

**NINETEENTH DAY**

St. Paul, Minnesota, Monday, March 4, 1991

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

**CALL OF THE SENATE**

Mr. Storm imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Steven L. Carmany.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Adkins	Day	Johnson, J.B.	Metzen	Renneke
Beckman	DeCramer	Johnston	Moe, R.D.	Riveness
Belanger	Dicklich	Kelly	Mondale	Sams
Benson, D.D.	Finn	Knaak	Morse	Samuelson
Benson, J.E.	Flynn	Kroening	Neuville	Solon
Berg	Frank	Laidig	Novak	Spear
Berglin	Frederickson, D.J.	Langseth	Olson	Storm
Bernhagen	Frederickson, D.R.	Larson	Pappas	Stumpf
Bertram	Gustafson	Lessard	Pariseau	Traub
Brataas	Halberg	Luther	Piper	Vickerman
Chmielewski	Holtinger	Marty	Pogemiller	Waldorf
Cohen	Hughes	McGowan	Price	
Dahl	Johnson, D.E.	Mehrkens	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

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

February 19, 1991

The Honorable Jerome Hughes  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate

for confirmation as requested by law:

**MEMBERS, STATE UNIVERSITY BOARD**

William C. Ulland, 1831 South Lake Avenue, Duluth, St. Louis County, Minnesota, has been appointed by me, effective February 18, 1991, for a term expiring on the first Monday in January, 1995.

Jerry Serfling, 2388 Hidden Valley Lane, Stillwater, Washington County, Minnesota, has been appointed by me, effective February 18, 1991, for a term expiring on the first Monday in January, 1995.

**STUDENT MEMBER, STATE UNIVERSITY BOARD**

Corey R. Elmer, 509 State Street, Evansville, Douglas County, Minnesota, has been appointed by me, effective February 18, 1991, for a term expiring on the first Monday in January, 1993.

(Referred to the Committee on Education.)

Warmest regards,  
Arne H. Carlson, Governor

January 10, 1991

The Honorable Jerome M. Hughes  
President of the Senate

Dear Senator Hughes:

The following appointment for Executive Director of the Public Employees Retirement Association is respectfully submitted to the Minnesota Senate for confirmation as required by law.

Laurie Fiori Hacking, 682 Summit Avenue, St. Paul, Minnesota 55105, has been appointed by the Board of Trustees of the Public Employees Retirement Association as Executive Director effective January 28, 1991.

(Referred to the Committee on Governmental Operations.)

Sincerely,  
George A. Cicmil, President  
Board of Trustees

**MESSAGES FROM THE HOUSE**

Mr. President:

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

S.F. No. 106: A bill for an act relating to property; permitting name or identity change of corporate mortgagee or assignee of mortgagee in the recital in a mortgage satisfaction or release to be recorded without further evidence of name or identity change; clarifying application of language regulating distributions to a testamentary trustee; amending Minnesota Statutes 1990, section 524.3-913; proposing coding for new law in Minnesota Statutes, chapter 507.

Senate File No. 106 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 28, 1991

### CONCURRENCE AND REPASSAGE

Mr. Finn moved that the Senate concur in the amendments by the House to S.F. No. 106 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 106 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, D.J.	Metzen	Reichgott
Beckman	Day	Johnson, J.B.	Moe, R. D.	Renneke
Belanger	DeCramer	Johnston	Mondale	Riveness
Benson, D.D.	Finn	Kelly	Morse	Sams
Benson, J.E.	Flynn	Knaak	Neuville	Samuelson
Berg	Frank	Kroening	Novak	Spear
Berglin	Frederickson, D.J.	Laidig	Olson	Storm
Bernhagen	Frederickson, D.R.	Larson	Pappas	Stumpf
Bertram	Gustafson	Luther	Pariseau	Traub
Brataas	Halberg	Marty	Piper	Vickerman
Chmielewski	Hottinger	McGowan	Pogemiller	Waldorf
Cohen	Hughes	Mehrkens	Price	
Dahl	Johnson, D.E.	Merriam	Ranum	

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 104, 156 and 290.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 28, 1991

### FIRST READING OF HOUSE BILLS

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

H.F. No. 104: A bill for an act relating to consumer protection; regulating automatic garage door opening systems; amending Minnesota Statutes 1990, sections 325F.82, subdivision 2, and by adding a subdivision; and 325F.83, subdivisions 1, 3, and 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 85, now on General Orders.

H.F. No. 156: A bill for an act relating to labor; regulating employment

of children; establishing a child labor curfew; providing penalties; amending Minnesota Statutes 1990, sections 181A.04, by adding a subdivision; and 181A.12.

Referred to the Committee on Employment.

H.F. No. 290: A bill for an act relating to state employees; increasing the amount of vacation time a state employee may donate for the benefit of another state employee; amending Minnesota Statutes 1990, section 43A.181, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 461, now on General Orders.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mrs. Adkins from the Committee on Local Government, to which was referred

S.F. No. 81: A bill for an act relating to towns; clarifying certain provisions for the terms of town supervisor; providing for the compensation of certain town officers and employees; amending Minnesota Statutes 1990, sections 367.03, subdivision 1; and 367.05, subdivision 1.

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

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

S.F. No. 128: A bill for an act relating to public safety; clarifying requirement of "MN" designation within a school bus body identification number; allowing state patrol to enforce certain school bus requirements regarding operation and construction; providing penalties; amending Minnesota Statutes 1990, sections 169.44, subdivision 17; 169.45; and 169.451.

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

Page 3, line 10, delete "*subdivisions*" and insert "*subdivision*" and delete "*and 3*" and delete "*or 3*"

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

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

S.F. No. 354: A bill for an act relating to traffic regulations; regulating traffic safety concerning school buses and the safety of school children; providing penalties; amending Minnesota Statutes 1990, section 171.07, by adding a subdivision; 171.17; and 171.18; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 1990, sections 169.44; and 169.64, subdivision 7.

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

Delete everything after the enacting clause and insert:

“Section 1. [LEGISLATIVE FINDINGS; INTENT.]

*The legislature finds that the number of complaints by school bus drivers regarding violations by motorists of traffic safety laws concerning the boarding and disembarking of children on and from school buses is increasing at an alarming rate; that the number of injuries to school children because of these violations is increasing; that these injuries to children are due to an increasing number of motorists violating these traffic safety laws; that continuing increases in these violations can only result in serious consequences to our children; that not all licensed drivers and law enforcement personnel are thoroughly familiar with the traffic laws enacted for the safety of school children; that increased education of motorists and peace officers will increase compliance with these laws; that cooperative, persistent, and strict enforcement and prosecution of these laws will lead to reduced violations and reduced injuries to school children; and that increased civil and criminal penalties, strictly imposed by the judicial branch, will increase compliance by motorists and reduce injuries to school children.*

*The legislature intends by enacting this act that a thorough knowledge of the traffic safety laws regarding school buses and children be imparted to drivers and law enforcement personnel; that cooperative and diligent efforts by appropriate school personnel, law enforcement, and prosecuting attorneys be exerted to enforce this act; that the judicial branch should consistently and vigorously punish violators with a view to prevent and deter future violations; and that this act be broadly interpreted as public policy to promote, enhance, and protect the safety of our school children.*

Sec. 2. Minnesota Statutes 1990, section 169.01, subdivision 6, is amended to read:

Subd. 6. [SCHOOL BUS.] “School bus” means a motor vehicle used to transport pupils to or from a school defined in section 120.101, or to or from school-related activities, by the school or a school district, or by someone under an agreement with the school or a school district. A school bus includes vehicles used after August 1, 2001, to transport students under Public Law Number 99-425, the Head Start Act. A school bus does not include a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, or a transit bus providing services as defined in section 174.22, subdivision 7. A school bus may be type I, type II, or type III as follows:

(a) A “type I school bus” means a school bus of more than 10,000 pounds gross vehicle weight rating, designed for carrying more than ten persons. [MN Rules, part 3520.3701, subp 1]

(b) A “type II school bus” is a bus with a gross vehicle weight rating of 10,000 pounds or less, designed for carrying more than ten persons. It must be outwardly equipped and identified as a school bus. [MN Rules, part 3520.3701, subp 2]

(c) Type III school buses are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer’s rated seating capacity of ten people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. In this subdivision, “gross vehicle weight rating” means the value specified by the manufacturer as the loaded weight of a single vehicle. A “type III school bus” must not be outwardly equipped and

identified as a school bus. [169.44, subd 15]

Sec. 3. [169.441] [SCHOOL BUS IDENTIFICATION.]

*Subdivision 1. [IDENTIFICATION AND SIGNAL REQUIREMENTS, GENERALLY.] For purposes of sections 169.441 to 169.448, school bus means a motor vehicle that is outwardly equipped and identified as a school bus. A motor vehicle that satisfies the identification requirements of this section and the signal equipment requirements of section 169.442 is considered outwardly equipped and identified as a school bus. [169.44, subd 1a]*

*Subd. 2. [COLOR REQUIREMENTS.] (a) A new school bus must be painted national school bus glossy yellow if it (1) is purchased for delivery after June 1, 1973, (2) is to be used in Minnesota as a school bus, and (3) can seat more than ten people, including the driver.*

*(b) A school bus substantially repainted after June 1, 1973, must be painted national school bus glossy yellow. [169.44, subd 1a]*

*(c) The roof of a school bus may be painted white.*

*Subd. 3. [SIGN ON BUS; APPLICATION OF OTHER LAW.] Sections 169.442, subdivisions 2 and 3; 169.443, subdivision 2; and 169.444, subdivisions 1, 4, and 5, apply only if the school bus bears on its front and rear a plainly visible sign containing the words "school bus" in letters at least eight inches in height.*

*The sign must be removed or covered when the vehicle is being used as other than a school bus. [169.44, subd 3]*

*Subd. 4. ["MN" DESIGNATION IN BUS BODY SERIAL NUMBER.] School bus bodies manufactured after January 1, 1986, and used on streets and highways in Minnesota must bear the designation "MN" in the bus body identification number. The manufacturer of the school bus body certifies by the "MN" designation that the bus body has been manufactured to meet the minimum standards required of school bus bodies by law. A school bus body manufactured before January 2, 1986, that does not bear a current inspection sticker on July 1, 1987, may not be used on streets and highways in Minnesota after July 1, 1987, unless its manufacturer recertifies that the school bus body meets minimum standards required of school bus bodies by law. [169.44, subd 17]*

*Subd. 5. [OPTIONAL MARKINGS; RULES.] A school district or technical college may elect to show on the front and rear of the school buses that it owns or contracts for, a plainly visible, summary message explaining section 169.444, subdivisions 1 and 2. If the school district or technical college elects to display the message, it must conform with the rules of the commissioner of education. The commissioner shall adopt rules governing the size, type, design, display, and content of the summary message that may be shown.*

Sec. 4. [169.442] [SCHOOL BUS SIGNALS.]

*Subdivision 1. [SIGNALS REQUIRED.] A school bus that can seat more than ten people, including the driver, must be equipped with a stop signal arm, prewarning flashing amber signals, and flashing red signals. [169.44, subd 1a]*

*Subd. 2. [FLASHING SIGNALS ON STOP ARM.] A school bus stop signal arm may be equipped with alternately flashing red warning signals*

*that are visible both to the front and to the rear of the bus. School buses manufactured after July 1, 1989, must be so equipped. [169.44, subd 14; MN Rules, parts 3520.5200, subps 7 and 8, and 7425.2100, subp 1, item II]*

*Subd. 3. [APPROVAL OF SIGNALS.] Flashing prewarning amber signals and flashing red signals must be of a type approved by the commissioner of public safety. The signals must be a complete system meeting minimum standards required by this section and state board of education rules. [169.44, subd 10]*

*Subd. 4. [OPTIONAL WARNING SYSTEM.] In addition to equipment required under subdivision 1, and notwithstanding section 169.64, a school bus may be equipped with a driver-activated, exterior student-control, warning system. The driver shall activate this system when the use of the stop signal arm and flashing red signals is required under section 169.443, subdivision 1. [169.44, subd 1d]*

*Subd. 5. [WHITE STROBE LAMPS ON SCHOOL BUSES.] Notwithstanding sections 169.55, subdivision 1; 169.57, subdivision 3, paragraph (b), or other law to the contrary, a school bus that is subject to and complies with the color and equipment requirements of sections 169.441, subdivision 1, and 169.442, subdivision 1, may be equipped with a 360-degree, flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes a minute. The lamp may be used only as provided in this subdivision.*

*The strobe lamp must be of a double flash type certified to the commissioner of public safety by the manufacturer as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula. The lamp must be permanently mounted on the longitudinal center line of the bus roof not less than two feet nor more than seven feet forward of the rear roof edge. It must operate from a separate switch containing an indicator lamp to show when the strobe lamp is in use.*

*The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals so as to require use of the bright strobe lamp to alert motorists to the presence of the school bus. A strobe lamp may not be lighted unless the school bus is actually being used as a school bus. [169.64, subd 7]*

**Sec. 5. [169.443] [SAFETY OF SCHOOL CHILDREN; BUS DRIVER'S DUTIES.]**

*Subdivision 1. [USING BUS SIGNALS.] A driver of a school bus shall activate the prewarning flashing amber signals of the bus before stopping to load or unload school children. The driver shall activate the amber signals at least 100 feet before stopping in a speed zone of 35 miles per hour or less and at least 300 feet before stopping in a speed zone of more than 35 miles per hour. On stopping for this purpose, the driver shall extend the stop signal arm and activate the flashing red signals. The driver shall not retract the stop signal arm nor extinguish the flashing red signals until loading or unloading is completed, students are seated, and children who must cross the roadway are safely across. [169.44, subd 2, para (a)]*

*Subd. 2. [USE OF STOP SIGNAL ARM.] The stop signal arm of a school bus must be used in conjunction with the flashing red signals only when the school bus is stopped on a street or highway to load or unload school children. [169.44, subd 1]*

*Subd. 3. [WHEN SIGNALS NOT USED.] School bus drivers shall not activate the prewarning flashing amber signals or flashing red signals:*

*(1) in special school bus loading areas where the bus is entirely off the traveled portion of the roadway and where no other motor vehicle traffic is moving or is likely to be moving within 20 feet of the bus;*

*(2) in residential or business districts of home rule or statutory cities when directed not to do so by the local school administrator;*

*(3) when a school bus is being used on a street or highway for purposes other than the actual transportation of school children to or from school or a school-approved activity;*

*(4) at railroad grade crossings; and*

*(5) when loading and unloading people while the bus is completely off the traveled portion of a separated, one-way roadway that has adequate shoulders. The driver shall drive the bus completely off the traveled portion of this roadway before loading or unloading people. [169.44, subd 2, para (b)]*

*Subd. 4. [STREET CROSSINGS.] Where school children must cross a roadway before getting on or after getting off the school bus, the driver of the school bus or a school bus patrol may supervise the crossing, using the standard school patrol flag or signal as approved and prescribed by the commissioner of public safety. [169.44, subd 2, para (c)]*

*Subd. 5. [MOVING BUS AFTER CHILDREN UNLOADED.] When children are getting off a school bus, the driver shall visually determine that they are a safe distance from the bus before moving the bus. [169.44, subd 2, para (c)]*

*Subd. 6. [OTHER BUSES.] The driver of a type III school bus shall load or unload school children only from the right-hand side of the vehicle, provided that on a one-way street the driver shall load or unload school children only from the curb side of the vehicle. When loading or unloading school children, the driver shall activate the vehicle's four-way hazard lights described in section 169.59, subdivision 4. [169.44, subd 2, para (d)]*

**Sec. 6. [169.444] [SAFETY OF SCHOOL CHILDREN; DUTIES OF OTHER DRIVERS.]**

*Subdivision 1. [CHILDREN GETTING ON OR OFF SCHOOL BUS.] When a school bus is stopped and is displaying an extended stop signal arm and flashing red lights, the driver of a vehicle approaching the bus shall stop the vehicle at least 20 feet away from the bus. The vehicle driver shall not allow the vehicle to move until the school bus stop signal arm is retracted and the red lights are no longer flashing. [169.44, subd 1]*

*Subd. 2. [VIOLATIONS BY DRIVERS; PENALTIES.] (a) A person who fails to stop a vehicle or to keep it stopped, as required in subdivision 1, is guilty of a misdemeanor. [169.44, subd 1]*

*(b) A person is guilty of a gross misdemeanor if the person fails to stop the vehicle or to keep it stopped, as required in subdivision 1, and commits either or both of the following acts:*

*(1) passes or attempts to pass the school bus on the right-hand, passenger-door side of the bus; or*

*(2) passes or attempts to pass the school bus when a school child is outside*



*of and on the right-of-way used by the school bus.*

*Subd. 3. [PROSECUTOR.] The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.*

*When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior convictions under this section from a court, the court must furnish the information without charge.*

*Subd. 4. [EXCEPTION FOR SEPARATED ROADWAY.] A person driving a vehicle on a street or highway with separated roadways is not required to stop the vehicle when approaching or meeting a school bus that is on a different roadway.*

*“Separated roadway” means a road that is separated from a parallel road by a safety isle or safety zone. [169.44, subd 4]*

*Subd. 5. [CAUSE FOR ARREST.] A peace officer may arrest the driver of a motor vehicle if the peace officer has probable cause to believe that the driver has operated the vehicle in violation of subdivision 1 within the past four hours. [169.44, subd 1c, para (1)]*

*Subd. 6. [VIOLATION; PENALTY FOR OWNERS AND LESSEES.] (a) If a motor vehicle is operated in violation of subdivision 1, the owner of the vehicle, or for a leased motor vehicle the lessee of the vehicle, is guilty of a petty misdemeanor.*

*(b) The owner or lessee must not be fined under paragraph (a) if (1) another person is convicted for that violation, or (2) the motor vehicle was stolen at the time of the violation.*

*(c) Paragraph (a) does not apply to a lessor of a motor vehicle if the lessor keeps a record of the name and address of the lessee.*

*(d) Paragraph (a) does not prohibit or limit the prosecution of a motor vehicle operator for violating subdivision 1.*

*(e) A violation under paragraph (a) does not constitute grounds for revocation or suspension of the owner's or lessee's driver's license. [169.44, subd 1c, para (2)]*

*Subd. 7. [EVIDENTIARY PRESUMPTION.] There is a presumption that signals described in section 169.442 were in working order and operable during the time when a violation of subdivision 1, 2, or 5 was committed, if the signals of the applicable school bus were inspected and visually found to be in working order and operable within 12 hours preceding the incident giving rise to the violation.*

*Subd. 8. [SCHEDULING CASES.] When necessary or desirable to ensure that a school bus driver who witnessed or otherwise can provide relevant information concerning a violation of this section, is available to be present at a court proceeding held to determine an alleged violation of this section, the court administrator shall schedule the proceeding to be held between the hours of 10:00 a.m. and 2:00 p.m.*

**Sec. 7. [169.445] [COOPERATION WITH LAW ENFORCEMENT; INFORMATION; RULES; REPORTS.]**

*Subdivision 1. [COOPERATION OF SCHOOL AUTHORITIES.] The*

state board of education shall ensure that local authorities having jurisdiction over school buses shall cooperate with law enforcement and judicial authorities in reporting and prosecuting violators of sections 169.443 and 169.444.

*Subd. 2. [INFORMATION; RULES.] The board shall compile information regarding violations, prosecutions, convictions or other disposition, and penalties imposed under sections 169.443 and 169.444. At the request of the board, local school authorities shall provide this information. The board may adopt rules governing the content and providing procedures for the school authorities to provide this information.*

*Subd. 3. [LEGISLATIVE REPORT.] The board shall submit a report to the legislature by March 1, 1992, summarizing the information compiled under subdivision 2 for the previous calendar year, listing its findings, and making recommendations it considers appropriate.*

**Sec. 8. [169.446] [SAFETY OF SCHOOL CHILDREN; TRAINING AND EDUCATION RULES.]**

*Subdivision 1. [PEACE OFFICER TRAINING.] The board of peace officer standards and training shall adopt rules requiring thorough academic instruction in the content of sections 169.441 to 169.448 and the enforcement of sections 169.443, 169.444, 169.447, and 169.448. The instruction must be conducted during, and made a part of, the board's required basic course of study for peace officer licensing and the board's required programs of continuing education for peace officers.*

*Subd. 2. [DRIVER TRAINING PROGRAMS.] The commissioner of public safety shall adopt rules requiring thorough instruction concerning section 169.444 for persons enrolled in driver training programs offered at private and parochial schools and commercial driver training schools. The instruction must encompass at least the responsibilities of drivers, the content and requirements of section 169.444, and the penalties for violating that section.*

*Subd. 3. [DRIVER EDUCATION PROGRAMS.] The state board of education shall adopt rules requiring thorough instruction concerning section 169.444 for persons enrolled in driver education programs offered at public schools. The instruction must encompass at least the responsibilities of drivers, the content and requirements of section 169.444, and the penalties for violating that section.*

**Sec. 9. [169.447] [SCHOOL BUS SAFETY.]**

*Subdivision 1. [PASSENGER SEATING.] (a) The number of pupils or other authorized passengers transported in or assigned to a school bus must not be more than the number of pupils or passengers that can be fully seated. Seating capacity must be adjusted according to each passenger's individual physical size, but not more than the manufacturers' rated seating capacity.*

*(b) No person shall stand when the school bus is in motion. [169.44, subd 6]*

*Subd. 2. [DRIVER SEAT BELTS.] New school buses purchased after July 1, 1969, must be equipped with driver seat belts and seat belt assemblies of the type described in section 169.685, subdivision 3. School bus drivers must use these seat belts. [169.44, subd 9]*

*Subd. 3. [RECAPPED TIRES.] Recapped tires must not be used on the*

*front wheels of a school bus.* [169.44, subd 11]

*Subd. 4. [AISLE AND EXIT.] The driver of a school bus shall keep the aisle and emergency exit of a school bus unobstructed at all times when children are being transported.* [169.44, subd 12]

*Subd. 5. [TRAILER BEHIND SCHOOL BUS.] A school bus may pull a trailer, as defined by section 169.01, subdivision 10, only when traveling to or from cocurricular or extracurricular activities, as defined in section 123.38.* [169.44, subd 13]

*Subd. 6. [OVERHEAD BOOK RACKS.] Types I and II school buses may be equipped with padded, permanent overhead book racks that do not hang over the center aisle of the bus.* [169.44, subd 16]

Sec. 10. [169.448] [OTHER BUSES.]

*Subdivision 1. [RESTRICTIONS ON APPEARANCE; PENALTY.] A bus that is not used as a school bus must not be operated on a street or highway unless it is painted a color significantly different than national school bus glossy yellow or Minnesota school bus golden orange.*

*A bus that is not used as a school bus must not be equipped with school bus-related equipment and printing.*

*A violation of this subdivision is a misdemeanor.* [169.44, subd 8]

*This subdivision does not apply to a school bus owned by or under contract to a school district operated as a charter or leased bus.*

*Subd. 2. [SCHOOL MOTOR COACHES.] (a) Neither a school district nor a technical college may acquire a motor coach for transportation purposes after March 25, 1986.*

*(b) A motor coach acquired by a school district or technical college before March 26, 1986, may be used by it only to transport students participating in school activities, their instructors, and supporting personnel to and from school activities. A motor coach must not be outwardly equipped and identified as a school bus. A motor coach operated under this subdivision is not a school bus for purposes of section 124.225. By August 1, 1986, the state board of education shall adopt rules governing the equipment, identification, operation, inspection, and certification of motor coaches operated under this subdivision.*

*(c) After January 1, 1998, neither a school district nor a technical college may own or operate a motor coach for any purpose.* [169.44, subd 18]

Sec. 11. Minnesota Statutes 1990, section 171.07, is amended by adding a subdivision to read:

*Subd. 8. [CERTIFICATION; SCHOOL BUS SAFETY LAWS.] Before a driver's license may be issued or renewed, an applicant for a driver's license or renewal shall certify by signature that the applicant is aware of the duties and responsibilities required of drivers under section 169.444 to guard against jeopardizing the safety of school children around school buses and the penalties for violating that section. A failure to make this certification does not affect a prosecution for violation of section 169.444.*

Sec. 12. Minnesota Statutes 1990, section 171.17, is amended to read:

171.17 [REVOCATION.]

*Subdivision 1. [OFFENSES.] The department shall forthwith immediately*

revoke the license of ~~any~~ a driver upon receiving a record of ~~such~~ the driver's conviction of ~~any of the following offenses:~~

(1) manslaughter or criminal vehicular operation resulting from the operation of a motor vehicle;

(2) ~~any~~ a violation of section 169.121 or 609.487;

(3) ~~any~~ a felony in ~~the commission of~~ which a motor vehicle was used *in the commission of the felony*;

(4) failure to stop and disclose identity and render aid, as required under the laws of this state, in the event of a motor vehicle accident, resulting in the death or personal injury of another;

(5) perjury or the making of a false affidavit or statement to the department under any law relating to the ownership or operation of a motor vehicle;

(6) except as this section otherwise provides, conviction, plea of guilty, or forfeiture of bail not vacated, upon three charges of violating, within a period of 12 months, any of the provisions of chapter 169, or of the rules or municipal ordinances enacted in conformance ~~therewith~~ *with chapter 169*, for which the accused may be punished upon conviction by imprisonment;

(7) *conviction of two or more violations, within five years, of the misdemeanor offense described in section 169.444, subdivision 2, paragraph (a);*

(8) *conviction of the gross misdemeanor offense described in section 169.444, subdivision 2, paragraph (b);*

(9) conviction of an offense in another state ~~which that~~, if committed in this state, would be grounds for ~~the revocation of~~ *revoking* the driver's license.

*Subd. 2. [OFFENSES BY JUVENILES.]* When ~~any judge of~~ a juvenile court, ~~judge or any of its~~ duly authorized ~~agents,~~ *agent* determines under a proceeding *held* under chapter 260 that ~~any~~ a person under the age of 18 years has committed ~~any~~ an offense defined in this section, ~~such the judge,~~ or ~~duly~~ authorized agent, shall immediately report this determination to the department, and the commissioner shall immediately revoke the *person's driver's license of that person.*

*Subd. 3. [NOTICE.]* Upon revoking ~~the license of any person, as here-~~ *inbefore in a driver's license under this chapter* ~~authorized,~~ the department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at the licensee's last known address, with postage prepaid ~~thereon.~~

Sec. 13. Minnesota Statutes 1990, section 171.18, is amended to read:

171.18 [SUSPENSION.]

*Subdivision 1. [OFFENSES.]* The commissioner ~~shall have authority to~~ *and* may suspend the license of ~~any~~ a driver without preliminary hearing upon a showing by department records or other sufficient evidence that the licensee:

(1) has committed an offense for which mandatory revocation of license is required upon conviction; ~~or~~

(2) has been convicted by a court of ~~competent jurisdiction~~ for ~~violation of~~ *violating* a provision of ~~the highway traffic regulation act~~ *chapter 169* or

an ordinance regulating traffic and ~~where it appears from~~ department records ~~show~~ that the violation for ~~which the licensee was convicted~~ contributed in causing an accident resulting in the death or personal injury of another, or serious property damage; ~~or~~

(3) is a habitually reckless or negligent driver of a motor vehicle; ~~or~~

(4) is an habitual violator of the traffic laws; ~~or~~

(5) is incompetent to drive a motor vehicle as determined ~~and adjudged~~ in a judicial proceeding; ~~or~~

(6) has permitted an unlawful or fraudulent use of ~~such the~~ license; ~~or~~

(7) has committed an offense in another state ~~which that~~, if committed in this state, would be grounds for suspension; ~~or~~

(8) *has committed a violation of section 169.444, subdivision 1;*

(9) has committed a violation of section 171.22; ~~or~~

~~(9)~~ (10) has failed to appear in court as provided in section 169.92, subdivision 4; or

~~(10)~~ (11) has failed to report a medical condition that, if reported, would have resulted in cancellation of driving privileges.

~~Provided, However, that any~~ an action taken by the commissioner under ~~clauses clause~~ (2) ~~and or~~ (5) ~~shall must~~ conform to the recommendation of the court when made in connection with the prosecution of the licensee.

*Subd. 2. [NOTICE.]* Upon suspending ~~the a driver's license of any person,~~ as ~~hereinbefore in~~ under this section ~~authorized~~, the department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at the licensee's last known address, with postage prepaid ~~thereon, and~~.

*Subd. 3. [HEARING.]* (a) The ~~licensee's written~~ licensee may request, in writing, a hearing. The department shall afford the requesting licensee an opportunity for a hearing within ~~not to exceed~~ 20 days after receipt of ~~such the~~ request in the county ~~wherein where~~ the licensee resides, unless the department and the licensee agree that ~~such the~~ hearing may be held in some other county.

(b) ~~Upon such~~ For the hearing, the commissioner ~~or duly authorized agent~~ may administer oaths and issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee.

(c) ~~Upon such~~ Following the hearing, the department shall either rescind its order of suspension or, for good cause ~~appearing therefor shown~~, may extend the suspension of ~~such the~~ license or revoke ~~such the~~ license.

(d) The department shall not suspend a license for a period of more than one year.

#### Sec. 14. [REVISOR'S INSTRUCTION.]

*In each section of Minnesota Statutes referred to in column A, the revisor of statutes shall delete the reference in column B and insert the reference in column C.*

Column A

Column B

Column C

<i>124.225, subd. 1</i>	<i>169.44, subd. 15</i>	<i>169.01, subd. 6, para. (c)</i>
<i>169.01, subd. 75</i>	<i>169.44, subd. 15</i>	<i>169.01, subd. 6, para. (c)</i>
<i>169.32</i>	<i>169.44</i>	<i>169.441 and 169.442, subd. 1</i>
<i>171.01, subd. 22</i>	<i>169.44, subd. 15</i>	<i>169.01, subd. 6, para. (c)</i>

Sec. 15. [REPEALER.]

*Minnesota Statutes 1990, sections 169.44; and 169.64, subdivision 7, are repealed."*

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections 169.01, subdivision 6;"

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

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was re-referred

H.F. No. 13: A bill for an act relating to taxation; allowing an extension to file income tax returns and property tax refund claims for national guard and reserve members who are called to active duty; amending Minnesota Statutes 1990, section 289A.39, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 281.273, is amended to read:

281.273 [~~SERVICE OF NOTICE OF EXPIRATION OF TIME OF REDEMPTION ON LANDS IN WHICH OWNED BY PERSONS IN MILITARY SERVICE ARE INTERESTED.~~]

~~Whenever the~~ *When a county sheriff of any county* serves notice of expiration of the time for redemption of any parcel of real property from delinquent taxes ~~thereon~~ upon any occupant of ~~any such~~ *the* real property, the sheriff shall inquire of ~~such the~~ occupant and otherwise as the sheriff may deem proper whether ~~such the~~ real property was owned and occupied for dwelling, professional, business or agricultural purposes by a person in the military service of the United States as defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, or the person's dependents at the commencement of the period of military service ~~and is still occupied for such purposes by the person's dependents or employees.~~ On finding that ~~such the~~ real property is so owned ~~and occupied,~~ the sheriff shall make a certificate ~~thereof~~ to the county auditor, setting forth the description of the property, the name of the owner, the particulars of the owner's military service so far as ascertained or claimed, ~~the name of the present occupant and relationship to the owner,~~ and the names and addresses of the persons of whom the sheriff made inquiry. ~~Such~~ *The* certificate shall be filed with the county auditor and shall be prima facie evidence of the facts ~~therein~~ stated. If the real property; described in ~~any such the~~ certificate becomes forfeited to the

state, it shall be withheld from sale or conveyance as tax-forfeited property in accordance with and subject to the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, ~~but except that the requirement in United States Code, title 50, section 560, that the property be occupied by the dependent or employee of the person in military service does not apply. The period of withholding from sale or conveyance shall be no longer than is required by said that act or acts amendatory thereof or supplementary thereto.~~ If upon further investigation the sheriff finds at any time that ~~any such~~ the certificate is erroneous in any particular, the sheriff shall file a supplemental certificate referring to the matter in error and stating the facts as found. ~~Such~~ The supplemental certificate shall be prima facie evidence of the facts ~~therein~~ stated, and shall supersede any prior certificate so far as in conflict therewith. If it appears from ~~such the~~ supplemental certificate that the owner of the real property affected is not entitled to have the same withheld from sale under the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, the property shall not be withheld ~~from sale further hereunder under this section.~~

Sec. 2. Minnesota Statutes 1990, section 289A.39, subdivision 1, is amended to read:

Subdivision 1. [EXTENSIONS FOR SERVICE MEMBERS.] (a) The limitations of time provided by this chapter and chapter 290 relating to income taxes and chapter 271 relating to the tax court for filing returns, paying taxes, claiming refunds, commencing action thereon, appealing to the tax court from orders relating to income taxes, and appealing to the Supreme Court from decisions of the tax court relating to income taxes are extended, ~~with respect to an individual, for the period during which the individual serves in the armed forces of the United States, or serves in support of the armed forces and as provided in section 7508 of the Internal Revenue Code of 1986, as amended through December 31, 1989, or serves in an area designated by the president as a combat zone or is hospitalized outside the United States as a result of injury received while serving in the combat during that time and for a further period of six months January 30, 1991.~~

(b) *If a member of the national guard or reserves is called to active duty in the armed forces, the limitations of time provided by this chapter and chapters 290 and 290A relating to income taxes and claims for property tax refunds are extended by the following period of time:*

(1) *in the case of an individual whose active service is in the United States, six months; or*

(2) *in the case of an individual whose active service includes service abroad, the period of initial service plus six months.*

*Nothing in this paragraph reduces the time within which an act is required or permitted under paragraph (a).*

(c) *If an individual entitled to the benefit of paragraph (a) files a return during the period disregarded under paragraph (a), interest must be paid on an overpayment or refundable credit from the due date of the return, notwithstanding section 289A.56, subdivision 2.*

(d) *The provisions of this subdivision apply to the spouse of an individual entitled to the benefits of this subdivision with respect to a joint return filed by the spouses.*

Sec. 3. [EFFECTIVE DATE.]

*Section 1 is effective for notices served the day following final enactment of this act. Section 2 is effective for taxable years beginning after December 31, 1989, and for claims for property tax refunds filed after August 15, 1990."*

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "providing that property owned by certain members of the military will be withheld from sale as tax-forfeited property;"

Page 1, line 5, after the semicolon, insert "providing filing extensions for individuals who performed services in Operation Desert Shield; providing for early payment of interest on refunds;" and delete "section" and insert "sections 281.273; and"

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

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

H.F. No. 245: A bill for an act relating to education; providing for school consolidation in Kittson and Marshall counties in certain circumstances.

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

## **SECOND READING OF SENATE BILLS**

S.F. No. 81 was read the second time.

## **SECOND READING OF HOUSE BILLS**

H.F. Nos. 13 and 245 were read the second time.

## **MOTIONS AND RESOLUTIONS**

Mr. Marty moved that the name of Mr. Belanger be added as a co-author to S.F. No. 204. The motion prevailed.

Mr. Metzen moved that the names of Messrs. Frank and Mondale be added as co-authors to S.F. No. 387. The motion prevailed.

Mr. Pogemiller moved that the name of Mr. Marty be added as a co-author to S.F. No. 411. The motion prevailed.

Mr. Cohen moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 465. The motion prevailed.

Mr. Dahl moved that the name of Mr. Frank be added as a co-author to S.F. No. 470. The motion prevailed.

Mr. Chmielewski moved that the name of Mr. Frank be added as a co-author to S.F. No. 471. The motion prevailed.

Mr. Dicklich moved that the names of Meses. Reichgott and Traub be added as co-authors to S.F. No. 474. The motion prevailed.

Ms. Piper moved that the names of Ms. Reichgott, Mr. DeCramer and Ms. Traub be added as co-authors to S.F. No. 475. The motion prevailed.

Mr. Davis moved that the name of Mr. Frank be added as a co-author to



S.F. No. 478. The motion prevailed.

Mr. Mondale moved that the name of Mr. Knaak be added as a co-author to S.F. No. 480. The motion prevailed.

Mr. Merriam moved that the name of Mr. Davis be added as a co-author to S.F. No. 497. The motion prevailed.

Mr. Solon moved that the name of Ms. Traub be added as a co-author to S.F. No. 500. The motion prevailed.

Ms. Berglin moved that the name of Mr. Sams be added as a co-author to S.F. No. 509. The motion prevailed.

Mr. Luther moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 511. The motion prevailed.

Mr. Finn moved that the names of Messrs. Chmielewski and Samuelson be added as co-authors to S.F. No. 515. The motion prevailed.

Mr. Spear moved that the name of Mr. Davis be added as a co-author to S.F. No. 525. The motion prevailed.

Mses. Reichgott, Traub and Mr. McGowan introduced—

Senate Resolution No. 29: A Senate resolution congratulating Robbinsdale Armstrong Senior High School for winning starred ratings in the state one-act play contest and for winning the Region 6AA one-act play contest on February 2, 1991.

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. 172, 148, 7, 246 and 224, which the committee recommends to pass.

S.F. No. 171, which the committee recommends to pass with the following amendment offered by Mr. Laidig:

Amend S.F. No. 171 as follows:

Page 2, line 8, delete "enact" and insert "begin immediate committee hearings to consider enacting"

The motion prevailed. So the amendment was adopted.

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

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

## MOTIONS AND RESOLUTIONS

### SUSPENSION OF RULES

Mr. Stumpf moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 245 and that the rules of the Senate be so far suspended as to give H.F. No. 245, now on the Consent Calendar, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 245: A bill for an act relating to education; providing for school consolidation in Kittson and Marshall counties in certain circumstances.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Day	Johnson, J.B.	Metzen	Renneke
Beckman	DeCramer	Johnston	Moe, R. D.	Riveness
Belanger	Dicklich	Kelly	Mondale	Sams
Benson, D.D.	Finn	Knaak	Morse	Solon
Benson, J.E.	Flynn	Kroening	Neuville	Spear
Berg	Frank	Laidig	Novak	Storm
Berglin	Frederickson, D.J.	Langseth	Olson	Stumpf
Bernhagen	Frederickson, D.R.	Larson	Pappas	Traub
Bertram	Gustafson	Lessard	Pariseau	Vickerman
Brataas	Halberg	Luther	Piper	Waldorf
Chmielewski	Hottinger	Marty	Pogemiller	
Cohen	Hughes	McGowan	Price	
Dahl	Johnson, D.E.	Mehrkens	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

So the bill passed and its title was agreed to.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mses. Berglin, Reichgott, Messrs. Belanger and Pogemiller introduced—

S.F. No. 529: A bill for an act relating to taxation; providing for a maximum fiscal disparities areawide tax capacity; amending Minnesota Statutes 1990, sections 473F.07, subdivision 1; and 473F.08, subdivisions 2 and 6.

Referred to the Committee on Taxes and Tax Laws. Mr. Frank questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Mondale, Storm, Ms. Traub and Mr. Kroening introduced—

S.F. No. 530: A bill for an act relating to taxation; providing for a maximum fiscal disparities areawide tax capacity; amending Minnesota Statutes 1990, sections 473F.07, subdivision 1; and 473F.08, subdivisions 2 and 6.

Referred to the Committee on Taxes and Tax Laws. Mr. Frank questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 531: A bill for an act relating to waste; authorizing a water or sewer commission to issue bonds; amending Minnesota Statutes 1990, section 116A.24, subdivisions 2 and 3.

Referred to the Committee on Environment and Natural Resources.

Messrs. Finn, Bertram, Waldorf, Sams and Mrs. Adkins introduced—

S.F. No. 532: A bill for an act relating to towns; providing for the appointment of town officers under certain circumstances; amending Minnesota Statutes 1990, section 367.03, by adding a subdivision.

Referred to the Committee on Veterans and General Legislation.

Mr. Chmielewski introduced—

S.F. No. 533: A bill for an act relating to employment; modifying definitions that apply to corporate officers; amending Minnesota Statutes 1990, section 268.04, subdivision 12.

Referred to the Committee on Employment.

Mr. Davis introduced—

S.F. No. 534: A bill for an act relating to health care; establishing the Minnesotans' health care plan to provide health coverage to uninsured and underinsured Minnesotans; requiring all Minnesotans to maintain health coverage; creating a department of health care access; requiring the new commissioner to set overall limits on health care spending and make recommendations regarding health care system reform; requiring an implementation plan and reports; creating a health care analysis unit; requiring data and research initiatives; establishing a rural health advisory committee; requiring joint rural health initiatives; restricting underwriting and premium rating practices; appropriating money; amending Minnesota Statutes 1990, sections 15.06, subdivision 1; and 43A.08, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 16B; and 62J; repealing Minnesota Statutes 1990, sections 62E.51 to 62E.55.

Referred to the Committee on Health and Human Services.

Messrs. Chmielewski; Metzen; Solon; Johnson, D.E. and Samuelson introduced—

S.F. No. 535: A bill for an act relating to insurance; accident and health; regulating assignments of benefits; amending Minnesota Statutes 1990, section 72A.201, subdivisions 3, 4, and by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Storm, Frank, Novak, Knaak and Ms. Johnston introduced—

S.F. No. 536: A bill for an act relating to metropolitan government; setting the property ownership authority of the mosquito control commission; amending Minnesota Statutes 1990, section 473.704, by adding a subdivision.

Referred to the Committee on Metropolitan Affairs.

Mr. Halberg introduced—

S.F. No. 537: A bill for an act relating to retirement; public employees retirement association; authorizing an Eagan city council member to purchase prior service credit.

Referred to the Committee on Governmental Operations.

Mr. Larson, Mrs. Benson, J.E.; Messrs. Renneke, Neuville, and Johnson, D.E. introduced—

S.F. No. 538: A bill for an act relating to motor carriers; changing definitions of regular route common carrier and irregular route common carrier; amending Minnesota Statutes 1990, section 221.011, subdivisions 9 and 11.

Referred to the Committee on Transportation.

Messrs. Spear, Solon, Luther and Mrs. Brataas introduced—

S.F. No. 539: A bill for an act relating to commerce; restraint of trade; providing an evidentiary presumption in resale price maintenance cases; proposing coding for new law in Minnesota Statutes, chapter 325D.

Referred to the Committee on Commerce.

Mr. Metzen introduced—

S.F. No. 540: A bill for an act relating to education; providing for prepaid tuition; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 135B.

Referred to the Committee on Education.

Mr. Kelly, Mses. Flynn, Berglin, Messrs. Belanger and Waldorf introduced—

S.F. No. 541: A bill for an act relating to taxation; reducing the class rate that applies to certain rental residential property; amending Minnesota Statutes 1990, section 273.13, subdivision 25.

Referred to the Committee on Taxes and Tax Laws.

Mr. Frank, Ms. Flynn, Mr. Marty and Mrs. Benson, J.E. introduced—

S.F. No. 542: A bill for an act relating to traffic regulations; increasing the fine for violating seat belt requirements; removing citation and recording restrictions; amending Minnesota Statutes 1990, section 169.686, subdivision 1.

Referred to the Committee on Transportation.

Mr. Metzen, Ms. Traub, Messrs. Kelly, Storm and Neuville introduced—

S.F. No. 543: A bill for an act relating to housing; changing the definition of mentally ill person; consolidating special needs housing programs; clarifying and amending biennial reporting requirement; authorizing new construction of accessible housing; authorizing off-reservation home improvement program; amending Minnesota Statutes 1990, sections 268.39;

462A.03, subdivision 16; 462A.05, subdivision 20; 462A.21, subdivisions 4k, 12a, and 14; 462A.22, subdivision 9; 474A.048, subdivision 2; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1989, chapter 335, article 1, section 27, subdivision 1, as amended; repealing Minnesota Statutes 1990, section 462A.05, subdivisions 28 and 29.

Referred to the Committee on Economic Development and Housing.

Messrs. Morse; Frederickson, D.J.; Dicklich and Dahl introduced—

S.F. No. 544: A bill for an act relating to education; modifying the rounding procedure used to compute AFDC pupil units; amending Minnesota Statutes 1990, section 124.17, subdivision 1b.

Referred to the Committee on Education.

Mr. Cohen introduced—

S.F. No. 545: A bill for an act relating to crimes; imposing a felony penalty for a fifth or subsequent violation of the laws prohibiting driving while intoxicated; amending Minnesota Statutes 1990, section 169.121, subdivision 3.

Referred to the Committee on Judiciary.

Messrs. Cohen, Hottinger, Ms. Johnson, J.B.; Mr. Marty and Ms. Reichgott introduced—

S.F. No. 546: A bill for an act relating to crimes; environmental enforcement; imposing criminal penalties for knowing violations of standards related to hazardous air pollutants and toxic pollutants in water; providing that certain property is subject to forfeiture in connection with convictions for water pollution and air pollution violations; imposing criminal penalties for unauthorized disposal of solid waste; authorizing prosecution of environmental crimes by the attorney general; providing for environmental restitution as part of a sentence; increasing criminal penalties for false statements on documents related to permits and record keeping; amending Minnesota Statutes 1990, sections 18D.331, subdivision 4; 609.531, subdivision 1; and 609.671.

Referred to the Committee on Environment and Natural Resources.

Mr. Cohen introduced—

S.F. No. 547: A bill for an act relating to credit unions; setting the size of certain committees; amending Minnesota Statutes 1990, section 52.08.

Referred to the Committee on Commerce.

Mr. Cohen introduced—

S.F. No. 548: A bill for an act relating to state finance; permitting investments in all federally insured savings accounts; amending Minnesota Statutes 1990, section 11A.24, subdivision 4.

Referred to the Committee on Governmental Operations.

Ms. Pappas, Messrs. Solon, Spear, Larson and Cohen introduced—

S.F. No. 549: A bill for an act relating to insurance; regulating agent rehabilitations and cancellations of agency contracts by fire and casualty companies; amending Minnesota Statutes 1990, sections 60A.171; and 60A.175.

Referred to the Committee on Commerce.

Ms. Pappas and Mr. Chmielewski introduced—

S.F. No. 550: A bill for an act relating to health; employee drug testing; clarifying requirements for labs that test employees for drugs; amending Minnesota Statutes 1990, sections 181.950, subdivisions 2, 5, 8, and 10; 181.951, subdivision 1; 181.953, subdivisions 1, 3, 5, and 9; and 626.5562, subdivision 5; repealing Minnesota Statutes 1990, sections 181.950, subdivision 3; and 181.953, subdivision 2; Minnesota Rules, parts 4740.0100 to 4740.1090.

Referred to the Committee on Health and Human Services.

Messrs. Price, Dahl and Morse introduced—

S.F. No. 551: A bill for an act relating to state government; requiring a study of state government functions related to natural resources and environmental protection.

Referred to the Committee on Environment and Natural Resources.

Messrs. Hughes, Pogemiller, Marty, Ms. Piper and Mr. Halberg introduced—

S.F. No. 552: A bill for an act relating to elections; providing for time off to vote in primaries; amending Minnesota Statutes 1990, section 204C.04.

Referred to the Committee on Elections and Ethics.

Mr. Hottinger introduced—

S.F. No. 553: A bill for an act relating to education; encouraging a Minnesota volunteer corps to the USSR and East Central Europe; appropriating money.

Referred to the Committee on Economic Development and Housing.

Mr. Frederickson, D.R. introduced—

S.F. No. 554: A bill for an act relating to trade and economic development; appropriating money for a history center at Traverse des Sioux.

Referred to the Committee on Economic Development and Housing.

Mr. Price introduced—

S.F. No. 555: A bill for an act relating to civil procedure; providing that no filing fee be charged for issuance of domestic abuse orders for protection; amending Minnesota Statutes 1990, section 518B.01, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Price, Riveness, Ms. Reichgott, Messrs. Pogemiller and Frederickson, D.J. introduced—

S.F. No. 556: A bill for an act relating to taxation; extending homestead treatment to certain property; amending Minnesota Statutes 1990, section 273.124, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Price introduced—

S.F. No. 557: A bill for an act relating to commerce; removing a real estate licensing prohibition; amending Minnesota Statutes 1990, section 82.20, subdivision 4.

Referred to the Committee on Commerce.

Messrs. Frederickson, D.J.; Vickerman and Sams introduced—

S.F. No. 558: A bill for an act relating to health; modifying the procedure for vendor error notification; excluding the salaries of doctors of osteopathy from certain limitations; requiring flexibility in implementing the state health plan; providing rural hospital assistance grants; modifying nonprofit corporation powers; extending the medical assistance adjustment for hospitals with small volumes; modifying the criteria for establishing a hospital district; appropriating money; amending Minnesota Statutes 1990, sections 16A.124, subdivisions 1 and 4; 43A.17, subdivision 9; 43A.23, by adding a subdivision; 144.581, subdivision 1; 256.969, subdivision 6a; and 447.31, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Messrs. Frederickson, D.J.; DeCramer; Sams and Davis introduced—

S.F. No. 559: A bill for an act relating to motor fuels; requiring ethanol as the oxygenate in oxygenated gasoline; amending Minnesota Statutes 1990, section 239.76, by adding subdivisions.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Frederickson, D.J.; Sams and Beckman introduced—

S.F. No. 560: A bill for an act relating to economic development; providing comprehensive information to potential developers of ethanol plants; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Lessard and Finn introduced—

S.F. No. 561: A bill for an act relating to natural resources; authorizing certain minors to harvest wild rice without a license; amending Minnesota Statutes 1990, sections 84.091, subdivision 2; and 97A.451, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Mr. Novak, Ms. Piper, Mr. Johnson, D.J.; Mses. Johnson, J.B. and Olson introduced—

S.F. No. 562: A resolution memorializing the President and Congress to increase funding for the low-income home energy assistance program and to maintain its operation in Minnesota.

Referred to the Committee on Energy and Public Utilities.

Messrs. Hottinger, DeCramer and Stumpf introduced—

S.F. No. 563: A bill for an act relating to nursing; creating a midlevel practitioner education account; establishing grant programs for nurse education; requiring feasibility studies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Education.

Mr. Bernhagen introduced—

S.F. No. 564: A bill for an act relating to education; providing for operating fund deficits in certain cases involving certain cooperating and combining districts; amending Minnesota Statutes 1990, section 124.2725, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Stumpf, Finn, Neuville, Bernhagen and Bertram introduced—

S.F. No. 565: A bill for an act relating to civil actions; regulating recovery for economic loss arising from the sales of goods; amending Minnesota Statutes 1990, section 336.2-725; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary.

Mr. Lessard introduced—

S.F. No. 566: A bill for an act relating to appropriations; providing funds for the Itasca center.

Referred to the Committee on Finance.

Mr. Lessard introduced—

S.F. No. 567: A bill for an act relating to retirement; authorizing appointed public officers to purchase public employees retirement association service credit for previous service as an elected official; amending Laws 1990, chapter 570, article 8, section 14, subdivision 1.

Referred to the Committee on Governmental Operations.

Mr. Lessard introduced—

S.F. No. 568: A bill for an act relating to education; increasing secondary sparsity revenue; amending Minnesota Statutes 1990, section 124A.22, subdivision 6.

Referred to the Committee on Education.



Mr. Lessard introduced—

S.F. No. 569: A bill for an act relating to education; changing the computation of AFDC pupil units; amending Minnesota Statutes 1990, section 124.17, subdivision 1b.

Referred to the Committee on Education.

Mr. Lessard introduced—

S.F. No. 570: A bill for an act relating to education; discontinuing the authority of school districts to transfer money from the general fund to the community service fund for certain TRA and FICA purposes; repealing Minnesota Statutes 1990, section 121.912, subdivision 1b.

Referred to the Committee on Education.

Mr. Lessard introduced—

S.F. No. 571: A bill for an act relating to education; providing for the accounting of funds from high school league regulated activities; amending Minnesota Statutes 1990, section 123.38, subdivision 2b.

Referred to the Committee on Education.

Messrs. Riveness, Samuelson, Solon and Vickerman introduced—

S.F. No. 572: A bill for an act relating to health; health maintenance organizations; providing coverage for chiropractic care; amending Minnesota Statutes 1990, sections 62D.02, subdivision 7; 62D.102; and 62D.12, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Mr. Chmielewski introduced—

S.F. No. 573: A bill for an act relating to local government; permitting the creation of library tax districts; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on Local Government.

Messrs. Cohen, Spear, Ms. Berglin, Mr. Marty and Ms. Flynn introduced—

S.F. No. 574: A bill for an act relating to health; codifying case law regarding abortion; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Human Services.

Messrs. Marty, Finn, Ms. Johnson, J.B. and Mr. Dicklich introduced—

S.F. No. 575: A bill for an act relating to utilities; encouraging energy efficiency; providing for programs to reduce the use of electricity through energy conservation; authorizing rulemaking; amending Minnesota Statutes 1990, sections 216B.16, subdivisions 6 and 6b; and 216B.243, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Energy and Public Utilities.

Messrs. Solon, Metzen, Kroening, Gustafson and Mehrkens introduced—

S.F. No. 576: A bill for an act relating to transportation; establishing port improvement assistance program; proposing coding for new law as Minnesota Statutes, chapter 457A.

Referred to the Committee on Transportation.

Mr. Neuville, Mrs. Benson, J.E. and Mr. Dahl introduced—

S.F. No. 577: A bill for an act relating to education; providing for addition of certain revenue by the state academies; amending Minnesota Statutes 1990, sections 120.17, subdivision 7a; and 124.32, subdivision 5.

Referred to the Committee on Education.

Ms. Traub introduced—

S.F. No. 578: A bill for an act relating to taxation; adjusting the class rates that apply to certain homestead property; amending Minnesota Statutes 1990, section 273.13, subdivision 22.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Pogemiller, Morse and Ms. Reichgott introduced—

S.F. No. 579: A bill for an act relating to economic development; regulating the use of tax-exempt revenue bonds; amending Minnesota Statutes 1990, sections 474A.02, subdivisions 1, 2b, 7, 8, 19, and by adding subdivisions; 474A.04, subdivision 1a; 474A.047, subdivisions 1 and 3; 474A.061, subdivisions 1, 2a, 2b, and 2c; 474A.091, subdivisions 3 and 5; 474A.131, by adding a subdivision; 474A.15; 474A.16; and 474A.17; proposing coding for new law in Minnesota Statutes, chapters 462A and 462C; repealing Minnesota Statutes 1990, sections 474A.048; and 474A.081, subdivisions 1, 2, and 4.

Referred to the Committee on Economic Development and Housing.

Ms. Traub, Mr. Dicklich, Ms. Reichgott, Messrs. Pogemiller and Morse introduced—

S.F. No. 580: A bill for an act relating to education; requiring local standards for extended day programs; providing revenue for extended day programs; appropriating money; amending Minnesota Statutes 1990, sections 121.88, subdivision 10, and by adding subdivisions; and 275.125, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Chmielewski; Samuelson; Vickerman; Johnson, D.E. and Renneke introduced—

S.F. No. 581: A bill for an act relating to companion animals; establishing a low-cost spaying and neutering program; imposing a tax on wholesale sales of dog and cat food; imposing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 346; proposing coding for new law as Minnesota Statutes, chapter 297E.

Referred to the Committee on Veterans and General Legislation.

Ms. Pappas, Mr. Spear, Ms. Berglin, Mr. Gustafson and Mrs. Adkins introduced—

S.F. No. 582: A bill for an act relating to liquor; authorizing cities of the first class to extend on-sale closing hours; amending Minnesota Statutes 1990, section 340A.504, subdivision 6.

Referred to the Committee on Commerce.

Mses. Flynn, Traub, Mr. Hottinger, Ms. Ranum and Mr. Riveness introduced—

S.F. No. 583: A bill for an act relating to health; clarifying requirements for vaccination of children for certain illnesses; amending Minnesota Statutes 1990, sections 123.70, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, and by adding a subdivision; and 151.37, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Ms. Flynn, Mr. Waldorf, Ms. Ranum, Mr. Frank and Ms. Johnston introduced—

S.F. No. 584: A bill for an act relating to metropolitan government; setting conditions for the party affiliation of the metropolitan council and agencies; amending Minnesota Statutes 1990, sections 473.123, subdivision 3; and 473.141, subdivision 2.

Referred to the Committee on Metropolitan Affairs.

Ms. Berglin introduced—

S.F. No. 585: A bill for an act relating to health; requiring nursing homes to use efficiency incentive payments to correct licensing violations; authorizing grants to nursing homes to develop innovative programs; providing for inflationary increases to the efficiency incentive; withholding efficiency incentives for uncorrected license violations; requiring reports; appropriating money; amending Minnesota Statutes 1990, sections 144A.10, subdivision 4; 144A.31, by adding a subdivision; and 256B.431, by adding subdivisions.

Referred to the Committee on Health and Human Services.

Mses. Berglin and Piper introduced—

S.F. No. 586: A bill for an act relating to human services; changing priorities and requirements for the AFDC and basic sliding fee child care programs; amending Minnesota Statutes 1990, sections 256H.03, subdivisions 2b and 3; 256H.05, subdivisions 1b and 3; 256H.08; and 256H.09, subdivision 3.

Referred to the Committee on Health and Human Services.

Mr. Hottinger, Ms. Johnson, J.B.; Messrs. Moe, R.D.; Luther and Mrs. Adkins introduced—

S.F. No. 587: A bill for an act relating to the environment; declaring the 1990s to be the decade of the environment; providing for grants for promotional activities relating to environmental programs; authorizing rule-making; appropriating money; amending Minnesota Statutes 1990, section

126A.04, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Messrs. Finn, Lessard, Solon, Samuelson and Johnson, D.J. introduced—

S.F. No. 588: A bill for an act relating to crime; providing penalties for intentional damage to timber or wood processing, manufacturing, or transportation equipment; providing penalties for possessing certain devices to damage timber or wood processing, manufacturing, or transportation equipment; providing penalties for unlawful interference with timber harvests; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Mses. Johnson, J.B.; Flynn and Traub introduced—

S.F. No. 589: A bill for an act relating to occupations and professions; establishing a board of nutrition and dietetics practice; requiring nutritionists and dietitians to be licensed; establishing licensing requirements and exemptions; authorizing rulemaking; providing penalties; appropriating money; amending Minnesota Statutes 1990, sections 214.01, subdivision 2; and 214.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Human Services.

Ms. Johnson, J.B.; Messrs. Dicklich, Dahl, Stumpf and DeCramer introduced—

S.F. No. 590: A bill for an act relating to education; equalizing a portion of the debt service levy; equalizing a portion of the referendum levy; amending Minnesota Statutes 1990, section 275.125, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 124 and 124A; repealing Minnesota Statutes 1990, section 124A.03.

Referred to the Committee on Education.

Messrs. Stumpf and Belanger introduced—

S.F. No. 591: A bill for an act relating to civil actions; regulating the apportionment of joint and several liability; amending Minnesota Statutes 1990, section 604.02, subdivision 1.

Referred to the Committee on Judiciary.

Mr. Solon introduced—

S.F. No. 592: A bill for an act relating to commerce; regulation of health care costs; creating a state cost control commission; providing for a review and control over rates and fees charged by health care providers practicing in Minnesota; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

Ms. Olson and Mr. DeCramer introduced—

S.F. No. 593: A bill for an act relating to railroads; allowing access over railroad right-of-way to landlocked adjoining properties; amending Minnesota Statutes 1990, section 219.35.

Referred to the Committee on Transportation.

Mrs. Pariseau, Ms. Berglin, Mr. Neuville, Ms. Piper and Mr. DeCramer introduced—

S.F. No. 594: A bill for an act relating to marriage dissolution; requiring information; providing for a report; amending Minnesota Statutes 1990, section 518.10; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

Mrs. Adkins, Messrs. Benson, D.D.; DeCramer and Bertram introduced—

S.F. No. 595: A bill for an act relating to the lottery; authorizing and regulating the use of video lottery machines; regulating video lottery manufacturers, retailers, operators, and establishments; providing penalties; amending Minnesota Statutes 1990, sections 349A.01, by adding subdivisions; 349A.05; 349A.06, subdivision 4; 349A.12, subdivision 4; 349A.13; 609.75, subdivision 4; and 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on Gaming Regulation.

Messrs. Chmielewski, Gustafson, Langseth, Stumpf and Mrs. Brataas introduced—

S.F. No. 596: A bill for an act relating to workers' compensation; regulating benefits, providers, dispute resolution, and insurance; appropriating money; imposing penalties; amending Minnesota Statutes 1990, sections 15A.083, subdivision 7; 79.095; 79.251, subdivisions 1, 2, 3, 4, and 5; 79.252, subdivisions 1, 3, and 5; 79.55, subdivision 2; 79.56, by adding a subdivision; 79.58, subdivision 2; 79.61, subdivision 1; 175.007; 176.011, subdivisions 3, 11a, 18, 27, and by adding a subdivision; 176.021, subdivision 3; 176.041, subdivision 1a; 176.061, subdivision 10, and by adding a subdivision; 176.081, subdivisions 1, 2, and 3; 176.101, subdivisions 1, 2, 4, 5, 6, and by adding subdivisions; 176.102, subdivisions 1, 2, 3, 3a, 4, 6, 7, 9, and 11; 176.105, subdivisions 1 and 4; 176.111, subdivisions 6, 7, 8, 12, 14, 15, 18, 20, and 21; 176.131, subdivision 8, and by adding a subdivision; 176.132, subdivisions 1, 2, and 3; 176.135, subdivisions 1, 1a, 5, 6, and 7; 176.136, subdivisions 1, 2, and by adding subdivisions; 176.179; 176.183, subdivision 1; 176.215, by adding a subdivision; 176.221, subdivision 6a; 176.305, subdivision 1; 176.351, subdivision 2a; 176.421, subdivision 7; 176.442; 176.461; 176.645, subdivisions 1 and 2; 176.66, subdivision 11; 176.82; 176.83, subdivisions 5, 6, and by adding a subdivision; 176A.03, by adding a subdivision; 221.141, subdivision 1; 268.08, subdivision 3; 353.33, subdivision 5; and 480A.06, subdivisions 3 and 4; proposing coding for new law in Minnesota Statutes, chapters 79; and 176; repealing Minnesota Statutes 1990, sections 79.54; 79.57; 79.58, subdivision 1; 175A.01; 175A.02; 175A.03; 175A.04; 175A.05; 175A.06;

175A.07; 175A.08; 175A.09; 175A.10; 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, and 3u; 176.106; 176.111, subdivision 8a; 176.135, subdivision 3; and 176.136, subdivision 5.

Referred to the Committee on Employment.

Messrs. Chmielewski, Frank, Kroening, Mses. Flynn and Piper introduced—

S.F. No. 597: A bill for an act relating to labor; providing that certain hiring practices by an employer during a strike or lockout are unfair labor practices; amending Minnesota Statutes 1990, sections 179.12; and 179A.13.

Referred to the Committee on Employment.

Messrs. Langseth, DeCramer, Mehrkens, Novak and Ms. Flynn introduced—

S.F. No. 598: A bill for an act relating to transportation; establishing state transportation goals and requiring periodic revisions of the state transportation plan; establishing a Minnesota highway board and prescribing its powers and duties; directing a study of rail-highway grade crossings and requiring a report; authorizing the commissioner of transportation to make grants for the improvement of commercial navigation facilities; authorizing local units of government to advance funds for the completion of trunk highway projects; authorizing cities to assess up to 35 percent of a street improvement without regard to benefits conferred; authorizing cities to impose street access charges on building permits; authorizing road authorities to enter into agreements for the construction, maintenance, and operation of toll roads and bridges; creating a transportation services fund and providing for its uses; specifying percentage of unrefunded motor fuel tax revenue that is attributable to use on forest roads; authorizing the commissioner of transportation to plan, acquire, construct and equip light rail transit facilities, and restricting authority of regional rail authorities; directing a study of highway corridors; creating a legislative advisory commission on transportation and directing it to conduct certain studies; amending Minnesota Statutes 1990, sections 162.02, subdivision 3a; 168.54, subdivisions 5 and 6; 169.09, subdivision 13; 169.86, subdivision 5; 169.862; 170.23; 171.185; 171.26; 171.36; 173.13, subdivision 4; 173.231; 174.01; 174.03, subdivision 2, and by adding a subdivision; 221.036, subdivision 14; 296.16, subdivision 1a; 296.421, subdivision 8; 299D.03, subdivision 5; 398A.04, subdivision 8; 473.399, by adding a subdivision; 473.3993, subdivisions 2, 3, and by adding a subdivision; 473.3994; 473.3996; proposing coding for new law in Minnesota Statutes, chapters 3; 160; 161; 162; 174; 221; 471; and 473; proposing coding for new law as Minnesota Statutes, chapter 457A; repealing Minnesota Statutes 1990, section 473.3994, subdivision 6; and Laws 1989, chapter 339, section 21.

Referred to the Committee on Transportation.

Messrs. Langseth and Samuelson introduced—

S.F. No. 599: A bill for an act relating to local government; authorizing municipalities to enter into joint ventures with telecommunications organizations; amending Minnesota Statutes 1990, section 237.19.

Referred to the Committee on Local Government.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Thursday, March 7, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate