)"

Page 2, line 11, delete "August" and insert "July" and strike everything after the second comma

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1986, section 163.051, is amended to read:

163.051 [COUNTY WHEELAGE TAXES; COLLECTION; DISTRIBUTION; COUNTY ROAD AND BRIDGE LEVIES.]

Subdivision 1. [WHEELAGE TAX AUTHORIZED.] The board of commissioners of each metropolitan county is ~~authorized to~~ *shall* levy a wheelage tax of \$5 for the year 1972 and each subsequent year thereafter by resolution \$12 on each motor vehicle, except vehicles registered as motorcycles as defined in section 169.01, subdivision 4, motorized bicycles, and farm trucks, and \$6 on each motorcycle, which is ~~kept~~ domiciled in such the county ~~when not in operation~~ and which is subject to annual registration and taxation under chapter 168. The board may provide by resolution for collection of the wheelage tax by county officials or it may request that the tax be collected by the state registrar of motor vehicles, and the state registrar of motor vehicles shall collect such tax on behalf of the county if requested, as provided in subdivision 2.

For purposes of this section, "motor vehicle" has the meaning given it in section 168.011, subdivision 4, but does not include a trailer or semitrailers.

Subd. 2. [COLLECTION OF TAX.] The wheelage tax levied by any metropolitan county, if made collectible by the state registrar of motor vehicles, shall be certified by the county auditor to the registrar not later than August 1 in the year before the calendar year or years for which the tax is levied, and the registrar shall collect ~~such the~~ tax with the motor vehicle taxes on the affected vehicles for such year or years each motor

vehicle for which application for registration is made. Every owner and every operator of such a motor vehicle shall furnish to the registrar all information requested by the registrar. No state motor vehicle tax on any such motor vehicle for any such year shall be received or deemed paid unless the applicable wheelage tax is paid therewith. The proceeds of the wheelage tax levied by any metropolitan county, less any amount retained by the registrar to pay costs of collection of the wheelage tax, shall be paid to the state treasurer and deposited in the state treasury to the credit of the county wheelage tax fund of each metropolitan county.

Subd. 2a. [DISPOSITION OF PROCEEDS OF WHEELAGE TAX; COSTS OF COLLECTION.] Notwithstanding the provisions of any other law, the state registrar of motor vehicles shall deposit the proceeds of the wheelage tax imposed by subdivision 2, to the credit of the county wheelage tax fund of each metropolitan county. The amount necessary to pay the costs of collection of said tax is appropriated from the county wheelage tax fund of each metropolitan county to the state registrar of motor vehicles.

Subd. 3. [DISTRIBUTION OF TAX.] On or before April 1 in 1972 and each subsequent year, the commissioner of finance shall issue a warrant in favor of the treasurer of each metropolitan county for which the registrar has collected a wheelage tax in the amount of such tax then on hand in the county wheelage tax fund. There is hereby appropriated from the county wheelage tax fund each year, to each metropolitan county entitled to payments authorized by this section, sufficient moneys to make such payments.

Subd. 4. [USE OF TAX.] The treasurer of each metropolitan county receiving moneys under subdivision 3 shall deposit such moneys in the county road and bridge fund. The moneys shall be used for purposes authorized by law which are highway purposes within the meaning of the Minnesota Constitution, article 14.

Subd. 5. [EFFECT ON ROAD AND BRIDGE LEVY.] The county auditor of each metropolitan county shall reduce the amount of the property taxes levied pursuant to law in 1973 for collection in 1974, by the board of commissioners of such county for the county road and bridge fund, by the following amount: Anoka county, \$341,750; Carver county, \$86,725; Dakota county, \$386,165; Hennepin county, \$2,728,425; Ramsey county, \$1,276,815; Scott county, \$104,805; Washington county, \$227,220, and shall spread only the balance thereof on the tax rolls for collection in 1972. The county auditor shall also reduce the amount of such taxes levied pursuant to law in 1972 and any subsequent year, for collection in the respective ensuing years, by the amount of wheelage taxes received by the county in the 12 months immediately preceding such levy.

Subd. 6 5. [METROPOLITAN COUNTY.] "Metropolitan county" means any of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Subd. 7 6. [OFFENSES; PENALTIES; APPLICATION OF OTHER LAWS.] Any owner or operator of a motor vehicle who shall willfully give gives any false information relative to the tax herein authorized in this section to the registrar of motor vehicles or any metropolitan county, or who shall willfully fail fails or refuse refuses to furnish any such information, shall be is guilty of a misdemeanor. Except as otherwise herein provided, the collection and payment of a wheelage tax and all matters relating thereto shall be are subject to all provisions of law relating to collection and payment of motor vehicle taxes so far as applicable."

Page 5, line 16, after the period, insert "Section 3 is effective pursuant to Minnesota Statutes, section 645.023." and delete "3 to 5" and insert "4 to 6"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring metropolitan counties to levy wheelage taxes; repealing certain mandatory levy requirements;"

Page 1, line 15, after the semicolon, insert "163.051;"

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

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

S.F. No. 2506: A bill for an act relating to family law; regulating child support; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1987 Supplement, section 518.613, is amended by adding a subdivision to read:

Subd. 5. [WAIVER.] When a court in a county in which this section applies modifies an obligation for child support or maintenance that was determined prior to the effective date of this section, the court shall waive automatic income withholding only if all parties to the proceeding agree to the waiver and the court finds it is in the best interest of the parties and children, if any. The agreement not to withhold may be revoked by a party at any time that the payment is not received within ten days of the due date. Notice of revocation must be served by mail on the other party and on the public authority. The public authority must also be served with a copy of the order establishing the child support or maintenance obligation and an application for child support and maintenance collection services. Upon receipt of the notice of revocation, the public authority shall serve a notice of the court's order requiring the amount of child support or maintenance to be withheld and the provisions of section 518.611 and this section on the obligor's employer or other payor of funds.

Sec. 2. [518.614] [ESCROW ACCOUNT; CHILD SUPPORT; MAINTENANCE OBLIGATION.]

Subdivision 1. [STAY OF SERVICE.] The court shall stay service of the order under section 518.613, subdivision 2, in a county in which that section applies if the obligor establishes a savings account for a sum equal to two months of the monthly child support or maintenance obligation and provides proof of the establishment to the court and the public authority on or before the day of the court hearing determining the obligation. This sum must be held in a financial institution in an interest-bearing account with only the public authority authorized as drawer of funds. Proof of the establishment must include the financial institution name and address, account number, and the amount of deposit.

Subd. 2. [RELEASE OF STAY.] Within three working days of receipt of

notice of default, the public authority shall direct the financial institution to release to the public authority the sum held under this subdivision when the following conditions are met:

(1) the obligor fails to pay the support amount to the obligee or the public authority within ten days of the date it is ordered to be paid;

(2) the obligee transmits a notice of default to the public authority and makes application to the public authority for child support and maintenance collection services. The notice must be verified by the obligee and must contain the title of the action, the court file number, the full name and address of the obligee, the name and last known address of the obligor, the obligor's last known employer or other payor of funds, the date of the first unpaid amount, the date of the last unpaid amount, and the total amount unpaid; and

(3) within three working days of receipt of notice from the obligee, the public authority sends a copy of the notice of default and a notice of intent to implement income withholding by mail to the obligor at the address given. The notice of intent shall state that the order establishing the support or maintenance obligation will be served on the obligor's employer or payor of funds unless within 15 days after the mailing of the notice the obligor requests a hearing on the issue of whether payment was in default as of the date of the notice of default and serves notice of the request for hearing on the public authority and the obligee.

Subd. 3. [DUTIES OF PUBLIC AUTHORITY.] *Within three working days of receipt of sums released under subdivision 2, the public authority shall remit to the obligee all amounts not assigned under section 256.74 as current support or maintenance. The public authority shall also serve a copy of the court's order and the provisions of section 518.611 and this section on the obligor's employer or other payor of funds unless within 15 days after mailing of the notice of intent to implement income withholding the obligor requests a hearing on the issue of whether payment was in default as of the date of the notice of default and serves notice of the request for hearing on the public authority and the obligee. The public authority shall instruct the employer or payor of funds pursuant to section 518.611 as to the effective date on which the next support or maintenance payment is due. The withholding process must begin on said date and shall reflect the total credits of principle and interest amounts received from the escrow account.*

Subd. 4. [HEARING.] *Within 30 days of the date of the notice of default under subdivision 2, clause (2), the court must hold a hearing requested by the obligor. If the court finds that there was a default, the court shall order the immediate withholding of support or maintenance from the obligor's income. If the court finds that there was no default, the court shall order the reestablishment of the escrow account by either the obligee or obligor and continue the stay of income withholding.*

