

## TWENTIETH DAY

St. Paul, Minnesota, Thursday, March 9, 1989

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

Prayer was offered by the Chaplain, Rev. Tom Carolan.

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

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

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

Mmes. Adkins, Brataas, McQuaid, Messrs. Brandl, Gustafson, Luther and Moe, R.D. were excused from the Session of today. Mr. Storm was excused from the Session of today at 2:50 p.m.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 3, 1989

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 28 and 171.

Sincerely,  
Rudy Perpich, Governor

March 8, 1989

The Honorable Jerome M. Hughes  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 215.

Sincerely,  
Rudy Perpich, Governor

March 3, 1989

The Honorable Robert E. Vanasek  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1989 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1989	Date Filed 1989
28		3	1136 hours March 3	March 3
171		4	0910 hours March 3	March 3

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 204.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 6, 1989

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 300.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1989

Mr. President:

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

S.F. No. 156: A bill for an act relating to gambling; authorizing the governor to negotiate a tribal-state compact pursuant to the Indian gaming regulatory act; proposing coding for new law in Minnesota Statutes, chapter 3.

Senate File No. 156 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1989

Mrs. Lantry moved that the Senate do not concur in the amendments by the House to S.F. No. 156, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

Senate Concurrent Resolution No. 4: A Senate concurrent resolution relating to adjournment for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 6, 1989

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 148, 321, 322, 343, 424, 444, 578, 450, 508 and 509.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 6, 1989

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 58, 512 and 553.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1989

### FIRST READING OF HOUSE BILLS

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

H.F. No. 148: A bill for an act relating to local government; permitting the counties of Washington and Anoka to establish certain payment procedures.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 168, now on the Calendar.

H.F. No. 321: A bill for an act relating to consumer protection; regulating new motor vehicle sales; limiting a dealer's liability due to the manufacturer's failure to repair, refund, or replace nonconforming vehicles; amending Minnesota Statutes 1988, section 325F.665, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 465, now on General Orders.

H.F. No. 322: A bill for an act relating to consumer protection; regulating the sale of used motor vehicles; modifying certain definitions; amending Minnesota Statutes 1988, section 325F.662, subdivisions 1 and 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 454, now on General Orders.

H.F. No. 343: A bill for an act relating to collection and dissemination of data; defining certain mineral data supplied to the commissioner of natural resources as nonpublic data; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

H.F. No. 424: A bill for an act relating to commerce; unclaimed property; providing for the ownership of metal dies and molds; amending Minnesota Statutes 1988, section 345.20, subdivision 1.

Referred to the Committee on Commerce.

H.F. No. 444: A bill for an act relating to data privacy; providing for access to private medical examiner data and other medical data by family members; amending Minnesota Statutes 1988, sections 13.42, subdivision 3; 13.83, subdivision 8; and 144.335, subdivision 1.

Referred to the Committee on Judiciary.

H.F. No. 578: A bill for an act relating to transportation; granting power to road authorities to mow or till rights-of-way of certain highways; amending Minnesota Statutes 1988, sections 160.232; and 160.27, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 450: A bill for an act relating to state lands; authorizing additions and deletions from certain state parks; authorizing nonpark use of certain state parks; authorizing sale and conveyance of certain state park lands; authorizing acquisition of certain land for road purposes; repealing Minnesota Statutes 1988, section 85.012, subdivision 39.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 508: A bill for an act relating to local government; permitting statutory cities to have seven member councils; amending Minnesota Statutes 1988, sections 412.02, subdivision 1, and by adding a subdivision;

412.021, subdivision 2; 412.191, subdivisions 1 and 2; 412.541, subdivision 4; 412.571, subdivisions 1 and 4; 412.581; and 412.631.

Referred to the Committee on Local and Urban Government.

H.F. No. 509: A bill for an act relating to the city of St. Peter; providing for a seven-member municipal hospital board and a nine-member economic development authority.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 414, now on General Orders.

H.F. No. 58: A bill for an act relating to family law; permitting child support obligors to withdraw from the automatic withholding program; eliminating the provision for expiration of the automatic withholding program; amending Minnesota Statutes 1988, section 518.613, subdivision 4.

Referred to the Committee on Health and Human Services.

H.F. No. 512: A bill for an act relating to local government; authorizing towns to require a bond or other security in establishing cartways; amending Minnesota Statutes 1988, section 164.08, subdivision 2.

Referred to the Committee on Local and Urban Government.

H.F. No. 553: A bill for an act relating to Olmsted county; exempting the county from operation of a public morgue.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 500.

## REPORTS OF COMMITTEES

Mr. Merriam moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S.F. No. 316: A bill for an act relating to children; controlled substances; requiring reporting of newborns with signs of controlled substance exposure; limiting liability of medical personnel administering toxicology tests on newborns; requiring an education program to prevent harm to unborn children from prenatal exposure to controlled substances and alcohol; amending Minnesota Statutes 1988, section 626.556, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 121 and 626.

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

Pages 1 and 2, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 6 and 7

Page 1, line 8, delete "substances and alcohol;"

Page 1, line 10, delete "chapters 121 and" and insert "chapter"

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

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

S.F. No. 681: A bill for an act relating to housing; changing terminology in the temporary housing demonstration program; extending the authorized duration of transitional housing; providing for an annual report to the legislature; amending Minnesota Statutes 1988, section 268.38, subdivisions 1, 2, 4, 8, 11, and 12.

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

Page 1, line 17, delete "/8" and insert "24"

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

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

S.F. No. 655: A bill for an act relating to agriculture; appropriating money for promoting the use of ethanol.

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 and Rural Development, to which was referred

S.F. No. 594: A bill for an act relating to agriculture; maintaining uniformity with certain federal food law provisions; amending Minnesota Statutes 1988, sections 31.101; 31.102, subdivision 1; 31.103, subdivision 1; and 31.104.

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 1988, section 18B.06, is amended by adding a subdivision to read:

*Subd. 2a. [FIFRA REGULATIONS ARE ADOPTED.] Federal pesticide chemical regulations in effect under section 31.101, subdivision 3, are the pesticide chemical rules in the state. The rules may be amended by the commissioner.*

Sec. 2. Minnesota Statutes 1988, section 28A.04, subdivision 1, is amended to read:

Subdivision 1. ~~[APPLICATION; DATE OF ISSUANCE LICENSE REQUIRED.]~~ ~~No~~ (a) A person ~~shall~~ may not engage in the business of manufacturing, processing, selling, handling, or storing food without having first obtained from the commissioner a license for ~~doing such~~ conducting the business.

(b) Applications for ~~such~~ a license shall be made to the commissioner ~~in such manner and time as required and upon such forms as provided by the commissioner and shall in a time and manner and on forms prescribed by the commissioner.~~ The application must contain the name and address of the applicant, address or description of each place of business, and the

nature of the business to be conducted at each place, and ~~such~~ other pertinent information ~~as the required by the commissioner may require.~~

*Subd. 1a. [ISSUANCE, VALIDITY, AND RENEWAL.] (a) A retail or wholesale food handler license shall be issued for the period July 1 to the following June 30 following and shall be renewed thereafter by the licensee on or before July 1 of each year. A license for a food broker or for a food processor, or manufacturer shall be issued for the period January 1 to December 31 following and shall be renewed thereafter by the licensee on or before January 1 of each year.*

*(b) A penalty for a late renewal shall be assessed in accordance with section 28A.08.*

*Subd. 1b. [PLAN REVIEW FEES.] (a) The commissioner may, by rule under section 16A.128, set plan review fees that will approximate the cost to the department of reviewing plans and specifications submitted by food handlers.*

*(b) A food handler plan review account is established in the state treasury. Fees paid to the commissioner for review plans under this subdivision must be deposited in the food handler plan review account.*

*(c) Money in the food handler plan review account is annually appropriated to the commissioner to pay the costs of the food handler plan and specifications review program.*

Sec. 3. Minnesota Statutes 1988, section 31.101, is amended to read:

**31.101 [FEDERAL REGULATIONS ADOPTED AS STATE RULES; HEARINGS; UNIFORMITY WITH FEDERAL LAW.]**

*Subdivision 1. [AUTHORITY FOR RULES.] (a) The authority to promulgate and amend commissioner may adopt rules for the efficient administration and enforcement of the Minnesota food law is vested in the commissioner and is in addition to authority granted in sections 31.10, 31.11, and 31.12. Such The rules when applicable shall conform, insofar as far as practicable and be consistent with state law, with those promulgated under the federal law.*

*(b) The commissioner may amend the federal regulations adopted as state rules under this section and sections 31.102, subdivision 1, 31.103, subdivision 1, and 31.104, subdivision 2, by adopting rules.*

*Subd. 2. [HEARINGS.] The commissioner shall conduct hearings authorized or required by law shall be conducted by the commissioner or such officer, agent, or employee as the commissioner may designate for the purpose.*

*Subd. 3. [FIFRA REGULATIONS.] Federal pesticide chemical regulations and amendments thereto in effect on April 1, 1987 1988, and adopted under authority of the Federal Insecticide, Fungicide and Rodenticide Act, as provided by United States Code, title 7, chapter 6, are the pesticide chemical rules in this state. Such rules may be amended by the commissioner proceeding in accordance with the administrative procedure act.*

*Subd. 4. [FEDERAL FOOD ADDITIVE REGULATIONS.] Federal food additive regulations and amendments thereto in effect on April 1, 1987 1988, as provided by Code of Federal Regulations, title 21, parts 170 to 199, are the food additive rules in this state. Such rules may be amended by the commissioner proceeding in accordance with the administrative*

procedure act.

Subd. 5. [FEDERAL COLOR ADDITIVE REGULATIONS.] Federal color additive regulations ~~and amendments thereto~~ in effect on April 1, 1987 1988, as provided by Code of Federal Regulations, title 21, parts 70 to 82, are the color additive rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the administrative procedure act.~~

Subd. 6. [FEDERAL SPECIAL DIETARY USE REGULATIONS.] Federal special dietary use regulations ~~and amendments thereto~~ in effect on April 1, 1987 1988, as provided by Code of Federal Regulations, title 21, parts 104 and 105, are the special dietary use rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the administrative procedure act.~~

Subd. 7. [FAIR PACKAGING AND LABELING ACT REGULATIONS.] Federal regulations ~~and amendments thereto~~ in effect on April 1, 1987 1988, adopted under the Fair Packaging and Labeling Act, as provided by United States Code, title 15, sections 1451 to 1461, are the rules in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the administrative procedure act; provided that The commissioner shall may not adopt amendments to such amend the rules or adopt other rules which are in a manner that is contrary to the labeling requirements for the net quantity of contents required pursuant to section 4 of the Fair Packaging and Labeling Act and the its regulations promulgated thereunder.~~

Subd. 8. [FOOD AND DRUG ACT REGULATIONS.] Applicable federal regulations including ~~recodification contained in the~~ Code of Federal Regulations, title 21, parts 0-1299, Food and Drugs, in effect on April 1, 1987 1988, and not otherwise adopted ~~herein under this section.~~ also are adopted as food rules of this state. ~~Such rules may be amended by the commissioner in accordance with the administrative procedure act.~~

Sec. 4. Minnesota Statutes 1988, section 31.102, subdivision 1, is amended to read:

Subdivision 1. [FEDERAL CONTAINER REGULATIONS ARE STATE RULES.] Federal definitions and standards of identity, quality, and fill of container ~~and amendments thereto~~, in effect on April 1, 1975 1988, adopted under authority of the federal act, are the state rules for the definitions and standards of identity, quality, and fill of container in this state. ~~Such rules may be amended by the commissioner proceeding in accordance with the administrative procedure act.~~

Sec. 5. Minnesota Statutes 1988, section 31.103, subdivision 1, is amended to read:

Subdivision 1. [CONFORMITY WITH FEDERAL FAIR PACKAGING AND LABELING ACT.] All Labels of consumer commodities shall conform with the requirements for the declaration of net quantity of contents of section 4 of the Fair Packaging and Labeling Act, ~~United States Code, title 15, section sections 1451 et seq.) to 1461,~~ and federal regulations under those sections as state rules in effect on April 1, 1975 ~~promulgated pursuant thereto~~, except to the extent that the commissioner shall exercise authority to amend such rules in accordance with the administrative procedure act under section 31.101, subdivision 7. Consumer commodities exempted from the requirements of section 4 of the Fair Packaging and



Labeling Act ~~shall also be~~ are exempt from this subdivision.

Sec. 6. Minnesota Statutes 1988, section 31.104, is amended to read:

31.104 [FOOD LABELING EXEMPTION RULES.]

*Subdivision 1. [EXEMPTIONS.]* The commissioner shall ~~promulgate~~ ~~adopt rules exempting to exempt food from any labeling requirement~~ ~~requirements if the food which is,~~ in accordance with the practice of the trade, is to be processed, labeled, or repacked in substantial quantities at establishments other than ~~those establishments where the food was originally processed or packed;~~ on condition that ~~such.~~ The exemption only applies if the food is not adulterated or misbranded ~~upon~~ on removal from ~~such processing, labeling or repacking establishment the original establishment where the food was processed, labeled, or repacked.~~

*Subd. 2. [FEDERAL EXEMPTIONS.]* Federal regulations in effect ~~on April 1, 1975 under section 31.01 and~~ adopted under authority of the federal act relating to ~~such~~ exemptions are effective in this state unless the commissioner ~~shall exercise authority to amend such regulations adopts~~ rules to deny the exemption. ~~The commissioner also may promulgate amendments to existing rules concerning exemptions in accordance with the administrative procedure act.~~

Sec. 7. Minnesota Statutes 1988, section 31.11, is amended to read:

31.11 [FOOD RULES.]

*Subdivision 1. [AUTHORITY.]* ~~For the purpose of preventing~~ The commissioner of agriculture shall adopt rules relating to food to prevent fraud and deception in the manufacture, use, sale, and transportation of food, ~~or for the purpose of protecting and preserving and to protect and preserve the public health;~~ it shall also be the duty of the commissioner to make and publish uniform rules, not inconsistent with law, for carrying out and enforcing the provisions of laws now or hereafter enacted relating to food; ~~which rules shall be made in the manner provided by law. Until such rules are made and published, the rules heretofore made by the commissioner shall remain in full force and effect, except as otherwise prescribed by law.~~

*Subd. 2. [PENALTY FOR VIOLATION OF FOOD RULES.]* Any A person is guilty of a misdemeanor who ~~shall~~ violates a provision of the rules or fails to comply with the rules relating to:

(1) the manufacture, use, ~~sell sale, transport, offer or~~ transportation of food;

(2) the offering of food for use, sale, or transportation; ~~or have in possession~~

(3) the possessing of food with intent to use, sell, or transport the food; ~~any article of food contrary to the provisions of any such rule, or who shall fail to comply with any such rule, shall be guilty of a misdemeanor."~~

Amend the title as follows:

Page 1, line 4, after "sections" insert "18B.06, by adding a subdivision; 28A.04, subdivision 1:"

Page 1, line 5, delete "and" and before the period, insert "; and 31.11"

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

adopted.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was re-referred

S.F. No. 60: A bill for an act relating to water; recodifying, clarifying, and relocating provisions relating to water law; amending Minnesota Statutes 1988, sections 9.071; 16B.62, subdivision 1; 18.191; 18B.07, subdivision 6; 40A.13, subdivision 1; 41B.039, subdivision 3; 84.083, by adding subdivisions; 84.91, subdivision 4; 84.911, subdivisions 5 and 6; 84.95, subdivision 2; 85.33, subdivision 3; 86A.05, subdivision 10; 88.43, subdivision 2; 93.335, subdivision 1; 94.343, subdivision 4; 97A.015, subdivision 41; 97A.071, subdivision 4; 97A.101, subdivision 2; 115.097, subdivision 2; 144.95, subdivision 4; 156A.10, subdivision 2; 161.28, subdivision 1; 163.17; 272.02, subdivisions 1 and 6; 273.19, subdivision 5; 295.44, subdivision 1; 357.021, subdivision 2; 375.471; 383A.602, subdivision 5; 383A.604, subdivision 1; 394.25, subdivision 2; 459.20; 462.357, subdivision 1; 465.20; 469.141, subdivision 4; 469.174, subdivision 19; 471.345, subdivision 3; 471.591, subdivision 1; 471.98, subdivision 2; 473.191, subdivision 2; 609.68; and 645.44, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 83A; 97C; 156A; and 383B; proposing coding for new law as Minnesota Statutes, chapters 86B; 103A; 103B; 103C; 103D; 103E; 103F; and 103G; repealing Minnesota Statutes 1988, sections 40.01 to 40.45; 84.031; 84.032; and 84.158; 104.01 to 104.50; 105.37 to 105.81; 106A.005 to 106A.811; 110.13 to 110.72; 110B.01 to 110B.35; 112.34 to 112.89; 114.12 and 114.13; 114B.01 to 114B.07; 116C.41; 361.01 to 361.29; 378.01 to 378.57; 465.18; and 473.875 to 473.883.

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

Page 2, line 14, delete "*cross-section*" and insert "*cross section*"

Page 111, line 11, after "27" insert a comma

Page 111, line 16, delete "39" and insert "40"

Page 114, line 7, after "84" insert a comma

Page 115, line 33, after "20" insert a comma

Page 171, line 20, after "*in*" insert "*such*"

Page 171, line 30, before the first "*hearing*" insert "*a*"

Page 173, line 6, delete "*need and*"

Page 176, line 24, delete "*that*"

Page 176, line 25, before "*the*" insert "*that*"

Page 176, line 26, after "(2)" insert "*that*"

Page 177, line 7, after "*if*" insert "*the*"

Page 178, line 9, delete the comma and after "*agency*" insert a comma

Page 178, line 30, delete the second "*by*" and insert "*for*"

Page 178, line 33, after "*agency*" insert "*that is*"

Page 179, line 2, delete "PORTIONS" and insert "ASSESSMENT"

## PORTION"

Page 179, line 32, delete "*which*" and insert "*that*"

Page 179, line 33, delete everything after "*provided*"

Page 179, line 34, delete "*state*"

Page 180, line 8, delete "*appraisers*'"

Page 180, line 11, delete "*if*" and insert "*whether*"

Page 180, line 18, delete "*appraisers*'"

Page 180, line 20, delete "UPON" and insert "ON"

Page 180, line 26, delete "*is*" and insert "*are*"

Page 182, line 5, after "*to*" insert "*being given in*"

Page 183, line 25, delete "*that the benefits resulting from the project*" and insert "*result in benefits that*"

Page 183, line 28, delete "*for*" and insert "*authorize*" and after "*project*" insert "*to be constructed*"

Page 184, line 5, delete "*after the bids are received.*" and after "*bids*" insert "*received*"

Page 185, line 3, after "*and*" insert "*be*"

Page 185, line 26, delete "CONTROL OF" and insert "AUTHORITY OVER"

Page 186, line 1, after "*of*" insert "*the*"

Page 186, line 7, after "*managers*" insert a comma

Page 186, line 8, delete "*any*" and insert "*an authorized*"

Page 187, line 4, after "*an*" insert "*approved*"

Page 187, line 5, delete "*as found*"

Page 187, line 6, delete everything before "*with*"

Page 187, line 14, delete "*in*" and insert "*under*"

Page 187, line 33, after "84" insert a comma

Page 191, line 14, delete everything before "*once*" and insert "*valorem levy that can be levied only*"

Page 193, line 22, delete "*its*" and insert "*their*"

Page 193, line 33, after "*managers*" insert a comma

Page 194, line 35, delete "*by,*"

Page 195, line 6, delete "35" and insert "36"

Page 195, line 25, delete "*and*" and insert "*or*"

Page 196, line 14, delete the first "2" and insert "7"

Page 196, before line 25, insert:

"GENERAL PROVISIONS"

Page 197, line 29, delete the comma and delete "*height*" and insert "*level*"

Page 197, line 35, delete "height" and insert "level"

Page 198, line 30, delete "of" and insert "over"

Page 199, line 6, delete "of" and insert "over"

Page 199, line 34, delete "1a" and insert "2"

Page 203, line 34, after "and" insert "if"

Page 211, before line 33, insert:

**"PETITIONS FOR DRAINAGE PROJECTS"**

Page 212, line 12, after "but" insert "the petition" and after "owners" insert "of the parcel"

Page 214, line 26, delete "is" and insert "would be"

Page 215, line 16, delete "proceed" and insert "be conducted"

Page 216, line 14, delete the comma

Page 217, line 7, delete the second "the"

Page 217, line 8, after "construction" insert "of the"

Page 217, line 19, delete the first comma

Page 217, line 32, after the first "viewers" insert "are"

Page 218, line 9, after "area" insert "to be"

Page 218, after line 34, insert:

**"Sec. 32. [103E.227] [IMPOUNDING AND DIVERSION OF DRAINAGE SYSTEM WATERS.]**

*Subdivision 1. [PETITION.] (a) To conserve and make more adequate use of our water resources, a person, public or municipal corporation, governmental subdivision, the state or a department or agency of the state, the commissioner of natural resources, and the United States or any of its agencies, may petition for the installation of dams or other control works in drainage ditch systems to impound or divert waters for beneficial use. The petition must be directed to the drainage authority where the drainage system is located.*

*(b) The petition must contain the location of the installation, plans, and specifications for the proposed structure and a map of the areas likely to be affected by the impoundment or diversion.*

*(c) The petitioner shall agree to be responsible for the cost of installation and construction of the structure. [105.81]*

*(d) The petition must also be accompanied by a public waters work permit or a water use permit from the commissioner of natural resources if required under chapter 103G. [105.81]*

*Subd. 2. [BOND.] (a) Upon filing the petition, the petitioners shall file a bond as provided in section 27.*

*(b) A bond is not required if the petition is filed by the state, a state agency or department, the commissioner of natural resources, the United States or any of its agencies, or a municipality. [105.81]*

*Subd. 3. [PROCEDURE TO ESTABLISH PROJECT.] (a) After receiving the petition, bond, and permit, if required, the drainage authority must*

*appoint an engineer to investigate the effect of the proposed installation and file a report of findings.*

*(b) After filing of the engineer's report, notice must be given and a public hearing held as provided in section 40.*

*(c) If from the hearing it appears from the engineer's report and other evidence presented that the installation will be of a public or private benefit and that it will not impair the utility of the ditch or deprive affected land owners of its benefit, the drainage authority shall make an order modifying the drainage system and issue a permit authorizing its installation. [105.81]*

*Subd. 4. [FLOWAGE EASEMENTS REQUIRED.] Before installing or constructing an impoundment or diversion, the petitioner shall obtain rights-of-way and flowage easements from owners of land to be affected by it. [105.81]*

*Subd. 5. [ASSESSMENT OF MAINTENANCE AND REPAIR COSTS.] The order of the drainage authority modifying the drainage system must provide that construction and later maintenance and repairs of the drainage system modification and installation must be done by the petitioner without assessment of the cost to the property owners previously within the drainage system. [105.81]"*

Page 220, before line 19, insert:

**"PRELIMINARY SURVEY AND HEARING"**

Page 222, line 22, after "fall" insert "of the water"

Page 224, line 16, after "are" insert "determined"

Page 226, before line 35, insert:

**"DETAILED SURVEY AND VIEWING"**

Page 227, line 7, after the second "the" insert "detailed survey"

Page 227, line 8, delete "for"

Pages 228 and 229, delete section 43

Page 231, line 20, delete "reported" and insert "submitted"

Page 237, line 17, delete "disagreed" and insert "disputed"

Page 237, line 26, delete "AND FINAL"

Page 237, line 27, delete "PETITION NOTICE"

Page 237, line 28, delete "TO PROPERTY OWNERS"

Page 238, line 24, delete "1a" and insert "2"

Page 238, after line 29, insert:

**"FINAL HEARING"**

Page 238, line 30, after "HEARING" insert "NOTICE"

Page 242, before line 29, insert:

**"REDETERMINATION OF BENEFITS"**

Page 243, before line 28, insert:

“OUTLETS FOR DRAINAGE SYSTEMS”

Page 243, line 33, delete the comma

Page 244, line 6, delete “of” and insert “*having jurisdiction over*”

Page 244, line 35, after “*where*” insert “*the*”

Page 245, line 27, after “*by*” insert “*the*”

Page 246, line 11, delete the first comma

Page 246, line 31, after “*drainage*” insert “*system*”

Page 248, before line 14, insert:

“CONSTRUCTION OF DRAINAGE PROJECT”

Page 249, line 16, after “*pay*” insert “*the affected*”

Page 251, line 14, delete “*paper*” and insert “*newspaper*” in both places

Page 251, line 30, after “of” insert “*the bidder's*”

Page 253, line 1, delete the first “*the*”

Page 254, line 2, delete “*the*”

Page 255, line 26, delete “CHANGING” and insert “CHARGING”

Page 255, line 29, delete “*its*” and insert “*their*”

Page 255, line 30, after “*time*” insert “*as stated*”

Page 259, line 4, delete everything after “*the*” and insert “*value of the certified work;*”

Page 259, line 6, after “*retained*” insert “*by the drainage authority*”

Page 259, line 12, delete “FOR” and insert “OF”

Page 259, line 18, after “of” insert “*publishing*” and delete “*by*” and insert a period

Page 259, delete line 19

Page 261, before line 12, insert:

“FUNDING, COLLECTION, AND PAYMENT  
OF DRAINAGE SYSTEM COSTS”

Page 261, line 22, delete “*under*” and insert “*as provided in*”

Page 266, line 19, after “*apportionment*” insert “*is*”

Page 266, line 31, delete “*on*”

Page 267, line 30, after “*bonds*” insert a comma

Page 267, line 31, delete “*exceeding*” and insert “*to exceed*” and after “*date*” insert “*of issue*”

Page 268, line 8, after “*bonds*” insert “*as provided*”

Page 268, line 36, delete everything after “*date*” and insert “*when the county notifies the definitive bondholders*”

Page 269, line 1, delete “*has*” and insert “*have*”

Page 273, line 18, delete “*county*”

Page 274, line 6, delete the comma and delete "*sign the endorsement*" and insert "*treasurer's signature*"

Page 274, line 13, before "ESTABLISHMENT" insert "EXAMINATION AND"

Page 274, line 15, delete "ESTABLISH" and insert "EXAMINE"

Page 274, line 18, before the second "*The*" insert:

"Subd. 2. [ESTABLISHMENT OF ACCOUNTS.]"

Page 274, line 21, delete "2" and insert "3"

Page 274, before line 27, insert:

"PROCEDURE TO REPAIR DRAINAGE SYSTEMS"

Page 277, line 7, delete "INSPECTOR" and insert "INSPECTION"

Page 278, line 3, after "*disaster*" insert "*as provided*" and delete "6" and insert "7"

Page 278, line 23, delete "*systems*" and insert "*system*"

Page 278, line 25, after the third "*the*" insert "*amount of the*"

Page 278, line 28, after the first "*the*" insert "*amount of the*"

Page 279, line 31, delete "ENGINEER AND" and insert "ENGINEER'S"

Page 280, line 30, after the first "*repair*" insert "*described*"

Page 282, line 3, after "*replacement*" insert "*of*"

Page 282, line 13, after the first "*repair*" insert "*proposed*"

Page 283, line 9, after "*installation*" insert "*be*"

Page 287, line 16, after "BENEFITS" insert "IN ANOKA COUNTY"

Page 287, before line 27, insert:

"CONSOLIDATION, DIVISION, AND ABANDONMENT OF  
DRAINAGE SYSTEMS"

Page 289, line 22, delete "*is*" and insert "*be*"

Page 291, line 26, after "*date*" insert "*must be*"

Renumber the sections of article 5 in sequence

Page 293, line 4, delete "*flood proofing*" and insert "*floodproofing*"

Page 293, line 7, delete "*to not prohibit but*" and insert "*not to prohibit but to*"

Page 293, line 30, delete everything before "*a*" and insert "*discharge floodwater and provide water storage during*"

Page 294, line 34, delete "*flood*" and insert "*floodwater*"

Page 295, line 1, delete "WATER BASIN" and insert "WATERBASIN" and delete "*Water basin*" and insert "*Waterbasin*"

Page 295, line 2, delete "12" and insert "2"

Page 297, delete line 15 and insert "*for collection by special tax levy with the county auditor of the county where the local governmental unit*"

*is located."*

Page 297, line 16, delete everything before "*The*"

Page 297, line 32, delete "*floodplains*" and insert "*floodplain*"

Page 298, line 16, delete "*Amusement parks that exist*" and insert "*An amusement park that exists*"

Page 298, line 17, delete "*are*" and insert "*is*"

Page 299, line 5, delete "*floodplains*" and insert "*floodplain*"

Page 299, line 25, delete "*flood*"

Page 299, line 26, delete "*proofing*" and insert "*floodproofing*" and delete "*sanitary*" and insert "*sanitation*"

Page 299, line 28, delete "*ONLY NEEDED*" and insert "*NEEDED ONLY*"

Page 299, line 35, after "*ORDINANCE*" insert "*ARE*"

Page 300, line 18, delete "*MEASURE*"

Page 300, line 21, delete "*constructed*" and insert "*undertaken*"

Page 304, line 27, delete "*project*" and insert "*program*"

Page 304, line 34, after the second "*the*" insert "*United States*"

Page 305, line 11, delete "*rivers*" and insert "*rivers*"

Page 307, line 21, delete "*flood plain*" and insert "*a floodplain*"

Page 308, line 11, after "*OF*" insert "*COMMISSIONERS OF*"

Page 308, line 15, delete everything after the first "*the*" and insert "*commissioners of health and of the*"

Page 308, line 27, delete "*294.26*" and insert "*394.26*"

Page 308, line 32, delete the comma

Page 308, line 36, delete "*subdivision 4*" and insert "*this section*"

Page 309, line 4, after "*costs*" insert "*for collection by special tax levy*" and delete the third "*of*" and insert a period

Page 309, line 5, delete everything before the second "*The*"

Page 310, line 33, after "*under*" insert "*section 28,*"

Page 312, line 22, delete "*the easement may not*" and insert "*restricted so as not to*"

Page 313, line 2, delete "*is*" and insert "*are*"

Page 313, line 24, delete "*shall further*" and insert "*furtherance of*"

Page 313, line 26, delete "*shall apply*" and insert "*application*"

Page 313, line 33, after "*land*" insert a comma

Page 314, line 23, delete "*commissioner*" and insert "*commissioners*"

Page 314, line 24, delete everything before "*and*" and insert "*development and of public service*"

Page 315, line 1, delete "*commissioner*" and insert "*commissioners*"



Page 315, line 2, delete "*the director*"

Page 315, line 4, delete everything after "*the*"

Page 315, line 5, delete everything before "*must*" and insert "*commissioners*"

Page 315, line 22, delete "*delete*" and insert "*exclude*"

Page 317, line 28, delete "RIVERS" and insert "RIVER"

Page 318, line 10, after the second "*the*" insert "*United States*"

Page 318, line 34, after "*commissioner*" insert "*of natural resources*"

Page 325, line 4, delete "*weeks*" and insert "*weeks*"

Page 329, line 3, delete "*weeks*" and insert "*weeks*"

Page 330, line 7, delete "*that*" and insert "*to which*"

Page 330, line 8, delete the comma

Page 330, line 12, delete the second comma

Page 330, line 36, delete "*Excessive soil loss*" and insert "*Excessive soil loss*"

Page 331, line 4, delete the first comma

Page 331, line 28, delete "USDA" and insert "*the United States*" and after "*Service*" insert "*and*"

Page 332, line 7, after the first "*limits*" insert a comma

Page 333, line 22, after "*landowner*" insert "*whose land is causing excessive soil loss*"

Page 333, line 25, before "*land*" insert "*a description of*"

Page 333, line 36, before "*The*" insert "*Representatives of*"

Page 334, line 2, after "*report*" insert "*required by paragraph (c)*"

Page 334, line 3, delete "*inspections*" and insert "*inspection*"

Page 334, line 25, delete the comma

Page 334, line 29, delete the comma

Page 335, lines 5 and 7, after "*percent*" insert "*of the*"

Page 336, line 3, delete "*when*" and insert "*after which*" and delete "*not*" and insert "*no longer*"

Page 336, line 24, after "*land*" insert "*specified*"

Page 338, line 4, delete "*only eligible*" and insert "*eligible only*"

Page 338, line 30, delete "*purposes*" and insert "*purpose*"

Page 339, line 28, delete "*groundwater*" and insert "*ground water*"

Page 344, line 6, delete the semicolon

Page 344, line 7, delete everything before the period

Page 345, line 3, after "FEDERAL" insert "AND STATE"

Page 345, line 11, delete "*waterbank*" and insert "*water bank*"

Page 346, line 5, after "*enter*" insert "*agreements for*"

Page 350, line 14, delete "*those*" and insert "*these*"

Page 350, line 30, delete everything after the period

Page 350, line 31, delete "*completed by July 1, 1988.*"

Page 350, line 32, delete the semicolon

Page 350, line 33, delete "ELIGIBILITY"

Page 351, line 31, delete "11" and insert "12"

Page 352, line 21, delete "*following*"

Page 355, line 31, delete "*that*"

Page 355, line 32, delete everything before the period

Page 357, line 19, after "*areas*" insert "*to*"

Page 357, line 33, delete "*moneys*" and insert "*funds*"

Page 360, line 2, delete everything after "*of*" and insert "*waterbasins, watercourses,*"

Page 360, line 3, delete the first "*and*" and after "*waters*" insert a comma

Page 361, line 2, delete the second "*natural*"

Page 361, line 6, delete "*includes*"

Page 361, line 15, after "*banks*" insert a comma

Page 361, line 16, after "*water*" insert a comma

Page 362, line 13, delete "TO" and insert "IN ENFORCEMENT.]"

Page 362, line 14, delete everything before "*Personnel*"

Page 362, line 23, delete "APPEARANCE FOR" and insert "REPRESENTATION OF"

Page 362, line 24, after "COMMISSIONER" insert "TO APPEAR"

Page 363, line 13, after the second comma, insert "*and*"

Page 363, line 20, after "PROPERTY" insert "INCLUDING"

Page 368, lines 18 and 22, delete "*, servant,*"

Page 368, line 33, delete "TO COMPLY" and insert "FOR COMPLIANCE"

Page 369, lines 6 and 9, delete "*various*"

Page 369, line 11, delete "*phone*" and insert "*telephone*"

Page 369, line 12, delete "*, servant,*"

Page 371, lines 9, 12, and 14, delete "*flood plain*" and insert "*floodplain*"

Page 371, line 17, after "*improvements*" insert a comma

Page 372, line 21, delete "*dams*" and insert "*dam*"

Page 372, delete line 22 and insert "*reservoir, control structure, or waterway obstruction in a*"

Page 372, line 25, delete "INVESTIGATIONS" and insert "INVESTIGATION"

Page 373, line 13, delete "who" and insert "to whom" and after "addressed" delete "to"

Page 373, line 24, after "establishment" insert a comma

Page 373, line 35, delete "a" and insert "per"

Page 374, line 32, after "determination" insert "is made"

Page 374, line 36, after "diversion" insert "is given"

Page 375, line 8, after "determination" insert "is made"

Page 375, line 12, after "use" insert "is given"

Page 376, line 22, delete "of" and insert "from"

Page 376, line 23, delete "the"

Page 376, line 24, delete "of" and insert "by"

Page 378, line 21, after the first comma, insert "a"

Page 379, line 10, delete "is" and insert "are"

Page 379, delete line 22 and insert "Minnesota Lakes," published in 1968."

Page 380, line 4, delete "to" and insert "for"

Page 380, line 28, delete "car" and insert "vehicle"

Page 381, line 3, after "for" insert "a"

Page 381, line 14, delete everything after "OF" and insert "PERMIT FOR APPROPRIATION FROM"

Page 381, line 17, after "conservation" insert "district's"

Page 381, line 26, after "appropriation" insert "of water"

Page 381, line 30, delete the comma

Page 383, line 1, delete "is" and insert "are"

Page 383, line 9, delete "one"

Page 383, line 10, delete "this"

Page 383, line 18, delete "only"

Page 383, line 19, after "groundwater" insert "only"

Page 384, line 5, delete the first comma and insert "and" and after "application" delete the comma

Page 384, line 12, after "copper-nickel" insert a comma

Page 384, line 21, delete "that"

Page 385, lines 2 and 34, delete "servants" and insert "employees"

Page 385, line 21, delete the comma

Page 385, line 27, before "permit" insert "the"

Page 385, line 30, delete "interests" and insert "interest"

Page 386, line 6, delete "*and*" and insert "*or*"

Page 386, line 7, delete "*may immediately suspend*" and insert "*immediately suspends*"

Page 386, line 9, after "*emergency*" insert a comma

Page 387, line 20, delete the first comma

Page 388, line 17, delete the comma in both places

Page 388, line 21, delete "*on*"

Page 388, line 30, delete "*with*" and insert "*within*"

Page 389, line 30, delete "*show*"

Page 391, line 2, after "*municipality*" insert a comma

Page 391, line 11, after "*commissioner*" delete the comma

Page 391, lines 23 and 32, after the comma, insert "*but*"

Page 391, line 25, delete the comma

Page 391, line 33, delete the comma

Page 392, line 30, delete everything after "*that*" and insert "*an application*"

Page 392, line 31, delete "*applicant*"

Page 393, line 5, delete "*orders*" and insert "*an order*"

Page 393, line 29, delete "*on*" and insert "*in*"

Page 395, line 25, delete "*Application*" and insert "*Applications*"

Page 399, line 21, delete the comma

Page 399, line 23, delete "*said*" and insert "*the*"

Page 400, line 5, after "*hearings*" insert a comma

Page 400, line 9, after "*the*" insert "*established*" and after "*plan*" delete "*established*"

Page 401, line 6, after the comma, insert "*in which case*"

Page 401, line 34, delete "*government*" and insert "*governmental*"

Page 402, line 32, after "*scenic*" insert "*value*" and delete "*purpose*" and insert "*purposes*"

Page 404, line 25, delete "*Minnesota*"

Page 406, line 9, before "*permit*" insert "*a*"

Page 406, line 14, before "*Rules*" insert "*The commissioner shall adopt*" and before "*must*" insert "*which*"

Page 406, line 21, after "*OF*" insert "*AUTHORITY OVER*"

Page 407, line 12, after "*OF*" insert "*OWNERSHIP OF*"

Page 407, line 35, after "*of*" insert "*water*"

Page 408, line 3, after "*elevation*" insert "*of*"

Page 409, line 27, after "*construct*" insert a comma

Page 410, line 7, after "*legislature*" insert "*with regard to control structures or water levels*"

Page 410, line 30, delete "*were*" and insert "*was*"

Page 410, line 31, after "*for*" insert "*a*"

Page 411, line 6, after "*pay*" insert "*to the state*"

Page 411, line 7, delete "*to the state*"

Page 411, line 8, after "*must*" insert "*promptly*"

Page 411, line 9, delete "*promptly*"

Page 412, delete lines 1 and 2 and insert:

"(5) *discontinuance of regulation of water levels through deterioration or removal of the dam would be*"

Page 412, line 16, delete the third "*the*"

Page 414, line 20, delete "*is*" and insert "*are*"

Page 415, line 13, after "*state*" insert a comma

Page 416, line 5, after "*52*" insert a comma

Page 416, line 9, after "*easement*" insert a comma

Page 416, line 11, after "*determining*" insert "*the*"

Page 416, line 23, before the period, insert "*for approval*"

Page 416, line 25, after "*meeting*" insert "*on the petition*"

Page 418, line 1, delete "*and orders*"

Page 418, line 12, delete "*order*" and insert "*rules*"

Page 418, line 28, delete "*, orders*"

Page 418, line 32, delete "*, by September 1, 1988,*"

Page 418, line 35, delete "*ice*" and insert "*surface*"

Page 420, line 30, delete the first "*of*"

Page 422, line 10, delete "*down*" and insert "*downed*"

Page 422, lines 13 and 24, delete "*105.471*" and insert "*105.475*"

Page 427, line 17, delete "*58*" and insert "*57*"

Page 428, line 2, delete the comma and delete "*provision*" and insert "*provisions*" and delete "*1*" and insert "*7*"

Page 428, line 3, delete "*3*" and insert "*9*"

Page 429, line 4, delete "*1 to 3*" and insert "*7 to 9*"

Page 429, line 11, delete "*upon*"

Page 430, line 3, delete "*, may*" and after "*answer*" insert "*may*"

Page 430, line 4, delete "*another or different name*" and after "*water*" insert "*a different name*"

Page 430, line 5, delete "*asked for*" and insert "*requested*"

Page 435, line 14, delete "*3*" and strike the comma

Page 435, line 15, strike "subdivision 2," and after "5" delete the comma

Page 436, line 25, strike "surface water management" and insert "watershed"

Page 438, line 2, delete "ground water" and insert "groundwater"

Page 440, line 8, strike "21" and insert "24"

Page 442, line 18, delete "14" and insert "18"

Page 451, line 4, strike "ground water" and insert "groundwater"

Page 451, line 5, strike "flood plains" and insert "floodplains"

Page 455, line 30, strike "9" and insert "13"

Page 462, line 23, after "1973" insert a comma

Page 464, line 34, before "speed" insert "the"

Page 466, line 23, delete "4" and insert "3"

Page 468, line 28, delete the third comma

Page 469, line 12, delete the comma

Page 470, line 26, delete the comma

Page 472, line 15, delete "18" and insert "19"

Page 473, line 5, after "question" insert "of"

Page 476, line 18, delete "paragraphs" and insert "paragraph"

Page 477, line 1, delete "sections 14.01 to 14.70" and insert "chapter 14"

Page 478, line 16, delete "4" and insert "6"

Page 479, line 2, after "and" insert a comma

Page 479, line 21, delete the third comma

Page 481, line 10, delete "attorney's" and insert "attorney"

Page 483, line 23, after "commissioner" insert a comma

Page 486, line 27, delete "86B.431" and insert "86B.501"

Page 487, line 8, delete "86B.435" and insert "86B.505"

Page 487, line 33, delete "86B.441" and insert "86B.511"

Page 488, line 2, delete "86B.445" and insert "86B.515"

Page 488, line 16, delete "86B.451" and insert "86B.521"

Page 489, line 18, delete "86B.455" and insert "86B.525"

Page 489, line 22, delete "U.S." and insert "United States"

Page 489, line 24, delete "86B.461" and insert "86B.531"

Page 489, line 32, delete "Such extinguisher" and insert "The extinguishers"

Page 490, line 6, delete "86B.465" and insert "86B.535"

Page 490, line 21, delete "86B.501" and insert "86B.601"

Page 490, line 35, delete "three inch" and insert "three-inch"

Page 491, line 34, delete "86B.601" and insert "86B.701"

Page 492, line 9, after "for" insert "the"

Page 493, line 9, after "county" insert a comma

Page 493, line 25, delete "86B.605" and insert "86B.705"

Page 494, line 11, delete "of court"

Page 494, line 21, delete "86B.701" and insert "86B.801"

Page 494, line 33, delete "86B.705" and insert "86B.805"

Page 495, line 12, delete "86B.711" and insert "86B.811"

Page 495, line 33, delete "86B.715" and insert "86B.815"

Page 496, after line 6, insert:

"Sec. 42. [EFFECTIVE DATE.]

*Article 9 is effective January 1, 1990."*

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. 778: A bill for an act relating to human services; authorizing general assistance medical care payments for patients in facilities determined to be institutions for mental diseases; creating an exception to negotiated rate facility limits for institutions for mental diseases.

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

Page 1, line 11, after "CARE" insert "AND MINNESOTA SUPPLEMENTAL AID"

Page 1, line 12, after "care" insert "and Minnesota supplemental aid"

Page 1, line 22, delete "payments for case management services,"

Page 1, delete line 23

Page 1, line 24, delete "serious and persistent mental illness" and insert "the following services for a person"

Page 2, line 2, after "diseases" insert ":

*(1) case management services and psychological services for a person with serious and persistent mental illness; and*

*(2) medical supplies"*

Page 2, lines 6 and 16, delete "board and" and insert "boarding"

Page 2, line 11, delete "general assistance medical care"

Page 2, after line 20, insert:

"Sec. 2. [CARRYOVER OF APPROPRIATIONS FOR THE PREADMISSION SCREENING AND ALTERNATIVE CARE GRANTS PROGRAM.]

*Any balance remaining at the end of the fiscal year ending June 30,*

*1989, in the appropriations for the preadmission screening and alternative care grants program in Laws 1987, chapter 403, article 1, section 2, subdivision 6, paragraph (c), and Laws 1988, chapter 689, article 1, section 2, does not cancel and is available for the fiscal year ending June 30, 1990. In order to prevent closure of client cases or limits on the intake of new cases, any money carried forward under this section, and any appropriations made for the biennium ending June 30, 1991, may be used to reimburse counties for expenditures made by counties for the preadmission screening and alternative care grant program during previous fiscal years. The appropriation for the fiscal year ending June 30, 1990, does not cancel and is available for the second year of the biennium. If money appropriated the first year is inadequate to serve all eligible clients, the second year's appropriation is available with the approval of the governor after consulting with the legislative advisory commission."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, before the period, insert "; providing for carryover of appropriations for the preadmission screening and alternative care grants program"

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 775: A bill for an act relating to workers' compensation; requiring a report on recodification and simplification of the workers' compensation law; appropriating money.

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

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 312: A bill for an act relating to employment; providing for employee review of personnel records; regulating use of personnel records; requiring removal or correction of false information; limiting records of nonemployment activities; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Delete everything after the enacting clause and insert:

"Section 1. [181.960] [DEFINITIONS.]

*Subdivision 1. [APPLICABILITY.] For purposes of sections 1 to 8, the following terms have the meanings given in this section.*

*Subd. 2. [EMPLOYEE.] "Employee" means a person who performs services for hire for an employer, provided that the services have been performed predominately within the state for an average of 20 or more hours per week over the last six months or a probationary or mutually agreed upon employment period not to exceed 12 months, whichever is*



*longer. The term includes any person who has been separated from employment for less than six months. The term does not include an independent contractor.*

*Subd. 3. [EMPLOYER.] "Employer" means a person who has 20 or more employees. Employer does not include a state agency, statewide system, political subdivision, or advisory board or commission that is subject to chapter 13.*

*Subd. 4. [PERSONNEL RECORD.] "Personnel record," to the extent maintained by an employer, means collectively: any application for employment; wage or salary history; notices of commendation, warning, or discipline; authorization for a deduction or withholding of pay; fringe benefit information; leave records; and employment history with the employer, including salary history, job titles, dates of changes, attendance records, performance evaluations, and retirement record. The term does not include:*

*(1) written references respecting the employee, including letters of reference supplied to an employer by another person;*

*(2) information relating to the investigation of criminal offenses;*

*(3) education records, pursuant to section 513(a) of title 5 of the Family Educational Rights and Privacy Act of 1974, United States Code, title 20, section 1232g, that are maintained by an educational institution and directly related to a student;*

*(4) results of employer testing, except that the employee may see a cumulative total test score for a section of the test or for the entire test;*

*(5) information relating to the employer's salary system and staff planning, including comments, judgments, recommendations, or ratings concerning expansion, downsizing, reorganization, job restructuring, future compensation plans, promotion plans, and job assignments;*

*(6) written comments or data of a personal nature about a person other than the employee, if disclosure of the information would constitute an intrusion upon the other person's privacy;*

*(7) information kept by the employee's supervisor or an executive, administrative, or professional employee, provided such information has been kept in the possession of the maker of the record;*

*(8) privileged information or information that would be otherwise not clearly discoverable in a workers' compensation, grievance arbitration, administrative, judicial, or quasi-judicial proceeding;*

*(9) any portion of a written statement authored by a co-worker of the employee that concerns the job performance or job-related misconduct of the employee that discloses the identity of the co-worker by name, inference, or otherwise; and*

*(10) medical reports and records, including reports and records that would ordinarily be available to the employee from a health care services provider pursuant to section 144.335.*

**Sec. 2. [181.961] [REVIEW OF PERSONNEL RECORD BY EMPLOYEE.]**

*Subdivision 1. [RIGHT TO REVIEW; FREQUENCY.] Upon written request by an employee, the employer shall provide the employee with an opportunity to review the employee's personnel record. The employee's*

*request must state the reason for the review, and must be made in good faith. An employer is not required to provide an employee with an opportunity to review the employee's personnel record if the employee has reviewed the personnel record during the previous six months.*

**Subd. 2. [TIME; LOCATION; CONDITION.]** *The employer shall comply with a written request pursuant to subdivision 1 no later than seven working days after receipt of the request. The personnel record or accurate copy thereof must be made available for review by the employee during the employer's normal hours of operation at the employee's place of employment or other reasonably nearby location, but need not be made available during the employee's working hours. The employer may require that the review be made in the presence of the employer or the employer's designee.*

**Sec. 3. [181.962] [REMOVAL OR REVISION OF INFORMATION.]**

**Subdivision 1. [AGREEMENT; FAILURE TO AGREE; COPY; POSITION STATEMENT.]** *(a) If an employee disputes specific information contained in the employee's personnel record, the employer and the employee may agree to remove or revise the disputed information. If an agreement is not reached:*

*(1) the employer shall provide, upon the written request of the employee, a copy of the disputed information, and may charge a fee for the copy not to exceed the actual cost of making and compiling the copy; and*

*(2) the employee may submit a written statement specifically identifying the disputed information and explaining the employee's position.*

*(b) The employee's position statement may not exceed five written pages. The position statement must be included along with the disputed information for as long as that information is maintained in the employee's personnel record. A copy of the position statement must also be provided to any other person who thereafter receives a copy of the disputed information from the employer.*

**Subd. 2. [DEFAMATION ACTION PROHIBITED.]** *No communication of information contained in an employee's personnel record that is disputed pursuant to subdivision 1 may be made the subject of any action for libel, slander, or defamation, unless an agreement is not reached between the employer and the employee to remove or revise the disputed information and the employer refuses or negligently fails to include the employee's position statement along with the disputed information or thereafter provide a copy of the statement to other persons as required under subdivision 1.*

**Sec. 4. [181.963] [RECORD OF NONEMPLOYMENT ACTIVITIES PROHIBITED.]**

*An employer may not produce or maintain a record relating to an employee's associations, political activities, publications, or communications of nonemployment activities, unless the record (1) bears a reasonable relationship to the employee's qualification for employment, transfer, promotion, or continued employment with the company, or (2) serves any other legitimate business need of the employer.*

**Sec. 5. [181.964] [USE OF OMITTED PERSONNEL RECORD.]**

*Information properly belonging in an employee's personnel record that was omitted from the personnel record provided by an employer to an*

*employee for review pursuant to section 2 may be used by the employer in an administrative, judicial, or quasi-judicial proceeding, provided that the employee has been given a reasonable opportunity to review the omitted information prior to its use.*

**Sec. 6. [181.965] [RETALIATION PROHIBITED.]**

*An employer may not retaliate against an employee for asserting rights or remedies provided in sections 1 to 7.*

**Sec. 7. [181.966] [REMEDIES.]**

*Subdivision 1. [GENERAL.] In addition to other remedies provided by law, if an employer violates a provision of sections 1 to 6, the employee may bring a civil action to compel compliance and for the following relief:*

*(1) for a violation of sections 1 to 5, actual damages only, plus costs; and*

*(2) for a violation of section 6, actual damages, back pay, and reinstatement or other make-whole, equitable relief, plus reasonable attorney fees if the court explicitly finds that the employer willfully and knowingly violated that section.*

*Subd. 2. [LIMITATIONS PERIOD.] Any civil action maintained by the employee under this section must be commenced within six months of the alleged violation.*

**Sec. 8. [181.967] [ADDITIONAL RIGHT OF ACCESS TO RECORDS.]**

*Sections 1 to 7 do not prevent an employer from providing additional rights to employees and do not diminish a right of access to records under chapter 13."*

Delete the title and insert:

"A bill for an act relating to employment; providing for review of an employee's personnel record; providing for removal or revision of disputed information contained in an employee's personnel record; limiting records of nonemployment activities; regulating use of omitted information; proposing coding for new law in Minnesota Statutes, chapter 181."

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

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

S.F. No. 478: A bill for an act relating to education; providing for donations to the permanent school fund; amending Minnesota Statutes 1988, sections 84.085 and 124.08.

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

Page 1, line 20, delete "*permanent school fund*" and insert "*state*" and after "*property*" insert "*, be classified as school trust land as defined in section 92.025,*" and delete "*shall*"

Page 2, line 6, delete "*including*" and insert "*other than*"

Page 2, line 8, delete "*prudently maximize the*" and insert "*obtain fair market*" and delete "*of*" and insert "*for*"

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

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

S.F. No. 273: A bill for an act relating to education; establishing requirements for membership on an education district board; amending Minnesota Statutes 1988, section 122.92.

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

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

S.F. No. 699: A bill for an act relating to alcoholic beverages; authorizing Cook county to issue an off-sale liquor license.

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

Page 1, line 9, after "*township*" insert "*with the approval of the commissioner of public safety*"

Page 1, line 14, after "*and*" insert "*the town board of Lutsen and*"

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. 917: A bill for an act relating to occupations and professions; regulating the practice of accountancy; creating standards of care; amending Minnesota Statutes 1988, sections 326.165; 326.20, subdivision 1; 326.211, subdivision 6; and 326.212, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.

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

Page 2, line 31, delete "*and*" and insert "*or*" and delete "*also*"

Page 3, line 9, after "*withour*" insert "*necessarily*"

Page 3, line 13, delete "*limited*"

Page 3, line 18, delete "*and are limited in*" and insert a period

Page 3, delete lines 19 and 20

Page 5, line 31, delete "*A*"

Page 5, delete lines 32 to 35

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

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

S.F. No. 358: A bill for an act relating to liquor; license eligibility; places and times of sale; sampling; amending Minnesota Statutes 1988, sections 340A.402; 340A.405, subdivision 1; 340A.504, subdivisions 2 and 4; and 340A.510.

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 1988, section 340A.402, is amended to read:

340A.402 [PERSONS ELIGIBLE.]

No retail license may be issued to:

(1) a person not a citizen of the United States or a resident alien;

(2) a person under 21 years of age;

~~(3) a person who within five years of the license application has been convicted of a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution, of intoxicating or nonintoxicating malt liquors;~~

~~(4)~~ a person who has had an intoxicating liquor or nonintoxicating liquor license revoked within five years of the license application, or to any person who at the time of the violation owns any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested; or

~~(5)~~ (4) a person not of good moral character and repute.

*In addition, no new retail license may be issued to, and the governing body of a municipality may refuse to renew the license of, a person who, within five years of the license application, has been convicted of a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage.*

Sec. 2. Minnesota Statutes 1988, section 340A.504, subdivision 2, is amended to read:

Subd. 2. [INTOXICATING LIQUOR; ON-SALE.] No sale of intoxicating liquor for consumption on the licensed premises may be made:

(1) between 1:00 a.m. and 8:00 a.m. on the days of ~~Tuesday~~ Monday through Saturday;

(2) ~~between 12:00 midnight and 8:00 a.m. on Mondays;~~

~~(3)~~ after 1:00 a.m. on Sundays, except as provided by subdivision 3;

~~(4)~~ (3) between 8:00 p.m. on December 24 and 8:00 a.m. on December 25, except as provided by subdivision 3.

Sec. 3. Minnesota Statutes 1988, section 340A.504, subdivision 3, is amended to read:

Subd. 3. [INTOXICATING LIQUOR; SUNDAY SALES; ON-SALE.] (a) A restaurant, club, bowling center, or hotel with a seating capacity for at least 30 persons and which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 12:00 noon ~~on Sundays and 12:00 midnight on Sundays~~ 1:00 a.m. on Mondays.

(b) The governing body of a municipality may after one public hearing by ordinance permit a restaurant, hotel, bowling center, or club to sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 10:00 a.m. on Sundays and ~~12:00 midnight on Sundays~~ 1:00 a.m. on Mondays, provided that the licensee is in conformance with the Minnesota clean air act.

(c) An establishment serving intoxicating liquor on Sundays must obtain a Sunday license. The license must be issued by the governing body of the municipality for a period of one year, and the fee for the license may not exceed \$200.

(d) A municipality may issue a Sunday intoxicating liquor license only if authorized to do so by the voters of the municipality voting on the question at a general or special election.

(e) An election conducted in a town on the question of the issuance by the county of Sunday sales licenses to establishments located in the town must be held on the day of the annual election of town officers.

(f) Voter approval is not required for licenses issued by the metropolitan airports commission or common carrier licenses issued by the commissioner. Common carriers serving intoxicating liquor on Sunday must obtain a Sunday license from the commissioner at an annual fee of \$50, plus \$5 for each duplicate.

Sec. 4. Minnesota Statutes 1988, section 340A.504, subdivision 4, is amended to read:

Subd. 4. [INTOXICATING LIQUOR; OFF-SALE.] No sale of intoxicating liquor may be made by an off-sale licensee:

(1) on Sundays;

(2) before 8:00 a.m. on Monday through Saturday;

(3) after 10:00 p.m. on Monday through Saturday at an establishment located in a city other than a city of the first class or within a city located within 15 miles of a city of the first class in the same county;

(4) after 8:00 p.m. on Monday through Thursday and after 10:00 p.m. on Friday and Saturday at an establishment located in a city of the first class or within a city located within 15 miles of a city of the first class in the same county, provided that an establishment may sell intoxicating liquor until 10:00 p.m. on December 31 and July 3, and on the day preceding Thanksgiving day, unless otherwise prohibited under clause (1);

(5) on New Years Day, January 1;

(6) ~~on Independence Day, July 4;~~

~~(7)~~ on Thanksgiving Day;

~~(8)~~ (7) on Christmas Day, December 25; or

~~(9)~~ (8) after 8:00 p.m. on Christmas Eve, December 24.

Sec. 5. Minnesota Statutes 1988, section 340A.510, is amended to read:  
340A.510 [MALT LIQUOR AND WINE SAMPLES.]

Off-sale licenses and municipal liquor stores may provide samples of *malt liquor*, wine, liqueurs, and cordials which the licensee or municipal liquor store currently has in stock and is offering for sale to the general

public without obtaining an additional license, provided the *malt liquor*, wine, liqueur, and cordial samples are dispensed at no charge and consumed on the licensed premises during the permitted hours of off-sale in a quantity less than *100 milliliters of malt liquor per variety per customer*, 50 milliliters of wine per variety per customer, and 25 milliliters of liqueur or cordial per variety per customer."

Delete the title and insert:

"A bill for an act relating to liquor; clarifying license eligibility; changing the time of sale on certain holidays; allowing for the dispensing of samples of malt liquor; amending Minnesota Statutes 1988, sections 340A.402; 340A.504, subdivisions 2, 3, and 4; and 340A.510."

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. 784: A bill for an act relating to commerce; prohibiting car rental companies from holding renters liable for damages, except under certain circumstances; 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, after line 6, insert:

"Section 1. Minnesota Statutes 1988, section 65B.49, subdivision 5a, is amended to read:

Subd. 5a. [RENTAL VEHICLES.] (a) Every plan of reparation security insuring a natural person as named insured, covering private passenger vehicles as defined under section 65B.001, subdivision 3, must provide that all of the obligation for damage and loss of use to a rented vehicle would be covered by the property damage liability portion of the plan. The obligation of the plan must not be contingent on fault or negligence. In all cases where the plan's property damage liability coverage is less than \$25,000, the coverage available under the subdivision must be \$25,000. Other than as described in this paragraph, nothing in this section amends or alters the provisions of the plan of reparation security as to primacy of the coverages in this section.

(b) A vehicle is rented for purposes of this subdivision if the rate for the use of the vehicle is determined on a weekly or daily basis. A vehicle is not rented for purposes of this subdivision if the rate for the vehicle's use is determined on a monthly or longer period.

(c) The policy or certificate issued by the plan must inform the insured of the application of the plan to rental vehicles and that the insured may not need to purchase additional coverage from the rental company.

(d) Where an insured has two or more vehicles covered by a plan or plans of reparation security containing the rented motor vehicle coverage required under paragraph (a), the insured may select the plan the insured wishes to collect from and that plan is entitled to a pro rata contribution from the other plan or plans based upon the property damage limits of liability. If the person renting the motor vehicle is also covered by the

person's employer's insurance policy or the employer's automobile self-insurance plan, the reparation obligor under the employer's policy or self-insurance plan has primary responsibility to pay claims arising from use of the rented vehicle.

(e) A notice advising the insured of rental vehicle coverage must be given by the reparation obligor to each current insured with the first renewal notice after January 1, 1989. The notice must be approved by the commissioner of commerce. The commissioner may specify the form of the notice.

~~(f) When a motor vehicle is rented or leased in this state on a weekly or daily basis, there must be attached to the rental contract a separate form containing a written notice in at least 10-point bold type, if printed, or in capital letters, if typewritten, which states:~~

~~Under Minnesota law, a personal automobile insurance policy issued in Minnesota must cover the rental of this motor vehicle against damage to the vehicle and against loss of use of the vehicle. Therefore, purchase of any collision damage waiver or similar insurance affected in this rental contract is not necessary if your policy was issued in Minnesota.~~

~~No collision damage waiver or other insurance offered as part of or in conjunction with a rental of a motor vehicle may be sold unless the person renting the vehicle provides a written acknowledgment that the above consumer protection notice has been read and understood.~~

(g) When damage to a rented vehicle is covered by a plan of reparation security as provided under paragraph (a), the rental contract must state that payment by the reparation obligor within the time limits of section 72A.201 is acceptable, and prior payment by the renter is not required.

~~(h)~~ (g) To be compensated for the loss of use of a damaged rented motor vehicle, the car rental company must prove:

- (1) that had the vehicle been available, it would have been rented; and
- (2) that no other vehicle was available for rental in place of the damaged vehicle.

The standard of proof set forth in this paragraph does not limit the responsibility of a reparation obligor to provide an insured with coverage for any loss of use for which the reparation obligor is otherwise responsible. A car rental company may be compensated for loss of use of a damaged rental motor vehicle only for the period when the damaged car actually would have been rented."

Page 1, lines 8 and 9, delete "1 and 2" and insert "2 and 3"

Page 2, line 21, delete "illegally" and insert "legally"

Page 3, line 5, after "form" insert ", including a collision damage waiver or other insurance,"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "amending Minnesota Statutes 1988, section 65B.49, subdivision 5a;"



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

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

S.F. No. 737: A bill for an act relating to taxation; income; providing for allocation and apportionment of income derived by certain corporations from material value added to agricultural products by processing, packaging, or other high technology procedures; amending Minnesota Statutes 1988, section 290.17, by adding a subdivision.

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

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

S.F. No. 654: A bill for an act relating to county and district agricultural societies; appropriating money.

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

Page 1, line 7, delete "\$ . . . . ." and insert "\$722,000"

Page 1, line 8, delete "*as supplemental funding*"

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

Mr. Hughes from the Committee on Elections and Ethics, to which was referred

S.F. No. 428: A bill for an act relating to elections; authorizing the distribution of campaign material under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 211B.

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

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

H.F. No. 43 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.
43	88				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 43 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 43 and insert the language after the enacting clause of S.F. No. 88, the first engrossment; further, delete the title of H.F. No. 43 and insert the title of S.F. No. 88, the first engrossment.

And when so amended H.F. No. 43 will be identical to S.F. No. 88, and further recommends that H.F. No. 43 be given its second reading and substituted for S.F. No. 88, 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. 323 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.
323	495				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 323 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 323 and insert the language after the enacting clause of S.F. No. 495, the first engrossment; further, delete the title of H.F. No. 323 and insert the title of S.F. No. 495, the first engrossment.

And when so amended H.F. No. 323 will be identical to S.F. No. 495, and further recommends that H.F. No. 323 be given its second reading and substituted for S.F. No. 495, 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. 387 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.
387	401				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 387 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 387 and insert the language after the enacting clause of S.F. No. 401; further, delete the title of H.F. No. 387 and insert the title of S.F. No. 401.

And when so amended H.F. No. 387 will be identical to S.F. No. 401, and further recommends that H.F. No. 387 be given its second reading and substituted for S.F. No. 401, 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. 85 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.
85	103				

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. 242 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.
242	100				

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.

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

S.F. No. 644: A bill for an act relating to medical assistance for needy persons; proposing changes to the method for calculating a nursing home's property-related payment rate upon refinancing; amending Minnesota Statutes 1988, section 256B.431, subdivisions 3f and 3g.

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

Page 3, strike lines 1 to 6

Page 3, line 23, after "limit" insert " *, divided by their capacity days as determined under Minnesota Rules, part 9549.0060, subpart 11, as modified by subdivision 3f, paragraph (c), for the preceding reporting year,*"

Page 4, line 24, after "limitation" insert "*on historical cost of capital assets plus issuance costs as limited*"

Page 5, line 2, after "under" insert "*Minnesota Rules, part 9549.0060, subpart 11, as modified by*"

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. 150: A bill for an act relating to gambling; authorizing the sale of lottery tickets; establishing a state lottery agency; providing for its powers and duties; providing penalties; appropriating money; amending Minnesota Statutes 1988, sections 10A.01, subdivision 18; 15A.081, subdivision 1; 290.92, by adding a subdivision; 297A.25, by adding a subdivision; 340A.410, subdivision 5; 541.20; 541.21; 609.75, subdivision 3; and 609.761; proposing coding for new law as Minnesota Statutes, chapter 349A.

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

Page 1, after line 12, insert:

"ARTICLE 1"

Page 2, line 25, delete "or"

Page 2, after line 25, insert:

*"(3) conviction of any felony or a gambling-related offense; or"*

Page 2, line 26, delete "(3)" and insert "(4)"

Page 3, line 26, after "all" insert "prospective"

Page 3, line 27, after "has" insert "*been convicted of a felony within five years of starting employment with the agency or has ever*"

Page 3, line 28, delete "within" and insert "or"

Page 3, delete line 29

Page 3, line 30, delete "*been convicted of*"

Page 3, line 31, delete "*The director has access to all*"

Page 3, line 33, before the period, insert "*may be released to the director*" and delete "*The director may*"

Page 3, delete lines 34 and 35

Page 5, line 29, delete "*gross misdemeanor*," and insert "*has ever been convicted of*" and delete the second "or" and insert a comma

Page 5, line 30, delete "*a gambling-related offense*" and insert "gambling"

Page 6, line 4, after "*the*" insert "*business or the*"

Page 6, line 17, delete "*may*" and insert "*shall*"

Page 7, delete lines 29 and 30

Page 8, after line 31, insert:

*"(d) The director shall cancel the contract if the retailer has been convicted of violating any provision of section 12 or 16."*

Page 8, line 32, delete "(d)" and insert "(e)"

Page 8, line 36, delete "(e)" and insert "(f)"

Renumber the subdivisions in sequence

Page 10, line 4, delete "*that*" and insert "*who*" and delete "*in a state or*" and insert "*within the previous five years*"

Page 10, delete lines 5 to 7 and insert "*, or has ever been convicted of a felony involving fraud or misrepresentation or any crime involving gambling.*"

Page 12, line 24, delete "*may*" and insert "*shall*"

Page 12, line 25, delete everything after "*prize*"

Page 12, delete lines 26 and 27 and insert "*with the district court and section 540.08 applies to the investment and distribution of the money.*"

Page 13, lines 26 and 27, delete "CHILD SUPPORT" and insert "OTHER DEBTS"

Page 13, line 31, delete everything after "*taxes*" and insert "*or owes a debt as defined in section 270A.03, subdivision 5.*"

Page 13, delete line 32

Page 13, line 33, delete "*child support.*"

Page 13, line 34, delete "*court-ordered child support*" and insert "*owes a debt as defined in section 270A.03, subdivision 5*"

Page 13, line 36, delete "*or to the appropriate*" and insert "*for payment of the delinquent taxes or distribution to a claimant agency in accordance with chapter 270A. Section 270A.10 applies to the priority of claims.*"

Page 14, delete lines 1 to 5

Page 17, line 2, delete "*knowingly*"

Page 17, line 3, after the period, insert "*It is an affirmative defense to a charge under this subdivision for the lottery retailer to prove by a preponderance of the evidence that the lottery retailer reasonably and in good faith relied upon representation of proof of age described in section 340A.503, subdivision 6, in making the sale.*"

Page 17, delete lines 8 to 36

Page 18, line 17, after "[VIOLATIONS.]" insert "*A violation of subdivision 1 is a petty misdemeanor. A*" and delete "*1 or 2*" and insert "*2 or 5*"

Page 18, line 18, after the period, insert "*A*" and delete "*, 7, or 8*" and insert "*or 4*"

Page 18, line 19, delete everything after "*misdemeanor.*"

Renumber the subdivisions in sequence

Page 19, after line 6, insert:

"Sec. 16. [609.651] [STATE LOTTERY FRAUD.]

*Subdivision 1. [FELONY.] A person is guilty of a felony and may be sentenced under subdivision 3 if the person does any of the following with intent to defraud the state lottery:*

(1) *alters or counterfeits a state lottery ticket;*

(2) *knowingly presents an altered or counterfeited state lottery ticket for payment;*

(3) knowingly transfers an altered or counterfeited state lottery ticket to another person;

(4) obtains access to the state lottery computer data base; or

(5) otherwise claims a lottery prize by means of fraud, deceit, or misrepresentation.

*Subd. 2. [FALSE STATEMENTS.] A person is guilty of a felony and may be sentenced under subdivision 3 if the person:*

*(1) makes a materially false or misleading statement, or a material omission, in a record required to be submitted under chapter 349A; or*

*(2) makes a materially false or misleading statement, or a material omission, in information submitted to the director of the state lottery in a lottery retailer's application or a document related to a bid.*

*Subd. 3. [PENALTY.] (a) A person who violates subdivision 1 may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$50,000, or both.*

*(b) A person who violates subdivision 1 and defrauds the state lottery of \$35,000 or more may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$100,000, or both.*

*(c) A person who violates subdivision 2 may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$25,000, or both."*

Page 19, line 22, delete "1 to 15" and insert "1 to 11, 13 to 15," and delete "17" and insert "18" and after the period, insert "Sections 12 and 16 are effective July 1, 1989, and apply to crimes committed on or after that date."

Page 19, line 23, delete "16" and insert "17"

Renumber the sections of article 1 in sequence

Page 22, after line 14, insert:

"Sec. 3. Minnesota Statutes 1988, section 260.015, subdivision 5, is amended to read:

Subd. 5. [DELINQUENT CHILD.] "Delinquent child" means a child:

(a) Who has violated any state or local law, except as provided in section 260.193, subdivision 1, and except for juvenile offenders as described in subdivisions 19 to 23 *unless the child has committed a second or subsequent violation of article 1, section 12, subdivision 1; or*

(b) Who has violated a federal law or a law of another state and whose case has been referred to the juvenile court if the violation would be an act of delinquency if committed in this state or a crime or offense if committed by an adult; or

(c) Who has escaped from confinement to a state juvenile correctional facility after being committed to the custody of the commissioner of corrections.

Sec. 4. Minnesota Statutes 1988, section 260.015, subdivision 21, is amended to read:

Subd. 21. [JUVENILE PETTY OFFENDER; JUVENILE PETTY

OFFENSE.] "Juvenile petty offense" includes a juvenile alcohol offense, a juvenile controlled substance offense, a violation of section 609.685 *or article 1, section 12, subdivision 1*, or a violation of a local ordinance, which by its terms prohibits conduct by a child under the age of 18 years which would be lawful conduct if committed by an adult. A child who commits a juvenile petty offense is a "juvenile petty offender."

Page 25, line 17, delete "9" and insert "11"

Renumber the sections of article 2 in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "260.015, subdivisions 5 and 21;"

Page 1, line 10, after the second semicolon, insert "proposing coding for new law in Minnesota Statutes, chapter 609;"

And when so amended the bill be re-referred to the Committee on Governmental Operations without recommendation. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 681, 594, 60, 775, 478, 273, 699, 358, 784, 428 and 644 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. Nos. 43, 323, 387, 85 and 242 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Knaak moved that his name be stricken as a co-author to S.F. No. 7. The motion prevailed.

Mr. Frank moved that the name of Mr. Hughes be added as a co-author to S.F. No. 89. The motion prevailed.

Ms. Reichgott moved that the name of Mr. Brandl be added as a co-author to S.F. No. 316. The motion prevailed.

Mr. Luther moved that the name of Mr. Hughes be added as a co-author to S.F. No. 368. The motion prevailed.

Mr. Pehler moved that the name of Mr. Beckman be added as a co-author to S.F. No. 458. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Taylor be added as a co-author to S.F. No. 499. The motion prevailed.

Ms. Reichgott moved that the name of Mrs. Brataas be added as a co-author to S.F. No. 652. The motion prevailed.

Mr. Storm moved that the name of Mr. Lessard be added as a co-author to S.F. No. 768. The motion prevailed.

Mr. Marty moved that the name of Ms. Berglin be added as a co-author to S.F. No. 804. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Lessard and Bertram be added as co-authors to S.F. No. 837. The motion prevailed.

Mr. DeCramer moved that the name of Mr. Frederickson, D.R. be added as a co-author to S.F. No. 848. The motion prevailed.

Mr. Waldorf moved that the names of Mrs. Adkins, Ms. Olson, Mrs. McQuaid and Mr. Schmitz be added as co-authors to S.F. No. 853. The motion prevailed.

Mr. Dicklich moved that the name of Ms. Piper be added as a co-author to S.F. No. 855. The motion prevailed.

Mr. Frank moved that the name of Ms. Piper be added as a co-author to S.F. No. 856. The motion prevailed.

Mr. Metzen moved that the name of Mr. Cohen be added as a co-author to S.F. No. 910. The motion prevailed.

Mr. Merriam moved that the name of Mrs. McQuaid be added as a co-author to S.F. No. 916. The motion prevailed.

Mr. Metzen introduced—

Senate Resolution No. 63: A Senate resolution congratulating the Simley High School Spartans Wrestling Team for winning the 1989 Class AA Wrestling Championship.

Referred to the Committee on Rules and Administration.

Mr. Beckman introduced—

Senate Resolution No. 64: A Senate resolution congratulating the St. James High School Wrestling Team for winning the 1989 State High School Class A Wrestling Tournament Co-Championship.

Referred to the Committee on Rules and Administration.

### GENERAL ORDERS

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

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

S.F. Nos. 400, 294 and H.F. Nos. 210, 267, 14 and 68, which the committee recommends to pass.

S.F. No. 388, which the committee reports progress, subject to the following motion:

Mr. Knaak moved to amend S.F. No. 388 as follows:

Page 2, after line 34, insert:

“BE IT FURTHER RESOLVED that since light rail transit has great potential in the metropolitan area to alleviate freeway congestion and increase the capacity to efficiently move people, the Legislature of the State of Minnesota urges Congress and the President to make federal grant money available to the regional rail authorities for design, construction and capital costs of a light rail transit system.”

Amend the title as follows:

Page 1, line 5, before the period, insert “and to make federal money



available for a light rail transit system”

The motion prevailed. So the amendment was adopted.

S.F. No. 388 was then progressed.

H.F. No. 214, which the committee recommends to pass, after the following motion:

Mr. Knaak moved to amend H.F. No. 214, as amended pursuant to Rule 49, adopted by the Senate March 6, 1989, as follows:

(The text of the amended House File is identical to S.F. No. 62.)

Pages 16 to 18, delete section 10

Page 35, line 6, delete “18” and insert “17”

Page 35, line 8, delete “19 to 21” and insert “18 to 20” and delete “22” and insert “21”

Page 35, line 10, delete “23” and insert “22”

Page 35, line 12, delete “17” and insert “16”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete “individuals filing separately;”

Page 1, line 11, delete “subdivisions 2c and” and insert “subdivision”

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Decker	Knutson	Mehrkens	Ramstad
Benson	Frederick	Larson	Olson	Renneke
Bernhagen	Knaak	McGowan	Pariseau	

Those who voted in the negative were:

Beckman	Diessner	Kroening	Novak	Schmitz
Berglin	Frank	Langseth	Pehler	Spear
Bertram	Frederickson, D.J.	Lantry	Peterson, D.C.	Stumpf
Chmielewski	Frederickson, D.R.	Marty	Peterson, R.W.	Vickerman
Cohen	Freeman	Merriam	Piper	Waldorf
Davis	Hughes	Metzen	Pogemiller	
DeCramer	Johnson, D.E.	Moe, D.M.	Purfeerst	
Dicklich	Johnson, D.J.	Morse	Reichgott	

The motion did not prevail. So the amendment was not adopted.

Mr. Merriam moved that the report of the Committee of the Whole, as kept by the Secretary, be now adopted.

Mr. Diessner requested that the report on H.F. No. 210 be divided out.

Mr. Merriam moved that the report of the Committee of the Whole, with the exception of the report on H.F. No. 210, be adopted. The motion prevailed.

The question was taken on the adoption of the report on H.F. No. 210. The motion did not prevail.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Frederickson, D.R. introduced—

S.F. No. 921: A bill for an act relating to state lands; authorizing conveyance of state land to the city of St. Peter.

Referred to the Committee on Environment and Natural Resources.

Ms. Olson, Messrs. Mehrkens; Peterson, R.W.; Ms. Peterson, D.C. and Mr. Hughes introduced—

S.F. No. 922: A bill for an act relating to education; permitting one levy referendum each year by a school board; requiring special school district canvassing boards in certain elections; amending Minnesota Statutes 1988, sections 124A.03, subdivision 2; and 205A.10, subdivision 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 204C.

Referred to the Committee on Elections and Ethics.

Messrs. Mehrkens, Decker, Ramstad, Knaak and Ms. Olson introduced—

S.F. No. 923: A bill for an act relating to education; appropriating money for reducing class sizes in kindergarten through grade 3.

Referred to the Committee on Education.

Messrs. Storm, Laidig and Bernhagen introduced—

S.F. No. 924: A bill for an act relating to family law; permitting child support obligors to withdraw from the automatic withholding program; amending Minnesota Statutes 1988, section 518.613, subdivision 4.

Referred to the Committee on Health and Human Services.

Mr. Taylor introduced—

S.F. No. 925: A bill for an act relating to retirement; Mankato fire department relief association; permitting the association to amend its constitution and bylaws to provide for payment of disability benefits to members regardless of whether disabilities arose through the performance of firefighting duties.

Referred to the Committee on Governmental Operations.

Messrs. Storm and Laidig introduced—

S.F. No. 926: A bill for an act relating to environment; requiring the state board of education to require school districts to recycle paper; proposing coding for new law in Minnesota Statutes, chapter 121.

Referred to the Committee on Education.

Mr. Bertram introduced—

S.F. No. 927: A bill for an act relating to charitable gambling; including within the definition of "lawful purpose" certain expenditures for the erection, acquisition, maintenance and repair of real property; amending Minnesota Statutes 1988, section 349.12, subdivision 11.

Referred to the Committee on General Legislation and Public Gaming.

Ms. Piper, Mrs. Adkins, Messrs. Vickerman, Beckman and Benson introduced—

S.F. No. 928: A bill for an act relating to taxation; property; eliminating senior accreditation requirements for assessors; amending Minnesota Statutes 1988, sections 270.485; and 273.061, subdivisions 1 and 2; repealing Laws 1988, chapter 719, article 7, section 9.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dahl, Hughes, Chmielewski, Kroening and Merriam introduced—

S.F. No. 929: A bill for an act relating to natural resources; establishing the Minnesota conservation corps; prescribing powers and duties of the commissioner of natural resources; amending Minnesota Statutes 1988, section 86.33; Laws 1988, chapter 690, article 1, section 21.

Referred to the Committee on Environment and Natural Resources.

Mr. Moe, D.M. introduced—

S.F. No. 930: A bill for an act relating to state agencies; providing for the development of internal auditing standards and requiring a report to the legislature and the governor on progress made; providing for the classification of certain internal auditing data as confidential data on individuals, protected nonpublic data, or private data on individuals; requiring the commissioner to coordinate development and develop standards for internal auditing and report on progress; amending Minnesota Statutes 1988, section 16A.055, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Governmental Operations.

Mr. Pogemiller introduced—

S.F. No. 931: A bill for an act relating to retirement; permitting certain members of public pension plans to select Medicare coverage; amending Minnesota Statutes 1988, section 355.90, subdivisions 3 and 4.

Referred to the Committee on Governmental Operations.

Messrs. Frederick, McGowan, Decker and Mrs. Pariseau introduced—

S.F. No. 932: A bill for an act relating to taxation; motor vehicle excise; exempting sale of motor vehicles to state institutions of higher education and political subdivisions of the state; amending Minnesota Statutes 1988, section 297B.03.

Referred to the Committee on Transportation.

Mr. Chmielewski introduced—

S.F. No. 933: A bill for an act relating to local government; providing for the board membership of the Moose Lake and Windemere sanitary sewer district; amending Laws 1974, chapter 400, section 4, subdivision 2, as amended.

Referred to the Committee on Local and Urban Government.

Ms. Piper, Messrs. Chmielewski, Brandl, Mrs. Lantry and Mr. Solon introduced—

S.F. No. 934: A bill for an act relating to occupations and professionals; establishing a system of licensure for acupuncture practitioners; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Human Services.

Mr. Frank introduced—

S.F. No. 935: A bill for an act relating to retirement; authorizing employing units to provide early retirement reduction offset annuities to certain employees qualifying under a rule of 85; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations.

Mr. Pehler introduced—

S.F. No. 936: A bill for an act relating to state lands; authorizing exchange of state property with city of St. Cloud.

Referred to the Committee on Environment and Natural Resources.

Ms. Peterson, D.C.; Messrs. Storm, Ramstad, Pogemiller and Ms. Reichgott introduced—

S.F. No. 937: A bill for an act relating to Hennepin county; permitting the issuance of obligations by the county board of Hennepin county for a public safety building.

Referred to the Committee on Local and Urban Government.

Ms. Reichgott, Messrs. Luther, Merriam, Beckman and Ramstad introduced—

S.F. No. 938: A bill for an act relating to economic development; providing for funding of grants to nonprofit economic development organizations; appropriating money.

Referred to the Committee on Economic Development and Housing.

Messrs. Beckman, Lessard, Luther, Ms. Piper and Mr. Frederickson, D.J. introduced—

S.F. No. 939: A bill for an act relating to state parks; requiring collection facilities for recycling containers at state park entrances; proposing coding for new law in Minnesota Statutes, chapter 85.

Referred to the Committee on Environment and Natural Resources.

Messrs. Solon, Metzen and Purfeerst introduced—

S.F. No. 940: A bill for an act relating to insurance; accident and health; requiring coverage for mental or nervous disorder treatment services performed by a licensed psychologist; amending Minnesota Statutes 1988, section 62A.152, subdivisions 2 and 3.

Referred to the Committee on Commerce.

Mrs. Brataas and Mr. Benson introduced—

S.F. No. 941: A bill for an act relating to Olmsted county; authorizing certain appropriations for economic and agricultural development.

Referred to the Committee on Economic Development and Housing.

Mr. DeCramer introduced—

S.F. No. 942: A bill for an act relating to education; providing for exchanges of education faculty; appropriating money.

Referred to the Committee on Education.

Ms. Peterson, D.C.; Messrs. Pogemiller and Dicklich introduced—

S.F. No. 943: A bill for an act relating to human services; requiring the commissioner to establish or designate pilot programs in Hennepin and Ramsey counties for chemical dependency services for youths; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 254A.

Referred to the Committee on Health and Human Services.

Messrs. Solon, Kroening, Benson, Purfeerst and Metzen introduced—

S.F. No. 944: A bill for an act relating to capital improvements; appropriating money for the port of Duluth; authorizing sale of state bonds.

Referred to the Committee on Local and Urban Government.

Mrs. Pariseau introduced—

S.F. No. 945: A bill for an act relating to education; approving a maximum effort school loan program capital loan.

Referred to the Committee on Education.

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

S.F. No. 946: A bill for an act relating to human services; authorizing creation of the Minnesota family investment plan; establishing grant projects for refugees; fraud prevention; appropriating money; amending Minnesota Statutes 1988, sections 256.045, subdivision 3; 256.12, subdivision 14; 256.736, subdivision 10, 16, and by adding subdivisions; 256.74, subdivisions 1 and 1a; and 256D.051, subdivision 6, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 1988, section 256D.051, subdivision 6a.

Referred to the Committee on Health and Human Services.

Messrs. Davis and DeCramer introduced—

S.F. No. 947: A bill for an act relating to appropriations; appropriating funds for replanting of trees.

Referred to the Committee on Agriculture and Rural Development.

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

S.F. No. 948: A bill for an act relating to natural resources; requiring the labeling of paddy-grown wild rice and natural wild rice; establishing an Indian wild rice promotion council; directing the commissioner of natural resources to prescribe 100 wild rice lakes to be certified as organic; providing penalties; appropriating money; amending Minnesota Statutes 1988, sections 30.49; 84.091, subdivision 3; 84.0911, subdivision 3; 84.14, by adding a subdivision; and 84.152, subdivisions 5 and 6; proposing coding for new law in Minnesota Statutes, chapter 30.

Referred to the Committee on Environment and Natural Resources.

Mr. Moe, D.M. introduced—

S.F. No. 949: A bill for an act relating to retirement; Minnesota postretirement investment fund; providing a special ad hoc postretirement adjustment; increasing certain postretirement interest assumptions; amending Minnesota Statutes 1988, sections 11A.18, subdivision 9; and 356.215, subdivision 4d.

Referred to the Committee on Governmental Operations.

Mr. Moe, D.M. introduced—

S.F. No. 950: A bill for an act relating to retirement; local police and salaried firefighters relief associations; specifying the employment position salary for benefit and postretirement increase calculations for fire departments converted to a volunteer fire department; clarifying various ambiguous provisions; amending Minnesota Statutes 1988, section 423A.01, subdivision 2.

Referred to the Committee on Governmental Operations.

Mr. Pehler introduced—

S.F. No. 951: A bill for an act relating to chemical abuse reporting; providing that law enforcement is not required to notify the school chemical abuse preassessment team within two weeks under certain circumstances; amending Minnesota Statutes 1988, section 126.036.

Referred to the Committee on Judiciary.

Ms. Berglin, Messrs. Vickerman, Solon, Mrs. Lantry and Mr. Benson introduced—

S.F. No. 952: A bill for an act relating to human services; establishing requirements for nursing home reimbursement; providing an adjustment factor for allowable, reported, care-related costs; allowing an adjustment of a nursing home's total payment rate; requiring a study; amending Minnesota Statutes 1988, section 256B.431, subdivisions 2b and 2i, and by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. McGowan, Knutson and Ms. Piper introduced—

S.F. No. 953: A bill for an act relating to taxation; income; providing a subtraction for certain expenses related to the adoption of a child; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Samuelson; Chmielewski; Purfeerst; Johnson, D.E. and Pogemiller introduced—

S.F. No. 954: A bill for an act relating to human services; establishing policy; changing the role of regional treatment centers; providing for community-based services for certain persons; amending Minnesota Statutes 1988, sections 245.463, by adding a subdivision; 245.476, by adding a subdivision; 245.94, subdivision 1; 246.18, subdivision 4; 246.36; 246.57, subdivision 1; 251.011, subdivision 4, and by adding a subdivision; 252.291, subdivision 2; 252.31; 252.41, subdivision 9; 252.50; 253.015; 253B.17, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 245; 246; 251; 252; 253; and 256E.

Referred to the Committee on Health and Human Services.

Messrs. Samuelson, Vickerman, Ms. Berglin, Mrs. Adkins and Mr. Benson introduced—

S.F. No. 955: A bill for an act relating to human services; increasing asset and income guidelines for spouses of institutionalized medical assistance recipients; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health and Human Services.

Mr. Stumpf introduced—

S.F. No. 956: A bill for an act relating to waste management; requiring a county that enters a contract with the state for the siting and development of a stabilization and containment facility to hold a binding referendum on implementation of the contract; amending Minnesota Statutes 1988, section 115A.191, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Frank; Moe, R.D.; Stumpf; Bernhagen and Davis introduced—

S.F. No. 957: A bill for an act relating to economic development; transferring programs under the Minnesota agricultural and economic development board to the department of trade and economic development; changing the governing structure of the certified development company; transferring program responsibilities for the allocation of bonding authority to the department of finance; eliminating certain reporting requirements; amending Minnesota Statutes 1988, sections 41A.01; 41A.02, subdivisions 7a, 15, 16, and by adding subdivisions; 41A.021; 41A.022; 41A.023; 41A.03, subdivision 3; 41A.035; 41A.036, subdivisions 1, 4, 5, and 6; 41A.04; 41A.05, subdivisions 1, 2, 3, and 4; 41A.051; 41A.06, subdivisions 2, 4,

and 5; 41A.07; 41A.08; 469.175, subdivision 2; and 474A.02, subdivision 5a; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1988, sections 41A.02, subdivision 3; 41A.065; and 469.012, subdivision 5.

Referred to the Committee on Agriculture and Rural Development.

Mr. Laidig, Mrs. Pariseau, Messrs. Larson and Bernhagen introduced—

S.F. No. 958: A bill for an act relating to taxation; property; extending the homestead and agricultural credit to taxes payable after 1989; abolishing transition aid; repealing increases in income maintenance payments; amending Minnesota Statutes 1988, sections 124.155, subdivision 2; 124.2131, subdivision 3; 124.2139; 124A.02, subdivision 3a; 256.01, subdivision 2; 256.72; 256.81; 256.82, subdivision 1; 256.863; 256.871, subdivision 6; 256.935, subdivision 1; 256.991; 256B.041, subdivisions 5 and 7; 256B.05, subdivision 1; 256B.091, subdivision 8; 256B.15; 256B.19, subdivisions 1 and 2; 256D.03, subdivisions 2 and 6; 256D.04; 256D.36, subdivision 1; 256G.01, subdivision 3; 256G.02, subdivision 4; 256G.04, subdivision 1; 256G.05; 256G.07; 256G.10; 256G.11; 273.123, subdivisions 4 and 5; 273.124, subdivisions 11 and 13; 273.13, subdivisions 22 and 23; 273.132, subdivisions 1, 2, and 5; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1392; 273.1398, subdivisions 1, 3, and 6; 273.165, subdivision 2; 275.065, subdivision 2; 275.07, subdivision 1; 275.08, subdivisions 1a and 1b; 275.50, subdivision 5; 275.51, subdivisions 3f and 3h; 276.04, subdivision 2; 290A.04, subdivision 2; 393.07, subdivisions 2 and 10; 473.446, subdivision 1; 473F02, subdivision 23; 473F05; 473F06; 473F07, subdivisions 1, 4, and 5; 473F08, subdivisions 1, 2, 3a, 4, 5, 6, and 10; 473F10; 477A.011, subdivisions 15 and 20; and 477A.013, subdivision 3; Laws 1988, chapter 719, article 5, sections 81 and 84; repealing Minnesota Statutes 1988, sections 256.017; 256.018; 256.019; 273.13, subdivision 21a; 273.135, subdivision 2a; 273.1391, subdivision 2a; 273.1398, subdivisions 2 and 5; 275.07, subdivision 3; 275.08, subdivision 1c; 290A.04, subdivision 2b; and Laws 1988, chapter 719, article 8, sections 32, 33, 34, 35, and 36.

Referred to the Committee on Taxes and Tax Laws.

Ms. Peterson, D.C. introduced—

S.F. No. 959: A bill for an act relating to family law; making surrogate mother agreements void and unenforceable; prohibiting advertisements for surrogate mothers; prohibiting the arranging of surrogate mother agreements; proposing coding for new law in Minnesota Statutes, chapters 257 and 259.

Referred to the Committee on Judiciary.

Ms. Peterson, D.C.; Messrs. Samuelson, Marty, Purfeerst and Ms. Olson introduced—

S.F. No. 960: A bill for an act relating to insurance; clarifying the calculation of underinsured motorist benefits; amending Minnesota Statutes 1988, section 65B.49, subdivisions 3a and 4a.

Referred to the Committee on Commerce.



Messrs. Decker, Taylor, Ms. Olson, Messrs. Pehler and Hughes introduced—

S.F. No. 961: A bill for an act relating to taxation; income; providing a subtraction for payment of student loan principal and interest; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Pariseau, Messrs. Larson, Decker and Anderson introduced—

S.F. No. 962: A bill for an act relating to taxation; income; providing an exclusion for certain military pay; amending Minnesota Statutes 1988, section 290.01, subdivision 19b.

Referred to the Committee on Taxes and Tax Laws.

Mr. Laidig introduced—

S.F. No. 963: A bill for an act relating to health; providing identification cards to persons requiring special diets; exempting persons requiring special diets from public facility prohibitions on outside food and drink; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Human Services.

Mr. Laidig introduced—

S.F. No. 964: A bill for an act relating to education; modifying the tuition reimbursement provisions for the post-secondary enrollment options program; appropriating money; amending Minnesota Statutes 1988, section 123.3514, subdivision 6.

Referred to the Committee on Education.

Mr. Stumpf introduced—

S.F. No. 965: A bill for an act relating to education; appropriating money to the University of Minnesota for a certain kind of crop management specialist and for support of the specialist.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Stumpf, DeCramer, Ms. Peterson, D.C. and Mr. Decker introduced—

S.F. No. 966: A bill for an act relating to education; appropriating money for a joint American Indian teacher education program by independent school district No. 38, Red Lake, and Bemidji State University.

Referred to the Committee on Education.

Messrs. Brandl, Luther and Pehler introduced—

S.F. No. 967: A bill for an act relating to insurance; regulating the comprehensive health insurance plan and association; increasing access to the plan; modifying the funding mechanism and membership of the association; modifying the representation on the board of directors; modifying coverages; defining certain terms; amending Minnesota Statutes 1988, sections

62A.17, subdivision 4, and by adding a subdivision; 62A.20, by adding a subdivision; 62A.21, by adding a subdivision; 62D.02, subdivision 8; 62E.02, subdivisions 2, 8, 9, 13, 18, and by adding a subdivision; 62E.10, subdivisions 1, 2, 3, 7, and 9; 62E.11, subdivision 2, and by adding a subdivision; 62E.12; 62E.14, subdivision 3, and by adding subdivisions; 62E.16; and 363.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62E; repealing Minnesota Statutes 1988, sections 62E.02, subdivisions 21 and 22; 62E.035; and 62E.11, subdivisions 5 and 6.

Referred to the Committee on Commerce.

Mr. Frederickson, D.J. introduced—

S.F. No. 968: A bill for an act relating to veterans; providing for establishment of a veterans home in Redwood Falls; proposing coding for new law in Minnesota Statutes, chapter 198.

Referred to the Committee on Veterans and Military Affairs.

Messrs. Bernhagen and Merriam introduced—

S.F. No. 969: A bill for an act relating to forestry; directing a study and report on urban reforestation; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Marty and Merriam introduced—

S.F. No. 970: A bill for an act relating to wild animals; removing authority to offer a bounty on rattlesnakes; amending Minnesota Statutes 1988, sections 348.12 and 348.13.

Referred to the Committee on Environment and Natural Resources.

Messrs. Pogemiller, Samuelson, Freeman, Knutson and Ms. Piper introduced—

S.F. No. 971: A bill for an act relating to health; establishing a grant for a prenatal care media campaign; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Mr. Hughes, Ms. Berglin, Mrs. Brataas, Ms. Peterson, D.C. and Mr. Pogemiller introduced—

S.F. No. 972: A bill for an act relating to education; establishing a task force on coordinated childcare; appropriating money.

Referred to the Committee on Education.

Messrs. Solon and Gustafson introduced—

S.F. No. 973: A bill for an act relating to the University of Minnesota; assigning certain jobs to bargaining units.

Referred to the Committee on Governmental Operations.

Mr. Peterson, R.W. introduced—

S.F. No. 974: A bill for an act relating to the collection, access to, and dissemination of data; proposing classifications of data as private, confidential, nonpublic, and protected nonpublic; clarifying classification of data; establishing an internal audit function with access to state agency data; clarifying what data on juveniles may be made available to the public; amending Minnesota Statutes 1988, sections 13.10, subdivision 1; 13.32, subdivisions 3 and 5; 13.82, subdivision 8; 16A.055, subdivision 1; 245.94, subdivision 1; and 260.161, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Messrs. Frederickson, D.J.; Beckman; Metzen; Ms. Piper and Mr. Johnson, D.J. introduced—

S.F. No. 975: A bill for an act relating to taxation; sales and use; repealing accelerated payment of June liability; amending Minnesota Statutes 1988, section 297A.27, subdivision 1; repealing Minnesota Statutes 1988, section 297A.275.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Morse, Davis, Freeman, Ms. Berglin and Mr. Frederickson, D.J. introduced—

S.F. No. 976: A bill for an act relating to agriculture; renaming the commissioner and department of agriculture as the commissioner and department of agriculture and food; clarifying the commissioner's authority and responsibilities; providing for demonstration projects to allow women, infants, and children program recipients to redeem coupons for Minnesota grown food; appropriating money; amending Minnesota Statutes 1988, sections 17.01 and 17.013; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Frank; Moe, R.D. and Kroening introduced—

S.F. No. 977: A bill for an act relating to economic development; establishing the community and neighborhood development organization program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Economic Development and Housing.

Mr. Knutson introduced—

S.F. No. 978: A bill for an act relating to education; increasing the required number of annual school days from 175 to 180, and the number of required daily hours by 1; appropriating money; amending Minnesota Statutes 1988, section 124.19; subdivision 1.

Referred to the Committee on Education.

Mr. Knutson introduced—

S.F. No. 979: A bill for an act relating to crime; providing that a person who unlawfully sells or distributes narcotic drugs is guilty of attempted murder; providing penalties; amending Minnesota Statutes 1988, section 152.15, subdivision 1.

Referred to the Committee on Judiciary.

Mr. Knutson introduced—

S.F. No. 980: A bill for an act relating to education; restoring earlier levels of salary aid for special education teachers; appropriating money; amending Minnesota Statutes 1988, section 124.32, subdivision 1b.

Referred to the Committee on Education.

Mr. Knutson introduced—

S.F. No. 981: A bill for an act relating to courts; permitting parties in civil actions to electronically record the proceedings; amending Minnesota Statutes 1988, section 484.72, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Solon; Frederick; Kroening; Johnson, D.J. and Purfeerst introduced—

S.F. No. 982: A bill for an act relating to horse racing; providing for licensing of televised horse racing facilities; allowing for pari-mutuel wagering at licensed horse racing facilities; permitting inter-track and out-of-state simulcasts of horse races; amending Minnesota Statutes 1988, sections 240.01, subdivision 1, and by adding subdivisions; 240.03; 240.05, subdivision 1; 240.10; 240.11; 240.13, subdivisions 1, 2, 3, and by adding subdivisions; 240.17; 240.19; 240.23; 240.25, subdivision 2; 240.27; and 240.28, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 240.

Referred to the Committee on General Legislation and Public Gaming.

### ADJOURNMENT

Mr. Merriam moved that the Senate do now adjourn until 2:00 p.m., Monday, March 13, 1989. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate