

TWENTY-FIFTH DAY

St. Paul, Minnesota, Thursday, March 21, 1991

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

CALL OF THE SENATE

Mr. Frank 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. Ralph Johnson.

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

Adkins	Day	Johnson, J.B.	Metzen	Riveness
Beckman	DeCramer	Johnston	Moe, R.D.	Sams
Belanger	Dicklich	Kelly	Mondale	Samuelson
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	Ranum	
Dahl	Johnson, D.E.	Mehrkens	Reichgott	
Davis	Johnson, D.J.	Merriam	Renneke	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Price was excused from the Session of today.

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. 246.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 18, 1991

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 155, 304 and 373.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 18, 1991

FIRST READING OF HOUSE BILLS

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

H.F. No. 155: A bill for an act relating to traffic regulations; authorizing immediate towing of certain unlawfully parked vehicles; amending Minnesota Statutes 1990, section 169.041, subdivision 4.

Referred to the Committee on Transportation.

H.F. No. 304: 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.

H.F. No. 373: 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 Rules and Administration for comparison with S.F. No. 557, 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.

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

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.

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

Page 1, line 19, after "*act*" insert "*of 1990*"

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

Mr. Berg from the Committee on Gaming Regulation, to which was referred

S.F. No. 324: A bill for an act relating to lawful gambling; abolishing the department of gaming and the position of commissioner of gaming; removing paddlewheels from the definition of lawful gambling; changing the membership of the gambling control board; amending Minnesota Statutes 1990, sections 15A.081, subdivision 1; 240.011; 240.02, subdivisions 1 and 2;

240.06, subdivision 8; 240.28; 349.12, subdivisions 10, 18, 21, and 24; 349.151, subdivision 2; 349.153; 349.163, subdivisions 1 and 4; 349.167, subdivision 4; 349.169, subdivision 2; 349.18, subdivision 1; 349A.01, subdivisions 5 and 9; 349A.02, subdivisions 1, 4, 5, 6, and 8; 349A.03, subdivision 1; 349A.06, subdivisions 2 and 5; 349A.08, subdivision 7; 349A.10, subdivisions 3 and 4; 349A.11; 349A.12, subdivision 4; repealing Minnesota Statutes 1990, section 240.01, subdivision 15; 349.12, subdivisions 12 and 29; 349A.01, subdivisions 3, 4, and 6; and 349B.01.

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

Page 6, line 26, delete the new language and strike "the board"

Page 6, strike lines 27 and 28

Page 6, line 29, strike "as a voting member."

Page 6, line 33, delete everything before "*the*" and insert "*(a)*"

Page 6, line 36, after "*(2)*" insert "*one member appointed by the governor for a term expiring June 30, 1994; (3)*"

Page 7, line 2, delete "*(3)*" and insert "*(4)*"

Page 7, line 4, delete "*(c)*" and insert "*(b)*"

Page 7, line 5, delete "*advise*" and insert "*advice*"

Page 7, line 6, delete "*(d)*" and insert "*(c)*"

Page 7, line 8, delete "*(e)*" and insert "*(d)*"

Page 8, after line 36, insert:

"Sec. 16. Minnesota Statutes 1990, section 349.168, subdivision 3, is amended to read:

Subd. 3. [COMPENSATION.] Compensation to persons who participate in the conduct of lawful gambling may be paid only to active members of the conducting organization or its auxiliary, or the spouse or surviving spouse of an active member, except that the following persons may receive compensation without being active members: (1) sellers of pull-tabs, tip-boards, raffle tickets, ~~paddlewheel tickets~~, and bingo paper; (2) accountants performing auditing or bookkeeping services for the organization; and (3) attorneys providing legal services to the organization. The board may by rule allow other persons not active members of the organization to receive compensation."

Page 9, after line 26, insert:

"Sec. 19. Minnesota Statutes 1990, section 349.212, subdivision 6, is amended to read:

Subd. 6. [COMBINED RECEIPTS TAX.] In addition to the taxes imposed under subdivisions 1 and 4, there is imposed a tax on the combined receipts of the organization. As used in this section, "combined receipts" is the sum of the organization's gross receipts from lawful gambling less gross receipts directly derived from the conduct of bingo, ~~and raffles, and paddlewheels~~, as defined in section 349.12, subdivision 21, for the fiscal year. The combined receipts of an organization are subject to a tax computed according to the following schedule:

If the combined receipts for the

The tax is:

fiscal year are:

Not over \$500,000

zero

Over \$500,000 but not over \$700,000

two percent of the amount over \$500,000 but not over \$700,000

Over \$700,000 but not over \$900,000

\$4,000 plus four percent of the amount over \$700,000 but not over \$900,000

Over \$900,000

\$12,000 plus six percent of the amount over \$900,000"

Page 16, after line 10, insert:

"Sec. 35. Minnesota Statutes 1990, section 609.75, subdivision 4, is amended to read:

Subd. 4. [GAMBLING DEVICE.] A gambling device is a contrivance which for a consideration affords the player an opportunity to obtain something of value, other than free plays, automatically from the machine or otherwise, the award of which is determined principally by chance. "Gambling device" *also* includes ~~any~~ a video game of chance, as defined in ~~section 349.50, subdivision 8; that is not in compliance with sections 349.50 to 349.60.~~

Sec. 36. Minnesota Statutes 1990, section 609.75, is amended by adding a subdivision to read:

Subd. 8. [VIDEO GAME OF CHANCE.] *A video game of chance is a game or device that simulates one or more games commonly referred to as poker, blackjack, craps, hi-lo, roulette, or other common gambling forms, though not offering any type of pecuniary award or gain to players. The term also includes any video game having one or more of the following characteristics:*

(1) it is primarily a game of chance, and has no substantial elements of skill involved;

(2) it awards game credits or replays and contains a meter or device that records unplayed credits or replays.

Sec. 37. Minnesota Statutes 1990, section 609.755, is amended to read:
609.755 [ACTS OF OR RELATING TO GAMBLING.]

Whoever does any of the following is guilty of a misdemeanor:

(1) ~~Makes~~ *makes* a bet; ~~or~~

(2) ~~Sells~~ *sells* or transfers a chance to participate in a lottery; ~~or~~

(3) ~~Disseminates~~ *disseminates* information about a lottery with intent to encourage participation therein; ~~or~~

(4) ~~Permits~~ *permits* a structure or location owned or occupied by the actor or under the actor's control to be used as a gambling place; *or*

(5) *operates a gambling device.*

Sec. 38. Minnesota Statutes 1990, section 609.76, subdivision 1, is amended to read:

Subdivision 1. [GROSS MISDEMEANORS.] (a) Whoever does any of the following may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both:

- (1) maintains or operates a gambling place or operates a bucket shop;
- (2) intentionally participates in the income of a gambling place or bucket shop;
- (3) conducts a lottery, or, with intent to conduct a lottery, possesses facilities for doing so;
- (4) sets up for use for the purpose of gambling, or collects the proceeds of, any gambling device or bucket shop;
- (5) with intent that it shall be so used, manufactures, sells or offers for sale, in whole or any part thereof, any gambling device including those defined in section 349.30, subdivision 2, and any facility for conducting a lottery, except as provided by section 349.40; *or*
- (6) receives, records, or forwards bets or offers to bet or, with intent to receive, record, or forward bets or offers to bet, possesses facilities to do so; *or*
- ~~(7) pays any compensation for game credits earned on or otherwise rewards, with anything of value other than free plays, players of video games of chance as defined in section 349.50, subdivision 8, or who directs an employee to pay any such compensation or reward.~~

(b) On conviction of a person for the crime established in paragraph (a), clause (7), the court shall impose a fine of not less than \$700.

Sec. 39. [TRIBAL-STATE COMPACTS.]

Sections 35 to 38 must not be construed as prohibiting the state from entering into or participating in a compact with the governing body of an Indian tribe governing the conduct of any form of gambling under the Indian Gaming Regulatory Act, United States Code, title 25, sections 2701 to 2721."

Page 16, line 14, delete "32," and insert "15, 17, 18, and 20 to 34,"

Page 16, delete line 28 and insert:

"Sections 1 to 34, 40, and 41 are effective July 1, 1991. Sections 35 to 39 are effective January 1, 1992."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "clarifying the prohibition on video games of chance;"

Page 1, line 11, after the first semicolon, insert "349.168, subdivision 3;"

Page 1, line 12, after the first semicolon, insert "349.212, subdivision 6;"

Page 1, line 16, after the semicolon, insert "609.75, subdivision 4, and by adding a subdivision; 609.755; 609.76, subdivision 1;"

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

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

S.F. No. 720: A bill for an act relating to housing; authorizing the Minnesota housing finance agency to establish a shallow rent subsidy program, a lease-purchase housing program, a blighted property acquisition program, and a housing capital reserve program; appropriating money; amending Minnesota Statutes 1990, sections 273.124, subdivision 7; and 462A.05, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Page 2, line 7, delete "3" and insert "2"

Page 2, delete section 2

Page 3, after line 24, insert:

"Sec. 4. [462A.205] [SHALLOW RENT SUBSIDY PROGRAM.]

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

(a) "Caretaker parent" means a parent, relative caretaker, or minor caretaker as defined by the aid to families with dependent children program, sections 256.72 to 256.87.

(b) "Family" or "participating family" means either:

(1) a family with a caretaker parent who is participating in a program and with at least one minor child; or

(2) a family which, at the time it began receiving rent assistance under this section, had a caretaker parent participating in a program and at least one minor child.

(c) "Program" means a program operated under sections 256.736 and 256D.051, an employability program administered by a community action agency, a job training program administered under the federal Jobs Training Partnership Act, or courses of study at an accredited institution of higher education pursued with at least half-time student status under an employment development plan approved by the institution.

Subd. 2. [ESTABLISHMENT.] The agency may establish a shallow rent housing subsidy program to provide direct rental subsidies for housing for individuals or families with incomes of up to 60 percent of area median income. One-half of the money appropriated for this program must be used to provide rental housing subsidies for individuals or families with incomes not exceeding 30 percent of the area median income. The amount of the tenant's portion of the rental payment may exceed 30 percent of the tenant's annual income. Direct rental subsidies must be administered by the agency for the benefit of eligible tenants. Financial assistance provided under this subdivision must be in the form of vendor payments whenever possible. The program must offer two options: a voucher option and a project-based voucher option. When providing project-based vouchers, the agency shall give priority to a project that has received public money for rehabilitation of the housing.

Subd. 3. [AMOUNT AND PAYMENT OF RENT ASSISTANCE.] (a)

Within the limits of available appropriations, eligible individuals and families may receive monthly rent assistance for a 36-month period starting with the month the individual or family first receives rent assistance under this section.

(b) The rent assistance must be paid directly to the property owner.

(c) Subject to the limitations in paragraph (d), the amount of rent assistance is the difference between the rent and the individual's or family's copayment.

(d) In no case:

(1) may the amount of monthly rent assistance be more than \$350;

(2) may the owner receive more rent for assisted units than for comparable unassisted units; or

(3) may the amount of monthly rent assistance be more than the difference between the individual's or family's copayment and the fair market rent for the unit as determined by the United States Department of Housing and Urban Development.

Subd. 4. [PROPERTY OWNER.] In order to receive rent assistance payments, the property owner must enter into a standard lease agreement with the tenant which includes a clause providing for good cause evictions only. Otherwise, the lease may be any standard lease agreement. The agency must make model lease agreements available to program administrators, participating individuals, families, and property owners.

Subd. 5. [FAMILY STABILIZATION DEMONSTRATION PROJECT.] The agency, in consultation with the department of human services, may establish a family stabilization demonstration project within the shallow rent subsidy program. The purpose of the project is to provide rental assistance to families receiving public assistance which have a caretaker parent participating in a self-sufficiency, education, or job-training program. The agency may contract with local housing agencies to administer the demonstration project. The requirements specified under subdivisions 1 to 4 apply to the demonstration project."

Page 4, line 1, after the period, insert "Loans from the pool may be sold on the secondary market."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the first comma, insert "a family stabilization demonstration project,"

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

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

S.F. No. 252: A bill for an act relating to housing; authorizing a multi-county housing and redevelopment authority to appoint additional commissioners; amending Minnesota Statutes 1990, section 469.006, subdivision 2.

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

Report adopted.

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

S.F. No. 652: A bill for an act relating to housing; providing for the payment of fees for certain publicly owned facilities; amending Minnesota Statutes 1990, section 327.23, subdivision 3.

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

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

S.F. No. 448: A bill for an act relating to local government; regulating the development, imposition, and management of state mandates upon local political subdivisions; amending Minnesota Statutes 1990, section 14.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3 and 14; repealing Minnesota Statutes 1990, section 3.982.

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

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

S.F. No. 333: A bill for an act relating to the city of St. Paul; authorizing an increase in the hotel-motel tax; amending Laws 1986, chapter 462, section 31.

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. 846: A resolution memorializing Congress and the President to expedite passage of a law establishing class 1 dairy support prices at the market levels prevailing on August 1, 1990.

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

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

S.F. No. 437: A bill for an act relating to agriculture; changing the shade tree disease and wood use programs; amending Minnesota Statutes 1990, sections 18.023, subdivisions 10a and 11; and 18.024, subdivision 1.

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

Page 1, line 25, delete "even-numbered" and insert "odd-numbered"

Page 2, delete lines 13 to 32 and insert:

"Subdivision 1. [RECOMMENDATIONS WOOD UTILIZATION.] The

~~department departments of agriculture, in cooperation and natural resources, after consultation with the commissioner of trade and economic development, the director of public service, and the Minnesota shade tree advisory committee and the commissioners of public service, and trade and economic development, shall draft recommendations for investigate, evaluate, and make recommendations to the legislature concerning the potential uses of wood from community trees removed due to disease or other disorders. These recommendations shall include maximum resource recovery through recycling, use as an alternative energy source, or use in construction or the manufacture of new products. Wood utilization or disposal systems as defined in section 18.023. These recommendations shall encourage must be included to ensure maximum utilization of diseased shade trees. In addition to ensuring maximum utilization, the recommendations must be designed with designs and procedures to ensure public safety and to assure compliance with approved disease control programs."~~

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

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

S.F. No. 513: A bill for an act relating to the military; providing for issuance of a state ribbon to certain participants in the Persian Gulf War; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 190.

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

Page 1, line 10, after "*Minnesota*" insert "*army or air*" and delete "*or reserve*"

Page 1, line 11, delete "*components*"

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

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

S.F. No. 759: A bill for an act relating to human services; authorizing emergency child care assistance for dependents and spouses of certain military personnel serving in the Persian Gulf area; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256H.

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

Page 1, line 19, delete "*area in*" and insert "*conflict in support of*"

Page 1, line 20, delete "*another*" and insert "*any other*"

Page 1, line 21, delete "*in the area*" and insert "*that was part of the conflict in the Persian Gulf region*"

Amend the title as follows:

Page 1, line 5, delete "*area*" and insert "*conflict*"

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

S.F. No. 714: A bill for an act relating to the military; clarifying language about certain money appropriated for land acquisition; amending Minnesota Statutes 1990, section 190.25, subdivision 3.

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

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

S.F. No. 699: A bill for an act relating to utilities; requiring that applicants under the telephone assistance plan be certified by the department of human services for eligibility before receiving benefits; requiring reports; amending Minnesota Statutes 1990, section 237.70, subdivision 7.

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

Page 1, line 25, delete the comma and before the period, insert "*and must provide examples of acceptable proof*" and after the period, insert "*The application must state that failure to submit proof with the application will result in the applicant being found ineligible.*"

Page 2, line 27, delete the first "an" and insert "*a completed*"

Page 2, line 29, after the period, insert "*If the department fails to do so, it shall within three working days provide written notice to the applicant's telephone company that the company shall provide telephone assistance plan credits against monthly charges in the earliest possible month following receipt of the written notice. The applicant must receive telephone assistance plan credits until the earliest possible month following the company's receipt of notice from the department that the applicant is ineligible.*"

Page 3, line 17, delete "no" and insert "not"

Page 3, line 18, delete "longer"

Page 3, line 27, delete "or transfers"

Page 3, line 29, delete "or transfer"

Page 3, line 31, delete everything after "disconnected"

Page 3, delete line 32

Page 3, line 33, delete "or transfer" and delete "or"

Page 3, line 34, delete "transfer"

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

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

S.F. No. 187: A bill for an act relating to mental health; authorizing competent persons to make advance declarations regarding mental health treatment; amending Minnesota Statutes 1990, section 253B.03.

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

Page 4, line 7, after "*retardation*" insert a comma

Page 4, line 8, after "*conservator*" insert a comma

Page 4, line 14, delete "TREATMENT FOR MENTAL ILLNESS" and insert "MENTAL HEALTH TREATMENT"

Page 4, line 15, delete "*patient*" and insert "*person admitted or committed to a treatment facility*" and delete "*treatment for*" and insert "*mental health treatment*"

Page 4, line 16, delete "*mental illness*" and delete "*patient's*" and insert "*person's*"

Page 4, line 17, delete "*treatment for*" and insert "*mental health treatment*" "

Page 4, line 18, delete "*mental illness*" "

Page 4, line 19, before the period, insert "*and does not include treatment for mental retardation*" and delete "*patient*" and insert "*person*"

Page 4, line 21, delete "*shall*" and insert "*must*"

Page 4, line 33, delete "*directive*" and insert "*declaration*"

Page 4, line 34, delete "*such*" and insert "*the*" and after "*treatment*" insert "*or authorizing a proxy to request the treatment*"

Page 5, line 1, delete "*directive*" and insert "*declaration*"

Page 6, line 5, before "A" insert "(a)"

Page 6, line 10, before "A" insert "(b)"

Page 6, line 16, before "A" insert "(c)"

Page 6, line 17, after the period, insert "*The witnesses must include a statement that they believe the declarant understands the risks and benefits of any decision regarding intrusive mental health treatment.*"

Page 6, line 24, after "*all*" insert "*intrusive*"

Page 6, line 25, after the period, insert "*A treatment provider may not require a person to make a declaration under this subdivision as a condition of receiving services.*"

Page 6, line 26, before "*The*" insert "(d)"

Page 7, line 2, delete "*a petition for commitment*"

Page 7, line 3, delete "*has been filed*" and insert "*the declarant is committed as mentally ill or mentally ill and dangerous to the public*"

Page 7, line 5, before "A" insert "(e)"

Page 7, after line 11, insert:

"(f) A provider who administers intrusive mental health treatment according to and in good faith reliance upon the validity of a declaration under this subdivision is held harmless from any liability resulting from a subsequent finding of invalidity.

(g) In addition to making a declaration under this subdivision, a competent

adult may delegate parental powers under section 524.5-505 or may nominate a guardian or conservator under section 525.544."

Page 8, after line 15, insert:

"Sec. 2. Minnesota Statutes 1990, section 253B.18, subdivision 4b, is amended to read:

Subd. 4b. [PASS-ELIGIBLE STATUS; NOTIFICATION.] The following patients committed to the Minnesota security hospital shall not be placed on pass-eligible status unless that status has been approved by the medical director of the Minnesota security hospital:

(a) a patient who has been committed as mentally ill and dangerous and who

(1) was found incompetent to proceed to trial for a felony or was found not guilty by reason of mental illness of a felony immediately prior to the filing of the commitment petition;

(2) was convicted of a felony immediately prior to or during commitment as mentally ill and dangerous; or

(3) is subject to a commitment to the commissioner of corrections; and

(b) a patient who has been committed as a psychopathic personality, as defined in section 526.09.

At least ten days prior to a determination on the status, the medical director shall notify the committing court, the county attorney of the county of commitment, *the designated agency*, an interested person, the petitioner, and the petitioner's counsel of the proposed status, and their right to request review by the special review board. If within ten days of receiving notice any notified person requests review by filing a notice of objection with the commissioner and the head of the treatment facility, a hearing shall be held before the special review board. The proposed status shall not be implemented unless it receives a favorable recommendation by a majority of the board and approval by the commissioner. The order of the commissioner is appealable as provided in section 253B.19.

Nothing in this subdivision shall be construed to give a patient an affirmative right to seek pass-eligible status from the special review board.

Sec. 3. Minnesota Statutes 1990, section 253B.18, subdivision 5, is amended to read:

Subd. 5. [PETITION; NOTICE OF HEARING; ATTENDANCE; ORDER.] A petition for an order of transfer, discharge, provisional discharge, or revocation of provisional discharge shall be filed with the commissioner and may be filed by the patient or by the head of the treatment facility. The special review board shall hold a hearing on each petition prior to making any recommendation. Within 45 days of the filing of the petition, the committing court, the county attorney of the county of commitment, *the designated agency*, an interested person, the petitioner and petitioner's counsel shall be given written notice by the commissioner of the time and place of the hearing before the special review board. Only those entitled to statutory notice of the hearing or those administratively required to attend may be present at the hearing. The commissioner shall issue an order no later than 14 days after receiving the recommendation of the special review board. A copy of the order shall be sent by certified mail to every person entitled to statutory notice of the hearing within five days after it is issued.

No order by the commissioner shall be effective sooner than 15 days after it is issued.

Sec. 4. Minnesota Statutes 1990, section 253B.19, subdivision 2, is amended to read:

Subd. 2. [PETITION; HEARING.] The committed person or the county attorney of the county from which a patient as mentally ill and dangerous to the public was committed may petition the appeal panel for a rehearing and reconsideration of a decision by the commissioner. The petition shall be filed with the supreme court within 30 days after the decision of the commissioner. The supreme court shall refer the petition to the chief judge of the appeal panel. The chief judge shall notify the patient, the county attorney of the county of commitment, *the designated agency*, the commissioner, the head of the treatment facility, any interested person, and other persons the chief judge designates, of the time and place of the hearing on the petition. The notice shall be given at least 14 days prior to the date of the hearing. The hearing shall be within 45 days of the filing of the petition. Any person may oppose the petition. The appeal panel may appoint examiners and may adjourn the hearing from time to time. It shall hear and receive all relevant testimony and evidence and make a record of all proceedings. The patient, patient's counsel, and the county attorney of the committing county may be present and present and cross-examine all witnesses."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "requiring certain notices to be given to the designated agency;"

Page 1, line 5, delete "section 253B.03" and insert "sections 253B.03; 253B.18, subdivisions 4b and 5; and 253B.19, subdivision 2"

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. 154: A bill for an act relating to manufactured home parks; providing for notice and right to purchase for conversion or the closing of a park under certain circumstances; amending Minnesota Statutes 1990, section 327C.095, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 327C.

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

Page 2, line 7, before "*written*" insert "*45-day*"

Page 2, line 9, after the period, insert "*The notice must state that the park owner will provide information on the cash price and the terms and conditions of the purchaser's offer to residents requesting the information.*"

Page 2, line 12, delete "*All of the residents*" and insert "*During the notice period required in this subdivision, the owners of at least 51 percent of the manufactured homes in the park*"

Page 2, line 13, after "*of*" insert "*the owners of at least*"

Page 2, line 14, delete "*residents*" and insert "*manufactured homes in the park*"

Page 2, line 15, delete "45 days" and insert "the right" and delete the second "to"

Page 2, line 30, after the period, insert "For purposes of this subdivision, the date of purchase is the date of the transfer of the title to the purchaser." and delete "the residents" and insert "a resident of each manufactured home"

Page 2, line 32, delete "residents" and insert "owners of at least 51 percent of the manufactured homes in the park"

Page 2, line 33, after the first "of" insert "the owners of at least" and delete "residents" and insert "manufactured homes in the park"

Page 2, line 35, after "a" insert "cash"

Page 3, line 4, before the period, insert "and pay the cash price within 90 days of the date of the purchase agreement"

Page 3, line 8, delete everything after the period

Page 3, delete line 9 and insert:

"Sec. 4. Minnesota Statutes 1990, section 327C.095, is amended by adding a subdivision to read:

Subd. 8. [REQUIRED FILING OF NOTICE.] Subdivisions 6 and 7 apply to manufactured home parks upon which notice has been filed with the county recorder or registrar of titles in the county where the manufactured home park is located. Any person may file the notice required under this subdivision with the county recorder or registrar of titles. The notice must be in the following form:

"MANUFACTURED HOME PARK NOTICE

THIS PROPERTY IS USED AS A MANUFACTURED HOME PARK

.....

PARK OWNER

.....

.....

.....

LEGAL DESCRIPTION OF PARK

.....

COOPERATIVE ASSOCIATION (IF APPLICABLE)"

Page 3, line 12, delete "8" and insert "9"

Page 3, line 13, after "is" insert "finally"

Page 3, line 16, delete "Any" and insert "A" and delete "shall be" and insert "is"

Page 3, line 17, delete ", subdivision 1"

Page 3, after line 19, insert:

"Sec. 6. Minnesota Statutes 1990, section 327C.095, is amended by adding a subdivision to read:

Subd. 10. [EXCLUSION.] Subdivisions 6 and 7 do not apply to:

(1) a conveyance of an interest in a manufactured home park incidental to the financing of the manufactured home park;

(2) a conveyance by a mortgagee subsequent to foreclosure of a mortgage or a deed given in lieu of a foreclosure; or

(3) a purchase of a manufactured home park by a governmental entity under its power of eminent domain.

Sec. 7. Minnesota Statutes 1990, section 327C.095, is amended by adding a subdivision to read:

Subd. 11. [AFFIDAVIT OF COMPLIANCE.] After a park is sold, a park owner or other person with personal knowledge may file an affidavit with the county recorder or registrar of titles in the county in which the park is located certifying compliance with subdivision 6 or 7 or that subdivisions 6 and 7 are not applicable. The affidavit may be used as proof of the facts stated in the affidavit. A person acquiring an interest in a park or a title insurance company or attorney who prepares, furnishes, or examines evidence of title may rely on the truth and accuracy of statements made in the affidavit and is not required to inquire further as to the park owner's compliance with subdivisions 6 and 7. When an affidavit is filed, the right to purchase provided under subdivisions 6 and 7 terminate, and if registered property, the registrar of titles shall delete the memorials of the notice and affidavit from future certificates of title."

Page 3, line 26, after the period, insert "Written notice provided once within a one-year period satisfies the requirement under this section."

Page 3, line 28, after "park" insert "and is for informational purposes only"

Page 3, line 30, after "one" insert "or more"

Page 3, line 35, after "make" insert "a"

Renumber the sections in sequence

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. 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.

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

Page 1, line 13, strike "city" and insert "municipality"

Page 1, lines 14 and 17, delete "city" and insert "municipality"

Page 1, line 15, delete "of the first class"

Amend the title as follows:

Page 1, lines 2 and 3, delete "cities of the first class" and insert "municipalities"

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. 202: A bill for an act relating to occupations and professions; requiring residential building contractors, remodelers, and specialty contractors to be licensed by the state; establishing a builders state advisory council; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 326.

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 45.027, subdivision 1, is amended to read:

Subdivision 1. [GENERAL POWERS.] In connection with the administration of chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*, the commissioner of commerce may:

(1) make public or private investigations within or without this state as the commissioner considers necessary to determine whether any person has violated or is about to violate chapters 45 to 83, 309, and 332, *sections 326.83 to 326.98*, or any rule or order under those chapters, or to aid in the enforcement of chapters 45 to 83, 309, and 332, *sections 326.83 to 326.98*, or in the prescribing of rules or forms under those chapters;

(2) require or permit any person to file a statement in writing, under oath or otherwise as the commissioner determines, as to all the facts and circumstances concerning the matter being investigated;

(3) hold hearings, upon reasonable notice, in respect to any matter arising out of the administration of chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*;

(4) conduct investigations and hold hearings for the purpose of compiling information with a view to recommending changes in chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*, to the legislature;

(5) examine the books, accounts, records, and files of every licensee under chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*, and of every person who is engaged in any activity regulated under chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*; the commissioner or a designated representative shall have free access during normal business hours to the offices and places of business of the person, and to all books, accounts, papers, records, files, safes, and vaults maintained in the place of business;

(6) publish information which is contained in any order issued by the commissioner; and

(7) require any person subject to chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*, to report all sales or transactions that are regulated under chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*. The reports must be made within ten days after the commissioner has ordered the report. The report is accessible only to the respondent and other governmental agencies unless otherwise ordered by a court of competent jurisdiction.

Sec. 2. Minnesota Statutes 1990, section 45.027, subdivision 2, is amended to read:

Subd. 2. [POWER TO COMPEL PRODUCTION OF EVIDENCE.] For the purpose of any investigation, hearing, or proceeding under chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*, the commissioner or a designated representative may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of books, papers, correspondence, memoranda, agreements, or other documents or records that the commissioner considers relevant or material to the inquiry.

Sec. 3. Minnesota Statutes 1990, section 45.027, subdivision 5, is amended to read:

Subd. 5. [LEGAL ACTIONS; INJUNCTIONS; CEASE AND DESIST ORDERS.] Whenever it appears to the commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of chapters 45 to 83, 309, and 332, *sections 326.83 to 326.98*, or any rule or order adopted under those chapters, the commissioner has the following powers: (1) the commissioner may bring an action in the name of the state in the district court of the appropriate county to enjoin the acts or practices and to enforce compliance with chapters 45 to 83, 309, and 332, *sections 326.83 to 326.98*, or any rule or order adopted or issued under those chapters, or the commissioner may refer the matter to the attorney general or the county attorney of the appropriate county. Upon a proper showing, a permanent or temporary injunction, restraining order, or other appropriate relief must be granted; (2) the commissioner may issue and cause to be served upon the person an order requiring the person to cease and desist from violations of chapters 45 to 83, 309, and 332, *sections 326.83 to 326.98*, or any rule or order adopted or issued under those chapters. The order must be calculated to give reasonable notice of the rights of the person to request a hearing and must state the reasons for the entry of the order. A hearing must be held not later than seven days after the request for the hearing is received by the commissioner, unless the person requesting the hearing and the department of commerce agree the hearing be scheduled after the seven-day period. After the hearing and within 20 days after receiving the administrative law judge's report, the commissioner shall issue a further order vacating the cease and desist order or making it permanent as the facts require. If no hearing is requested within 30 days of service of the order, the order will become final and will remain in effect until it is modified or vacated by the commissioner. Unless otherwise provided, all hearings must be conducted in accordance with chapter 14. If the person to whom a cease and desist order is issued fails to appear at the hearing after being duly notified, the person is in default, and the proceeding may be determined against that person upon consideration of the cease and desist order, the allegations of which may be considered to be true. The commissioner may adopt rules of procedure concerning all proceedings conducted under this subdivision.

Sec. 4. Minnesota Statutes 1990, section 45.027, subdivision 6, is amended to read:

Subd. 6. [VIOLATIONS AND PENALTIES.] The commissioner may impose a civil penalty not to exceed \$2,000 per violation upon a person who violates chapters 45 to 83, 309, and 332, *and sections 326.83 to 326.98*, unless a different penalty is specified.

Sec. 5. Minnesota Statutes 1990, section 45.027, subdivision 7, is amended to read:

Subd. 7. [ACTIONS AGAINST LICENSEES.] In addition to any other actions authorized by this section, the commissioner may, by order, deny, suspend, or revoke the authority or license of a person subject to chapters 45 to 83, 155A, 309, or 332, or sections 326.83 to 326.98, or censure that person if the commissioner finds that:

(1) the order is in the public interest; and

(2) the person has violated chapters 45 to 83, 155A, 309, or 332, or sections 326.83 to 326.98.

Sec. 6. Minnesota Statutes 1990, section 45.027, subdivision 8, is amended to read:

Subd. 8. [STOP ORDER.] In addition to any other actions authorized by this section, the commissioner may issue a stop order denying effectiveness to or suspending or revoking any registration subject to chapters 45 to 83, 309, or 332, or sections 326.83 to 326.98.

RESIDENTIAL CONTRACTORS

Sec. 7. [326.83] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] *The definitions in this section apply to sections 7 to 22.*

Subd. 2. [COMMISSIONER.] *"Commissioner" means the commissioner of commerce.*

Subd. 3. [COUNCIL.] *"Council" means the builders state advisory council.*

Subd. 4. [LICENSEE.] *"Licensee" means a residential building contractor, remodeler, or specialty contractor licensed under sections 7 to 22.*

Subd. 5. [MECHANICAL CONTRACTOR.] *"Mechanical contractor" means a person, sole proprietor, partnership, joint venture, corporation, or other organization which is in the business of erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, process piping, plumbing, fire protection, refrigeration systems, incinerators or other miscellaneous heat-producing appliance, piping, or equipment or appliances associated with those systems.*

Subd. 6. [PUBLIC MEMBER.] *"Public member" means a person who is not, and never was, a residential builder, remodeler, or specialty contractor or the spouse of such person, or a person who has no, or never has had a material financial interest in acting as a residential building contractor, remodeler, or specialty contractor or a directly related activity.*

Subd. 7. [REMODELER.] *"Remodeler" means a person in the business of contracting or offering to contract to improve existing residential real estate. A remodeler has two or more special skills.*

Subd. 8. [RESIDENTIAL BUILDING CONTRACTOR.] *"Residential building contractor" means a person in the business of building residential real estate or of contracting or offering to contract to improve residential real estate.*

Subd. 9. [RESIDENTIAL REAL ESTATE.] *"Residential real estate" means a new or existing building constructed for habitation by one to four families, and includes detached garages.*

Subd. 10. [SPECIALTY CONTRACTOR.] *"Specialty contractor" means*

a person other than a residential building contractor, remodeler, or material supplier, in the business of contracting or offering to contract to make part of an improvement to residential real estate.

Sec. 8. [326.84] [LICENSING REQUIREMENTS.]

Subdivision 1. [PERSONS REQUIRED TO BE LICENSED.] *Except as provided in subdivision 3, no person may engage in the work of a residential building contractor, remodeler, or specialty contractor for compensation without a valid license issued by the commissioner. The commissioner shall determine which types of one-skill competency or single special skill groups must be licensed as specialty contractors.*

Subd. 2. [PERSONS CONSIDERED LICENSED.] *Residential building contractors, remodelers, and specialty contractors are considered licensed if the following requirements are met:*

(1) for a sole proprietorship, the proprietor is licensed;

(2) for a partnership, a general partner is licensed; and

(3) for a corporation, a chief executive officer, responsible managing employee, or qualifying person in Minnesota designated by the corporation is licensed. "Responsible managing employee" or "qualifying person" means an employee who is regularly employed by the corporation and is actively engaged in the classification of work for which the responsible managing employee qualifies on behalf of the corporation. A person may act in the capacity of the qualifying party for one additional corporation if one of the following conditions exist:

(i) there is a common ownership of at least 25 percent of each licensed corporation for which the person acts in a qualifying capacity; or

(ii) one corporation is a subsidiary of another corporation for which the same person acts in a qualifying capacity. "Subsidiary" as used in this section means a corporation of which at least 25 percent is owned by the parent corporation.

Subd. 3. [EXCEPTIONS.] *The license requirement does not apply to:*

(1) an employee of a licensee performing work for the licensee;

(2) a material person, manufacturer, or retailer furnishing finished products, materials, or articles of merchandise who does not install or attach the items;

(3) an owner or owners of residential real estate who improve the residential real estate or who build or improve a structure on the residential real estate and who do the work themselves or jointly with the owner's own employees or agents;

(4) an architect or engineer engaging in professional practice as defined in chapter 326;

(5) a person engaging in any project by one or more contracts, for which the aggregate contract price, including labor, materials, installation, and all other items, is less than \$1,500;

(6) a residential building contractor, remodeler, or specialty contractor licensed by the city of St. Paul or the city of Minneapolis and who is performing work within the legal boundaries of one of those municipalities. The two cities shall adopt and administer the competency tests for the

residential building contractors and remodelers established in section 13 within six months of the effective date of the rules establishing the examinations. The commissioner may by rule establish a procedure for the city of Minneapolis and the city of St. Paul to administer this licensing program on a contract basis;

(7) a mechanical contractor, plumber, or electrician;

(8) all specialty contractors that were required to be licensed by the state before the effective date of sections 7 to 22; and

(9) specialty contractors that are not required to be licensed, as determined by the commissioner.

Sec. 9. [326.85] [ADVISORY COUNCIL.]

Subdivision 1. [BUILDERS STATE ADVISORY COUNCIL.] The commissioner shall appoint seven persons to the builders state advisory council. At least three members of the council must reside in greater Minnesota, as defined in section 1160.02, subdivision 5. At least one member of the council must be a residential building contractor, one a remodeler, one a specialty contractor, one a representative of the commissioner, one a local building official, and one a public member.

Subd. 2. [MEMBERSHIP TERMS.] The membership terms, compensation, removal, and filling of vacancies of the council are as provided in section 15.059.

Subd. 3. [DUTIES.] The council shall advise the commissioner on matters related to sections 7 to 22.

Sec. 10. [326.86] [FEES.]

Subdivision 1. [LICENSING FEE.] The commissioner shall establish licensing fees for residential building contractors, remodelers, and specialty contractors. The fees must be limited to the cost of license administration and enforcement and must be placed in a separate account in the general fund. The amount necessary to administer and enforce sections 7 to 22 is appropriated to the commissioner from the separate account.

Subd. 2. [LOCAL SURCHARGE.] A local government unit may place a surcharge in an amount no greater than \$5 on each building permit that requires a licensed residential building contractor, remodeler, or specialty contractor for the purpose of license verification. The local government may verify a license by telephone or facsimile machine.

Sec. 11. [326.87] [CONTINUING EDUCATION.]

Subdivision 1. [STANDARDS.] The commissioner, in consultation with the council, may adopt standards for continuing education requirements and course approval. Except for the course content, the standards must be consistent with the standards established for real estate agents and other professions licensed by the department of commerce.

Subd. 2. [HOURS.] A licensee of a general residential contractor or remodeler must provide proof of completion of 15 hours for each two-year license period. A specialty contractor must complete five hours for each two-year license period. Continuing real estate hours and continuing general residential contractor or remodeler hours must be granted for the same course if it meets the guidelines for an approved course in each license program.

Sec. 12. [326.88] [TEMPORARY LICENSES.]

Subdivision 1. [APPLICATION AND ISSUANCE.] Residential building contractors and remodelers must apply for a category one temporary license from the commissioner within 180 days of the effective date of sections 7 to 22. The commissioner must issue category one and two temporary licenses as provided in subdivisions 2 and 3.

Subd. 2. [CATEGORY ONE LICENSE.] A category one temporary license must be:

(1) in effect for no more than two years after the effective date of sections 7 to 22;

(2) issued no later than two years after the effective date of sections 7 to 22; and

(3) issued only upon proof satisfactory to the commissioner of at least two years of education or prior experience in the area for which the license is applied.

Subd. 3. [CATEGORY TWO LICENSE.] A category two temporary license must be issued to residential building contractors, remodelers, or specialty contractors if the person who obtained a license under section 8, subdivision 2, clause (2) or (3), leaves the partnership or corporation because of death, disability, retirement, or position change. A category two temporary license expires after one year and may not be renewed.

Sec. 13. [326.89] [APPLICATION AND EXAMINATION.]

Subdivision 1. [FORM.] An applicant for a license under sections 7 to 22 must submit an application to the commissioner, under oath, on a form prescribed by the commissioner. Within 30 days of receiving all required application information, the commissioner must act on the license request. If one of the categories in the application does not apply, the applicant must state the reason. The commissioner may refuse to issue a license if the application is not complete or contains unsatisfactory information.

Subd. 2. [CONTENTS.] The application must include the following information regarding the applicant:

(1) workers' compensation insurance account number;

(2) employment insurance account number;

(3) type of license requested;

(4) name and address of the applicant if the applicant is a sole proprietor; name and address of each partner if the applicant is a partnership; or name and address of each of the corporate officers, directors, and all shareholders holding more than five percent of the outstanding stock in the corporation;

(5) whether the applicant has ever been licensed in any other state and has had a professional or vocational license refused, suspended, or revoked;

(6) whether the applicant or any of its corporate or partnership directors, officers, limited or general partners, or shareholders holding more than five percent of the outstanding stock of the corporation has been convicted of a crime within the ten years previous to the submission of the application that either related directly to the business for which the license is sought or involved fraud, misrepresentation, or misuse of funds; has suffered a

judgment in a civil action involving fraud, misrepresentation, or conversion within the five years prior to the submission of the application; or has had any government license or permit suspended or revoked as a result of an action brought by a federal, state, or local governmental agency in this or any other state within the five years prior to the submission of the application;

(7) the applicant's education and experience as they relate to the requested type of license; and

(8) the applicant's business history for the past five years and whether the applicant has ever filed for bankruptcy or protection from creditors or has any unsatisfied judgments against the applicant.

The commissioner may require further information as the commissioner deems appropriate to administer the provisions and further the purposes of this chapter.

Subd. 3. [EXAMINATION.] All individual applicants must satisfactorily complete a written examination for the type of license requested. The commissioner may establish the examination qualifications, including related education experience and education, the examination procedure, and the examination for each licensing group. The examination must include at a minimum the following areas:

(1) appropriate knowledge of technical terms commonly used and the knowledge of reference materials and code books to be used for technical information; and

(2) understanding of the general principles of business management and other pertinent state laws.

Each examination must be designed for the specified type of license requested. The council shall advise the commissioner on the grading, monitoring, and updating of examinations.

Subd. 4. [COMPETENCY SKILLS.] The commissioner shall, in consultation with the council, determine the competency skills and installation knowledge required for the licensing of specialty contractors.

Sec. 14. [326.90] [LOCAL LICENSE PROHIBITED.]

Except as provided in section 8, subdivision 3, clause (6), a political subdivision may not require a residential building contractor, remodeler, or specialty contractor to also be licensed under any ordinance, law, rule, or regulation of the political subdivision. This section does not prohibit charges for building permits or other charges not directly related to licensure.

Sec. 15. [326.91] [DENIAL, SUSPENSION, OR REVOCATION OF LICENSES.]

Subdivision 1. [CAUSE.] The commissioner may by order deny, suspend, or revoke any license or may censure a licensee if the commissioner finds that the order is in the public interest, and that the applicant or licensee:

(1) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(2) has engaged in a fraudulent, deceptive, or dishonest practice;

(3) *is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the real estate business;*

(4) *has failed to reasonably supervise subcontractors, or salespersons, so as to cause injury or harm to the public;*

(5) *has violated or failed to comply with any provision of sections 7 to 22 or any rule or order under sections 7 to 22;*

(6) *has, in the conduct of the licensee's affairs under the license, been shown to be incompetent, untrustworthy, or financially irresponsible; or*

(7) *has been convicted of a violation of the state building code.*

Subd. 2. [ADMINISTRATIVE ACTION.] Section 45.027 applies to any action taken by the commissioner in connection with the administration of sections 7 to 22.

Sec. 16. [325.92] [PENALTIES.]

Subdivision 1. [MISDEMEANOR.] A person required to be licensed under sections 7 to 22, who performs unlicensed work as a residential building contractor, remodeler, or specialty contractor, is guilty of a misdemeanor.

Subd. 2. [LIEN RIGHTS.] An unlicensed person who knowingly violates sections 7 to 22 has no right to claim a lien under section 514.01 and the lien is void. Nothing in this section affects the lien rights of material suppliers and licensed contractors to the extent provided by law.

Subd. 3. [COMMISSIONER ACTION.] The commissioner may bring actions, including cease and desist actions, against an unlicensed residential building contractor, remodeler, or specialty contractor to protect the public health, safety, and welfare.

Sec. 17. [326.93] [SERVICE OF PROCESS; NONRESIDENT LICENSING.]

Subdivision 1. [LICENSE.] A nonresident of Minnesota may be licensed as a residential building contractor, remodeler, or specialty contractor upon compliance with all the provisions of sections 7 to 22.

Subd. 2. [SERVICE OF PROCESS.] Service of process upon a person performing work in the state of a type that would require a license under sections 7 to 22 may be made as provided in section 45.028.

Sec. 18. [326.94] [BOND; INSURANCE.]

Subdivision 1. [BOND.] (a) Residential building contractors, remodelers, and specialty contractors licensed under section 8 must post a license bond with the commissioner, conditioned that the applicant shall faithfully perform the duties and in all things comply with all laws, ordinances, and regulations pertaining to the license or permit applied for. The bond must be continuous and maintained for so long as the licensee remains licensed. The aggregate liability of the surety on the bond to any and all persons, regardless of the number of claims made against the bond or the number of years the bond remains in force, shall not exceed the amount of the bond. The bond may be canceled as to future liability by the surety upon 30 days written notice mailed to the commissioner by regular mail.

(b) The commissioner shall establish by rule a bond scale based on the

gross annual receipts of the licensee. The residential building contractor and remodeler licensees must post a bond of at least \$5,000 and not to exceed \$50,000. A specialty contractor licensee must post a bond of at least \$2,500. The bond amounts for specialty contractor licensees must be based upon the same classifications as a residential building contractor and remodeler licensee.

Subd. 2. [INSURANCE.] Residential building contractors, remodelers, and specialty contractors must have public liability insurance with limits of at least \$100,000 per occurrence and \$10,000 property damage insurance. The commissioner may increase the minimum amount of insurance required based on the type of license and the annual gross receipts of the licensee.

Sec. 19. [326.95] [LICENSE NUMBER; ADVERTISING.]

Subdivision 1. [LICENSE NUMBER MUST BE DISPLAYED.] The license number of a licensee must be placed on all building permits and building permit applications made to or issued by the state or a political subdivision. In jurisdictions that have not adopted the state building code, the license number must be placed on the site plan review or zoning permit. License numbers must be on all business cards and all contracts to perform work for which a license is required.

Subd. 2. [ADVERTISING.] The license number of a licensee must appear in any display advertising by that licensee.

Subd. 3. [CONTRACTS.] Contracts entered into by a licensee must state that the person is licensed and must state the license number.

Subd. 4. [NOTICES.] License numbers must appear on each notice under section 514.011, and each statement under section 514.08.

Sec. 20. [326.96] [PUBLIC EDUCATION.]

The commissioner may develop materials and programs to educate the public concerning licensing requirements and methods for reporting unlicensed contracting activity.

Sec. 21. [326.97] [LICENSE RENEWAL.]

Subdivision 1. [APPROVAL.] Licensees whose applications have been properly and timely filed and who have not received notice of denial of renewal are considered to have been approved for renewal and may continue to transact business whether or not the renewed license has been received on or before January 1 of the renewal year. Application for renewal of a license is required every two years after the initial issuance. Applications are timely if received or postmarked by December 15 of the year prior to the renewal year. Applications must be made on a form approved by the commissioner.

Subd. 2. [FAILURE TO APPLY.] A person who has failed to make a timely application for renewal of a license by January 1 of the renewal year is unlicensed until the license has been issued by the commissioner and is received by the applicant.

Subd. 3. [REEXAMINATION NOT REQUIRED.] An examination is not required for the renewal of a license, except that a licensee who has failed to renew a license for two years must retake the examination.

Sec. 22. [326.98] [RULES.]

The commissioner may adopt rules to administer and enforce sections 7 to 22.

Sec. 23. [APPROPRIATION.]

\$ is appropriated to the commissioner of commerce from the general fund to administer sections 7 to 22."

Amend the title as follows:

Page 1, line 6, after "money;" insert "amending Minnesota Statutes 1990, section 45.027, subdivisions 1, 2, 5, 6, 7, and 8;"

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

Mr. Moe, R.D. from the Committee on Redistricting, to which was referred

S.F. No. 643: A bill for an act relating to elections; setting certain redistricting goals and deadlines; authorizing certain actions by voters; amending Minnesota Statutes 1990, sections 204B.135; 204B.14, subdivision 3, and by adding a subdivision; and 375.025, subdivision 2.

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

Page 1, after line 7, insert:

"Section 1. [204B.133] [LEGISLATIVE AND CONGRESSIONAL REDISTRICTING DEADLINE.]

The legislature finds that the process of redrawing the boundaries of legislative and congressional districts must be completed at least 25 weeks before the state primary election in the year ending in two in order to permit counties and municipalities to redraw precincts, wards, and other local government election districts and to complete all other actions necessary to conduct the state primary election in an orderly manner."

Page 2, delete section 2

Page 3, after line 15, insert:

"Sec. 4. [204B.145] [DUTIES OF SECRETARY OF STATE.]

Subdivision 1. [CONFERENCES FOR AUDITORS AND CLERKS.] The secretary of state shall conduct conferences with the county auditors, municipal clerks, and school district clerks to instruct them on procedures to redraw election districts and establish election precincts in the year ending in one.

Subd. 2. [REDISTRICTING INFORMATION; COORDINATION.] Following the completion of legislative redistricting, the secretary of state may coordinate and facilitate the exchange of information between the legislative redistricting computer system, the statewide registration system, and a computer system developed to assist the counties, municipalities, and school districts in redrawing election districts and establishing election precincts.

Subd. 3. [RULES.] The secretary of state may adopt permanent rules governing the procedures for redrawing local government election districts and establishing election precincts under sections 204B.135, 204B.14, 204B.145, and 205A.12 and to provide alternate procedures to implement

sections 204B.135, 204B.14, 204B.145, and 205A.12 if litigation prevents the enactment of the legislative redistricting plan by the deadline provided in section 1 or a local government election district plan in the time provided by section 204B.135. The establishment of congressional or legislative districts is not affected by the adoption of rules under this subdivision."

Page 4, after line 5, insert:

"Sec. 6. [APPROPRIATION.]

\$ is appropriated from the general fund to the secretary of state for activities related to redistricting, as provided in section 4, to be available until June 30, 1993."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "imposing duties on the secretary of state; appropriating money;"

Page 1, line 6, before the period, insert "; proposing coding for new law in Minnesota Statutes, chapter 204B"

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

Mr. Moe, R.D. from the Committee on Redistricting, to which was referred

S.F. No. 644: A bill for an act relating to elections; limiting certain special elections; setting times and procedures for certain boundary changes; imposing duties on the secretary of state; changing requirements for polling places; appropriating money; amending Minnesota Statutes 1990, sections 204B.135, by adding a subdivision; 204B.14, subdivisions 3, 4, and 6; 204B.16, subdivisions 1 and 2; 205.84, subdivision 2; and 205A.12, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 204B.

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

Pages 3 and 4, delete section 5

Pages 6 and 7, delete section 10

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete "imposing duties on the secretary of state;"

Page 1, line 6, delete "appropriating money;"

Page 1, line 9, delete the third semicolon and insert a period

Page 1, delete lines 10 and 11

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

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

S.F. No. 350: A bill for an act relating to the environment; authorizing the city of Hopkins to issue bonds to pay for environmental response costs at a landfill; authorizing the city to impose a solid waste collection surcharge; authorizing a landfill cleanup assessment against property; authorizing a service charge; appropriating money.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1990, section 473.845, subdivision 3, is amended to read:

Subd. 3. [EXPENDITURES FROM THE FUND.] Money in the fund may only be appropriated to the agency for expenditure for:

(1) reasonable and necessary expenses for closure and postclosure care of a mixed municipal solid waste disposal facility in the metropolitan area for a 20-year period after closure, if the agency determines that the operator or owner will not take the necessary actions requested by the agency for closure and postclosure in the manner and within the time requested;

(2) reasonable and necessary response and postclosure costs at a mixed municipal solid waste disposal facility in the metropolitan area that has been closed for 20 years in compliance with the closure and postclosure rules of the agency; ~~or~~

(3) reasonable and necessary response costs resulting from county actions required under section 473.833, subdivision 2a, when those actions are done under the supervision of the agency; *or*

(4) reimbursement to a local government unit for costs incurred over \$400,000 under a work plan approved by the commissioner of the agency to remediate methane at a closed disposal facility owned by the local government unit."

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

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

Page 5, line 35, delete everything after "landfill" and insert a period

Page 6, line 2, delete "and then" and insert ". The remaining amount recovered must first be used" and after "reimburse" insert ", on a pro rata basis,"

Page 6, line 4, before the period, insert ", and the city for the first \$400,000 paid by the city for methane remediation at the landfill"

Page 6, lines 7 and 22, delete "2" and insert "3"

Page 6, line 11, delete "\$" and insert "\$1,300,000"

Page 6, line 14, delete everything after "the" and insert "purpose of reimbursing the city for costs incurred over \$400,000 under a work plan approved by the commissioner to remediate methane at the landfill."

Page 6, delete lines 15 to 20

Page 6, after line 23, insert:

"Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 6 are effective June 15, 1991."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "adding a purpose for expenditure from the metropolitan landfill contingency action trust fund;"

Page 1, line 7, before the period, insert "; amending Minnesota Statutes 1990, section 473.845, subdivision 3"

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

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

S.F. No. 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.

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 84.091, subdivision 2, is amended to read:

Subd. 2. [LICENSE REQUIRED; EXCEPTION.] (a) *Except as provided in paragraph (b), a person may not harvest, buy, sell, transport, or possess aquatic plants without a license required under this chapter. A license shall be issued in the same manner as provided under the game and fish laws.*

(b) *A resident under the age of 16 years may harvest wild rice without a license."*

Amend the title as follows:

Page 1, line 4, delete "sections" and insert "section"

Page 1, line 5, delete everything after "2" and insert a period

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

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

S.F. No. 420: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in Cass county.

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

Page 1, line 7, after the second comma, insert "*subdivision 1,*"

Page 1, after line 24, insert:

"(d) The improvements on the lands that are owned by the lessee must be appraised separately from the lands. If a person other than the lessee

purchases the lands, the purchaser must make payment in full to the lessee for the appraised value of any improvements. Failure of a successful bidder to comply with this provision voids the sale and the property may be reoffered for sale.

(e) For the purpose of local zoning ordinances, lands sold under this section must be treated as if purchased at the time the county first leased the lands under Minnesota Statutes, section 282.04, subdivision 1a."

Page 1, line 25, delete "(d)" and insert "(f)"

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

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

S.F. No. 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.

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

Page 3, line 25, strike "for the power to issue bonds" and insert "*that the issuance of bonds by a commission is subject to subdivision 3, paragraph (b)*" and delete everything after the period

Page 3, delete line 26

Page 5, delete lines 5 to 28 and insert:

"(b) The commission may incur debt by issuing obligations for any lawful purpose, including the construction, alteration, extension, or improvement of works or any part of works or of a building for the use of the commission, and for the purchase of materials, machinery, and equipment necessary for carrying out the commission's authority. The debt, whether express or implied, must be payable solely:

(1) from revenues, income, receipts, and profits derived by the commission from the operation and management of its system;

(2) from the proceeds of other debt incurred by the commission under this paragraph; or

(3) from federal or state grants, gifts, or other available money.

(c) The commission may by resolution pledge any source of revenue referred to in paragraph (b) to pay obligations and interest on them. The resolution may specify the particular revenues that are pledged, related terms and conditions, and the rights of holders. The commission may provide for the refunding of obligations through the issuance of other obligations, with rights and priorities similar in all respects to those of the refunded obligations."

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

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

H.F. No. 146 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.
146	329				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 146 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 146 and insert the language after the enacting clause of S.F. No. 329, the first engrossment; further, delete the title of H.F. No. 146 and insert the title of S.F. No. 329, the first engrossment.

And when so amended H.F. No. 146 will be identical to S.F. No. 329, and further recommends that H.F. No. 146 be given its second reading and substituted for S.F. No. 329, 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. 325 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.
325	562				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 325 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 325 and insert the language after the enacting clause of S.F. No. 562, the first engrossment; further, delete the title of H.F. No. 325 and insert the title of S.F. No. 562, the first engrossment.

And when so amended H.F. No. 325 will be identical to S.F. No. 562, and further recommends that H.F. No. 325 be given its second reading and substituted for S.F. No. 562, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 252, 652, 846, 437, 714, 187, 154, 582, 561, 420 and 531 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 146 and 325 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Marty moved that the name of Mr. Storm be added as a co-author to S.F. No. 137. The motion prevailed.

Mr. Frederickson, D.J. moved that the name of Mr. Frederickson, D.R. be added as a co-author to S.F. No. 558. The motion prevailed.

Ms. Johnson, J.B. moved that the name of Mr. Dicklich be added as a co-author to S.F. No. 589. The motion prevailed.

Mr. Kelly moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 605. The motion prevailed.

Mr. Finn moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 606. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Finn and Belanger be added as co-authors to S.F. No. 624. The motion prevailed.

Mr. Vickerman moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 665. The motion prevailed.

Mr. Knaak moved that the name of Mr. Larson be added as a co-author to S.F. No. 701. The motion prevailed.

Mr. Dahl moved that the name of Mr. Finn be added as a co-author to S.F. No. 764. The motion prevailed.

Mr. Merriam moved that the name of Ms. Reichgott be added as a co-author to S.F. No. 767. The motion prevailed.

Mr. Marty moved that the name of Mr. Frederickson, D.R. be added as a co-author to S.F. No. 778. The motion prevailed.

Mr. Dahl moved that the name of Mr. Finn be added as a co-author to S.F. No. 793. The motion prevailed.

Ms. Ranum moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 802. The motion prevailed.

Mr. McGowan moved that his name be stricken as a co-author to S.F. No. 814. The motion prevailed.

Mr. Neuville moved that the name of Mr. Johnson, D.E. be added as a co-author to S.F. No. 814. The motion prevailed.

Mr. Mondale moved that his name be stricken as a co-author to S.F. No. 818. The motion prevailed.

Mr. Merriam moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 822. The motion prevailed.

Messrs. Gustafson; Moe, R.D.; Benson, D.D.; Hughes and Solon introduced—

Senate Resolution No. 38: A Senate resolution congratulating Jack G. Krenzen, President of Krenzen Indoor Auto Mall, Duluth, Minnesota, on being named the Time Magazine National Quality Dealer of the Year.

Referred to the Committee on Rules and Administration.

CALENDAR

H.F. No. 275: A bill for an act relating to commerce; prohibiting the unlawful assignment of certain motor vehicle contracts; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 205: A bill for an act relating to insurance; modifying the allowable delinquency and related charges in premium finance agreements; amending Minnesota Statutes 1990, section 59A.10.

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	Riveness
Beckman	DeCramer	Johnston	Moe, R.D.	Sams
Belanger	Dicklich	Kelly	Mondale	Samuelson
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	Ranum	
Dahl	Johnson, D.E.	Mehrkens	Reichgott	
Davis	Johnson, D.J.	Merriam	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 75: A bill for an act relating to metropolitan government; extending the date for the international airport plan; amending Minnesota Statutes 1990, section 473.616, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 468: A bill for an act relating to employment; changing the date for submission of recommendations by the compensation council; amending Minnesota Statutes 1990, section 15A.082, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 425, 368, 550, 5, 286 and H.F. No. 243, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. DeCramer and Stumpf introduced—

S.F. No. 847: A bill for an act relating to education; repealing school district dissolution and attachment laws; repealing Minnesota Statutes 1990, section 122.22.

Referred to the Committee on Education.

Mr. Waldorf introduced—

S.F. No. 848: A bill for an act relating to retirement; Duluth and St. Paul fire department relief associations; providing a refund to a beneficiary or estate in the event of certain deaths.

Referred to the Committee on Governmental Operations.

Messrs. Price, Bernhagen and Dahl introduced—

S.F. No. 849: A bill for an act relating to health; clarifying licensing requirements and other standards for installation and servicing of water conditioning equipment; providing penalties; amending Minnesota Statutes 1990, sections 326.01, subdivision 9; 326.37; 326.38; 326.39; 326.40; 326.401, subdivisions 2, 3, and by adding a subdivision; 326.405; 326.41; 326.42; 326.44; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes, sections 326.43; 326.45; and 326.57 to 326.65.

Referred to the Committee on Health and Human Services.

Messrs. Beckman, Sams, Larson, DeCramer and Mehrkens introduced—

S.F. No. 850: A bill for an act relating to commerce; providing a computerized system for notification of security interests in farm products; imposing a penalty; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 336A.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Samuelson and Vickerman introduced—

S.F. No. 851: A bill for an act relating to local government aids; establishing a separate local government aid formula for cities with a population less than 1,000; amending Minnesota Statutes 1990, sections 477A.011, subdivisions 1a, 15, 20, and by adding subdivisions; and 477A.013, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kelly introduced—

S.F. No. 852: A bill for an act relating to taxation; sales tax; imposing the tax on ditching and draining services; providing for use of revenue from the tax; amending Minnesota Statutes 1990, sections 297A.01, subdivision 3; and 297A.44, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kelly introduced—

S.F. No. 853: A bill for an act relating to occupational safety and health; honoring workers killed while working on public projects; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 182.

Referred to the Committee on Employment.

Ms. Berglin introduced—

S.F. No. 854: A bill for an act relating to human services; requiring the commissioner to develop specialized residential treatment services for children with emotional disturbances for whom there are no appropriate services available in Minnesota; establishing a commission on specialized children's mental health resources; amending Minnesota Statutes 1990, section 245.4882, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Ms. Berglin introduced—

S.F. No. 855: A bill for an act relating to crimes; repealing the sodomy law; repealing Minnesota Statutes 1990, section 609.293.

Referred to the Committee on Judiciary.

Mr. Storm introduced—

S.F. No. 856: A bill for an act relating to taxation; property; not requiring payment of additional taxes when open space qualification is lost due to acquisition of property by the state of Minnesota or a political subdivision; amending Minnesota Statutes 1990, section 273.112, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Metzen introduced—

S.F. No. 857: A bill for an act relating to crime; providing penalties for residential tenants who intentionally abscond without paying current or past rent due; providing defenses; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Messrs. McGowan and Kelly introduced—

S.F. No. 858: A bill for an act relating to restitution; requiring offenders who have been court-ordered to pay restitution to provide affidavits of financial disclosure to investigating correctional agencies; amending Minnesota Statutes 1990, section 611A.04, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Pogemiller, Mses. Berglin, Flynn and Ranum introduced—

S.F. No. 859: A bill for an act relating to local improvements; providing authority for review of assessments for improvements; defining improvements; validating certain actions of the city of Minneapolis; amending Minnesota Statutes 1990, section 430.102, subdivisions 3 and 4.

Referred to the Committee on Local Government.

Mses. Ranum, Flynn, Messrs. Kroening, Pogemiller and Spear introduced—

S.F. No. 860: A bill for an act relating to the city of Minneapolis; providing that certain special service districts may provide parking facilities; amending Laws 1988, chapter 719, article 16, section 1, subdivision 3.

Referred to the Committee on Local Government.

Messrs. Luther, Solon, Kroening and Belanger introduced—

S.F. No. 861: A bill for an act relating to commerce; removing or modifying certain bond requirements; amending Minnesota Statutes 1990, sections 6.26; 10.38; 46.08, subdivision 1; 84.01, subdivision 4; 115A.06, subdivision 12; 116.03, subdivision 4; 233.08; 234.06; 241.08, subdivision 1; 246.15, subdivision 1; 257.05, subdivision 1; 280.27; 281.38; 299C.08; 299D.01, subdivision 4; 299D.03, subdivision 1; 340A.316; 375.03; 386.06; 388.01; 390.05; 398.10; 473.375, subdivision 5; 480.09, subdivision 2; 480.11, subdivision 1; and 488A.20, subdivision 2; repealing Minnesota Statutes 1990, sections 60B.08; 84.081, subdivision 2; 160.24, subdivision 5; 166.04; 196.02, subdivision 2; 234.07; 246.03; 340A.302, subdivision 4; 383A.20, subdivision 8; and 514.52.

Referred to the Committee on Governmental Operations.

Messrs. Pogemiller, Spear, Kroening and Ms. Flynn introduced—

S.F. No. 862: A bill for an act relating to retirement; Minneapolis municipal employees; changing interest and salary assumptions and the target date for amortization of unfunded liabilities; providing for certain postretirement adjustments; providing for certain optional annuities; increasing survivor benefits; amending Minnesota Statutes 1990, sections 356.215, subdivisions 4d and 4g; 422A.101; 422A.17; and 422A.23, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations.

Messrs. Pogemiller, Spear, Kroening and Ms. Flynn introduced—

S.F. No. 863: A bill for an act relating to retirement; Minneapolis municipal employees; changing interest and salary assumptions and the target date for amortization of unfunded liabilities; providing for certain postretirement adjustments; providing for certain optional annuities; increasing survivor benefits; amending Minnesota Statutes 1990, sections 356.215, subdivisions 4d and 4g; 422A.101; 422A.17; and 422A.23, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations.

Messrs. Renneke; Beckman; Frederickson, D.J.; Vickerman and Larson introduced—

S.F. No. 864: A bill for an act relating to agriculture; changing certain food licensing fees; amending Minnesota Statutes 1990, section 28A.08.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Mondale, Cohen, Mrs. Brataas, Messrs. Luther and Kroening introduced—

S.F. No. 865: A bill for an act relating to insurance; rental vehicles; increasing property damage liability coverage; amending Minnesota Statutes 1990, section 65B.49, subdivision 5a.

Referred to the Committee on Commerce.

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

S.F. No. 866: A bill for an act relating to natural resources; appropriating money for a grant to develop Cedar Lake Park.

Referred to the Committee on Environment and Natural Resources.

Messrs. Mondale, Morse and Novak introduced—

S.F. No. 867: A bill for an act relating to landfill cleanup; appropriating money for cleanup of a landfill in Hopkins.

Referred to the Committee on Environment and Natural Resources.

Ms. Ranum, Messrs. Riveness; Frederickson, D.R. and Hughes introduced—

S.F. No. 868: A bill for an act relating to occupations and professions; enacting provisions applicable to boards regulating occupations and professions; providing standard methods of operation, licensing or other permission to practice, and disciplinary procedures; providing penalties; amending Minnesota Statutes 1990, sections 144A.19, subdivision 1; 146.13; 147.01, subdivision 1; 148.02; 148B.19, subdivision 1; 148B.30, subdivision 4; 148B.40, subdivision 2; 214.001; 214.01; 214.02; 214.03; 214.04; 214.06; 214.07, subdivision 1; 214.08; 214.09; 214.10, subdivisions 1, 2, 3, and by adding subdivisions; 214.11; 214.12; and 214.13; proposing coding for new law in Minnesota Statutes, chapter 214; repealing Minnesota Statutes 1990, sections 146.14; 146.15; 146.18; 146.19; 146.20; 214.07, subdivision 2; 214.10, subdivisions 2a, 4, 5, 6, 7, and 8; and 214.15.

Referred to the Committee on Governmental Operations.

Messrs. Lessard, Kroening, Kelly, Price and Benson, D.D. introduced—

S.F. No. 869: A bill for an act relating to the environment; petrofund; amending Minnesota Statutes 1990, sections 115C.09, subdivisions 1, 2, 3, and 5; 116.46, subdivision 7; 116.491, subdivision 1; and 116.50; proposing coding for new law in Minnesota Statutes, chapter 115C.

Referred to the Committee on Environment and Natural Resources.

Messrs. Solon; Metzen; Dicklich; Johnson, D.J. and Kroening introduced—

S.F. No. 870: A bill for an act relating to retirement; adopting a rule of 85 for state and public employees and teachers; amending Minnesota Statutes 1990, sections 352.116, subdivision 1; 353.30, subdivision 1a; 354.44, subdivision 6; and 354A.31, subdivision 6.

Referred to the Committee on Governmental Operations.

Messrs. Novak and Mondale introduced—

S.F. No. 871: A bill for an act relating to the city of New Brighton; permitting the city to acquire granular carbon without a bond.

Referred to the Committee on Local Government.

Mr. Storm, Ms. Berglin, Messrs. Kelly and Neuville introduced—

S.F. No. 872: A bill for an act relating to human services; prohibiting restrictions on a license to provide day care; proposing coding for new law in Minnesota Statutes, chapter 245A.

Referred to the Committee on Health and Human Services.

Messrs. Storm, Solon and Mrs. Brataas introduced—

S.F. No. 873: A bill for an act relating to human services; establishing penalty provisions relating to those found to have wrongfully obtained assistance; limiting the availability of general assistance to those disqualified from the aid to families with dependent children program; expanding fraud prevention investigation programs; providing for a federally mandated penalty for intentionally falsifying a public assistance application; clarifying appeal filing times for medical assistance providers; amending Minnesota Statutes 1990, sections 256.98, by adding a subdivision; 256.983; 256B.064, subdivision 2; and 256D.05, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Mses. Berglin, Traub, Messrs. Dicklich, Samuelson and Storm introduced—

S.F. No. 874: A bill for an act relating to human services; establishing a children's mental health services consolidated fund; proposing coding for new law in Minnesota Statutes, chapter 245.

Referred to the Committee on Health and Human Services.

Messrs. Luther, Cohen, Belanger and Hottinger introduced—

S.F. No. 875: A bill for an act relating to commerce; requiring an abstract holder to provide a written notice under certain circumstances; amending Minnesota Statutes 1990, section 386.375, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Merriam and Benson, D.D. introduced—

S.F. No. 876: A bill for an act relating to insurance; accident and health; establishing the consumers' health improvement plan pilot project; prescribing the powers and duties of the commissioner of health and the project administrator; establishing project eligibility and coverage; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 62K.

Referred to the Committee on Health and Human Services.

Messrs. Bertram, Renneke and Mrs. Adkins introduced—

S.F. No. 877: A bill for an act relating to locally collected fees; setting fees for certain public services; providing authority to set fees for certain public services; amending Minnesota Statutes 1990, sections 84.82, subdivision 2; 86B.415, subdivision 8; 97A.485, subdivisions 6 and 7; 171.06, subdivision 4; 272.46, subdivision 1; 272.47; and 624.7131, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Mr. Knaak introduced—

S.F. No. 878: A bill for an act relating to drivers' licenses; authorizing a showing of probable cause before cancellation of a driver's license for a seizure-related condition; amending Minnesota Statutes 1990, section 171.14.

Referred to the Committee on Transportation.

Messrs. Beckman, Dicklich, Ms. Reichgott, Messrs. Mehrkens and Vickerman introduced—

S.F. No. 879: A bill for an act relating to education; providing for the calculation of fund balance pupil units for districts receiving cooperation and combination revenue; amending Minnesota Statutes 1990, section 124.2725, subdivision 16.

Referred to the Committee on Education.

Messrs. Spear, McGowan, Solon, Belanger and Stumpf introduced—

S.F. No. 880: A bill for an act relating to checks; increasing bank verification requirements for opening checking accounts; prohibiting service charges for dishonored checks on persons other than the issuer; regulating check numbering procedures; requiring the commissioner of commerce to adopt rules regarding verification procedure requirements; authorizing fees for obtaining certain information from financial institutions; modifying procedures and liability for civil restitution for holders of worthless checks; authorizing service charges for use of law enforcement agencies; clarifying criminal penalties; increasing information that banks must provide to holders of worthless checks; imposing penalties; amending Minnesota Statutes 1990, sections 48.512, subdivisions 4, 5, 7, and by adding subdivisions; 332.50, subdivisions 1 and 2; and 609.535, subdivisions 2a, 6, and 7; proposing coding for new law in Minnesota Statutes, chapter 48.

Referred to the Committee on Commerce.

Messrs. Bertram and Chmielewski introduced—

S.F. No. 881: A bill for an act relating to the state patrol; appropriating money for Forward Looking Infra Red equipment.

Referred to the Committee on Transportation.

Messrs. Merriam, McGowan, Dahl and Luther introduced—

S.F. No. 882: A bill for an act relating to taxation; property; increasing a special levy for the cities of Maple Grove, Brooklyn Park, Brooklyn Center, and Coon Rapids for certain costs of providing drug abuse resistance education; amending Minnesota Statutes 1990, section 275.50, subdivision 5a; and Laws 1990, chapter 604, article 3, section 60.

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

Mr. Dicklich introduced—

S.F. No. 883: A bill for an act relating to human services; requiring increases in rates for salaries of employees of intermediate care facilities for persons with mental retardation, home and community-based waived services, developmental achievement centers, and semi-independent living services programs; amending Minnesota Statutes 1990, sections 245.465; 252.24, by adding a subdivision; 252.275, by adding a subdivision; 252.28, by adding a subdivision; 256B.491, by adding a subdivision; and 268A.06, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Beckman, Dicklich, Ms. Reichgott, Messrs. Mehrkens and Vickerman introduced—

S.F. No. 884: A bill for an act relating to insurance; exempting educational cooperative service unit self-insurance pools from certain requirements; amending Minnesota Statutes 1990, section 471.982, subdivision 3.

Referred to the Committee on Commerce.

Ms. Berglin, Messrs. Benson, D.D. and Samuelson introduced—

S.F. No. 885: A bill for an act relating to health; creating a limited exception to the moratorium on licensure of new nursing home beds; allowing a licensed, but not medical assistance certified, facility to upgrade beds from boarding care beds to nursing home beds; amending Minnesota Statutes 1990, section 144A.071, subdivision 3.

Referred to the Committee on Health and Human Services.

Ms. Flynn and Mr. DeCramer introduced—

S.F. No. 886: A bill for an act relating to drivers' licenses; allowing holder of a limited driver's license to get or keep a Minnesota identification card; amending Minnesota Statutes 1990, sections 171.02, subdivision 1; and 171.07, subdivision 3.

Referred to the Committee on Transportation.

Messrs. Beckman, Metzen, Davis, Bernhagen and Sams introduced—

S.F. No. 887: A bill for an act relating to economic development; creating a commission on economic development policy; appropriating money.

Referred to the Committee on Economic Development and Housing.

Mr. DeCramer introduced—

S.F. No. 888: A bill for an act relating to local government; changing terms of authority to borrow money for certain purposes; amending Minnesota Statutes 1990, section 465.73.

Referred to the Committee on Local Government.

Mr. Larson, Ms. Olson, Messrs. Dicklich, Mehrkens and DeCramer introduced—

S.F. No. 889: A bill for an act relating to education; extending to sites the authority to levy for leased buildings; amending Minnesota Statutes 1990, section 275.125, subdivision 11d.

Referred to the Committee on Education.

Ms. Johnston, Mr. Metzen, Mrs. Pariseau and Mr. Halberg introduced—

S.F. No. 890: A bill for an act relating to Dakota county; authorizing a project to collaborate on programs between the county and school districts; appropriating money.

Referred to the Committee on Education.

Messrs. Morse; Lessard; Mehrkens; Benson, D.D. and Price introduced—

S.F. No. 891: A bill for an act relating to the environment; prescribing who must prevent, prepare for, and respond to worst case discharges of oil and hazardous substances; describing response plans; authorizing the commissioners of the pollution control agency and departments of agriculture and public safety to order compliance; providing for good samaritan assistance; authorizing cooperation between public and private responders; requiring the establishment of a single answering point system; providing penalties; amending Minnesota Statutes 1990, section 116.072, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 115E.

Referred to the Committee on Environment and Natural Resources.

Messrs. Beckman, Vickerman, Morse, Davis and Frederickson, D.R. introduced—

S.F. No. 892: A bill for an act relating to agriculture; authorizing reimbursement to school districts for purchase of Minnesota commodities for school lunches; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Davis, Spear and Finn introduced—

S.F. No. 893: A bill for an act relating to law enforcement; authorizing the Mille Lacs Band of Chippewa Indians to exercise law enforcement authority within the Mille Lacs Reservation and certain trust lands; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary.

Mr. Vickerman introduced—

S.F. No. 894: A bill for an act relating to game and fish; providing an experimental open season for angling two weeks earlier in certain designated areas; amending Minnesota Statutes 1990, section 97C.395, subdivision 1, and by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Luther, Solon, Larson, Cohen and Moe, R.D. introduced—

S.F. No. 895: A bill for an act relating to contracts; providing for enforcement of certain contracts; making technical changes; correcting inconsistencies; clarifying certain provisions; amending Minnesota Statutes 1990, section 325E.37.

Referred to the Committee on Commerce.

Messrs. Marty and Dahl introduced—

S.F. No. 896: A bill for an act relating to public administration; establishing the mentoring and youth community service commission; stating its purposes and responsibilities; appropriating money; amending Minnesota Statutes 1990, sections 121.88, subdivision 9; 124.2713, subdivision 5; and 126.70, subdivision 2a; proposing coding for new law as Minnesota Statutes, chapter 16C.

Referred to the Committee on Education.

Messrs. Marty, Merriam and Laidig introduced—

S.F. No. 897: A bill for an act relating to traffic regulations; providing misdemeanor penalties for persons who refuse to submit to a chemical test to determine if the person is under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1990, sections 169.121, subdivisions 1a, 3, and 3b; and 169.123, subdivision 2.

Referred to the Committee on Judiciary.

Mr. Lessard introduced—

S.F. No. 898: A bill for an act relating to veterans; providing educational assistance to certain dependents of persons killed or missing in action in the Persian Gulf area; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Veterans and General Legislation.

Mr. Lessard introduced—

S.F. No. 899: A bill for an act relating to torts; providing immunity against tort liability for claims arising out of the use of highways that provide access to timber; amending Minnesota Statutes 1990, sections 3.736, subdivision 3; 87.025; and 466.03, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Morse and Hottinger introduced—

S.F. No. 900: A bill for an act relating to retirement; eliminating the additional employer contribution to the teachers retirement association on behalf of employees participating in the individual retirement account plan; amending Minnesota Statutes 1990, section 354B.04, subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Morse and Hottinger introduced—

S.F. No. 901: A bill for an act relating to retirement; delaying transfer of certain administrative responsibilities from the teachers retirement association to the state university and community college boards; amending Minnesota Statutes 1990, section 136.81, subdivision 1a; and Laws 1990, chapter 570, article 3, section 13.

Referred to the Committee on Governmental Operations.

Messrs. Morse and Hottinger introduced—

S.F. No. 902: A bill for an act relating to retirement; permitting repayment of certain omitted deductions to the college supplemental retirement fund.

Referred to the Committee on Governmental Operations.

Messrs. Finn and Morse introduced—

S.F. No. 903: A bill for an act relating to retirement; permitting certain persons to transfer coverage from the individual retirement account plan to the teachers retirement association.

Referred to the Committee on Governmental Operations.

Mses. Ranum, Pappas, Mr. Luther, Ms. Berglin and Mr. Neuville introduced—

S.F. No. 904: A bill for an act relating to insurance; regulating automobile insurance medical claim denials; amending Minnesota Statutes 1990, sections 65B.525, subdivision 1; and 72A.201, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 65B; repealing Minnesota Statutes 1990, section 72A.327.

Referred to the Committee on Commerce.

Mr. Chmielewski, Mrs. Brataas, Mr. Gustafson and Mrs. Adkins introduced—

S.F. No. 905: A bill for an act relating to unemployment compensation; defining the term "wages"; amending Minnesota Statutes 1990, section 268.04, subdivision 25.

Referred to the Committee on Employment.

Mr. Price introduced—

S.F. No. 906: A bill for an act relating to retirement; authorizing purchase of military service credit by a certain teachers retirement association member.

Referred to the Committee on Governmental Operations.

Mr. Price introduced—

S.F. No. 907: A bill for an act relating to taxation; permitting a special levy in the cities of Cottage Grove, Woodbury, St. Paul Park, and Newport for drug-related crime investigation and drug resistance education; amending Minnesota Statutes 1990, section 275.50, subdivision 5a.

Referred to the Committee on Taxes and Tax Laws.

Mr. Langseth introduced—

S.F. No. 908: 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. Frederickson, D.J.; DeCramer; Knaak and Stumpf introduced—

S.F. No. 909: A bill for an act relating to retirement; teachers; calculation of annuities based upon the highest three years of service; amending Minnesota Statutes 1990, section 354.44, subdivision 6.

Referred to the Committee on Governmental Operations.

Ms. Berglin introduced—

S.F. No. 910: A bill for an act relating to health; providing clarification of various laws relating to public health issues; providing penalties; amending Minnesota Statutes 1990, sections 115.71, subdivision 9, and by adding a subdivision; 145.43, subdivision 1a; 153A.15, by adding a subdivision; 153A.16; 153A.17; and 268.12, subdivision 12; proposing coding for new law in Minnesota Statutes, chapters 144; 147; and 176; repealing Minnesota Statutes 1990, sections 115.71, subdivision 7; 145.34; and 145.35.

Referred to the Committee on Health and Human Services.

Ms. Ranum, Mr. Knaak and Ms. Berglin introduced—

S.F. No. 911: A bill for an act relating to the collection and dissemination of data; classifying convention facility, arena, stadium, and theater data; amending Minnesota Statutes 1990, section 13.55.

Referred to the Committee on Judiciary.

Ms. Ranum, Messrs. Knaak, Spear and Ms. Berglin introduced—

S.F. No. 912: A bill for an act relating to the collection and dissemination of data; protecting the identity of a person placing a call on the 911 system; amending Minnesota Statutes 1990, sections 13.82, subdivision 10; and 403.07, subdivision 4.

Referred to the Committee on Judiciary.

Mr. Kelly introduced—

S.F. No. 913: A bill for an act relating to child support; requiring the child support guidelines to apply to all court orders for child support; establishing standards for deviations from the guidelines; requiring the commissioner of human services to regularly review and report on the guidelines; amending Minnesota Statutes 1990, section 518.551, subdivision 5.

Referred to the Committee on Health and Human Services.

Messrs. Cohen, Belanger, Luther, Novak and Kelly introduced—

S.F. No. 914: A bill for an act relating to taxation; providing an exemption from the withholding tax requirement on royalties upon ore; amending Minnesota Statutes 1990, section 290.923, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Ms. Berglin introduced—

S.F. No. 915: A bill for an act relating to human services; providing for changes in rules relating to intermediate care facilities for persons with mental retardation; exempting intermediate care facilities for persons with mental retardation or related conditions from certain additional state human services rules; requiring wage adjustments for intermediate care facilities for persons with mental retardation or related conditions; providing for downsizing of certain community facilities; appropriating money; amending Minnesota Statutes 1990, sections 252.28, by adding a subdivision; 252.46, subdivision 4; 256B.092, subdivision 7; and 256B.501, subdivision 3b; proposing coding for new law in Minnesota Statutes, chapter 252.

Referred to the Committee on Health and Human Services.

Messrs. Gustafson, Mehrkens and Neuville introduced—

S.F. No. 916: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 4, limiting the term of consecutive service of persons to ten consecutive years in the legislature.

Referred to the Committee on Elections and Ethics.

Ms. Berglin introduced—

S.F. No. 917: A bill for an act relating to human services; providing for clarification and changes in law relating to child support enforcement; amending Minnesota Statutes 1990, sections 256B.031, subdivision 5; 518.131, subdivision 7; 518.17, subdivision 6; 518.551, subdivisions 5, 5a, and 6; 518.57, subdivision 1; and 518.64; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Health and Human Services.

Mr. Luther introduced—

S.F. No. 918: A bill for an act relating to insurance; prohibiting certain agreements; amending Minnesota Statutes 1990, section 60A.08, by adding a subdivision.

Referred to the Committee on Commerce.

Mr. Merriam introduced—

S.F. No. 919: A bill for an act relating to government operations; amending provisions to adopt emergency game and fish rules; providing alternative methods of publishing game and fish rules; deleting obsolete references to publication under the game and fish laws; authorizing the commissioner to protect wild animals by emergency rule; authorizing the commissioner to set seasons and limits for migratory birds and waterfowl; authorizing the commissioner to allow or prohibit hunting and fishing on certain state lands; amending Minnesota Statutes 1990, sections 3.846, subdivisions 1 and 4; 14.03, subdivision 3; 14.29, subdivision 2, and by adding a subdivision; 14.38, subdivision 6; 84.944, subdivision 1; 84A.02; 86A.06; 86B.211; 97A.045, subdivision 2; 97A.051, subdivisions 1, 2, and 4; 97A.081; 97A.141, by adding a subdivision; 97B.731, subdivision 1; and 97C.805, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 97A and 97B.

Referred to the Committee on Environment and Natural Resources.

Messrs. Merriam and Marty introduced—

S.F. No. 920: A bill for an act relating to taxation; authorizing certain counties to levy for general purposes in lieu of imposing a levy for regional rail authority purposes; amending Minnesota Statutes 1990, sections 275.51, subdivision 3h; and 398A.04, subdivision 8.

Referred to the Committee on Transportation.

Mr. Stumpf introduced—

S.F. No. 921: A bill for an act relating to education; allowing the Argyle school district to transfer money from the debt redemption fund to the capital expenditure fund to comply with fire safety inspection orders and make other improvements.

Referred to the Committee on Education.

Mr. Johnson, D.E. introduced—

S.F. No. 922: A bill for an act relating to local government; permitting officers to contract for certain services; amending Minnesota Statutes 1990, section 471.88, by adding a subdivision.

Referred to the Committee on Local Government.

Messrs. Davis and Frederickson, D.J. introduced—

S.F. No. 923: A bill for an act relating to taxation; providing for an increase in the levy limit base of Mille Lacs county; providing that a penalty not be imposed on Mille Lacs county for an excess levy.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, D.E.; Benson, D.D. and Mehrkens introduced—

S.F. No. 924: A bill for an act relating to workers' compensation; defining "employee" to include certain volunteers; amending Minnesota Statutes 1990, section 176.011, subdivision 9.

Referred to the Committee on Employment.

Messrs. Finn, Luther, Ms. Pappas, Ranum and Traub introduced—

S.F. No. 925: A bill for an act relating to insurance; medical expense benefits; including language translation services as medical expense benefits for insurance; amending Minnesota Statutes 1990, section 65B.44, subdivision 2.

Referred to the Committee on Commerce.

Messrs. Luther, Cohen, Hottinger, Ms. Traub and Johnson, J.B. introduced—

S.F. No. 926: A bill for an act relating to insurance; life; prohibiting discrimination against American military personnel; amending Minnesota Statutes 72A.20, subdivision 8.

Referred to the Committee on Veterans and General Legislation.

Mrs. Brataas, Messrs. Benson, D.D.; Halberg; Waldorf and Solon introduced—

S.F. No. 927: A bill for an act relating to human services; establishing a demonstration project involving alternative reimbursement, appeals, and inspection systems for intermediate care facilities for persons with mental retardation or related conditions.

Referred to the Committee on Health and Human Services.

Messrs. Neuville, Day and Renneke introduced—

S.F. No. 928: A bill for an act relating to agriculture; providing for enforcement of agricultural laws; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

Mrs. Pariseau, Messrs. Johnson, D.E.; Mehrkens and Chmielewski introduced—

S.F. No. 929: A bill for an act relating to motor vehicles; authorizing special license plates for members of the United States armed forces ready reserve; amending Minnesota Statutes 1990, section 168.12, by adding a subdivision.

Referred to the Committee on Transportation.

Mr. Knaak introduced—

S.F. No. 930: A bill for an act relating to natural resources; providing for enforcement of sanctions for hunting while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1990, section 97B.065; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Environment and Natural Resources.

Mr. Mondale introduced—

S.F. No. 931: A bill for an act relating to waste management; requiring counties to prepare and amend solid waste management plans; requiring counties and solid waste facilities to develop and implement problem materials management plans; prohibiting issuance and renewal of certain permit if plans are not developed and implemented; amending Minnesota Statutes 1990, sections 115A.03, subdivision 24a; 115A.45; 115A.46, subdivisions 1 and 2; 115A.956; 115A.96, subdivision 6; and 116.07, subdivisions 4j and 4k.

Referred to the Committee on Environment and Natural Resources.

Messrs. Marty, Storm and Ms. Traub introduced—

S.F. No. 932: A bill for an act relating to human services; clarifying membership requirements for the advisory committee for regional service centers for hearing impaired persons; authorizing fees for interpreter referral services; amending Minnesota Statutes 1990, sections 256C.24, subdivisions 2 and 3; and 256C.25.

Referred to the Committee on Health and Human Services.

Mr. Waldorf introduced—

S.F. No. 933: A bill for an act relating to controlled substances; providing for driver's license revocation for persons convicted of or adjudicated for felony-level controlled substance offenses; proposing coding for new law in Minnesota Statutes, chapters 152 and 171.

Referred to the Committee on Judiciary.

Ms. Ranum, Messrs. Hottinger, Dahl and Pogemiller introduced—

S.F. No. 934: A bill for an act relating to higher education; creating a minority community service career grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136A.

Referred to the Committee on Education.

Messrs. Morse, DeCramer, Stumpf, Larson and Beckman introduced—

S.F. No. 935: A bill for an act relating to retirement; allowing an optional annuity based upon statewide average salaries for members of the teachers retirement association; amending Minnesota Statutes 1990, section 354.44, subdivision 6.

Referred to the Committee on Governmental Operations.

Ms. Ranum, Messrs. Dahl, Stumpf, Larson and DeCramer introduced—

S.F. No. 936: A bill for an act relating to education; extending early childhood family education programs to tribal contract schools; requiring school boards to respond to certain resolutions of American Indian parent committees; requiring school districts to adopt long-range plans for Indian education; expanding the Indian teacher preparation program; appropriating money; amending Minnesota Statutes 1990, sections 124.2711, by adding a subdivision; 124.86, by adding a subdivision; and 126.51, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 125 and 126.

Referred to the Committee on Education.

Ms. Berglin, Messrs. Benson, D.D.; Samuelson; Larson and Waldorf introduced—

S.F. No. 937: A bill for an act relating to human services; establishing an investment per bed limit for nursing homes; establishing an equipment allowance for nursing homes; establishing a capital replacement per diem for nursing homes; authorizing the recognition of debt from sales or refinancing occurring after May 22, 1983; amending Minnesota Statutes 1990, section 256B.431, subdivision 3f, and by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. DeCramer, Dicklich, Larson, Beckman and Frederickson, D.J. introduced—

S.F. No. 938: A bill for an act relating to education; providing the conditions for severance pay for teachers; amending Minnesota Statutes 1990, sections 120.08, subdivision 3; 122.535, subdivision 6; and 275.125, subdivision 4.

Referred to the Committee on Education.

Mr. Knaak, Mmes. Pariseau; Benson, J.E. and Mr. Spear introduced—

S.F. No. 939: A bill for an act relating to waters; establishing a program for the enhancement, preservation, and protection of wetlands within the state; providing penalties; amending Minnesota Statutes 1990, sections 103A.201; 103E.701, by adding a subdivision; 103G.005, subdivision 18, and by adding subdivisions; 103G.221, subdivision 1; and 103G.231, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103G; repealing Minnesota Statutes 1990, sections 97A.145, subdivision 2; and 103G.221, subdivisions 2 and 3.

Referred to the Committee on Environment and Natural Resources.

Messrs. Frederickson, D.R. and Metzen introduced—

S.F. No. 940: A bill for an act relating to economic development; changing the organization of the department of trade and economic development; amending Minnesota Statutes 1990, section 116J.01, subdivision 3.

Referred to the Committee on Economic Development and Housing.

Mr. Kroening introduced—

S.F. No. 941: A bill for an act relating to horse racing; providing that at least one race per racing day be limited to horses which are Minnesota-bred or Minnesota-foaled; amending Minnesota Statutes 1990, section 240.29.

Referred to the Committee on Gaming Regulation.

Mr. Hottinger introduced—

S.F. No. 942: A bill for an act relating to education; establishing a scholarship program; specifying conditions; providing for funding through special collegiate license plates; removing some responsibilities from higher education coordinating board and transferring others to the commissioner of education; amending Minnesota Statutes 1990, sections 135A.05; 135A.06, subdivisions 2, 3, and 5; 135A.08; 135A.10, subdivision 1; 135A.15; 136A.02, subdivision 5; 136A.04, subdivision 1; and 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapters 125; 126; 135A; and 168; repealing Minnesota Statutes 1990, sections 136A.02, subdivision 6; 136A.04, subdivision 2; 136A.041; 136A.043; 136A.044; 136A.85; 136A.86; 136A.87; and 136A.88.

Referred to the Committee on Education.

Messrs. Kelly and Marty introduced—

S.F. No. 943: A bill for an act relating to Ramsey county; changing Ramsey county special laws to make them consistent with the county home rule charter; amending Minnesota Statutes 1990, sections 383A.06, subdivision 2; 383A.16, subdivision 4; 383A.20, subdivision 10; 383A.32, subdivision 1; and 383A.50, subdivision 4; repealing Minnesota Statutes 1990, sections 383A.04; 383A.06, subdivision 3; 383A.07, subdivisions 6, 15, and 20; 383A.16, subdivision 5; 383A.20, subdivisions 1, 6 to 9, and 11; 383A.23, subdivision 1; 383A.24; 383A.25; 383A.45; 383A.46; 383A.48; 383A.49; and 383A.50, subdivisions 1 and 3.

Referred to the Committee on Local Government.

Messrs. Novak; Finn; Johnson, D.J. and Storm introduced—

S.F. No. 944: A bill for an act relating to energy; expanding conservation improvement programs; extending protection against disconnection of residential utility customers during cold weather; improving energy efficiency by prohibiting incandescent lighting in certain exit signs; requiring applicants for certificates of need for large utility facilities to justify the use of nonrenewable rather than renewable energy; establishing energy conservation goals for state buildings; requiring a review of the state building code

and energy standards; transferring the office of pipeline safety to the department of public service; making conforming amendments; prescribing penalties; appropriating money; amending Minnesota Statutes 1990, sections 16B.32; 16B.61, subdivision 3; 216B.095; 216B.16, subdivision 6b; 216B.241; 216B.243, by adding a subdivision; 216C.02, subdivision 1; 299F.011, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 216E; repealing Minnesota Statutes 1990, sections 16B.32, subdivision 2; and 299J.01 to 299J.18.

Referred to the Committee on Energy and Public Utilities.

Messrs. Berg and Bernhagen introduced—

S.F. No. 945: A bill for an act relating to agriculture; providing for development of aquaculture; amending Minnesota Statutes 1990, section 17.49; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1990, sections 17.491; and 17.492.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Hottinger, Finn, Sams and Mrs. Adkins introduced—

S.F. No. 946: A bill for an act relating to elections; changing the prohibition on school events on election day; amending Minnesota Statutes 1990, section 204C.03, subdivision 3.

Referred to the Committee on Elections and Ethics.

Messrs. Hottinger, Morse, Luther and Ms. Traub introduced—

S.F. No. 947: A bill for an act relating to elections; providing for identification of voters by means of picture identification card and evidence of residential ownership or tenancy of property or residence in student housing in the precinct; requiring post-secondary institutions to issue annual student identification cards; providing for voter registration by students at the time of registering for college; amending Minnesota Statutes 1990, section 201.061, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A and 201.

Referred to the Committee on Elections and Ethics.

Mr. Hottinger and Mrs. Adkins introduced—

S.F. No. 948: A bill for an act relating to local government; permitting the cities of Mankato and North Mankato to incur debt and tax for certain improvements.

Referred to the Committee on Local Government.

Ms. Berglin introduced—

S.F. No. 949: A bill for an act relating to human services; requiring special fiscal note information on county costs for proposed changes to human services programs; requiring an annual report on the fiscal impact on counties of changes in state and federal human services laws, rules, or policies; providing for state reimbursement of 50 percent of county administrative expenses associated with determining and verifying eligibility for income maintenance and health care programs and providing direct services to recipients; providing for state reimbursement of 100 percent of increases

in county income maintenance administrative costs attributable to caseload growth; including certain income maintenance administrative costs within the property tax levy limits; appropriating money; amending Minnesota Statutes 1990, sections 3.982; 256.01, by adding a subdivision; 256.025, by adding a subdivision; and 275.50, subdivision 5.

Referred to the Committee on Health and Human Services.

Ms. Berglin introduced—

S.F. No. 950: A bill for an act relating to public safety; requiring tenants to covenant not to allow any controlled substances on rental property; allowing the closing of an alleged disorderly house during pretrial release of owner; lowering the threshold amount of seized controlled substance necessary to warrant unlawful detainer action; providing that certain weapons offenses and controlled substance seizures and arrests may form the basis for a nuisance action; amending Minnesota Statutes 1990, sections 504.181, subdivision 1; 609.33, by adding a subdivision; 609.5317, subdivision 4; 617.80, subdivision 8; and 617.81, subdivisions 2 and 3, and by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 951: A bill for an act relating to housing; modifying procedures relating to rent escrow actions; modifying procedures relating to the tenant's loss of essential services; modifying provisions relating to tenant remedy actions, retaliatory eviction proceedings, and receivership proceedings; modifying provisions relating to Minnesota housing finance agency low- and moderate-income housing programs; providing for an emergency mortgage and rental assistance pilot project; modifying certain receivership, assignment of rents and profits, and landlord and tenant provisions; modifying provisions relating to housing and redevelopment authorities; providing for the issuance of general obligation bonds for housing by the cities of Minneapolis and St. Paul; authorizing the city of Minneapolis to make small business loans; modifying the property tax classification of certain residential real estate; excluding housing districts from the calculation of local government aid reductions; modifying the interest rate reduction program; 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; appropriating money; amending Minnesota Statutes 1990, sections 268.39; 273.124, subdivisions 1 and 11; 273.13, subdivision 25; 273.1399, subdivision 1; 462A.03, subdivisions 10 and 16; 462A.05, subdivision 20, and by adding a subdivision; 462A.21, subdivisions 4k, 12a, and 14; 462A.22, subdivision 9; 462A.222, subdivision 3; 462C.03, subdivision 10; 469.011, subdivision 4; 469.012, subdivision 1; 469.015, subdivisions 3, 4, and by adding a subdivision; 469.176, subdivision 4f; 474A.048, subdivision 2; 481.02, subdivision 3; 504.02; 504.185, subdivision 2; 504.20, subdivisions 3, 4, 5, and 7; 504.27; 559.17, subdivision 2; 566.03, subdivision 1; 566.17, subdivisions 1, 2, and by adding a subdivision; 566.175, subdivision 6; 566.18, subdivision 9; 566.29, subdivisions 2 and 4; and 576.01, subdivision 2; Laws 1974, chapter 285, section 4, as amended; Laws 1987, chapter 404, section 28, subdivision 1; Laws 1988, chapter 594, section 6; Laws 1989, chapter 335,

article 1, section 27, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 268 and 609; repealing Minnesota Statutes 1990, section 462A.05, subdivisions 28 and 29.

Referred to the Committee on Economic Development and Housing.

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

MOTIONS AND RESOLUTIONS

Mr. Belanger moved that S.F. No. 250 be withdrawn from the Committee on Taxes and Tax Laws and returned to its author. The motion prevailed.

ADJOURNMENT

Mr. Luther moved that the Senate do now adjourn until 2:00 p.m., Monday, March 25, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate