

the states from establishing requirements or tax incentives directly affecting employers that are intended to ensure adequate coverage or promote access to coverage; and

WHEREAS, in 1982 the United States Congress amended ERISA to allow Hawaii to continue its Prepaid Health Care Act, which requires most employers in Hawaii to provide health benefits, thereby demonstrating Congressional willingness to grant limited exemptions from ERISA to certain states in order to ensure adequacy of coverage or promote access to coverage; and

WHEREAS, the State of Minnesota could better discharge its responsibility for overseeing health care coverage if it were possible to obtain a limited exemption from ERISA allowing the state to establish requirements or tax incentives directly affecting employers that are intended to protect consumers, ensure adequate coverage, promote access to coverage, or promote competition; NOW, THEREFORE,

BE IT RESOLVED by the Legislature of the State of Minnesota that the United States Congress should amend the Employee Retirement Income Security Act of 1974, or ERISA, to establish standards or procedures whereby a state can obtain a limited exemption from the ERISA provisions that prohibit the states from regulating employment-based health benefits directly, so that the state could establish requirements or tax incentives directly affecting employers and employment-based health benefits that are intended to protect consumers, ensure adequate coverage, promote access to coverage, or promote competition.

BE IT FURTHER RESOLVED that such an exemption shall not apply to collectively bargained health and welfare plans without an affirmative action by the Minnesota Legislature.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to prepare certified copies of this resolution and present them to the President and Secretary of the United States Senate, the Speaker and Chief Clerk of the United States House of Representatives, and to Minnesota's Senators and Representatives in Congress.

Filed April 6, 1988

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### RESOLUTION 12—H.F.No. 2735

*A resolution memorializing the President to immediately direct the Secretary of Agriculture to halt the forced movement of Farmer-Owned Reserve grains to commercial warehouses.*

WHEREAS, substantial quantities of feed grains are held on Minnesota farms under Commodity Credit Corporation's Farmer-Owned Reserve program; and

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WHEREAS, farmers who hold Farmer-Owned Reserve grains provide storage at a per-bushel cost far lower than that paid for commercial grain storage; and

WHEREAS, ample on-farm storage capacity is currently available for storage of Farmer-Owned Reserve grain; and

WHEREAS, many farmers depend on Farmer-Owned Reserve storage payments to bolster a meager farm income during times of economic stress; and

WHEREAS, farmers holding Farmer-Owned Reserve grains are entirely capable of maintaining the grain in excellent condition; and

WHEREAS, America's national security is better served by having Farmer-Owned Reserve grains held on a large number of farms disbursed throughout the countryside rather than concentrated in the facilities of multinational grain companies; and

WHEREAS, Minnesota farms consume significant amounts of diesel fuel; and

WHEREAS, Minnesota farmers require a high proportion of their diesel fuel during periods corresponding to periods of high cash demands; and

WHEREAS, a concentrated high farm cash demand tends to promote high short term indebtedness and may cause a negative farm cash flow; and

WHEREAS, the security of Minnesota's farmers may be jeopardized by increased cash and record keeping demands; NOW, THEREFORE,

BE IT RESOLVED by the Legislature of the State of Minnesota that the President of the United States immediately direct the Commissioner of Agriculture to maximize on-farm storage of Farmer-Owned Reserve grain stocks, and to establish a reserve grain storage payment structure that compensates farmers and commercial warehouses equally for their services.

BE IT FURTHER RESOLVED that the Congress of the United States should immediately enact legislation prohibiting the Department of the Treasury from collecting exempt fuel taxes from farm diesel fuel consumers whether or not those taxes may later be refunded.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to transmit certified copies of this memorial to the President of the United States, the President and Secretary of the United States Senate, the Speaker and Chief Clerk of the United States House of Representatives, the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the United States Senate, the Chairman of the Committee on Agriculture of the United States House of Representatives, the Minnesota Representatives and Senators in Congress, the Secretary of the United States Treasury, and the United States Secretary of Agriculture.

New language is indicated by underline, deletions by ~~strikeout~~.

Filed April 6, 1988

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**RESOLUTION 13—S.F.No. 974**

*A resolution memorializing the President, Congress, and the Federal Aviation Administration to accelerate the modernization of commercial aircraft fleets operating in and to the United States by requiring the use of quieter, Stage 3 aircraft.*

WHEREAS, five million Americans now experience a level of noise at home from aircraft operations that is greater than the maximum level identified by the Federal Aviation Administration as compatible with residential use; and

WHEREAS, this level of noise constitutes severe environmental pollution and an intolerable, real, and present reduction in human welfare, exacting a debilitating daily cost from individuals and families, vital human services, and whole neighborhoods and communities; and

WHEREAS, effective action by local authorities to reduce noise from aircraft is constrained by federal law and existing local land use; and

WHEREAS, quieter, Stage 3 aircraft are available for use, accomplish an 83 percent reduction in loudness as compared to Stage 1 aircraft, are recognized as the best available noise suppressing technology for the foreseeable future, and have been shown to be the most effective and least disruptive method of reducing airport noise; and

WHEREAS, 70 percent of the United States air carrier fleet still does not meet Stage 3 standards issued by the Federal Aviation Administration a decade ago; and

WHEREAS, the current federal fleet forecast indicates that at expected replacement rates, absent additional incentives that would accelerate modernization, Stage 3 aircraft will not constitute even half of the United States fleet for a decade, will not surpass 75 percent of the fleet until the turn of the next century, and will not replace noisier aircraft for a quarter century, with the result that fully three-quarters of the land area severely affected by aircraft noise in 1985 will remain so for a decade into the future, one-half for two decades; and

WHEREAS, a federal requirement to upgrade the United States fleet with quieter aircraft has been shown to be an effective and reasonable method of accelerating fleet modernization, inasmuch as the federal ban on Stage 1 aircraft promulgated in 1976 has significantly affected the rate of introduction of quieter aircraft and reduced the resultant levels of noise experienced in affected areas; and

WHEREAS, federal projections show that a year 1995 ban on Stage 2

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