

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

THIRTY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, April 7, 1999

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Thomas E. Herbranson.

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

Anderson	Higgins	Laidig	Oliver	Samuelson
Belanger	Hottinger	Langseth	Olson	Scheevel
Berg	Janezich	Larson	Ourada	Scheid
Berglin	Johnson, D.E.	Lesewski	Pappas	Solon
Betzold	Johnson, D.H.	Lessard	Pariseau	Spear
Cohen	Johnson, D.J.	Limmer	Piper	Stevens
Day	Johnson, J.B.	Lourey	Pogemiller	Stumpf
Dille	Junge	Marty	Price	Ten Eyck
Fischbach	Kelley, S.P.	Metzen	Ranum	Terwilliger
Flynn	Kelly, R.C.	Moe, R.D.	Robertson	Vickerman
Foley	Kleis	Murphy	Robling	Wiener
Frederickson	Knutson	Neuville	Runbeck	Wiger
Hanson	Krentz	Novak	Sams	Ziegler

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 803, 984, 1173 and 836.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1999

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 67, 793, 1038, 142, 868, 1128, 143, 1125 and 1359.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 6, 1999

FIRST READING OF HOUSE BILLS

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

H.F. No. 67: A bill for an act relating to crime; imposing penalties for killing or injuring a search and rescue dog; amending Minnesota Statutes 1998, section 609.596.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 32, now on General Orders.

H.F. No. 793: A bill for an act relating to liens; creating a lien and right of detainer; amending Minnesota Statutes 1998, section 514.19.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1497, now on General Orders.

H.F. No. 1038: A bill for an act relating to employment; modifying employment and training data provisions; amending Minnesota Statutes 1998, section 13.47.

Referred to the Committee on Judiciary.

H.F. No. 142: A bill for an act relating to crime; expanding the definition of "subsequent controlled substance conviction" to include convictions subsequent to a stay of adjudication for a controlled substance crime; amending Minnesota Statutes 1998, section 152.01, subdivision 16a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1634, now on General Orders.

H.F. No. 868: A bill for an act relating to crime prevention; amending the theft law to specifically apply to certain situations involving the rental of personal property or equipment; amending Minnesota Statutes 1998, section 609.52, subdivisions 1 and 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 866, now on General Orders.

H.F. No. 1128: A bill for an act relating to crime prevention; defining "day" for purposes of incarceration in a jail or workhouse; amending Minnesota Statutes 1998, section 609.105, by adding a subdivision.

Referred to the Committee on Crime Prevention.

H.F. No. 143: A bill for an act relating to crime; including convictions for malicious punishment of a child within the enhanced penalty provisions of the domestic assault law; amending Minnesota Statutes 1998, section 609.2242, subdivisions 2 and 4.

Referred to the Committee on Crime Prevention.

H.F. No. 1125: A bill for an act relating to crime prevention; authorizing local correctional agencies rather than courts to impose local correctional fees for offenders under the supervision and control of the local agency; amending Minnesota Statutes 1998, sections 244.18, subdivisions 3, 4, and 5; and 609.102, subdivision 2; repealing Minnesota Statutes 1998, section 609.102, subdivisions 3 and 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1087, now on General Orders.

H.F. No. 1359: A bill for an act relating to crime victims; clarifying the procedure for the deposit of unclaimed restitution funds; expanding coverage for crime victims reparations to include moving expense for victims of crime; extending the time limit for filing of claims to three years and allowing an exception to the time limit for all child abuse cases; amending Minnesota Statutes 1998, sections 611A.04, by adding a subdivision; 611A.52, subdivision 8; 611A.53, subdivision 2; and 611A.612.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1023, now on General Orders.

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

Senator Cohen from the Committee on State Government Finance, to which was re-referred

S.F. No. 2: A bill for an act relating to the year 2000 problem; providing immunity for certain activities; clarifying the mutual aid authority of local government units; providing authority to local government units to address the year 2000 problem; requiring reports by certain utilities and health care and nursing home providers; requiring the department of health to collect and disseminate certain information; appropriating money; amending Minnesota Statutes 1998, sections 12.31, subdivision 2; and 12.37; proposing coding for new law as Minnesota Statutes, chapter 604B.

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

Page 4, delete section 4 and insert:

"Sec. 4. [YEAR 2000 PROBLEM REPORTS.]

All electric utilities, as defined in Minnesota Statutes, section 216B.38, subdivision 5, and telephone companies, as defined in Minnesota Statutes, section 237.01, subdivisions 2 and 3, must file status reports on year 2000 problems with the public utilities commission and the department of public service, with a copy to the division of emergency management of the department of public safety, on June 1, September 1, and December 1, 1999. The status report must include a statement of the percentage of the year 2000 problem inventory remediated, a schedule for completing assessment, testing, and remediation, and summary contingency plans related to the risk of loss of service. The department may request additional reports including descriptions of testing protocols. If a report indicates that: (1) all year 2000 problems have been remediated; (2) testing has been completed; and (3) contingency plans have been updated to reflect year 2000 issues, an entity need not file a subsequent report unless there has been a change."

Page 6, line 19, after "The" insert "status report must include a statement of the percentage of the year 2000 problem inventory remediated, a schedule for completing assessment, testing, and remediation, and summary contingency plans related to the risk of loss of service. The department may request additional reports including descriptions of testing protocols. If a report indicates that: (1) all year 2000 problems have been remediated; (2) testing has been completed; and (3) contingency plans have been updated to reflect year 2000 issues, an entity need not file a subsequent report unless there has been a change."

Page 6, delete lines 20 to 25

Page 6, line 36, before "The" insert "(a)"

Page 7, after line 3, insert:

"(b) All reports provided under sections 4 and 7 shall be considered Year 2000 Readiness Disclosures."

Page 7, lines 9 and 24, delete "budget" and insert "state employee insurance"

Page 7, lines 10 and 25, delete "general" and insert "special revenue"

Page 7, line 19, after the period, insert "A loan may not be made after June 30, 2000."

Page 7, line 26, delete "does not cancel" and insert "is available until June 30, 2000"

Page 7, after line 26, insert:

"Sec. 12. [BUDGET RESERVE.]

If the balance in the state employee insurance reserve account in the special revenue fund is insufficient to meet all demands on it during the period ending June 30, 2004, up to \$20,000,000 is appropriated from the budget reserve account in the general fund to the commissioner of finance for transfer to the state employee insurance reserve account in the special revenue fund."

Renumber the sections in sequence

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

Senator Ranum from the Committee on Judiciary, to which was re-referred

S.F. No. 1308: A bill for an act relating to courts; providing for state funding of certain programs and personnel; providing for state funding of court administration costs in specified judicial districts; requesting further study; establishing collective bargaining provisions for court employees; imposing taxes; appropriating money; amending Minnesota Statutes 1998, sections 43A.02, subdivision 25; 43A.24, subdivision 2; 97A.065, subdivision 2; 179A.03, subdivisions 7, 14, 15, and by adding a subdivision; 179A.06, subdivision 2; 179A.10, subdivision 4; 179A.12, subdivision 4; 179A.22, subdivisions 2 and 3; 243.50; 253B.23, subdivisions 1 and 8; 257.69, subdivision 2; 260.251, subdivisions 2 and 5; 260.56; 273.1398, by adding a subdivision; 299D.03, subdivision 5; 357.021, subdivision 1a; 466.01, subdivision 6; 480.181, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2, 5, and 6; 485.03; 485.27; 487.02, subdivision 2; 487.10, subdivision 4; 487.32, subdivision 3; 487.33, subdivision 5; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 574.34, subdivision 1; and 611.33, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 179A; and 480; repealing Minnesota Statutes 1998, sections 357.021, subdivision 2a; and 563.01, subdivision 1.

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

Page 16, after line 34, insert:

"Sec. 30. [PLAN FOR STATE ASSUMPTION OF COURT ADMINISTRATION COSTS.]

The supreme court, in consultation with the conference of chief judges, is requested to prepare a plan for state assumption of court administration costs in every judicial district. The plan should include a timetable that provides for statewide assumption of court administration costs by July 1, 2002. The supreme court is requested to report to the legislature with the results of the plan by January 15, 2000."

Renumber the sections in sequence

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

Senator Hottinger from the Committee on Health and Family Security, to which was referred the following appointment as reported in the Journal for January 7, 1999:

EMERGENCY MEDICAL SERVICES REGULATORY BOARD

Jim Dowson

Reports the same back with the recommendation that the appointment be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Hottinger from the Committee on Health and Family Security, to which was referred the following appointment as reported in the Journal for February 25, 1999:

DEPARTMENT OF HEALTH
COMMISSIONER

Jan Malcolm

Reports the same back with the recommendation that the appointment be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Hottinger from the Committee on Health and Family Security, to which was referred the following appointment as reported in the Journal for March 17, 1999:

DEPARTMENT OF HUMAN SERVICES
COMMISSIONER

Michael O'Keefe

Reports the same back with the recommendation that the appointment be confirmed.

Senator Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. No. 2 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Belanger moved that the name of Senator Ziegler be added as a co-author to S.F. No. 2144. The motion prevailed.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Senator Moe, R.D. moved that the Senate take up the Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

S.F. No. 903: A bill for an act relating to crime prevention; requiring the commissioner of corrections to notify additional county attorneys when offenders who have been determined to be appropriate subjects of civil commitment petitions are nearing their release date; amending Minnesota Statutes 1998, section 244.05, subdivision 7.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson
Belanger

Berg
Berglin

Betzold
Cohen

Day
Dille

Fischbach
Flynn

Foley	Knutson	Neuville	Robertson	Stumpf
Frederickson	Krentz	Novak	Robling	Ten Eyck
Higgins	Langseth	Oliver	Runbeck	Terwilliger
Hottinger	Larson	Olson	Sams	Vickerman
Janezich	Lesewski	Ourada	Samuelson	Wiener
Johnson, D.E.	Lessard	Pappas	Scheevel	Wiger
Johnson, D.J.	Limmer	Pariseau	Scheid	Ziegler
Kelley, S.P.	Lourey	Piper	Solon	
Kelly, R.C.	Metzen	Price	Spear	
Kleis	Moe, R.D.	Ranum	Stevens	

So the bill passed and its title was agreed to.

S.F. No. 1604: A bill for an act relating to crime; creating a sanctions conference procedure to allow probation officers to impose, with district court confirmation, probation sanctions for technical violations of probation; requesting the chief judge of each judicial district to develop procedures for sanctions conferences and a sanctions conference form; clarifying when a probation officer may impose community work service; amending Minnesota Statutes 1998, sections 243.05, subdivision 1; 244.19, subdivision 3a; and 609.135, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 243; 244; and 401; repealing Minnesota Statutes 1998, section 401.02, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Lesewski	Pariseau	Spear
Belanger	Hottinger	Lessard	Piper	Stevens
Berg	Janezich	Limmer	Price	Stumpf
Berglin	Johnson, D.E.	Lourey	Ranum	Ten Eyck
Betzold	Johnson, D.J.	Marty	Robertson	Terwilliger
Cohen	Kelley, S.P.	Metzen	Robling	Vickerman
Day	Kelly, R.C.	Moe, R.D.	Runbeck	Wiener
Dille	Kleis	Neuville	Sams	Wiger
Fischbach	Knutson	Novak	Samuelson	Ziegler
Flynn	Krentz	Oliver	Scheevel	
Foley	Langseth	Olson	Scheid	
Frederickson	Larson	Ourada	Solon	

So the bill passed and its title was agreed to.

S.F. No. 1722: A bill for an act relating to crimes; permitting the results of a preliminary breath test to be admissible in a criminal prosecution for the crime of implied consent test refusal; amending Minnesota Statutes 1998, section 169.121, subdivision 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Lesewski	Piper	Stevens
Belanger	Hottinger	Lessard	Price	Stumpf
Berg	Janezich	Limmer	Ranum	Ten Eyck
Berglin	Johnson, D.E.	Lourey	Robertson	Terwilliger
Betzold	Johnson, D.J.	Marty	Robling	Vickerman
Cohen	Kelley, S.P.	Metzen	Runbeck	Wiener
Day	Kelly, R.C.	Moe, R.D.	Sams	Wiger
Dille	Kleis	Neuville	Samuelson	Ziegler
Fischbach	Knutson	Oliver	Scheevel	
Flynn	Krentz	Ourada	Scheid	
Foley	Langseth	Pappas	Solon	
Frederickson	Larson	Pariseau	Spear	

So the bill passed and its title was agreed to.

S.F. No. 1402: A bill for an act relating to state lands; authorizing the commissioner of natural resources to enter into a lease of land at Fort Snelling.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Larson	Ourada	Solon
Belanger	Hottinger	Lesewski	Pappas	Spear
Berg	Janezich	Lessard	Pariseau	Stevens
Berglin	Johnson, D.E.	Limmer	Piper	Stumpf
Betzold	Johnson, D.J.	Lourey	Price	Ten Eyck
Cohen	Kelley, S.P.	Marty	Ranum	Terwilliger
Day	Kelly, R.C.	Metzen	Robling	Vickerman
Dille	Kleis	Moe, R.D.	Runbeck	Wiener
Fischbach	Knutson	Neuville	Sams	Wiger
Flynn	Krentz	Novak	Samuelson	Ziegler
Foley	Laidig	Oliver	Scheevel	
Frederickson	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 1340: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders wetland in Washington county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Larson	Ourada	Solon
Belanger	Hottinger	Lesewski	Pappas	Spear
Berg	Janezich	Lessard	Pariseau	Stevens
Berglin	Johnson, D.E.	Limmer	Piper	Stumpf
Betzold	Johnson, D.J.	Lourey	Price	Ten Eyck
Cohen	Kelley, S.P.	Marty	Ranum	Terwilliger
Day	Kelly, R.C.	Metzen	Robertson	Vickerman
Dille	Kleis	Moe, R.D.	Robling	Wiener
Fischbach	Knutson	Neuville	Runbeck	Wiger
Flynn	Krentz	Novak	Sams	Ziegler
Foley	Laidig	Oliver	Samuelson	
Frederickson	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 1470: A bill for an act relating to natural resources; modifying the route of Paul Bunyan state trail; amending Minnesota Statutes 1998, section 85.015, subdivision 15.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berglin	Day	Flynn	Higgins
Belanger	Betzold	Dille	Foley	Hottinger
Berg	Cohen	Fischbach	Frederickson	Janezich

Johnson, D.E.	Larson	Novak	Robertson	Stevens
Johnson, D.J.	Lesewski	Oliver	Robling	Stumpf
Kelley, S.P.	Lessard	Olson	Runbeck	Ten Eyck
Kelly, R.C.	Limmer	Ourada	Sams	Terwilliger
Kleis	Lourey	Pappas	Samuelson	Vickerman
Knutson	Marty	Pariseau	Scheevel	Wiener
Krentz	Metzen	Piper	Scheid	Wiger
Laidig	Moe, R.D.	Price	Solon	Ziegler
Langseth	Neuville	Ranum	Spear	

So the bill passed and its title was agreed to.

S.F. No. 1449: A bill for an act relating to natural resources; renaming a state park; adding to and deleting from state parks; authorizing a land exchange in a state park; transferring land from a state wayside to a state park and abolishing a state wayside; authorizing a private sale of surplus land in Rock county; renaming the visitors' center at Gooseberry Falls state park; amending Minnesota Statutes 1998, section 85.012, subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 85; repealing Minnesota Statutes 1998, section 85.013, subdivision 8.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Larson	Ourada	Scheid
Belanger	Hottinger	Lesewski	Pappas	Solon
Berg	Janezich	Lessard	Pariseau	Spear
Berglin	Johnson, D.E.	Limmer	Piper	Stevens
Betzold	Johnson, D.J.	Lourey	Price	Stumpf
Cohen	Kelley, S.P.	Marty	Ranum	Ten Eyck
Day	Kelly, R.C.	Metzen	Robertson	Terwilliger
Dille	Kleis	Moe, R.D.	Robling	Vickerman
Fischbach	Knutson	Neuville	Runbeck	Wiener
Flynn	Krentz	Novak	Sams	Wiger
Foley	Laidig	Oliver	Samuelson	Ziegler
Frederickson	Langseth	Olson	Scheevel	

So the bill passed and its title was agreed to.

S.F. No. 556: A bill for an act relating to municipal power agencies; limiting liability for recreational purposes; amending Minnesota Statutes 1998, section 604A.24.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Lessard	Piper	Stevens
Belanger	Janezich	Limmer	Price	Stumpf
Berg	Johnson, D.E.	Lourey	Ranum	Ten Eyck
Berglin	Johnson, D.J.	Marty	Robertson	Terwilliger
Betzold	Kelley, S.P.	Metzen	Robling	Vickerman
Cohen	Kelly, R.C.	Moe, R.D.	Runbeck	Wiener
Dille	Kleis	Novak	Sams	Wiger
Fischbach	Knutson	Oliver	Samuelson	Ziegler
Flynn	Krentz	Olson	Scheevel	
Foley	Laidig	Ourada	Scheid	
Frederickson	Larson	Pappas	Solon	
Higgins	Lesewski	Pariseau	Spear	

So the bill passed and its title was agreed to.

S.F. No. 1830: A bill for an act relating to state lands; authorizing the sale of undivided partial interests in certain parcels of tax-forfeited land that border public waters in Cook county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Lesewski	Pappas	Solon
Belanger	Hottinger	Lessard	Pariseau	Spear
Berg	Janezich	Limmer	Piper	Stevens
Berglin	Johnson, D.E.	Lourey	Price	Stumpf
Betzold	Johnson, D.J.	Marty	Ranum	Ten Eyck
Cohen	Junge	Metzen	Robertson	Terwilliger
Day	Kelley, S.P.	Moe, R.D.	Robling	Vickerman
Dille	Kelly, R.C.	Neuville	Runbeck	Wiener
Fischbach	Kleis	Novak	Sams	Wiger
Flynn	Knutson	Oliver	Samuelson	Ziegler
Foley	Krentz	Olson	Scheevel	
Frederickson	Laidig	Ourada	Scheid	

So the bill passed and its title was agreed to.

H.F. No. 40: A bill for an act relating to health; allowing a nursing facility resident to request and consent to the use of a physical restraint; amending Minnesota Statutes 1998, section 144.651, by adding subdivisions.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Langseth	Olson	Scheevel
Belanger	Hottinger	Larson	Ourada	Scheid
Berg	Janezich	Lesewski	Pappas	Solon
Berglin	Johnson, D.E.	Lessard	Pariseau	Spear
Betzold	Johnson, D.J.	Limmer	Piper	Stevens
Cohen	Junge	Lourey	Price	Stumpf
Day	Kelley, S.P.	Marty	Ranum	Ten Eyck
Dille	Kelly, R.C.	Metzen	Robertson	Terwilliger
Fischbach	Kleis	Moe, R.D.	Robling	Vickerman
Flynn	Knutson	Neuville	Runbeck	Wiener
Foley	Krentz	Novak	Sams	Wiger
Frederickson	Laidig	Oliver	Samuelson	Ziegler

So the bill passed and its title was agreed to.

S.F. No. 527: A bill for an act relating to health; establishing a state board of physical therapy; requiring rulemaking; providing licensing requirements for physical therapists; amending Minnesota Statutes 1998, sections 144A.46, subdivision 2; 148.66; 148.67; 148.70; 148.705; 148.71; 148.72, subdivisions 1, 2, and 4; 148.73; 148.74; 148.75; 148.76; 148.78; and 214.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Belanger	Berg	Berglin	Betzold
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Cohen	Johnson, D.J.	Lesewski	Ourada	Scheevel
Day	Johnson, J.B.	Lessard	Pappas	Scheid
Dille	Junge	Limmer	Pariseau	Solon
Fischbach	Kelley, S.P.	Lourey	Piper	Spear
Flynn	Kelly, R.C.	Marty	Price	Stevens
Foley	Kleis	Metzen	Ranum	Stumpf
Frederickson	Knutson	Moe, R.D.	Robertson	Ten Eyck
Higgins	Krentz	Neuville	Robling	Terwilliger
Hottinger	Laidig	Novak	Runbeck	Vickerman
Janezich	Langseth	Oliver	Sams	Wiger
Johnson, D.E.	Larson	Olson	Samuelson	Ziegler

So the bill passed and its title was agreed to.

S.F. No. 1920: A bill for an act relating to state government; modifying the appointment process and position classifications for the state archaeologist; amending Minnesota Statutes 1998, section 138.35, subdivisions 1 and 1a.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Neuville	Samuelson
Belanger	Higgins	Laidig	Novak	Scheid
Berg	Hottinger	Langseth	Oliver	Solon
Berglin	Janezich	Larson	Ourada	Spear
Betzold	Johnson, D.E.	Lesewski	Pappas	Stevens
Cohen	Johnson, D.J.	Lessard	Piper	Stumpf
Day	Johnson, J.B.	Limmer	Price	Ten Eyck
Dille	Junge	Lourey	Ranum	Terwilliger
Fischbach	Kelley, S.P.	Marty	Robling	Vickerman
Flynn	Kelly, R.C.	Metzen	Runbeck	Wiener
Foley	Knutson	Moe, R.D.	Sams	Wiger

Those who voted in the negative were:

Kleis	Olson	Robertson	Scheevel	Ziegler
Murphy	Pariseau			

So the bill passed and its title was agreed to.

S.F. No. 1255: A bill for an act relating to state lands; authorizing private sale and conveyance of certain tax-forfeited lands that border public water in LeSueur county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Belanger	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Limmer	Piper	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Higgins	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 1093: A bill for an act relating to civil mediation; providing for the effect of a mediated settlement agreement; amending Minnesota Statutes 1998, section 572.35, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Pappas	Spear
Belanger	Janezich	Lesewski	Pariseau	Stevens
Berg	Johnson, D.E.	Lessard	Piper	Stumpf
Berglin	Johnson, D.J.	Lourey	Price	Ten Eyck
Betzold	Johnson, J.B.	Marty	Ranum	Terwilliger
Cohen	Junge	Metzen	Robertson	Vickerman
Day	Kelley, S.P.	Moe, R.D.	Robling	Wiener
Dille	Kelly, R.C.	Murphy	Runbeck	Wiger
Fischbach	Kleis	Neuville	Sams	Ziegler
Flynn	Knutson	Novak	Samuelson	
Foley	Krentz	Oliver	Scheevel	
Frederickson	Laidig	Olson	Scheid	
Higgins	Langseth	Ourada	Solon	

So the bill passed and its title was agreed to.

S.F. No. 1273: A bill for an act relating to professions; modifying provisions relating to nursing home administrator licensing, the board of examiners for nursing home administrators, immunity for board members and staff, and acting administrator permits; amending Minnesota Statutes 1998, sections 144A.19, subdivision 1; 144A.20, subdivision 1; 144A.22; 144A.24; and 144A.27; proposing coding for new law in Minnesota Statutes, chapter 144A; repealing Minnesota Statutes 1998, sections 144A.19, subdivision 3; 144A.20, subdivision 2; and 144A.29.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Belanger	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Limmer	Piper	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Higgins	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 1060: A bill for an act relating to state government; secretary of state; regulating service of process and certain notice requirements; regulating the names of certain business organizations; providing certain technical and conforming changes; amending Minnesota Statutes 1998, sections 5.23, subdivision 1; 5.25, subdivisions 3, 4, and 6; 281.23, subdivision 6; 323A.10-02; 333.01, subdivision 1; 333.19, subdivision 1; and 336.9-411.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Belanger	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Limmer	Piper	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Higgins	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 1572: A bill for an act relating to natural resources; modifying provisions for the exchange or sale of leased lakeshore lots; amending Laws 1998, chapter 389, article 16, section 31, subdivisions 2, 3, and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Belanger	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Limmer	Piper	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Higgins	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

S.F. No. 1592: A bill for an act relating to game and fish; providing for a provisional firearms safety certificate for certain persons with mental disabilities; allowing certain persons with mental disabilities to hunt with firearms when assisted; amending Minnesota Statutes 1998, section 97B.015, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Hottinger	Johnson, J.B.	Kleis
Berg	Fischbach	Janezich	Junge	Knutson
Betzold	Frederickson	Johnson, D.E.	Kelley, S.P.	Krentz
Day	Higgins	Johnson, D.J.	Kelly, R.C.	Laidig

Langseth	Moe, R.D.	Pariseau	Sams	Ten Eyck
Larson	Murphy	Piper	Samuelson	Terwilliger
Lesewski	Neuville	Price	Scheevel	Vickerman
Lessard	Novak	Ranum	Scheid	Wiener
Limmer	Oliver	Robertson	Solon	Wiger
Lourey	Olson	Robling	Stevens	Ziegler
Metzen	Ourada	Runbeck	Stumpf	

Those who voted in the negative were:

Belanger	Cohen	Foley	Pappas	Spear
Berglin	Flynn			

So the bill passed and its title was agreed to.

S.F. No. 338: A bill for an act relating to local government; authorizing private sales of certain county land in Goodhue county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Belanger	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Limmer	Piper	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Higgins	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Senator Moe, R.D. moved that the Senate take up the Consent Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CONSENT CALENDAR

S.F. No. 1585: A bill for an act relating to human services; making technical changes to cross-references in statutes; amending Minnesota Statutes 1998, sections 13.46, subdivisions 1 and 2; 16D.02, subdivision 3; 16D.13, subdivision 3; 84.98, subdivision 3; 119A.54; 119B.01, subdivisions 2, 10, 12, 13, 15, and 16; 119B.02, subdivision 1; 119B.03, subdivisions 3 and 4; 119B.05, subdivision 1; 119B.07; 119B.075; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.14; 119B.15; 136A.125, subdivision 2; 145.415, subdivision 3; 196.27; 237.70, subdivision 4a; 245.4871, subdivision 25; 254B.02, subdivision 1; 256.01, subdivisions 2 and 4; 256.017, subdivisions 1, 2, and 4; 256.019; 256.025, subdivision 2; 256.046, subdivision 1; 256.0471, subdivision 1; 256.741, subdivisions 1 and 2; 256.82, subdivision 2; 256.935, subdivision 1; 256.98, subdivisions 1 and 8; 256.981; 256.983, subdivision 4; 256.9861, subdivision 5; 256B.031, subdivisions 4 and 5; 256B.69, subdivision 5a; 256C.21; 256C.23, subdivision 1; 256D.01, subdivisions 1a and 1e; 256D.05, subdivisions 1, 3, and 5; 256D.051, subdivision 3a; 256D.055; 256D.23, subdivision 1; 256D.435, subdivision 3; 256D.44,

subdivision 5; 256E.03, subdivision 2; 256E.06, subdivisions 1 and 3; 256E.07, subdivision 1; 256E.08, subdivision 3; 256F.05, subdivisions 3 and 8; 256F.10, subdivision 6; 256F.13, subdivision 3; 256G.01, subdivision 4; 256G.03, subdivision 2; 256J.01, subdivision 1; 256J.11, subdivisions 1 and 2; 256J.12, subdivision 1; 256J.21, subdivision 3; 256J.26, subdivisions 1, 2, 3, and 4; 256J.42, subdivisions 1 and 5; 256J.43, subdivision 1; 256J.50, subdivision 3a; 256J.62, subdivisions 3, 6, and 7; 256J.76, subdivision 1; 256K.01, subdivisions 2, 3, and 8; 256K.015; 256K.02; 256K.03, subdivisions 1 and 12; 256K.04, subdivision 2; 256K.05, subdivision 2; 256K.06; 256K.07; 256K.08, subdivision 1; 256L.11, subdivision 4; 257.33, subdivision 2; 257.3573, subdivision 2; 257.60; 257.85, subdivisions 3, 5, 7, and 11; 259.67, subdivision 4; 260.38; 261.063; 268.0111, subdivisions 5 and 7; 268.0122, subdivision 3; 268.552, subdivision 5; 268.672, subdivision 6; 268.86, subdivision 2; 268.871, subdivision 1; 268.90, subdivision 2; 268.95, subdivision 4; 275.065, subdivision 5a; 290.067, subdivision 1; 290A.03, subdivision 7; 393.07, subdivision 6; 462A.205, subdivision 2; 462A.222, subdivision 1a; 473.129, subdivision 8; 477A.0122, subdivision 2; 501B.89, subdivision 2; 518.171, subdivision 1; 518.551, subdivision 5; 518.57, subdivision 3; 518.614, subdivision 3; 518.64, subdivision 2; 548.13; 550.136, subdivision 6; 550.143, subdivision 3; 550.37, subdivision 14; 551.05, subdivision 1a; 551.06, subdivision 6; 570.025, subdivision 6; 570.026, subdivision 2; 571.72, subdivision 8; 571.912; 571.925; 571.931, subdivision 6; 571.932, subdivision 2; and 583.22, subdivision 7b; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 12a; 119B.05, subdivision 6; 126C.05, subdivision 4; 126C.06; 256.031, subdivision 1a; 256.736; 256.74, subdivision 1c; 256.9850; 256J.62, subdivision 5; 268.871, subdivision 5; and 290A.22; Minnesota Rules, parts 9500.2000; 9500.2020; 9500.2060; 9500.2100; 9500.2140; 9500.2180; 9500.2220; 9500.2260; 9500.2300; 9500.2340; 9500.2380; 9500.2420; 9500.2440; 9500.2480; 9500.2500; 9500.2520; 9500.2560; 9500.2580; 9500.2600; 9500.2620; 9500.2640; 9500.2680; 9500.2700; 9500.2720; 9500.2722; 9500.2724; 9500.2726; 9500.2728; 9500.2730; 9500.2740; 9500.2760; 9500.2780; 9500.2800; 9500.2820; 9500.2860; and 9500.2880.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Ourada	Solon
Belanger	Janezich	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.J.	Limmer	Pogemiller	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Higgins	Langseth	Olson	Scheid	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately.

S.F. Nos. 296, 382, 1485, H.F. No. 463, S.F. Nos. 1325, 1527, 1115, H.F. No. 1132, S.F. Nos. 437, 673, H.F. Nos. 1037, 643, S.F. Nos. 1218, 854, 1047, H.F. No. 836, S.F. Nos. 1182, 1725,

510, H.F. No. 408, S.F. Nos. 2017, 436, 369, 1699, H.F. No. 1714, S.F. No. 834, H.F. No. 735, S.F. No. 832 and H.F. No. 60.

SPECIAL ORDER

S.F. No. 296: A bill for an act relating to education; modifying special education provisions; providing for rulemaking; amending Minnesota Statutes 1998, sections 125A.09, subdivision 6; 125A.10; 125A.18; 125A.24; and 125A.75, subdivision 8; repealing Laws 1998, chapter 398, article 2, section 53.

Senator Robertson moved to amend S.F. No. 296 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1998, section 121A.41, subdivision 10, is amended to read:

Subd. 10. [SUSPENSION.] "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten school days. If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for one school day or less, except as provided in federal law for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 days. In the case of a pupil student with a disability, school districts must comply with applicable federal law the student's individual education plan team must meet immediately but not more than ten school days after the date on which the decision to remove the student from the student's current education placement is made. The individual education plan team shall at that meeting:

(1) conduct a review of the relationship between the child's disability and the behavior subject to disciplinary action; and

(2) determine the appropriateness of the child's education plan.

The requirements of the individual education plan team meeting apply when:

(1) the parent requests a meeting;

(2) the student is removed from the student's current placement for five or more consecutive days; or

(3) the student's total days of removal from the student's placement during the school year exceed ten cumulative days in a school year.

The school administration shall implement alternative educational services when the suspension exceeds five days. A separate administrative conference is required for each period of suspension.

Sec. 2. Minnesota Statutes 1998, section 121A.43, is amended to read:

121A.43 [EXCLUSION AND EXPULSION OF PUPILS WITH A DISABILITY.]

When a pupil who has an individual education plan is excluded or expelled under sections 121A.40 to 121A.56 for misbehavior that is not a manifestation of the pupil's disability, the district shall continue to provide special education and related services after a period of suspension, if suspension is imposed. The district shall initiate a review of the student's individual

~~education plan within five school days of and conduct a review of the relationship between the child's disability and the behavior subject to disciplinary action and determine the appropriateness of the child's education plan before commencing an expulsion, or exclusion, or a suspension.~~

Sec. 3. Minnesota Statutes 1998, section 125A.023, is amended to read:

125A.023 [COORDINATED INTERAGENCY SERVICES.]

Subdivision 1. [CITATION.] This section and section 125A.027 shall be cited as the "Interagency Services for Children with Disabilities Act."

Subd. 2. [PURPOSE.] It is the policy of the state to develop and implement a coordinated, multidisciplinary, interagency intervention service system for children ages three to ~~22~~ 21 with disabilities.

Subd. 3. [DEFINITIONS.] For purposes of this section and section 125A.027, the following terms have the meanings given them:

(a) "Health plan" means:

- (1) a health plan under section 62Q.01, subdivision 3;
- (2) a county-based purchasing plan under section 256B.692;
- (3) a self-insured health plan established by a local government under section 471.617; or
- (4) self-insured health coverage provided by the state to its employees or retirees.

(b) For purposes of this section, "health plan company" means an entity that issues a health plan as defined in paragraph (a).

(c) "Individual interagency intervention plan" means a standardized written plan describing those programs or services and the accompanying funding sources available to eligible children with disabilities.

(d) "Interagency intervention service system" means a system that coordinates services and programs required in state and federal law to meet the needs of eligible children with disabilities ages three to ~~22~~ 21, including:

(1) services provided under the following programs or initiatives administered by state or local agencies:

(i) the maternal and child health program under title V of the Social Security Act, United States Code, title 42, sections 701 to 709;

(ii) the Individuals with Disabilities Education Act under United States Code, title 20, chapter 33, subchapter II, sections 1411 to 1420;

(iii) medical assistance under the Social Security Act, United States Code, title 42, chapter 7, subchapter XIX, section 1396, et seq.;

(iv) the Developmental Disabilities Assistance and Bill of Rights Act, United States Code, title 42, chapter 75, subchapter II, sections 6021 to 6030, Part B;

(v) the Head Start Act, United States Code, title 42, chapter 105, subchapter II, sections 9831 to 9852;

(vi) rehabilitation services provided under chapter 268A;

(vii) Juvenile Court Act services provided under sections 260.011 to 260.301;

(viii) the children's mental health collaboratives under section 245.493;

- (ix) the family service collaboratives under section 124D.23;
 - (x) the family community support plan under section 245.4881, subdivision 4;
 - (xi) the MinnesotaCare program under chapter 256L;
 - (xii) the community health services grants under chapter 145;
 - (xiii) the Community Social Services Act funding under the Social Security Act, United States Code, title 42, sections 1397 to 1397f; and
 - (xiv) the community interagency transition committees under section 125A.22;
- (2) services provided under a health plan in conformity with an individual family service plan or an individual education plan; and
- (3) additional appropriate services that local agencies and counties provide on an individual need basis upon determining eligibility and receiving a request from the interagency early intervention committee and the child's parent.
- (e) "Children with disabilities" has the meaning given in section 125A.02.
- (f) A "standardized written plan" means those individual services or programs available through the interagency intervention service system to an eligible child other than the services or programs described in the child's individual education plan or the child's individual family service plan.
- Subd. 4. [STATE INTERAGENCY COMMITTEE.] (a) The governor shall convene an 18-member interagency committee to develop and implement a coordinated, multidisciplinary, interagency intervention service system for children ages three to ~~22~~ 21 with disabilities. The commissioners of commerce, children, families, and learning, health, human rights, human services, economic security, and corrections shall each appoint two committee members from their departments; the association of Minnesota counties shall appoint two county representatives, one of whom must be an elected official, as committee members; and the Minnesota school boards association and the school nurse association of Minnesota shall each appoint one committee member. The committee shall select a chair from among its members.
- (b) The committee shall:
- (1) identify and assist in removing state and federal barriers to local coordination of services provided to children with disabilities;
 - (2) identify adequate, equitable, and flexible funding sources to streamline these services;
 - (3) develop guidelines for implementing policies that ensure a comprehensive and coordinated system of all state and local agency services, including multidisciplinary assessment practices for children with disabilities ages three to ~~22~~ 21;
 - (4) develop, consistent with federal law, a standardized written plan for providing services to a child with disabilities;
 - (5) identify how current systems for dispute resolution can be coordinated and develop guidelines for that coordination;
 - (6) develop an evaluation process to measure the success of state and local interagency efforts in improving the quality and coordination of services to children with disabilities ages three to ~~22~~ 21;
 - (7) develop guidelines to assist the governing boards of the interagency early intervention committees in carrying out the duties assigned in section 125A.027, subdivision 1, paragraph (b); and

(8) carry out other duties necessary to develop and implement within communities a coordinated, multidisciplinary, interagency intervention service system for children with disabilities.

(c) The committee shall consult on an ongoing basis with the state education advisory committee for special education and the governor's interagency coordinating council in carrying out its duties under this section, including assisting the governing boards of the interagency early intervention committees.

Subd. 5. [INTERVENTION DEMONSTRATION PROJECTS.] (a) The commissioner of children, families, and learning, based on recommendations from the state interagency committee, shall issue a request for proposals by January 1, 1999, for grants to the governing boards of interagency intervention committees under section 125A.027 or a combination of one or more counties and school districts to establish five voluntary interagency intervention demonstration projects. One grant shall be used to implement a coordinated service system for all eligible children with disabilities up to age five who received services under sections 125A.26 to 125A.48. One grant shall be used to implement a coordinated service system for a population of minority children with disabilities from ages 12 to ~~22~~ 21, who may have behavioral problems and are in need of transitional services. Each project must be operational by July 1, 1999. The governing boards of the interagency early intervention committees and the counties and school districts receiving project grants must develop efficient ways to coordinate services and funding for children with disabilities ages three to ~~22~~ 21, consistent with the requirements of this section and section 125A.027 and the guidelines developed by the state interagency committee under this section.

(b) The state interagency committee shall evaluate the demonstration projects and provide the evaluation results to interagency early intervention committees.

Subd. 6. [THIRD-PARTY LIABILITY.] Nothing in this section and section 125A.027 relieves a health plan company, third party administrator or other third-party payer of an obligation to pay for, or changes the validity of an obligation to pay for, services provided to children with disabilities ages three to ~~22~~ 21 and their families.

Subd. 7. [AGENCY OBLIGATION.] Nothing in this section and section 125A.027 removes the obligation of the state, counties, local school districts, a regional agency, or a local agency or organization to comply with any federal or state law that mandates responsibility for finding, assessing, delivering, assuring, or paying for education or related services for children with disabilities and their families.

Sec. 4. Minnesota Statutes 1998, section 125A.027, is amended to read:

125A.027 [INTERAGENCY EARLY INTERVENTION COMMITTEE RESPONSIBILITIES.]

Subdivision 1. [ADDITIONAL DUTIES.] (a) The governing boards of the interagency early intervention committees are responsible for developing and implementing interagency policies and procedures to coordinate services at the local level for children with disabilities ages three to ~~22~~ 21 under guidelines established by the state interagency committee under section 125A.023, subdivision 4. Consistent with the requirements in this section and section 125A.023, the governing boards of the interagency early intervention committees shall organize as a joint powers board under section 471.59 or enter into an interagency agreement that establishes a governance structure.

(b) The governing board of each interagency early intervention committee as defined in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

(1) identify and assist in removing state and federal barriers to local coordination of services provided to children with disabilities;

(2) identify adequate, equitable, and flexible use of funding by local agencies for these services;

(3) implement policies that ensure a comprehensive and coordinated system of all state and local agency services, including multidisciplinary assessment practices, for children with disabilities ages three to ~~22~~ 21;

(4) use a standardized written plan for providing services to a child with disabilities developed under section 125A.023;

(5) access the coordinated dispute resolution system and incorporate the guidelines for coordinating services at the local level, consistent with section 125A.023;

(6) use the evaluation process to measure the success of the local interagency effort in improving the quality and coordination of services to children with disabilities ages three to ~~22~~ 21 consistent with section 125A.023;

(7) develop a transitional plan for children moving from the interagency early childhood intervention system under sections 125A.259 to 125A.48 into the interagency intervention service system under this section;

(8) coordinate services and facilitate payment for services from public and private institutions, agencies, and health plan companies; and

(9) share needed information consistent with state and federal data practices requirements.

Subd. 2. [APPROPRIATE AND NECESSARY SERVICES.] (a) Parents, physicians, other health care professionals including school nurses, and education and human services providers jointly must determine appropriate and necessary services for eligible children with disabilities ages three to ~~22~~ 21. The services provided to the child under this section must conform with the child's standardized written plan. The governing board of an interagency early intervention committee must provide those services contained in a child's individual education plan and those services for which a legal obligation exists.

(b) Nothing in this section or section 125A.023 increases or decreases the obligation of the state, county, regional agency, local school district, or local agency or organization to pay for education, health care, or social services.

(c) A health plan may not exclude any medically necessary covered service solely because the service is or could be identified in a child's individual family service plan, individual education plan, a plan established under section 504 of the federal Rehabilitation Act of 1973, or a student's individual health plan. This paragraph reaffirms the obligation of a health plan company to provide or pay for certain medically necessary covered services, and encourages a health plan company to coordinate this care with any other providers of similar services. Also, a health plan company may not exclude from a health plan any medically necessary covered service such as an assessment or physical examination solely because the resulting information may be used for an individual education plan or a standardized written plan.

Subd. 3. [IMPLEMENTATION TIMELINE.] By July 1, 2000, all governing boards of interagency early intervention committees statewide must implement a coordinated service system for children up to age five with disabilities consistent with the requirements of this section and section 125A.023 and the evaluation results from the demonstration projects under section 125A.023, subdivision 5. Children with disabilities up to the age of ~~22~~ 21 shall be eligible for coordinated services and their eligibility to receive such services under this section shall be phased in over a four-year period as follows:

(1) July 1, 2001, children up to age nine become eligible;

(2) July 1, 2002, children up to age 14 become eligible; and

(3) July 1, 2003, children up to age ~~22~~ 21 become eligible.

Sec. 5. Minnesota Statutes 1998, section 125A.03, is amended to read:

125A.03 [SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.]

(a) As defined in paragraph (b), ~~to the extent required in federal law as of July 1, 1999,~~ every district must provide special instruction and services, either within the district or in another district, for children with a disability who are residents of the district and who are disabled as set forth in section 125A.02.

(b) Notwithstanding any age limits in laws to the contrary, special instruction and services must be provided from birth until ~~September~~ July 1 after the child with a disability becomes ~~22~~ 21 years old but shall not extend beyond secondary school or its equivalent, except as provided in section 124D.68, subdivision 2. Local health, education, and social service agencies must refer children under age five who are known to need or suspected of needing special instruction and services to the school district. Districts with less than the minimum number of eligible children with a disability as determined by the state board must cooperate with other districts to maintain a full range of programs for education and services for children with a disability. This section does not alter the compulsory attendance requirements of section 120A.22."

Page 8, delete lines 25 to 27

Page 8, line 28, delete "(7)" and insert "(6)"

Page 8, line 30, delete "(8)" and insert "(7)"

Page 8, line 33, delete "(9)" and insert "(8)"

Page 8, line 35, delete "(10)" and insert "(9)"

Page 9, line 2, delete "(11)" and insert "(10)"

Page 9, line 5, after the period, insert "Minnesota Rules, part 3525.2470, is repealed."

Sec. 13. [EFFECTIVE DATE.]

Sections 1, 2, and 5 to 12 are effective July 1, 1999, except that the requirement under section 5 to provide special instruction and services until a child with a disability becomes 21 years old, instead of 22 years old, is effective July 1, 2002. Sections 3 and 4 are effective July 1, 2002."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 296 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Oliver	Scheevel
Belanger	Hottinger	Langseth	Olson	Scheid
Berg	Janezich	Larson	Ourada	Solon
Berglin	Johnson, D.E.	Lesewski	Pappas	Spear
Betzold	Johnson, D.H.	Lessard	Pariseau	Stevens
Cohen	Johnson, D.J.	Limmer	Pogemiller	Stumpf
Day	Johnson, J.B.	Lourey	Price	Ten Eyck
Dille	Junge	Marty	Ranum	Terwilliger
Fischbach	Kelley, S.P.	Metzen	Robertson	Vickerman
Flynn	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Foley	Kleis	Murphy	Runbeck	Wiger
Frederickson	Knutson	Neuville	Sams	Ziegler
Hanson	Krentz	Novak	Samuelson	

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

SPECIAL ORDER

S.F. No. 382: A bill for an act relating to taxation; making technical corrections to income, property, sales, and certain special taxes; making technical corrections to certain state tax administrative provisions; amending Minnesota Statutes 1998, sections 271.01, subdivision 5; 271.21, subdivision 2; 289A.40, subdivision 1; 289A.60, subdivisions 3 and 21; 290.0671, subdivision 1; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivision 4; 297A.15, subdivision 5; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.06, subdivision 2; 462A.071, subdivision 2; 469.002, subdivision 10; and 469.012, subdivision 1; repealing Minnesota Statutes 1998, sections 273.11, subdivision 10; 297E.12, subdivision 3; 297F.19, subdivision 4; and 297G.18, subdivision 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Hottinger	Langseth	Olson	Scheevel
Belanger	Janezich	Larson	Ourada	Scheid
Berg	Johnson, D.E.	Lesewski	Pappas	Solon
Berglin	Johnson, D.H.	Lessard	Pariseau	Stevens
Betzold	Johnson, D.J.	Limmer	Piper	Stumpf
Cohen	Johnson, J.B.	Lourey	Pogemiller	Ten Eyck
Dille	Junge	Marty	Price	Terwilliger
Fischbach	Kelley, S.P.	Metzen	Ranum	Vickerman
Flynn	Kelly, R.C.	Moe, R.D.	Robertson	Wiener
Foley	Kleis	Murphy	Robling	Wiger
Frederickson	Knutson	Neuville	Runbeck	Ziegler
Hanson	Krentz	Novak	Sams	
Higgins	Laidig	Oliver	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1485: A bill for an act relating to professions; modifying provisions of the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design relating to fees and continuing education; increasing penalties; amending Minnesota Statutes 1998, section 326.111, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Rules, part 1800.0500, subpart 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Flynn	Johnson, J.B.	Larson	Neuville
Belanger	Foley	Junge	Lesewski	Novak
Berg	Frederickson	Kelley, S.P.	Lessard	Oliver
Berglin	Hanson	Kelly, R.C.	Limmer	Olson
Betzold	Higgins	Kleis	Lourey	Ourada
Cohen	Hottinger	Knutson	Marty	Pappas
Day	Johnson, D.E.	Krentz	Metzen	Pariseau
Dille	Hanson, D.H.	Laidig	Moe, R.D.	Piper
Fischbach	Johnson, D.J.	Langseth	Murphy	Pogemiller

Price	Runbeck	Solon	Ten Eyck	Wiger
Ranum	Sams	Spear	Terwilliger	Ziegler
Robertson	Scheevel	Stevens	Vickerman	
Robling	Scheid	Stumpf	Wiener	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 463: A bill for an act relating to health; providing for review of ambulance services and first responders; amending Minnesota Statutes 1998, section 145.61, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 144E.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Langseth	Olson	Scheevel
Belanger	Hottinger	Larson	Ourada	Scheid
Berglin	Johnson, D.E.	Lesewski	Pappas	Solon
Betzold	Johnson, D.H.	Lessard	Pariseau	Spear
Cohen	Johnson, D.J.	Limmer	Piper	Stevens
Day	Johnson, J.B.	Lourey	Pogemiller	Stumpf
Dille	Junge	Marty	Price	Ten Eyck
Fischbach	Kelley, S.P.	Metzen	Ranum	Terwilliger
Flynn	Kelly, R.C.	Murphy	Robertson	Vickerman
Foley	Kleis	Neuville	Robling	Wiener
Frederickson	Knutson	Novak	Runbeck	Wiger
Hanson	Laidig	Oliver	Sams	Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1325: A bill for an act relating to traffic regulations; regulating low-speed vehicles; amending Minnesota Statutes 1998, section 169.045.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Novak	Runbeck
Berglin	Janezich	Langseth	Oliver	Sams
Cohen	Johnson, D.E.	Larson	Olson	Samuelson
Dille	Johnson, D.H.	Lesewski	Ourada	Scheid
Fischbach	Johnson, J.B.	Lessard	Pappas	Solon
Flynn	Junge	Limmer	Pariseau	Spear
Foley	Kelley, S.P.	Lourey	Piper	Stumpf
Frederickson	Kelly, R.C.	Metzen	Pogemiller	Ten Eyck
Hanson	Knutson	Moe, R.D.	Price	Wiger
Higgins	Krentz	Murphy	Ranum	

Those who voted in the negative were:

Belanger	Day	Neuville	Scheevel	Vickerman
Berg	Kleis	Robertson	Stevens	Ziegler
Betzold	Marty	Robling	Terwilliger	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1527: A bill for an act relating to school boards; a person convicted of a sex offense who is required to be registered under the predatory offender law is not eligible to be a candidate for the office of school board member; amending Minnesota Statutes 1998, sections 123B.09, by adding a subdivision; and 205A.06, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Lesewski	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Pariseau	Stevens
Berglin	Johnson, D.H.	Limmer	Pogemiller	Stumpf
Betzold	Johnson, J.B.	Lourey	Price	Ten Eyck
Cohen	Junge	Marty	Ranum	Terwilliger
Day	Kelley, S.P.	Metzen	Robertson	Vickerman
Dille	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Fischbach	Kleis	Murphy	Runbeck	Wiger
Flynn	Knutson	Neuville	Sams	Ziegler
Foley	Krentz	Novak	Samuelson	
Frederickson	Laidig	Oliver	Scheevel	
Hanson	Langseth	Olson	Scheid	
Higgins	Larson	Ourada	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1115: A bill for an act relating to courts; revising the process for action for payment or collection of taxes; amending Minnesota Statutes 1998, section 270.68, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Lesewski	Pappas	Solon
Belanger	Johnson, D.E.	Lessard	Pariseau	Spear
Berg	Johnson, D.H.	Limmer	Piper	Stevens
Berglin	Johnson, J.B.	Lourey	Pogemiller	Stumpf
Betzold	Junge	Marty	Price	Ten Eyck
Cohen	Kelley, S.P.	Metzen	Ranum	Terwilliger
Day	Kelly, R.C.	Moe, R.D.	Robertson	Vickerman
Dille	Kleis	Murphy	Robling	Wiener
Fischbach	Knutson	Neuville	Runbeck	Wiger
Flynn	Krentz	Novak	Sams	Ziegler
Foley	Laidig	Oliver	Samuelson	
Frederickson	Langseth	Olson	Scheevel	
Higgins	Larson	Ourada	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1132: A bill for an act relating to courts; eliminating filing of duplicate documents; updating the law governing court administrators; amending Minnesota Statutes 1998, sections 279.13; 485.018, subdivision 2; repealing Minnesota Statutes 1998, sections 357.07; and 485.018, subdivisions 1 and 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Lesewski	Pappas	Solon
Belanger	Johnson, D.E.	Lessard	Pariseau	Spear
Berg	Johnson, D.H.	Limmer	Piper	Stevens
Berglin	Johnson, J.B.	Lourey	Pogemiller	Stumpf
Betzold	Junge	Marty	Price	Ten Eyck
Cohen	Kelley, S.P.	Metzen	Ranum	Terwilliger
Day	Kelly, R.C.	Moe, R.D.	Robertson	Vickerman
Dille	Kleis	Murphy	Robling	Wiener
Fischbach	Knutson	Neuville	Runbeck	Wiger
Flynn	Krentz	Novak	Sams	Ziegler
Foley	Laidig	Oliver	Samuelson	
Frederickson	Langseth	Olson	Scheevel	
Higgins	Larson	Ourada	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 437: A bill for an act relating to state lands; authorizing the conveyance or public sale of certain tax-forfeited and other public lands in Anoka, Cass, Douglas, Hennepin, Houston, Hubbard, Mower, Ramsey, Sherburne, and Steele counties.

Senator Ten Eyck moved to amend S.F. No. 437 as follows:

Page 9, line 27, before the first "the" insert "(1)"

Page 9, line 29, before the period, insert "; and (2) Wilderness Park Estates and Wilderness Park Estates Additions 1 through 9"

The motion prevailed. So the amendment was adopted.

Senator Lessard moved to amend S.F. No. 437 as follows:

Page 9, after line 14, insert:

"Sec. 10. [PRIVATE SALE OF STATE WILDLIFE LAND; ANOKA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16 and 97A.135, subdivision 2, the commissioner of natural resources may sell by private sale the land in the Lamprey Pass wildlife management area described in paragraph (c).

(b) The conveyance shall be in a form approved by the attorney general for consideration of not less than the appraised value.

(c) The land that may be sold is in the Lamprey Pass wildlife management area in Anoka county and is described as:

The East 54 feet of the South 830 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 32 North, Range 22 West, containing one acre, more or less.

(d) This conveyance shall provide sufficient setback between the adjacent landowner's buildings and the state land to meet minimum zoning requirements and a buffer zone between the adjacent landowner and public hunting activities on the wildlife management area."

Page 10, after line 27, insert:

"Sec. 13. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CHISAGO COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, the commissioner of revenue shall convey by deed to the county of Chisago the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Chisago county and is described as:

(1) Lot 18 of Lilygrens Beach;

(2) Lot 19 of Lilygrens Beach; and

(3) Lot 23 of Lilygrens Beach.

(d) The county has determined that the land is needed for highway purposes.

Sec. 14. [TRANSFER OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CHISAGO COUNTY.]

(a) The tax-forfeited land bordering public water that is described in paragraph (c) is withdrawn from sale and is transferred from the custody, control, and supervision of the Chisago county board to the commissioner of natural resources, free from any trust in favor of the interested taxing districts.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Chisago county and is described as:

Lot 4 of the First Addition to Labelle Isle.

Sec. 15. [SALE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATERS; COOK COUNTY.]

Subdivision 1. [PUBLIC SALE PROVISIONS.] (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Cook county may sell the tax-forfeited lands bordering public waters that are described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general.

(c) The parcels of land that may be conveyed are located in Cook county and are described as:

(1) an undivided 1/3 interest in Government Lot 5, Section 28, Township 63 North, Range 1 East, containing approximately 14.08 acres; and

(2) an undivided 1/4 interest in the South one-half of the SW 1/4, the NW 1/4 of the SW 1/4, and Government Lot 4, Section 23, Township 63 North, Range 4 East.

(d) The county has determined that the county's land management interests would best be served if the lands were sold.

Subd. 2. [PRIVATE SALE ALTERNATIVE.] Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Cook county may sell by private sale the land described in subdivision 1, paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282."

Page 11, after line 8, insert:

"Sec. 17. [PRIVATE SALE OF COUNTY LAND; GOODHUE COUNTY.]

Subdivision 1. [SALE TO ADJOINING LANDOWNERS.] (a) Notwithstanding the public sale provisions of Minnesota Statutes, section 373.01, subdivision 1, clause (4), or other law to the contrary, Goodhue county may sell, lease, or otherwise convey county owned land that abuts Lake Byllesby to adjoining property owners by private sale.

(b) A sale, lease, or conveyance under this section shall be for the appraised market value of the interest conveyed, as determined by Goodhue county.

(c) A sale, lease, or conveyance under this section need not comply with Minnesota Statutes, section 373.01, subdivision 1, clause (4), except that:

(1) all iron ore and other valuable minerals, with the right to explore for, mine, and remove the iron ore and other valuable minerals shall be reserved to the county according to Minnesota Statutes, section 373.01, subdivision 1, clause (4); and

(2) no minerals or mineral rights shall be disposed of except according to Minnesota Statutes, section 373.01, subdivision 1, clause (4).

(d) A sale, lease, or conveyance under this section shall be subject to reservation by Goodhue county of flowage easements relating to water levels in Lake Byllesby.

Subd. 2. [PUBLIC PARKS EXCLUDED FROM CONVEYANCE.] This section does not apply to county owned land that is developed as public parks."

Page 12, after line 22, insert:

"Sec. 20. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER AND WETLAND; HENNEPIN COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, and the public sale provisions of Minnesota Statutes, chapter 282, Hennepin county may convey to the city of Eden Prairie for no consideration the tax-forfeited land bordering public water and wetland that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that, except for the portion of land to be sold by the city of Eden Prairie under Minnesota Statutes, chapter 469, for private development, the land reverts to the state if the city of Eden Prairie stops using the land for the public purposes described in paragraph (d).

(c) The land to be conveyed is located in Hennepin county and is described as:

Outlot A, CASTLE RIDGE, Hennepin county, Minnesota and that part of Lot 2, Block 2, CASTLE RIDGE, Hennepin county, Minnesota, lying westerly and southerly of the following described line: Beginning at a point on the north line of said Lot 2, distant 364.69 feet East from the northwest corner of said Lot 2; thence South 36 degrees 21 minutes 21 seconds West (assuming said north line has a bearing of South 89 degrees 59 minutes 22 second East) a distance of 99.42 feet; thence southerly 436.16 feet along a tangential curve, concave to the East, having a radius of 420 feet and a central angle of 59 degrees 30 minutes 00 seconds; thence South 23 degrees 08 minutes 39 seconds East, tangent to said curve, a distance of 142.19 feet; thence southeasterly 163.33 feet along a tangential curve, concave to the northeast, having a radius of 140 feet and a central angle of 66 degrees 50 minutes 43 seconds; thence South 89 degrees 59 minutes 22 seconds East a distance of 147.58 feet to the point of curvature which intersects the north line of Castlemoor Drive and the south line of said Lot 2, and there said described line terminating.

(d) The county has determined that the land is needed by the city of Eden Prairie for road, park, and wetland open space purposes and for private development."

Page 15, after line 3, insert:

"Sec. 24. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Itasca county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general.

(c) The land to be sold is located in Itasca county and is described as:

All of CONDOMINIUM NUMBER 4, POKEGAMA COMMONS, a condominium, including the "Additional Real Estate" and "Common Elements" delineated and described therein, except Condominium Unit Number 1, Condominium Unit Number 2, Townhouse Unit A102, Townhouse Unit A104, Townhouse Unit A201, Townhouse Unit A202, Townhouse Unit A203, and Townhouse Unit A204, according to the plat and declarations thereof on file and of record in the office of the Itasca county recorder, Itasca county, Minnesota.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 25. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca county may sell by private sale the tax-forfeited land, some of which borders public water, that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) Except as provided in paragraph (d), the land to be conveyed is located in Itasca county and is described as:

(1) Sections 1 to 4 and 9 to 15, Township 56 North, Range 23 West;

(2) Sections 3 to 10, 14 to 18, 20 to 23, and 26 to 29, Township 56 North, Range 22 West;

(3) Sections 20 to 22 and 27 to 33, Township 57 North, Range 22 West; and

(4) Sections 25 to 27 and 34 to 36, Township 57 North, Range 23 West.

(d) The county shall not include in the sale any tax-forfeited lands lying within the Mesabi Range iron formation for which the state owns the mineral rights or has a claim against the mineral rights under provisions of Minnesota Statutes, section 93.55. Any lands excluded from sale under this paragraph may be leased by Itasca county or the state as provided by law.

(e) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 26. [SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.]

Subdivision 1. [SALE AUTHORIZED.] Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca county may in its sole discretion sell tax-forfeited lands bordering public waters that are currently leased for recreational purposes under Minnesota Statutes, section 282.04. Itasca county may also sell other tax-forfeited lands that are not necessary for public access to water and that have been included in the plats of tax-forfeited lands authorized for sale under this section or such adjacent tax-forfeited lands necessary for roadway access and the creation of conforming lot sizes.

Subd. 2. [METHOD OF SALE.] (a) The leaseholder of a leased parcel may at private sale purchase the leased parcel and any other lands allocated to the parcel by the county under subdivision 5 that is offered for sale under this section. The purchase price shall be the appraised value of the land exclusive of improvements thereon. To purchase a parcel, a leaseholder must tender to the county in cash an amount equal to the appraised value of the land within 180 days from the date of mailing or service of notice of appraised value upon the leaseholder by the county. The 180-day period shall run from the date of mailing of a copy of the appraisal to the leaseholder at the address shown upon the most recent lease agreement between the parties, exclusive of the date of mailing or service. The county may at its option use any alternative method of notice as set forth in the Minnesota Rules of Civil Procedure for the service of a summons and complaint.

(b) In the event the leaseholder does not purchase the parcel so offered, the county may in its sole discretion offer the lands for sale at public auction in accordance with the provisions of Minnesota Statutes, section 282.01, subdivision 3. If a person other than the leaseholder purchases the parcel, the purchaser must make payment in full to the leaseholder in the manner provided in Minnesota Statutes, section 92.06, subdivision 4, for the value of any improvements as determined under subdivision 3.

(c) Failure of a purchaser to comply with the terms of payment voids the sale and the property may be reoffered for sale.

Subd. 3. [APPRAISAL.] (a) An appraisal shall be made in accordance with Minnesota Statutes, section 282.01, subdivision 3, except as modified by this subdivision. Improvements that are owned by the lessee shall be appraised separately.

(b) An appraiser shall be selected by the county. The appraiser selected shall meet the minimal appraisal standards established by the federal Farmers Home Administration or the federal Veterans Administration, be licensed under Minnesota Statutes, section 82B.03, and be approved by the department of natural resources to appraise the property to be sold.

(c) The costs of appraisal shall be allocated by the county to the lots offered for sale and the successful purchaser on each lot shall reimburse the county for the appraisal costs allocated to the lot purchased. If no one purchases a lot, the county is responsible for the appraisal cost.

(d) If a leaseholder disagrees with the appraised value of the land or leasehold improvements, the leaseholder may select an appraiser that meets the qualifications set forth herein to reappraise the land and improvements. The leaseholder must give notice of its intent to object to the appraised value of the land and buildings within ten days of the date of the mailing or service of notice under subdivision 2, paragraph (a). The reappraisal must be delivered by the leaseholder to the county auditor within 60 days of the date of mailing or service of notice of appraised value under subdivision 2, paragraph (a), or the initial appraisal shall be conclusive. The leaseholder is responsible for the costs of this reappraisal. If the parcel is reappraised within the time set forth herein and the county and the leaseholder fail to agree on the value of the land and improvements within 30 days of the date of delivery of the reappraisal, each of the appraisers shall agree upon the selection of a third appraiser to conduct a third appraisal that shall be conclusive as to the value of the land and improvements. The cost of this appraisal shall be paid equally by the county and the leaseholder.

Subd. 4. [SURVEY.] (a) Itasca county shall cause to be surveyed according to Minnesota Statutes, chapter 505, and the Itasca county platting and subdivision ordinance, each lot prior to offering it for sale.

(b) The costs of survey shall be allocated by the county to the lots offered for sale and the successful purchaser on each lot shall reimburse the county for the survey costs allocated to the lot purchased. If no one purchases the lot, the county is responsible for the survey costs. All surveying must be conducted by a licensed surveyor.

Subd. 5. [ADDING LANDS; ZONING CONFORMANCE.] Any lands to be sold under this section shall for zoning purposes be considered lots of record. Whenever possible, Itasca county

may add tax-forfeited land to the lots offered for sale to permit conformance with zoning requirements. The added lands must be included in the appraised value of the lot.

Subd. 6. [ROADWAYS.] Itasca county shall have the authority to designate whether roads within minor subdivisions under the county platting and subdivision ordinance are public or private.

Subd. 7. [DEPOSIT OF PROCEEDS; ENVIRONMENTAL TRUST FUND.] The proceeds from the sale of the land under this section must be deposited in an Itasca county environmental trust fund, established under Laws 1998, chapter 389, article 16, section 31, subdivision 4.

Subd. 8. [SUNSET.] This section expires five years after the day of final enactment.

Sec. 27. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; KANDIYOHI COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Kandiyohi county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general.

(c) The land to be sold is located in Kandiyohi county and is described as: Lot 1, Block 1, Diamond Woods, Section 28, Township 120 North, Range 33 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 28. [CONVEYANCE OF TAX-FORFEITED LAND; KOOCHICHING COUNTY.]

(a) Upon recommendation of the Koochiching county board, the commissioner of revenue shall convey by deed in the name of the state the tax-forfeited land described in paragraph (c) to the Bois Forte Band of Chippewa Indians. Except as otherwise provided by this section, the conveyance shall be in the manner provided under Minnesota Statutes, section 282.01, subdivision 1a, for conveyance of tax-forfeited land to a governmental subdivision.

(b) The conveyance shall be for no consideration and in a form approved by the attorney general. Upon conveyance, the lands are released from the trust in favor of Koochiching county.

(c) The land that may be conveyed is in Koochiching county, consists of approximately 9.6 acres, and is described as:

That part of the Southeast Quarter of the Northwest Quarter of Section 16, Township 65 North, Range 23 West, described as follows:

Commencing at the southeast corner of said Southeast Quarter of the Northwest Quarter, and assuming the east line thereof to have a bearing of North 00 degrees, 22 minutes, 29 seconds East; thence North 64 degrees, 39 minutes, 05 seconds West, 108.73 feet to the point of beginning; thence North 63 degrees, 40 minutes, 58 seconds West, 454.18 feet; thence North 89 degrees, 50 minutes, 06 seconds West, 423.42 feet; thence North 11 degrees, 54 minutes, 43 seconds East, 289.67 feet; thence North 89 degrees, 50 minutes, 45 seconds East, 59.10 feet; thence South 03 degrees, 55 minutes, 37 seconds West, 866.09 feet to the point of beginning.

(d) The county has determined that the land is needed by the Bois Forte Band of Chippewa Indians to maintain burial grounds and support the preservation of cultural, spiritual, and historic interests.

Sec. 29. [AUTHORIZING EXERCISE OF EMINENT DOMAIN; KOOCHICHING COUNTY.]

Subdivision 1. [EMINENT DOMAIN AUTHORIZED.] The Koochiching county board may exercise the right of eminent domain in the manner provided by Minnesota Statutes, chapter 117, reserving to the state all minerals and mineral rights, to acquire the following trust fund lands:

That part of the Northeast Quarter of the Northeast Quarter, Section 36, Township 71 North, Range 23 West, Koochiching county, Minnesota, lying northerly of a line described as follows: Commencing at the northeast corner of said Northeast Quarter of the Northeast Quarter; thence South 0 degrees 26 minutes 39 seconds East, bearing assumed, along the east line of said Northeast Quarter of the Northeast Quarter, a distance of 60.00 feet to the point of beginning of the line to be described; thence North 90 degrees 0 minutes West a distance of 173.04 feet; thence North 83 degrees 31 minutes West a distance of 68.90 feet; thence South 88 degrees 09 minutes West a distance of 25.85 feet; thence South 70 degrees 06 minutes West a distance of 77.87 feet; thence South 84 degrees 45 minutes West a distance of 128.97 feet; thence South 63 degrees 22 minutes West a distance of 82.56 feet; thence South 79 degrees 59 minutes West a distance of 41.43 feet; thence North 75 degrees 19 minutes West a distance of 77.77 feet; thence South 84 degrees 04 minutes West a distance of 27.61 feet; thence South 66 degrees 39 minutes West a distance of 37.98 feet; thence South 54 degrees 07 minutes West a distance of 43.20 feet; thence South 47 degrees 42 minutes West a distance of 149.84 feet; thence North 77 degrees 20 minutes West a distance of 114.45 feet; thence North 63 degrees 40 minutes West a distance of 76.63 feet; thence North 56 degrees 19 minutes West a distance of 161.20 feet; thence South 65 degrees 26 minutes West a distance of 68.67 feet; thence South 75 degrees 42 minutes West a distance of 104.62 feet to the intersection with the west line of said Northeast Quarter of the Northeast Quarter and said line there terminating, which point of intersection is 165.84 feet South of the northwest corner of said Northeast Quarter of the Northeast Quarter; said tract consisting of 4.06 acres, more or less.

Subd. 2. [DISPOSITION OF LAND.] (a) After the Koochiching county board acquires the land described in subdivision 1, the county board shall convey to the nominal titleholders their respective interest in the land described in subdivision 1, as determined by the Koochiching county surveyor. Minnesota Statutes, section 373.01, clause (4), does not apply to conveyances under this subdivision. Each titleholder shall reimburse the county board for a proportional share of the cost of the eminent domain proceedings.

(b) The Koochiching county board may vacate the road designated as Withrow Drive according to the plat of Withrow Point and may relocate the road as county road 137, as county road 137 exists on the effective date of this act. The Koochiching county surveyor shall prepare and file a corrected plat of Withrow Point.

Sec. 30. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LESUEUR COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, LeSueur county may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the fair market value as determined by the LeSueur county board of commissioners.

(c) The land to be conveyed is located in LeSueur county and is described as:

That part of Government Lot 7, Section 35, Township 109 North, Range 24 West, described as follows: Commencing at a point 1165.40 feet North and 1465.20 feet East of the west quarter corner of said Section 35; thence North 55 degrees 00 minutes 00 seconds West 524.80 feet to the southeast corner of Lot 6, Block 2, ROEMHILDTS WATERS EDGE ADDITION, according to the recorded plat thereof; thence North 70 degrees 37 minutes 00 seconds West 77.63 feet along the south line of said Lot 6 to the point of beginning; thence continuing North 70 degrees 37 minutes 00 seconds West 234.12 feet along the south line of Lots 6 and 5, said Block 2 to a southeasterly line of said Lot 5; thence South 29 degrees 00 minutes 00 seconds West 66.00 feet along said southeasterly line of Lot 5; thence South 70 degrees 37 minutes 00 seconds East 234.12 feet; thence North 29 degrees 00 minutes 00 seconds East 66.00 feet to the point of beginning.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 31. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LESUEUR COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45, 282.01, subdivision 1a, and 282.018, subdivision 1, and upon the recommendation of the LeSueur county board, the commissioner of revenue shall convey by deed the tax-forfeited land bordering public water described in paragraph (c) to the commissioner of natural resources, after payment of fair market value for the land to the county.

(b) The conveyance must be in a form approved by the attorney general and shall release the land from the trust in favor of LeSueur county.

(c) The land to be conveyed is located in LeSueur county and is described as:

That part of Government Lots 7 and 6, Section 35, Township 109 North, Range 24 West, described as follows: Commencing at a point 1165.40 feet North and 1465.20 feet East of the west quarter corner of said Section 35 and the point of beginning; thence North 55 degrees 00 minutes 00 seconds West 524.80 feet to the southeast corner of Lot 6, Block 2, ROEMHILDTS WATERS EDGE ADDITION, according to the recorded plat thereof; thence North 70 degrees 37 minutes 00 seconds West 77.63 feet along the south line of said Lot 6; thence South 29 degrees 00 minutes 00 seconds West 66.00 feet; thence South 70 degrees 37 minutes 00 seconds East 77.63 feet; thence South 55 degrees 00 minutes 00 seconds East 315.80; thence South 29 degrees 00 minutes 00 seconds West 190 feet, more or less, to the water's edge of Frances Lake; thence southeasterly along the water's edge of said lake to a point South of the point of beginning; thence North 190 feet, more or less, to the point of beginning."

Page 16, after line 24, insert:

"Sec. 34. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; RED LAKE COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Red Lake county shall sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Red Lake county, consists of about 13.35 acres, and is described as: Government Lot 1, Section 36, Township 152 North, Range 40 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 35. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Roseau county may sell the tax-forfeited land that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form that is approved by the attorney general.

(c) The land to be conveyed is located in Roseau county and is described as:

The Southwest Quarter of the Northeast Quarter of Section 20, Township 163 North, Range 36 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Page 17, after line 14, insert:

"Sec. 37. [SALE OF TAX-FORFEITED LAND; STEARNS COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Stearns county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282. The land described in paragraph (c), clauses (2), (4), and (5), must be sold under Minnesota Statutes, section 282.01, subdivision 7a.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be sold is located in Stearns county and is described as:

(1) Lot 3, Block 1, Jody Estates First Addition to Wakefield Township;

(2) Government Lot 2 lying westerly of county state aid highway No. 22, less the north 50 feet, Section 14, Township 122 North, Range 31 West;

(3) Lots 29 and 30, Birchwood Shores Addition to Munson Township;

(4) Lot B, Holiday Heights Addition to Oak Township; and

(5) the east 200 feet of the west 650 feet of Government Lot 1, Section 3, Township 126 North, Range 34 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Page 18, after line 13, insert:

"Sec. 39. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WABASHA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Wabasha county may sell by private sale to the city of Hammond the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general and shall not retain a reversionary interest to the state. The sale may be for less than the appraised value of the land.

(c) The land to be conveyed is located in Wabasha county and is described as: the East 103 feet of Lot 6 and the East 128 feet of Lot 7, Block 1, city of Hammond.

(d) The county has determined that the county's land management interests would best be served if the lands were sold to the city of Hammond.

Sec. 40. [SALE OF TAX-FORFEITED LAND; WASHINGTON COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Washington county may sell by private sale to an adjacent landowner, but for not less than the appraised value, the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The parcel of land that may be conveyed is located in Washington county and is described as Lot 6, Block 3, Valley Hills, Section 12, Township 32 North, Range 21 West.

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

Sec. 41. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING WETLAND; WASHINGTON COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 103F.535; 282.018, subdivision 2; and 282.241, the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Washington county may sell by private sale to the owner at the time of forfeiture the tax-forfeited land bordering wetland that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general for a consideration of taxes due on the property and any penalties, interest, and costs.

(c) The land to be conveyed is located in Washington county and is described as:

Lot 12, Block 1, Brandon Acres, city of Hugo, identified as PID number 28-031-21-33-0012.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 42. [PRIVATE SALE OF STATE LANDS TO CITY OF BLOOMINGTON HOUSING AND REDEVELOPMENT AUTHORITY.]

Subdivision 1. [PRIVATE SALE.] (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of human services, through the commissioner of administration, may sell by private sale, lands described in paragraph (b), including improvements located thereon, to the housing and redevelopment authority in and for the city of Bloomington upon terms agreeable to the parties. The conveyance must be in a form approved by the attorney general.

(b) The land that may be sold is described as:

The West 100 feet of the East 215 feet of the West one-half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 20, Township 27, Range 24, Hennepin county, Minnesota, lying North of the South 437 feet thereof and South of County Road No. 1 (also known as Old Shakopee Road).

Subd. 2. [USE OF PROCEEDS.] Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, or any other law to the contrary, the proceeds of the sale shall not be deposited in the general fund. The commissioner of human services, through the commissioner of administration, shall use the proceeds of the sale described in subdivision 1 to purchase replacement property."

Page 18, line 15, delete "This act is" and insert "Each section of this act is" and after "enactment" insert ", except that section 17 is effective the day following approval by the Goodhue county board and compliance with the provisions of Minnesota Statutes, section 645.021"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, after "conveyance" insert ", private sale"

Page 1, line 4, after "Cass," insert "Chisago, Cook," and after "Douglas," insert "Goodhue,"

Page 1, line 5, after "Hubbard," insert "Itasca, Kandiyohi, Koochiching, LeSueur," and after "Ramsey," insert "Red Lake, Roseau," and after "Sherburne," insert "Stearns," and delete "and" and after "Steele" insert ", Wabasha, and Washington" and before the period, insert "; authorizing the commissioner of human services to sell certain surplus state land by private sale to the city of Bloomington housing and redevelopment authority; authorizing Koochiching county to exercise the power of eminent domain for acquisition of certain trust land"

The motion prevailed. So the amendment was adopted.

Senator Larson moved to amend S.F. No. 437 as follows:

Page 16, after line 5, insert:

"Sec. 19. [CONVEYANCE OF SURPLUS STATE LAND; OTTER TAIL COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.13, the commissioner of administration shall convey the land and associated buildings described in paragraph (c) to Otter Tail county.

(b) The conveyance shall be in a form approved by the attorney general. The attorney general may require a survey, at the expense of Otter Tail county, and may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Otter Tail county, city of Fergus Falls, and lies within the area defined by a line beginning at the intersection of Fir Avenue and State Highway No. 297; thence northwesterly along State Highway No. 297 to Fourth Street; thence along Fourth Street to West Circle Drive; thence along West Circle Drive to Incinerator Road; thence southwesterly along Incinerator Road to Fir Avenue; thence east along Fir Avenue to the point of beginning.

(d) The commissioner of human services has determined that the land described in paragraph (c) and the buildings on the described land are no longer needed for the Fergus Falls regional treatment center."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Terwilliger moved to amend the Lessard amendment to S.F. No. 437, adopted by the Senate April 7, 1999, as follows:

Page 4, line 6, after "land" insert "not to exceed four acres"

The motion prevailed. So the amendment to the amendment was adopted.

Senator Sams moved to amend S.F. No. 437 as follows:

Page 18, after line 13, insert:

"Sec. 22. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WADENA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Wadena county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sales must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Wadena county and are described as:

(1) part of Government Lot 9 commencing at the southeast corner of Government Lot 10; thence South 146 feet; thence East 16 feet to a point of beginning; thence East 84 feet; thence South 150 feet; thence West 84 feet; thence North to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-1260);

(2) part of Government Lot 10 commencing at the northwest corner; thence South 300 feet; thence East 167 feet; thence South 300 feet; thence West 167 feet; thence North 300 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2040);

(3) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 200 feet; thence South 100 feet to a point of beginning; thence East 330 feet to the Crow Wing river; thence southerly 100 feet along the Crow Wing river; thence West 400 feet to a point due

South of the point of beginning; thence North 100 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2060);

(4) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 167 feet; thence South 300 feet; thence West 167 feet; thence North 300 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2070);

(5) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 200 feet; thence South 400 feet to a point of beginning; thence East 400 feet, more or less, to the Crow Wing river; thence South 100 feet along said river; thence West 400 feet, more or less, to a point due South of the point of beginning; thence North 100 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2080);

(6) part of Government Lot 10 commencing at the northwest corner of said Lot 10; thence East 200 feet; thence South 500 feet to a point of beginning; thence East 400 feet, more or less, to the Crow Wing river; thence South 100 feet along said river; thence West 400 feet, more or less, to a point due South of the point of beginning; thence North 100 feet to the point of beginning, Section 14, Township 135 North, Range 33 West (PID 03-014-2140);

(7) River Forest Acres Survey, Lot 13, 3.20 acres of Government Lot 8, Section 10, Township 136 North, Range 33 West (PID 06-003-3100 and 06-010-2020);

(8) Lot 1, Section 4, Township 136 North, Range 33 West, consisting of 41.78 acres (PID 06-004-1010);

(9) Lot 2, Section 16, Township 137 North, Range 34 West, consisting of 47.75 acres (PID 07-016-2020);

(10) Lot 4, Section 7, Township 137 North, Range 33 West, consisting of 51.30 acres (PID 09-007-2040);

(11) Lot 5, Section 7, Township 137 North, Range 33 West, consisting of 16.31 acres (PID 09-007-2030);

(12) the Northeast Quarter of the Southwest Quarter, Section 12, Township 137 North, Range 33 West (PID 09-012-3030);

(13) the Southwest Quarter of the Southeast Quarter, Section 12, Township 137 North, Range 33 West (PID 09-012-4010);

(14) the Southeast Quarter of the Northwest Quarter, Section 13, Township 137 North, Range 33 West (PID 09-013-1030);

(15) the Northeast Quarter of the Northwest Quarter, Section 13, Township 137 North, Range 33 West (PID 09-013-2010); and

(16) all of Lot 3, Block 5 and part of Lot 1, Block 5 beginning at a point on the east line of Lot 1, Block 5 Sharps Addition 210 feet South of the northeast corner of said Lot 1; thence South 70 feet to the north line of said Lot 3; thence West 156 feet on the north line of Lot 3; thence southeasterly 124 feet to the point of beginning, city of Wadena (PID 22-480-0440).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 23. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WADENA COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Wadena county may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Wadena county and is described as: Reserve Lot C, except the east seven acres, Borchart's Addition, city of Wadena (PID 22-600-0830).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dille moved to amend S.F. No. 437 as follows:

Page 18, after line 13, insert:

"Sec. 22. [PRIVATE SALE OF SURPLUS STATE LAND; WRIGHT COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus lands that are described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general for consideration no less than the appraised value of the lands. The cost of any survey or appraisal shall be added to and made part of the appraised value of the lands.

(c) The lands to be conveyed are located in Wright county and are described as:

(1) beginning at a point 910 feet West and 612 feet South of the East 1/4 corner of Section 14, Township 119 North, Range 28 West; thence South 14 degrees 46 minutes East, 350 feet; thence South 75 degrees 14 minutes West, 100 feet; thence North 14 degrees 46 minutes West, 275.3 feet; thence North 38 degrees 29 minutes East, 124.8 feet, to the point of beginning; and

(2) beginning at a point 998 feet West and 555 feet South of the East 1/4 corner of Section 14, Township 119 North, Range 28 West; thence North 28 degrees 19 minutes West, 190 feet; thence North 73 degrees 19 minutes West, 70.71 feet; thence South 28 degrees 19 minutes East, 261.43 feet; thence North 38 degrees 29 minutes East, 54.4 feet.

(d) The commissioner has determined that the lands are no longer needed for any natural resource purpose and that the state's land management interests would best be served if the lands were sold to the adjoining landowner."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 437 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Johnson, D.H.	Laidig	Moe, R.D.
Belanger	Flynn	Johnson, J.B.	Langseth	Murphy
Berg	Foley	Junge	Larson	Neuville
Berglin	Frederickson	Kelley, S.P.	Lesewski	Novak
Betzold	Hanson	Kelly, R.C.	Lessard	Oliver
Cohen	Higgins	Kleis	Limmer	Olson
Day	Hottinger	Knutson	Lourey	Ourada
Dille	Johnson, D.E.	Krentz	Marty	Pappas

Pariseau	Robertson	Scheevel	Ten Eyck	Ziegler
Piper	Robling	Scheid	Terwilliger	
Pogemiller	Runbeck	Solon	Vickerman	
Price	Sams	Spear	Wiener	
Ranum	Samuelson	Stumpf	Wiger	

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

SPECIAL ORDER

S.F. No. 673: A bill for an act relating to health plans; regulating contract stacking; providing a remedy; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Lesewski	Pappas	Solon
Belanger	Hottinger	Lessard	Pariseau	Spear
Berg	Johnson, D.E.	Limmer	Piper	Stevens
Berglin	Johnson, D.H.	Lourey	Pogemiller	Stumpf
Betzold	Johnson, J.B.	Marty	Price	Ten Eyck
Cohen	Junge	Metzen	Ranum	Terwilliger
Day	Kelley, S.P.	Moe, R.D.	Robertson	Vickerman
Dille	Kelly, R.C.	Murphy	Robling	Wiener
Fischbach	Kleis	Neuville	Runbeck	Wiger
Flynn	Knutson	Novak	Sams	Ziegler
Foley	Krentz	Oliver	Samuelson	
Frederickson	Laidig	Olson	Scheevel	
Hanson	Langseth	Ourada	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1037: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1998, sections 2.724, subdivision 1; 10A.01, subdivision 18; 11A.16, subdivision 6; 12.21, subdivision 3; 12.33, subdivision 4; 15.059, subdivision 5a; 16B.171; 16B.335, subdivision 4; 16B.465, subdivision 1; 16C.05, subdivision 2; 17.114, subdivisions 3 and 4; 17.117, subdivision 15; 17.452, subdivision 1; 17.498; 18B.045, subdivision 1; 18E.06; 19.52, subdivision 2; 48A.12, subdivision 1; 58.02, subdivision 22; 62E.15, subdivision 2; 79A.06, subdivision 5; 103A.43; 103B.321, subdivision 1; 103B.351; 103B.581, subdivision 2; 103F.461; 103G.221, subdivision 1; 103H.175, subdivision 3; 103H.275; 115A.175, subdivision 2; 115A.33; 115B.20, subdivisions 1 and 6; 115C.021, subdivision 1; 116.182, subdivision 3a; 116J.70, subdivision 2a; 117.47; 119A.03, subdivision 2; 119A.26, subdivision 2; 119A.45; 119A.46, subdivision 4; 119A.51, subdivision 1; 119B.05, subdivision 1; 123B.57, subdivision 6; 124D.17, subdivision 7; 126C.21, subdivision 4; 126C.48, subdivision 8; 136F.47; 156.11; 168.022, subdivision 4; 169.1217, subdivision 7a; 169.129, subdivision 2; 171.061, subdivision 1; 171.07, subdivision 10; 174.06, subdivision 1; 179.12; 181.58; 205A.01, subdivision 2; 219.074, subdivision 2; 219.39; 221.034, subdivision 5; 221.036, subdivisions 1 and 3; 239.761, subdivisions 13 and 14; 245.462, subdivision 7; 245.466, subdivision 4; 245.4871, subdivision 9; 245.4875, subdivision 4; 245.825, subdivision 1b; 256B.0625, subdivision 32; 256B.0911, subdivision 7; 256B.0928; 256J.45, subdivision 2; 257.45; 257.74, subdivision 2; 268.9165; 287.09; 307.08, subdivisions 2, 8, 9, and 10; 340A.3021, subdivision 2; 446A.01; 446A.04, subdivision 7; 462A.21, subdivision 19; 480.054; 480.09, subdivision 1; 481.02, subdivision 2;

500.245, subdivision 1; 518.5511, subdivision 1; 518.6111, subdivision 5; and 609.26, by adding a subdivision; Laws 1994, chapter 560, article 2, section 15; repealing Minnesota Statutes 1998, sections 3.873; 16B.88, subdivision 5; 62J.47; 79.51, subdivision 4; 115A.159; 119A.28, subdivision 4; 119A.31, subdivision 3; 119A.54; 124D.17, subdivision 8; 144.121, subdivision 7; 144.664, subdivision 4; 197.236, subdivisions 1 and 2; 218.011, subdivision 7; 245.825, subdivision 1a; 256.995, subdivision 7; 256B.434, subdivision 13; 323.02, subdivisions 10 and 11; 383.01; 383.02; 383.03; 383.04; 383.05; 383.06; 383.07; 383.08; 383.09; 383.10; 383.11; 383.12; 509.01; 509.02; 509.03; 509.04; 509.05; 509.06; and 526.20; Laws 1996, chapter 426, sections 1 and 2; Laws 1998, chapters 388, section 16; 404, section 49; and 407, article 2, section 97; and Laws 1998, First Special Session chapter 1, article 3, section 15.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Lesewski	Pariseau	Spear
Belanger	Hottinger	Lessard	Piper	Stevens
Berg	Johnson, D.E.	Limmer	Pogemiller	Stumpf
Berglin	Johnson, D.H.	Lourey	Price	Ten Eyck
Betzold	Johnson, J.B.	Marty	Ranum	Terwilliger
Cohen	Junge	Metzen	Robertson	Vickerman
Day	Kelley, S.P.	Moe, R.D.	Robling	Wiener
Dille	Kleis	Murphy	Runbeck	Wiger
Fischbach	Knutson	Novak	Sams	Ziegler
Flynn	Krentz	Oliver	Samuelson	
Foley	Laidig	Olson	Scheevel	
Frederickson	Langseth	Ourada	Scheid	
Hanson	Larson	Pappas	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 643: A bill for an act relating to civil commitment; providing the same legal rights for all persons under commitment status; amending Minnesota Statutes 1998, section 253B.23, subdivision 2; repealing Minnesota Statutes 1998, section 609.165, subdivision 1c.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Larson	Pariseau	Solon
Belanger	Higgins	Lesewski	Piper	Spear
Berg	Hottinger	Limmer	Pogemiller	Stevens
Berglin	Johnson, D.E.	Lourey	Price	Stumpf
Betzold	Johnson, J.B.	Marty	Ranum	Ten Eyck
Cohen	Junge	Metzen	Robertson	Terwilliger
Day	Kelley, S.P.	Moe, R.D.	Robling	Vickerman
Dille	Kleis	Murphy	Runbeck	Wiener
Fischbach	Knutson	Oliver	Sams	Wiger
Flynn	Krentz	Olson	Samuelson	Ziegler
Foley	Laidig	Ourada	Scheevel	
Frederickson	Langseth	Pappas	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1218: A bill for an act relating to reemployment insurance; making technical changes; modifying procedures; complying with federal requirements; modifying definitions; amending Minnesota Statutes 1998, sections 268.035, subdivisions 3, 4, 5, 6, 8, 12, 14, 15, 18, 20, 24, 30, 32, and by adding a subdivision; 268.042, subdivision 3; 268.045; 268.047, subdivisions 1, 2, 3, and 4; 268.048; 268.051, subdivisions 1, 2, 3, 4, 5, and 8; 268.052; 268.053; 268.057, subdivisions 4 and 10; 268.058; 268.0625; 268.064; 268.065; 268.067; 268.068; 268.069; 268.07; 268.085; 268.095; 268.101; 268.103, by adding a subdivision; 268.105; 268.115; 268.125, subdivisions 1, 4, and 5; 268.135; 268.145; 268.155; 268.18; 268.182; 268.186; 268.188; 268.192, subdivision 2; 268.194; 268.196; 268.198; 268.21; 268.23; and 268.30, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1998, sections 268.021; and 268.057, subdivisions 8 and 9; Minnesota Rules, parts 3305.0100; 3305.0200; 3305.0300; 3305.0400; 3305.0500; 3305.0600; 3305.0700; 3305.0800; 3305.0900; 3305.1100; 3310.1500; 3310.1600; 3310.1700; 3310.1800; 3310.1900; 3310.2000; 3310.2100; 3310.2200; 3310.5100; and 3310.5800.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Larson	Ourada	Scheevel
Belanger	Higgins	Lesewski	Pappas	Scheid
Berg	Hottinger	Lessard	Pariseau	Solon
Berglin	Johnson, D.E.	Limmer	Piper	Spear
Betzold	Johnson, J.B.	Lourey	Pogemiller	Stevens
Cohen	Junge	Marty	Price	Stumpf
Day	Kelley, S.P.	Metzen	Ranum	Ten Eyck
Dille	Kleis	Moe, R.D.	Robertson	Terwilliger
Fischbach	Knutson	Murphy	Robling	Vickerman
Flynn	Krentz	Novak	Runbeck	Wiener
Foley	Laidig	Oliver	Sams	Wiger
Frederickson	Langseth	Olson	Samuelson	Ziegler

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 854: A bill for an act relating to land use; precluding the termination of lawful land uses by amortization; authorizing the city of St. Louis Park to continue to enforce a certain ordinance; amending Minnesota Statutes 1998, sections 394.21, by adding a subdivision; and 462.357, by adding a subdivision.

Senator Langseth moved that S.F. No. 854 be laid on the table. The motion prevailed.

SPECIAL ORDER

S.F. No. 1047: A bill for an act relating to creditors' remedies; providing that Roth IRAs will be treated identically to other retirement accounts; amending Minnesota Statutes 1998, section 550.37, subdivision 24.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Larson	Pappas	Scheid
Belanger	Higgins	Lesewski	Pariseau	Solon
Berg	Hottinger	Lessard	Piper	Spear
Berglin	Janezich	Limmer	Pogemiller	Stevens
Betzold	Johnson, D.E.	Lourey	Price	Stumpf
Cohen	Johnson, J.B.	Marty	Ranum	Ten Eyck
Day	Kelley, S.P.	Metzen	Robertson	Terwilliger
Dille	Kelly, R.C.	Moe, R.D.	Robling	Vickerman
Fischbach	Kleis	Neuville	Runbeck	Wiener
Flynn	Knutson	Novak	Sams	Wiger
Foley	Krentz	Oliver	Samuelson	Ziegler
Frederickson	Laidig	Ourada	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 836: A bill for an act relating to business organizations; regulating business corporations; defining terms; modifying the authority to grant restricted stock; regulating take-over offers; providing for name changes in certain circumstances; regulating mergers and exchanges; making clarifying and technical changes; removing ambiguities; regulating limited liability companies; eliminating unnecessary provisions; correcting terminology; regulating member control agreements and dissolutions; providing for the duration of certain companies; making conforming changes required by the enactment of the revised Uniform Partnership Act; amending Minnesota Statutes 1998, sections 302A.011, subdivisions 7 and 56; 302A.111, subdivision 5; 302A.181, subdivision 1; 302A.223, subdivision 3; 302A.402, subdivision 3; 302A.405, subdivision 1; 302A.417, subdivision 7; 302A.457, subdivisions 1 and 2; 302A.471, subdivision 1; 302A.613, subdivision 1; 302A.621, subdivisions 1 and 6; 302A.675, subdivision 2; 319B.02, subdivisions 10, 12, 21, and 22; 319B.04, subdivisions 2 and 3; 319B.08, subdivision 1; 319B.10, subdivision 2; 319B.11, subdivisions 3, 4, and 8; 322A.02; 322A.87; 322A.88; 322B.03, subdivisions 12, 30, 44, and 45; 322B.115, subdivisions 1, 2, and 3; 322B.155; 322B.20, subdivisions 1 and 2; 322B.30, subdivision 2; 322B.306; 322B.31, subdivision 3; 322B.313, subdivisions 2, 3, and 7; 322B.323, subdivision 2; 322B.326; 322B.33, subdivisions 1 and 4; 322B.333, subdivisions 1 and 3; 322B.336, subdivisions 1 and 3; 322B.34, subdivisions 2 and 3; 322B.343, subdivisions 1 and 2; 322B.346; 322B.35, subdivision 1; 322B.353; 322B.356, subdivisions 1, 2, and 3; 322B.363, subdivisions 2 and 3; 322B.366, subdivision 1; 322B.37; 322B.383, subdivision 1; 322B.386, subdivisions 1, 2, 4, and 5; 322B.40, subdivisions 1, 5, and 6; 322B.41, subdivisions 3 and 4; 322B.42, subdivision 5; 322B.43, subdivisions 1 and 3; 322B.50; 322B.51; 322B.52; 322B.54, subdivision 1; 322B.56, subdivision 1; 322B.603; 322B.606, subdivision 1; 322B.61; 322B.613; 322B.616; 322B.623; 322B.626; 322B.63, subdivision 1; 322B.636, subdivisions 1 and 3; 322B.64; 322B.643, subdivisions 1, 3, and 4; 322B.646; 322B.65; 322B.653; 322B.656, subdivision 1; 322B.66, subdivision 2; 322B.663, subdivision 4; 322B.666, subdivision 1; 322B.673, subdivisions 1 and 2; 322B.676; 322B.686, subdivision 3; 322B.689; 322B.699, subdivision 4; 322B.72, subdivisions 1 and 2; 322B.80, subdivision 1; 322B.813, subdivision 3; 322B.816, subdivision 4; 322B.833, subdivisions 2, 5, and 6; 322B.843, subdivision 2; 322B.873, subdivisions 1 and 4; 323A.10-01; and 323A.11-02; repealing Minnesota Statutes 1998, sections 322B.03, subdivisions 4, 5, 9, and 16; 322B.363, subdivision 8; 322B.366, subdivision 2; 322B.816, subdivision 3; and 322B.873, subdivisions 2 and 3.

Senator Junge moved to amend H.F. No. 836 as follows:

Page 11, after line 3, insert:

"Sec. 15. Minnesota Statutes 1998, section 302A.671, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION.] (a) Unless otherwise expressly provided in the articles or in bylaws approved by the shareholders of an issuing public corporation, this section applies to a control share acquisition. A shareholder's proposal to amend the corporation's articles or bylaws to cause this section to be inapplicable to the corporation requires the vote set forth in subdivision

4a, paragraph (b), in order for it to be effective, unless it is approved by a committee of the board comprised solely of directors who:

(1) are neither officers nor employees of, nor were during the five years preceding the formation of the committee officers or employees of, the corporation or a related organization;

(2) are neither acquiring persons nor affiliates or associates of an acquiring person;

(3) were not nominated for election as directors by an acquiring person or an affiliate or associate of an acquiring person; and

(4) were directors at the time an acquiring person became an acquiring person or were nominated, elected, or recommended for election as directors by a majority of those directors.

(b) The shares of an issuing public corporation acquired by an acquiring person in a control share acquisition that exceed the threshold of voting power of any of the ranges specified in subdivision 2, paragraph (d), shall have only the voting rights as shall be accorded to them pursuant to subdivision 4a."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Berg moved to amend H.F. No. 836 as follows:

Page 75, after line 2, insert:

"Sec. 17. Minnesota Statutes 1998, section 500.24, subdivision 2, is amended to read:

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

(a) "Farming" means the production of (1) agricultural products; (2) livestock or livestock products; (3) milk or milk products; or (4) fruit or other horticultural products. It does not include the processing, refining, or packaging of said products, nor the provision of spraying or harvesting services by a processor or distributor of farm products. It does not include the production of timber or forest products, the production of poultry or poultry products, or the feeding and caring for livestock that are delivered to a corporation for slaughter or processing for up to 20 days before slaughter or processing.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.

(c) "Family farm corporation" means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons or the spouses of persons related to each other within the third degree of kindred according to the rules of the civil law, and at least one of said related persons is residing on or actively operating the farm, and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any devise or bequest of shares of voting stock.

(d) "Authorized farm corporation" means a corporation meeting the following standards:

(1) it has no more than five shareholders;

(2) all its shareholders, other than any estate, are natural persons;

(3) it does not have more than one class of shares;

(4) its revenue from rent, royalties, dividends, interest, and annuities does not exceed 20 percent of its gross receipts;

(5) shareholders holding 51 percent or more of the interest in the corporation reside on the farm or are actively engaging in farming;

(6) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(7) none of its shareholders are shareholders in other authorized farm corporations that directly or indirectly in combination with the corporation own more than 1,500 acres of agricultural land.

(e) "Authorized livestock farm corporation" means a corporation formed for the production of livestock and meeting the following standards:

(1) it is engaged in the production of livestock other than dairy cattle;

(2) all its shareholders, other than any estate, are natural persons or family farm corporations;

(3) it does not have more than one class of shares;

(4) its revenue from rent, royalties, dividends, interest, and annuities does not exceed 20 percent of its gross receipts;

(5) shareholders holding 75 percent or more of the control, financial, and capital investment in the corporation are farmers residing in Minnesota and at least 51 percent of the required percentage of farmers are actively engaged in livestock production;

(6) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(7) none of its shareholders are shareholders in other authorized farm corporations that directly or indirectly in combination with the corporation own more than 1,500 acres of agricultural land.

(f) "Agricultural land" means real estate used for farming or capable of being used for farming in this state.

(g) "Pension or investment fund" means a pension or employee welfare benefit fund, however organized, a mutual fund, a life insurance company separate account, a common trust of a bank or other trustee established for the investment and reinvestment of money contributed to it, a real estate investment trust, or an investment company as defined in United States Code, title 15, section 80a-3.

(h) "Farm homestead" means a house including adjoining buildings that has been used as part of a farming operation or is part of the agricultural land used for a farming operation.

(i) "Family farm partnership" means a limited partnership formed for the purpose of farming and the ownership of agricultural land in which the majority of the interests in the partnership is held by and the majority of the partners are persons or the spouses of persons related to each other within the third degree of kindred according to the rules of the civil law, none of the partners are corporations, and:

(1) at least one of the related persons is residing on or the farm;

(2) at least one of the related persons is actively operating the farm, and none of the partners are corporations; or

(3) the agricultural land owned by the limited partnership was owned by one or more of the related persons for a period of five years before its transfer to the limited partnership.

A family farm partnership does not cease to qualify as a family farm partnership because of a devise or bequest of interest in the partnership.

(j) "Authorized farm partnership" means a limited partnership meeting the following standards:

(1) it has been issued a certificate from the secretary of state or is registered with the county

recorder and farming and ownership of agricultural land is stated as a purpose or character of the business;

(2) no more than five partners;

(3) all its partners, other than any estate, are natural persons;

(4) its revenue from rent, royalties, dividends, interest, and annuities do not exceed 20 percent of its gross receipts;

(5) its general partners hold at least 51 percent of the interest in the land assets of the partnership and reside on the farm or are actively engaging in farming not more than 1,500 acres as a general partner in an authorized limited partnership;

(6) its limited partners do not participate in the business of the limited partnership including operating, managing, or directing management of farming operations;

(7) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(8) none of its limited partners are limited partners in other authorized farm partnerships that directly or indirectly in combination with the partnership own more than 1,500 acres of agricultural land.

(k) "Farmer" means a natural person who regularly participates in physical labor or operations management in the person's farming operation and files "Schedule F" as part of the person's annual Form 1040 filing with the United States Internal Revenue Service.

(l) "Actively engaged in livestock production" means performing day-to-day physical labor or day-to-day operations management that significantly contributes to livestock production and the functioning of a livestock operation.

(m) "Research or experimental farm" means a corporation, limited partnership, or pension or investment fund that owns or operates agricultural land for research or experimental purposes, provided that any commercial sales from the operation are incidental to the research or experimental objectives of the corporation. A corporation, limited partnership, or pension or investment fund seeking initial approval by the commissioner to operate agricultural land for research or experimental purposes must first submit to the commissioner a prospectus or proposal of the intended method of operation containing information required by the commissioner including a copy of any operational contract with individual participants.

(n) "Breeding stock farm" means a corporation or limited partnership that owns land for the purpose of raising breeding stock, including embryos, for resale to farmers or for the purpose of growing seed, wild rice, nursery plants, or sod. An entity that is organized to raise livestock other than dairy cattle under this paragraph that does not qualify as an authorized farm corporation must:

(1) sell all castrated animals to be fed out or finished to farming operations that are neither directly nor indirectly owned by the business entity operating the breeding stock operation; and

(2) report its total production and sales annually to the commissioner.

(o) "Aquatic farm" means a corporation or limited partnership that owns or leases agricultural land as a necessary part of an aquatic farm as defined in section 17.47, subdivision 3.

(p) "Religious farm" means a corporation formed primarily for religious purposes whose sole income is derived from agriculture.

(q) "Utility corporation" means a corporation regulated under Minnesota Statutes 1974, chapter 216B, that owns agricultural land for purposes described in that chapter, or an electric generation or transmission cooperative that owns agricultural land for use in its business if the land is not used for farming except under lease to a family farm unit, a family farm corporation, or a family farm partnership.

(r) "Benevolent trust" means a pension fund or family trust established by the owners of a family farm, authorized farm corporation, authorized livestock farm corporation, or family farm corporation that holds an interest in title to agricultural land on which one or more of those owners or shareholders have resided or have been actively engaged in farming as required by paragraph (b), (c), (d), or (e).

(s) "Development organization" means a corporation, limited partnership, or pension or investment fund that owns agricultural land for which the corporation, limited partnership, or pension or investment fund has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area. A corporation, limited partnership, or pension or investment fund may hold agricultural land in the amount necessary for its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, the land may not be used for farming except under lease to a family farm unit, a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation that has entered into an agreement with the United States under the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, United States Code, title 42, sections 3901 to 3914) as amended, or a subsidiary or assign of such a corporation.

(t) "Exempt land" means agricultural land owned or leased by a corporation as of May 20, 1973, agricultural land owned or leased by a pension or investment fund as of May 12, 1981, or agricultural land owned or leased by a limited partnership as of May 1, 1988, including the normal expansion of that ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973, for a corporation; May 12, 1981, for a pension or investment fund; or May 1, 1988, for a limited partnership, measured in acres, in any five-year period, and including additional ownership reasonably necessary to meet the requirements of pollution control rules. A corporation, limited partnership, or pension or investment fund that is eligible to own or lease agricultural land under this section prior to May 1997 may continue to own or lease agricultural land subject to the same conditions and limitations as previously allowed.

(u) "Gifted land" means agricultural land acquired as a gift, either by grant or devise, by an educational, religious, or charitable nonprofit corporation, limited partnership, or pension or investment fund if all land so acquired is disposed of within ten years after acquiring the title.

(v) "Repossessed land" means agricultural land acquired by a corporation, limited partnership, or pension or investment fund by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim on the land, whether created by mortgage or otherwise if all land so acquired is disposed of within five years after acquiring the title. The five-year limitation is a covenant running with the title to the land against any grantee, assignee, or successor of the pension or investment fund, corporation, or limited partnership. The land so acquired must not be used for farming during the five-year period, except under a lease to a family farm unit, a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership. Notwithstanding the five-year divestiture requirement under this paragraph, a financial institution may continue to own the agricultural land if the agricultural land is leased to the immediately preceding former owner, but must dispose of the agricultural land within ten years of acquiring the title. Livestock acquired by a pension or investment fund, corporation, or limited partnership in the collection of debts, or by a procedure for the enforcement of lien or claim on the livestock whether created by security agreement or otherwise after August 1, 1994, must be sold or disposed of within one full production cycle for the type of livestock acquired or 18 months after the livestock is acquired, whichever is later.

(w) "Commissioner" means the commissioner of agriculture."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Hottinger questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

H.F. No. 836 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Oliver	Samuelson
Belanger	Higgins	Laidig	Olson	Scheevel
Berg	Hottinger	Langseth	Ourada	Scheid
Berglin	Janezich	Larson	Pappas	Spear
Betzold	Johnson, D.E.	Lesewski	Piper	Stumpf
Cohen	Johnson, D.J.	Lessard	Pogemiller	Ten Eyck
Day	Johnson, J.B.	Limmer	Price	Terwilliger
Dille	Junge	Lourey	Ranum	Vickerman
Fischbach	Kelley, S.P.	Marty	Robertson	Wiener
Flynn	Kelly, R.C.	Metzen	Robling	Wiger
Foley	Kleis	Neuville	Runbeck	Ziegler
Frederickson	Knutson	Novak	Sams	

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

SPECIAL ORDER

S.F. No. 1182: A bill for an act relating to commerce; regulating insurance for funeral or burial expenses; allowing funeral establishments to sell funeral insurance and receive commissions for these sales; amending Minnesota Statutes 1998, section 72A.325.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Olson	Scheid
Belanger	Hottinger	Langseth	Ourada	Spear
Berg	Janezich	Larson	Pappas	Stevens
Berglin	Johnson, D.E.	Lesewski	Piper	Stumpf
Betzold	Johnson, D.H.	Lessard	Pogemiller	Ten Eyck
Cohen	Johnson, D.J.	Limmer	Price	Terwilliger
Day	Johnson, J.B.	Lourey	Ranum	Vickerman
Dille	Junge	Marty	Robertson	Wiener
Fischbach	Kelley, S.P.	Metzen	Robling	Wiger
Flynn	Kelly, R.C.	Moe, R.D.	Runbeck	Ziegler
Foley	Kleis	Murphy	Sams	
Frederickson	Knutson	Neuville	Samuelson	
Hanson	Krentz	Novak	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1725: A bill for an act relating to crimes; creating a gross misdemeanor penalty for violation of alcohol-related restriction on driver's license if violation occurs while driving a motor vehicle; providing penalties; amending Minnesota Statutes 1998, sections 171.09; and 609.035, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Laidig	Ourada	Scheid
Belanger	Janezich	Langseth	Pappas	Spear
Berg	Johnson, D.E.	Lessard	Piper	Stevens
Berglin	Johnson, D.H.	Limmer	Pogemiller	Stumpf
Betzold	Johnson, D.J.	Lourey	Price	Ten Eyck
Cohen	Johnson, J.B.	Marty	Ranum	Terwilliger
Day	Junge	Metzen	Robertson	Vickerman
Dille	Kelley, S.P.	Moe, R.D.	Robling	Wiener
Flynn	Kelly, R.C.	Neuville	Runbeck	Wiger
Foley	Kleis	Novak	Sams	Ziegler
Frederickson	Knutson	Oliver	Samuelson	
Higgins	Krentz	Olson	Scheevel	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 510: A bill for an act relating to health occupation; expanding the number of members on the board of dentistry; amending Minnesota Statutes 1998, section 150A.02, subdivision 1.

Senator Neuville moved to amend S.F. No. 510 as follows:

Page 2, after line 30, insert:

"Sec. 2. Minnesota Statutes 1998, section 150A.11, subdivision 1, is amended to read:

Subdivision 1. [UNLAWFUL PRACTICE.] It is unlawful for any person to: enable an unlicensed person to practice dentistry; to practice or attempt to practice dentistry without a license; to practice dentistry under the name of a corporation, limited liability company, limited liability partnership, or other company; or to practice under any name that may tend to deceive the public or imply professional superiority to or greater skill than that possessed by another dentist. If a dentist practices under the dentist's own name, any public display or cards shall include the initials of the dentist's dental degree, such as D.D.S. or D.M.D., following the name. If a dentist practices under another name, the name shall include some designation which makes clear that the person is practicing dentistry or a specialty of dentistry; and that the names of all of the participating dentists practicing under the name be clearly identified on letterheads and building or office signs that display a name other than the dentist's own name. Any communication between dentist and patient shall clearly indicate the name of the dentist treating the patient. The board may promulgate rules regarding the name under which a dentist may practice. No corporation, limited liability company, or limited liability partnership shall practice dentistry or engage in it, or hold itself out as being entitled to practice dentistry, or furnish dental services or dentists, or advertise under or assume the title of dentists or dental surgeons or equivalent title. No corporation, limited liability company, or limited liability partnership shall furnish dental advice, or advertise or hold itself out with any other person or alone, that it has or owns a dental office or can furnish dental service, dentists, or dental surgeons, or solicit, through itself, or its agents, officers, employees, directors or, trustees, governors, managers, or partners, dental patronage for any dentist or dental surgeon. This section:

(1) does not apply to any licensee while acting as an instructor in or under the University of Minnesota, the Mayo Foundation, or any other school in the state recognized by the state board of dentistry;

(2) does not prohibit ~~dentists from incorporating their practice of dentistry for business purposes~~ a corporation, limited liability company, or limited liability partnership from providing

dental services under the special provisions of a ~~corporate practice act for dentistry~~ professional firms act; and

(3) shall not be construed to change or amend the right of licensed dentists to provide dental care under any form of organization that is lawful under the laws of this state, or to contract to sell their services in any manner that is lawful under the laws of this state."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 510 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Oliver	Scheid
Belanger	Hottinger	Langseth	Olson	Spear
Berg	Janezich	Larson	Ourada	Stevens
Berglin	Johnson, D.E.	Lesewski	Pappas	Stumpf
Betzold	Johnson, D.H.	Lessard	Piper	Ten Eyck
Cohen	Johnson, D.J.	Limmer	Pogemiller	Terwilliger
Day	Johnson, J.B.	Lourey	Price	Vickerman
Dille	Junge	Marty	Ranum	Wiener
Fischbach	Kelley, S.P.	Metzen	Robertson	Wiger
Flynn	Kelly, R.C.	Moe, R.D.	Robling	Ziegler
Foley	Kleis	Murphy	Runbeck	
Frederickson	Knutson	Neuville	Sams	
Hanson	Krentz	Novak	Scheevel	

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

SPECIAL ORDER

H.F. No. 408: A bill for an act relating to health; modifying the definition of practice of pharmacy; amending Minnesota Statutes 1998, section 151.01, subdivision 27.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Larson	Pappas	Spear
Belanger	Hottinger	Lesewski	Piper	Stevens
Berg	Johnson, D.E.	Lessard	Pogemiller	Stumpf
Berglin	Johnson, D.H.	Limmer	Price	Ten Eyck
Betzold	Johnson, D.J.	Lourey	Ranum	Terwilliger
Cohen	Johnson, J.B.	Marty	Robertson	Vickerman
Day	Kelley, S.P.	Metzen	Robling	Wiener
Dille	Kelly, R.C.	Moe, R.D.	Runbeck	Wiger
Fischbach	Kleis	Murphy	Sams	Ziegler
Flynn	Knutson	Neuville	Samuelson	
Foley	Krentz	Novak	Scheevel	
Frederickson	Laidig	Oliver	Scheid	
Hanson	Langseth	Ourada	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2017: A bill for an act relating to public employment; making technical and administrative changes; modifying definitions; redesigning administrative procedures for certain pilot projects; amending Minnesota Statutes 1998, sections 13.43, subdivision 2; 43A.02, subdivisions 11 and 33; 43A.04, subdivision 4; 43A.06, subdivision 8; 43A.07, subdivisions 4 and 6; 43A.13, subdivision 3; 43A.15, subdivision 6, and by adding a subdivision; 43A.17, subdivision 8; 43A.18, subdivision 1; 43A.19, subdivision 3; 43A.20; 43A.317, subdivisions 3 and 4; and 43A.421; Laws 1995, chapter 248, article 13, section 2, subdivisions 5, as amended, and 6, as amended; repealing Minnesota Statutes 1998, sections 43A.13, subdivision 9; 43A.40; 43A.41; 43A.42; 43A.43, subdivision 2; 43A.44; 43A.45; 43A.46; and 43A.465; Laws 1995, chapter 248, article 13, section 2, subdivision 8; Minnesota Rules, parts 3910.0100; 3910.0200; 3910.0300; 3910.0400; 3910.0500; 3910.0600; 3910.0700; 3910.0800; 3910.0900; 3910.1000; 3910.1100; 3910.1200; 3910.1300; 3910.1400; 3910.1500; 3910.1600; and 3910.1700.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Lesewski	Pappas	Solon
Belanger	Johnson, D.E.	Lessard	Piper	Spear
Berg	Johnson, D.H.	Limmer	Pogemiller	Stevens
Betzold	Johnson, J.B.	Lourey	Price	Stumpf
Day	Junge	Marty	Ranum	Ten Eyck
Dille	Kelley, S.P.	Metzen	Robertson	Terwilliger
Fischbach	Kelly, R.C.	Moe, R.D.	Robling	Vickerman
Flynn	Kleis	Murphy	Runbeck	Wiener
Foley	Knutson	Novak	Sams	Wiger
Frederickson	Krentz	Oliver	Samuelson	Ziegler
Hanson	Laidig	Olson	Scheevel	
Higgins	Larson	Ourada	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 436: A bill for an act relating to municipal tort liability; limiting liability for 911 dispatchers providing prearrival medical instruction; amending Minnesota Statutes 1998, section 466.03, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Larson	Pappas	Spear
Belanger	Janezich	Lesewski	Piper	Stevens
Berg	Johnson, D.E.	Lessard	Pogemiller	Stumpf
Betzold	Johnson, D.H.	Limmer	Price	Ten Eyck
Cohen	Johnson, J.B.	Lourey	Ranum	Terwilliger
Day	Junge	Marty	Robertson	Vickerman
Dille	Kelley, S.P.	Metzen	Robling	Wiener
Fischbach	Kelly, R.C.	Moe, R.D.	Runbeck	Wiger
Flynn	Kleis	Murphy	Sams	Ziegler
Foley	Knutson	Novak	Samuelson	
Frederickson	Krentz	Oliver	Scheevel	
Hanson	Laidig	Olson	Scheid	
Higgins	Langseth	Ourada	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 369: A bill for an act relating to health occupations; permitting physician assistants to render care in disasters without physician and physician assistant agreements; proposing coding for new law in Minnesota Statutes, chapter 147A.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Langseth	Ourada	Solon
Belanger	Hottinger	Larson	Pappas	Spear
Berg	Janezich	Lesewski	Piper	Stevens
Berglin	Johnson, D.E.	Lessard	Pogemiller	Stumpf
Betzold	Johnson, D.H.	Limmer	Price	Ten Eyck
Cohen	Johnson, J.B.	Lourey	Ranum	Terwilliger
Day	Junge	Marty	Robertson	Vickerman
Dille	Kelley, S.P.	Metzen	Robling	Wiener
Fischbach	Kelly, R.C.	Moe, R.D.	Runbeck	Wiger
Flynn	Kleis	Murphy	Sams	Ziegler
Foley	Knutson	Novak	Samuelson	
Frederickson	Krentz	Oliver	Scheevel	
Hanson	Laidig	Olson	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1699: A bill for an act relating to state government; authorizing payment by electronic means; proposing coding for new law in Minnesota Statutes, chapter 16A.

Senator Price moved to amend S.F. No. 1699 as follows:

Page 2, line 7, after "transaction" insert ", except that the department of revenue shall not impose a fee under this section on any payment of tax that is required by law or rule to be made by electronic funds transfer"

The motion prevailed. So the amendment was adopted.

S.F. No. 1699 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Frederickson	Kelly, R.C.	Marty	Pogemiller
Belanger	Hanson	Kleis	Metzen	Price
Berg	Higgins	Knutson	Moe, R.D.	Ranum
Berglin	Hottinger	Krentz	Murphy	Robertson
Betzold	Janezich	Laidig	Neuville	Robling
Cohen	Johnson, D.E.	Langseth	Novak	Runbeck
Day	Johnson, D.H.	Larson	Oliver	Sams
Dille	Johnson, D.J.	Lesewski	Olson	Samuelson
Fischbach	Johnson, J.B.	Lessard	Ourada	Scheevel
Flynn	Junge	Limmer	Pappas	Scheid
Foley	Kelley, S.P.	Lourey	Piper	Solon

Spear
Stevens

Stumpf
Ten Eyck

Terwilliger
Vickerman

Wiener
Wiger

Ziegler

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

SPECIAL ORDER

H.F. No. 1714: A bill for an act relating to occupations and professions; allowing the board of pharmacy to grant waivers to pharmacists regarding the ratio of pharmacists to pharmacy technicians; amending Minnesota Statutes 1998, section 151.102.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Oliver	Scheevel
Belanger	Hottinger	Langseth	Olson	Scheid
Berg	Janezich	Larson	Ourada	Solon
Berglin	Johnson, D.E.	Lesewski	Pappas	Spear
Betzold	Johnson, D.H.	Lessard	Piper	Stevens
Cohen	Johnson, D.J.	Limmer	Pogemiller	Stumpf
Day	Johnson, J.B.	Lourey	Price	Ten Eyck
Dille	Junge	Marty	Ranum	Terwilliger
Fischbach	Kelley, S.P.	Metzen	Robertson	Vickerman
Flynn	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Foley	Kleis	Murphy	Runbeck	Wiger
Frederickson	Knutson	Neuville	Sams	Ziegler
Hanson	Krentz	Novak	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 834: A bill for an act relating to adoption; changing requirements and procedures for the putative fathers' adoption registry, communication or contact agreements, and postadoption reports; amending Minnesota Statutes 1998, sections 259.52, subdivisions 1, 4, 7, 9, 10, and 11; 259.58; and 259.60, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Oliver	Scheevel
Belanger	Hottinger	Langseth	Olson	Scheid
Berg	Janezich	Larson	Ourada	Solon
Berglin	Johnson, D.E.	Lesewski	Pappas	Spear
Betzold	Johnson, D.H.	Lessard	Piper	Stevens
Cohen	Johnson, D.J.	Limmer	Pogemiller	Stumpf
Day	Johnson, J.B.	Lourey	Price	Ten Eyck
Dille	Junge	Marty	Ranum	Terwilliger
Fischbach	Kelley, S.P.	Metzen	Robertson	Vickerman
Flynn	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Foley	Kleis	Murphy	Runbeck	Wiger
Frederickson	Knutson	Neuville	Sams	Ziegler
Hanson	Krentz	Novak	Samuelson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 735: A bill for an act relating to crime; expanding the scope of the crime of adulteration to include adulterations capable of causing death or bodily harm; increasing penalties for certain acts of adulteration; amending Minnesota Statutes 1998, section 609.687, subdivisions 2 and 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Laidig	Oliver	Solon
Belanger	Hottinger	Langseth	Olson	Spear
Berg	Janezich	Larson	Ourada	Stevens
Berglin	Johnson, D.E.	Lesewski	Pappas	Stumpf
Betzold	Johnson, D.H.	Lessard	Pogemiller	Ten Eyck
Cohen	Johnson, D.J.	Limmer	Price	Terwilliger
Day	Johnson, J.B.	Lourey	Ranum	Vickerman
Dille	Junge	Marty	Robertson	Wiener
Fischbach	Kelley, S.P.	Metzen	Robling	Wiger
Flynn	Kelly, R.C.	Moe, R.D.	Runbeck	Ziegler
Foley	Kleis	Murphy	Sams	
Frederickson	Knutson	Neuville	Scheevel	
Hanson	Krentz	Novak	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 832: A bill for an act relating to securities regulation; making changes applicable to securities registered under the small company offering registration; amending Minnesota Statutes 1998, section 80A.115, subdivisions 4 and 9.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Langseth	Olson	Solon
Belanger	Hottinger	Larson	Ourada	Spear
Berg	Johnson, D.E.	Lesewski	Pappas	Stevens
Berglin	Johnson, D.H.	Lessard	Piper	Stumpf
Betzold	Johnson, D.J.	Limmer	Pogemiller	Ten Eyck
Cohen	Johnson, J.B.	Lourey	Price	Terwilliger
Day	Junge	Marty	Ranum	Vickerman
Dille	Kelley, S.P.	Metzen	Robertson	Wiener
Fischbach	Kelly, R.C.	Moe, R.D.	Robling	Wiger
Flynn	Kleis	Murphy	Runbeck	Ziegler
Foley	Knutson	Neuville	Sams	
Frederickson	Krentz	Novak	Scheevel	
Hanson	Laidig	Oliver	Scheid	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 60: A bill for an act relating to health; allowing reimbursement for supplemental private duty nursing services provided by spouses of recipients under the community alternative care home and community-based waived services program; amending Minnesota Statutes 1998, section 256B.49, by adding a subdivision.

Senator Betzold moved to amend H.F. No. 60, the unofficial engrossment, as follows:

Page 1, line 12, delete everything after the headnote

Page 1, line 13, delete everything before "the"

Page 1, line 17, delete ", as defined in Minnesota Rules, part"

Page 1, line 18, delete "9505.0335, subpart 1, item A" and after the period, insert "For purposes of this subdivision, a recipient can direct his or her own care if the recipient can communicate:

(1) orientation to person, place, and time;

(2) an understanding of the recipient's plan of care, including medications and medication schedule;

(3) needs; and

(4) an understanding of safety issues, including how to access emergency assistance."

The motion prevailed. So the amendment was adopted.

H.F. No. 60 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Neuville	Scheevel
Belanger	Higgins	Laidig	Oliver	Scheid
Berg	Hottinger	Langseth	Olson	Solon
Berglin	Johnson, D.E.	Larson	Ourada	Spear
Betzold	Johnson, D.H.	Lesewski	Pappas	Stevens
Cohen	Johnson, D.J.	Lessard	Pogemiller	Stumpf
Day	Johnson, J.B.	Limmer	Price	Ten Eyck
Dille	Junge	Lourey	Ranum	Terwilliger
Fischbach	Kelley, S.P.	Marty	Robertson	Vickerman
Flynn	Kelly, R.C.	Metzen	Robling	Wiener
Foley	Kleis	Moe, R.D.	Runbeck	Wiger
Frederickson	Knutson	Murphy	Sams	Ziegler

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS

AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 881: A bill for an act relating to recreation; creating a parks and trails plan of regional significance in certain counties in central Minnesota.

Senate File No. 881 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 6, 1999

CONCURRENCE AND REPASSAGE

Senator Kleis moved that the Senate concur in the amendments by the House to S.F. No. 881 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 881: A bill for an act relating to recreation; creating a parks and trails plan of regional significance in certain counties in central Minnesota; proposing coding for new Law in Minnesota Statutes, chapter 85.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Oliver	Scheevel
Belanger	Higgins	Laidig	Olson	Scheid
Berg	Hottinger	Langseth	Ourada	Solon
Berglin	Johnson, D.E.	Larson	Pappas	Spear
Betzold	Johnson, D.H.	Lesewski	Piper	Stevens
Cohen	Johnson, D.J.	Lessard	Pogemiller	Stumpf
Day	Johnson, J.B.	Limmer	Price	Terwilliger
Dille	Junge	Lourey	Ranum	Vickerman
Fischbach	Kelley, S.P.	Marty	Robertson	Wiener
Flynn	Kelly, R.C.	Metzen	Robling	Wiger
Foley	Kleis	Moe, R.D.	Runbeck	Ziegler
Frederickson	Knutson	Neuville	Sams	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Higgins moved that S.F. No. 234, No. 96 on General Orders, be stricken and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

CALENDAR

S.F. No. 1264: A bill for an act relating to state lands; authorizing private sale of certain surplus state land in Anoka County.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Novak	Sams
Belanger	Higgins	Laidig	Oliver	Scheevel
Berg	Hottinger	Langseth	Olson	Scheid
Berglin	Johnson, D.E.	Larson	Ourada	Solon
Betzold	Johnson, D.H.	Lesewski	Pappas	Spear
Cohen	Johnson, D.J.	Lessard	Piper	Stevens
Day	Johnson, J.B.	Limmer	Pogemiller	Stumpf
Dille	Junge	Lourey	Price	Terwilliger
Fischbach	Kelley, S.P.	Marty	Ranum	Vickerman
Flynn	Kelly, R.C.	Metzen	Robertson	Wiener
Foley	Kleis	Moe, R.D.	Robling	Wiger
Frederickson	Knutson	Neuville	Runbeck	Ziegler

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Oliver introduced--

S.F. No. 2182: A bill for an act relating to health; transferring tobacco settlement money from the general fund to the health care access fund; repealing MinnesotaCare premium and provider taxes; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 62R.24; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; and 270B.14, subdivision 1; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 62T.10; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

Referred to the Committee on Health and Family Security.

Senator Ten Eyck introduced--

S.F. No. 2183: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature; providing for a satellite facility for the bureau of criminal apprehension; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Crime Prevention.

Senator Stevens introduced--

S.F. No. 2184: A bill for an act relating to state lands; authorizing private sale of certain state land.

Referred to the Committee on Environment and Natural Resources.

Senators Johnson, D.J.; Murphy; Day; Berglin and Runbeck introduced--

S.F. No. 2185: A bill for an act relating to taxation; sales and use; defining capital equipment to include certain communications equipment; amending Minnesota Statutes 1998, section 297A.01, subdivision 16.

Referred to the Committee on Taxes.

Senator Lourey introduced--

S.F. No. 2186: A bill for an act relating to taxes; sales and use taxes; exempting the purchase of construction materials used in building an indoor sports and physical education complex in the city

of Hermantown and a community activity center in the city of Proctor; amending Minnesota Statutes 1998, section 297A.25, by adding subdivisions.

Referred to the Committee on Taxes.

MEMBERS EXCUSED

Senator Kiscaden was excused from the Session of today.

Senator Junge was excused from the Session of today from 8:00 to 8:40 a.m. Senators Johnson, J.B. and Murphy were excused from the Session of today from 8:00 to 8:45 a.m. Senator Pogemiller was excused from the Session of today from 8:00 to 8:55 a.m. Senator Johnson, D.H. was excused from the Session of today from 8:00 to 8:55 and from 10:15 to 11:00 a.m. Senator Hanson was excused from the Session of today from 8:00 to 9:00 a.m. Senator Janezich was excused from the Session of today from 9:30 to 10:30 a.m. Senator Johnson, D.J. was excused from the Session of today from 9:30 to 10:30 and from 11:05 to 11:25 a.m. Senator Pariseau was excused from the Session of today at 10:40 a.m. Senator Lessard was excused from the Session of today from 10:45 to 11:00 a.m. Senator Samuelson was excused from the Session of today at 11:30 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Thursday, April 8, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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