Subd. 5. [TERMINATION OF STAY.] *When the obligation for support of a child or for spousal maintenance ends under the terms of the order or decree establishing the obligation and the sum held under this section has not otherwise been released, the public authority shall release the sum and interest to the obligor when the following conditions are met:*

(1) the obligor transmits a notice of termination to the public authority. The notice shall be verified by the obligor and contain the title of the

action, the court file number, the full name and address of the obligee, specify the event that ends the support or maintenance obligation, the effective date of the termination of support or maintenance obligation, and the applicable provisions of the order or decree that established the support or maintenance obligation;

(2) the public authority sends a copy of the notice of termination to the obligee; and

(3) the obligee fails within 20 days after mailing of the notice under clause (2) to request a hearing on the issue of whether the support or maintenance obligation continues and serve notice of the request for hearing on the obligor and the public authority.

Sec. 3. [REPORT.]

The report of the commissioner pursuant to Laws 1987, chapter 403, article 3, section 94, shall include data on the costs associated with administering the automatic income withholding program and shall separately identify case statistics and costs associated with implementation of the waiver and escrow options.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. Child support and maintenance obligors subject to automatic income withholding on or before the effective date may elect, at any time prior to January 1, 1989, to place money in escrow under section 2 and have the public authority direct the employer or payor of funds to terminate the automatic income withholding process. Parties who are subject to automatic income withholding because support or maintenance was modified on or before the effective date may move the court for a waiver of automatic income withholding under section 1 at any time prior to January 1, 1989."

Delete the title and insert:

"A bill for an act relating to child support; authorizing parties to waive automatic income withholding when there is a child support or maintenance order; 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; amending Minnesota Statutes 1987 Supplement, section 518.613, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518."

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

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

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.

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

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

S.F. No. 1463: A bill for an act relating to veterans; requiring the commissioner of veterans affairs to establish a veterans outreach center; establishing a board of directors of the southwestern Minnesota veterans home; authorizing the board to establish a veterans home; providing for the powers and duties of the board and the operation of the center and home; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 196 and 198.

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

Page 2, line 7, after "*medical*" insert "*, home health,*"

Page 2, line 8, delete "*, or both,*"

Page 2, line 28, delete everything after "(6)" and insert a period

Page 2, delete line 29

Pages 2 to 6, delete sections 2 to 5

Delete the title and insert:

"A bill for an act relating to veterans; requiring the commissioner of veterans affairs to establish a veterans outreach center; proposing coding for new law in Minnesota Statutes, chapter 196."

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 1888: A bill for an act relating to state and local governments; extending the requirement that vendors be paid promptly for goods and services to cover providers of medical and social services; setting a deadline for the resolution of disputed obligations by municipalities; amending Minnesota Statutes 1986, sections 16A.124, subdivisions 1 and 5; and 471.425, subdivisions 1 and 4.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations, shown in the Journal for March 14, 1988, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 722: A bill for an act relating to state investments; limiting investments in companies doing business in Northern Ireland; proposing coding for new law in Minnesota Statutes, chapter 11A.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations, shown in the Journal for March 14, 1988, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1769, 2395, 2266, 2402, 2255, 1944, 1972, 1821, 2124, 1762, 2299, 1827, 1934, 2009, 2226, 1668, 2384, 2347, 2096, 1469, 2244, 2054, 2235, 2452, 2199, 2273 and 722 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1766, 1926, 2056, 1816, 1761, 1189, 1943, 2109, 1732, 2529, 1731, 2254, 2022, 1961, 1831, 2637, 2402, 1681, 1904, 1844, 2508, 2358, 1589, 1922 and 521 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Johnson, D.J. moved that the name of Mr. Dicklich be added as a co-author to S.F. No. 1635. The motion prevailed.

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

Mr. Dicklich moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 2370. The motion prevailed.

Mr. Moe, D.M. moved that the name of Ms. Berglin be added as a co-author to S.F. No. 2486. The motion prevailed.

Mr. Renneke moved that the name of Mr. Morse be added as a co-author to S.F. No. 2041. The motion prevailed.

Mr. Renneke moved that the name of Mr. Morse be added as a co-author to S.F. No. 2042. The motion prevailed.

Mr. Marty moved that H.F. No. 1913 be withdrawn from the Committee on Employment and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 2054, now on General Orders. The motion prevailed.

Mr. Cohen moved that S.F. No. 2277 be withdrawn from the Committee on Education and re-referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

S.F. No. 1607: A bill for an act relating to the city of Minneapolis; providing for the appointment, compensation, and liability of certain city employees and contractors; amending Laws 1969, chapter 937, section 1, subdivision 9, as amended, and 9a; Laws 1980, chapter 607, article 15, section 21; and Laws 1987, chapter 55, section 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1623: A bill for an act relating to natural resources; designating the white-tailed deer as the official state mammal; proposing coding for new law in Minnesota Statutes, chapter 1.

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 54 and nays 7, as follows:

Those who voted in the affirmative were:

Adkins	Cohen	Gustafson	Lessard	Pogemiller
Anderson	Davis	Hughes	Luther	Ramstad
Beckman	Decker	Johnson, D.E.	Marty	Reichgott
Belanger	DeCramer	Johnson, D.J.	McQuaid	Renneke
Benson	Dicklich	Jude	Mehrkins	Schmitz
Berg	Diessner	Knaak	Merriam	Solon
Berglin	Frank	Kroening	Metzen	Storm
Bernhagen	Frederick	Laidig	Moe, R.D.	Stumpf
Bertram	Frederickson, D.J.	Langseth	Peterson, D.C.	Vickerman
Brandl	Frederickson, D.R.	Lantry	Peterson, R.W.	Wegscheid
Chmielewski	Freeman	Larson	Piper	

Those who voted in the negative were:

Dahl
MorseOlson
Pehler

Purfeerst

Spear

Waldorf

So the bill passed and its title was agreed to.

CONSENT CALENDAR

H.F. No. 2045: A bill for an act relating to state lands; authorizing private sale of tax-forfeited land in St. Louis county.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1717: A bill for an act relating to natural resources; adding certain land to Jay Cooke State Park in Carlton county.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Davis	Johnson, D.J.	Merriam	Reichgott
Anderson	Decker	Jude	Metzen	Renneke
Beckman	DeCramer	Knaak	Moe, D.M.	Samuelson
Belanger	Dicklich	Kroening	Moe, R.D.	Schmitz
Benson	Diessner	Laidig	Morse	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
Brataas	Freeman	Luther	Piper	Wegscheid
Chmielewski	Gustafson	Marty	Pogemiller	
Cohen	Hughes	McQuaid	Purfeerst	
Dahl	Johnson, D.E.	Mehrkens	Ramstad	

So the bill passed and its title was agreed to.

S.F. No. 2358: A bill for an act relating to highways; naming and designating legislative trunk highway No. 299 as Olof Hanson Drive; amending Minnesota Statutes 1986, section 161.14, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1713: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited lands in Carlton county.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2367: A bill for an act relating to natural resources; eliminating a diversion of game and fish license fee money; repealing Laws 1987, chapter 373, section 15.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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.

Mr. Dicklich introduced—

S.F. No. 2533: A bill for an act relating to state lands; changing how the proceeds of sales of state salt lands should be applied; amending Minnesota Statutes 1986, section 92.05.

Referred to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. introduced—

S.F. No. 2534: A bill for an act relating to education; authorizing school districts to levy to increase access to school buildings by handicapped individuals; amending Minnesota Statutes 1986, section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Mr. Pogemiller introduced—

S.F. No. 2535: A bill for an act relating to income taxation; increasing the credit for certain research and experimental expenditures; amending Minnesota Statutes 1987 Supplement, section 290.068, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pogemiller introduced—

S.F. No. 2536: A bill for an act relating to income taxation; increasing the credit for certain research and experimental expenditures; amending Minnesota Statutes 1987 Supplement, section 290.068, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Brandl introduced—

S.F. No. 2537: A bill for an act relating to public employment; regulating hearing panels under the veterans preference act; amending Minnesota Statutes 1986, section 197.46.

Referred to the Committee on Veterans.

Messrs. Luther, Wegscheid, Mrs. Lantry and Mr. Hughes introduced—

S.F. No. 2538: A bill for an act relating to metropolitan affairs; authorizing the sale of state bonds to provide funds for the acquisition and betterment of metropolitan regional recreation open space land; appropriating money.

Referred to the Committee on Finance.

Mr. Wegscheid introduced—

S.F. No. 2539: A bill for an act relating to capital improvements; providing funds for improvements at the Minnesota zoological garden; authorizing sale of state bonds; appropriating money.

Referred to the Committee on Finance.

Mr. Chmielewski introduced—

S.F. No. 2540: A bill for an act relating to workers' compensation; regulating workers' compensation insurance; regulating costs for medical and rehabilitation services; limiting attorney fees; providing for the future repeal of certain benefits; appropriating money; amending Minnesota Statutes 1986, sections 621.07; 621.21; 79.01, subdivision 1; 79.074, by adding subdivisions; 176.081, subdivisions 1 and 3; and 176.136, subdivisions 1, 5, and by adding subdivisions; 176.83, by adding a subdivision; 176A.03,

by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 62I.02, subdivision 1; 176.081, subdivision 2; 176.102, subdivisions 2, 4, and 6; and 176.194, subdivision 5, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 62I and 79; repealing Minnesota Statutes 1986, sections 79.50; 79.51; 79.52; 79.53; 79.54; 79.55; 79.56; 79.57; 79.58; 79.59; 79.60; 79.61; 79.62; 176.011, subdivisions 3, 4, 5, 8, 9a, 10, 11, 11a, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26; 176.021, subdivisions 1, 2, 3a, 4, 5, 6, 7, 8, and 9; 176.031; 176.041, subdivisions 2, 3, 5a, and 6; 176.051; 176.061; 176.071; 176.095; 176.101; 176.102, subdivisions 1, 1a, 5, 9, 11, and 11a; 176.104; 176.1041; 176.105; 176.111, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 8a, 9a, 10, 12, 14, 16, 18, and 20; 176.121; 176.132; 176.1321; 176.137; 176.165; 176.181, subdivisions 1, 2, 2a, 4, 5, 6, and 7; 176.183, subdivisions 1, 3, and 4; 176.185, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, and 10; 176.186; 176.201; 176.205; 176.211; 176.215; 176.645; and 176.66; Minnesota Statutes 1987 Supplement, sections 176.011, subdivisions 2 and 9; 176.041, subdivisions 1, 1a, and 4; 176.1011; 176.102, subdivisions 4 and 8; 176.111, subdivisions 15, 17, and 21; 176.135, subdivision 1a; 176.181, subdivision 3; 176.182; 176.183, subdivisions 1a and 2; 176.184; and 176.185, subdivision 5a.

Referred to the Committee on Employment.

Mr. Peterson, R.W. introduced—

S.F. No. 2541: A bill for an act relating to elections; establishing hours when polls will remain open for election to change county seat; amending Minnesota Statutes 1986, section 372.07.

Referred to the Committee on Elections and Ethics.

Mr. Luther introduced—

S.F. No. 2542: A bill for an act proposing an amendment to the Minnesota Constitution, article V, section 3; removing the requirement that notaries public be approved by the senate; amending Minnesota Statutes 1986, section 359.01.

Referred to the Committee on Judiciary.

Mr. Laidig introduced—

S.F. No. 2543: A bill for an act relating to game and fish; regulating shooting preserves; amending Minnesota Statutes 1986, sections 97A.115, subdivisions 1 and 3; and 97A.121, subdivisions 1, 2, 4, 6, and by adding subdivisions; Minnesota Statutes 1987 Supplement, section 97A.121, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Ms. Peterson, D.C. introduced—

S.F. No. 2544: A bill for an act relating to insurance; accident and health; requiring partial hospitalization program coverage under certain circumstances; proposing coding for new law in Minnesota Statutes, chapters 62A and 62D.

Referred to the Committee on Commerce.

Mr. Luther introduced—

S.F. No. 2545: A bill for an act relating to Hennepin county; authorizing a certain loan agreement with the commissioner of transportation for the development of trunk highway No. 610; appropriating money.

Referred to the Committee on Finance. Mr. Purfeerst questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Ms. Berglin, Mr. Moe, R.D.; Mrs. Lantry, Messrs. Solon and Belanger introduced—

S.F. No. 2546: A resolution memorializing the United States Olympic Committee of state support for the bid for the games of the XXVI Olympiad.

Referred to the Committee on Rules and Administration.

Mr. Langseth introduced—

S.F. No. 2547: A bill for an act relating to motor vehicles; providing for graduated registration tax on passenger automobiles, ambulances, and hearses; amending Minnesota Statutes 1986, section 168.013, subdivision 1a.

Referred to the Committee on Transportation.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Monday, March 21, 1988. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate