

TWENTY-FIFTH DAY

St. Paul, Minnesota, Wednesday, March 24, 1993

The Senate met at 11:45 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by Senator Pat Piper.

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

Adkins	Day	Knutson	Moe, R.D.	Sams
Anderson	Dille	Krentz	Mondale	Samuelson
Beckman	Finn	Kroening	Morse	Solon
Belanger	Frederickson	Laidig	Murphy	Spear
Benson, D.D.	Hanson	Langseth	Novak	Stevens
Benson, J.E.	Hottinger	Larson	Oliver	Stumpf
Berg	Janezich	Lesewski	Olson	Terwilliger
Berglin	Johnson, D.E.	Lessard	Pariseau	Vickerman
Bertram	Johnson, D.J.	Luther	Piper	Wiener
Betzold	Johnson, J.B.	Marty	Ranum	
Chandler	Johnston	McGowan	Reichgott	
Chmielewski	Kelly	Merriam	Riveness	
Cohen	Kiscaden	Metzen	Robertson	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received and referred to the committee indicated.

February 24, 1993

The Honorable Allan H. Spear
President of the Senate

Dear Sir:

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

HARMFUL SUBSTANCE COMPENSATION BOARD

M.J. "Mac" McCauley, 404 E. Howard St., Winona, Winona County, has been appointed by me, effective February 27, 1993, for a term expiring on the first Monday in January, 1999.

(Referred to the Committee on Judiciary.)

Warmest regards,
Arne H. Carlson, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 19.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 22, 1993

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 40: A bill for an act relating to probate; establishing a durable power of attorney for health care; establishing duties of health care providers for the provision of life-sustaining health care; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 145B; proposing coding for new law as Minnesota Statutes, chapter 145C; repealing Minnesota Statutes 1992, section 145B.10.

There has been appointed as such committee on the part of the House:

Bishop, Skoglund and Orenstein.

Senate File No. 40 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 22, 1993

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 208, 233, 295, 399 and 639.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 22, 1993

FIRST READING OF HOUSE BILLS

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

H.F. No. 208: A bill for an act relating to human rights; prohibiting discrimination against certain persons who have physical or sensory disabilities and who use service animals; clarifying certain language governing transportation of disabled persons; clarifying the commissioner's acceptance of charges; providing for office of administrative hearings costs to be charged in human rights cases; amending Minnesota Statutes 1992, sections 363.01, subdivisions 30a, 35, 41b, and by adding a subdivision; 363.03, subdivisions 2, 4, and 10; 363.071, by adding a subdivision; and 473.144.

Referred to the Committee on Judiciary.

H.F. No. 233: A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 331, now on General Orders.

H.F. No. 295: A bill for an act relating to utilities; authorizing utilities to make automatic annual rate adjustments for costs of conservation improvements; amending Minnesota Statutes 1992, section 216B.16, subdivision 6b.

Referred to the Committee on Jobs, Energy and Community Development.

H.F. No. 399: A bill for an act relating to commerce; unclaimed property; regulating certain notices and reports; amending Minnesota Statutes 1992, sections 345.41; and 345.42, subdivisions 2 and 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 578, now on General Orders.

H.F. No. 639: A bill for an act relating to insurance; Medicare supplement; regulating coverages; conforming state law to federal requirements; making technical changes; amending Minnesota Statutes 1992, sections 62A.31, subdivisions 1, 4, and by adding a subdivision; 62A.315; 62A.316; 62A.318; 62A.36, subdivision 1; 62A.39; 62A.436; and 62A.44, subdivision 2; Laws 1992, chapter 554, article 1, section 18.

Referred to the Committee on Commerce and Consumer Protection.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 798. The motion prevailed.

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

S.F. No. 787: A bill for an act relating to libraries; requiring the metropolitan council to conduct a study of metropolitan area libraries and library systems and report to the legislature.

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

Page 1, line 15, after the period, insert:

"The study shall include the feasibility of the establishment by the University of Minnesota library and other public libraries of a regional-metropolitan library depository facility for the storage of materials for which there is low or no current demand, as well as for the storage of the university's archival and manuscript collections." and delete *"study shall encompass"* and insert *"council shall organize an advisory committee composed of representatives of the office of library development of the state department of education,"*

Page 1, line 18, delete the second *"and"*

Page 1, delete line 20 and insert *"libraries; and library service"*

Page 1, line 25, delete everything after *"legislation"*

Page 2, line 1, delete everything before the period

Page 2, line 2, delete *"November"* and insert *"July"* and delete *"1993"* and insert *"1994"*

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. 693: A bill for an act relating to natural resources; clarifying, modifying, and expanding rulemaking authority and other powers and duties of the commissioner of natural resources relating to game and fish, wild rice, stromatolites, and cross-country ski passes; clarifying, modifying, and expanding provisions relating to the taking, purchase, sale, possession, and transportation of wild animals; regulating entry and uses on certain public lands and waters; providing for the expiration of certain commissioner's orders; providing an exemption from rulemaking requirements; authorizing emergency rules; providing penalties; amending Minnesota Statutes 1992, sections 84.14, subdivision 3; 84.1525, subdivision 2; 85.41, subdivision 2; 85.45; 97A.045, subdivision 4; 97A.055, by adding a subdivision; 97A.091, subdivisions 1 and 2; 97A.095, subdivision 2; 97A.105, subdivision 1, and by adding a subdivision; 97A.137; 97A.255, subdivision 2; 97A.401, subdivision 4; 97A.415, subdivision 2; 97A.431, subdivisions 1 and 4; 97A.433, subdivisions 1 and 4; 97A.435, subdivision 4; 97A.441, by adding a subdivision; 97A.451, by adding a subdivision; 97A.475, by adding a subdivision; 97A.485, subdivision 6, and by adding a subdivision; 97A.505, subdivision 5, and by adding a subdivision; 97A.535, subdivision 2; 97A.545, subdivisions 1, 2, 4, and by adding a subdivision; 97A.551, by adding a subdivision; 97B.425; 97B.671, subdivisions 1 and 2; 97B.711, subdivision 2, and by adding a subdivision; 97B.721; 97B.811, by adding a subdivision; 97C.025; 97C.051, subdivision 1; 97C.081, subdivisions 2, 3, and by adding a subdivision; 97C.205; 97C.311; 97C.331; 97C.345, subdivision 4, and by adding a subdivision; 97C.391, subdivision 1; 97C.405; 97C.505, subdivision 1; 97C.601, subdivision 6; 97C.805, subdivisions 1, 2, and 4; and 97C.865; Laws 1991, chapter 259, section 24; proposing coding for new law in Minnesota Statutes, chapters 97A; 97B; and 97C.

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

Page 4, line 14, after "a" insert "petty"

Page 4, after line 24, insert:

"Sec. 6. Minnesota Statutes 1992, section 97A.045, is amended by adding a subdivision to read:

Subd. 9. [NOTICE OF RULEMAKING.] In addition to notice requirements under chapter 14, the commissioner shall attempt to notify persons or groups of persons affected by rules adopted under the game and fish laws by public announcements, press releases, and other appropriate means as determined by the commissioner."

Page 5, delete lines 7 and 8 and insert:

"(2) an uncased bow."

Page 7, line 14, after "acquisition" insert "and disposal"

Page 10, delete section 26

Page 11, line 8, delete "A SECOND" and insert "ADDITIONAL"

Page 11, line 11, delete "a second" and insert "additional"

Page 12, line 26, before the period, insert "unless otherwise provided by law"

Page 16, after line 15, insert:

"Sec. 45. [97B.928] [IDENTIFICATION OF TRAPS AND SNARES.]

Subdivision 1. [INFORMATION REQUIRED.] (a) A person may not set or place a trap or snare, other than on property owned or occupied by the person, unless the following information is affixed to the trap or snare in a manner that ensures that the information remains legible while the trap or snare is on the lands or waters:

- (1) the number and state of the person's driver's license;*
- (2) the person's Minnesota identification card number; or*
- (3) the person's name and mailing address.*

(b) The commissioner may not prescribe additional requirements for identification of traps or snares.

Subd. 2. [PROVISIONS NOT TO APPLY.] From April 1 to August 31, the trap identification provisions of subdivision 1 do not apply to traps set for the taking of unprotected wild animals.

Subd. 3. [PENALTY.] A person who violates subdivision 1, paragraph (a), is guilty of a petty misdemeanor."

Page 21, line 7, delete everything before "game" and insert "protect"

Page 22, line 6, after "person" insert "engaged in a business providing services to a person taking fish"

Page 22, line 11, strike "cosignee" and insert "consignee"

Page 23, line 16, delete "6, 9, 10, 13, 18 to 22" and insert "7, 10, 11, 14, 19 to 23"

Page 23, line 17, delete everything before "may" and insert "42, 44, 48, 53, 54, 58, 61, 62, 66, and 67"

Page 23, line 22, delete "68" and insert "69"

Page 23, line 26, before the period, insert " , except that section 45 is effective August 1, 1993, and applies to violations occurring on or after that date"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, after "penalties;" insert "appropriating money;"

Page 1, line 16, after "4" insert " , and by adding a subdivision"

Page 1, lines 22 and 23, delete "97A.451, by adding a subdivision;"

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

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

S.F. No. 366: A bill for an act relating to game and fish; allowing importation of minnows for raising and export; amending Minnesota Statutes 1992, section 97C.515, subdivision 4.

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 1992, section 97C.515, is amended by adding a subdivision to read:

Subd. 5. [SPECIAL PERMITS.] (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license to import minnows from other states for export. A permit under this subdivision is not required for importation authorized under subdivision 4.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit."

Delete the title and insert:

"A bill for an act relating to game and fish; authorizing special permits for importation of minnows for export; amending Minnesota Statutes 1992, section 97C.515, by adding a subdivision."

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. 702: A bill for an act relating to game and fish; requiring identification of traps; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Page 1, lines 8 and 9, delete "*on public or private lands or waters*" and insert "*, other than on property owned or occupied by the person,*"

Page 1, line 16, after "*traps*" insert "*or snares*"

Page 1, after line 16, insert:

"Subd. 2. [PROVISIONS NOT TO APPLY.] During the period April 1 to August 31, the trap identification provisions of subdivision 1 do not apply to traps set for the taking of unprotected wild animals."

Page 1, line 17, delete "2" and insert "3"

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. 483: A bill for an act relating to game and fish; allowing all big game to be taken under a crossbow permit for hunters with disabilities; amending Minnesota Statutes 1992, section 97B.106.

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

Ms. Piper from the Committee on Family Services, to which was referred

S.F. No. 296: A bill for an act relating to human services; requiring parent's social security numbers on birth certificates; modifying various child support provisions; amending Minnesota Statutes 1992, sections 144.215, by adding a subdivision; 518.551, subdivision 5; 518.611, subdivisions 1, 2, 6, and by adding a subdivision; and 518.613, subdivisions 2, 3, and 4.

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

Page 1, line 18, after "*number*" insert "*only*"

Page 1, line 19, after "*services*" insert "*upon request by the public authority*"

Page 1, after line 21, insert:

"Sec. 2. Minnesota Statutes 1992, section 518.551, subdivision 7, is amended to read:

Subd. 7. [SERVICE FEE.] When the public agency responsible for child support enforcement provides child support collection services either to a public assistance recipient or to a party who does not receive public assistance, the public agency may upon written notice to the obligor charge a monthly collection fee equivalent to the full monthly cost to the county of providing collection services, in addition to the amount of the child support which was ordered by the court. The fee shall be deposited in the county general fund. The service fee assessed is limited to ten percent of the monthly court ordered child support and shall not be assessed to obligors who are current in payment of the monthly court ordered child support. An application fee not to exceed \$25 shall be paid by the person who applies for child support and maintenance collection services, charged to an obligor in addition to the child support or maintenance ordered by the court, except persons who transfer when the obligee transfers from public assistance to nonpublic assistance status. Fees assessed by state and federal tax agencies for collection of overdue support owed to or on behalf of a person not receiving public assistance must be imposed on the person for whom these services are provided.

However, the limitations of this subdivision on the assessment of fees shall not apply to the extent inconsistent with the requirements of federal law for receiving funds for the programs under Title IV-A and Title IV-D of the Social Security Act, United States Code, title 42, sections 601 to 613 and United States Code, title 42, sections 651 to 662. *If the court orders automatic income withholding, the application fee shall be withheld from the first collection in addition to the amount of child support or maintenance which was ordered by the court.*

Page 7, line 28, after "charged" insert "*to the obligor in addition to the amount of the child support which was ordered by the court*" and after "withheld" insert "*through automatic income withholding*"

Page 7, line 29, after "before" insert "*child support*" and after "payment" insert "*is made*"

Page 7, line 31, after the period, insert "*The county shall explain to affected persons the two options in clauses (i) and (ii). The county should encourage the applicant to apply for IV-D services.*"

Page 8, after line 16, insert:

"Sec. 6. Minnesota Statutes 1992, section 518.611, subdivision 4, is amended to read:

Subd. 4. [EFFECT OF ORDER.] Notwithstanding any law to the contrary, the order is binding on the employer, trustee, payor of the funds, or financial institution when service under subdivision 2 has been made. Withholding must begin no later than the first pay period that occurs after 14 days following the date of the notice. In the case of a financial institution, preauthorized transfers must occur in accordance with a court-ordered payment schedule. An employer, payor of funds, or financial institution in this state is required to withhold income according to court orders for withholding issued by other states or territories. The payor shall withhold from the income payable to the obligor the amount specified in the order and amounts required under subdivision 2 and section 518.613 and shall remit, within ten days of the date the obligor is paid the remainder of the income, the amounts withheld to the public authority. The payor shall identify on the remittance information the

date the obligor is paid the remainder of the income. The financial institution shall execute preauthorized transfers from the deposit accounts of the obligor in the amount specified in the order and amounts required under subdivision 2 as directed by the public authority responsible for child support enforcement. Employers may combine all amounts withheld from one pay period into one payment to each public authority, but shall separately identify each obligor making payment. Amounts received by the public authority which are in excess of public assistance expended for the party or for a child shall be remitted to the party. *The public authority shall send collections to the obligee, who has not assigned support to the state, within 15 calendar days of the date in which the support was initially received in the state.* An employer shall not discharge, or refuse to hire, or otherwise discipline an employee as a result of a wage or salary withholding authorized by this section. The employer or other payor of funds shall be liable to the obligee for any amounts required to be withheld. A financial institution is liable to the obligee if funds in any of the obligor's deposit accounts identified in the court order equal the amount stated in the preauthorization agreement but are not transferred by the financial institution in accordance with the agreement."

Page 11, line 13, after "*charged*" insert "*to the obligor in addition to the amount of the child support which was ordered by the court*"

Page 11, line 14, after "*before*" insert "*child support*" and after "*payment*" insert "*is made*"

Page 11, line 18, delete "5" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

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

Page 1, line 7, after "2," insert "4,"

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

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

S.F. No. 334: A bill for an act relating to traffic regulations; authorizing delayed arrest of driver and penalizing vehicle owner or lessee for failure to yield right-of-way to emergency vehicle; amending Minnesota Statutes 1992, section 169.20, by adding subdivisions.

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

Page 1, line 10, delete "CAUSE FOR ARREST" and insert "CITATION" and before "*arrest*" insert "*issue a citation in lieu of*" and after "*arrest*" insert "*to*"

Page 1, delete line 14 and insert "5."

Page 1, line 21, delete everything after "(b)" and insert "Paragraph"

Page 1, line 22, after "(a)" insert "*does not apply*" and after "(1)" insert "*a person other than*" and delete everything after "*lessee*"

Page 1, line 23, delete "person"

Amend the title as follows:

Page 1, line 2, delete "delayed" and insert "issuance of a citation to a"

Page 1, line 3, delete "arrest of"

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

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

S.F. No. 771: A bill for an act relating to motor fuels; changing formula for payments made to producers of ethanol; increasing oxygenate level requirements for gasoline; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; and 239.791, subdivisions 1 and 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 41A.09, subdivision 3, is amended to read:

Subd. 3. [PAYMENTS FROM ACCOUNT.] The commissioner of revenue shall make cash payments from the account to producers of ethanol or wet alcohol located in the state. These payments shall apply only to ethanol or wet alcohol fermented in the state. The amount of the payment for each producer's annual production shall be as follows:

(a) For each gallon of ethanol produced on or before June 30, 2000, 20 cents per gallon, *except that for each gallon of ethanol produced by a producer for fiscal years 1994 to 1996 that exceeds the production of the producer for fiscal year 1992, 30 cents per gallon.*

(b) For each gallon produced of wet alcohol on or before June 30, 2000, a payment in cents per gallon calculated by the formula "alcohol purity in percent divided by five," and rounded to the nearest cent per gallon, but not less than 11 cents per gallon. The producer payment for wet alcohol under this section may be paid to either the original producer of wet alcohol or the secondary processor, at the option of the original producer, but not to both.

(c) ~~The total payments from the account to all producers during the period beginning July 1, 1991, and ending June 30, 1993 may not exceed \$8,550,000. This amount may be paid in either fiscal year of the biennium. Total payments from the account to any producer in each fiscal year may not exceed \$3,000,000.~~

(d) ~~The total payments from the account to all producers may not exceed \$10,000,000~~ \$20,000,000 in any fiscal year during the period beginning July 1, 1993, and ending June 30, 2000. Total payments from the account to any producer in any fiscal year may not exceed ~~\$3,000,000~~ \$6,000,000.

By the last day of October, January, April, and July, each producer shall file a claim for payment for production during the preceding three calendar months. The volume of production must be verified by a certified financial

audit performed by an independent certified public accountant using generally accepted accounting procedures.

Payments shall be made November 15, February 15, May 15, and August 15.

Sec. 2. Minnesota Statutes 1992, section 116.07, subdivision 4a, is amended to read:

Subd. 4a. [PERMITS.] The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, or for the sources or emissions of noise pollution.

The pollution control agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the storage, collection, transportation, processing, or disposal of waste, or for the installation or operation of any system or facility, or any part thereof, related to the storage, collection, transportation, processing, or disposal of waste.

The pollution control agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

Persons who wish to assist the pollution control agency in expediting review of their permit applications may offer to fund the hiring of a qualified contractor to assist in the permit process or to pay overtime costs of pollution control agency staff. The commissioner may accept these funds if, in the judgment of the commissioner, the funding will allow the pollution control agency to manage a permit backlog in a fair and expeditious manner. The commissioner has the sole discretion to decide whether to hire a qualified contractor for a particular permit and, if so, which contractor. The decision to issue, deny, or continue a permit shall be made by the pollution control agency in accordance with the rules it has established for permits. Qualified contractor in this paragraph means a person who is able to demonstrate expertise in the permit issues, is able to perform the duties required by the pollution control agency, and does not have a conflict or the appearance of conflict with the permit work to be performed.

Sec. 3. Minnesota Statutes 1992, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM OXYGEN CONTENT REQUIRED.] A person responsible for the product shall comply with the following requirements:

(a) After October 31, 1992, 1993, gasoline sold or offered for sale in a carbon monoxide control area, and during a carbon monoxide control period, must contain at least ~~two~~ 2.7 percent oxygen by weight *with an average of 3.1 percent.*

(b) After October 31, 1995, gasoline sold or offered for sale at any time in a carbon monoxide control area must contain at least ~~two~~ 2.7 percent *by oxygen by weight with an average of 3.1 percent.*

(c) After October 31, 1997, all gasoline sold or offered for sale in Minnesota must contain at least ~~two~~ 2.7 percent oxygen by weight with an average of 3.1 percent.

(d) At least 50 percent of all oxygenate blended with gasoline sold or offered for sale under the provisions of this section must be ethanol or ethanol-derived.

Sec. 4. Minnesota Statutes 1992, section 239.791, subdivision 2, is amended to read:

Subd. 2. [AVERAGE OXYGEN CONTENT REQUIRED.] After October 31, 1992 1993, the total amount of gasoline distributed, transported, delivered, sold, or offered for sale by a registered oxygenate blender, during each annual carbon monoxide control period, in each carbon monoxide control area, must contain an average of ~~2.7~~ three percent oxygen by weight.

Sec. 5. Minnesota Statutes 1992, section 273.1399, is amended by adding a subdivision to read:

Subd. 6. [AGRICULTURAL PROCESSING FACILITIES.] *This section does not apply to tax increment financing districts that have been established for the purpose of providing financing for the construction of facilities for processing of agricultural products, if at least 90 percent of the increments derived from the district are used for the financing of the facilities for processing of agricultural products.*

Sec. 6. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1993, for payments made for ethanol produced from that date until June 30, 2000."

Delete the title and insert:

"A bill for an act relating to motor fuels; changing the formula for payments made to producers of ethanol; increasing oxygenate level requirements for gasoline; authorizing the pollution control agency to contract to expedite permit process; eliminating certain LGA/HACA offsets for tax increment financing districts; amending Minnesota Statutes 1992, sections 41A.09, subdivision 3; 116.07, subdivision 4a; 239.791, subdivisions 1 and 2; and 273.1399, by adding a subdivision."

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

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

S.F. No. 730: A bill for an act relating to agriculture; regulating dairy trade practices; providing for fees; changing enforcement procedures; amending Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.04; 32A.05, subdivisions 1, 4, and by adding subdivisions; 32A.07; 32A.071; 32A.08; and 32A.09, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 32A; repealing Minnesota Statutes 1992, sections 32A.03; 32A.05, subdivision 3; and 32A.09, subdivisions 5 and 6.

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

Pages 1 and 2, delete section 2

Page 3, line 26, delete "7" and insert "6"

Page 4, after line 35, insert:

"Subd. 18. [RETAIL COST.] "Retail cost" means the basic cost of selected dairy products purchased by a retailer for the purpose of resale to consumers."

Page 4, line 36, delete "18" and insert "19"

Page 5, line 3, delete "19" and insert "20"

Page 5, line 8, delete "20" and insert "21"

Page 5, line 15, delete "21" and insert "22"

Page 5, line 18, after the period, insert *"A delivery of selected dairy products to a retailer in Minnesota is a sale at wholesale if an assessment required under section 32A.071 has not been paid."*

Page 5, line 19, delete "22" and insert "23"

Page 5, line 27, delete "23" and insert "24"

Page 5, line 32, delete "24" and insert "25"

Page 5, line 36, delete "25" and insert "26"

Page 6, line 10, delete "26" and insert "27"

Page 6, line 13, delete "27" and insert "28"

Page 13, after line 3, insert:

"Subd. 4. [SALES BELOW RETAIL COST PROHIBITED; EXCEPTION.] A retailer may not sell or offer for sale a selected dairy product at a retail price lower than the retail cost paid. A retailer may not use any method or device in the sale or offer for sale of a selected dairy product which results in a violation of this section. This prohibition does not apply to a sale complying with section 325D.06, clauses (1) to (4). This restriction does not apply to giving away selected dairy products free provided that such offer does not require a purchase by the customer."

Page 13, line 18, after "(2)" insert "only"

Page 13, line 19, after "documents" insert "that are necessary"

Page 20, line 11, delete the new language and strike "MILK" and before the period, insert "ASSESSMENT AT WHOLESALE"

Page 20, lines 13 to 27, reinstate the stricken language and delete the new language

Page 20, lines 30 and 33, after "wholesale" insert "for ultimate retail sale"

Page 20, line 35, after "price" insert "for class I milk as defined by the federal milk marketing order"

Page 21, line 2, after "wholesale" insert "for ultimate retail sale"

Page 21, line 3, after "price" insert "for class 1 milk as defined in the federal milk marketing order"

Page 21, after line 3, insert:

"Subd. 2b. [EXEMPTION.] A processor that operates retail home delivery sales accounting for 50 percent or more of all sales of selected dairy products is exempt from the assessments under this section."

Page 25, after line 30, insert:

"Sec. 18. [SEVERABILITY.]

If any provision of Minnesota Statutes, section 32A.071, is held to be unconstitutional, then all of Minnesota Statutes, section 32A.071, is inoperative and of no effect. If Minnesota Statutes, section 32A.071, becomes inoperative and of no effect, the balance of this act is severable and remains in effect."

Page 25, line 33, after the semicolon, insert "32A.071, subdivisions 1 and 2;"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "32A.02;"

Page 1, line 10, after the semicolon, insert "32A.071, subdivisions 1 and 2;"

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

Ms. Reichgott from the Committee on Judiciary, to which was referred

S.F. No. 704: A bill for an act relating to commerce; regulating corporate registrations and administrative dissolutions; regulating limited partnership registrations; regulating trademarks; regulating various lien filings; making various housekeeping changes relating to the powers and duties of the secretary of state; amending Minnesota Statutes 1992, sections 302A.821, subdivision 6; 303.13, subdivisions 1 and 2; 317A.823, subdivision 1; 317A.827, subdivision 3; 322A.70; 333.20, subdivision 3; 336.9-403; 514.27; 514.661, subdivision 4; 514.945, subdivision 1; 514.956, subdivision 3; and 514.960, subdivision 3.

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

Page 6, after line 12, insert:

"Sec. 7. Minnesota Statutes 1992, section 331A.07, is amended to read:

331A.07 [AFFIDAVIT OF PUBLICATION.]

No compensation shall be recoverable for publishing legal or official matter in any newspaper not qualified, until there is filed with the county auditor the affidavit of a person having knowledge of the facts, showing the name and location of the newspaper and the existence of conditions constituting its qualifications as a qualified newspaper as set forth in section 331A.02. If the matter published relates to proceedings in another county, a like affidavit must

be filed with its auditor. The affidavit, if it states the required facts, shall be prima facie evidence of them and of the qualification. No compensation shall be recoverable for publishing legal or official matter in any newspaper unless the bill is accompanied by an affidavit of the publisher, or printer in charge, of the newspaper or the publisher's designated agent, having knowledge of the facts, setting forth the fact that the newspaper has complied with all the requirements to constitute a legal newspaper. The affidavit must set forth the dates of the month and year and the day of the week upon which the legal or official matter was published in the newspaper. The affidavit must also include the publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to section 331A.06, the maximum charge allowable by law for the publication of the specific legal or official matter in question, and the rate actually charged for that publication."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after "322A.70;" insert "331A.07;"

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

Ms. Reichgott from the Committee on Judiciary, to which was referred

S.F. No. 441: A bill for an act relating to employment; requiring employers to indemnify employees for liability arising out of the scope of employment; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Delete everything after the enacting clause and insert:

"Section 1. [181.970] [EMPLOYEE INDEMNIFICATION.]

Subdivision 1. [INDEMNIFICATION REQUIRED.] An employer shall defend and indemnify its employee for civil damages, penalties, or fines claimed or levied against the employee, provided that the employee:

- (1) was acting in the performance of the duties of the employee's position;*
- (2) was not guilty of intentional misconduct, willful neglect of the duties of the employee's position, or bad faith; and*
- (3) has not been indemnified by another person for the same damages, penalties, or fines.*

Subd. 2. [EXCEPTION.] Subdivision 1 does not apply to:

- (1) employees of the state or a municipality governed by section 3.736 or 466.07;*
- (2) employees who are subject to a contract or other agreement governing indemnification rights;*
- (3) employees and employers who are governed by indemnification provisions under section 300.083, 302A.521, 317A.521, or 322B.699, or similar laws of this state or another state specifically governing indemnification of*

employees of business or nonprofit corporations, limited liability companies, or other legal entities; or

(4) indemnification rights for a particular liability specifically governed by other law.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective August 1, 1993, and applies to claims or causes of action arising on or after that date."

Delete the title and insert:

"A bill for an act relating to employment; requiring employers to indemnify employees for liability arising out of the scope of employment; proposing coding for new law in Minnesota Statutes, chapter 181."

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

Ms. Reichgott from the Committee on Judiciary, to which was referred

S.F. No. 532: A bill for an act relating to courts; conciliation court; adopting one body of law to govern conciliation courts; proposing coding for new law as Minnesota Statutes, chapter 491A; repealing Minnesota Statutes 1992, sections 487.30; 488A.12; 488A.13; 488A.14; 488A.15; 488A.16; 488A.17; 488A.29; 488A.30; 488A.31; 488A.32; 488A.33; and 488A.34; and Laws 1992, chapter 591, section 21.

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

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1992, section 481.02, subdivision 3, is amended to read:

Subd. 3. [PERMITTED ACTIONS.] The provisions of this section shall not prohibit:

(1) any person from drawing, without charge, any document to which the person, an employer of the person, a firm of which the person is a member, or a corporation whose officer or employee the person is, is a party, except another's will or testamentary disposition or instrument of trust serving purposes similar to those of a will;

(2) a person from drawing a will for another in an emergency if the imminence of death leaves insufficient time to have it drawn and its execution supervised by a licensed attorney-at-law;

(3) any insurance company from causing to be defended, or from offering to cause to be defended through lawyers of its selection, the insureds in policies issued or to be issued by it, in accordance with the terms of the policies;

(4) a licensed attorney-at-law from acting for several common-carrier corporations or any of its subsidiaries pursuant to arrangement between the corporations;

(5) any bona fide labor organization from giving legal advice to its members in matters arising out of their employment;

(6) any person from conferring or cooperating with a licensed attorney-at-law of another in preparing any legal document, if the attorney is not, directly or indirectly, in the employ of the person or of any person, firm, or corporation represented by the person;

(7) any licensed attorney-at-law of Minnesota, who is an officer or employee of a corporation, from drawing, for or without compensation, any document to which the corporation is a party or in which it is interested personally or in a representative capacity, except wills or testamentary dispositions or instruments of trust serving purposes similar to those of a will, but any charge made for the legal work connected with preparing and drawing the document shall not exceed the amount paid to and received and retained by the attorney, and the attorney shall not, directly or indirectly, rebate the fee to or divide the fee with the corporation;

(8) any person or corporation from drawing, for or without a fee, farm or house leases, notes, mortgages, chattel mortgages, bills of sale, deeds, assignments, satisfactions, or any other conveyances except testamentary dispositions and instruments of trust;

(9) a licensed attorney-at-law of Minnesota from rendering to a corporation legal services to itself at the expense of one or more of its bona fide principal stockholders by whom the attorney is employed and by whom no compensation is, directly or indirectly, received for the services;

(10) any person or corporation engaged in the business of making collections from engaging or turning over to an attorney-at-law for the purpose of instituting and conducting suit or making proof of claim of a creditor in any case in which the attorney-at-law receives the entire compensation for the work;

(11) any regularly established farm journal or newspaper, devoted to general news, from publishing a department of legal questions and answers to them, made by a licensed attorney-at-law, if no answer is accompanied or at any time preceded or followed by any charge for it, any disclosure of any name of the maker of any answer, any recommendation of or reference to any one to furnish legal advice or services, or by any legal advice or service for the periodical or any one connected with it or suggested by it, directly or indirectly;

(12) any authorized management agent of an owner of rental property used for residential purposes, whether the management agent is a natural person, corporation, partnership, limited partnership, or any other business entity, from commencing, maintaining, conducting, or defending in its own behalf any action in any court in this state to recover or retain possession of the property, except that the provision of this clause does not authorize a person who is not a licensed attorney-at-law to conduct a jury trial or to appear before a district court or the court of appeals or supreme court pursuant to an appeal;

(13) any person from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any court of this state pursuant to the provisions of section 566.175 or sections 566.18 to 566.35 or from commencing, maintaining, conducting, or defending on behalf of the plaintiff or defendant any action in any court of this state for the recovery of

rental property used for residential purposes pursuant to the provisions of section 566.02 or 566.03, subdivision 1, except that the provision of this clause does not authorize a person who is not a licensed attorney-at-law to conduct a jury trial or to appear before a district court or the court of appeals or supreme court pursuant to an appeal, and provided that, except for a nonprofit corporation, a person who is not a licensed attorney-at-law shall not charge or collect a separate fee for services rendered pursuant to this clause;

(14) the delivery of legal services by a specialized legal assistant in accordance with a specialty license issued by the supreme court before July 1, 1995;

(15) the sole shareholder of a corporation from appearing on behalf of the corporation in court; or

(16) an officer, ~~shareholder, director~~ manager, partner, or employee from appearing on behalf of a corporation, *limited liability company*, partnership, sole proprietorship, or association in conciliation court in accordance with section 487.30, ~~subdivision 4a, or in district court in an action that was removed from conciliation court 3, subdivision 4.~~

Page 1, line 23, delete "which" and insert "that"

Page 1, line 26, delete "shall be" and insert "is"

Page 2, line 4, after the period, insert "*The court administrator shall serve the summons in a conciliation court action by first class mail, except that if the amount of money or property that is the subject of the claim exceeds \$2,500, the summons must be served by the plaintiff by certified mail, and service on nonresident defendants must be made in accordance with applicable law or rule.*"

Page 2, line 23, delete "and"

Page 2, line 24, before the period, insert "; and"

(11) *involving medical malpractice*"

Page 3, lines 8 and 10, delete "shall" and insert "must"

Page 5, lines 2 and 17, delete "shall" and insert "must"

Page 6, line 1, after the second comma, insert "*limited liability company,*"

Page 6, line 3, after "officer" insert ", manager,"

Page 6, line 11, delete "shall remain" and insert "remains"

Page 6, line 27, delete "will" and insert "may"

Page 6, line 28, delete "MANDATORY"

Page 6, line 36, delete "shall award the"

Page 7, line 1, delete "opposing party" and insert "may order" and after "\$250" insert "*to be paid to the court*" and after the period, insert "*If the removing party is eligible to proceed under section 563.01, the additional \$250 costs must be waived unless the court finds that the appeal was brought in bad faith.*"

Page 7, line 22, delete "shall" and insert "must"

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

Page 9, line 1, delete "*stationary*" and insert "*stationery*"

Page 9, after line 5, insert:

"Sec. 5. Minnesota Statutes 1992, section 549.09, subdivision 1, is amended to read:

Subdivision 1. [WHEN OWED; RATE.] (a) When a judgment or award is for the recovery of money, including a judgment for the recovery of taxes, interest from the time of the verdict, award, or report until judgment is finally entered shall be computed by the court administrator or arbitrator as provided in clause (c) and added to the judgment or award.

(b) Except as otherwise provided by contract or allowed by law, preverdict, preaward, or prereport interest on pecuniary damages shall be computed as provided in clause (c) from the time of the commencement of the action or a demand for arbitration, or the time of a written notice of claim, whichever occurs first, except as provided herein. The action must be commenced within two years of a written notice of claim for interest to begin to accrue from the time of the notice of claim. If either party serves a written offer of settlement, the other party may serve a written acceptance or a written counteroffer within 30 days. After that time, interest on the judgment or award shall be calculated by the judge or arbitrator in the following manner. The prevailing party shall receive interest on any judgment or award from the time of commencement of the action or a demand for arbitration, or the time of a written notice of claim, or as to special damages from the time when special damages were incurred, if later, until the time of verdict, award, or report only if the amount of its offer is closer to the judgment or award than the amount of the opposing party's offer. If the amount of the losing party's offer was closer to the judgment or award than the prevailing party's offer, the prevailing party shall receive interest only on the amount of the settlement offer or the judgment or award, whichever is less, and only from the time of commencement of the action or a demand for arbitration, or the time of a written notice of claim, or as to special damages from when the special damages were incurred, if later, until the time the settlement offer was made. Subsequent offers and counteroffers supersede the legal effect of earlier offers and counteroffers. For the purposes of clause (3), the amount of settlement offer must be allocated between past and future damages in the same proportion as determined by the trier of fact. Except as otherwise provided by contract or allowed by law, preverdict, preaward, or prereport interest shall not be awarded on the following:

(1) judgments, awards, or benefits in workers' compensation cases, but not including third-party actions;

(2) judgments or awards for future damages;

(3) punitive damages, fines, or other damages that are noncompensatory in nature;

(4) judgments or awards not in excess of the amount specified in section 487.30 2; and

(5) that portion of any verdict, award, or report which is founded upon interest, or costs, disbursements, attorney fees, or other similar items added by the court or arbitrator.

(c) The interest shall be computed as simple interest per annum. The rate of interest shall be based on the secondary market yield of one year United States treasury bills, calculated on a bank discount basis as provided in this section.

On or before the 20th day of December of each year the state court administrator shall determine the rate from the secondary market yield on one year United States treasury bills for the most recent calendar month, reported on a monthly basis in the latest statistical release of the board of governors of the federal reserve system. This yield, rounded to the nearest one percent, shall be the annual interest rate during the succeeding calendar year. The state court administrator shall communicate the interest rates to the court administrators and sheriffs for use in computing the interest on verdicts and shall make the interest rates available to arbitrators.

When a judgment creditor, or the judgment creditor's attorney or agent, has received a payment after entry of judgment, whether the payment is made voluntarily by or on behalf of the judgment debtor, or is collected by legal process other than execution levy where a proper return has been filed with the court administrator, the judgment creditor, or the judgment creditor's attorney, before applying to the court administrator for an execution shall file with the court administrator an affidavit of partial satisfaction. The affidavit must state the dates and amounts of payments made upon the judgment after the most recent affidavit of partial satisfaction filed, if any; the part of each payment that is applied to taxable disbursements and to accrued interest and to the unpaid principal balance of the judgment; and the accrued, but the unpaid interest owing, if any, after application of each payment.

(d) This section does not apply to arbitrations between employers and employees under chapter 179 or 179A. An arbitrator is neither required to nor prohibited from awarding interest under chapter 179 or under section 179A.16 for essential employees."

Page 9, line 12, delete "4" and insert "6"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 1992, sections 481.02, subdivision 3; and 549.09, subdivision 1;"

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

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

S.F. No. 836: A bill for an act relating to agriculture; modifying the over-order premium milk price; amending Minnesota Statutes 1992, section 32A.071, subdivisions 2, 4, and by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1992, section 17.982, subdivision 1, is amended to read:

Subdivision 1. [CRIMINAL PENALTIES.] A person who violates chapter 29, 31, 31A, 32, or 34 for which a penalty has not been prescribed is guilty of a misdemeanor.

Sec. 2. Minnesota Statutes 1992, section 17.983, subdivision 1, is amended to read:

Subdivision 1. [ADMINISTRATIVE PENALTIES; CITATION.] If a person has violated chapter 29, 31, 31A, 32, or 34, the commissioner may issue a written citation to the person by personal service or by certified mail. The citation shall describe the nature of the violation and the statute or rule alleged to have been violated; state the time for correction; and the amount of any proposed fine. The citation must advise the person to notify the commissioner in writing within 30 days if the person wishes to appeal the citation. If the person fails to appeal the citation, the citation is the final order and not subject to further review.

Sec. 3. Minnesota Statutes 1992, section 17.984, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY.] To carry out the commissioner's enforcement duties under chapter 29, 31, 31A, 32, or 34, the commissioner may, upon presenting appropriate credentials, during regular working hours and at other reasonable times, inspect premises subject to the commissioner's enforcement and licensing authority for reasons related to the commissioner's enforcement and licensing authority; request information from persons with information relevant to an inspection; and inspect relevant papers and records, including business records. The commissioner may issue notices in lieu of citations for minor violations if a notice is in the public interest.

Sec. 4. Minnesota Statutes 1992, section 32.394, subdivision 8d, is amended to read:

Subd. 8d. [PROCESSOR ASSESSMENT.] (a) A manufacturer shall pay to the commissioner a fee for fluid milk processed and milk used in the manufacture of fluid milk products sold in Minnesota. Beginning July 1, 1991, the fee is ~~five~~ six cents per hundredweight. If the commissioner determines that a different fee, not exceeding nine cents per hundredweight, when combined with general fund appropriations and fees charged under sections 31.39 and 32.394, subdivision 8, is needed to provide adequate funding for the Grades A and B inspection programs *and the Minnesota milk premium program*, the commissioner may, by rule, change the fee on processors.

(b) Processors must report quantities of milk processed under paragraph (a) on forms provided by the commissioner. Processor fees must be paid monthly. The commissioner may require the production of records as necessary to determine compliance with this subdivision.

Sec. 5. Minnesota Statutes 1992, section 32.394, subdivision 9, is amended to read:

Subd. 9. [PAYMENTS; REFUNDS; DISPOSITION.] Fees are payable by a processor or marketing organization by July 1 of each year for Grade A, and by January 1 of each year for manufacturing grade, and if not paid within 30 days of the due date, the service must be discontinued, and permission to market manufacturing grade or Grade A milk or milk products or use the Grade A label must be withdrawn. A processor may terminate payment and

service without loss of the Grade A label if written notice of that intention is given prior to the due date of the payment of an assessment and if the continuous inspection of the plant is assumed by a city whose milk control ordinance is substantially equivalent to Minnesota law and rule and is enforced with equal effectiveness. If a farm discontinues the production of milk within six months of the billing date, a request for a refund based on inspection services not received may be made by the processor or by the marketing organization on behalf of its patrons. This request must be made in writing by July 1 for manufacturing grade, or by December 31 for Grade A, and on approval by the commissioner refunds must be made to the processor or marketing organization.

The fees for services performed by the activities of this section must be deposited in the state treasury and constitute a separate account to be known as the milk ~~inspection service~~ services account, which is hereby created, set aside, and appropriated as a revolving fund to be used to help to defray the cost of administration, refunds and expenses of the preliminary and continuous milk inspection services and is in addition to and not in substitution for the sums appropriated or otherwise made available for this purpose to the department of agriculture.

MINNESOTA MILK PREMIUM

Sec. 6. [32.70] [MINNESOTA MILK PREMIUM; DEFINITIONS.]

Subdivision 1. [APPLICATION.] The definitions in this section apply to sections 32.70 to 32.72.

Subd. 2. [MANUFACTURER.] "Manufacturer" means a person doing business in Minnesota engaged in manufacturing or processing a selected dairy product in the person's own plant for sale in Minnesota.

Subd. 3. [PRODUCER.] "Producer" means a person who operates a dairy herd or herds in Minnesota producing milk or cream commercially and whose milk or cream is sold to, or received or handled by, a distributor or processor. "Producer" does not include any incorporated or unincorporated association of producers.

Subd. 4. [RESPONSIBLE PERSON.] "Responsible person" means the business entity which makes payment to individual Grade A or B milk producers.

Subd. 5. [RETAIL COST.] "Retail cost" means the basic cost of selected dairy products purchased by a retailer for the purpose of resale to consumers.

Subd. 6. [SALE AT RETAIL.] "Sell at retail," "sales at retail," and "retail sales" mean any sale or offer for sale of a selected dairy product for consumption or use other than resale or further processing or manufacturing. Home delivery sales, sales by the use of vending machines, and sales direct to consumers through lease of all or a part of a retailer's premises are sales at retail.

Subd. 7. [SALE AT WHOLESALE.] "Sell at wholesale," "sale at wholesale," and "wholesale sales" mean sale or offer for sale of a selected dairy product for purposes of resale or further processing or manufacturing, but do not include a producer selling or delivering milk to a manufacturer. A delivery of selected dairy products to a retailer in Minnesota is a sale at wholesale if an assessment required under section 9 has not been paid.

Subd. 8. [SELECTED DAIRY PRODUCTS.] "Selected dairy products" means milk for human consumption in fluid form, "fluid milk products" as defined in section 32.391, cottage cheese, "frozen foods" as defined in section 32.55, subdivision 2, "mix" as defined in section 32.55, subdivision 4, and class I milk products and class II milk products as defined by the Upper Midwest Milk Marketing Order, Code of Federal Regulations, title 7, part 1060, or successor orders, and includes all dairy products manufactured for human consumption for which no federal or state composition standard or standard of identity have been established.

Subd. 9. [WHOLESALE.] "Wholesaler" means a person in the business of making sales of selected dairy products at wholesale in Minnesota. In the case of a person in the business of making sales at both retail and wholesale, "wholesaler" applies only to the sales at wholesale.

Sec. 7. [32.71] [DUTIES AND POWERS OF THE COMMISSIONER; DATA PRIVACY.]

Subdivision 1. [DUTIES; RULES.] The commissioner shall administer sections 32.70 to 32.72 and may adopt permanent or emergency rules as necessary to carry out that duty.

Subd. 2. [INVESTIGATIVE POWERS.] The commissioner may:

(1) enter at all reasonable hours any place where a selected dairy product is being processed, bottled, stored, kept, or sold, or where the books, papers, records, or documents pertaining to any transaction that relates to any selected dairy product are kept;

(2) only inspect, audit, and make copies of books, papers, records, accounts, or other documents that are necessary to determine compliance with this chapter; and

(3) sign subpoenas, administer oaths and affirmations, examine witnesses, and receive evidence.

Subd. 3. [DATA PRIVACY.] All information received by the commissioner on a manufacturer or wholesaler for the purpose of administration and enforcement of sections 6 to 9 shall be classified private data or nonpublic data pursuant to chapter 13. That classification shall not limit the use of the information in the preparation, institution, or conduct of a legal proceeding by the commissioner in enforcing this chapter.

Sec. 8. [32.711] [SALES BELOW RETAIL COST PROHIBITED; EXCEPTION.]

A retailer may not sell or offer for sale a selected dairy product at a retail price lower than the retail cost paid. A retailer may not use any method or device in the sale or offer for sale of a selected dairy product which results in a violation of this section. This prohibition does not apply to a sale complying with section 325D.06, clauses (1) to (4). This restriction does not apply to giving away selected dairy products free provided that such offer does not require a purchase by the customer.

Sec. 9. [32.72] [MILK ASSESSMENT.]

Subdivision 1. [ASSESSMENT FORMULA.] The commissioner shall assess the manufacturer that makes the first sale of a selected dairy product

at wholesale for ultimate retail sale in Minnesota an amount determined as follows:

(a) For each gallon of milk used in the manufacture of a selected dairy product sold at wholesale for ultimate retail sale in Minnesota, except an item listed in paragraph (b), the assessment is 50 cents.

(b) For each gallon of frozen foods, including mix, sold at wholesale for ultimate retail sale in Minnesota, the assessment is 20 cents.

Subd. 2. [EXEMPTION.] A manufacturer that operates retail home delivery sales accounting for 50 percent or more of all sales of selected dairy products is exempt from the assessments in subdivision 1.

Subd. 3. [EQUALIZATION POOL.] Any amounts paid in subdivision 1 shall be paid into an equalization fund created by the commissioner for redistributing such payments at a uniform rate to Minnesota Grade A and B milk producers. Such redistribution may be made indirectly to a responsible person, who in turn must pay Grade A and B milk producers at the uniform distribution rate.

Sec. 10. [TRANSFER OF FUNDS.]

The commissioner shall transfer the remainder of the funds in the dairy industry unfair trade practices account to the milk services account.

Sec. 11. [SEVERABILITY.]

If any provision of section 9 is held to be unconstitutional, then all of section 9 is inoperative and of no effect.

Sec. 12. [REPEALER.]

Minnesota Statutes 1992, sections 32A.01, 32A.02, 32A.03, 32A.04, 32A.05, 32A.07, 32A.071, 32A.08, and 32A.09, are repealed.

Sec. 13. [EFFECTIVE DATE.]

Sections 1 to 12 are effective the day following final enactment except that the requirement for assessments under section 9 is effective on the first day of the month following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; repealing the dairy unfair trade practices act; imposing an assessment on selected dairy products; changing enforcement procedures; providing for fees; providing penalties; amending Minnesota Statutes 1992, sections 17.982, subdivision 1; 17.983, subdivision 1; 17.984, subdivision 1; and 32.394, subdivisions 8d and 9; proposing coding for new law in Minnesota Statutes, chapter 32; repealing Minnesota Statutes 1992, sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05; 32A.07; 32A.071; 32A.08; and 32A.09."

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

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

S.F. No. 212: A bill for an act relating to taxation; increasing certain tax rates for support of nonprofit arts organizations; providing for distribution of tax proceeds; amending Minnesota Statutes 1992, sections 129D.01; 297A.02, by adding subdivisions; 297A.44, subdivision 1; 349A.10, subdivision 5; and Laws 1986, chapter 396, section 5; proposing coding for new law in Minnesota Statutes, chapter 129D.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

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

S.F. No. 183: A bill for an act relating to data practices; comprehensive law enforcement data; classifying photographs of certain incarcerated persons as public; amending Minnesota Statutes 1992, section 13.82, subdivision 2.

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

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1992, section 13.82, is amended by adding a subdivision to read:

Subd. 2a. [BOOKING PHOTOGRAPHS.] (a) A booking photograph of an adult person taken by a law enforcement agency is private data on individuals until the conviction of the person.

(b) A law enforcement agency may withhold access to a booking photograph that becomes public data if the agency determines that release of the photograph would impede the law enforcement process or jeopardize an active investigation.

Sec. 2. Minnesota Statutes 1992, section 13.82, subdivision 5, is amended to read:

Subd. 5. [DATA COLLECTION.] Except for the data defined in subdivisions 2, 2a, 3, and 4, investigative data collected or created by a law enforcement agency in order to prepare a case against a person, whether known or unknown, for the commission of a crime or civil wrong is confidential or protected nonpublic while the investigation is active. Inactive investigative data is public unless the release of the data would jeopardize another ongoing investigation or would reveal the identity of individuals protected under subdivision 10. Photographs which are part of inactive investigative files and which are clearly offensive to common sensibilities are classified as private or nonpublic data, provided that the existence of the photographs shall be disclosed to any person requesting access to the inactive investigative file. An investigation becomes inactive upon the occurrence of any of the following events:

(a) a decision by the agency or appropriate prosecutorial authority not to pursue the case;

(b) expiration of the time to bring a charge or file a complaint under the applicable statute of limitations, or 30 years after the commission of the offense, whichever comes earliest; or

(c) exhaustion of or expiration of all rights of appeal by a person convicted on the basis of the investigative data.

Any investigative data presented as evidence in court shall be public. Data determined to be inactive under clause (a) may become active if the agency or appropriate prosecutorial authority decides to renew the investigation.

During the time when an investigation is active, any person may bring an action in the district court located in the county where the data is being maintained to authorize disclosure of investigative data. The court may order that all or part of the data relating to a particular investigation be released to the public or to the person bringing the action. In making the determination as to whether investigative data shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the agency or to any person identified in the data. The data in dispute shall be examined by the court in camera.

Sec. 3. Minnesota Statutes 1992, section 13.82, subdivision 8, is amended to read:

Subd. 8. [PUBLIC BENEFIT DATA.] Any law enforcement agency may make any data classified as ~~confidential or protected nonpublic~~ *not public data* pursuant to subdivision 2a or 5 accessible to any person, agency, or the public if the agency determines that the access will aid the law enforcement process, promote public safety, or dispel widespread rumor or unrest."

Delete the title and insert:

"A bill for an act relating to data practices; comprehensive law enforcement data; classifying booking photographs; amending Minnesota Statutes 1992, section 13.82, subdivisions 5 and 8, and by adding a subdivision."

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

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

S.F. No. 764: A bill for an act relating to criminal procedure; authorizing the presence of a supportive person during certain criminal proceedings in which a minor is testifying as a prosecuting witness; amending Minnesota Statutes 1992, section 631.046, subdivision 1.

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

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

S.F. No. 577: A bill for an act relating to controlled substances; prescribing penalties for failure to comply with the precursor chemical tracking system; requiring reporting of missing substances and purchases made out of state; clarifying reporting requirements; amending Minnesota Statutes 1992, sections 152.0971, subdivision 1, and by adding subdivisions; 152.0972, subdivision 1; 152.0973, subdivisions 2, 3, and by adding a subdivision; and 152.0974; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1992, section 152.0973, subdivision 4.

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

Page 2, delete section 4.

Page 3, line 11, delete "who receives" and insert "of"

Page 3, line 13, delete "*receipt*" and insert "*taking possession*"

Page 6, line 9, delete "*10*" and insert "*9*" and delete "*11*" and insert "*10*"

Renumber the sections in sequence

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

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

S.F. No. 867: A bill for an act relating to motor vehicles; increasing penalty for fraudulently allowing use or possession of certificate of title; establishing automobile theft prevention program and creating board; increasing penalty for falsely reporting crime; amending Minnesota Statutes 1992, sections 168A.30; and 609.505; proposing coding for new law in Minnesota Statutes, chapter 168A.

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

Pages 1 and 2, delete section 1

Page 3, line 24, delete "*FEES*" and insert "*SURCHARGE*" and delete "*a \$1 fee is*" and insert "*each insurer engaged in the writing of policies of automobile insurance shall collect a surcharge, at the rate of 50 cents per vehicle for every six months of coverage, on each policy of automobile insurance issued or renewed in this state. The surcharge shall not be considered premium for any purpose, including the computation of premium tax or agents' commissions. The amount of the surcharge shall be separately stated on either a billing or policy declaration sent to an insured. Insurers shall remit the revenue derived from this surcharge to the board for purposes of the automobile theft prevention program.*"

Page 3, delete lines 25 to 29

Page 3, line 30, delete everything before "*For*"

Page 3, line 35, delete "*fee*" and insert "*surcharge*"

Page 4, after line 10, insert:

"Sec. 3. [REPEALER.]

Section 1 is repealed January 1, 1999."

Page 4, line 12, delete "*Sections 1 and 3 are*" and insert "*Section 2 is*" and delete "*apply*" and insert "*applies*"

Page 4, line 13, delete "*2*" and insert "*1*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

Page 1, line 4, delete "*of title;*"

Page 1, line 7, delete "sections 168A.30; and" and insert "section"

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 798: A bill for an act relating to public safety; authorizing commissioner of public safety to apply for federal natural disaster assistance funds; amending Minnesota Statutes 1992, section 12.221.

Reports the same back with the recommendation that the bill do pass. Mr. Merriam questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 903: A bill for an act relating to public employees; authorizing a local police civil service commission to adopt rules allowing the striking of a name on the civil service eligible register after a one-year period; amending Minnesota Statutes 1992, section 419.06.

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was re-referred

S.F. No. 96: A bill for an act relating to the environment; wastewater treatment; clarifying rulemaking provisions for pollution control agency adoption of wastewater treatment standards; changing the composition of the technical advisory committee; changing the definition of individual on-site treatment system; amending Minnesota Statutes 1992, sections 115.44, subdivisions 4, 6, and 7; 115.54; and 116.18, subdivision 3c.

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 611: A bill for an act relating to state government; executive council; regulating depositories for state funds; amending Minnesota Statutes 1992, section 9.031, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 9; repealing Minnesota Statutes 1992, section 9.031, subdivisions 1, 2, 3, 4, 5, and 10.

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

Page 1, line 13, after "banks" insert ", credit unions,"

Page 1, delete lines 19 and 20

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 688: A bill for an act relating to state government; changing the name of the council on affairs of Spanish-speaking people to the council on affairs of Mexicano/Chicano and Latino people; making related changes in definitions and duties; amending Minnesota Statutes 1992, section 3.9223, subdivisions 1, 2, 3, 5, 7, and by adding a subdivision; repealing Minnesota Statutes 1992, section 3.9223, subdivision 4.

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

Page 1, line 13, strike "A" and insert "The"

Page 1, line 14, strike "is created"

Page 1, line 15, delete ", consisting" and insert "consists"

Page 1, line 17, strike "shall" and insert "must"

Page 3, line 12, after "recommendations" insert "*to the commissioner and the legislature by November 1 of each year*"

Page 3, line 13, strike everything after "people"

Page 3, strike lines 14 and 15

Page 3, line 16, strike "thereafter"

Page 3, lines 27 to 30, delete the new language

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

Mr. Metzen from the Committee on Governmental Operations and Reform, to which was referred

S.F. No. 807: A bill for an act relating to state government; reports to the legislature; prohibiting standing requirements for periodic reports; amending Minnesota Statutes 1992, section 3.195, by adding a subdivision; repealing Minnesota Statutes 1992, section 3.195, 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. [3.196] [REQUIRED REPORTS.]

A department or agency may not be subject to a continuing requirement to submit a periodic report to the legislature. Each report must be specifically requested.

A report to the legislature must contain, at the beginning of the report, the cost of preparing the report, including any cost incurred by another agency or another level of government.

Sec. 2. Minnesota Statutes 1992, section 3.302, subdivision 3, is amended to read:

Subd. 3. [STATE DOCUMENTS.] The library is a depository of all documents published by the state and ~~shall must receive them~~ *six copies of each document* automatically without cost. As used in this chapter, "document" includes any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, task forces, including advisory task forces created under section 15.014 or 15.0593, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations and issued in print, including all forms of duplicating other than by the use of carbon paper, considered to be of interest or value to the library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of an agency are not included.

Sec. 3. Minnesota Statutes 1992, section 3.302, subdivision 3a, is amended to read:

Subd. 3a. [IDENTIFICATION OF DOCUMENTS.] For all documents deposited under subdivision 3, the library shall require that the issuing agency supply proper bibliographic identification. The identification ~~shall must~~ appear on the title page of each volume and include a complete title, a statement of authorship, the name of the publisher, and the date and place of publication. If possible the document ~~shall must~~ be consecutively paged. The issuing agency shall include a statement citing the statute or session law with which the report complies, if there is one. *The library shall publish and distribute to legislators and other interested persons a regular checklist of state documents.*

Sec. 4. [INSTRUCTIONS TO REVISOR.]

It is the intent of the legislature to repeal or otherwise remove from Minnesota Statutes all standing requirements for periodic reports from state agencies to the legislature, effective August 1, 1994. The revisor of statutes shall prepare, for introduction in the 1994 session of the legislature, a bill making changes in Minnesota Statutes consistent with that intent and with section 1.

Sec. 5. [REPEALER.]

Minnesota Statutes 1992, section 3.195, is repealed.

Sec. 6. [EFFECTIVE DATE.]

Sections 1, 2, 3, and 5, are effective August 1, 1994."

Delete the title and insert:

"A bill for an act relating to state government; reports to the legislature; prohibiting standing requirements for periodic reports; amending Minnesota Statutes 1992, section 3.302, subdivisions 3 and 3a; proposing coding for new law in Minnesota Statutes, chapter 3; repealing Minnesota Statutes 1992, section 3.195."

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

Ms. Piper from the Committee on Family Services, to which was referred

S.F. No. 1077: A bill for an act relating to human services; granting authority to make interpretive guidelines; defining interpretive guidelines; providing for a vulnerable adult study; establishing a data practices task force; amending Minnesota Statutes 1992, sections 14.03, subdivision 3; 245A.02, subdivision 14; 245A.04, subdivisions 3 and 3b; 245A.06, subdivision 2; 245A.09, subdivision 7, and by adding subdivisions; and 245A.16, subdivision 6; repealing Minnesota Statutes 1992, sections 245A.04, subdivision 3c.

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

Page 6, line 28, reinstate the stricken language

Page 7, line 33, before "If" insert *"For programs and services for people with developmental disabilities, the commissioner of human services shall develop demonstration projects to use the standards of the commission on accreditation of rehabilitation facilities and the standards of the accreditation council on services to persons with disabilities during the period of July 1, 1993, through December 31, 1994, and incorporate the alternative use of such standards and methods in licensing rules where appropriate."*

Page 7, line 35, after the period, insert *"The commissioner shall present a plan by January 31, 1995, to accept accreditation by either the accreditation council on services to people with disabilities or the commission on the accreditation of rehabilitation services as evidence of being in compliance where applicable with state licensing."*

Page 10, delete lines 7 to 16 and insert:

"The commissioners of health and human services shall establish an advisory committee including consumers and their advocates, providers, county officials, and state officials to make recommendations on the means of preventing maltreatment of vulnerable adults and for the provisions of protective services to vulnerable adults. In making their recommendations, the advisory committee shall review all services and protections available under existing state and federal laws with the focus on eliminating duplication of effort among various local, state, and federal agencies and minimizing possible conflicts of interest by establishing a statewide process of coordination of responsibilities. A report with recommendations for state law changes and changes to Minnesota Rules, parts 9555.8000 to 9555.8500, shall be made to the governor and legislature not later than February 1, 1994."

Pages 10 and 11, delete sections 14 and 15

Amend the title as follows:

Page 1, line 5, delete "establishing a data practices task force;"

Page 1, lines 10 and 11, delete "; repealing Minnesota Statutes 1992, sections 245A.04, subdivision 3c"

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

Ms. Piper from the Committee on Family Services, to which was referred

S.F. No. 981: A bill for an act relating to human services; clarifying and changing license evaluation requirements and eliminating certain restrictions

on businesses providing certain adult foster care services; changing the billing cycle and collection retention for certain human services programs; modifying conditions for the Minnesota family investment plan; changing the name of the hearing impaired services act and the council for the hearing impaired; changing requirements for child protection training and clarifying maltreatment reporting; amending Minnesota Statutes 1992, sections 245A.04, subdivision 6; 245A.11, subdivision 2a; 256.019; 256.025, subdivision 3; 256.033, subdivision 1; 256.034, subdivision 1; 256.0361, subdivision 1; 256C.21; 256C.22; 256C.23, subdivisions 2, 3, and by adding a subdivision; 256C.24; 256C.25, subdivision 1; 256C.26; 256C.27; 256C.28; 268.871, subdivision 1; 626.556, subdivisions 10 and 11; 626.559, subdivisions 1 and 1a; and 626.5591.

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

Page 2, delete section 2

Page 17, lines 23 and 24, delete the new language

Page 18, lines 7 to 13, delete the new language

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "eliminating"

Page 1, line 13, delete everything after the first semicolon

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. 413: A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in St. Louis county.

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

Page 1, lines 10 and 11, delete "*by private sale, for not less than the appraised value,*" and insert "*to the city of Babbitt for no consideration*"

Page 1, lines 13 and 14, delete "*, under the remaining provisions of Minnesota Statutes, chapter 282*"

Page 1, line 15, delete from "*The*" through page 1, line 16, to "*Babbitt.*"

Page 1, line 17, before the period, insert "*and must provide that the land reverts to the state if it is not used for the purpose in paragraph (d)*"

Page 1, line 21, after the period, insert "*The commissioner of revenue, pursuant to Minnesota Statutes, section 282.37, shall grant and convey to the commissioner of natural resources a permanent easement to Hay Lake for public access and for fisheries and wildlife management across the western 100 feet of the SW 1/4 of the NW 1/4 of Section 2.*"

Pages 1 and 2, delete section 2

Page 3, line 26, after "River" insert ". Fisheries management easement required"

Page 6, delete lines 4 to 6

Page 6, line 23, after the first comma, insert "except the abandoned railroad right-of-way,"

Renumber the clauses in sequence

Page 7, line 1, delete "to 3" and insert "and 2"

Renumber the sections in sequence

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

Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 529: A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; amending Minnesota Statutes 1992, section 473.167, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473.

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

Delete everything after the enacting clause and insert:

"Section 1. [16A.713] [AID PENALTIES FOR NONCOMPLIANCE WITH COMPREHENSIVE CHOICE HOUSING ALLOTMENT.]

For cities and towns which are within the metropolitan urban service area or which are freestanding growth centers, as defined by the metropolitan council established under chapter 473, only those which are certified to be in compliance with the comprehensive choice housing objectives under section 2, subdivision 3, clause (4), shall be eligible to receive aid payments, including, but not limited to, homestead and agricultural credit payments, from the local government trust fund in the calendar year following the year in which certification was made. Aid amounts for cities and towns deemed not to be in compliance with the comprehensive choice housing objectives under section 2, subdivision 3, clause (4), shall be distributed to the cities and towns in the metropolitan area certified by the metropolitan council to be in compliance, in proportion to each city's or town's share of local government aid and equalization aid under section 477A.013. For cities and towns which are partially within and partially without the area, this section shall apply to the proportion of the city's or town's aid equal to the population within the area divided by the total population of the city or town. For the purposes of this section, "population" means the population according to the most recent federal census, or according to the metropolitan council's most recent population estimates if the estimates have been issued subsequent to the most recent federal census.

Sec. 2. [473.202] [AFFORDABLE HOUSING.]

Subdivision 1. [POLICY; GOALS.] In order to protect and enhance the social and economic health of the metropolitan region and each community in the region, it is the legislature's policy to encourage development of a full range of housing options in every community in the metropolitan area. The legislature's goals are to: provide citizens with housing choices; remove barriers to the development of a comprehensive range of housing; create incentives for each community to develop housing that will serve residents as their income and housing needs change; reduce traffic congestion in the metropolitan area by providing people opportunities to live near their work in housing that is affordable to them; allow people to live near where jobs are being created; allow people to remain in their community as their situations and needs change; and have each community implement the housing policy and goals of the region.

Subd. 2. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Affordable housing" means housing that requires households to expend no more than 30 percent of their household income on housing and housing related expenses.

(b) "Comprehensive choice housing" means single-family and multifamily housing that is affordable for households at income levels throughout the full range of metropolitan area incomes, including housing that is affordable to individuals and households with incomes less than or equal to 30 percent, 50 percent, 80 percent, and 100 percent of median income.

(c) "Comprehensive choice housing allotment" means a city's or town's allocation of comprehensive choice housing distributed on a fair-share basis under subdivision 3.

(d) "Median income" means median household income, adjusted for family size, for the Minneapolis-St. Paul metropolitan statistical area as determined by the federal Department of Housing and Urban Development.

(e) "Substantial compliance" means that at least 75 percent of the cities and towns in a sector of the metropolitan area are certified as meeting the comprehensive choice requirements under subdivision 3, clause (4).

Subd. 3. [COMPREHENSIVE CHOICE HOUSING ALLOTMENT; OBJECTIVES; RULES.] Before July 1, 1994, the metropolitan council shall adopt rules and objectives governing opportunities for comprehensive choice housing in the metropolitan urban service area and freestanding growth centers. The council shall contract with the office of administrative hearings to conduct public hearings to adopt rules under this subdivision. The council shall give notice at least 30 days before the hearing by publishing a notice in the State Register and mailing a notice to persons and groups who have requested notification. At the hearing, the public shall have an opportunity to give testimony and question council representatives and council staff. Rules and objectives adopted under this subdivision must:

(1) analyze the metropolitan urban service area's and freestanding growth centers' present and prospective need for comprehensive choice housing, including the need for multifamily and single-family housing for individuals and households at 30 percent, 50 percent, and 80 percent of median income. Local, state, and federal agencies shall work cooperatively with the council to

identify, collect, and augment relevant data and studies without duplicating other analytical efforts;

(2) allocate the metropolitan urban service area's and freestanding growth centers' comprehensive choice housing needs, on a fair-share basis, to cities and towns in the metropolitan urban service area and freestanding growth centers' area.

Using the most current and reliable information available, the council shall develop a formula for allocating the metropolitan area's comprehensive choice housing needs to cities and towns within the metropolitan urban service area and freestanding growth centers. The formula developed by the council shall include the following factors:

(i) distribution of housing units by value or rent and the proportion of those units affordable to households earning 30 percent, 50 percent, and 80 percent of median income considering housing tenure, type and availability;

(ii) income distribution of households considering the number of households with incomes that are 30 percent, 50 percent, and 80 percent of median income, and the proportion of those households paying more than 30 percent of their household income on housing and housing related expenses;

(iii) job base, considering those jobs that provide employment opportunities for lower-income households and the ratio of jobs to households;

(iv) future development potential considering vacant land, the council's forecasts of households and employment, and the annual deviation from the council's forecasts resulting from variation in overall housing construction in the metropolitan area;

(v) future redevelopment potential in cities and towns with adequate supplies of vacant land to meet their allocation needs, considering age and value of housing, and redevelopment plans of cities and towns; and

(vi) cities' and towns' current and past efforts to provide and sanction housing or housing assistance for low-income households;

(3) determine the extent to which each city or town has, in the past, accomplished its comprehensive choice housing allotment;

(4) describe actions that a city or town may take to:

(i) eliminate barriers to comprehensive choice housing including, but not limited to, the elimination of zoning requirements, development agreements, and local development practices that impose barriers to the development of comprehensive choice housing;

(ii) utilize available opportunities that will meet the objective of providing comprehensive choice housing development; and

(iii) maintain housing affordability;

(5) establish annual review procedures, requirements, and guidelines for council review and certification of city and town compliance with the fair-share housing allocation; and

(6) establish procedures through which the council shall adopt and execute a plan to facilitate, coordinate, and, to the extent of available resources, cause the development of affordable comprehensive choice housing in all

cities and towns where the supply of affordable housing is inadequate to meet the objectives under this section. Based on the factors in clause (2), the plan shall prioritize the proposed development of affordable comprehensive choice housing in inverse proportion to the percentage of available low- and moderate-income housing in each respective city or town.

Subd. 4. [PERIODIC REVIEW OF COMPREHENSIVE CHOICE HOUSING ALLOTMENT RULES.] The council shall review and assess the comprehensive choice housing allotment rules at least every five years following their effective date. No major changes to procedures for allocating comprehensive choice housing or evaluating compliance under subdivision 3, clause (4), shall be made until 90 days after a report to the legislature on proposed changes to the comprehensive choice housing allotment rules. The report must be submitted to the legislature in January.

Subd. 5. [COMPREHENSIVE CHOICE HOUSING COUNSELING.] The council shall provide or contract for housing counseling services. The counseling services must promote comprehensive housing choice throughout the metropolitan area by providing services to poor persons living in areas of concentrated poverty by locating available housing, counseling people on the advantages and disadvantages of housing locations, and offering on-site visits to available housing.

Subd. 6. [REVIEW AND CERTIFICATION.] (a) Beginning February 1, 1995, the council shall annually review and certify a city's or town's compliance with the objectives of comprehensive choice housing under subdivision 3, clause (4). A city or town shall be in compliance when it has taken all actions required by council rules adopted under the authority of subdivision 3, clause (4), or when it has achieved its comprehensive choice allotment.

(b) Before January 1, 1996, and each subsequent year, the council shall certify to the department of revenue, the cities and towns that are in compliance with the comprehensive choice housing objectives under subdivision 3, clause (4). At the time of certification, the council shall send a written notice to each uncertified city and town describing: the nature of the noncompliance, the types of corrective actions necessary for the city or town to be certified, and the penalties for noncompliance under subdivision 7 and section 16A.713.

(c) The council shall establish appeal procedures for uncertified cities and towns to obtain a review of the council's determination under this subdivision.

Subd. 7. [COUNCIL PENALTIES FOR NONCOMPLIANCE WITH THE COMPREHENSIVE CHOICE HOUSING ALLOTMENT.] After January 1, 1996, in addition to the penalties for noncompliance under section 16A.713, the council shall not:

(1) approve, or favorably receive, any proposed project or plan for a sector in which the council finds substantial noncompliance with the comprehensive choice housing objectives that will grant any extensions to urban service area boundaries, except to address environmental contamination problems or in demonstrated cases of undue economic hardship for the property owner affected and in cases of undue economic hardships for no more than ten acres; or

(2) approve any element of a plan or proposed project that will grant any increased sewer service or access for a city or town that is not certified by the council under subdivision 6, except to address environmental contamination problems or in demonstrated cases of undue economic hardship for the property owner affected.

For purposes of this subdivision, the council shall define sector on a case-by-case basis to mean any contiguous area that includes the proposed sewer, or sewer extension project and is served by the sewer, or proposed project or extension.

Sec. 3. [APPLICATION.]

Sections 1 and 2 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to metropolitan government; requiring the metropolitan council to adopt rules allocating comprehensive choice housing among cities and towns in the metropolitan area; requiring metropolitan council review of city's and town's efforts to comply with the allocation; establishing penalties for noncompliance; proposing coding for new law in Minnesota Statutes, chapters 16A; and 473."

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

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

H.F. No. 298 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
298	277				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 585 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				585	444

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 585 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 585 and insert the language after the enacting clause of S.F. No. 444, the second engrossment; further, delete the title of H.F. No. 585 and insert the title of S.F. No. 444, the second engrossment.

And when so amended H.F. No. 585 will be identical to S.F. No. 444, and further recommends that H.F. No. 585 be given its second reading and substituted for S.F. No. 444, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 787, 366, 702, 483, 334, 704, 441, 532, 183, 764, 577, 903, 96, 611, 688, 807, 981 and 413 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 298 and 585 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Sams moved that the name of Mr. Lessard be added as a co-author to S.F. No. 831. The motion prevailed.

Mr. Solon moved that the name of Mr. Lessard be added as a co-author to S.F. No. 975. The motion prevailed.

Ms. Berglin moved that the name of Mr. Finn be added as a co-author to S.F. No. 979. The motion prevailed.

Mr. Benson, D.D. moved that his name be stricken as a co-author to S.F. No. 1117. The motion prevailed.

Ms. Johnson, J.B. moved that the name of Ms. Runbeck be added as a co-author to S.F. No. 1132. The motion prevailed.

Mr. Solon moved that the names of Messrs. Kelly and Finn be added as co-authors to S.F. No. 1139. The motion prevailed.

Mr. Hottinger moved that the name of Mr. Finn be added as a co-author to S.F. No. 1176. The motion prevailed.

Ms. Krentz moved that the names of Messrs. Finn and Chandler be added as co-authors to S.F. No. 1219. The motion prevailed.

Ms. Krentz moved that the name of Mr. Luther be added as a co-author to S.F. No. 1231. The motion prevailed.

Mr. Mondale moved that his name be stricken as a co-author to S.F. No. 1250. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Morse, Riveness, Chandler, Price and Dille introduced—

S.F. No. 1252: A bill for an act relating to state government; consolidating and coordinating state environmental and natural resource programs; reorganizing and restructuring state agencies and departments; creating the sustainable environmental policy board; creating the department of environmental protection; adding powers and duties to the department of natural resources; transferring all the powers and duties of the environmental quality board, the pollution control agency, the board of water and soil resources, the office of waste management, the harmful substances compensation board, the petroleum tank release compensation board, and the Minnesota public facilities authority, and abolishing these agencies; transferring certain powers and duties of the departments of administration, commerce, trade and economic development, and the metropolitan council; requiring further studies and reports; amending Minnesota Statutes 1992, sections 15.01; 15A.081, subdivision 1; 84.01, subdivisions 1 and 3; 84.027, by adding a subdivision; 103B.3355; 103D.101, subdivision 2; 115B.25, subdivision 2; 115B.28, subdivisions 1 and 4; 115B.35, subdivisions 1, 4, 5, and 6; 115C.07, subdivision 3; 115C.10, subdivision 1; 116.01; 116.02, subdivision 5; 116.03, subdivisions 1 and 2; 116C.01; 116C.02; 116C.03, subdivisions 1, 2, and 3a; 116C.04, subdivision 2; 116C.24, subdivisions 2, 2a, and 3; 116C.25; 116C.34; 144.871, subdivision 5; 326.71, subdivision 5; 446A.02, subdivision 3; 446A.04, subdivisions 1 and 5; 446A.07, subdivisions 4, 5, and 6; 446A.071, subdivisions 3, 4, and 5; 446A.10, by adding a subdivision; 473.811, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116C; repealing Minnesota Statutes 1992, sections 103B.101, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, and 10; 103B.205, subdivision 2; 103B.305, subdivision 2; 103B.3363, subdivision 2; 103C.101, subdivision 12; 103D.011, subdivision 5; 115A.03, subdivisions 8a and 22a; 115A.055; 115B.27; 115C.07, subdivisions 1 and 2; 115D.03, subdivision 4; 116.02, subdivisions 1, 2, 3, and 4; 116.03, subdivision 6; 116.04; 446A.02, subdivision 2; and 446A.03.

Referred to the Committee on Governmental Operations and Reform.

Ms. Runbeck, Mr. Kelly, Ms. Robertson and Mr. Novak introduced—

S.F. No. 1253: A bill for an act relating to economic development; creating the urban initiative board to encourage urban development; providing for a grant program; requiring the board to adopt rules; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116M.

Referred to the Committee on Jobs, Energy and Community Development.

Ms. Runbeck, Messrs. Moe, R.D.; Marty; Mondale and Neuville introduced—

S.F. No. 1254: A bill for an act relating to state government; revising laws governing the intergovernmental information systems advisory council; amending Minnesota Statutes 1992, section 16B.42.

Referred to the Committee on Governmental Operations and Reform.

Mr. Bertram introduced—

S.F. No. 1255: A bill for an act relating to taxation; aggregate material; changing the time when penalty for late payment begins; amending Minnesota Statutes 1992, section 298.75, subdivisions 4 and 5.

Referred to the Committee on Taxes and Tax Laws.

Mrs. Benson, J.E.; Messrs. Bertram, Neuville, Mrs. Adkins and Ms. Robertson introduced—

S.F. No. 1256: A bill for an act relating to lawful gambling; bingo; providing an exception to licensing and regulation for certain organizations; amending Minnesota Statutes 1992, section 349.166, subdivision 1.

Referred to the Committee on Gaming Regulation.

Messrs. Morse and Frederickson introduced—

S.F. No. 1257: A bill for an act relating to the environment; establishing an environmental cleanup program for closed permitted landfills; establishing a landfill and solid waste fund; authorizing rulemaking; transferring money; appropriating money; amending Minnesota Statutes 1992, sections 115.073; 115A.923, subdivisions 1 and 1a; 115A.929; 383D.71, subdivision 1; 473.801, subdivision 1; 473.843, subdivisions 1 and 2; and 473.847; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1992, sections 115B.42; 473.844; and 473.845.

Referred to the Committee on Environment and Natural Resources.

Mr. Bertram introduced—

S.F. No. 1258: A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

Referred to the Committee on Judiciary.

Mr. Betzold introduced—

S.F. No. 1259: A bill for an act relating to family law; joint physical custody; providing a standard for reviewing requests to move a child's residence out of state; amending Minnesota Statutes 1992, section 518.18.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 1260: A bill for an act relating to public employment; providing that the local government pay equity act does not limit the ability of public employees to strike; requiring the commissioner of employee relations to consider the effects of strikes in determining whether political subdivisions

are in conformity with the act; amending Minnesota Statutes 1992, sections 471.992, subdivision 1; and 471.9981, subdivision 6.

Referred to the Committee on Governmental Operations and Reform.

Mr. Cohen introduced—

S.F. No. 1261: A bill for an act relating to courts; authorizing the commissioner of revenue to disclose certain tax information to the court for purposes of determining public defender eligibility; providing for funding of a screener-collector position in the eighth judicial district; authorizing payment of fines and other financial obligations of criminal defendants by credit card; appropriating money; amending Minnesota Statutes 1992, sections 270B.14, by adding a subdivision; 357.021, subdivision 1a; and 609.101, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

Ms. Anderson, Messrs. Spear, Kelly and Ms. Ranum introduced—

S.F. No. 1262: A bill for an act relating to the metropolitan transit commission; authorizing the commission to appoint peace officers and establish a law enforcement agency; amending Minnesota Statutes 1992, sections 473.405, by adding subdivisions; and 626.84, subdivision 1; repealing Minnesota Statutes 1992, section 629.40, subdivision 5.

Referred to the Committee on Crime Prevention.

Messrs. Bertram, Berg and Langseth introduced—

S.F. No. 1263: A bill for an act relating to agriculture; clarifying procedures for the use of certain organisms; amending Minnesota Statutes 1992, sections 116C.91, subdivisions 3, 6, 7, and by adding a subdivision; and 116C.94.

Referred to the Committee on Agriculture and Rural Development.

Mr. Novak introduced—

S.F. No. 1264: A bill for an act relating to traffic regulations; defining residential roadways and establishing speed limits; amending Minnesota statutes 1992, sections 169.01, by adding a subdivision; 169.06, by adding a subdivision; and 169.14, subdivision 2.

Referred to the Committee on Transportation and Public Transit.

Mses. Runbeck, Krentz, Messrs. Terwilliger, Neuville and Ms. Hanson introduced—

S.F. No. 1265: A bill for an act relating to education; modifying the community education formula; authorizing an additional amount to be spent on equipment; amending Minnesota Statutes 1992, section 124.2713, subdivisions 3 and 8.

Referred to the Committee on Education.

Messrs. Bertram, Berg, Ms. Hanson, Mr. Stevens and Mrs. Pariseau introduced—

S.F. No. 1266: A bill for an act relating to agriculture; renaming the commissioner and department of agriculture as the commissioner and department of agriculture, food, and land stewardship; clarifying the commissioner's authority and responsibilities; appropriating money for a study; amending Minnesota Statutes 1992, sections 17.01; and 17.013; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

Mrs. Benson, J.E.; Mr. Berg, Ms. Olson, Messrs. Finn and Stevens introduced—

S.F. No. 1267: A bill for an act relating to game and fish; authorizing certain disabled permit holders to take deer of either sex; amending Minnesota Statutes 1992, section 97B.055, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Ms. Runbeck, Mrs. Pariseau and Ms. Kiscaden introduced—

S.F. No. 1268: A bill for an act relating to the legislature; requiring the publication of bill summaries; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Ms. Berglin, Messrs. Kelly, Novak, Ms. Anderson and Mr. Belanger introduced—

S.F. No. 1269: A bill for an act relating to tax increment financing; exempting housing districts from certain reductions in aid; changing procedures for determination of tax capacity; providing an option for receiving first increment; changing certain limits on expenditures for housing districts; changing the time period tax increments may be used for interest reduction programs; changing the maximum duration of housing districts; providing for consultation with the county commissioner of the proposed district; amending Minnesota Statutes 1992, sections 273.1399, subdivision 1; 469.174, subdivision 4; 469.175, subdivision 1, and by adding a subdivision; 469.176, subdivisions 1 and 4f; 469.1763, subdivision 2; and 469.177, subdivisions 1 and 2.

Referred to the Committee on Metropolitan and Local Government.

Mr. Chandler introduced—

S.F. No. 1270: A bill for an act relating to human services; adding an exception to the moratorium on the development of group residential housing beds; amending Minnesota Statutes 1992, section 256I.04, subdivision 3.

Referred to the Committee on Health Care.

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

S.F. No. 1271: A resolution memorializing Indian tribal casinos in Minnesota to compete fairly with Minnesota's private sector hospitality industry.

Referred to the Committee on Commerce and Consumer Protection.

Mses. Ranum, Robertson, Krentz and Mr. Janezich introduced—

S.F. No. 1272: A bill for an act relating to education; changing educational effectiveness; creating school improvement grants; creating requirements for financial training for school boards; changing training and experience revenue; creating cost-of-living revenue; creating school restructuring pilots and teacher compensation task forces; appropriating money; amending Minnesota Statutes 1992, sections 120.105; 121.918; 123.33, by adding a subdivision; 123.951; 124A.22, subdivisions 1, 4a, 4b, and by adding a subdivision; 124A.28, subdivision 1; 124A.29, subdivision 1; and 126.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 121.

Referred to the Committee on Education.

Mr. Murphy introduced—

S.F. No. 1273: A bill for an act relating to wetlands; leasing by the state; amending Minnesota Statutes 1992, section 97A.145, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Mr. Murphy introduced—

S.F. No. 1274: A bill for an act relating to pollution control; defining the qualified recipients for combined sewer overflow abatement assistance; providing for the issuance of bonds; appropriating money; amending Minnesota Statutes 1992, section 116.162, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Messrs. Mondale, Chandler, Ms. Anderson, Messrs. Morse and Merriam introduced—

S.F. No. 1275: A bill for an act relating to the environment; providing protection from liability for releases of hazardous substances to lenders and owners for redevelopment of property under an approved cleanup plan; providing authority to issue "no-association determinations"; creating a pollution abatement loan and grant program in the department of trade and economic development; providing for loan repayment by municipalities; authorizing the issuance of bonds and the making of loans and grants; appropriating money; amending Minnesota Statutes 1992, section 115B.175, subdivision 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 115B; and 116J.

Referred to the Committee on Environment and Natural Resources.

Messrs. McGowan, Spear, Kelly, Laidig and Neuville introduced—

S.F. No. 1276: A bill for an act relating to crime victims; restitution; requiring the deduction from a prison inmate's wages of unpaid restitution

obligations from previous convictions; requiring the deduction of unpaid restitution obligations from tax refunds before deducting debts other than taxes and child support; permitting forfeited bail proceeds to be used to pay restitution obligations; waiving fees for the docketing of a restitution order as a civil judgment; amending Minnesota Statutes 1992, sections 243.23, subdivision 3; 270A.10; and 611A.04, subdivisions 1 and 3.

Referred to the Committee on Crime Prevention.

Mr. Johnson, D.E. introduced—

S.F. No. 1277: A bill for an act relating to human services; defining nursing facility length of stay; changing the property-related payment rate for nursing facilities; adding changes to the nursing facility reimbursement; eliminating a nursing facility certified audit of financial statements; adding changes to ICF/MR reimbursement; changing provider appeals; granting inflation adjustments for nursing facilities; amending Minnesota Statutes 1992, sections 256B.03, by adding a subdivision; 256B.431, subdivisions 2o, 13, 15, and by adding a subdivision; 256B.47, subdivision 3; 256B.48, subdivision 2; 256B.50, subdivision 1b; and 256B.501, subdivisions 3g, 3i, and by adding a subdivision; repealing Minnesota Statutes 1992, section 252.478, subdivisions 1, 2, and 3.

Referred to the Committee on Health Care.

Mr. Marty, Ms. Piper and Mr. Spear introduced—

S.F. No. 1278: A bill for an act relating to controlled substances; medical care; allowing physicians to prescribe marijuana and Tetrahydrocannabinols for the treatment of any medical conditions; amending Minnesota Statutes 1992, sections 152.02, subdivisions 2 and 3; and 152.21, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 1992, sections 152.21, subdivisions 1, 2, 3, 4, 5, and 7.

Referred to the Committee on Health Care.

Mr. Luther introduced—

S.F. No. 1279: A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees police and fire fund by two employees of the city of Minneapolis.

Referred to the Committee on Governmental Operations and Reform.

Ms. Piper introduced—

S.F. No. 1280: A bill for an act relating to retirement; Austin fire department relief association; modifying health insurance coverage for spouses of certain retired firefighters; excluding Austin part-time on-call firefighters from the application of certain laws; permitting the reinstatement of certain survivor benefits; amending Laws 1992, chapter 455, section 2.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Moe, R.D. and Stumpf introduced—

S.F. No. 1281: A bill for an act relating to Polk county; permitting the consolidation of the offices of auditor and treasurer.

Referred to the Committee on Metropolitan and Local Government.

Mr. Pogemiller introduced—

S.F. No. 1282: A bill for an act relating to retirement; Minneapolis and St. Paul teachers retirement fund associations; changing member and employer contribution rates; requiring additional funding support from the state of Minnesota, the city of Minneapolis, and the city of St. Paul; establishing an additional investment related postretirement adjustment mechanism for the St. Paul teachers retirement fund association; amending Minnesota Statutes 1992, section 354A.12, subdivisions 1, 2a, and by adding a subdivision; repealing Minnesota Statutes 1992, section 354A.12, subdivision 2.

Referred to the Committee on Governmental Operations and Reform.

Mr. Samuelson introduced—

S.F. No. 1283: A bill for an act relating to lawful gambling; reducing the rate of the tax on pull-tabs and tipboards; amending Minnesota Statutes 1992, section 349.212, subdivision 4.

Referred to the Committee on Gaming Regulation.

Mr. Samuelson introduced—

S.F. No. 1284: A bill for an act relating to the city of Garrison; establishing a dedicated fund to meet city expenses to pay for construction of a city sewer system; permitting a one percent local sales tax upon approval by the city council; providing for a sunset on the tax.

Referred to the Committee on Metropolitan and Local Government.

Mr. Samuelson introduced—

S.F. No. 1285: A bill for an act relating to utilities; requiring utility to file with its tariff a plan for extended residential electric service to allow ten-year period for residential customer to pay excess costs attributed to the extension; amending Minnesota Statutes 1992, section 216B.42, by adding a subdivision.

Referred to the Committee on Jobs, Energy and Community Development.

Mr. Pogemiller introduced—

S.F. No. 1286: A bill for an act relating to education; appropriating money for matching grants for "male responsibility" pilot programs.

Referred to the Committee on Education.

Messrs. Price and Hottinger introduced—

S.F. No. 1287: A bill for an act relating to taxation; sales and use; exempting certain pollution control equipment; amending Minnesota Statutes 1992, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

MEMBERS EXCUSED

Mses. Flynn, Pappas, Runbeck, Messrs. Neuville, Pogemiller and Price were excused from the Session of today.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 25, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate