

THIRTIETH DAY

St. Paul, Minnesota, Monday, April 8, 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. Thomas H. Brioschi.

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

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Davis was excused from the Session of today from 2:00 to 2:45 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 18, 1991

The Honorable Jerome Hughes
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as requested by law:

CHAIR, MINNESOTA HOUSING FINANCE AGENCY

Robert Worthington, 10326 Colorado Road, Bloomington, Hennepin County, Minnesota, has been appointed by me, effective February 18, 1991, for a term expiring on the first Monday in January, 1995.

MEMBER, MINNESOTA HOUSING FINANCE AGENCY

Demetrius G. Jelatis, 1161 Oak Street, Red Wing, Goodhue County, Minnesota, has been appointed by me, effective February 18, 1991, for a term expiring on the first Monday in January, 1995.

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

March 19, 1991

The Honorable Jerome Hughes
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as requested by law:

COMMISSIONER, BUREAU OF MEDIATION SERVICES

Peter E. Obermeyer, 5913 Hansen Road, Edina, Hennepin County, Minnesota, has been appointed by me, effective March 4, 1991, for a term expiring on the first Monday in January, 1995.

(Referred to the Committee on Employment.)

Warmest regards,
Arne H. Carlson, Governor

April 4, 1991

The Honorable Jerome M. Hughes
President of the Senate

Dear Senator Hughes:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 443.

Warmest regards,
Arne H. Carlson, Governor

MESSAGES FROM THE HOUSE

Mr. President:

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

House Concurrent Resolution No. 1: A House concurrent resolution relating to congressional redistricting; establishing standards for redistricting plans.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 1991

Referred to the Committee on Redistricting.

Mr. President:

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

House Concurrent Resolution No. 2: A House concurrent resolution relating to legislative redistricting; establishing standards for redistricting plans.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 1991

Referred to the Committee on Redistricting.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 179, 479, 623, 671, 743, 795, 809 and 894.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 1991

FIRST READING OF HOUSE BILLS

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

H.F. No. 179: A bill for an act relating to animals; prohibiting greyhound races using live lures and training of greyhound dogs for racing using live lures; proposing coding for new law in Minnesota Statutes, chapter 343.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1083.

H.F. No. 479: A bill for an act relating to towns; providing for the appointment of town officers under certain circumstances; amending Minnesota Statutes 1990, section 367.03, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 532.

H.F. No. 623: A bill for an act relating to Martin county; permitting the consolidation of the offices of auditor and treasurer.

Referred to the Committee on Local Government.

H.F. No. 671: A bill for an act relating to human services; child care

providers; allowing an extension for installing interior vertical access in child care facilities in churches; amending Minnesota Statutes 1990, section 16B.61, subdivision 3.

Referred to the Committee on Health and Human Services.

H.F. No. 743: A bill for an act relating to the Red River watershed management board; changing the description of the area subject to special authority of watershed districts; requiring the board to adopt criteria for funding applications; clarifying the uses of levy proceeds; expanding the board's authority to cooperate with other entities; amending Laws 1976, chapter 162, sections 1 and 2, as amended, and 3.

Referred to the Committee on Environment and Natural Resources.

H.F. No. 795: A bill for an act relating to counties; removing certain restrictions on county morgues; amending Minnesota Statutes 1990, sections 390.06 and 390.07.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 779, now on the Consent Calendar.

H.F. No. 809: A bill for an act relating to counties; fixing various fees for documents; amending Minnesota Statutes 1990, sections 357.18, subdivision 1; 508.82; and 508A.82.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 717, now on General Orders.

H.F. No. 894: 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 subdivisions.

Referred to the Committee on Local Government.

REPORTS OF COMMITTEES

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

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

S.F. No. 1083: A bill for an act relating to animals; prohibiting greyhound races using live lures and training of greyhound dogs for racing using live lures; proposing coding for new law in Minnesota Statutes, chapter 343.

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

Page 1, lines 9 and 10, delete "*dog*"

Amend the title as follows:

Page 1, line 3, delete "greyhound dogs" and insert "greyhounds"

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 re-referred

S.F. No. 373: A bill for an act relating to the military; creating an emergency assistance fund for families of military personnel who are called to active service; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

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 196.05, is amended to read:
196.05 [DUTIES OF COMMISSIONER.]

The commissioner shall:

(1) act as the agent of a resident of the state having a claim against the United States for benefits arising out of or by reason of service in the armed forces and prosecute the claim without charge;

(2) act as custodian of veterans' bonus records;

(3) administer the laws relating to the providing of bronze flag holders at veterans' graves for memorial purposes;

(4) administer the laws relating to recreational or rest camps for veterans so far as applicable to state agencies;

(5) administer the state soldiers' welfare fund and veterans' relief fund and other funds appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation of veterans;

(6) cooperate with national, state, county, municipal, and private social agencies in securing to veterans and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;

(7) provide necessary assistance where other adequate aid is not available to the dependent family of a veteran while the veteran is hospitalized and after the veteran is released for as long a period as is necessary as determined by the commissioner;

(8) act as the guardian of the estate for a minor or an incompetent person receiving money from the United States government when requested to do so by an agency of the United States of America provided sufficient personnel are available;

(9) cooperate with United States governmental agencies providing compensation, pensions, insurance, or other benefits provided by federal law, by supplementing the benefits prescribed therein, when conditions in an individual case make it necessary;

(10) assist in implementing state laws, rights, and privileges relating to the reemployment of veterans upon their separation from the armed forces;

(11) contact, at times as the commissioner deems proper, war veterans, as defined in section 197.447, who are confined in a public institution; investigate the treatment accorded those veterans and report annually to the governor the results of the investigations; and the heads of the public

institutions shall permit the commissioner, or the commissioner's representative, to visit any veteran; and, if the commissioner, or the commissioner's representative requests any information relative to any veteran and the veteran's affairs, the head of the institution shall furnish it; ~~and~~

(12) *assist dependent family members of military personnel who are called from reserve status to extended federal active duty during a time of war or national emergency through the state soldiers' assistance fund provided by section 197.03; and*

(13) exercise other powers as may be authorized and necessary to carry out the provisions of this chapter and chapters 197 and 198, consistent with those chapters.

Sec. 2. Minnesota Statutes 1990, section 197.03, is amended to read:

197.03 [STATE SOLDIERS' ~~WELFARE~~ ASSISTANCE FUND CREATED.]

There is created a state soldiers' ~~welfare~~ assistance fund to aid and assist any citizen of Minnesota or resident alien residing in Minnesota who served in the military or naval forces of the United States, in securing compensation, hospitalization, medical treatment, insurance or other relief or benefits to which the server may be entitled from the United States or any other government or state and for the emergency relief, hospitalization, treatment and maintenance of all such persons who were bona fide residents of the state at the time their need arose and their dependents as ~~hereinafter~~ provided by sections 196.05 and 197.04 to 197.07.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the military; authorizing the commissioner of veterans affairs to assist certain dependents of military personnel who are called to active service; amending Minnesota Statutes 1990, sections 196.05; and 197.03."

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. 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.

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

Page 2, line 13, delete "574" and insert "575"

Page 2, line 17, delete the semicolon and insert a comma

Page 3, lines 15 and 16, delete "AND RELEASES"

Page 3, lines 19 and 20, delete "*such materials*" and insert "*hazardous substances or oil*"

Page 3, line 29, delete "*such materials*" and insert "*hazardous substances or oil*"

Page 3, line 31, delete "*which had been*" and insert "*that were*"

Page 3, line 36, delete "*to*" and insert "*and 4*"

Page 4, line 1, delete "5"

Page 4, lines 2, 5, 9, 13, 16, and 20, delete "*those owning or operating*" and insert "*persons who own or operate*"

Page 4, lines 6 and 17, after "*an*" insert "*average monthly*"

Page 4, lines 8 and 19, delete "*in any calendar month*"

Page 4, line 23, delete "*those*" and insert "*persons*" and after "*required*" insert "*to demonstrate preparedness*"

Page 4, line 25, delete everything after "*safety*"

Page 4, line 26, delete "*preparedness*" and insert "*under section 5*"

Page 4, line 27, delete "*The level of*"

Page 4, delete line 28 and insert "*A person described in subdivision 2 shall maintain a level of preparedness that ensures*"

Page 4, line 32, delete "*Persons*" and insert "*A person*"

Page 5, line 2, delete "*persons*" and insert "*person*"

Page 5, line 15, delete "*financial*"

Page 5, line 16, delete everything before "*for*" and insert "*evidence of financial responsibility required under section 1016 of the Oil Pollution Act of 1990*"

Page 5, line 17, delete everything after "*sanctions*" and insert "*in that section.*"

Page 5, delete line 18

Page 5, line 23, delete "*shall*" and insert "*must*"

Page 5, line 30, delete "*which*" and insert "*that*"

Page 5, line 34, delete "*title*" and insert "*titles*"

Page 5, line 36, delete "*those*" and insert "*the*"

Page 6, line 5, delete "*the*"

Page 6, line 14, delete "*the*" and insert "*a*" and delete "*discharges*" and insert "*discharge*"

Page 6, line 17, delete "*the*" and insert "*a*"

Page 6, line 18, delete "*discharges*" and insert "*discharge*"

Page 6, line 27, delete "*pursuant to*" and insert "*under*"

Page 6, line 33, delete "*September 1, 1992*" and insert "*March 1, 1993*"

Page 6, line 35, delete "*has ordered*" and insert "*orders*"

Page 7, line 1, delete "*shall*" in both places and insert "*must*"

Page 7, line 2, delete "*any*" and insert "*a*"

Page 7, line 6, delete "*any of the persons*" and insert "*a person*"

Page 7, line 7, delete "*have*" and insert "*has*"

Page 7, lines 11 and 19, delete "*shall*" and insert "*must*"

Page 7, line 14, before "*exemptions*" insert "*granting of*" and delete "*granted*"

Page 7, line 18, after "*OF*" insert "*PREVENTION AND*" and after "*the*" insert "*prevention and*"

Page 7, line 28, after the second "*of*" insert "*prevention and*"

Page 7, line 29, delete "*preventive or*" and delete "*through*" and insert "*by*"

Page 7, line 31, after "*a*" insert "*prevention and*"

Page 8, line 2, before "*response*" insert "*prevention and*"

Page 8, line 3, delete "*preventive or*" and delete "*any*" and insert "*a*"

Page 8, line 9, delete "*not*"

Page 8, line 10, delete "*otherwise required to comply with*" and insert "*identified in*"

Page 8, line 13, delete "*preparedness*" and insert "*prevention*"

Page 8, line 19, before "*The*" insert "*In addition to the authority of*"

Page 8, line 20, after "*agency*" insert "*under other law, the commissioner*"

Page 8, lines 22 and 23, delete "*section or sections 115.061 and 116.07*" and insert "*chapter and violations of rules adopted by the pollution control agency under sections 115.03, subdivision 1, paragraph (e), clause (3), and 116.49*"

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

Page 8, line 32, delete "*shall*" and insert "*must*"

Page 9, line 2, delete "*any of*" and delete "*or*" and insert "*and*"

Page 9, line 3, delete "*chapter*" and insert "*chapters*" and delete "*or*" and insert "*and*" and before the period, insert "*and the commissioner of the department of agriculture may exercise the regulatory and enforcement powers in chapters 18B, 18C, and 18D*"

Page 9, line 5, delete "*below*" and insert "*in this paragraph*"

Page 9, line 8, delete "*omitted*" and insert "*failed*" and delete "*such*" and insert "*the*"

Page 10, line 1, delete "*COORDINATOR*" and insert "*COORDINATION*"

Page 10, line 3, delete everything after "*of*"

Page 10, line 4, delete everything before the second "*the*"

Page 10, line 7, delete "*designated*" and after "*commissioner*" insert "*of the department of public safety*"

Page 10, lines 10 and 11, delete "*such department*" and insert "*agency*"

Page 10, lines 11, 14, 17, and 21, delete "*designated*"

Page 10, line 19, after "*departments*" insert "*and agencies*"

Page 10, line 29, delete "*any of the*"

Page 10, lines 30 and 35, delete "*shall*" and insert "*must*"

Page 10, line 33, delete "*the*" and insert "*an*"

Page 11, lines 13 and 15, delete "*They*" and insert "*The commissioners*"

Page 11, delete section 11 and insert:

"Sec. 11. [FUNDS; TRAINING.]

The commissioners of the department of public safety, the pollution control agency, the department of natural resources, the department of agriculture, and the department of transportation, shall seek federal funding for activities undertaken under this act. A portion of any funds received under this section must be used by the agencies to train state agency and political subdivision personnel in proper recognition of and response to discharges and releases.

The commissioner of the department of public safety may accept gifts for the purpose of ensuring adequate training of state agency and political subdivision personnel."

Page 11, line 34, delete the second "*or*" and insert a comma and after "*before*" insert "*, or after*"

Amend the title as follows:

Page 1, line 11, delete "amending Minnesota"

Page 1, delete line 12

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

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 726: A bill for an act relating to certain state employees; establishing eligibility for state-paid insurance after retirement in certain circumstances.

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

Page 1, line 8, delete "*department*" and insert "*departments*" and after the second "*of*" insert "*corrections or*"

Page 1, line 18, delete "*the effective date of this section*" and insert "*May 5, 1990,*"

Page 2, line 20, delete everything after "*effective*" and insert "*retroactively to May 5, 1990.*"

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

adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 173: A bill for an act relating to public employees; defining the term "employee" for the purpose of the public employees labor relations act; amending Minnesota Statutes 1990, section 179A.03, subdivision 14.

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

Page 1, lines 18 to 23, reinstate the stricken language

Page 2, lines 6, 11, 13, 17, 20, and 24, reinstate the stricken language and delete the new language

Page 2, line 25, before "An" insert "(1)"

Page 2, line 29, strike "(1)" and insert "(i)"

Page 2, line 32, strike "(2)" and insert "(ii)"

Page 2, line 35, before the period, insert "; and

(2) An employee hired for a position under clause (f) if that position or a substantially similar position has already been filled under clause (f) in the same calendar year"

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

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 735: A bill for an act relating to public safety; authorizing certain departmental employees to donate vacation time to bargaining representatives; proposing coding for new law in Minnesota Statutes, chapter 299A.

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 43A.04, subdivision 8, is amended to read:

Subd. 8. [DONATION OF TIME.] Notwithstanding any law to the contrary, the commissioner shall authorize the appointing authority to permit the donation of up to ~~three~~ *eight* hours of accumulated vacation time in each year by each employee who is a member of law enforcement unit number 1 *and lieutenants, captains, and majors in the state patrol to their* ~~the~~ *employee's* union representative for the purpose of carrying out the duties of office."

Delete the title and insert:

"A bill for an act relating to state government; increasing the amount of vacation time that certain state employees can donate to bargaining representatives; amending Minnesota Statutes 1990, section 43A.04, subdivision 8."

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

adopted.

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

S.F. No. 971: A bill for an act relating to agriculture; extending the ban on the use of biosynthetic bovine somatotropin by one year; amending Minnesota Statutes 1990, sections 151.01, subdivision 28; 151.15, subdivision 3; and 151.25; and Laws 1990, chapter 526, section 1.

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

Page 2, delete line 33 and insert:

"Sections 1 to 4 are effective 30 days after the commissioner of agriculture publishes notice in the State Register that (a) the states of Minnesota and Wisconsin, or (b) states having 40 percent or more of milk production as determined by the United States Department of Agriculture statistics for the most recent available calendar year, including Minnesota, have adopted provisions that restrict general use of biosynthetic bovine somatotropin (BST) and remain in effect only so long as restrictions are effective in the state of Wisconsin or in states having 40 percent or more of milk production, including Minnesota. On the date that restrictions on the general use of biosynthetic bovine somatotropin are no longer in effect in the state of Wisconsin and in states having 40 percent or more of milk production, including Minnesota, sections 1 to 4 have no effect and biosynthetic bovine somatotropin may be sold for general use."

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

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

S.F. No. 632: A bill for an act relating to economic development; establishing a small business innovation research marketing and technical assistance program; appropriating money.

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

Page 1, line 23, delete "\$1,360,000" and insert "\$"

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

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

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

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

Page 1, line 17, after "war" insert "of historical record"

Page 1, line 23, delete "\$200,000" and insert "\$"

And when so amended the bill do pass and be re-referred to the Committee

on Finance. Amendments adopted. Report adopted.

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

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

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 169.686, subdivision 1, is amended to read:

Subdivision 1. [SEAT BELT REQUIREMENT.] A properly adjusted and fastened seat belt shall be worn by:

- (1) the driver of a passenger vehicle;
- (2) a passenger riding in the front seat of a passenger vehicle; and
- (3) a passenger riding in any seat of a passenger vehicle who is older than three but younger than 11 years of age.

A person who is 15 years of age or older and who violates clause (1) or (2) is subject to a fine of \$40 \$25. The driver of the passenger vehicle in which the violation occurred is subject to a \$40 \$25 fine for a violation of clause (2) or (3) by a child of the driver under the age of 15 or any child under the age of 11. ~~A peace officer may not issue a citation for a violation of this section unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment.~~ The department of public safety shall not record a violation of this subdivision on a person's driving record.

Sec. 2. Minnesota Statutes 1990, section 169.686, subdivision 3, is amended to read:

Subd. 3. [APPROPRIATION; SPECIAL ACCOUNT.] The fines collected for a violation of subdivision 1 must be deposited in the state treasury and credited to a special account to be known as the emergency medical services relief account. *Ninety percent of the money in the account shall be distributed to the eight regional emergency medical services systems designated by the commissioner under section 144.8093, for personnel education and training, equipment and vehicle purchases, and operational expenses of emergency life support transportation services. The board of directors of each emergency medical services region shall establish criteria for funding. Ten percent of the money in the account shall be distributed to the commissioner of public safety for the expenses of traffic safety educational programs conducted by state patrol troopers.*

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective for violations that occur on or after August 1, 1991."

Delete the title and insert:

"A bill for an act relating to traffic regulations; increasing the fine for violating seat belt requirements; removing citation restrictions; reallocating

fine receipts; amending Minnesota Statutes 1990, section 169.686, subdivisions 1 and 3."

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

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

S.F. No. 814: A bill for an act relating to public safety; authorizing the department of public safety to develop a pilot program to require an ignition interlock device as a condition of a limited license for a driver whose license has been canceled and denied; requiring the department of public safety to certify interlock devices; providing penalties for misuse or tampering, and for failure to use the device; proposing coding for new law in Minnesota Statutes, chapter 171.

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

Delete everything after the enacting clause and insert:

"Section 1. [171.305] [IGNITION INTERLOCK DEVICE; PILOT PROGRAM; LICENSE CONDITION.]

Subdivision 1. [DEFINITION.] "Ignition interlock device" or "device" means breath alcohol ignition equipment designed to prevent a motor vehicle's ignition from being started by a person whose alcohol concentration exceeds the calibrated setting on the device.

Subd. 2. [PILOT PROGRAM.] The commissioner shall establish a one-year statewide pilot program for the use of an ignition interlock device by a person whose driver's license or driving privilege has been canceled and denied by the commissioner for an alcohol or controlled substance related incident. After one year the commissioner shall evaluate the program and shall recommend to the legislature whether changes in the program are necessary and whether the program should be permanent. No limited license shall be issued under this program after August 1, 1992.

Subd. 3. [PERFORMANCE STANDARDS.] The commissioner shall specify performance standards for ignition interlock devices, including standards relating to accuracy, safe operation of the vehicle, and degree of difficulty rendering the device inoperative.

Subd. 4. [CERTIFICATION.] The commissioner shall certify ignition interlock devices that meet the performance standards and may charge the manufacturer of the ignition interlock device a certification fee.

Subd. 5. [ISSUANCE OF LIMITED LICENSE.] The commissioner may issue a limited license to a person whose driver's license has been canceled and denied due to an alcohol or controlled substance related incident under section 171.04, subdivision 1, clause (8), under the following conditions:

(1) at least one-half of the person's required abstinence period has expired;

(2) the person has completed all rehabilitation requirements; and

(3) the person agrees to drive only a motor vehicle equipped with a functioning and certified ignition interlock device.

Subd. 6. [MONITORING.] The ignition interlock device must be monitored for proper use and accuracy by an entity approved by the commissioner.

Subd. 7. [PAYMENT.] The commissioner shall require that the person issued a limited license under subdivision 5 pay all costs associated with use of the device.

Subd. 8. [PROOF OF INSTALLATION.] A person approved for a limited license must provide proof of installation prior to issuance of the limited license.

Subd. 9. [PENALTIES.] (a) A person who knowingly lends, rents, or leases a motor vehicle that is not equipped with a functioning ignition interlock device to a person with a limited license issued under subdivision 5 is guilty of a misdemeanor.

(b) A person who tampers with, circumvents, or bypasses the ignition interlock device, or assists another to tamper, circumvent, or bypass the device, is guilty of a misdemeanor.

(c) The penalties of this subdivision do not apply if the action was taken for emergency purposes or for mechanical repair, and the person limited to the use of an ignition interlock device does not operate the motor vehicle while the device is disengaged.

Subd. 10. [CANCELLATION OF LIMITED LICENSE.] The commissioner shall cancel a limited license if the device registers a positive reading for use of alcohol or the person violates any conditions of the limited license.

Subd. 11. [ADMINISTRATIVE PROCEDURE ACT INAPPLICABLE.] The standards and procedures developed under this section are not subject to chapter 14.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1991."

Delete the title and insert:

"A bill for an act relating to public safety; authorizing the commissioner of public safety to develop a pilot program to require an ignition interlock device as a condition of a limited license for a driver whose license has been canceled and denied; requiring the commissioner to certify interlock devices; providing penalties for misuse or tampering and for failure to use the device; proposing coding for new law in Minnesota Statutes, chapter 171."

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

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

S.F. No. 609: A bill for an act relating to controlled substances; medical care; allowing physicians to prescribe marijuana and Tetrahydrocannabinols for the treatment of cancer or glaucoma; amending Minnesota Statutes 1990, sections 152.02, subdivisions 2 and 3; and 152.21, subdivision 6; repealing Minnesota Statutes 1990, section 152.21, subdivisions 1 to 5 and 7.

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

as follows:

Page 5, lines 17 and 27, delete "*cancer or glaucoma*" and insert "*a medical condition, if the physician has documented in the patient's medical record that it is being used to reduce pain or reduce or prevent the recurrence of symptoms or adverse effects of a serious illness, injury, or medical condition, and that other available drugs have not proven to be effective*"

Amend the title as follows:

Page 1, lines 4 and 5, delete "cancer or glaucoma" and insert "medical conditions under certain circumstances"

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

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

S.F. No. 258: A bill for an act relating to health; modifying the physician loan forgiveness program; providing an increase in medical assistance reimbursement to physicians; requiring a study of obstetrical access; appropriating money; amending Minnesota Statutes 1990, section 136A.1355, subdivisions 2 and 3.

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

Page 2, delete section 3

Page 3, delete lines 5 to 8

Page 3, line 9, delete "(c)" and insert "(b)"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "requiring"

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

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

S.F. No. 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.

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

Delete everything after the enacting clause and insert:

"Section 1. [PROTOCOLS FOR COORDINATION OF CHILDREN'S MENTAL HEALTH SERVICES.]

Subdivision 1. [DEVELOPMENT OF PROTOCOLS AND PROCEDURES.] Each local children's mental health coordinating council established under Minnesota Statutes, section 245.4875, subdivision 6, shall establish a task force to develop recommended protocols and procedures

that will ensure that the planning, case management, and delivery of services for children with severe emotional disturbance are coordinated and make the most efficient and cost-effective use of available funding. The task force must include, at a minimum, representatives of local school districts and county medical assistance and mental health staff. The protocols and procedures must be designed to:

(1) ensure that services to children are driven by the children's needs, rather than by the availability or source of funding for services;

(2) ensure that planning for services, case management, service delivery, and payment for services involves coordination of all affected agencies, providers, and funding sources; and

(3) maximize available funding by making full use of all available funding, including medical assistance.

Subd. 2. [REPORT.] By October 1, 1991, each local coordinating council shall report to the commissioner of human services the council's findings and the recommended protocols and procedures. Each council shall also make recommendations regarding the feasibility and desirability of methods of consolidating or pooling funding sources to ensure that services are tailored to the specific needs of each child and to allow greater flexibility in paying for services. The council shall also recommend legislative changes or rule changes that will improve local coordination and further maximize available funding. By January 1, 1992, the commissioner of human services shall provide a report to the legislature that describes the reports of local coordinating councils and provides the commissioner's recommendations for legislation or other needed changes."

Delete the title and insert:

"A bill for an act relating to human services; requiring local children's mental health coordinating councils to develop protocols and procedures to ensure that services are coordinated and maximize available funding; requiring a report."

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

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

S.F. No. 694: A bill for an act relating to traffic regulations; establishing maximum height for rear bumpers of certain semitrailers; allowing certain equipment to be excluded from computing the maximum allowable length of a semitrailer or trailer used in a three-vehicle combination; providing an exception to the length limitation on certain vehicle combinations; limiting maximum weight allowed on certain vehicle tires; conforming state highway weight limitations to federal requirements; imposing a cost-per-mile fee on certain overweight vehicles; amending Minnesota Statutes 1990, sections 169.73, subdivision 4a; 169.81, subdivisions 2 and 3; 169.825, subdivisions 8 and 10; and 169.86, subdivision 5.

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

Page 6, line 9, after "the" insert "foremost and rearmost" and delete "axle" and insert "axles"

Page 6, after line 13, insert:

"Clause (2) applies to new vehicles manufactured after August 1, 1991, and after August 1, 1996, to all vehicles."

Page 7, lines 27 and 29, after the stricken language, insert "\$39,000"

Page 9, after line 5, insert:

"The maximum gross weight on a group of three consecutive axles where the distance between centers of foremost and rearmost axles is listed as seven feet or eight feet applies only to vehicles manufactured before August 1, 1991."

Page 11, line 11, reinstate the stricken "(d)"

Page 11, line 16, after the stricken "(e)", reinstate the stricken language

Page 11, lines 17 to 22, reinstate the stricken language

Page 14, after line 6, insert:

"Sec. 7. Minnesota Statutes 1990, section 221.025, is amended to read:
221.025 [EXEMPTIONS.]

Except as provided in sections 221.031 and 221.033, the provisions of this chapter do not apply to the intrastate transportation described below:

(a) the transportation of students to or from school or school activities in a school bus inspected and certified under section 169.451;

(b) the transportation of rubbish as defined in section 443.27;

(c) a commuter van as defined in section 221.011, subdivision 27;

(d) authorized emergency vehicles as defined in section 169.01, subdivision 5, including ambulances, and tow trucks when picking up and transporting disabled or wrecked motor vehicles and when carrying proper and legal warning devices;

(e) the transportation of grain samples under conditions prescribed by the board;

(f) the delivery of agricultural lime;

(g) the transportation of dirt and sod within an area having a 50-mile radius from the home post office of the person performing the transportation;

(h) a person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix, concrete blocks or tile and the mortar mix to be used with the concrete blocks or tile, or crushed rock to or from the point of loading or a place of gathering within an area having a 50-mile radius from that person's home post office or a 50-mile radius from the site of construction or maintenance of public roads and streets;

(i) the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator evergreens, wood chips, sawdust, shavings, and bark from the place where the products are produced to the point where they are to be used or shipped;

(j) a person while engaged exclusively in transporting fresh vegetables from farms to canneries or viner stations, from viner stations to canneries, or from canneries to canneries during the harvesting, canning, or packing

season, or transporting potatoes, sugar beets, wild rice, or rutabagas from the field of production to the first place of delivery or unloading, including a processing plant, warehouse, or railroad siding;

(k) a person engaged in transporting property or freight, other than household goods and petroleum products in bulk, entirely within the corporate limits of a city or between contiguous cities except as provided in section 221.296;

(l) the transportation of unprocessed dairy products in bulk within an area having a 100-mile radius from the home post office of the person providing the transportation;

(m) a person engaged in transporting agricultural, horticultural, dairy, livestock, or other farm products within an area having a 25-mile radius from the person's home post office and the carrier may transport other commodities within the 25-mile radius if the destination of each haul is a farm;

(n) a person providing limousine service that is not regular route service in a passenger automobile that is not a van, and that has a seating capacity, excluding the driver, of not more than 12 persons;

(o) passenger transportation service that is not charter service and that is under contract to and with operating assistance from the department or the regional transit board.

Sec. 8. Minnesota Statutes 1990, section 221.033, is amended by adding a subdivision to read:

Subd. 4. [VARIANCE.] The commissioner may adopt rules to provide a procedure to grant variances from regulations adopted under subdivision 1, and contained in Code of Federal Regulations, title 49, part 180. The variances must apply only to cargo tanks with a capacity of 3,000 gallons or less that transport gasoline in intrastate commerce in Minnesota and were first used in transportation before August 1, 1991. The commissioner shall establish inspection, testing, and registration requirements to ensure the safety of cargo tanks operated under a variance granted under this subdivision.

Sec. 9. [221.124] [INITIAL MOTOR CARRIER CONTACT PROGRAM.]

Subdivision 1. [INITIAL MOTOR CARRIER CONTACT.] The initial motor carrier contact program consists of an initial contact, for educational purposes, between a motor carrier required to participate and representatives of the department of transportation. The initial contact may be through an educational seminar or at the discretion of the department through a personal meeting with a representative of the department. The initial contact must consist of a discussion of the statutes, rules, and regulations that apply to motor carriers. Topics discussed must include: carrier authority; the leasing of drivers and vehicles; insurance requirements; tariffs; annual reports; accident reporting; identification of vehicles; driver qualifications; maximum hours of service of drivers; the safe operation of vehicles; equipment, parts, and accessories; and inspection, repair, and maintenance. The department shall provide written documentation of proof of compliance with the requirements of subdivision 2 and shall give a copy of the document to the motor carrier.

Subd. 2. [PARTICIPATION REQUIRED.] A motor carrier that receives

a certificate or permit from the board for new authority on or after September 1, 1991, shall participate in the initial motor carrier contact program. A motor carrier required to participate in the program must have in attendance at least one motor carrier official having a substantial interest or control, directly or indirectly, in or over the operations conducted or to be conducted under the certificate or permit.

Subd. 3. [TIME FOR COMPLIANCE.] A motor carrier required by subdivision 2 to participate in the program must do so within 90 days of the service date of the order granting the certificate or permit. Failure to comply with the requirement of subdivision 2 makes the order granting the certificate or permit void upon expiration of the time for compliance.

Sec. 10. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1992. Sections 2 to 9 are effective August 1, 1991."

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "adding an exemption to the motor carrier act; authorizing a variance for small cargo tanks; establishing the initial motor carrier contact program;"

Page 1, line 14, delete the third "and"

Page 1, line 15, before the period, insert "; 221.025; and 221.033, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 221"

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

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

S.F. No. 724: A bill for an act relating to housing; modifying certain annual housing impact reporting and replacement housing requirements; amending Minnesota Statutes 1990, sections 504.33, subdivision 2; 504.34, subdivision 1; and 504.35.

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

Delete everything after the enacting clause and insert:

"Section 1. [REPEALER.]

Minnesota Statutes 1990, sections 504.33, 504.34, and 504.35, are repealed."

Delete the title and insert:

"A bill for an act relating to housing; repealing annual housing impact reporting and replacement housing requirements; repealing Minnesota Statutes 1990, sections 504.33; 504.34; and 504.35."

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

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

S.F. No. 669: A bill for an act relating to the Brooklyn Center housing and redevelopment authority; providing for authority to increase levy.

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

Page 1, delete lines 15 to 17 and insert:

"Section 1 is effective on the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Brooklyn Center."

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. Frank from the Committee on Metropolitan Affairs, to which was referred

S.F. No. 1124: A bill for an act relating to metropolitan government; providing for an advisory task force on metropolitan planning and development; directing the metropolitan council to conduct a study.

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 473.145, is amended to read:

473.145 [DEVELOPMENT GUIDE.]

The metropolitan council shall prepare and adopt, after appropriate study and such public hearings as may be necessary, a comprehensive development guide for the metropolitan area. It shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for the orderly and ~~economic~~ *economic* development and redevelopment, public and private, of the metropolitan area. The ~~comprehensive development~~ guide shall recognize and encompass *the changing* physical, social, ~~or~~ and economic needs of the metropolitan area and ~~these the redevelopment and future developments~~ *development* which will have an impact on the entire area including but not limited to such matters as land use, parks and open space land needs, the necessity for and location of airports, highways, transit facilities, public hospitals, libraries, schools, and other public buildings.

Sec. 2. [FULLY DEVELOPED AREA; STUDY.]

The metropolitan council must conduct a study of the development patterns and needs in the council-defined fully developed area. The council must direct its staff to:

(1) examine both the development patterns and the migration patterns in the fully developed area that have occurred in the last 20 years with special attention to household composition;

(2) compare the relative public costs of redevelopment in the fully developed area with the costs of development within the council-defined developing area. This work should include, but is not limited to, transportation and transit, wastewater treatment, public safety services, and education;

(3) examine the changing demographics of the fully developed area and other areas within the metropolitan region, and make projections regarding the economic and social condition of the fully developed area; and

(4) recommend changes that would encourage the economic and social strengthening of the fully developed area.

In conducting its study, the council must use, along with other information, any available data from the 1990 census. The council must present its findings to the legislature by February 15, 1994. The council must also present interim briefings to the legislature on work in progress at least annually between the effective date of this act and the completion of the study.

Sec. 3. [APPLICATION.]

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan government; making modifications to the development guide of the metropolitan council; directing the metropolitan council to conduct a study; amending Minnesota Statutes 1990, section 473.145."

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

Mr. Frank from the Committee on Metropolitan Affairs, to which was referred

S.F. No. 385: A bill for an act relating to metropolitan government; providing for senate confirmation of the chair of the metropolitan airports commission; removing certain members from the commission; amending Minnesota Statutes 1990, section 473.604, subdivision 1.

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

Page 2, lines 3 to 22, reinstate the stricken language

Page 2, line 23, reinstate the stricken "(4)" and delete "(3)"

Amend the title as follows:

Page 1, lines 4 and 5, delete "removing certain members from the commission;"

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

Mr. Hughes from the Committee on Elections and Ethics, to which was re-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; changing requirements for polling places; 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.

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

Page 1, after line 9, insert:

"ARTICLE 1
REDISTRICTING AMENDMENTS"

Page 4, line 12, delete "437.121" and insert "473.121"

Page 6, after line 6, insert:

"ARTICLE 2
LOCAL GOVERNMENT ELECTION

Section 1. [LEGISLATIVE INTENT.]

It is the intent of this act:

(1) to increase public interest and participation in local elections and to draw the attention of the public and the news media to local government issues by requiring local elections for elective office, except in towns, to be held on the Tuesday after the first Monday in November;

(2) to encourage more individuals to vote at local elections by permitting voters to cast their ballots in all local election contests, including school district, city, and county elections at a single, convenient polling place;

(3) to encourage more individuals to seek local elective offices by establishing a uniform time for filing for office; and

(4) to lower the administrative costs of local elections by reducing the frequency and increasing the uniformity of procedures for the election of local officers.

Sec. 2. [205.001] [LOCAL GOVERNMENT ELECTION DATES.]

Subdivision 1. [ESTABLISHMENT.] Except as otherwise provided by this section, the general election for elective officers in the political subdivisions specified in subdivision 2 must be conducted on the first Tuesday after the first Monday in November of either the odd-numbered or even-numbered year. The governing body of each political subdivision specified in subdivision 2 shall designate by ordinance or resolution whether the general election for elective officers of that political subdivision must be held in the odd-numbered year, the even-numbered year, or annually. The clerk of the governing body of each political subdivision shall file with the county auditor of the county where the political subdivision is located, a notice of the year designated for the local government election in that political subdivision.

Subd. 2. [OFFICERS ELECTED.] The general election of the elective officers of every county, city, and school district, and the elective officers of every other political subdivision of the state, except towns, must be held at the local government election for the political subdivision next preceding the expiration of the officers' terms.

Subd. 3. [BOND ISSUE QUESTIONS.] A referendum authorizing the issuance of bonds must be held the first Tuesday after the first Monday in November, but a political subdivision may hold a bond issue referendum on another date if the political subdivision certifies that an emergency exists because the capital improvement for which the bond proceeds will be used

was rendered unusable through natural disaster or vandalism. If the capital improvement is an educational facility, the political subdivision shall certify this emergency finding to the commissioner of education before scheduling the emergency bond issue election. For other capital improvements, the political subdivision shall certify the emergency finding to the secretary of state before scheduling the emergency bond issue election. In addition, a school district may hold an emergency bond issue election on another date if the school district requests and receives certification of the commissioner of education that rapidly expanding enrollment in the district constitutes an emergency that warrants an election on another date.

Subd. 4. [PRIMARY.] A primary election must be held by each political subdivision specified in subdivision 2 on the first Tuesday after the second Monday in September of the year in which the political subdivision holds its local government election, to select the nominees for the offices to be filled at the local government election, except for municipal offices in municipalities of less than 2,500 inhabitants.

No primary may be held to select candidates for a nonpartisan office if only two persons file for nomination for that office, or if not more than twice the number of persons to be elected file for nomination for that office.

Subd. 5. [PLACE OF ELECTION.] The election precincts and polling places for elections held at the local government election must be those established according to sections 204B.14 to 204B.17. Ballots must be distributed and available so that no voter is required to vote in more than one polling place in order to vote in every election in which the voter is eligible to vote at the local government election.

Subd. 6. [HOURS FOR VOTING.] The hours for voting in a precinct in which an election is held under this section must be as provided in section 204C.05 for the state general election and the state primary.

Subd. 7. [TIME FOR FILING.] If a primary is required for nomination of candidates for an office to be filled at the local government election, the time for filing an affidavit, application, petition, or other document required to place an individual's name on the ballot at the local government election must begin ten weeks before the primary election day and conclude eight weeks before that day. If no primary is required, the time for filing must commence ten weeks before the local government election and conclude eight weeks before that day.

Subd. 8. [WITHDRAWAL OF CANDIDACY.] A candidate for an office to be filled at the local government election may withdraw the candidacy for that office not later than 5:00 p.m. on the day after the close of the filing period. Affidavits of withdrawal must be filed with the officer who receives affidavits of candidacy for that office.

Subd. 9. [INTENT; OTHER LAWS AND CHARTERS SUPERSEDED.] It is the intent of this section to establish that the election of all officers described in subdivision 2 must occur at the times and in the manner provided in this section. To the extent inconsistent with this intent, general and special laws and municipal charter provisions providing otherwise are superseded. In all other respects, those laws and charter provisions continue in force and effect.

No general or special law enacted after August 1, 1991, may be construed to authorize or require that the election of officers described in subdivision 2 be held at a time or in a manner different from that required by this

section, unless that law expressly provides for an exception by specific reference to this section.

ARTICLE 3

ELECTION LAWS; LOCAL GOVERNMENT ELECTIONS

Section 1. [205.003] [NOTICE OF OFFICES TO BE FILLED; COUNTIES, CITIES, AND SCHOOL DISTRICTS.]

No later than 15 days before the first day for filing affidavits of candidacy for offices to be filled at a local government election, each county auditor and each school district, hospital district, and soil and water conservation district clerk, and each municipal clerk of a municipality subject to article 2, section 2, shall prepare, post in each respective office, and publish a notice specifying the officers whose certificates of election were issued by the office of that auditor or clerk and who are to be voted on at the next local government election for the respective political subdivision. The notice must also state the opening and closing dates for filing affidavits and the place for filing. Immediately upon preparation, the county auditor and school district, hospital district, and soil and water conservation district clerks shall deliver copies of the notice to the clerk of each municipality in the county or district. The clerk of each municipality shall post in the clerk's office copies of the notices delivered to the clerk under this section.

Sec. 2. [205.005] [COORDINATION OF LOCAL ELECTIONS; DUTIES OF LOCAL ELECTION OFFICIALS AND THE SECRETARY OF STATE.]

Subdivision 1. [DUTIES OF OFFICIALS.] In order to effectively coordinate the various elections held at a local government election, all local election officials of political subdivisions subject to article 2, section 2, including county auditors, municipal clerks, and clerks of school, hospital, and other special purpose districts shall cooperate with one another and with the secretary of state in the manner required by the rules of the secretary of state adopted under subdivision 2.

Subd. 2. [ADOPTION OF RULES.] By January 1, 1993, the secretary of state shall adopt rules to facilitate the coordination of the various elections held at the local government election each year. The rules must provide:

(1) standards and guidelines to aid those municipalities, counties, school districts, and other political subdivisions that are subject to article 2, section 2, in allocating election costs, designating boundaries for election purposes, and administering elections in precincts split by an election district boundary;

(2) requirements and procedures for preparation by county auditors and municipal clerks of precinct maps or precinct finders that indicate the boundary and district number of each school district and each school district election district in the precinct and that enable the judges in a precinct with more than one district to determine the district in which a voter residing in the precinct is entitled to vote;

(3) a procedure to be followed by local elections officials to ensure that the number of the school district in which the voter resides is placed on every voter registration card in the manner and by the time required in article 4, sections 2 and 4;

(4) procedures for efficient distribution of sample and official school district ballots to the polling places; and

(5) procedures for resolving disputes regarding the conduct of elections between municipalities, counties, school districts, and other political subdivisions subject to article 2, section 2.

Subd. 3. [PREPARATION OF LOCAL ELECTION BOOKLET.] By January 1, 1993, and every two years after that date, the secretary of state shall prepare a booklet for distribution to local election officials containing election laws that are applicable to elections held at a local government election.

Sec. 3. Minnesota Statutes 1990, section 205.02, subdivision 2, is amended to read:

Subd. 2. [CITY ELECTIONS.] In all statutory and home rule charter cities, the primary, general and special elections held for choosing city officials and deciding public questions relating to the city shall be held as according to the statutes governing the state general election and the primary preceding the state general election as far as practicable, except as otherwise provided in this chapter, except that this section and sections 205.065, subdivisions 2 to 7; 205.07 to 205.121; and 205.175 and 205.185 do not apply to a city whose charter provides the manner of holding its primary, general or special elections.

Sec. 4. [205.125] [OPTIONAL PRIMARY.]

The governing body of a municipality subject to article 2, section 2, that has less than 2,500 inhabitants may elect by ordinance or resolution to hold a municipal primary on the date designated by the governing body under article 2, section 2. An ordinance or resolution under this section must be adopted at least 16 weeks before the primary day and must be effective for all ensuing elections until revoked. The governing body of the municipality shall file a copy of the ordinance or resolution with the secretary of state.

Sec. 5. [205.165] [SAMPLE BALLOTS AT EACH POLLING PLACE.]

For every election held within a municipality, the municipal clerk shall cause to be posted in each polling place a sample of every ballot to be voted upon at that polling place, including a sample of the state, county, city, school district, or other ballot that may be voted upon.

Sec. 6. Minnesota Statutes 1990, section 205.185, subdivision 2, is amended to read:

Subd. 2. [ELECTION, CONDUCT.] A municipal primary and general election shall be by secret ballot and shall be held and the returns made in the manner provided for the state general election and the primary election preceding the state general election, so far as practicable.

Sec. 7. Minnesota Statutes 1990, section 205.185, is amended by adding a subdivision to read:

Subd. 2a. [PRIMARY ELECTION RESULTS.] Within two days after the municipal primary election, the governing body of the municipality shall canvass the returns of the election, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of persons to be elected to the office and who receive the highest number of votes, are the nominees for the office named. If a tie vote causes more candidates than may be nominated to an office to receive the highest number of votes, the governing body shall determine the result by lot. The names of the nominees must be certified to the municipal clerk

who shall place them on the municipal general election ballot without payment of an additional fee.

Sec. 8. Minnesota Statutes 1990, section 205.185, subdivision 3, is amended to read:

Subd. 3. [CANVASS OF RETURNS, CERTIFICATE OF ELECTION, BALLOTS, DISPOSITION.] Within two days after ~~an~~ *the municipal general election*, the governing body shall canvass the returns and declare the results of the election. After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate. In case of a contest, the certificate shall not be issued until the outcome of the contest has been determined by the proper court. In case of a tie vote, the governing body shall determine the result by lot. The clerk shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.

Sec. 9. [205.201] [COUNTY ELECTIONS.]

Except as otherwise provided in this chapter, the statutes governing the state general election and the primary preceding the state general election govern the primary and general election for county officers.

Sec. 10. [205.208] [HOSPITAL DISTRICT ELECTIONS.]

Subdivision 1. [APPLICABLE STATUTES.] Except as otherwise provided in this chapter, the statutes governing the general election and the primary preceding the general election govern hospital district elections as far as practicable.

Subd. 2. [APPLICATION FOR CANDIDACY.] Any person desiring to be a candidate for member of a hospital board shall file with the clerk of the town or city in which the person resides an affidavit of candidacy as a member at large or member representing the town or city. Affidavits must be substantially in the same form as required for municipal elections and be filed during the time for filing prescribed by article 2, section 2, subdivision 7. The clerk of the town or city shall transmit all affidavits of candidacy for member at large or member representing the town or city to the clerk of the district.

Subd. 3. [PREPARATION OF BALLOTS.] The district clerk shall certify to the municipal clerk the names of the candidates for nomination and election as members representing the town or city and members at large. The municipal clerk shall place the names of the candidates for nomination or election as members representing the town or city or members at large on the town or city light green ballot. The hospital district shall reimburse the town or city for its pro rata share of the cost of preparing the light green ballot, as provided in the rules of the secretary of state.

Subd. 4. [ELECTION RETURNS.] For the primary and the general election, each clerk of the district shall supply to the clerk of each town and city in the district a number of blank summary statements sufficient for recording the results of the hospital district election in each precinct. Summary statements must be prepared in the manner required by the secretary of state. After counting the votes, the election judges in each precinct shall complete a summary statement supplied by the district and shall submit the completed statement to the clerk of the town or city in which the precinct is located. The clerk of each town and city shall transmit the hospital district election summary statements to the clerk of the district within 48 hours after

the closing of the polls.

Subd. 5. [CANVASSING OF RESULTS.] Upon receiving the completed summary statements containing the primary election results, the hospital board shall immediately canvass the results of the primary election and certify the names of the candidates to appear on the hospital district general election ballot. If a tie vote causes more candidates than may be nominated to an office to receive the highest number of votes, the board shall determine the result by lot. Upon receiving the summary statements containing the general election results, the board shall immediately canvass the results and issue certificates of election to the candidates receiving the highest number of votes for each office. The clerk shall deliver a certificate to the person entitled to it in person or by registered mail, and each certified person shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. In a hospital district created under section 447.31, the board may fill an office under section 447.32, subdivision 1, if the person elected to the office fails to qualify within the 30-day period, but the qualification of the person elected is effective if made at any time before action to fill the vacancy has been taken.

Subd. 6. [APPLICATION.] The election procedures in this section apply to hospital districts created under section 397.05 or 447.31.

ARTICLE 4

ELECTION LAWS; GENERAL PROVISIONS

Section 1. Minnesota Statutes 1990, section 200.02, is amended by adding a subdivision to read:

Subd. 2a. [LOCAL GOVERNMENT ELECTION.] "Local government election" means the general election of elective officers of every county, city, and school district and the elective officers of every other political subdivision of the state, except for towns, that is held on the first Tuesday after the first Monday in November, as designated under article 2, section 2, subdivision 1.

Sec. 2. Minnesota Statutes 1990, section 201.071, subdivision 1, is amended to read:

Subdivision 1. [FORM.] Registration cards shall be of suitable size and weight for mailing, and shall contain the following information in substantially the following form:

VOTER REGISTRATION CARD

(Please print or type)

- Date: School District No.
1. Name:
 Last First Middle Initial
2. Address:
 Street or Route No.

 City (or Township) County Zip
3. Telephone Number:
4. Date of birth:

Month: Day: Year:

5. Last registration if any
Street or Route Number

..... None
City (or Township) Zip

6. I certify that I will be at least 18 years old on election day and am a citizen of the United States, that I reside at the address shown and will have resided in Minnesota for 20 days immediately preceding election day, and that I am not under guardianship of the person, have not been found by a court to be legally incompetent to vote, and have not been convicted of a felony without having my civil rights restored. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both.

.....
Signature of Voter

Sec. 3. Minnesota Statutes 1990, section 201.071, subdivision 3, is amended to read:

Subd. 3. [DEFICIENT REGISTRATION.] No registration is deficient if it contains the voter's name, address, date of birth, prior registration if any and signature. The absence of a zip code number or school district number does not cause the registration to be deficient. The election judges shall request an individual to correct a registration card if it is deficient or illegible or if the name or number of the voter's school district is missing or obviously incorrect. No eligible voter may be prevented from voting unless the voter's registration card is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

A registration card accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a registration card accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient.

Sec. 4. Minnesota Statutes 1990, section 201.071, subdivision 8, is amended to read:

Subd. 8. [SCHOOL DISTRICT ASSISTANCE.] School districts shall assist county auditors in determining the school district in which a voter resides. *Voter registration cards on file on and after January 1, 1991, must have the number of the school district in which the voter resides recorded on the card and in the data base of the central registration system.*

Sec. 5. Minnesota Statutes 1990, section 203B.06, subdivision 3, is amended to read:

Subd. 3. [DELIVERY OF BALLOTS.] If an application for absentee ballots is accepted at a time when absentee ballots are not yet available for distribution, the county auditor, or municipal clerk accepting the application shall file it and as soon as absentee ballots are available for distribution shall mail them to the address specified in the application. If an application for absentee ballots is accepted when absentee ballots are available for distribution, the county auditor or municipal clerk accepting the application shall promptly:

(a) Mail the ballots to the voter whose signature appears on the application if the application is submitted by mail; or

(b) Deliver the absentee ballots directly to the voter if the application is submitted in person.

If an application does not indicate the election for which absentee ballots are sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the next election occurring after receipt of the application. Only one set of ballots may be mailed to an applicant for any election.

This subdivision does not apply to applications for absentee ballots received pursuant to sections 203B.04, subdivision 2, and 203B.11. *The auditor or municipal clerk is not required to mail or deliver a school district ballot to an applicant if the auditor or clerk cannot determine the school district in which the applicant resides.*

Sec. 6. Minnesota Statutes 1990, section 204B.14, is amended by adding a subdivision to read:

Subd. 1a. [COORDINATION WITH SCHOOL DISTRICTS.] In the course of developing precinct boundaries, the governing body shall take into account the boundaries of each school district and the boundaries of election districts, if any, within each school district located within the municipality, and shall consult with the board of each of those school districts and each municipality which includes territory of those school districts before taking final action on designating the precinct boundaries.

Sec. 7. Minnesota Statutes 1990, section 204B.18, is amended by adding a subdivision to read:

Subd. 3. [SAMPLE BALLOTS.] Each polling place must be provided with a sample ballot for every ballot to be voted upon at that polling place. The sample ballots must be posted in a prominent place in the polling place and be open to inspection by the voters during the time that the polling place is open.

Sec. 8. Minnesota Statutes 1990, section 204D.02, subdivision 1, is amended to read:

Subdivision 1. [OFFICERS.] All elective state and county officers, justices of the supreme court, judges of the court of appeals, district, county and county municipal courts, state senators and state representatives, and senators and representatives in congress shall be elected at the state general election held in the year before their terms of office expire. Presidential electors shall be chosen at the state general election held in the year before the expiration of a term of a president of the United States. County officers must be elected at the local government election for their respective counties; but, except as otherwise provided in chapter 205, the statutes governing the state general election and the primary preceding the state general election govern the primary and general election of county officers.

Sec. 9. Minnesota Statutes 1990, section 204D.02, subdivision 2, is amended to read:

Subd. 2. [TERM OF OFFICE.] The term of office of all elective state and county, city, and school district officers and of every officer of any political subdivision of the state, except towns, shall begin on the first Monday in January of the ~~odd-numbered~~ year following their election.

Sec. 10. Minnesota Statutes 1990, section 204D.11, subdivision 5, is

amended to read:

Subd. 5. [BALLOT HEADINGS.] The white, pink and special federal white ballot shall be headed with the words "State General Election Ballot." The canary ballot shall be headed with the words "County and ~~Judicial District~~ Nonpartisan General Election Ballot."

Sec. 11. Minnesota Statutes 1990, section 204D.16, is amended to read:

204D.16 [SAMPLE GENERAL ELECTION BALLOTS; POSTING; PUBLICATION.]

Two weeks before ~~the state general~~ *an election at which the white, pink, or canary ballots are to be cast*, the county auditor shall prepare sample copies of ~~the white and canary ballots each ballot to be cast~~ and shall post copies of these sample ballots and ~~a sample of the pink ballot~~ in the auditor's office for public inspection. No earlier than 15 days and no later than two days before ~~the state general~~ *an election* the county auditor shall cause ~~the sample white and canary ballots each ballot to be published~~ in at least one newspaper of general circulation in the county. *The auditor shall also supply each municipal clerk in the county with a sufficient number of samples of the white ballot and, before the local government election, the canary ballot, so that one copy of each sample ballot may be posted at each polling place in every municipality in the county. The county auditor shall cause to be posted in each polling place in an unorganized territory in the county a sample ballot of every ballot to be voted upon at that polling place, including a sample school district ballot.*

Sec. 12. Minnesota Statutes 1990, section 205.13, subdivision 6, is amended to read:

Subd. 6. [WITHDRAWAL.] A candidate for a municipal elective office may withdraw from the election by filing an affidavit of withdrawal with the municipal clerk by ~~42 o'clock noon~~ *5:00 p.m.* of the day after the last day for filing affidavits of candidacy. Thereafter, no candidate may file an affidavit of withdrawal.

Sec. 13. Minnesota Statutes 1990, section 205A.02, is amended to read:

205A.02 [ELECTION LAW APPLICABLE.]

Except as provided in this chapter, the Minnesota election law applies to school district elections, as far as practicable. ~~Elections in common school districts shall be governed by section 423.11.~~

Sec. 14. Minnesota Statutes 1990, section 205A.06, subdivision 5, is amended to read:

Subd. 5. [WITHDRAWAL.] A candidate for a school district elective office may withdraw from the election by filing an affidavit of withdrawal with the school district clerk by ~~42:00 noon~~ *5:00 p.m.* of the day after the last day for filing affidavits of candidacy. After that date, no candidate may file an affidavit of withdrawal.

ARTICLE 5

ORGANIC LAWS; SOIL AND WATER CONSERVATION DISTRICTS,
SCHOOL DISTRICTS, PARK DISTRICTS, HOSPITAL DISTRICTS,
COUNTIES, COUNTY AND MUNICIPAL COURTS,
HOME RULE CHARTER CITIES

Section 1. Minnesota Statutes 1990, section 122.23, subdivision 12, is amended to read:

Subd. 12. The school board shall determine the date of the election, the number of boundaries of voting precincts, and the location of the polling places where voting shall be conducted, and the hours the polls will be open. The school board shall also provide official ballots which shall be used exclusively and shall be in the following form:

For consolidation

Against consolidation

The school board shall appoint three election judges for each polling place who shall act as clerks of election. ~~The school board may pay these election judges not to exceed \$1 per hour. The election judges must be compensated as provided in section 204B.31.~~ The ballots and results shall be certified to the school board who shall canvass and tabulate the total vote cast for and against the proposal.

Sec. 2. Minnesota Statutes 1990, section 122.23, subdivision 17, is amended to read:

Subd. 17. If all of the territory of one and only one independent district maintaining a secondary school is included in the new independent district, the board of that previously existing independent district shall assume the duties and responsibilities of the board of the newly organized district for the balance of the term to which the members were elected. At the next ~~annual~~ school district general election the successors to the members whose terms then expire shall be elected by the legally qualified voters of the newly organized district. Thereafter, board members shall be elected according to the election procedure established for the election of board members in independent districts.

Sec. 3. Minnesota Statutes 1990, section 122.23, subdivision 18, is amended to read:

Subd. 18. (a) If no board is provided for under the foregoing provision, upon receipt of the assigned identification number, the county auditor shall determine a date, not less than 20 nor more than 60 days from the date of the receipt of the assigned identification number, upon which date shall be held a special election in the district for the purpose of electing a board of six members for terms as follows: ~~two~~

(1) for school districts that designated biennial elections under article 2, section 2, three until the July 1 one year after the effective date of the consolidation; two until the expiration of one year from said July 1; and two until the expiration of two years from said July 1; to hold first Monday in January following the next school district general election and three until the first Monday in January following the second succeeding school district general election; and

(2) for school districts that designated annual elections under article 2, section 2, three until the first Monday in January following the second succeeding annual school district election, and three until the first Monday in January following the third succeeding annual school district election. A member holds office until a successor is elected and qualifies according to provisions of law governing the election of board members in independent districts. If the resolution or petition for consolidation pursuant to subdivision 2 proposed that the board of the newly created district consists of seven members, then seven members shall be elected at this election for the terms provided in this clause except that ~~three~~ four members shall hold office until the expiration of two years from ~~said July 4~~ the first Monday in January following the next school district general election for school districts with biennial elections. For school districts of seven members with annual elections, two members shall hold office until the expiration of two years from the first Monday in January following the next annual election, and two members shall hold office until the expiration of three years from the first Monday in January following the second succeeding annual election. If the resolution or petition for consolidation pursuant to subdivision 2 proposed the establishment of separate election districts, these members shall be elected from separate election districts according to the provisions of that resolution or petition and of chapter 205A.

(b) The county auditor shall give ten days' posted notice of election in the area in which the election is to be held and also if there be a newspaper published in the proposed new district, one weeks' published notice shall be given. The notice shall specify the time, place, and purpose of the election.

(c) ~~The county may pay the election judges not to exceed \$1 per hour for their services. Election judges must be compensated in the manner provided in section 204B.31.~~

(d) Any person desiring to be a candidate for a school election shall file an ~~application~~ affidavit of candidacy with the county auditor to have the applicant's name placed on the ballot for such office, specifying the term for which the ~~application~~ affidavit is made. The ~~application~~ affidavit shall be filed ~~not less than 12 days before the election during the period specified in article 2, section 2, subdivision 7.~~

(e) The county auditor shall prepare, at the expense of the county, necessary ballots for the election of officers, placing thereon the names of the proposed candidates for each office. The ballots shall be marked and signed as official ballots and shall be used exclusively at the election. The county auditor shall determine the number of voting precincts and the boundaries of each. The county auditor shall determine the location of polling places and the hours the polls shall be open and shall appoint three election judges for each polling place who shall act as clerks of election. Election judges shall certify ballots and results to the county auditor for tabulation and canvass.

(f) After making a canvass and tabulation, the county auditor shall issue a certificate of election to the candidate for each office who received the largest number of votes cast for the office. The county auditor shall deliver such certificate to the person entitled thereto by certified mail, and each person so certified shall file an acceptance and oath of office with the county auditor within 30 days of the date of mailing of the certificate. A person who fails to qualify prior to the time specified shall be deemed to have refused to serve, but such filing may be made at any time before action to fill vacancy has been taken.

(g) The board of each district included in the new enlarged district shall continue to maintain school therein until the effective date of the consolidation. Such boards shall have power and authority only to make such contracts, to do such things as are necessary to maintain properly the schools for the period prior to that date, and to certify to the county auditor according to levy limitations applicable to the component districts the taxes collectible in the calendar year when the consolidation becomes effective.

(h) It shall be the immediate duty of the newly elected board of the new enlarged district, when the members thereof have qualified and the board has been organized, to plan for the maintenance of the school or schools of the new district for the next school year, to enter into the necessary negotiations and contracts for the employment of personnel, purchase of equipment and supplies, and other acquisition and betterment purposes, when authorized by the voters to issue bonds under the provisions of chapter 475; and on the effective date of the consolidation to assume the full duties of the care, management and control of the new enlarged district. The board of the new enlarged district shall give due consideration to the feasibility of maintaining such existing attendance centers and of establishing such other attendance centers, especially in rural areas, as will afford equitable and efficient school administration and assure the convenience and welfare of the pupils residing in the enlarged district. The obligations of the new board to teachers employed by component districts shall be governed by the provisions of section 122.532.

Sec. 4. Minnesota Statutes 1990, section 122.25, subdivision 2, is amended to read:

Subd. 2. At the annual meeting, if a majority of the votes cast on the question favors the conversion to an independent district, a board of six members shall be elected. Nominations may be made from the floor of the meeting and election shall be by secret ballot. All board members elected at this meeting shall serve for terms expiring on the ~~third Tuesday in May next~~ *first Monday in January* following the ~~next biennial school district general election on which date a regular annual election shall be held in the manner provided by law or following the second succeeding annual school district general election.~~ *next annual school district general election for independent districts*. At this ~~first annual~~ election, six directors shall be elected, ~~two three~~ *two* to hold office until ~~July 1~~ *the first Monday in January* following the next ~~annual~~ school district general election, two to hold office ~~until the expiration of one year from said July 1 and two to hold office until the expiration of two years from said July 1 for a term of two years and three for a term of four years;~~ the time which each director shall hold office being designated on the ballot.

Sec. 5. Minnesota Statutes 1990, section 123.34, subdivision 1, is amended to read:

Subdivision 1. Within ten days after the election of the first board in independent districts and annually thereafter on ~~July 1~~ *the first Monday in January*, or as soon thereafter as practicable, the board shall meet and organize by selecting a chair, clerk, and a treasurer, who shall hold their offices for one year and until their successors are selected and qualify. The persons who perform the duties of the clerk and treasurer need not be members of the board and the board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs. They may appoint a superintendent who shall be ex officio a member of the board, but not entitled to vote therein. ~~In districts in which~~

board members are elected at the general election in November, the annual meeting of the board shall be held on the first Monday of January or as soon thereafter as practicable.

Sec. 6. Minnesota Statutes 1990, section 123.351, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] Two or more independent school districts may enter into an agreement to establish a cooperative center to provide for vocational education and other educational services upon the vote of a majority of the full membership of each of the boards of the districts entering into the agreement. When a resolution approving this action has been adopted by the board of a district, the resolution shall be published once in a newspaper of general circulation in the district. If a petition for referendum on the question of the district entering into the agreement, containing signatures of qualified voters of the district equal to five percent of the number of voters at the last school district general election, is filed with the clerk of the board within 60 days after publication of the resolution, the board shall not enter into the agreement until the question has been submitted to the voters of the district at a ~~special~~ *the next school district general election*. This election shall be conducted and canvassed in the same manner as school district general elections. If a majority of the total number of votes cast on the question within the district is in favor of the proposition, the board may enter into an agreement to establish the center for purposes described in this section.

Sec. 7. Minnesota Statutes 1990, section 123.351, subdivision 3, is amended to read:

Subd. 3. [GOVERNING BOARD.] (a) The center shall be operated by a center board of not less than five members which shall consist of members from school boards of each of the participating school districts within the center, appointed by their respective school boards. Each participating school district shall have at least one member on the board. The board shall choose an administrative officer to administer board policy and directives who shall serve as an ex officio member of the board but shall not have a vote.

(b) The terms of office of the first members of the board shall be determined by lot as follows: one-third of the members for one year, one-third for two years, and the remainder for three years, all terms to expire on ~~June 30~~ *the first Monday in January* of the appropriate year; provided that if the number of members is not evenly divisible by ~~three~~ *two*, the membership will be as evenly distributed as possible among one, two and three year terms with the remaining members serving the three year term. Thereafter the terms shall be for three years commencing on ~~July 1~~ *the first Monday in January of each* the appropriate year. If a vacancy occurs on the center board, it shall be filled by the appropriate school board within 90 days. A person appointed to the center board shall qualify as a board member by filing with the chair a written certificate of appointment from the appointing school board.

(c) The first meeting of a center board shall be at a time mutually agreed upon by board members. At this meeting, the center board shall choose its officers and conduct any other necessary organizational business. Thereafter the center board shall meet on the first of ~~July~~ *Monday in January* of each year or as soon thereafter as practicable pursuant to notice sent to all center board members by the chief executive officer of the center.

(d) The officers of the center board shall be a chair, vice-chair, clerk and treasurer, no two of whom when possible shall be from the same school district. The chair shall preside at all meetings of the center board except in the chair's absence the vice-chair shall preside. The clerk shall keep a complete record of the minutes of each meeting and the treasurer shall be the custodian of the funds of the center. Insofar as applicable, sections 123.33 and 123.34, shall apply to the board and officers of the center.

(e) Each participating school district shall have equal voting power with at least one vote. A majority of the center board shall be a quorum. Any motion other than adjournment shall pass only upon receiving a majority of the votes of the entire center board.

Sec. 8. Minnesota Statutes 1990, section 128.01, subdivision 3, is amended to read:

Subd. 3. [STAGGERED ELECTIONS.] Three school board members are elected at one ~~state school district~~ general election and two are elected at the next ~~state school district~~ general election.

Sec. 9. Minnesota Statutes 1990, section 375.03, is amended to read:

375.03 [TERM OF COMMISSIONERS.]

In each new county, and in each county that has an increase of the number of commissioners, a commissioner shall be elected *at the next county general election* from each odd-numbered district for a term of two years, and from each even-numbered district for a term of four years. Thereafter all commissioners shall be elected for a term of four years, except that elections to fill vacancies shall be for the unexpired term only. In counties having a population of more than 150,000, every commissioner, before beginning duties, shall give bond to the state in the sum of \$10,000, with a legally authorized surety company as surety, conditioned for the faithful performance of official duties. The bond shall be approved by a judge of the district court, and together with the oath of office and certificate of election, be filed with the county recorder. The premium on the bond shall not exceed that prescribed by law for county treasurers, and shall be paid by the county.

Sec. 10. Minnesota Statutes 1990, section 375.101, is amended by adding a subdivision to read:

Subd. 1a. [MANNER OF FILING.] A vacancy must be filled by the board of commissioners. If the vacancy occurs before the first day to file affidavits of candidacy for the next county general election and more than two years remain in the unexpired term, a special election must be held at the next county general election and the appointed person shall serve until the qualification of the successor elected at that special election to fill the unexpired portion of the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for the county general election or when less than two years remain in the unexpired term, there must be no special election to fill the vacancy and the appointed person shall serve until the qualification of a successor elected at the next county general election.

Sec. 11. Minnesota Statutes 1990, section 382.01, is amended to read:

382.01 [OFFICERS ELECTED; TERMS.]

In every county in this state there shall be elected at the general election in 1918 a The election of the county auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner, and surveyor, if elected, must

be held at the local government election designated under article 2, section 2.

The terms of office of these officers shall be four years and shall begin on the first Monday in January next succeeding their election. They shall hold office until their successors are elected and qualified. ~~These offices shall be filled by election every four years thereafter.~~

Sec. 12. Minnesota Statutes 1990, section 397.06, is amended to read:

397.06 [DISTRICT HOSPITAL BOARDS.]

The board or boards of county commissioners may also authorize and direct the construction and equipment of a district hospital in any such district, to be constructed, equipped and operated under the supervision of a district hospital board comprising one member from each city and town in the district elected by the voters at the ~~respective regular local elections thereof~~ *election held at the local government election designated under article 2, section 2*, for a term of ~~three~~ four years or until a successor has been elected and has qualified, commencing on the first ~~day of April next Monday in January~~ following the election. When the district is first created, the governing body of each ~~such~~ city and town shall appoint a member of the board to serve until the commencement of the term of a successor. Thereafter whenever a vacancy occurs, the governing body of the city or town affected shall appoint a member to serve until ~~April + the first Monday in January~~ following the next ~~regular municipal or town local government election day~~, when a successor shall be elected for a full ~~three-year~~ four-year term. *Procedures for election of board members must be as provided in article 3, section 10.*

Sec. 13. Minnesota Statutes 1990, section 397.07, is amended to read:

397.07 [ANNUAL MEETINGS OF BOARDS.]

The annual meetings of the hospital board shall be in ~~April~~ January of each year, at which time the members shall elect from among themselves a chair and a clerk for a term of one year.

Sec. 14. Minnesota Statutes 1990, section 398.04, is amended to read:

398.04 [ELECTION OF COMMISSIONERS.]

Except in the case of the first boards and when vacancies occur before the expiration of a term, park district commissioners shall be elected without party designation at the same time and in the same manner as county commissioners. In single county park districts the three commissioners at large shall be elected by all the qualified voters in the park district while the successors in office to the four commissioners representing the four election districts, whether appointed, candidates for election or elected, must reside when appointed or elected and while serving, in the election district which they represent and shall be elected by the qualified voters residing in such district. Park district commissioners shall be elected for terms of four years or until their respective successors are elected and qualify, except where a commissioner is being elected to finish out an unexpired term when election shall be for the balance of such term. Vacancies resulting from the death, resignation or removal of a commissioner shall be filled by appointment by the board of county commissioners, such appointment to be effective only until the first Monday in January following the next *county* general election or until a successor has been elected and

qualifies for office. The four commissioners representing the election districts shall be elected at the first *county* primary and general elections after the activation of the district and each four years thereafter and the commissioners elected at large shall be elected at the second *county* primary and general election after such activation and each four years thereafter. The terms of elected commissioners shall commence on the first Monday in January following their election.

Sec. 15. Minnesota Statutes 1990, section 410.21, is amended to read:
410.21 [APPLICATION OF GENERAL ELECTION LAWS.]

Except as otherwise provided in article 2, section 2, the provisions of any charter of any such city adopted pursuant to this chapter shall be valid and shall control as to nominations, primary elections, and elections for municipal offices, notwithstanding that such charter provisions may be inconsistent with any general law relating thereto, and such general laws shall apply only in so far as consistent with such charter.

Sec. 16. Minnesota Statutes 1990, section 412.02, subdivision 2, is amended to read:

Subd. 2. Terms of elective officers shall commence on the first ~~business day~~ *Monday* of January following the election at which the officer is chosen. All officers chosen and qualified as such shall hold office until their successors qualify.

Sec. 17. Minnesota Statutes 1990, section 412.021, subdivision 2, is amended to read:

Subd. 2. [OFFICERS TO BE ELECTED.] There shall be elected at the election a mayor for a term expiring the first ~~business day~~ *Monday* of January ~~of following the next odd-numbered year~~ *first local government election for the city* and four or six council members, for terms so arranged that half expire the first ~~business day~~ *Monday* of January ~~of following the next odd-numbered year~~ *first local government election for the city* and half the first ~~business day~~ *Monday* of January ~~of following the second odd-numbered year~~ *local government election for the city*. No candidate for council member shall run for a particular term but the number of years in the term of each successful candidate shall be determined by the relative standing among the candidates for office, the longest terms going to the half of the elected candidates who received the highest number of votes. ~~If the election occurs in the last four months of the even-numbered year, no election shall be held in the city on the annual city election day that year, and the next following year shall be disregarded in fixing the expiration of terms of officers chosen under this subdivision at the initial election.~~

Sec. 18. Minnesota Statutes 1990, section 412.571, subdivision 5, is amended to read:

Subd. 5. [ABANDONMENT; INCUMBENT CLERK AND TREASURER TRANSITION.] When any optional plan is abandoned and the standard form of city government is resumed, the office of clerk, or clerk-treasurer shall remain appointive until the first ~~business day~~ *Monday* in January following the next ~~regular city~~ *municipal general* election and the office of treasurer, if there is no clerk-treasurer, shall remain appointive until the first ~~business day~~ *Monday* in January following the first subsequent ~~city~~ *municipal general* election at which the clerk is not elected; and the successor to the incumbent clerk, clerk-treasurer, and treasurer shall

be chosen at the ~~regular city municipal general~~ election immediately preceding the January in which the office becomes elective.

Sec. 19. Minnesota Statutes 1990, section 447.32, subdivision 1, is amended to read:

Subdivision 1. [TERMS OF OFFICE.] Each hospital district shall be governed by a hospital board composed of one member elected from each city and town in the district and one member elected at large. A member's term of office is four years and until a successor qualifies. At the first election, however, members must be elected for terms set by the governing body calling the election, so that half the terms, as nearly as may be, expire on ~~December 31~~ *the first Monday in January* of the next even-numbered year and the remaining terms expire two years from that date. After that, before a member's term expires, a new member shall be elected for a term of four years from the expiration date.

If a member dies, resigns, fails to qualify, or moves from the hospital district, a successor may be appointed by a majority of the remaining members of the board. The successor shall hold office until ~~December 31~~ *the first Monday in January* after the next ~~regular~~ hospital district general election. At the election a successor must be elected to fill the unexpired term.

When an additional city or town is annexed to the district, in accordance with section 447.36, its governing body shall by resolution appoint a member to the board. The member shall hold office until ~~December 31~~ *the first Monday in January* after the next ~~regular~~ hospital district general election. At the election a successor must be elected for a term of either two or four years, to be set by the hospital board so that the number of members of the board whose terms expire in any later year will not exceed one-half of the members plus one.

Sec. 20. Minnesota Statutes 1990, section 447.32, subdivision 2, is amended to read:

Subd. 2. [ELECTIONS.] ~~Regular elections~~ *A general election* must be held in each hospital district at the ~~same time local government election day designated by the hospital board,~~ in the same election precincts, and at the same polling places as general elections of state and county officers. ~~Alternatively, the hospital board may by resolution fix a date for an election, not later than December 7 just before the expiration of board members' terms. It~~ *The hospital board* may establish the whole district as a single election precinct or establish two or more different election precincts and polling places for the elections. If there is more than one precinct, the boundaries of the election precincts and the locations of the polling places must be defined in the notice of election, either in full or by reference to a description or map on file in the office of the clerk.

Special elections may be called by the hospital board at any time, *except as otherwise provided by article 2, section 2, subdivision 3, or other law,* to vote on any matter required by law to be submitted to the voters. Special elections must be held within the election precinct or precincts and at the polling place or places designated by the board. In the case of the first election of officers of a new district, precincts and polling places must be set by the governing body of the most populous city or town included in the district.

Advisory ballots may be submitted by the hospital board on any question

it wishes, concerning the affairs of the district, but only at a ~~regular~~ hospital district general election or at a special election required for another purpose.

ARTICLE 6

OTHER PROVISIONS

Section 1. [205.012] [LOCAL GOVERNMENT ELECTION; IMPLEMENTATION.]

Subdivision 1. [ELECTION PROHIBITED ON OTHER DAYS; FIRST LOCAL GOVERNMENT ELECTION.] No general election of any of the officers described in article 2, section 2, subdivision 2, may be held after August 1, 1992, unless it is held at the local government election designated by the governing body of the respective political subdivision and in accordance with the provisions of this act. For a political subdivision that designates the even-numbered year for its local government election or designates annual elections, the first election must be held November 6, 1992, and the first primary to select nominees for the offices to be filled at that election must be held September 14, 1992. For a political subdivision that designates the odd-numbered year for its local government election, the first election must be held November 5, 1993, and the first primary to select nominees for the offices to be filled at that election must be held September 13, 1993.

The governing body of each political subdivision subject to article 2, section 2, subdivisions 2 and 3, shall designate in ordinance or resolution adopted by December 1, 1991, either the odd-numbered year, the even-numbered year, or annually, for its local government election.

Subd. 2. [TERMS ALTERED; ODD-NUMBERED YEAR ELECTION.]

(a) In a political subdivision that designates the odd-numbered year for its local government election, pursuant to article 2, section 2, the terms of elected officers must be altered as provided by this subdivision.

(b) The terms of all county officers that would otherwise expire on the first Monday of January in 1993 and 1995 are extended until the first Monday of January in 1994 and 1996 respectively, effective July 1, 1993.

(c) The terms of all elective statutory city officers that would otherwise expire on the first business day of January in 1994, expire instead on the first Monday of January in 1994. The terms of statutory city officers that would otherwise expire on the first business day of January in 1993, expire instead on the first Monday of January in 1994.

(d) The terms of all independent school district board members that would otherwise expire on July 1, 1993, expire instead on the first Monday of January of 1994; terms of members that otherwise expire on July 1, 1994, expire instead on the first Monday of January in 1994; and the terms of members that otherwise would expire on July 1, 1995, expire instead on the first Monday of January in 1996.

(e) The governing body of a home rule charter city by ordinance adopted before December 1, 1991, may extend or reduce the term of an elective city officer whose term ends on a different date to the first Monday of January of an even-numbered year. The governing body shall, in that ordinance, designate a new term of an even number of years for an officer who would otherwise be elected to a term of an odd number of years and may designate a new term of four years for an officer who would otherwise be elected for a term of two years.

For a home rule charter city that does not adopt an ordinance as provided in this subdivision before December 1, 1991, the terms of elective city officers must be extended or shortened automatically, effective December 1, 1991, as follows:

(1) the term of an officer that ends on a date other than the first Monday in January of an even-numbered year must be extended to the first Monday in January of the even-numbered year first following the date the term would otherwise expire unless this extension would be more than 13 months. If the extension would be more than 13 months, the term must be shortened to the first Monday in January of the even-numbered year first preceding the date the term would otherwise expire; and

(2) every term of an odd number of years to which any officer would otherwise be elected must be changed to a term of an even number of years, one year longer than the term otherwise provided.

(f) The term of an elective officer of a political subdivision required to hold the general election of its officers at the local government election, which term is not extended or reduced under paragraphs (b) to (e), and which ends on a date different from the first Monday in January of an even-numbered year, is extended or reduced under paragraph (e), clause (1), effective August 1, 1992. Every term of an odd number of years to which any officer of one of those political subdivisions may otherwise be elected, which term is not changed under paragraphs (b) to (e), is changed to a term of an even number of years, one year longer than would otherwise be provided.

Subd. 3. [TERMS ALTERED; EVEN-NUMBERED YEAR ELECTION.] (a) In a political subdivision that designates the even-numbered year for its local government election and that did not hold the general election of its elected officers on the first Tuesday after the first Monday in November of even-numbered years prior to the effective date of this article, the terms of elected officials must be altered as provided by this subdivision.

(b) The terms of all elective statutory city officers that would otherwise expire on the first business day of January in 1992, expire instead on the first Monday of January in 1993.

(c) The terms of all independent school district board members that would otherwise expire on July 1, 1993, expire instead on the first Monday of January in 1993; terms of members that otherwise expire on July 1, 1994, expire instead on the first Monday of January in 1993; and the terms of members that otherwise would expire on July 1, 1995, expire instead on the first Monday of January in 1995.

(d) The governing body of a home rule charter city by ordinance adopted before December 1, 1991, may extend or reduce the term of an elective city officer whose term ends on a different date to the first Monday of January of an odd-numbered year. The governing body shall, in that ordinance, designate a new term of an even number of years for an officer who would otherwise be elected to a term of an odd number of years and may designate a new term of four years for an officer who would otherwise be elected for a term of two years.

For a home rule charter city that does not adopt an ordinance as provided in this subdivision before December 1, 1991, the terms of elective city officers must be extended or shortened automatically, effective December 1, 1991, as follows:

(1) the term of an officer that ends on a date other than the first Monday in January of an odd-numbered year must be extended to the first Monday in January of the odd-numbered year first following the date the term would otherwise expire, unless this extension would be more than 13 months. If the extension would be more than 13 months, the term must be shortened to the first Monday in January of the odd-numbered year first preceding the date the term would otherwise expire; and

(2) every term of an odd number of years to which any officer would otherwise be elected must be changed to a term of an even number of years, one year longer than the term otherwise provided.

(e) The term of an elective officer of a political subdivision required to hold the general election of its officers at the local government election, which term is not extended or reduced under paragraphs (b) to (d), and which ends on a date different from the first Monday in January of an odd-numbered year, is extended or reduced under paragraph (d), clause (1), effective August 1, 1992. Every term of an odd number of years to which any officer of one of those political subdivisions may otherwise be elected, which term is not changed under paragraphs (b) to (d), is changed to a term of an even number of years, one year longer than would otherwise be provided.

Subd. 4. [TERMS UNCHANGED; EVEN-NUMBERED YEAR ELECTION.] There must be no change in the length of terms of elected officials in any political subdivision required to hold the general election of its elected officials at a local government election under article 2, section 2, if the political subdivision:

(1) held the general election of its elected officials on the first Tuesday after the first Monday in November of even-numbered years before the effective date of this article; and

(2) designates the even-numbered year for the general election of its elected officials after August 1, 1992.

Subd. 5. [MODIFICATIONS PERMITTED FOR STAGGERED TERMS.] The governing body of a political subdivision required to hold its general election at the local government election, except a county, may provide, by ordinance or resolution adopted at least 30 days before the opening of filings for any affected office, that members of an elected body or other officers of the subdivision may be elected for a different term than is otherwise provided, to achieve staggered terms for the members of that body or other officers. With respect to the members of an elected body, an ordinance or resolution adopted under this subdivision must require that, to the extent mathematically possible, the same number of persons is chosen at each election, exclusive of those chosen to fill vacancies for the unexpired terms. This subdivision is repealed August 1, 1995.

Subd. 6. [PURPOSE.] It is the purpose of this section to implement article 2, section 2, by requiring the adjustment of terms, postponement of certain elections, and other procedures. To the extent inconsistent with this purpose, all general and special laws and municipal charter provisions providing otherwise are superseded. In all other respects, those laws and charter provisions continue in full force and effect.

Sec. 2. [REVISOR'S INSTRUCTION.]

The revisor of statutes shall examine Minnesota Statutes to determine

whether any coded sections of law have been superseded by this act and prepare appropriate amendments of coded sections in revisor's bills submitted in 1992 and thereafter.

Sec. 3. [APPROPRIATION.]

\$ is appropriated from the general fund to the secretary of state to carry out the duties prescribed by article 3, section 2. This appropriation does not lapse but is available for expenditure until June 30, 1993.

Sec. 4. [REPEALER.]

Minnesota Statutes 1990, sections 123.11, subdivisions 2, 3, 4, 5, and 6; 200.015; 204D.28, subdivision 5; 205.065, subdivisions 1, 2, 3, 4, 5, 6, and 7; 205.07; 205.10; 205.121; 205.175; 205.18, subdivisions 1 and 2; 205.20; 206.76; 375.101, subdivisions 1 and 2; 447.32, subdivisions 3 and 4, are repealed. Article 6, section 1, subdivision 5, is repealed effective August 1, 1995.

Sec. 5. [EFFECTIVE DATE.]

Article 3, section 2; and article 4, sections 2, 3, 4, and 6, are effective August 1, 1991. All other sections of this act are effective August 1, 1993."

Delete the title and insert:

"A bill for an act relating to elections; limiting certain special elections; setting times and procedures for certain boundary changes; changing requirements for polling places; requiring the designation of a local government election for election of county, municipal, and school district officers, and officers of all other political subdivisions except towns; requiring that certain questions be voted on only at the local government election for the political subdivision; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; superseding certain inconsistent general and special laws and home rule charter provisions; appropriating money; amending Minnesota Statutes 1990, sections 122.23, subdivisions 12, 17, and 18; 122.25, subdivision 2; 123.34, subdivision 1; 123.351, subdivisions 1 and 3; 128.01, subdivision 3; 200.02, by adding a subdivision; 201.071, subdivisions 1, 3, and 8; 203B.06, subdivision 3; 204B.135, by adding a subdivision; 204B.14, subdivisions 3, 4, 6, and by adding a subdivision; 204B.16, subdivisions 1 and 2; 204B.18, by adding a subdivision; 204D.02, subdivisions 1 and 2; 204D.11, subdivision 5; 204D.16; 205.02, subdivision 2; 205.13, subdivision 6; 205.185, subdivisions 2, 3, and by adding a subdivision; 205.84, subdivision 2; 205A.02; 205A.06, subdivision 5; 205A.12, subdivision 6; 375.03; 375.101, by adding a subdivision; 382.01; 397.06; 397.07; 398.04; 410.21; 412.02, subdivision 2; 412.021, subdivision 2; 412.571, subdivision 5; and 447.32, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 205; repealing Minnesota Statutes 1990, sections 123.11, subdivisions 2, 3, 4, 5, and 6; 200.015; 204D.28, subdivision 5; 205.065, subdivisions 1, 2, 3, 4, 5, 6, and 7; 205.07; 205.10; 205.121; 205.175; 205.18, subdivisions 1 and 2; 205.20; 206.76; 375.101, subdivisions 1 and 2; and 447.32, subdivisions 3 and 4."

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. 1119: A bill for an act relating to insurance; the Minnesota comprehensive health insurance plan; regulating meetings and experimental delivery and managed care delivery methods; authorizing preferred provider networks; classifying PPO agreement data; regulating access; amending Minnesota Statutes 1990, sections 62E.10, subdivisions 4 and 9; 62E.12; 62E.13, by adding a subdivision; and 62E.14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62E.

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 13.71, is amended by adding a subdivision to read:

Subd. 7. [CLASSIFICATION OF PPO AGREEMENT DATA.] Data described in section 62E.13, subdivision 11, is nonpublic data.

Sec. 2. Minnesota Statutes 1990, section 62E.08, is amended by adding a subdivision to read:

Subd. 3. [DETERMINATION OF RATES.] Premium rates under this section must be determined annually. These rates are effective July 1 of each year and must be based on a survey of approved rates of insurers in effect, or to be in effect, on April 1 of the same calendar year.

Sec. 3. Minnesota Statutes 1990, section 62E.10, subdivision 4, is amended to read:

Subd. 4. [OPEN MEETINGS.] All meetings of the association, its board, and any committees of the association shall comply with the provisions of section 471.705, except that during any portion of a meeting during which an enrollee's appeal of an action of the writing carrier is being heard, that portion of the meeting must be closed at the enrollee's request.

Sec. 4. Minnesota Statutes 1990, section 62E.10, subdivision 9, is amended to read:

Subd. 9. [EXPERIMENTAL DELIVERY METHOD.] The association may petition the commissioner of commerce for a waiver to allow the experimental use of alternative means of health care delivery. The commissioner may approve the use of the alternative means the commissioner considers appropriate. The commissioner may waive any of the requirements of this chapter and chapters 60A, 62A, and 62D in granting the waiver. The commissioner may also grant to the association any additional powers as are necessary to facilitate the specific waiver, including the power to implement a provider payment schedule.

This subdivision is effective until August 1, ~~1994~~ 1992.

Sec. 5. [62E.101] [MANAGED CARE DELIVERY METHOD.]

The association may form a preferred provider network or contract with an existing provider network to deliver the services and benefits provided for in the plans of health coverage offered. If the association does not contract with an existing provider network, the association may adopt a provider payment schedule and negotiate provider payment rates subject to the approval of the commissioner.

Sec. 6. Minnesota Statutes 1990, section 62E.12, is amended to read:

62E.12 [MINIMUM BENEFITS OF COMPREHENSIVE HEALTH INSURANCE PLAN.]

The association through its comprehensive health insurance plan shall offer policies which provide the benefits of a number one qualified plan, a number two qualified plan and a ~~qualified basic and extended basic medicare supplement plan plans~~. *The requirement that a policy issued by the association must be a qualified plan is satisfied if the association contracts with a preferred provider network and the level of benefits for services provided within the network satisfies the requirements of a qualified plan. If the association uses a preferred provider network, payments to nonparticipating providers must meet the minimum requirements of section 72A.20, subdivision 15.* They shall offer health maintenance organization contracts in those areas of the state where a health maintenance organization has agreed to make the coverage available and has been selected as a writing carrier. Notwithstanding the provisions of section 62E.06 the state plan shall exclude coverage of services of a private duty nurse other than on an inpatient basis and any charges for treatment in a hospital located outside of the state of Minnesota in which the covered person is receiving treatment for a mental or nervous disorder, unless similar treatment for the mental or nervous disorder is medically necessary, unavailable in Minnesota and provided upon referral by a licensed Minnesota medical practitioner.

Sec. 7. Minnesota Statutes 1990, section 62E.13, is amended by adding a subdivision to read:

Subd. 11. [CLASSIFICATION OF PPO AGREEMENT DATA.] If the writing carrier utilizes its own provider agreements for the association's preferred provider network in lieu of agreements exclusively between the association and the providers, then the terms and conditions of those agreements shall be nonpublic data pursuant to chapter 13.

Sec. 8. Minnesota Statutes 1990, section 62E.14, is amended by adding a subdivision to read:

Subd. 4c. [WAIVER OF PREEXISTING CONDITIONS FOR PERSONS WHOSE COVERAGE IS TERMINATED OR WHO EXCEED THE MAXIMUM LIFETIME BENEFIT.] A Minnesota resident may enroll in the comprehensive health plan with a waiver of the preexisting condition limitation described in subdivision 3 if that person applies for coverage within 90 days of termination of prior coverage and if the termination is for reasons other than fraud or nonpayment of premiums.

For purposes of this subdivision, termination of prior coverage includes exceeding the maximum lifetime benefit of existing coverage.

Coverage in the comprehensive health plan is effective on the date of termination of prior coverage. The availability of conversion rights does not affect a person's rights under this subdivision.

This section does not apply to prior coverage provided under policies designed primarily to provide coverage payable on a per diem, fixed indemnity, or nonexpense incurred basis, or policies providing only accident coverage.

Sec. 9. [EFFECTIVE DATE.]

Sections 3 to 8 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to insurance; the Minnesota comprehensive health insurance plan; regulating premium determinations, meetings, and experimental delivery and managed care delivery methods; authorizing preferred provider networks; classifying PPO agreement data; regulating access; amending Minnesota Statutes 1990, sections 13.71, by adding a subdivision; 62E.08, by adding a subdivision; 62E.10, subdivisions 4 and 9; 62E.12; 62E.13, by adding a subdivision; and 62E.14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62E."

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. 1211: A bill for an act relating to human services; Minnesota comprehensive health association; clarifying the calculation of contributing members' share of expenses; excluding medical assistance and general assistance medical care payments from the calculation; amending Minnesota Statutes 1990, section 62E.11, subdivision 5.

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

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

S.F. No. 366: A bill for an act relating to insurance; changing the makeup of the board of the Minnesota comprehensive health insurance association; requiring notice and a public hearing for rate increases or benefit changes to the Minnesota comprehensive health insurance plan; providing for waiver of the preexisting condition rule applicable to the Minnesota comprehensive health insurance plan under certain circumstances; amending Minnesota Statutes 1990, sections 62E.10, subdivision 2, and by adding a subdivision; 62E.11, by adding a subdivision; and 62E.14, subdivision 3.

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 62E.10, subdivision 2, is amended to read:

Subd. 2. [BOARD OF DIRECTORS; ORGANIZATION.] The board of directors of the association shall be made up of nine members as follows: ~~five~~ *three* insurer directors selected by participating members, subject to approval by the commissioner; ~~four~~ *three* plan enrollee directors elected as provided in section 3; and *three* public directors selected by the commissioner. ~~Public members may include licensed insurance agents. In determining voting rights at members' meetings, each member shall be entitled to vote in person or proxy. The vote shall be a weighted vote based upon the member's cost of self-insurance, accident and health insurance premium, subscriber contract charges, or health maintenance contract payment derived from or on behalf of Minnesota residents in the previous calendar year, as determined by the commissioner. In approving directors of the board, the commissioner shall consider, among other things, whether all types of members are fairly represented. Insurer directors may be reimbursed from the money of the~~

~~association for expenses incurred by them as directors, but shall not otherwise be compensated by the association for their services. The costs of conducting meetings of the association and its board of directors shall be borne by members of the association.~~

Sec. 2. Minnesota Statutes 1990, section 62E.10, is amended by adding a subdivision to read:

Subd. 2b. [PUBLIC DIRECTORS' TERMS.] Two of the public directors of the board must be medical care providers. One of the public directors must not be a member of or represent the interests of the insurers, insurance agents, plan enrollees, or medical care providers. The term of a public director is two years. The compensation, removal, and filling of vacancies of public directors are as provided in section 15.0575.

Sec. 3. Minnesota Statutes 1990, section 62E.10, is amended by adding a subdivision to read:

Subd. 2c. [ASSOCIATION MEMBERS' MEETINGS; INSURER DIRECTORS.] In determining voting rights at members' meetings, each member shall be entitled to vote in person or proxy. The vote shall be a weighted vote based upon the member's cost of self-insurance, accident and health insurance premium, subscriber contract charges, or health maintenance contract payment derived from or on behalf of Minnesota residents in the previous calendar year, as determined by the commissioner. Insurer directors may be reimbursed from the money of the association for expenses incurred by them as directors, but shall not otherwise be compensated by the association for their services. The costs of conducting meetings of the association and its board of directors must be paid by members of the association.

Sec. 4. Minnesota Statutes 1990, section 62E.10, is amended by adding a subdivision to read:

Subd. 2d. [PLAN ENROLLEE DIRECTOR TERMS.] The term of a plan enrollee director is two years. Compensation of plan enrollee directors is as provided in section 15.0575, subdivision 3. The commissioner may remove a plan enrollee director as provided in section 15.0575, subdivision 4. The commissioner shall fill a vacancy of a plan enrollee director by appointment for the rest of the unexpired term.

Sec. 5. Minnesota Statutes 1990, section 62E.10, is amended by adding a subdivision to read:

Subd. 2e. [PLAN ENROLLEE DIRECTOR ELECTION PROCEDURE.] The election for plan enrollee directors must be held on the first Tuesday after the third Monday in April. The association must mail notice of the plan enrollee director election and the mail procedure to plan enrollees at least six weeks before the election. No earlier than 20 days or later than 14 days before the election, the association shall mail ballots by nonforwardable mail to all plan enrollees who are eligible to vote. All plan enrollees who are 18 years of age or older are eligible to vote. An enrollee who may vote in the election and submits a written request to be included on the ballot to the association at least four weeks before the election is an eligible candidate. The association shall include with the ballot a brief informational statement prepared by each candidate, if the candidate submits the statement to the association at least four weeks before the election. Ballot return envelopes, with return postage provided, must be preaddressed to the association and the enrollee may return the ballot by mail or in person to the

association's office. Any ballot received by 8:00 p.m. on the day of the election must be counted. The three candidates who receive the highest number of votes shall be the plan enrollee directors.

Sec. 6. Minnesota Statutes 1990, section 62E.11, is amended by adding a subdivision to read:

Subd. 11. [RATE INCREASE OR BENEFIT CHANGE.] The association must hold a public hearing at least two weeks before filing a rate increase or benefit change with the commissioner. Notice of the public hearing must be mailed at least two weeks before the hearing to all plan enrollees.

Sec. 7. Minnesota Statutes 1990, section 62E.14, is amended by adding a subdivision to read:

Subd. 4c. [WAIVER OF PREEXISTING CONDITIONS FOR PERSONS WHOSE COVERAGE IS TERMINATED.] A Minnesota resident may enroll in the comprehensive health plan with a waiver of the preexisting condition limitation described in subdivision 3 if that person applies for coverage within 90 days of termination of prior coverage and if the termination is for reasons other than fraud or nonpayment of premiums.

Coverage in the comprehensive health plan is effective on the date of termination of prior coverage. The availability of conversion rights does not affect a person's rights under this subdivision.

Sec. 8. [FIRST ELECTION.]

Notwithstanding section 5, the first election of plan enrollee directors must be held on September 10, 1991. Notwithstanding section 4, the terms of the plan enrollee directors elected at the September 10, 1991, election are two years and eight months."

Amend the title as follows:

Page 1, line 11, delete "a subdivision" and insert "subdivisions"

Page 1, line 12, delete "subdivision 3" and insert "by adding a subdivision"

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

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

S.F. No. 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.

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

Page 1, lines 25, 26, and 27, delete "offense" and insert "conviction"

Page 2, line 5, after the period, insert "*When the disqualified individual is a caretaker relative, the remainder of the aid to families with dependent children grant payable to the other eligible assistance unit members must be provided in the form of protective payments. These payments may be made to the disqualified individual only if, after reasonable efforts, the county agency documents that it cannot locate an appropriate protective payee. Protective payments must continue until the disqualification period ends.*"

Page 3, line 36, after "point" insert "*. I understand that a person convicted of perjury may be sentenced to imprisonment of not more than five years or to payment of a fine of not more than \$10,000, or both*"

Page 5, after line 2, insert:

"Sec. 6. Minnesota Statutes 1990, section 609.52, is amended by adding a subdivision to read:

Subd. 4. [WRONGFULLY OBTAINED PUBLIC ASSISTANCE; CONSIDERATION OF DISQUALIFICATION.] When determining the sentence for a person convicted of theft by wrongfully obtaining public assistance, as defined in section 256.98, subdivision 1, the court shall consider the fact that, under section 1, the person will be disqualified from receiving public assistance as a result of the person's conviction."

Page 5, line 3, delete "6" and insert "7"

Page 5, line 4, before "Sections" insert "*Sections 1 and 6 are effective July 1, 1991, and apply to assistance wrongfully obtained after that date.*" and delete "1;"

Amend the title as follows:

Page 1, line 9, after the semicolon, insert "*requiring courts to consider that a person will be disqualified from receiving public assistance, when determining the sentence for a person convicted of theft by wrongfully obtaining public assistance;*"

Page 1, line 13, delete "and" and after the second semicolon, insert "*609.52, by adding a subdivision;*"

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

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

S.F. No. 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.

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

Page 7, line 24, delete "*county attorney*" and insert "*appropriate prosecuting authority*"

Page 7, line 25, delete "*county*" and insert "*jurisdiction*"

Page 7, line 26, delete "*in that county*" and insert "*within that jurisdiction*"

Page 11, line 31, delete "*credits*" and insert "*contact hours*"

Page 17, line 3, delete everything after "*(a)*" and insert "*On or after July 1, 1993,*"

Page 17, line 4, delete "*have*"

Page 17, line 5, after "*license*" insert "*is required for an individual*"

Page 17, line 6, delete everything after "*apply*" and insert a period

Page 17, delete lines 7 and 8

Page 17, line 12, delete everything after "*apply*" and insert a period

Page 17, delete line 13

Page 19, line 29, delete "*credits*" and insert "*contact hours*"

Page 23, line 19, delete "*county attorney in the county*" and insert "*appropriate prosecuting authority in the jurisdiction*"

Page 23, line 21, delete "*in that county*" and insert "*within that jurisdiction*"

Page 24, after line 4, insert:

"Sec. 25. [APPROPRIATION; INCREASED COMPLEMENT.]

\$803,000 is appropriated from the general fund to the commissioner of health for the purposes of sections 1 to 24, to be available for the biennium ending June 30, 1993. The complement of the department of health is increased by ten positions."

Page 24, line 5, delete "25" and insert "26"

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "appropriating money;"

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

Mr. Merriam from the Committee on Finance, to which was re-referred

S.F. No. 350: A bill for an act relating to the environment; adding a purpose for expenditure from the metropolitan landfill contingency action trust fund; 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; amending Minnesota Statutes 1990, section 473.845, subdivision 3.

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

Page 3, line 1, delete from "*amount*" through page 3, line 2, to "*exceed*" and insert "*aggregate amount up to*"

Page 5, line 34, delete "*generation*" and insert "*generated*"

Page 6, line 29, delete “, on a pro rata basis,”

Page 6, line 33, before the period, insert “, divided between the two in proportion to the amount paid by each”

Page 6, line 33, delete from “The” through page 7, line 1, to “relief.” and insert “After the trust fund has been completely reimbursed, the city must use the remaining amount recovered to pay principal and interest on the bonds issued under section 3. If any excess remains after the bonds have been retired, the city must use it to reduce property taxes.”

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

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

S.F. No. 475: A bill for an act relating to child care; establishing the Minnesota early childhood care and education council; specifying duties and membership; specifying new duties for regional resource and referral agencies; appropriating money; amending Minnesota Statutes 1990, sections 256H.10, subdivision 2; 256H.15, subdivision 1; 256H.20; 256H.21, subdivisions 6 and 10; 256H.22, subdivisions 1, 2, 4, 5, and 6; proposing coding for new law in Minnesota Statutes, chapter 256H; repealing Minnesota Statutes 1990, sections 256H.22, subdivisions 3, 10 and 11; and 256H.25.

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 256H.02, is amended to read:

256H.02 [DUTIES OF COMMISSIONER.]

The commissioner shall develop standards for county and human services boards to provide child care services to enable eligible families to participate in employment, training, or education programs. Within the limits of available appropriations, the commissioner shall distribute money to counties to reduce the costs of child care for eligible families. The commissioner shall adopt rules to govern the program in accordance with this section. The rules must establish a sliding schedule of fees for parents receiving child care services. In the rules adopted under this section, county and human services boards shall be authorized to establish policies for payment of child care spaces for absent children, when the payment is required by the child's regular provider. The rules shall not set a maximum number of days for which absence payments can be made, but instead shall direct the county agency to set limits and pay for absences according to the prevailing market practice in the county. County policies for payment of absences shall be subject to the approval of the commissioner. The commissioner shall maximize the use of federal money under the AFDC employment special needs program in section 256.736, subdivision 8, and other programs that provide federal reimbursement for child care services for recipients of aid to families with dependent children who are in education, training, job search, or other activities allowed under those programs. Money appropriated under this section must be coordinated with the AFDC employment

special needs program and other programs that provide federal reimbursement for child care services to accomplish this purpose. Federal reimbursement obtained must be allocated to the county that spent money for child care that is federally reimbursable under the AFDC employment special needs program or other programs that provide federal reimbursement for child care services. The counties shall use the federal money to expand child care services to AFDC recipients. The commissioner may adopt rules under chapter 14 to implement and coordinate federal program requirements.

Sec. 2. Minnesota Statutes 1990, section 256H.03, is amended to read:
256H.03 [BASIC SLIDING FEE PROGRAM.]

Subdivision 1. [COUNTIES ALLOCATION PERIOD; NOTICE OF ALLOCATION.] *Effective January 1, 1992, the commissioner shall allocate the funds available to the counties for the basic sliding fee program on a calendar year basis. When the commissioner notifies county and human service boards of the forms and instructions they are to follow in the development of their biennial community social services plans required under section 256E.08, the commissioner shall also notify county and human services boards of their estimated child care fund program allocation for the two years covered by the plan. By June September 1 of each the preceding year, the commissioner shall notify all counties of their final initial child care fund program allocation.*

Subd. 1a. [WAITING LIST.] Each county that receives funds under this section and section 256H.05 must keep a written record and report to the commissioner the number of eligible families who have applied for a child care subsidy or have requested child care assistance. Counties shall perform a cursory determination of eligibility when a family requests information about child care assistance. A family that appears to be eligible must be put on a waiting list if funds are not immediately available. The waiting list must identify students in need of child care. When money is available counties shall expedite the processing of student applications during key enrollment periods.

Subd. 2. [ALLOCATION; LIMITATIONS.] *From July 1, 1991, through December 31, 1992, the commissioner shall allocate the money appropriated under the child care fund for the basic sliding fee program and shall allocate those funds between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington, and the area outside the metropolitan area as follows:*

(1) 50 percent of the money shall be allocated among the counties on the basis of the number of families below the poverty level, as determined from the most recent census or special census; and

(2) 50 percent of the money shall be allocated among the counties on the basis of the counties' portion of the AFDC caseload for the preceding state fiscal year.

If, under the preceding formula, either the seven-county metropolitan area consisting of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties or the area consisting of counties outside the seven-county metropolitan area is allocated more than 55 percent of the basic sliding fee funds, each county's allocation in that area shall be proportionally reduced until the total for the area is no more than 55 percent of the basic sliding fee funds. The amount of the allocations proportionally reduced

shall be used to proportionally increase each county's allocation in the other area.

Subd. 2a. [ELIGIBLE RECIPIENTS.] Families that meet the eligibility requirements under sections 256H.10, except AFDC recipients and transition year families, and 256H.11 are eligible for child care assistance under the basic sliding fee program. From July 1, 1990, to June 30, 1991, a county may not accept new applications for the basic sliding fee program unless the county can demonstrate that its state money expenditures for the basic sliding fee program for this period will not exceed 95 percent of the county's allocation of state money for the fiscal year ending June 30, 1990. As basic sliding fee program money becomes available to serve new families, eligible families whose benefits were terminated during the fiscal year ending June 30, 1990, for reasons other than loss of eligibility shall be reinstated. Families enrolled in the basic sliding fee program as of July 1, 1990, shall be continued until they are no longer eligible. Counties shall make vendor payments to the child care provider or pay the parent directly for eligible child care expenses on a reimbursement basis.

Subd. 2b. [FUNDING PRIORITY.] (a) First priority for child care assistance under the basic sliding fee program must be given to eligible non-AFDC families who do not have a high school or general equivalency diploma or who need remedial and basic skill courses in order to pursue employment or to pursue education leading to employment. Within this priority, the following subpriorities must be used:

- (1) child care needs of minor parents;
- (2) child care needs of parents under 21 years of age; and
- (3) child care needs of other parents within the priority group described in this paragraph.

(b) Second priority must be given to all other parents who are eligible for the basic sliding fee program.

Subd. 3. [REVIEW OF USE OF FUNDS; REALLOCATION.] After each quarter, the commissioner shall review the use of basic sliding fee program and AFDC child care program allocations by county. The commissioner may reallocate unexpended or unencumbered money among those counties who have expended their full allocation. Any unexpended money from the first year of the biennium may be carried forward to the second year of the biennium.

Subd. 4. [ALLOCATION FORMULA.] *For calendar year 1993 and subsequent calendar years, the basic sliding fee funds shall be allocated according to the following formula:*

(a) *One-half of the funds shall be allocated in proportion to each county's total expenditures for the basic sliding fee child care program reported during the 12-month period ending on June 30 of the preceding calendar year.*

(b) *One-fourth of the funds shall be allocated based on the average unduplicated number of persons who receive AFDC, general assistance, and medical assistance per month during the second preceding calendar year as reported in the average monthly caseload reports required under sections 256.01, 256B.04, and 256D.04, and certified by the commissioner of human services.*

(c) One-fourth of the funds shall be allocated based on the number of persons residing in the county as determined by the most recent data of the state demographer.

Subd. 5. [FORMULA LIMITATION.] The amounts computed under subdivision 4 shall be subject to the following limitation. No county shall be allocated an amount less than its guaranteed floor as provided in subdivision 6. If the amount allocated to a county under subdivision 4 would be less than its guaranteed floor, the shortage shall be recovered proportionally from all counties which would be allocated more than their guaranteed floor.

Subd. 6. [GUARANTEED FLOOR.] (a) Each county's guaranteed floor shall equal the lesser of:

(1) the county's original allocation in the preceding calendar year; or

(2) 110 percent of the county's basic sliding fee child care program state earnings for the 12-month period ending on June 30 of the preceding calendar year. For purposes of this clause, "state earnings" means the reported nonfederal share of direct child care expenditures adjusted for the 15 percent required county match and seven percent administration limit.

(b) When the amount of funds available for allocation is less than the amount available in the previous year, each county's previous year allocation shall be reduced in proportion to the reduction in the statewide funding, for the purpose of establishing the guaranteed floor.

Subd. 7. [FUND FOR TRANSITION-YEAR FAMILIES.] The commissioner shall establish a separate fund to be used for child care services for transition year families, as defined in section 256H.01, who have completed their transition year and who remain eligible for services under section 256H.10, but for whom no funds are available in the basic sliding fee program. Counties shall use the separate fund to provide funding for child care services for these families while maintaining them on the waiting list for funding under section 256H.03, and shall transfer them to basic sliding fee funding when space is available. Counties are not obligated to spend money for this purpose if the separate fund is not available.

Sec. 3. [256H.035] [FEDERAL AT-RISK CHILD CARE PROGRAM.]

Subdivision 1. [COMMISSIONER TO ADMINISTER PROGRAM.] The commissioner of human services is authorized and directed to receive, administer, and expend funds available under the at-risk child care program under Public Law Number 101-508 (1).

Subd. 2. [RULEMAKING AUTHORITY.] The commissioner may adopt rules under chapter 14 to administer the at-risk child care program.

Sec. 4. Minnesota Statutes 1990, section 256H.05, is amended to read:

256H.05 [AFDC CHILD CARE PROGRAM.]

Subd. 1b. [ELIGIBLE RECIPIENTS.] Families eligible for guaranteed child care assistance under the AFDC child care program are:

(1) persons receiving services under section 256.736;

(2) AFDC recipients who are employed; and

(3) persons who are members of transition year families under section 256H.01, subdivision 16; and

(4) members of the control group for the STRIDE evaluation conducted

by the Manpower Demonstration Research Corporation.

Subd. 1c. ~~[FUNDING WAITING LIST PRIORITY.]~~ AFDC recipients must be put on a waiting list for the basic sliding fee program when they leave AFDC due to their earned income.

Subd. 2. ~~[COOPERATION WITH OTHER PROGRAMS.]~~ The county shall develop cooperative agreements with the employment and training service provider for coordination of child care funding with employment, training, and education programs for all AFDC recipients who receive services under section 256.736. The cooperative agreement shall specify that individuals receiving employment, training, and education services under an employability plan from the employment and training service provider shall be guaranteed child care assistance from the county responsible for the current employability development plan.

Subd. 3. ~~[CONTRACTS; OTHER USES ALLOWED.]~~ Counties may contract for administration of the program or may arrange for or contract for child care funds to be used by other appropriate programs, in accordance with this section and as permitted by federal law and regulations.

Subd. 5. ~~[FEDERAL REIMBURSEMENT.]~~ Counties shall maximize their federal reimbursement under Public Law Number 100-485 or other federal reimbursement programs for money spent for persons ~~listed in this section~~ *eligible under this chapter*. The commissioner shall allocate any federal earnings to the county to be used to expand child care services under ~~these sections~~ *this chapter*.

Sec. 5. ~~[256H.055] [FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT.]~~

Subdivision 1. [COMMISSIONER TO ADMINISTER BLOCK GRANT.] The commissioner of human services is authorized and directed to receive, administer, and expend child care funds available under the child care and development block grant authorized under Public Law Number 101-508 (2).

Subd. 2. ~~[RULEMAKING AUTHORITY.]~~ *The commissioner may adopt rules under chapter 14 to administer the child care development block grant program.*

Sec. 6. Minnesota Statutes 1990, section 256H.09, is amended by adding a subdivision to read:

Subd. 5. [CARRY FORWARD.] Funds appropriated for the AFDC child care program under section 256H.05 and for the basic sliding fee program under section 256H.03 do not cancel to the general fund and are available for the next fiscal year for child care subsidies to eligible families.

Sec. 7. Minnesota Statutes 1990, section 256H.15, subdivision 1, is amended to read:

Subdivision 1. ~~[SUBSIDY RESTRICTIONS.]~~ (a) Until June 30, 1991, the maximum child care rate is determined under this paragraph. The county board may limit the subsidy allowed by setting a maximum on the provider child care rate that the county shall subsidize. The maximum rate set by any county shall not be lower than 110 percent or higher than 125 percent of the median rate in that county for like care arrangements for all types of care, including special needs and handicapped care, as determined by the commissioner. If the county sets a maximum rate, it must pay the provider's rate for each child receiving a subsidy, up to the maximum rate

set by the county. If a county does not set a maximum provider rate, it shall pay the provider's rate for every child in care. The maximum state payment is 125 percent of the median provider rate. If the county has not set a maximum provider rate and the provider rate is greater than 125 percent of the median provider rate in the county, the county shall pay the amount in excess of 125 percent of the median provider rate from county funding sources. The county shall pay the provider's full charges for every child in care up to the maximum established. The commissioner shall determine the maximum rate for each type of care, including special needs and handicapped care.

(b) Effective July 1, 1991, the maximum rate paid for child care assistance under the child care fund is the maximum rate eligible for federal reimbursement except ~~as that a provider receiving reimbursement under paragraph (a) as of January 1, 1991, shall be paid at a rate no less than the rate of reimbursement received under that paragraph.~~ A rate which includes a provider bonus paid under subdivision 2 or a special needs rate paid under subdivision 3 may be in excess of the maximum rate allowed under this subdivision 2. The department of human services shall monitor the effect of this paragraph on provider rates. The county shall pay the provider's full charges for every child in care up to the maximum established. The commissioner shall determine the maximum rate for each type of care, including special needs and handicapped care.

(c) When the provider charge is greater than the maximum provider rate allowed, the parent is responsible for payment of the difference in the rates in addition to any family copayment fee.

Sec. 8. [256H.195] [MINNESOTA EARLY CHILDHOOD CARE AND EDUCATION COUNCIL.]

Subdivision 1. [ESTABLISHMENT; MEMBERS.] The Minnesota early childhood care and education council shall consist of 24 members appointed by the governor. Members must represent the following groups and organizations: parents, family child care providers, child care center providers, private foundations, corporate executives, small business owners, and public school districts. The council membership also includes the commissioners of human services, jobs and training, education, and health; a representative of the higher education coordinating board; a representative of the Minnesota headstart association; representatives of two Minnesota counties; three members from child care resource and referral programs, one of whom shall be from a county operated resource and referral, one of whom shall be from a rural location, and one of whom shall be from the metropolitan area; and a community group representative. The governor shall consult with the councils established under sections 3.922, 3.9223, 3.9225, and 3.9226, representing the communities of color, to ensure that membership of the council is representative of all racial minority groups. In addition to the 24 members appointed by the governor, two members of the senate shall be appointed by the president of the senate and two members of the house of representatives shall be appointed by the speaker of the house to serve as ex officio members of the council. Membership terms, compensation, and removal of members are governed by section 15.059, except that the council shall not expire as required by that section.

Subd. 2. [EXECUTIVE DIRECTOR; STAFF.] The council shall select an executive director of the council by a vote of a majority of all council members. The executive director is in the unclassified service and shall

provide administrative support for the council and provide administrative leadership to implement council mandates, policies, and objectives. The executive director shall employ and direct other staff.

Subd. 3. [DUTIES AND POWERS.] The council has the following duties and powers:

(1) develop a biennial plan for early childhood care and education in the state;

(2) take a leadership role in developing its recommendations and the recommendations of other state agencies on the state budget for early childhood care and education;

(3) apply for and receive state money and public and private grant money;

(4) administer state money appropriated for the service development grants under section 256H.22 and the resource and referral grants under section 256H.20 and make recommendations to the commissioner regarding the use of federal money for these purposes;

(5) participate in and facilitate the development of interagency agreements;

(6) coordinate state agency policies so that they do not conflict on early childhood care and education issues;

(7) advocate for an effective early childhood care and education system with state agencies and programs, including those for school-age children and head start;

(8) study the need for child care funding for special populations whose needs are not being met by current programs;

(9) be responsible for advocating policies and funding for early childhood care and education; and

(10) assure that the early childhood care and education system reflects community diversity.

Sec. 9. [256H.196] [REGIONAL CHILD CARE RESOURCE AND REFERRAL PROGRAMS.]

Subdivision 1. [ESTABLISHMENT.] Existing child care resource and referral programs shall become the regional child care resource and referral programs provided they are in compliance with other provisions of this chapter.

Subd. 2. [DUTIES.] The regional resource and referral program shall have the duties specified in section 256H.20. In addition, the regional program shall be responsible for establishing new or collaborating with existing community-based committees such as interagency early intervention committees or neighborhood groups to advocate for child care needs in the community as well as serve as important local resources for children and their families.

Sec. 10. Minnesota Statutes 1990, section 256H.20, is amended to read:

256H.20 [GRANTS FOR SCHOOL-AGE CHILD CARE PROGRAMS AND CHILD CARE RESOURCE AND REFERRAL PROGRAMS.]

Subdivision 1. [AUTHORITY.] The commissioner of human services early childhood care and education council may make grants to regional programs

for public or private nonprofit agencies for the planning, establishment, expansion, improvement, or operation of child care resource and referral programs and child care services according to the provisions of this section and may make grants to county boards to carry out the purposes of section 245.84.

Subd. 2. [FEDERAL DEPENDENT CARE GRANTS PROGRAM.] The ~~commissioner~~ council shall submit an application annually to the United States Secretary of Health and Human Services for the purpose of obtaining the state's allotment of funds authorized under chapter 8 of Title VI of the Omnibus Budget Reconciliation Act, United States Code, title 42, sections 9871 to 9877. Federal funds received under this allotment for the planning, development, establishment, expansion, or improvement of local resource and referral systems and school age child care services which are awarded as grants under subdivision 1 must be used in conformance with the federal requirements.

Subd. 3. [~~PROGRAM SERVICES GRANTS TO RESOURCE AND REFERRAL PROGRAMS.~~] The ~~commissioner~~ council may make grants to ~~public or private nonprofit entities to fund~~ child care resource and referral programs. Child care resource and referral programs must serve a defined geographic area.

Subd. 3a. [GRANT REQUIREMENTS AND PRIORITY.] Priority for awarding resource and referral grants shall be given in the following order:

- (1) start up resource and referral programs in areas of the state where they do not exist; and
- (2) improve resource and referral programs.

Resource and referral programs shall meet the following requirements:

(a) Each program shall identify all existing child care services through information provided by all relevant public and private agencies in the areas of service, and shall develop a resource file of the services which shall be maintained and updated at least quarterly. These services must include family day care homes; public and private day care programs; full-time and part-time programs; infant, preschool, and extended care programs; and programs for school age children.

The resource file must include: the type of program, hours of program service, ages of children served, fees, location of the program, eligibility requirements for enrollment, special needs services, and transportation available to the program. The file may also include program information and special program features.

(b) Each resource and referral program shall establish a referral process which responds to parental need for information and which fully recognizes confidentiality rights of parents. The referral process must afford parents maximum access to all referral information. This access must include telephone referral available for no less than 20 hours per week.

Each child care resource and referral agency shall publicize its services through popular media sources, agencies, employers, and other appropriate methods.

(c) Each resource and referral program shall maintain ongoing documentation of requests for service. All child care resource and referral agencies must maintain documentation of the number of calls and contacts to

the child care information and referral agency or component. A *resource and referral* program shall collect and maintain the following information:

- (1) ages of children served;
- (2) time category of child care request for each child;
- (3) special time category, such as nights, weekends, and swing shift; and
- (4) reason that the child care is needed.

(d) Each *resource and referral* program shall make available the following information as an educational aid to parents:

(1) information on aspects of evaluating the quality and suitability of child care services, including licensing regulation, financial assistance available, child abuse reporting procedures, appropriate child development information;

(2) information on available parent, early childhood, and family education programs in the community.

(e) On or after one year of operation a *resource and referral* program shall provide technical assistance to employers and existing and potential providers of all types of child care services. This assistance shall include:

(1) information on all aspects of initiating new child care services including licensing, zoning, program and budget development, and assistance in finding information from other sources;

(2) information and resources which help existing child care providers to maximize their ability to serve the children and parents of their community;

(3) dissemination of information on current public issues affecting the local and state delivery of child care services;

(4) facilitation of communication between existing child care providers and child-related services in the community served;

(5) recruitment of licensed providers; and

(6) options, and the benefits available to employers utilizing the various options, to expand child care services to employees.

Services prescribed by this section must be designed to maximize parental choice in the selection of child care and to facilitate the maintenance and development of child care services and resources.

(f) Child care resource and referral information must be provided to all persons requesting services and to all types of child care providers and employers.

(g) Public or private entities may apply to the ~~commissioner~~ *council* for funding. The maximum amount of money which may be awarded to any entity for the provision of service under this subdivision is \$60,000 per year. A local match of up to 25 percent is required.

Subd. 4. [APPLICATION; RULES.] Applicants for grants under subdivision 1 shall apply on a form provided by the ~~commissioner~~ *council*. Applications for grants using funds received by the state pursuant to subdivision 2 shall include assurances that federal requirements have been met. The ~~commissioner~~ *council* may adopt ~~emergency rules and shall adopt permanent rules as necessary~~ to implement this section.

Sec. 11. Minnesota Statutes 1990, section 256H.21, subdivision 6, is amended to read:

Subd. 6. ~~[COMMISSIONER COUNCIL.]~~ ~~“Commissioner”~~ ~~“Council”~~ means the ~~commissioner of human services~~ *Minnesota early childhood care and education council established under section 256H.195.*

Sec. 12. Minnesota Statutes 1990, section 256H.21, subdivision 10, is amended to read:

Subd. 10. ~~[RESOURCE AND REFERRAL PROGRAM.]~~ *“Resource and referral program”* means a program that provides information to parents, including referrals and coordination of community child care resources for parents and public or private providers of care. *It also means the agency with the duties specified in sections 256H.196 and 256H.20.* Services may include parent education, technical assistance for providers, staff development programs, and referrals to social services.

Sec. 13. Minnesota Statutes 1990, section 256H.22, subdivision 1, is amended to read:

Subdivision 1. ~~[GRANTS ESTABLISHED.]~~ ~~The commissioner~~ *Minnesota early childhood care and education council* shall award grants to *resource and referral programs* to develop ~~child~~ *early childhood care and education* services, including facility improvement expenses, interim financing, resource and referral programs, and staff training expenses. Child care services grants may include mini-grants up to \$1,000. ~~The commissioner~~ *council* shall develop a grant application form, inform county social service agencies about the availability of ~~child~~ *early childhood care and education* services grants, and set a date by which applications must be received by ~~the commissioner~~ *council*.

The ~~commissioner~~ *council* may renew grants to existing resource and referral ~~agencies~~ *programs* that have met state standards and have been designated as the child care resource and referral service for a particular geographical area. The recipients of renewal grants are exempt from the proposal review process.

Sec. 14. Minnesota Statutes 1990, section 256H.22, subdivision 2, is amended to read:

Subd. 2. ~~[DISTRIBUTION OF FUNDS.]~~ (a) ~~The commissioner~~ *council* shall allocate grant money appropriated for child care service development among the development regions designated by the governor under section 462.385, as follows:

(1) 50 percent of the child care service development grant appropriation shall be allocated to the metropolitan economic development region; and

(2) 50 percent of the child care service development grant appropriation shall be allocated to economic development regions other than the metropolitan economic development region.

(b) The following formulas shall be used to allocate grant appropriations among the economic development regions:

(1) 50 percent of the funds shall be allocated in proportion to the ratio of children under 12 years of age in each economic development region to the total number of children under 12 years of age in all economic development regions; and

(2) 50 percent of the funds shall be allocated in proportion to the ratio of children under 12 years of age in each economic development region to the number of licensed child care spaces currently available in each economic development region.

(c) Out of the amount allocated for each economic development region, the ~~commissioner council~~ shall award grants based on the ~~recommendation of the grant review advisory task force~~. In addition, the ~~commissioner council~~ shall award no more than 75 percent of the money either to child care facilities for the purpose of facility improvement or interim financing or to child care workers for staff training expenses.

(d) Any funds unobligated may be used by the ~~commissioner council~~ to award grants to proposals that ~~received funding recommendations by the advisory task force~~ *the council approved* but that were not awarded due to insufficient funds.

Sec. 15. Minnesota Statutes 1990, section 256H.22, subdivision 3, is amended to read:

Subd. 3. [CHILD CARE REGIONAL ADVISORY COMMITTEES.] Child care regional advisory committees shall review and make recommendations to the ~~commissioner council~~ on applications for service development grants under this section. The ~~commissioner council~~ shall appoint the child care regional advisory committees in each ~~governor's economic development region~~. People appointed under this subdivision must represent the following constituent groups: family child care providers, group center providers, parent users, health services, social services, public schools, and other citizens with demonstrated interest in child care issues. Members of the advisory ~~task force committee~~ with a direct financial interest in a pending grant proposal may not provide a recommendation or participate in the ranking of that grant proposal. Committee members may be reimbursed for their actual travel, child care, and child care provider substitute expenses for up to six committee meetings per year. ~~The child care regional advisory committees shall complete their reviews and forward their recommendations to the commissioner by the date specified by the commissioner.~~

Sec. 16. Minnesota Statutes 1990, section 256H.22, is amended by adding a subdivision to read:

Subd. 3a. [DISTRIBUTION OF FUNDS FOR CHILD CARE RESOURCE AND REFERRAL PROGRAMS.] *The commissioner shall allocate funds appropriated for child care resource and referral services considering the following factors for each economic development region served by the child care resource and referral agency:*

(1) *the number of children under 13 years of age needing child care in the service area;*

(2) *the geographic area served by the agency;*

(3) *the ratio of children under 13 years of age needing care to the number of licensed spaces in the service area;*

(4) *the number of licensed child care providers and extended day school-age child care programs in the service area; and*

(5) *other related factors determined by the commissioner.*

Sec. 17. Minnesota Statutes 1990, section 256H.22, subdivision 4, is amended to read:

Subd. 4. [PURPOSES FOR WHICH A CHILD CARE SERVICES GRANT MAY BE AWARDED.] ~~The commissioner~~ *council* may award grants for any of the following purposes:

(1) for creating new licensed day care facilities and expanding existing facilities, including, but not limited to, supplies, equipment, facility renovation, and remodeling;

(2) for improving licensed day care facility programs, including, but not limited to, staff specialists, staff training, supplies, equipment, and facility renovation and remodeling. In awarding grants for training, priority must be given to child care workers caring for infants, toddlers, sick children, children in low-income families, and children with special needs;

(3) for supportive child development services including, but not limited to, in-service training, curriculum development, consulting specialist, resource centers, and program and resource materials;

(4) for carrying out programs including, but not limited to, staff, supplies, equipment, facility renovation, and training;

(5) for interim financing; and

(6) for carrying out the resource and referral program services identified in section 256H.20, subdivision 3.

Sec. 18. Minnesota Statutes 1990, section 256H.22, subdivision 5, is amended to read:

Subd. 5. [FUNDING PRIORITIES; FACILITY IMPROVEMENT AND INTERIM FINANCING.] In evaluating applications for funding ~~and making recommendations to, the commissioner, the grant review advisory task force~~ *council* shall rank and give priority to:

(1) new programs or projects, or the expansion or improvement of existing programs or projects in areas where a demonstrated need for child care facilities has been shown, with special emphasis on programs or projects in areas where there is a shortage of licensed child care;

(2) new programs and projects, or the expansions or enrichment of existing programs or projects that serve sick children, infants or toddlers, children with special needs, and children from low-income families;

(3) unlicensed providers who wish to become licensed; and

(4) improvement of existing programs.

Sec. 19. Minnesota Statutes 1990, section 256H.22, subdivision 6, is amended to read:

Subd. 6. [FUNDING PRIORITIES; TRAINING GRANTS.] In evaluating applications for training grants ~~and making recommendations to, the commissioner, the grant review advisory task force~~ *council* shall give priority to:

(1) applicants who will work in facilities caring for sick children, infants, toddlers, children with special needs, and children from low-income families;

(2) applicants who will work in geographic areas where there is a shortage of child care;

(3) unlicensed providers who wish to become licensed;

(4) child care programs seeking accreditation and child care providers seeking certification; and

(5) entities that will use grant money for scholarships for child care workers attending educational or training programs sponsored by the entity.

Sec. 20. [256H.225] [SPECIAL INCENTIVE GRANTS.]

The Minnesota early childhood care and education council shall award grants to child care centers and family child care providers to encourage these facilities to obtain accreditation and certification and to achieve improved pay for child care workers. Regional resource and referral programs shall solicit matching funds from other sources to increase the incentive grants to providers.

Sec. 21. [TRANSFERS.]

In the transfer of powers and duties from the commissioner of human services to the Minnesota early childhood care and education council authorized by sections 8 to 19, the provisions of Minnesota Statutes, section 15.039, subdivisions 1 to 6 only, shall apply.

Sec. 22. [APPROPRIATIONS.]

Subdivision 1. [MINNESOTA EARLY CHILDHOOD CARE AND EDUCATION COUNCIL.] \$125,000 is appropriated from the general fund to the Minnesota early childhood care and education council for the biennium ending June 30, 1993, for general operation of the council and to enable the council to provide coordination, training, outreach, and technical assistance to child care providers.

Subd. 2. [INCENTIVE GRANTS.] \$1,200,000 is appropriated from the general fund to the Minnesota early childhood care and education council, for the fiscal year ending June 30, 1993, to fund the incentive grant program authorized by Minnesota Statutes, section 256H.225.

Subd. 3. [PROVIDER TRAINING SCHOLARSHIPS.] \$475,000 is appropriated from the general fund to the Minnesota early childhood care and education council for the biennium ending June 30, 1993, to provide training scholarships for family child care providers and child care center staff. This amount shall be reduced to the extent that federal funds received during the biennium are used for this purpose.

Subd. 4. [CHILD CARE LICENSING.] \$200,000 is appropriated from the general fund to the commissioner of human services to distribute to the counties in proportion to the number of licensed family and group family child care providers in the county to cover the costs of improving licensing services for family child care.

Subd. 5. [FEDERAL CHILD CARE FUNDS.] Federal funds received for child care purposes during the biennium ending June 30, 1993, are appropriated to the commissioner of human services as follows. \$1,000,000 is appropriated for grants to resource and referral programs under Minnesota Statutes, section 256H.20, for programs that increase access to child care services. \$250,000 is appropriated for general operation of the council to enable the council to provide coordination, training, outreach, and technical assistance to child care providers. \$1,900,000 is appropriated for the biennium ending June 30, 1993, to fund the incentive grant program authorized by Minnesota Statutes, section 256H.225. All federal funds received for child care purposes not specifically designated under this subdivision

shall be used for child care subsidies.

Sec. 23. [REPEALER.]

Minnesota Statutes 1990, sections 256H.22, subdivisions 10 and 11; and 256H.25, are repealed.

Sec. 24. [EFFECTIVE DATE.]

Sections 1 to 21 are effective July 1, 1991."

Delete the title and insert:

"A bill for an act relating to child care; establishing the Minnesota early childhood care and education council; specifying duties and membership; specifying new duties for regional resource and referral agencies; clarifying requirements for child care services; appropriating money; amending Minnesota Statutes 1990, sections 256H.02; 256H.03; 256H.05; 256H.09, by adding a subdivision; 256H.15, subdivision 1; 256H.20; 256H.21, subdivisions 6 and 10; and 256H.22, subdivisions 1, 2, 3, 4, 5, 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256H; repealing Minnesota Statutes 1990, sections 256H.22, subdivisions 10 and 11; and 256H.25."

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

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

S.F. No. 102: A bill for an act relating to natural resources; appropriating funds for beaver abatement and control.

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

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

S.F. No. 1027: A bill for an act relating to natural resources; directing a study of the potential of an adopt-a-park program by the department of natural resources.

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

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

S.F. No. 93: A bill for an act relating to natural resources; limiting certain fees charged to towns in connection with town road projects; amending Minnesota Statutes 1990, section 103G.301, by adding a subdivision.

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

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

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.

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

Page 3, line 29, before "*registration*" insert "*tagging and*"

Page 10, line 14, delete "*or not*" and delete the comma and insert "*and*"

Page 10, line 15, delete "*, or fishing is*" and insert "*are*"

Page 10, line 24, before "*Scientific*" insert "*Except as otherwise provided by law,*"

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

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

S.F. No. 962: A bill for an act relating to natural resources; revising certain provisions regarding the leasing of state-owned iron ore and related minerals; amending Minnesota Statutes 1990, sections 93.16; 93.17, subdivisions 1 and 3; and 93.20, by adding a subdivision; repealing Minnesota Statutes 1990, section 93.20, subdivision 9.

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

Page 2, line 35, strike the first comma and insert "*and*" and strike "*, and*" and insert "*. Thereafter, the commissioner, together with the executive council, shall*"

Page 3, line 20, delete "*9*" and insert "*9a*"

Page 4, line 9, delete "*125.3-119.2*" and insert "*[(125.3-119.2)/119.2]*"

Page 4, delete line 10

Page 4, line 33, delete "*139.5-129.5*" and insert "*[(139.5-129.5)/129.5]*"

Page 4, delete line 34

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. 822: A bill for an act relating to the environment; responsible person for removal and remediation of hazardous waste; providing that the state, an agency of the state, or a political subdivision that acquires property through eminent domain or through negotiated purchase following the filing of eminent domain petition, or any person acquiring from the condemning authority, is not liable as a responsible person solely because of the acquisition; providing that no person involuntarily acquiring property shall be liable as a responsible person; amending Minnesota Statutes 1990, section 115B.03, by adding subdivisions.

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

Page 1, line 23, delete "acquired" and insert "acquires"

Page 1, line 27, delete "an" and delete "of the state" and delete "a"

Page 2, delete lines 4 to 8 and insert:

"Subd. 6. [MORTGAGEES.] (a) A mortgagee is not a responsible person under this section solely because the mortgagee becomes an owner of real property through foreclosure of the mortgage or by receipt of the deed to the mortgaged property in lieu of foreclosure.

(b) A mortgagee does not become a responsible person as an operator of a facility solely due to a capacity to influence the operation involving the hazardous substance, hazardous waste, or pollutant or contaminant.

Sec. 3. Minnesota Statutes 1990, section 115B.03, is amended by adding a subdivision to read:

Subd. 7. [CONTRACT FOR DEED VENDORS.] A contract for deed vendor is not a responsible person under this section solely as a result of a termination of the contract for deed under section 559.21."

Amend the title as follows:

Page 1, line 10, delete everything after the semicolon

Page 1, delete line 11

Page 1, line 12, delete "person" and insert "clarifying the status of mortgagees and contract for deed vendors as responsible persons"

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

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

S.F. No. 842: A bill for an act relating to health; modifying requirements for drilling, sealing, and construction of wells, borings, and elevator shafts; amending Minnesota Statutes 1990, sections 103I.005, subdivisions 2, 22, and by adding a subdivision; 103I.101, subdivisions 2, 4, 5, and 6; 103I.205, subdivisions 3, 4, 7, 8, and 9; 103I.208, subdivision 2; 103I.231; 103I.235; 103I.301, subdivision 1; 103I.311, subdivision 3; 103I.525, subdivisions 1, 4, 8, and 9; 103I.531, subdivisions 8 and 9; 103I.535, subdivisions 8 and 9; 103I.541, subdivisions 4 and 5; 103I.545, subdivision 2; 103I.621, subdivision 3; 103I.701, subdivisions 1 and 4; 103I.705, subdivisions 2,

3, 4, and 5; and 1031.711, subdivision 1; repealing Minnesota Statutes 1990, section 1031.005, subdivision 18.

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

Page 1, line 22, after the third comma, insert "and"

Page 1, line 23, delete ", and test holes"

Page 1, line 31, delete "A"

Page 4, line 8, delete "shall"

Page 4, after line 16, insert:

"Sec. 8. Minnesota Statutes 1990, section 1031.111, subdivision 2a, is amended to read:

Subd. 2a. [FEES.] A board of health under a delegation agreement with the commissioner may charge permit and notification fees, *including a fee for well sealing*, in excess of the fees specified in section 1031.208 if the fees do not exceed the total direct and indirect costs to administer the delegated duties.

Sec. 9. Minnesota Statutes 1990, section 1031.111, subdivision 2b, is amended to read:

Subd. 2b. [ORDINANCE AUTHORITY.] A political subdivision may adopt ordinances to enforce and administer powers and duties delegated under this section. The ordinances may not ~~conflict~~ *be inconsistent* with or be less restrictive than standards in state law or rule. Ordinances adopted by the governing body of a statutory or home rule charter city or town may not ~~conflict~~ *be inconsistent* with or be less restrictive than ordinances adopted by the county board. *The commissioner shall review ordinances proposed under a delegation agreement. The commissioner shall approve ordinances if the commissioner determines the ordinances are not inconsistent with and not less restrictive than the provisions of this chapter.*

Sec. 10. Minnesota Statutes 1990, section 1031.111, is amended by adding a subdivision to read:

Subd. 2c. [PERMITS.] *A board of health under a delegation agreement with the commissioner may require permits in lieu of the notifications required under sections 1031.205 and 1031.301.*

Sec. 11. Minnesota Statutes 1990, section 1031.111, subdivision 3, is amended to read:

Subd. 3. [PREEMPTION UNLESS DELEGATION.] Notwithstanding any other law, a political subdivision may not regulate the ~~permitting~~, construction, repair, or sealing of wells or elevator shafts unless the commissioner delegates authority under subdivisions 1 and 2.

Sec. 12. Minnesota Statutes 1990, section 1031.205, subdivision 1, is amended to read:

Subdivision 1. [NOTIFICATION REQUIRED.] (a) Except as provided in paragraphs (d) and (e), a person may not construct a well until a notification of the proposed well on a form prescribed by the commissioner is filed with the commissioner with the filing fee in section 1031.208. If after filing the well notification an attempt to construct a well is unsuccessful, a new notification is not required unless the information relating to the

successful well has substantially changed.

(b) The property owner, the property owner's agent, or the well contractor where a well is to be located must file the well notification with the commissioner.

(c) The well notification under this subdivision preempts local permits and notifications, and counties or home rule charter or statutory cities may not require a permit or notification for wells *unless the commissioner has delegated the permitting or notification authority under section 1031.111.*

(d) A person who is an individual that constructs a drive point well on property owned or leased by the individual for farming or agricultural purposes or as the individual's place of abode must notify the commissioner of the installation and location of the well. The person must complete the notification form prescribed by the commissioner and mail it to the commissioner by ten days after the well is completed. A fee may not be charged for the notification. A person who sells drive point wells at retail must provide buyers with notification forms and informational materials including requirements regarding wells, their location, construction, and disclosure. The commissioner must provide the notification forms and informational materials to the sellers.

(e) A person may not construct a monitoring well or dewatering well until a permit ~~for the monitoring well~~ is issued by the commissioner for the construction. If after obtaining a permit an attempt to construct a well is unsuccessful, a new permit is not required as long as the initial permit is modified to indicate the location of the successful well."

Page 5, line 33, strike the second "at" and insert "under"

Page 6, line 32, delete "in" and insert "by"

Page 7, line 27, after the comma, insert "*in addition to the notification fee for wells,*"

Page 7, line 28, strike "in addition to the"

Page 7, line 29, delete the new language and strike "fee for wells,"

Page 9, line 7, after "information" insert ", *the name and mailing address of the buyer,*"

Page 9, line 10, reinstate the stricken language

Page 9, line 11, reinstate the stricken "need not be provided"

Page 9, line 13, reinstate the stricken "and" and delete the new language

Page 9, line 14, reinstate the stricken "contains" and delete "*must contain*"

Page 9, line 21, delete everything after "required" and insert "*if the following statement appears on the deed followed by the signature of the buyer or, if there is more than one buyer, the signature of at least one of the buyers: 'The Buyer certifies that the Buyer does not know of any wells on the described real property.' The statement and signature of the buyer may be on the front or back of the deed or on an attached sheet and an acknowledgment of the statement by the buyer is not required for the deed to be recordable.*"

Page 9, delete lines 22 to 24

Page 9, line 33, delete "*January*" and insert "*July*"

Page 10, line 12, strike "either"

Page 10, line 14, before "or" insert "*contains the statement made in accordance with paragraph (b) of this subdivision.*"

Page 10, line 15, after "certificate" insert "*containing all the information*" and after the period, insert "*The county recorder or registrar of titles must not accept a certificate unless it contains all the required information.*"

Page 10, line 18, after the period, insert "*The notation must include the statement 'No wells on property' if the certificate states there are no wells on the property.*"

Page 10, line 21, after the period, insert "*After noting 'No wells on property' the county recorder or registrar of titles shall destroy or return to the buyer the well disclosure certificate.*" and after "shall" insert "*collect from the buyer or the person seeking to record a deed, a fee of \$8 on receipt of a completed well disclosure certificate. By the tenth day of each month, the county recorder or registrar of titles shall*"

Page 10, line 22, strike "certificate" and insert "*certificates*"

Page 10, line 23, strike "within 15 days after receiving the well" and delete "*disclosure*"

Page 10, line 24, strike "certificate" and insert "*along with \$4 of the fee for each well disclosure certificate received in the prior month*"

Page 10, line 27, delete everything after the period

Page 10, delete lines 28 and 29

Page 11, lines 11 and 12, delete "*correct*" and insert "*known*"

Page 11, line 32, before the period, insert "*consistent with provisions of this chapter*"

Page 11, after line 32, insert:

"Sec. 22. Minnesota Statutes 1990, section 103I.301, is amended by adding a subdivision to read:

Subd. 6. [NOTIFICATION REQUIRED.] A person may not seal a well until a notification of the proposed sealing is filed as prescribed by the commissioner."

Page 11, line 36, strike "real"

Page 12, line 1, strike "property or"

Page 12, line 5, after the period, insert "*For real property sold by the state under section 92.67, the lessee at the time of the sale is responsible for compliance with this subdivision.*"

Page 12, after line 16, insert:

"Sec. 24. Minnesota Statutes 1990, section 103I.331, subdivision 2, is amended to read:

Subd. 2. [CRITERIA FOR SELECTING COUNTIES FOR WELL SEALING.] (a) The board of water and soil resources, in selecting counties for participation, shall consult with the commissioners of natural resources, the pollution control agency, and health, and the director of the Minnesota

geological survey, and must consider appropriate criteria including the following:

- (1) diversity of well construction;
- (2) diversity of geologic conditions;
- (3) current use of affected aquifers;
- (4) diversity of land use; and
- (5) aquifer susceptibility to contamination by unsealed wells.

(b) After July 1, 1991, only well sealings that are a part of, or responsive to, ~~the following are eligible for assistance:~~

~~(1) the priority actions identified in an approved comprehensive local water plan, as defined in section 103B.3363, subdivision 3; are eligible for assistance; or~~

~~(2) a plan that is undergoing local review and comment as described in section 103B.255, subdivision 8."~~

Page 12, line 29, delete the new language

Page 12, line 33, after "under" insert "provisions of"

Page 13, line 2, delete "in" and insert "by"

Page 13, line 31, strike "and" and reinstate the stricken "late fee" and before "all" insert ", and"

Page 14, line 21, strike "and"

Page 15, lines 10 and 35, strike "and"

Page 16, line 30, delete "commissioner." and insert "commissioner."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "clarifying the authority of political subdivisions under delegation agreements; expanding county eligibility for well sealing assistance;"

Page 1, line 6, after the second semicolon, insert "103I.111, subdivisions 2a, 2b, 3, and by adding a subdivision;"

Page 1, line 7, after "subdivisions" insert "1,"

Page 1, line 9, before the first semicolon, insert ", and by adding a subdivision" and after the second semicolon, insert "103I.331, subdivision 2;"

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

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

S.F. No. 1071: A bill for an act relating to higher education; creating the Minnesota board for higher education; merging the state university, community college, and technical college systems; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 136E.

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

as follows:

Delete everything after the enacting clause and insert:

"Section 1. [136E.01] [HIGHER EDUCATION BOARD.]

Subdivision 1. [MEMBERSHIP.] The higher education board, referred to in sections 1 to 5 as "the board," consists of 13 members appointed by the governor with the advice and consent of the senate. At least one member of the board must be a resident of each congressional district. One member must be a student or have graduated from an institution governed by the board within one year of the date of appointment. The remaining members must be appointed to represent the state at large.

Subd. 2. [INITIAL BOARD.] Notwithstanding subdivision 1, the initial board consists of four members each from the state board of technical colleges, state board for community colleges, and the state university board, appointed by their respective boards. These members must have served for at least one year on the board from which they were appointed. The student member shall be appointed July 1, 1993. To the extent possible the initial board must have the geographic balance required by subdivision 1.

Subd. 3. [TERM; COMPENSATION; REMOVAL; VACANCIES.] The compensation, removal of members, and filling of vacancies on the board are as provided in section 15.0575. Members are appointed for a term of six years, except that the initial members must be appointed so that an equal number will have terms expiring in two, four, and six years. The term of the student member is two years. Terms end on June 30.

Subd. 4. [BOARD ADMINISTRATION.] The board shall elect a chair and other officers as it may desire. It shall determine its meeting dates and places.

Sec. 2. [136E.02] [HIGHER EDUCATION BOARD CANDIDATE ADVISORY COUNCIL.]

Subdivision 1. [ESTABLISHMENT.] A higher education board candidate advisory council is established to assist the governor in determining criteria for, and identifying and recruiting qualified candidates for, membership on the higher education board.

Subd. 2. [MEMBERSHIP.] The advisory council consists of 24 members. Twelve members are appointed by the subcommittee on committees of the committee on rules and administration of the senate. Twelve members are appointed by the speaker of the house of representatives. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of a member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 governs the advisory council, except that the members must be appointed to six-year terms. The initial members must be appointed so that an equal number will have terms expiring in two, four, and six years.

Subd. 3. [DUTIES.] The advisory council shall:

(1) develop a statement of the selection criteria to be applied and a description of the responsibilities and duties of a member of the higher education board and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the board, based on the background and experience of the candidates, and their potential for discharging the responsibilities of a member of the board.

Subd. 4. [RECOMMENDATIONS.] The advisory council shall recommend at least two and not more than four candidates for each seat. By March 15 of each odd-numbered year, the advisory council shall submit its recommendations to the governor. The governor is not bound by these recommendations.

Subd. 5. [SUPPORT SERVICES.] The legislative coordinating commission shall provide administrative and support services for the advisory council.

Sec. 3. [136E.03] [MISSION.]

The mission of the board is to provide programs of study that meet the needs of students for occupational, general, baccalaureate, and graduate education. The board shall develop administrative arrangements that make possible the efficient use of the facilities and staff of the former technical colleges, community colleges, and state universities for providing these several different programs of study, so that students may have the benefit of improved and broader course offerings, ease of transfer among schools and programs, integrated course credit, coordinated degree programs, and coordinated financial aid. In carrying out the merger of the three separate systems, the board shall control administrative costs by eliminating duplicative administrative positions and course offerings.

Sec. 4. [136E.04] [POWERS AND DUTIES.]

Subdivision 1. [GENERAL AUTHORITY.] The board shall manage, supervise, and control the former technical colleges, community colleges, and state universities and all related property. It shall prescribe courses of study, conditions of admission, prepare and confer diplomas, and adopt suitable policies for the institutions it manages. Sections 14.01 to 14.47 do not apply to policies and procedures of the board.

Subd. 2. [PERSONNEL.] The board shall appoint all presidents, teachers, and other necessary employees. Salaries and benefits of employees must be determined according to chapters 43A and 179A, except that the board is the state labor negotiator in all collective bargaining between the state and the exclusive representatives of teaching and service faculty units.

Subd. 3. [BUDGET.] The board shall submit to the governor and the legislature the budget request for its several different programs of study.

Subd. 4. [PROGRAM DELIVERY.] The board shall avoid duplicate program offerings. After consulting with the local advisory committees, the board shall develop programs to meet the needs of students and the state.

Subd. 5. [TRANSFERABILITY.] The board shall place a high priority on ensuring the transferability of credit among the institutions it governs.

Subd. 6. [REGISTRATION AND FINANCIAL AID.] The board shall devise a registration system that simplifies and combines registration for the institutions it governs, improves the financial aid application process for students, and provides registration at common locations.

Sec. 5. [136E.05] [LOCAL ADVISORY COMMITTEES.]

The president, with the approval of the chancellor and the board, may appoint a local advisory committee for each campus. Committee members must be qualified people who have knowledge of and interest in the campus. The board shall define the role and authority of the advisory committees and establish procedures for the appointment, terms, and termination of members. The president or an appointee of the president shall regularly meet and consult with the local advisory committee.

Sec. 6. Minnesota Statutes 1990, section 179A.10, subdivision 2, is amended to read:

Subd. 2. [STATE EMPLOYEES.] Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. Supervisory employees shall only be assigned to units 12 and 16. The following are the appropriate units of executive branch state employees:

- (1) law enforcement unit;
- (2) craft, maintenance, and labor unit;
- (3) service unit;
- (4) health care nonprofessional unit;
- (5) health care professional unit;
- (6) clerical and office unit;
- (7) technical unit;
- (8) correctional guards unit;
- (9) state university instructional unit;
- (10) community college instructional unit;
- (11) *technical college instructional unit*;
- (12) state university administrative unit;
- ~~(12)~~ (13) professional engineering unit;
- ~~(13)~~ (14) health treatment unit;
- ~~(14)~~ (15) general professional unit;
- ~~(15)~~ (16) professional state residential instructional unit; and
- ~~(16)~~ (17) supervisory employees unit.

Each unit consists of the classifications or positions assigned to it in the schedule of state employee job classification and positions maintained by the commissioner. The commissioner may only make changes in the schedule in existence on the day prior to the effective date of this section as required by law or as provided in subdivision 4.

Sec. 7. [TRANSITIONAL PROVISIONS.]

Subdivision 1. [APPOINTMENTS TO BOARD.] Appointments to the higher education board must be made by July 1, 1991.

Subd. 2. [INTERIM CHANCELLOR.] By August 1, 1991, the board shall hire a chancellor on an interim basis for the period ending June 30, 1993. Thereafter, the board shall conduct a search and hire a chancellor to serve on a continuing basis.

Subd. 3. [PERSONNEL.] The chancellor may hire employees necessary to carry out the transitional duties imposed by this section. To expedite hiring, the chancellor need not use the personnel services of the commissioner of employee relations to hire these employees.

Subd. 4. [TRANSITIONAL PLANNING PROCESS.] The board shall immediately after appointment commence planning for the merger of the technical college, community college, and state university systems. As part of the planning process, the board shall consult with the local advisory committees, representatives of student government organizations, and exclusive representatives of the employees of the state universities, community colleges, and technical colleges.

Subd. 5. [RESTRUCTURING.] The board shall submit a proposal to the 1992 legislature concerning the appropriate administrative structure for the educational institutions it governs, giving special attention to the need to integrate the administration of programs of study now offered at institutions from different systems within the same region.

Subd. 6. [SCHOOL DISTRICTS.] The board shall submit proposals to the 1992 legislature concerning labor and other issues related to the transfer of technical colleges from school board governance.

Subd. 7. [PERSONNEL PRACTICES; COMPENSATION.] The board shall submit proposals to the 1992 legislature whereby the board will assume the responsibilities of the commissioner of employee relations as the personnel bureau for the institutions governed by the board. The proposals must include recommendations for overcoming the difficulties encountered when trying to hire top administrators under the compensation ceiling set by Minnesota Statutes, section 15A.081, subdivision 7b.

Subd. 8. [LEGAL SERVICES.] The board shall submit to the 1992 legislature proposals for providing the board with adequate legal services.

Subd. 9. [PURCHASES; PROPERTY MANAGEMENT.] The board shall submit proposals to the 1992 legislature whereby the board will assume the responsibilities of the commissioner of administration for purchase of supplies, management of property, and construction and repair of facilities for the systems governed by the board.

Subd. 10. [ACCOUNTING SYSTEM.] The commissioner of finance shall submit proposals to the 1992 legislature that will enable the board to use a single accounting system in accord with generally accepted accounting principles for colleges and universities and eliminate the need to have a second system to account for its money in the state treasury.

Subd. 11. [BUDGET REQUESTS.] The board shall consult with the commissioner of finance, the chair of the senate finance committee, and the chair of the house appropriations committee and submit to the 1992 legislature a proposed format for its 1993 budget request. The higher education board shall use the format, as revised in accordance with instructions from the legislature, to present its budget request to the governor and the 1993 legislature.

Sec. 8. [TRANSFER OF POWERS.]

The state board of technical colleges, the state board for community colleges, and the state university board and their respective chancellors retain responsibility for operating and managing their systems until July 1,

1993. On July 1, 1993, the authority, duties, responsibilities, related property of the state board of technical colleges, school boards, intermediate school boards, joint vocational technical boards with respect to technical colleges, the state board for community colleges, and the state university board are transferred to the higher education board under Minnesota Statutes, section 15.039. The state board of technical colleges, state board for community colleges, and state university board are abolished, effective July 1, 1993.

Sec. 9. [CURRENT EMPLOYEES.]

The higher education board shall make every effort to continue the employment of employees of the former technical college, community college, and state university systems.

The board shall give preference to those employees for jobs for which they are qualified.

The board shall provide training and retraining to employees to prepare them for jobs in the institutions governed by the board.

Sec. 10. [COLLECTIVE BARGAINING.]

For purposes of collective bargaining, faculty of the technical colleges will initially be assigned to the new technical college instructional unit provided for in Minnesota Statutes, section 179A.10, subdivision 2, as amended by this act. The new bargaining unit may begin to organize on or after July 1, 1991, for negotiating contracts that become effective on or after July 1, 1993. Other technical college employees must be assigned to the appropriate existing state bargaining unit. The terms and conditions of a collective bargaining agreement covering an employee transferred to the board remain in effect until a successor agreement covering the employee becomes effective.

Sec. 11. [COOPERATION.]

The state university board, state board of technical colleges, and state board for community colleges shall cooperate with the higher education board. Each of those boards may transfer money, personnel, or equipment to the higher education board.

Sec. 12. [APPROPRIATION.]

\$1,000,000 is appropriated from the general fund to the higher education board for the purposes of this act for the biennium ending June 30, 1993.

Sec. 13. [EFFECTIVE DATE.]

This act is effective the day following final enactment, except that section 6 is effective July 1, 1991, for collective bargaining of contracts that become effective on or after July 1, 1993, and sections 4 and 5 are effective July 1, 1993."

Delete the title and insert:

"A bill for an act relating to higher education; creating the higher education board; merging the state university, community college, and technical college systems; appropriating money; amending Minnesota Statutes 1990, section 179A.10, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 136E."

And when so amended the bill do pass and be re-referred to the Committee

on Governmental Operations. Amendments adopted. Report adopted.

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

H.F. No. 633: A bill for an act relating to watercraft; regulating the use and operation of personal watercraft; amending Minnesota Statutes 1990, section 86B.005, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 86B.

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

Page 1, delete lines 10 to 14 and insert:

"Subd. 14a. [PERSONAL WATERCRAFT.] "Personal watercraft" means a motorboat that:

(1) is powered by an inboard motor powering a water jet pump or by an outboard or propeller-driven motor; and

(2) is designed to be operated by a person or persons sitting, standing, or kneeling on the craft, rather than in the conventional manner of sitting or standing inside a motorboat."

Page 1, line 25, delete everything after "watercraft"

Page 1, line 26, delete everything before the colon

Page 2, delete lines 4 and 5 and insert:

"(2) between sunset and 8:00 a.m.;"

Page 2, line 6, delete "any shoreline," and insert "a" and after "swimmer," insert "or"

Page 2, line 7, delete the first comma and delete the second comma and insert a semicolon

Page 2, delete lines 8 to 16 and insert:

"(4) while towing a person on water skis, a kneeboard, an inflatable craft, or any other device without an observer on board;"

Page 2, line 17, delete "(6)" and insert "(5)"

Page 2, delete lines 21 to 27 and insert:

"(6) if any part of the spring-loaded throttle mechanism has been removed, altered, or tampered with so as to interfere with the return-to-idle system;"

Page 2, line 28, delete "(9)" and insert "(7)" and delete the second "or"

Page 2, line 29, delete "(10) to operate" and insert "(8)"

Page 2, line 30, delete the period and insert a semicolon

Page 2, after line 30, insert:

"(9) in a manner that unreasonably or unnecessarily endangers life, limb, or property, including weaving through congested watercraft traffic, jumping the wake of another watercraft unreasonably or unnecessarily close to the other watercraft or when visibility around the other watercraft is obstructed, and swerving at the last possible moment to avoid collision; or

(10) in any other manner that is not reasonable and prudent."

Page 2, line 32, delete "no" and insert "a" and delete "16" and insert "12" and delete "shall" and insert "may not"

Page 2, line 35, delete "any" and insert "a"

Page 3, line 3, delete "no" and insert "a" and delete "16" and insert "12" and delete the second comma

Page 3, line 4, delete "shall" and insert "may not"

Page 3, line 5, after "horsepower" insert a comma

Page 3, line 7, after the period, insert "For purposes of this section only, the commissioner shall allow persons 12 years of age to participate in the watercraft safety course established under section 86B.101, subdivision 2, and shall issue a watercraft operator's permit, limited to operation of personal watercraft, to a person 12 years of age who successfully completes the course."

Page 3, line 8, delete "any" and insert "a"

Page 3, delete lines 10 to 16 and insert:

"Subd. 4 [DEALERS AND RENTAL OPERATIONS.] (a) A dealer of personal watercraft shall distribute a summary of the laws and rules governing the operation of personal watercraft and, upon request, shall provide instruction to a purchaser regarding:

(1) the laws and rules governing personal watercraft; and

(2) the safe operation of personal watercraft."

Page 3, line 18, delete "the"

Page 3, line 19, delete "any" and insert "a" and delete "16" and insert "12" and after "or" insert "to a person"

Page 3, line 20, delete "16" and insert "12" and delete the comma

Page 3, line 1, delete "this"

Page 3, line 2, delete "section" and insert "subdivision 3"

Page 3, delete lines 23 to 28 and insert:

"(2) shall provide a summary of the laws and rules governing the operation of personal watercraft and provide instruction regarding the laws and rules and the safe operation of personal watercraft to each person renting a personal watercraft; and"

Page 3, line 2 delete "is required to" and insert "shall"

Page 3, line 3 after "III" insert a comma and delete "for" and insert "and any other required safety equipment to"

Page 3, line 3 delete everything after "watercraft"

Page 3, line 3 delete "required safety equipment"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1083, 373, 891, 726, 173, 735, 971, 609, 724, 1124, 385, 644, 1119, 1211, 366, 350, 1027, 962 and 842 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 633 was read the second time.

MOTIONS AND RESOLUTIONS

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

Mr. Merriam moved that the name of Mr. Metzen be added as a co-author to S.F. No. 822. The motion prevailed.

Mr. Merriam moved that the names of Messrs. Luther, Pogemiller, Metzen and Bernhagen be added as co-authors to S.F. No. 834. The motion prevailed.

Mr. Riveness moved that the name of Mr. Frank be added as co-author to S.F. No. 1068. The motion prevailed.

Mr. Merriam moved that the name of Mr. Finn be added as co-author to S.F. No. 1193. The motion prevailed.

Mr. Metzen moved that the name of Mr. Finn be added as co-author to S.F. No. 1218. The motion prevailed.

Mr. Benson, D.D. moved that his name be stricken as chief author and the name of Mr. Halberg be added as chief author to S.F. No. 1241. The motion prevailed.

Mr. Dahl moved that the name of Mr. Finn be added as co-author to S.F. No. 1247. The motion prevailed.

Mr. Neuville introduced—

Senate Resolution No. 48: A Senate resolution congratulating Tonya Malz for earning the Girl Scouts of America Silver Award.

Referred to the Committee on Rules and Administration.

Mr. Neuville introduced—

Senate Resolution No. 49: A Senate resolution congratulating Angie Maul for earning the Girl Scouts of America Silver Award.

Referred to the Committee on Rules and Administration.

Mr. Neuville introduced—

Senate Resolution No. 50: A Senate resolution congratulating Anna Thibault for earning the Girl Scouts of America Silver Award.

Referred to the Committee on Rules and Administration.

Mr. Neuville introduced—

Senate Resolution No. 51: A Senate resolution congratulating Carrie Bauer for earning the Girl Scouts of America Silver Award.

Referred to the Committee on Rules and Administration.

Mr. Larson and Mrs. Benson, J.E. introduced—

Senate Resolution No. 52: A Senate resolution commending Arlan Stangeland for his dedicated, committed, and effective government and community service to the people of Minnesota.

Referred to the Committee on Rules and Administration.

Messrs. Kelly, DeCramer, Stumpf, Waldorf and Mrs. Brataas introduced—

Senate Resolution No. 53: A Senate resolution commending Dr. Robert L. Carothers on his service as chancellor of the Minnesota State University System.

Referred to the Committee on Rules and Administration.

Mr. Larson introduced—

Senate Resolution No. 54: A Senate resolution commending Arnold “Woody” Johnson of Detroit Lakes, Minnesota, for his initiative, dedication, and efforts on behalf of the people of Becker County.

Referred to the Committee on Rules and Administration.

Mr. Marty moved that S.F. No. 726, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Metzen moved that his name be stricken as chief author, shown as co-author, and the name of Mr. Halberg be added as chief author to S.F. No. 745. The motion prevailed.

Ms. Ranum moved that S.F. No. 1119, on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

H.F. No. 661: A resolution memorializing Canada to correct the new permit regulations for the Canada-Minnesota border, and to encourage federal, state, and provincial governments to resolve differences to the mutual benefit and satisfaction of the citizens of both countries.

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

The question was taken on the passage of the resolution.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

S.F. No. 734: A bill for an act relating to retirement; highway patrol refund of certain employee contributions upon death; amending Minnesota Statutes 1990, section 352B.11, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 391: A bill for an act relating to animal health; providing alternative methods for the disposal of certain animal carcasses; amending Minnesota Statutes 1990, section 35.82, subdivisions 1b and 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 774: A bill for an act relating to health; clarifying licensing requirements for certain residential programs for persons with chemical dependency; establishing procedures for contesting a transfer or discharge from a nursing home; setting a time limit for appeals of civil penalties under the nursing home licensing laws; providing procedures for contesting findings under the vulnerable adults act; amending Minnesota Statutes 1990, sections 144.50, subdivision 6; 144.653, subdivision 5; 144A.10, subdivisions 4 and 6d; 144A.135; 144A.45, subdivision 2; 144A.46, subdivision 2, and by adding a subdivision; 144A.53, subdivision 1; 144A.61, subdivisions 3, 3a, and 6a; 144A.611, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 144A.

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

So the bill passed and its title was agreed to.

S.F. No. 254: A bill for an act relating to health; maternal and child health; clarifying newborn screening requirements; clarifying eligibility for maternal and child health services; requiring birth or death certificate medical supplements to report prenatal exposure to controlled substances; amending Minnesota Statutes 1990, sections 144.126; 144.128; 145.883, subdivision 5; and 626.5562, 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 713: A bill for an act relating to human services licensing; repealing certain rule criteria for disqualification of applicants for licensing and their employees; amending Minnesota Statutes 1990, section 245A.04, 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 131: A bill for an act relating to Meeker county; authorizing the county board to provide for an addition to the county hospital.

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

So the bill passed and its title was agreed to.

S.F. No. 729: A bill for an act relating to game and fish; qualifications for obtaining a license to take wild animals by firearms; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

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. 531, 732, 328, 925, 339, 473 and H.F. No. 598, which the committee recommends to pass.

On motion of Mr. Moe, R.D., 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.

Mses. Flynn, Ranum, Messrs. Mondale, Vickerman and Riveness introduced—

S.F. No. 1252: A bill for an act relating to state lands; authorizing the commissioner of administration to lease certain land adjacent to Minnehaha state park to the Minneapolis park and recreation board.

Referred to the Committee on Environment and Natural Resources.

Messrs. Laidig; Knaak; Johnson, D.E. and Bernhagen introduced—

S.F. No. 1253: A resolution memorializing the President and Congress to propose a constitutional amendment giving the Congress and the states specific power to prohibit the physical desecration of the American flag.

Referred to the Committee on Veterans and General Legislation.

Ms. Berglin introduced—

S.F. No. 1254: A bill for an act relating to human services; providing for allocation of detoxification transportation funds; amending Minnesota Statutes 1990, section 254A.17, subdivision 3.

Referred to the Committee on Health and Human Services.

Mr. Frederickson, D.J. introduced—

S.F. No. 1255: A bill for an act relating to taxation; excluding the captured tax capacity of certain districts in determining the state tax increment financing aid reduction; amending Minnesota Statutes 1990, section 273.1399, subdivision 1.

Referred to the Committee on Economic Development and Housing.

Mr. Frederickson, D.J. introduced—

S.F. No. 1256: A bill for an act relating to agriculture; extending the right of first refusal on foreclosed farm land to ten years; amending Minnesota Statutes 1990, section 500.24, subdivision 6.

Referred to the Committee on Agriculture and Rural Development.

Mr. Frederickson, D.J. introduced—

S.F. No. 1257: A bill for an act relating to education; permitting a fund transfer in independent school district No. 631.

Referred to the Committee on Education.

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

S.F. No. 1258: A bill for an act relating to the environment; requiring a local permit for the burning of PCBs; amending Minnesota Statutes 1990, section 116.38, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

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

S.F. No. 1259: A bill for an act relating to cooperatives; modifying requirements for absentee ballots; amending Minnesota Statutes 1990, section 308A.635, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Kelly introduced—

S.F. No. 1260: A bill for an act relating to sentencing; making changes to the work release law; amending Minnesota Statutes 1990, section 631.425, subdivisions 3 and 7.

Referred to the Committee on Judiciary.

Mr. Spear introduced—

S.F. No. 1261: A bill for an act relating to adoption; authorizing certain persons to perform postadoption services; providing for access to adoption records necessary to perform the services; amending Minnesota Statutes 1990, sections 259.46, subdivision 1; and 259.47, subdivision 1, and by adding a subdivision.

Referred to the Committee on Health and Human Services.

Messrs. Metzen, Gustafson, Kroening and Sams introduced—

S.F. No. 1262: A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article XI; establishing a permanent housing trust fund.

Referred to the Committee on Economic Development and Housing.

Mr. Merriam introduced—

S.F. No. 1263: A bill for an act relating to powers of attorney; providing notice of prohibition of spousal power of attorney for real estate conveyances; amending Minnesota Statutes 1990, sections 523.01; and 523.23, subdivision 1.

Referred to the Committee on Judiciary.

Ms. Johnson, J.B.; Messrs. Solon, Metzen, McGowan and Kroening introduced—

S.F. No. 1264: A bill for an act relating to economic development; establishing a business development and preservation program delivered by certain nonprofit organizations; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Economic Development and Housing.

Mr. Samuelson introduced—

S.F. No. 1265: A bill for an act relating to water resources; allowing certain land to be used as a veterans cemetery under certain circumstances; amending Minnesota Statutes 1990, section 103F.369, subdivision 2, and by adding a subdivision.

Referred to the Committee on Veterans and General Legislation.

Mr. Luther introduced—

S.F. No. 1266: A bill for an act relating to secured transactions; requiring the secured party to provide certain notices before collateral is disposed of after default; amending Minnesota Statutes 1990, section 336.9-504.

Referred to the Committee on Judiciary.

Mr. Luther introduced—

S.F. No. 1267: A bill for an act relating to creditors' remedies; making clarifying and technical changes to garnishment and execution laws; amending Minnesota Statutes 1990, sections 550.136, subdivisions 3 and 10; 551.06, subdivisions 3 and 10; 571.75, subdivision 2; and 571.922.

Referred to the Committee on Judiciary.

Ms. Johnson, J.B. introduced—

S.F. No. 1268: A bill for an act relating to the environment; requiring the commissioner of public service to conduct a study of the need for a carbon emissions tax.

Referred to the Committee on Energy and Public Utilities.

Ms. Johnson, J.B. introduced—

S.F. No. 1269: A bill for an act relating to energy; requiring the commissioner of public service to conduct a study of the potential market for photovoltaic devices.

Referred to the Committee on Energy and Public Utilities.

Mses. Ranum and Pappas introduced—

S.F. No. 1270: A bill for an act relating to education; expanding the exclusion of certain school programs from human service licensure requirements; amending Minnesota Statutes 1990, section 245A.03, subdivision 2.

Referred to the Committee on Health and Human Services.

Mses. Ranum and Pappas introduced—

S.F. No. 1271: A bill for an act relating to education; changing the terms and conditions of certain teacher license exemptions; amending Minnesota Statutes 1990, section 126.266, subdivision 2.

Referred to the Committee on Education.

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

S.F. No. 1272: A bill for an act relating to utilities; allowing automatic rate adjustments by public utilities for governmental expenses; amending Minnesota Statutes 1990, section 216B.16, by adding a subdivision.

Referred to the Committee on Energy and Public Utilities.

Messrs. Morse; Frederickson, D.R.; Price and Ms. Johnson, J.B. introduced—

S.F. No. 1273: A bill for an act relating to taxation; providing a special levy for comprehensive local water implementation activities; amending Minnesota Statutes 1990, section 275.50, subdivision 5.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen; Frederickson, D.R.; Berg; Davis and Johnson, D.E. introduced—

S.F. No. 1274: A bill for an act relating to agriculture; directing the rural finance authority to establish a dairy upgrade loan program; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Frederickson, D.J.; Hughes; Metzen; DeCramer and Frederickson, D.R. introduced—

S.F. No. 1275: A bill for an act relating to retirement; public employees retirement association board membership; amending Minnesota Statutes 1990, section 353.03, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Johnson, D.E. and McGowan introduced—

S.F. No. 1276: A bill for an act relating to education; granting the attorney general's office access to certain private data; requiring certain licensing boards to consider revoking the license of a licensee convicted of certain felonies involving a minor; exempting licensing of the board of teaching and the state board of education from certain requirements with respect to the rehabilitation of criminal offenders; amending Minnesota Statutes 1990, sections 125.09, subdivision 4; 214.10, by adding a subdivision; 364.09; and 631.40.

Referred to the Committee on Education.

Messrs. Merriam, Hughes, Belanger, Riveness and Metzen introduced—

S.F. No. 1277: A bill for an act relating to highways; amending the allocation formula for county state-aid highways; making technical changes; amending Minnesota Statutes 1990, sections 162.07, subdivisions 1, 5, 6, and by adding a subdivision; and 162.155; repealing Minnesota Statutes 1990, section 162.07, subdivisions 2, 3, and 4.

Referred to the Committee on Transportation.

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

S.F. No. 1278: A bill for an act relating to the legislature; providing for unlimited bill authorship; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Messrs. Davis, Beckman and Morse introduced—

S.F. No. 1279: A bill for an act relating to agriculture; clarifying prohibited actions of a wholesale produce dealer; amending Minnesota Statutes 1990, section 27.19, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

Mr. Davis introduced—

S.F. No. 1280: A bill for an act relating to agriculture; ownership of farm land; modifying the definition of authorized farm corporation; amending Minnesota Statutes 1990, section 500.24, subdivision 2.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Larson, Vickerman, Berg, Bertram and Renneke introduced—

S.F. No. 1281: A bill for an act relating to counties; providing an alternate method for financial examinations; proposing coding for new law in Minnesota Statutes, chapter 6.

Referred to the Committee on Local Government.

Mr. Dicklich introduced—

S.F. No. 1282: A bill for an act relating to retirement; teachers retirement association; permitting members to purchase credit for a period of military

service more than five years after the date of discharge under certain conditions.

Referred to the Committee on Governmental Operations.

Messrs. Storm and Laidig introduced—

S.F. No. 1283: A bill for an act relating to state government; creating the office of victim services and rights within the office of the attorney general; providing for its duties; transferring powers and duties of the commissioners of corrections and public safety relating to victim services and rights to the office of victim services and rights; establishing the sexual violence and general crime victims advisory councils; authorizing the director of the office of victim services and rights to provide and administer grants-in-aid for sexual violence, battered women, and other crime victim programs; establishing a family violence task force; amending Minnesota Statutes 1990, sections 611A.0311, subdivision 2; 611A.20, subdivision 2; 611A.21; 611A.22; 611A.31, by adding a subdivision; 611A.32, subdivisions 1, 1a, 4, and by adding a subdivision; 611A.33; 611A.34, subdivision 1, and by adding a subdivision; 611A.41, subdivision 1; 611A.43; 611A.55, subdivision 1; 611A.56, subdivision 1; 611A.71, subdivisions 1, 2, and 6; 611A.73, by adding a subdivision; and 611A.74, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1990, sections 611A.02; 611A.221; 611A.23; 611A.31, subdivision 5; 611A.32, subdivisions 2, 3, and 5; 611A.34, subdivision 3; 611A.35; 611A.36, subdivisions 1 and 2; 611A.41, subdivision 2; 611A.42; and 611A.44.

Referred to the Committee on Health and Human Services.

Mr. Renneke introduced—

S.F. No. 1284: A bill for an act relating to agriculture; changing the livestock market agency and dealer licensing act; amending Minnesota Statutes 1990, sections 17A.01; 17A.03, subdivisions 1 and 7; 17A.04, subdivision 1; 17A.14; proposing coding for new law in Minnesota Statutes, chapter 17A; repealing Minnesota Statutes 1990, section 17A.15.

Referred to the Committee on Agriculture and Rural Development.

Ms. Reichgott, Mr. Luther, Ms. Traub and Mr. McGowan introduced—

S.F. No. 1285: A bill for an act relating to education; creating a special levy for independent school district No. 281, Robbinsdale; amending Minnesota Statutes 1990, section 275.125, by adding a subdivision.

Referred to the Committee on Education.

Mr. Belanger introduced—

S.F. No. 1286: A bill for an act relating to public buildings; requiring that legislative hearing rooms and the house and senate chambers be fitted with devices to aid the hearing-impaired; appropriating money; amending Minnesota Statutes 1990, section 16B.61, by adding a subdivision.

Referred to the Committee on Governmental Operations.

Messrs. Price and Laidig introduced—

S.F. No. 1287: A bill for an act relating to Washington county; exempting items purchased for use in the construction of the Washington County Law Enforcement Center from the sales tax; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Vickerman, Mehrkens, DeCramer and Mrs. Benson, J.E. introduced—

S.F. No. 1288: A bill for an act relating to traffic regulations; allowing use of studded tires on emergency vehicles; amending Minnesota Statutes 1990, section 169.72, by adding a subdivision.

Referred to the Committee on Transportation.

Messrs. Belanger, Berg and Merriam introduced—

S.F. No. 1289: A bill for an act relating to state lands; prohibiting sale of state lands administered by the department of natural resources to any employee of the department; proposing coding for new law in Minnesota Statutes, chapter 92.

Referred to the Committee on Environment and Natural Resources.

Mr. Spear and Ms. Reichgott introduced—

S.F. No. 1290: A bill for an act relating to civil legal services; making legislative findings; appropriating money to provide matching funds for qualified legal services; amending Minnesota Statutes 1990, section 480.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 480.

Referred to the Committee on Judiciary.

Messrs. Price, Luther, Larson, Morse and Laidig introduced—

S.F. No. 1291: A bill for an act relating to watercraft; providing additional regulation of the use and operation of personal watercraft; amending Minnesota Statutes 1990, section 86B.005, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 86B.

Referred to the Committee on Environment and Natural Resources.

Messrs. Morse, Davis, DeCramer, Price and Neuville introduced—

S.F. No. 1292: A bill for an act relating to waste; establishing priorities for municipal wastewater treatment funding under the state independent grants program; amending Minnesota Statutes 1990, sections 116.16, subdivisions 2, 5, and 9a; 116.162, subdivision 7; 116.18, subdivision 3a; 116.181, subdivisions 1 and 2; and 446A.06, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Messrs. Price, Marty, Mondale, Spear and McGowan introduced—

S.F. No. 1293: A bill for an act relating to drivers' licenses; increasing fees for reinstatement of licenses after an alcohol-related revocation; amending Minnesota Statutes 1990, section 171.29, subdivision 2.

Referred to the Committee on Transportation.

Messrs. Belanger and Knaak introduced—

S.F. No. 1294: A bill for an act relating to the financing of government in this state; providing property tax reform; reclassifying real and personal property and establishing exemption rates; establishing transitional class rates for taxes payable in 1992 and 1993; prescribing the contents of property tax statements; changing property tax due dates and settlement and distribution dates; providing an income sensitive homestead credit; providing a targeted property tax credit; changing tax increment financing pooling requirements; defining terms; imposing penalties; amending Minnesota Statutes 1990, sections 273.13, by adding subdivisions; 273.1316, subdivision 6; 274.19, subdivision 3; 275.065, subdivisions 3 and 6; 275.07, subdivisions 1 and 4; 275.08, by adding a subdivision; 276.04, subdivisions 2 and 3; 276.10; 276.11, subdivision 1; 277.01, subdivision 1; 278.01; 278.03; 278.05, subdivision 5; 279.01, by adding subdivisions; 289A.18, subdivision 5; 289A.56, subdivision 6; 290A.01; 290A.04, subdivision 2, and by adding a subdivision; 290A.07, subdivisions 2a and 3; 469.1763, subdivision 2; 469.177, subdivision 7, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 273; repealing Minnesota Statutes 1990, sections 273.124; 273.13; 290A.04, subdivisions 2b, 2h, and 2i; 276.09; 276.11, subdivisions 2 and 3; 276.111; and 279.01, subdivisions 1, 2, and 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Cohen, Waldorf, Knaak, Marty and Kelly introduced—

S.F. No. 1295: A bill for an act relating to Ramsey county; creating a Ramsey county consolidation study commission; setting its duties; appropriating money.

Referred to the Committee on Local Government.

Mr. Riveness, Mses. Flynn, Ranum, Messrs. Frank and Cohen introduced—

S.F. No. 1296: A bill for an act relating to metropolitan government; providing for certain noise control measures at the Minneapolis-St. Paul International Airport; amending Minnesota Statutes 1990, section 473.608, by adding subdivisions.

Referred to the Committee on Metropolitan Affairs.

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

S.F. No. 1297: A bill for an act relating to cooperatives; applying the open meeting law to certain electric cooperatives; proposing coding for new law in Minnesota Statutes, chapter 308A.

Referred to the Committee on Energy and Public Utilities.

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

S.F. No. 1298: A bill for an act relating to cooperatives; providing for equal representation on the board from districts or units of certain cooperatives; proposing coding for new law in Minnesota Statutes, chapter 308A.

Referred to the Committee on Judiciary.

Mr. Storm, Mmes. Pariseau; Benson, J.E. and Ms. Johnston introduced—

S.F. No. 1299: A resolution memorializing Congress to increase funding for the Women, Infants, and Children (WIC) Program.

Referred to the Committee on Health and Human Services.

Messrs. Beckman, Davis, Sams, Renneke and Vickerman introduced—

S.F. No. 1300: A bill for an act relating to agriculture; allowing exemption of certain garbage from requirements for feeding to livestock or poultry; amending Minnesota Statutes 1990, section 35.73, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 35.

Referred to the Committee on Agriculture and Rural Development.

Mr. Beckman, Ms. Ranum, Mr. Sams, Ms. Piper and Mr. Luther introduced—

S.F. No. 1301: A bill for an act relating to jobs and training; displaced homemakers; increasing the funds available for current programs; appropriating money.

Referred to the Committee on Finance.

Mr. Dicklich and Ms. Piper introduced—

S.F. No. 1302: A bill for an act relating to taxation; providing income and corporate franchise tax checkoffs for health care programs; amending Minnesota Statutes 1990, sections 290.431; and 290.432.

Referred to the Committee on Health and Human Services.

Mr. Frederickson, D.J. introduced—

S.F. No. 1303: A bill for an act relating to taxation; providing that city of Dawson is exempt from certain tax increment financing provisions.

Referred to the Committee on Economic Development and Housing.

Mr. Luther introduced—

S.F. No. 1304: A bill for an act relating to retirement; Brooklyn Center volunteer firefighters relief association; specifying alternative flexible service pension maximums.

Referred to the Committee on Governmental Operations.

Mr. Kelly introduced—

S.F. No. 1305: A bill for an act relating to insurance; auto; requiring prompt billing for medical expenses; amending Minnesota Statutes 1990, section 65B.44, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce.

Messrs. Merriam, Knaak and Waldorf introduced—

S.F. No. 1306: A bill for an act relating to government data practices; providing for the issuance of commissioner's opinions under the data practices act; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Mr. Kelly introduced—

S.F. No. 1307: A bill for an act relating to insurance; accident and health; regulating the payment of hospital claims; amending Minnesota Statutes 1990, section 72A.201, subdivision 3, and by adding a subdivision.

Referred to the Committee on Commerce.

Mr. Storm introduced—

S.F. No. 1308: A bill for an act relating to retirement; Edina volunteer firefighters relief association; modifying limitations on survivor benefit coverage; amending Laws 1965, chapter 592, section 4, as amended.

Referred to the Committee on Governmental Operations.

Mr. Larson introduced—

S.F. No. 1309: A bill for an act relating to agriculture; changing the commercial cannery assessment; amending Minnesota Statutes 1990, section 31.39.

Referred to the Committee on Agriculture and Rural Development.

Mr. Solon, Ms. Piper, Messrs. Vickerman and Samuelson introduced—

S.F. No. 1310: A bill for an act relating to the reorganization of state government; creating a new department of social services for families and children; transferring all of the duties of the commissioner of human services to the departments of health, jobs and training, public service, and the new department of social services for families and children; amending Minnesota Statutes 1990, sections 13.46, subdivision 1; 15.01; 15.06, subdivision 1; 15A.081, subdivision 1; and 43A.08, subdivision 1a; proposing coding for new law as Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Human Services.

Mr. Pogemiller introduced—

S.F. No. 1311: A bill for an act relating to health; providing podiatrists with equal access to hospitals and outpatient surgical centers; allowing podiatrists and dentists to use the designations "physician" and "surgeon"; amending Minnesota Statutes 1990, section 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Messrs. Storm and Larson introduced—

S.F. No. 1312: A bill for an act relating to general assistance; authorizing recipients who reside in negotiated rate facilities to save earnings in escrow; amending Minnesota Statutes 1990, section 256D.06, subdivision 1b.

Referred to the Committee on Health and Human Services.

Messrs. Bernhagen, Belanger, Gustafson and Halberg introduced—

S.F. No. 1313: A bill for an act relating to taxation; property tax refund; providing a refund for commercial-industrial property; proposing coding for new law in Minnesota Statutes, chapter 290A.

Referred to the Committee on Taxes and Tax Laws.

Mr. Solon introduced—

S.F. No. 1314: A bill for an act relating to gambling; allowing certain drawings on the premises of clubs and exclusive liquor stores holding on-sale intoxicating liquor licenses; amending Minnesota Statutes 1990, sections 609.75, subdivisions 1 and 3; and 609.761, by adding a subdivision.

Referred to the Committee on Gaming Regulation.

Mr. Hottinger and Mrs. Adkins introduced—

S.F. No. 1315: A bill for an act relating to commerce; real estate appraisers; amending Minnesota Statutes 1990, sections 82B.02, subdivisions 8 and 12; 82B.05, subdivision 1; 82B.11; 82B.13, subdivision 1, and by adding subdivisions; 82B.14; 82B.15, subdivision 3; 82B.17; 82B.18; and 82B.19, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 82B; repealing Minnesota Statutes 1990, sections 82B.05, subdivision 2; 82B.13, subdivision 2; and 82B.225.

Referred to the Committee on Commerce.

Mr. Frank introduced—

S.F. No. 1316: A bill for an act relating to horse racing; authorizing the commission to adopt rules governing affirmative action plan goals and economic opportunity contract goals; amending Minnesota Statutes 1990, sections 240.06, subdivision 1; 240.07, subdivision 1; 240.19; and 240.23.

Referred to the Committee on Governmental Operations.

Mr. Frank introduced—

S.F. No. 1317: A bill for an act relating to employment; modifying the family leave law; amending Minnesota Statutes 1990, sections 181.940, subdivision 2; and 181.9413.

Referred to the Committee on Employment.

Mr. Frederickson, D.R. introduced—

S.F. No. 1318: A bill for an act relating to real property; authorizing the recording of monuments on plats before actual placement; amending Minnesota Statutes 1990, sections 465.79, subdivisions 2 and 4; 505.02, subdivision 1; and 505.03, subdivision 1.

Referred to the Committee on Local Government.

Mr. Metzen introduced—

S.F. No. 1319: A bill for an act relating to the practice of law; allowing the sole shareholder of a corporation to appear on behalf of the corporation in court; amending Minnesota Statutes 1990, section 481.02, subdivision 3.

Referred to the Committee on Judiciary.

Mr. Langseth introduced—

S.F. No. 1320: A bill for an act relating to education; authorizing construction at Moorhead Technical College.

Referred to the Committee on Education.

Messrs. Cohen, Kelly, Knaak and Laidig introduced—

S.F. No. 1321: A bill for an act relating to courts; conciliation court; permitting collection of conciliation court judgments under the revenue recapture act; amending Minnesota Statutes 1990, sections 270A.03, subdivisions 2, 4, and 5; 270A.04, subdivision 3; 270A.07, subdivision 2; and 270A.11.

Referred to the Committee on Judiciary.

Mrs. Benson, J.E.; Messrs. Davis, Bertram, Mehrkens and Ms. Olson introduced—

S.F. No. 1322: A bill for an act relating to railroads; requiring establishment of a grade crossing in the city of St. Cloud.

Referred to the Committee on Transportation.

Mr. Frank introduced—

S.F. No. 1323: A bill for an act relating to metropolitan government; providing for the appointments and terms of the metropolitan council; assigning duties relating to transit; transferring transit duties to the department of transportation; amending Minnesota Statutes 1990, sections 174.01; 398A.04, subdivision 8; 473.123, subdivisions 2a, 3, and 4; 473.373; 473.375, subdivisions 8, 11, 13, 14, and 15; 473.377; 473.38; 473.382; 473.384; 473.385, subdivision 2; 473.386; 473.387; 473.388; 473.39; 473.391; 473.392; 473.399, subdivision 3; 473.3991, subdivisions 1 and 4; 473.3994; 473.3996; 473.404, subdivisions 2 and 6; 473.446; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 1990, sections 473.373, subdivision 6; 473.375, subdivision 7; 473.38, subdivision 3; 473.384, subdivision 9; 473.388, subdivision 6; and 473.3994, subdivision 7.

Referred to the Committee on Metropolitan Affairs.

Mr. Metzen introduced—

S.F. No. 1324: A bill for an act relating to public finance; allocating authority to issue certain public debt; amending Minnesota Statutes 1990, section 474A.03.

Referred to the Committee on Economic Development and Housing.

Mr. Samuelson introduced—

S.F. No. 1325: A bill for an act relating to claims; requiring compensation for land alleged to be tax-forfeited and transferred to the state; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Mr. Frank introduced—

S.F. No. 1326: A bill for an act relating to motor vehicles; requiring proof of appropriate endorsement or driver's license with motorcycle and motorized bicycle registrations; amending Minnesota Statutes 1990, section 168.09, by adding a subdivision.

Referred to the Committee on Transportation.

Mrs. Pariseau, Mr. Cohen and Ms. Johnston introduced—

S.F. No. 1327: A bill for an act relating to the legislature; preventing the payment of per diem during a special session of the legislature; amending Minnesota Statutes 1990, sections 3.099, subdivision 1; 3.101; and 3A.01, subdivision 6a; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1990, section 3.103.

Referred to the Committee on Rules and Administration.

Messrs. Day, Belanger, Neuville, Mrs. Adkins and Mr. Pogemiller introduced—

S.F. No. 1328: A bill for an act relating to public administration; regulating the collection and dissemination of data; coordinating the government data practices act with other law; providing for payment of costs for searching and retrieving governing data; defining arrest data; providing for the publication of budgets; providing for review of comprehensive plan amendments; changing the effective date of the levy limit repeal; amending Minnesota Statutes 1990, sections 13.01, by adding a subdivision; 13.03, subdivision 3; 471.6965; and 473.864, subdivision 2; and Laws 1989, First Special Session chapter 1, article 5, section 52, as amended.

Referred to the Committee on Judiciary.

Messrs. Frank and DeCramer introduced—

S.F. No. 1329: A bill for an act relating to transportation; creating a paratransit advisory council; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Metropolitan Affairs.

Mr. Pogemiller introduced—

S.F. No. 1330: A bill for an act relating to the Minneapolis park and recreation board; providing for two members appointed by the Minneapolis park and recreation board on the Minneapolis reapportionment commission; establishing standards for park board redistricting.

Referred to the Committee on Redistricting.

Mr. Samuelson introduced—

S.F. No. 1331: A bill for an act relating to adoption; expanding the state-funded adoption subsidy program for families who adopt disabled children and who would be eligible for the federal subsidy program except that the child's disability was not discovered until after the adoption; amending Minnesota Statutes 1990, section 259.40, subdivisions 2 and 4.

Referred to the Committee on Health and Human Services.

Mr. Frank introduced—

S.F. No. 1332: A resolution memorializing Congress to carefully consider the proposed free trade agreement with Mexico.

Referred to the Committee on Economic Development and Housing.

Mr. Berg introduced—

S.F. No. 1333: A bill for an act relating to natural resources; amending certain provisions concerned with the management of fish and wildlife; increasing certain license fees; appropriating money; amending Minnesota Statutes 1990, sections 84.944, subdivision 2; 84.96, subdivision 5; 97A.075, subdivision 2; 97A.325, subdivision 2; 97A.435, subdivision 2; 97A.475, subdivisions 2, 3, and 7; 97A.485, subdivision 7; and 97B.801; repealing Minnesota Statutes 1990, section 97B.721.

Referred to the Committee on Environment and Natural Resources.

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

MOTIONS AND RESOLUTIONS

Mr. Johnson, D.J. moved that his name be stricken as chief author, shown as a co-author, and the name of Mr. Lessard be added as chief author to S.F. No. 970. The motion prevailed.

Mr. Morse moved that S.F. No. 891, on General Orders, be stricken and re-referred to the Committee on Transportation. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 10, 1991. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate