

STATE OF MINNESOTA

# Journal of the Senate

EIGHTIETH LEGISLATURE

SEVENTY-FIRST DAY

St. Paul, Minnesota, Monday, February 9, 1998

The Senate met at 10:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

Mr. Samuelson 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. Nancy L. Anderson.

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

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

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

The President declared a quorum present.

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

## MEMBERS EXCUSED

Messrs. Janezich and Murphy were excused from the Session of today.

## REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed with the Secretary of the Senate: Department of Public Safety, Auto Theft Prevention Program, Annual Report, 1997; Department of Corrections, Proposal for Use of the Minnesota Correctional Facility-Sauk Centre, 1998; Department of Corrections, Uniform Statewide Probation, Outcome Measures Workgroup, 1998; Department of Finance, Welfare Reform in Minnesota: Impact on State Agencies, 1998; Department of Health, Syringe Access Initiative to Prevent HIV Transmission, 1998; Minnesota Public Utilities

Commission, Low-Income Program, 1998; Department of Human Services, Study of Nursing Facility Conversion: Recommendations for Capacity Reduction, 1998; Department of Public Safety, Driver and Vehicle Services Division, Legislative Report, 1998; Department of Trade and Economic Development, Contamination Cleanup Grant Program, 1998-99; Department of Agriculture, Minnesota Grown Supplemental Food Program, 1997; Metropolitan Council, Twin Cities Commuting Area Transportation System Performance Audit, 1998; Department of Human Services, 1997 Distribution of Nursing Home Beds in Minnesota, 1998; Department of Corrections, Annual Contract Income and Expenditures from Housing Inmates, 1997; Yellow Medicine County Attorney, Adult Pretrial Diversion Program; Yellow Medicine County Attorney, Juvenile Diversion Report, 1997; State Board of Investment, External Money Manager Report; Department of Employee Relations, Minnesota Employees Insurance Program (MEIP): Preliminary Impact and Continued Viability, 1998; Department of Employee Relations, Minnesota Local Government Pay Equity Compliance Report, 1998; Departments of Public Safety and Administration, Firefighter Training, 1998; Department of Labor and Industry, Collection and Assessment of Fines and Penalties in Minnesota's Workers' Compensation System, 1998; Department of Human Services, Authority to Waive Statutes Summary for the 1997 Floods in Minnesota, 1998; Metropolitan Council, Minneapolis School District and the Saint Paul School District, School Transportation Plan, 1998; Metropolitan Council, Participation in the Livable Communities Act Local Housing Incentives Account, 1998; Departments of Corrections and Public Safety, Crime Victim Services Plan, 1998; Department of Corrections, Working Group on Restitution, 1998; Department of Corrections, Notification Plan Concerning Sex Offenders Confined in Federal Prisons Who Intend to Reside in Minnesota, 1998; Board of Pardons, Annual Report, 1997; Department of Finance, Report on Matching Money, 1998; Department of Human Services, Welfare Reform Exemption from the 60 Month Tanf Lifetime Limit, 1998; Department of Human Services, Formula Distribution of State Social Services Funds to the Counties, 1998; Minnesota State Lottery, Annual Report, 1997; Capitol Area Architectural and Planning Board, "Official Portrait" of a Governor, 1998.

### EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 9, 1998

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

#### MINNESOTA HOUSING FINANCE AGENCY

Michael Finch, 5917 Girard Ave. S., Minneapolis, Hennepin County, effective January 14, 1998, for a term expiring on the first Monday in January, 2002.

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

Warmest regards,  
Arne H. Carlson, Governor

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

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

**S.F. No. 2608:** A bill for an act relating to insurance; increasing the maximum lifetime benefit for policies of the comprehensive health insurance plan; amending Minnesota Statutes 1996, section 62E.12.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 62A.316, is amended to read:  
62A.316 [BASIC MEDICARE SUPPLEMENT PLAN; COVERAGE.]

(a) The basic Medicare supplement plan must have a level of coverage that will provide:

(1) coverage for all of the Medicare part A inpatient hospital coinsurance amounts, and 100 percent of all Medicare part A eligible expenses for hospitalization not covered by Medicare, after satisfying the Medicare part A deductible;

(2) coverage for the daily copayment amount of Medicare part A eligible expenses for the calendar year incurred for skilled nursing facility care;

(3) coverage for the copayment amount of Medicare eligible expenses under Medicare part B regardless of hospital confinement, subject to the Medicare part B deductible amount;

(4) 80 percent of the hospital and medical expenses and supplies incurred during travel outside the United States as a result of a medical emergency;

(5) coverage for the reasonable cost of the first three pints of blood, or equivalent quantities of packed red blood cells as defined under federal regulations under Medicare parts A and B, unless replaced in accordance with federal regulations; and

(6) 100 percent of the cost of immunizations and routine screening procedures for cancer screening including mammograms and pap smears; and

(7) 80 percent of coverage for all physician prescribed medically appropriate and necessary equipment and supplies used in the management and treatment of diabetes. Coverage must include persons with gestational, type I, or type II diabetes.

(b) Only the following optional benefit riders may be added to this plan:

(1) coverage for all of the Medicare part A inpatient hospital deductible amount;

(2) a minimum of 80 percent of eligible medical expenses and supplies not covered by Medicare part B, not to exceed any charge limitation established by the Medicare program or state law;

(3) coverage for all of the Medicare part B annual deductible;

(4) coverage for at least 50 percent, or the equivalent of 50 percent, of usual and customary prescription drug expenses;

(5) coverage for the following preventive health services:

(i) an annual clinical preventive medical history and physical examination that may include tests and services from clause (ii) and patient education to address preventive health care measures;

(ii) any one or a combination of the following preventive screening tests or preventive services, the frequency of which is considered medically appropriate:

(A) fecal occult blood test and/or digital rectal examination;

(B) dipstick urinalysis for hematuria, bacteriuria, and proteinuria;

- (C) pure tone (air only) hearing screening test, administered or ordered by a physician;
- (D) serum cholesterol screening every five years;
- (E) thyroid function test;
- (F) diabetes screening;
- (iii) any other tests or preventive measures determined appropriate by the attending physician.

Reimbursement shall be for the actual charges up to 100 percent of the Medicare-approved amount for each service, as if Medicare were to cover the service as identified in American Medical Association current procedural terminology (AMA CPT) codes, to a maximum of \$120 annually under this benefit. This benefit shall not include payment for a procedure covered by Medicare;

(6) coverage for services to provide short-term at-home assistance with activities of daily living for those recovering from an illness, injury, or surgery:

(i) For purposes of this benefit, the following definitions apply:

(A) "activities of daily living" include, but are not limited to, bathing, dressing, personal hygiene, transferring, eating, ambulating, assistance with drugs that are normally self-administered, and changing bandages or other dressings;

(B) "care provider" means a duly qualified or licensed home health aide/homemaker, personal care aid, or nurse provided through a licensed home health care agency or referred by a licensed referral agency or licensed nurses registry;

(C) "home" means a place used by the insured as a place of residence, provided that the place would qualify as a residence for home health care services covered by Medicare. A hospital or skilled nursing facility shall not be considered the insured's place of residence;

(D) "at-home recovery visit" means the period of a visit required to provide at-home recovery care, without limit on the duration of the visit, except each consecutive four hours in a 24-hour period of services provided by a care provider is one visit;

(ii) Coverage requirements and limitations:

(A) at-home recovery services provided must be primarily services that assist in activities of daily living;

(B) the insured's attending physician must certify that the specific type and frequency of at-home recovery services are necessary because of a condition for which a home care plan of treatment was approved by Medicare;

(C) coverage is limited to:

(I) no more than the number and type of at-home recovery visits certified as necessary by the insured's attending physician. The total number of at-home recovery visits shall not exceed the number of Medicare-approved home care visits under a Medicare-approved home care plan of treatment;

(II) the actual charges for each visit up to a maximum reimbursement of \$40 per visit;

(III) \$1,600 per calendar year;

(IV) seven visits in any one week;

(V) care furnished on a visiting basis in the insured's home;

(VI) services provided by a care provider as defined in this section;

(VII) at-home recovery visits while the insured is covered under the policy or certificate and not otherwise excluded;

(VIII) at-home recovery visits received during the period the insured is receiving Medicare-approved home care services or no more than eight weeks after the service date of the last Medicare-approved home health care visit;

(iii) Coverage is excluded for:

(A) home care visits paid for by Medicare or other government programs; and

(B) care provided by family members, unpaid volunteers, or providers who are not care providers;

(7) coverage for at least 50 percent, or the equivalent of 50 percent, of usual and customary prescription drug expenses to a maximum of \$1,200 paid by the issuer annually under this benefit. An issuer of Medicare supplement insurance policies that elects to offer this benefit rider shall also make available coverage that contains the rider specified in clause (4)."

Page 2, line 15, after "Section 1" insert "is effective for policies issued or renewed after January 1, 1999. Section 2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, before the period, insert "; and Minnesota Statutes 1997 Supplement, section 62A.316"

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

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

**S.F. No. 2055:** A resolution memorializing Congress to support the admission of Poland to the North Atlantic Treaty.

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

Page 1, delete lines 5 to 24

Page 2, delete lines 1 to 7 and insert:

"WHEREAS, the Republic of Poland, the Czech Republic, and the Republic of Hungary are free, democratic, and independent nations with long and proud histories; and

WHEREAS, the North Atlantic Treaty Organization (NATO) is dedicated to the preservation of the freedom and security of its member nations; and

WHEREAS, these nations desire to share in both the benefits and obligations of NATO in pursuing the development, growth, and promotion of democratic institutions and ensuring free market economic development; and

WHEREAS, they recognize their responsibilities as democratic nations and wish to exercise those responsibilities in concert with members of NATO; and

WHEREAS, the Republic of Poland, the Czech Republic, and the Republic of Hungary desire to become part of NATO's efforts to prevent the extremes of nationalism; and

WHEREAS, the security of the United States is dependent upon the stability of central Europe;  
NOW, THEREFORE,

BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the President and Congress to act in support of the admission of the Republic of Poland, the Czech Republic, and the Republic of Hungary to the North Atlantic Treaty Organization.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States, the Committee on International Relations of the United States House of Representatives; the Committee on Foreign Relations of the United States Senate; and Minnesota's Senators and Representatives in Congress."

Delete the title and insert:

"A resolution memorializing Congress to support the admission of Poland, the Czech Republic, and the Republic of Hungary to the North Atlantic Treaty Organization."

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

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

**S.F. No. 2429:** A bill for an act relating to the legislative auditor; adding a member to the local government services advisory council; clarifying the appointment of council members; amending Minnesota Statutes 1997 Supplement, section 3.971, subdivision 4.

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

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

**S.F. No. 2477:** A bill for an act relating to state government; codifying reorganization order number 179 with respect to the departments of children, families, and learning and economic security; amending Minnesota Statutes 1996, sections 13.99, subdivision 81; 216B.241, subdivision 2a; 239.785, subdivision 6; and 462A.05, subdivision 15c; Minnesota Statutes 1997 Supplement, sections 119A.15, subdivision 5a; and 268.19; proposing coding for new law in Minnesota Statutes, chapters 119A; repealing Minnesota Statutes 1996, sections 4.071, subdivision 3; 268.37; 268.371; 268.38, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, and 12; 268.55; and 268.92; Minnesota Statutes 1997 Supplement, sections 268.38, subdivision 7; and 268.917.

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

Page 11, line 6, before the period, insert "of the department of economic security"

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

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

**S.F. No. 2414:** A bill for an act relating to agriculture; providing for associations of producers; setting dispute resolution procedures; establishing an advisory committee; amending Minnesota Statutes 1996, sections 17.692; 17.693, subdivisions 1, 2, and 6; 17.694, subdivisions 1, 2, 3, 6, and 7; 17.696, subdivision 2; 17.697; 17.698; 17.70, subdivisions 1, 2, and 3; 17.701; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1996, section 17.699.

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

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

**S.F. No. 2276:** A bill for an act relating to child support enforcement; amending Minnesota Statutes 1996, sections 257.64, subdivision 3; 518.551, subdivisions 1 and 9; and 518.615, subdivision 2; Minnesota Statutes 1997 Supplement, sections 518.551, subdivision 5b; 518.6111,

subdivision 14; 518.615, subdivision 1; and 552.04, subdivisions 2, 3, and 4; proposing coding for new law in Minnesota Statutes, chapter 518.

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

Page 1, after line 23, insert:

"Sec. 2. Minnesota Statutes 1997 Supplement, section 518.54, subdivision 6, is amended to read:

Subd. 6. [INCOME.] "Income" means any form of periodic payment to an individual including, but not limited to, wages, salaries, payments to an independent contractor, workers' compensation, reemployment insurance, annuity, military and naval retirement, pension and disability payments. Benefits received under Title IV-A of the Social Security Act and chapter 256J are not income under this section.

Sec. 3. Minnesota Statutes 1996, section 518.54, is amended by adding a subdivision to read:

Subd. 13. [ARREARS.] "Arrears" means amounts that accrue pursuant to a court order for current support. "Arrears" also includes amounts that accrue because the obligor fails to comply with the terms of a court order for repayment of past support or pregnancy and confinement expenses pursuant to section 256.87 or 257.66. Past support or pregnancy and confinement expenses ordered that the obligor has not had the opportunity to pay are owed but are not arrears until the obligor fails to comply with the terms of the court order."

Page 2, line 2, delete "award" and insert "order"

Page 2, after line 18, insert:

"Sec. 5. Minnesota Statutes 1996, section 518.551, subdivision 5, is amended to read:

Subd. 5. [NOTICE TO PUBLIC AUTHORITY; GUIDELINES.] (a) The petitioner shall notify the public authority of all proceedings for dissolution, legal separation, determination of parentage or for the custody of a child, if either party is receiving ~~aid to families with dependent children~~ public assistance or applies for it subsequent to the commencement of the proceeding. The notice must contain the full names of the parties to the proceeding, their social security account numbers, and their birth dates. After receipt of the notice, the court shall set child support as provided in this subdivision. The court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the child's support, without regard to marital misconduct. The court shall approve a child support stipulation of the parties if each party is represented by independent counsel, unless the stipulation does not meet the conditions of paragraph (i). In other cases the court shall determine and order child support in a specific dollar amount in accordance with the guidelines and the other factors set forth in paragraph (c) and any departure therefrom. The court may also order the obligor to pay child support in the form of a percentage share of the obligor's net bonuses, commissions, or other forms of compensation, in addition to, or if the obligor receives no base pay, in lieu of, an order for a specific dollar amount.

(b) The court shall derive a specific dollar amount for child support by multiplying the obligor's net income by the percentage indicated by the following guidelines:

Net Income Per Month of Obligor	Number of Children						
	1	2	3	4	5	6	7 or more
\$550 and Below	Order based on the ability of the obligor to provide support at these income levels, or at higher levels, if the obligor has the earning ability.						
\$551 - 600	16%	19%	22%	25%	28%	30%	32%
\$601 - 650	17%	21%	24%	27%	29%	32%	34%

\$651 - 700	18%	22%	25%	28%	31%	34%	36%
\$701 - 750	19%	23%	27%	30%	33%	36%	38%
\$751 - 800	20%	24%	28%	31%	35%	38%	40%
\$801 - 850	21%	25%	29%	33%	36%	40%	42%
\$851 - 900	22%	27%	31%	34%	38%	41%	44%
\$901 - 950	23%	28%	32%	36%	40%	43%	46%
\$951 - 1000	24%	29%	34%	38%	41%	45%	48%
\$1001- 5000	25%	30%	35%	39%	43%	47%	50%

or the amount  
in effect under  
paragraph (k)

Guidelines for support for an obligor with a monthly income in excess of the income limit currently in effect under paragraph (k) shall be the same dollar amounts as provided for in the guidelines for an obligor with a monthly income equal to the limit in effect.

Net Income defined as:

Total monthly income less	* (i) Federal Income Tax
	* (ii) State Income Tax
	(iii) Social Security Deductions
	(iv) Reasonable Pension Deductions
*Standard Deductions apply- use of tax tables recommended	(v) Union Dues
	(vi) Cost of Dependent Health Insurance Coverage
	(vii) Cost of Individual or Group Health/Hospitalization Coverage or an Amount for Actual Medical Expenses
	(viii) A Child Support or Maintenance Order that is Currently Being Paid.

"Net income" does not include:

(1) the income of the obligor's spouse, but does include in-kind payments received by the obligor in the course of employment, self-employment, or operation of a business if the payments reduce the obligor's living expenses; or

(2) compensation received by a party for employment in excess of a 40-hour work week, provided that:

(i) support is nonetheless ordered in an amount at least equal to the guidelines amount based on income not excluded under this clause; and

(ii) the party demonstrates, and the court finds, that:

(A) the excess employment began after the filing of the petition for dissolution;

(B) the excess employment reflects an increase in the work schedule or hours worked over that of the two years immediately preceding the filing of the petition;

(C) the excess employment is voluntary and not a condition of employment;

(D) the excess employment is in the nature of additional, part-time or overtime employment compensable by the hour or fraction of an hour; and

(E) the party's compensation structure has not been changed for the purpose of affecting a support or maintenance obligation.

The court shall review the work-related and education-related child care costs paid and shall allocate the costs to each parent in proportion to each parent's net income, as determined under this subdivision, after the transfer of child support and spousal maintenance, unless the allocation would be substantially unfair to either parent. There is a presumption of substantial unfairness if after the sum total of child support, spousal maintenance, and child care costs is subtracted from the noncustodial parent's income, the income is at or below 100 percent of the federal poverty guidelines. The cost of child care for purposes of this paragraph is 75 percent of the actual cost paid for child care, to reflect the approximate value of state and federal tax credits available to the custodial parent. The actual cost paid for child care is the total amount received by the child care provider for the child or children of the obligor from the obligee or any public agency. The court shall require verification of employment or school attendance and documentation of child care expenses from the obligee and the public agency, if applicable. If child care expenses fluctuate during the year because of seasonal employment or school attendance of the obligee or extended periods of visitation with the obligor, the court shall determine child care expenses based on an average monthly cost. The amount allocated for child care expenses is considered child support but is not subject to a cost-of-living adjustment under section 518.641. The amount allocated for child care expenses terminates when either party notifies the public authority that the child care costs have ended and without any legal action on the part of either party. The public authority shall verify the information received under this provision before authorizing termination. The termination is effective as of the date of the notification. In other cases where there is a substantial increase or decrease in child care expenses, the parties may modify the order under section 518.64.

The court may allow the noncustodial parent to care for the child while the custodial parent is working, as provided in section 518.175, subdivision 8. Allowing the noncustodial parent to care for the child under section 518.175, subdivision 8, is not a reason to deviate from the guidelines.

(c) In addition to the child support guidelines, the court shall take into consideration the following factors in setting or modifying child support or in determining whether to deviate from the guidelines:

(1) all earnings, income, and resources of the parents, including real and personal property, but excluding income from excess employment of the obligor or obligee that meets the criteria of paragraph (b), clause (2)(ii);

(2) the financial needs and resources, physical and emotional condition, and educational needs of the child or children to be supported;

(3) the standard of living the child would have enjoyed had the marriage not been dissolved, but recognizing that the parents now have separate households;

(4) which parent receives the income taxation dependency exemption and what financial benefit the parent receives from it;

(5) the parents' debts as provided in paragraph (d); and

(6) the obligor's receipt of public assistance ~~under sections 256.72 to 256.87 or 256B.01 to 256B.40.~~

(d) In establishing or modifying a support obligation, the court may consider debts owed to private creditors, but only if:

(1) the right to support has not been assigned under section 256.74;

(2) the court determines that the debt was reasonably incurred for necessary support of the child or parent or for the necessary generation of income. If the debt was incurred for the necessary generation of income, the court shall consider only the amount of debt that is essential to the continuing generation of income; and

(3) the party requesting a departure produces a sworn schedule of the debts, with supporting documentation, showing goods or services purchased, the recipient of them, the amount of the original debt, the outstanding balance, the monthly payment, and the number of months until the debt will be fully paid.

(e) Any schedule prepared under paragraph (d), clause (3), shall contain a statement that the debt will be fully paid after the number of months shown in the schedule, barring emergencies beyond the party's control.

(f) Any further departure below the guidelines that is based on a consideration of debts owed to private creditors shall not exceed 18 months in duration, after which the support shall increase automatically to the level ordered by the court. Nothing in this section shall be construed to prohibit one or more step increases in support to reflect debt retirement during the 18-month period.

(g) If payment of debt is ordered pursuant to this section, the payment shall be ordered to be in the nature of child support.

(h) Nothing shall preclude the court from receiving evidence on the above factors to determine if the guidelines should be exceeded or modified in a particular case.

(i) The guidelines in this subdivision are a rebuttable presumption and shall be used in all cases when establishing or modifying child support. If the court does not deviate from the guidelines, the court shall make written findings concerning the amount of the obligor's income used as the basis for the guidelines calculation and any other significant evidentiary factors affecting the determination of child support. If the court deviates from the guidelines, the court shall make written findings giving the amount of support calculated under the guidelines, the reasons for the deviation, and shall specifically address the criteria in paragraph (c) and how the deviation serves the best interest of the child. The court may deviate from the guidelines if both parties agree and the court makes written findings that it is in the best interests of the child, except that in cases where child support payments are assigned to the public agency under section 256.74, the court may deviate downward only as provided in paragraph (j). Nothing in this paragraph prohibits the court from deviating in other cases. The provisions of this paragraph apply whether or not the parties are each represented by independent counsel and have entered into a written agreement. The court shall review stipulations presented to it for conformity to the guidelines and the court is not required to conduct a hearing, but the parties shall provide the documentation of earnings required under subdivision 5b.

(j) If the child support payments are assigned to the public agency under section 256.74, the court may not deviate downward from the child support guidelines unless the court specifically finds that the failure to deviate downward would impose an extreme hardship on the obligor.

(k) The dollar amount of the income limit for application of the guidelines must be adjusted on July 1 of every even-numbered year to reflect cost-of-living changes. The supreme court shall select the index for the adjustment from the indices listed in section 518.641. The state court administrator shall make the changes in the dollar amount required by this paragraph available to courts and the public on or before April 30 of the year in which the amount is to change."

Page 5, after line 1, insert:

"Sec. 8. [518.554] [COLLECTION OF ARREARS.]

Support enforcement mechanisms may be used to collect arrears and court-ordered amounts for past support or pregnancy and confinement expenses for which there are no terms for repayment."

Page 5, line 20, delete the comma

Page 5, line 21, delete "subdivision 17,"

Pages 6 to 8, delete sections 9 and 10

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "518.54, by adding a subdivision;" and after "1" insert ", 5,"

Page 1, line 6, after "sections" insert "518.54, subdivision 6;"

Page 1, line 8, delete "subdivisions 2, 3, and" and insert "subdivision"

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

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

**S.F. No. 2378:** A bill for an act relating to business organizations; defining the terms "professional" and "professional services" as they relate to professional corporations and professional firms; amending Minnesota Statutes 1996, sections 319A.02, subdivision 2; and 319A.03; Minnesota Statutes 1997 Supplement, sections 319B.02, subdivisions 17 and 19.

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

Pages 2 and 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1996, section 319A.02, subdivision 3, is amended to read:

Subd. 3. "Professional" means a natural person who is licensed by the laws of the state of Minnesota or similar laws of another state to render professional service.

Professional includes a natural person who is licensed or otherwise authorized to practice law under the laws of a foreign nation.

Sec. 3. Minnesota Statutes 1997 Supplement, section 319B.02, is amended by adding a subdivision to read:

Subd. 9a. [LICENSE.] "License" includes any license, certificate, or other authority referred to in subdivision 17 or 19."

Page 3, line 34, delete "4" and insert "5" and delete "January 1, 1998" and insert "the day following final enactment"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "sections" and insert "section"

Page 1, line 6, delete "subdivision 2; and 319A.03" and insert "subdivisions 2 and 3"

Page 1, line 7, delete "sections" and insert "section"

Page 1, line 8, delete "and 19" and insert ", 19, and by adding a subdivision"

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

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

**S.F. No. 2520:** A bill for an act relating to state employment; ratifying certain labor agreements; ratifying certain plans and proposals.

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

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 43A.17, subdivision 3, is amended to read:

Subd. 3. [UNUSUAL EMPLOYMENT SITUATIONS.] (a) Upon the request of the appointing authority, and when the commissioner determines that changes in employment situations create difficulties in attracting or retaining employees, the commissioner may approve an unusual employment situation increase to advance an employee within the compensation plan. The action must be consistent with applicable provisions of collective bargaining agreements or plans adopted under section 43A.18. The commissioner shall review each proposal giving due consideration to salary rates paid to other employees in the same class and agency and may approve any request which in the commissioner's judgment is in the best interest of the state.

(b) If the commissioner determines that ~~the~~ a position requires special expertise necessitating a higher salary to attract or retain qualified persons, the commissioner may grant an exemption not to exceed 120 percent of the salary of the head of the agency or the maximum rate established for the position, whichever is less.

(c) The following conditions apply to a request under paragraph (a) to advance an employee within a compensation plan or under paragraph (b) to exceed the salary of the agency head:

(1) the appointing authority making the request must submit a detailed written statement for each position contained in the request, specifying the changes in employment situations that create difficulties in attracting or retaining an employee for the position;

(2) the commissioner shall review each proposal giving due consideration to salary rates paid to other employees in the same class and agency and, if other conditions in this paragraph are met, may approve any request that in the commissioner's judgment is in the best interest of the state;

(3) the action must be consistent with applicable provisions of collective bargaining agreements or plans adopted under section 43A.18;

(4) each increase or exemption must be separately documented for each employee or position and may not be applied to groups of employees; and

(5) the commissioner shall report the granting of a request to the chair of the legislative coordinating commission within three working days.

Sec. 2. [43A.345] [EARLY RETIREMENT INCENTIVE.]

Subdivision 1. [ELIGIBILITY.] The incentive in subdivision 2 is available to any employee of the bureau of criminal apprehension in the department of public safety who:

(1) retires during the pay period in which the employee's 55th birthday occurs, or retires during the first pay period after the employee's 55th birthday in which the employee's anniversary date occurs;

(2) is covered by the state patrol retirement fund and is eligible to receive an annuity from that fund at the time of retirement; and

(3) is receiving the full employer contribution for health and dental coverage immediately before retirement, or is on an unpaid leave of absence immediately before retirement which began not more than six months before retirement, during which leave the employee continues to be covered by the state group insurance program by employee payment of premiums.

Subd. 2. [INCENTIVE.] For an employee who meets the requirements of subdivision 1, the employer shall pay the full employer contribution, as specified in the employee's respective collective bargaining agreement or compensation plan, for health and dental insurance for the employee and, if the employee had dependent coverage immediately before retirement, for the employee's dependents. Notwithstanding section 179A.20, subdivision 2a, the employer contributions under this subdivision must continue until the employee reaches age 65. The postretirement health and dental insurance coverage provided under this section is that coverage the employee was receiving as of the date of retirement, subject to any changes in coverage specified in the respective collective bargaining agreement or compensation plan.

Subd. 3. [PRE-55 INCENTIVE.] An employee who meets the conditions in subdivision 1 but has attained the age of 50 but not yet 55 at the time of retirement must receive until age 65 an employer contribution of 120 times the amount of the monthly employer contribution applicable to the employee at the time of retirement, divided by the number of months from the date of retirement until the employee attains age 65.

Subd. 4. [DURATION.] If a collective bargaining agreement with the bargaining unit in section 179A.10, subdivision 2, clause (1), does not contain an early retirement incentive similar to that provided in this section, the benefits under this section are not available to an employee who retires after the implementation date of the agreement.

Subd. 5. [TRANSITION.] An employee otherwise eligible for an early retirement incentive under subdivisions 1 and 2 who retires on or after the employee's 55th birthday and between June 30, 1997, and July 1, 1998, is entitled to the incentive in subdivision 3."

Page 2, after line 31, insert:

"Subd. 11. [DIRECTOR; HIGHER EDUCATION SERVICES OFFICE.] The salary of the director of the higher education services office, as approved by the legislative coordinating commission subcommittee on employee relations on January 29, 1998, is ratified.

Subd. 12. [MANAGERIAL PLAN.] The plan for managerial employees, as modified and approved by the legislative coordinating commission subcommittee on employee relations on January 29, 1998, is ratified."

Page 2, line 33, delete "Section 1 is" and insert "Sections 2 and 3 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "setting conditions for advancing employees within a compensation plan or to exceed the salary of an agency head; providing an early retirement incentive for certain employees of the bureau of criminal apprehension;"

Page 1, line 3, before the period, insert "; amending Minnesota Statutes 1997 Supplement, section 43A.17, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 43A"

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

**Mr. Marty from the Committee on Election Laws, to which was referred**

**S.F. No. 2302:** A bill for an act relating to local government; clarifying the conduct of certain county elections; amending Minnesota Statutes 1996, section 375A.12, subdivision 4.

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

Page 1, lines 10 and 11, delete the new language and reinstate the stricken language

Page 1, line 12, before the period, insert ", except that a referendum relating to the office of auditor-treasurer shall be conducted following the procedures provided in section 375.20, as far as practicable"

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

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

**S.F. No. 2315:** A bill for an act relating to technology; making technical changes to show director of office of technology as member of various organizations; amending Minnesota Statutes 1996, sections 62J.451, subdivision 9; and 116O.03, subdivision 2; Minnesota Statutes 1997 Supplement, section 44A.01, subdivision 2; and Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended.

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

Page 4, lines 17 to 19, delete the new language and reinstate the stricken language

Page 5, line 13, delete "retroactively to July 1, 1997" and insert "the day following final enactment"

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

**Mr. Hottinger from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1076:** A bill for an act relating to health; requiring health plan coverage for off-label use of drugs; establishing an advisory council; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Delete everything after the enacting clause and insert:

"Section 1. [62Q.66] [COVERAGE FOR OFF-LABEL DRUG USE.]

Subdivision 1. [SCOPE OF COVERAGE.] This section applies to all health plans, including the coverages described in section 62A.011, subdivision 3, clauses (7) and (10), that are issued or renewed to a Minnesota resident.

Subd. 2. [DEFINITIONS.] (a) For purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Medical literature" means articles from major peer reviewed medical journals that have recognized the drug or combination of drugs' safety and effectiveness for treatment of the indication for which it has been prescribed. Each article shall meet the uniform requirements for manuscripts submitted to biomedical journals established by the international committee of medical journal editors or is published in a journal specified by the United States Secretary of Health and Human Services pursuant to United States Code, title 42, section 1395x (t)(2)(B), as amended, as acceptable peer review medical literature. Each article must use generally acceptable scientific standards, and must not use case reports to satisfy this criterion.

(c) "Off-label use of drugs" means when drugs are prescribed for treatments other than those stated in the labeling approved by the federal Food and Drug Administration.

(d) "Standard reference compendia" means:

(1) the United States Pharmacopeia Drug Information; or

(2) the American Hospital Formulary Service Drug Information.

Subd. 3. [REQUIRED COVERAGE.] (a) Every type of coverage included in subdivision 1 that provides coverage for drugs must not exclude coverage of a drug for the treatment of cancer on the ground that the drug has not been approved by the federal Food and Drug Administration for the treatment of cancer if the drug is recognized for treatment of cancer in one of the standard reference compendia or in one article in the medical literature, as defined in subdivision 2.

(b) Coverage of a drug required by this subdivision includes coverage of medically necessary services directly related to and required for appropriate administration of the drug.

(c) Coverage required by this subdivision does not include coverage of a drug not listed on the formulary of the coverage included in subdivision 1.

(d) Coverage of a drug required under this subdivision must not be subject to any copayment, coinsurance, deductible, or other enrollee cost-sharing greater than the coverage included in subdivision 1 applies to other drugs.

(e) The commissioner of commerce or health, as appropriate, may direct a person that issues coverage included in subdivision 1 to make payments required by this section.

Subd. 4. [CONSTRUCTION.] This section must not be construed to:

(1) alter existing law limiting the coverage of drugs that have not been approved by the federal Food and Drug Administration;

(2) require coverage for any drug when the federal Food and Drug Administration has determined its use to be contraindicated; or

(3) require coverage for experimental drugs not otherwise approved for any indication by the federal Food and Drug Administration.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective January 1, 1999, and applies to coverage issued or renewed on or after that date."

Amend the title as follows:

Page 1, lines 3 and 4, delete "establishing an advisory council;"

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

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2654:** A bill for an act relating to taxation; authorizing the city of Winona to impose sales and use taxes for certain purposes.

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

Page 2, line 10, delete "\$....." and insert "\$4,000,000"

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

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2611:** A bill for an act relating to Cottonwood county; permitting the appointment of the auditor-treasurer.

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

Page 1, line 5, delete "AUDITOR-TREASURER" and insert "AUDITOR AND TREASURER"

Page 1, lines 8 and 9, delete "office of county auditor-treasurer in the county is" and insert "offices of county auditor and county treasurer are"

Page 1, line 19, after the period, insert "The resolution may provide for the consolidation of the duties of the offices in a single department head."

Page 1, line 23, delete "A person" and insert "The persons"

Page 1, line 24, delete "position of auditor-treasurer" and insert "positions of auditor and treasurer"

Page 2, line 3, delete "that" and insert "the"

Amend the title as follows:

Page 1, line 3, delete "auditor-treasurer" and insert "auditor and treasurer"

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

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2645:** A bill for an act relating to metropolitan government; modifying requirement for affirmative action plans by certain contractors; amending Minnesota Statutes 1996, section 473.144.

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

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 1996, section 473.144, is amended to read:

473.144 [CERTIFICATES OF COMPLIANCE FOR CONTRACTS.]

For all contracts for goods and services in excess of \$100,000, neither the council nor an agency listed in section 473.143, subdivision 1, ~~may shall~~ accept any bid or proposal for a contract ~~or execute a contract for goods or services in excess of \$50,000 with or agreement from any~~ business having more than ~~20~~ 40 full-time employees within this state on a single working day during the previous 12 months, unless the firm or business has an affirmative action plan for the employment of minority persons, women, and the qualified disabled that individuals submitted to the commissioner of human rights for approval. ~~Neither the council nor an agency listed in section 473.143, subdivision 1, shall execute the contract or agreement until the affirmative action plan has been approved by the commissioner of human rights. Receipt of a certificate of compliance from the commissioner of human rights signifies that a business has an approved affirmative action plan. A certificate is valid for two years. Section 363.073 governs revocation of certificates. The rules adopted by the commissioner of human rights under section 363.074 apply to this section."~~

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

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2581:** A bill for an act relating to local government; permitting the appointment of the Olmsted county auditor/treasurer.

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

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2281:** A bill for an act relating to Dakota county; clarifying the employment status of certain employees; amending Minnesota Statutes 1996, section 383D.41, by adding a subdivision.

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

**Mr. Vickerman from the Committee on Local and Metropolitan Government, to which was referred**

**S.F. No. 2685:** A bill for an act relating to local government; allowing an officer of a local governmental unit to contract with the unit in certain circumstances; amending Minnesota Statutes 1996, section 471.88, subdivision 12.

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

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

**S.F. No. 2416:** A bill for an act relating to state finance; modifying the debt collections act; amending Minnesota Statutes 1996, sections 16A.72; 16D.02, subdivision 3; 16D.04, subdivisions 1 and 4; 16D.06, subdivision 2; 16D.08, subdivision 2; 16D.11, as amended; 16D.14, subdivision 5, and by adding a subdivision; and 16D.16, subdivision 1; Minnesota Statutes 1997 Supplement, sections 270.063, subdivision 1; and 357.021, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 16D.

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

Page 3, delete line 36 and insert "commissioner of revenue or finance is subject to"

Page 9, line 13, after the period, insert "Tax refunds,"

Page 9, after line 22, insert:

"Sec. 11. Minnesota Statutes 1996, section 16D.16, subdivision 2, is amended to read:

Subd. 2. [NOTICE AND HEARING.] Before setoff, the commissioner or state agency shall mail written notice by certified mail to the debtor, addressed to the debtor's last known address, that the commissioner or state agency intends to set off a debt owed to the state by the debtor against future payments due the debtor from the state. For debts owed to the state that have not been reduced to judgment, if no opportunity to be heard or administrative appeal process or a hearing by an impartial decision maker on the validity or accuracy of the debt has yet been made available to the debtor to contest the validity or accuracy of the debt, before setoff for a prejudgment debt, the notice to the debtor must advise that the debtor has a right to make a written request for a contested case hearing on the validity of the debt or the right to setoff. The debtor has 30 days from the date of that notice to make a written request for a contested case hearing to contest the validity of the debt or the right to setoff. The debtor's request must state the debtor's reasons for contesting the debt or the right to setoff. If the commissioner or state agency desires to pursue the right to setoff following receipt of the debtor's request for a hearing, the commissioner or state agency shall schedule a contested case hearing within 30 days of the receipt of the request for the hearing. If the commissioner or state agency decides not to pursue the right to setoff, the debtor must be notified of that decision."

Page 11, after line 31, insert:

"Sec. 15. Minnesota Statutes 1996, section 357.022, is amended to read:

357.022 [CONCILIATION COURT FEE.]

The court administrator in every county shall charge and collect a filing fee of \$15 where the amount demanded is less than \$2,000 and \$25 where the amount demanded is \$2,000 or more from every plaintiff and from every defendant when the first paper for that party is filed in any conciliation court action. This section does not apply to conciliation court actions filed by the state. The court administrator shall transmit the fees monthly to the state treasurer for deposit in the state treasury and credit to the general fund."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete the second "and"

Page 1, line 8, delete "subdivision 1" and insert "subdivisions 1 and 2; and 357.022"

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

**Mr. Johnson, D.J. from the Committee on Taxes, to which was referred**

**S.F. No. 2263:** A bill for an act relating to taxation; making technical and clarifying changes to tax disclosure provisions; amending Minnesota Statutes 1996, sections 270B.02, subdivision 3;

270B.03, subdivision 6; and 270B.12, subdivision 6; Minnesota Statutes 1997 Supplement, section 270B.01, subdivision 8; repealing Minnesota Statutes 1996, section 270.10, subdivision 3.

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

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

**S.F. No. 2730:** A bill for an act relating to state government; department of administration; making technical corrections relating to information systems and technology, data practices, and certain appropriations oversight; changing the name of the Minnesota telecommunications network; clarifying department of administration authority over building operations and maintenance; extending the expiration date of the governor's residence council; changing certain terminology, providing for disposition of certain revenue, and clarifying certain referenda authority with respect to the state building code; amending Minnesota Statutes 1996, sections 16B.04, subdivision 2; 16B.24, subdivision 1; 16B.27, subdivision 3; 16B.58, subdivision 1; 16B.65, subdivisions 1 and 6; and 124C.74, subdivisions 2 and 3; Minnesota Statutes 1997 Supplement, sections 15.059, subdivision 5a; 16B.415; 16B.465; 16B.72; 16E.01, subdivision 3; 16E.03, subdivision 1; 16E.13, subdivision 3; and 221.173; Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended; and Laws 1997, chapter 202, article 1, section 12, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Page 5, after line 34, insert:

"Sec. 3. Minnesota Statutes 1996, section 16B.04, is amended by adding a subdivision to read:

Subd. 2a. [GRANTS.] The commissioner may apply for, receive, and expend money made available from federal or other sources for purposes of carrying out the duties and responsibilities of the commissioner under this chapter.

All money received by the commissioner under this chapter must be deposited in the state treasury and is appropriated to the commissioner for the purpose for which the money was received. The appropriation does not cancel and is available until expended."

Page 7, line 23, delete "2002" and insert "2001"

Page 12, after line 15, insert:

"Sec. 13. [16B.97] [DEVELOPMENTAL DISABILITIES.]

The department of administration is designated as the responsible agency to assist the governor's council on developmental disabilities in carrying out all responsibilities under United States Code, title 42, section 6021, et seq., as well as responsibilities relating to the program that are not delegated to the council.

Sec. 14. [16B.98] [STAR PROGRAM.]

The department of administration shall serve as the lead agency to assist the governor's advisory council on technology for people with disabilities in carrying out all responsibilities under United States Code, title 29, section 2211, et seq., and any other responsibilities related to that program."

Page 21, line 21, delete "12, 17, 18, and 19" and insert "15, 20, 21, and 22"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "oversight;" insert "authorizing the commissioner to apply for and receive grants; designating the department as the responsible agency for certain federal programs;"

Page 1, line 14, after "2" insert ", and by adding a subdivision"

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

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

**S.F. No. 2675:** A bill for an act relating to state employment; allowing the office of technology to designate additional unclassified positions; allowing for the payment of accumulated vacation leave upon layoff; amending Minnesota Statutes 1996, section 43A.17, subdivision 8; Minnesota Statutes 1997 Supplement, section 43A.08, subdivision 1a.

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

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

**S.F. No. 2516:** A bill for an act relating to employee relations; modifying provisions on experimental or research projects in the department of employee relations; amending Minnesota Statutes 1997 Supplement, section 43A.04, subdivision 9.

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

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

**S.F. No. 2605:** A bill for an act relating to health; authorizing the governor to enter into an agreement with the United States Nuclear Regulatory Commission.

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

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

**S.F. No. 2146:** A bill for an act relating to health care; creating an office of health care consumer assistance, advocacy, and information; clarifying the enrollee complaint system for health maintenance organizations; expanding the provisions counties must meet under county based purchasing; extending the date of establishing a complaint resolution process; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 62D.11, subdivision 1; 62Q.105, subdivision 1; 62Q.30; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

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

**S.F. No. 2572:** A bill for an act relating to juveniles; clarifying the definition of child in need of protection or services; amending Minnesota Statutes 1997 Supplement, section 260.015, subdivision 2a.

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

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

**S.F. No. 2659:** A bill for an act relating to insurance; regulating life insurance company investments and financial transactions; regulating qualified long-term care policies; modifying the

definition of chronically ill individual; amending Minnesota Statutes 1996, section 61A.28, subdivisions 6, 9a, and 12; Minnesota Statutes 1997 Supplement, section 62S.01, subdivision 8.

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

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

**S.F. No. 2293:** A bill for an act relating to insurance; modifying permitted investments for township mutual companies; amending Minnesota Statutes 1997 Supplement, section 67A.231.

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

**Mr. Johnson, D.J. from the Committee on Taxes, to which was referred**

**S.F. No. 2266:** A bill for an act relating to taxation; recodifying the tax on petroleum and special fuels; providing civil and criminal penalties; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 296A; repealing Minnesota Statutes 1996, sections 296.01; 296.02; 296.025; 296.0261; 296.035; 296.04; 296.041; 296.06; 296.11; 296.115; 296.12; 296.141, subdivisions 1, 2, 3, 5, 6, and 7; 296.15; 296.151; 296.152; 296.16, subdivisions 1a and 2; 296.165; 296.17, subdivisions 1, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 19, 20, 21, and 22; 296.171, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, and 10; 296.18, subdivisions 2, 3, 4, 5, 6, and 8; 296.19; 296.20; 296.21; 296.23; 296.25; 296.26; 296.27; and 296.421; Minnesota Statutes 1997 Supplement, sections 296.141, subdivision 4; 296.16, subdivision 1; 296.17, subdivision 18; 296.171, subdivision 4; and 296.18, subdivision 1.

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

Page 32, line 13, after the period, insert "All money in excess of the amount the commissioner certifies is reasonably required for the refunds must be transferred by the commissioner of finance to the state airports fund."

Page 38, line 12, after the headnote, insert "The commissioner shall make determinations, corrections, and assessments with respect to taxes and fees under this chapter, including interest, additions to taxes, and assessable penalties. Except as otherwise provided in this section, the amount of taxes assessable must be assessed within 3-1/2 years after the date the return is filed."

Subd. 2. [COLLECTIONS.]"

Page 38, line 16, delete "2" and insert "3"

Page 38, line 22, delete "3" and insert "4" and delete "OR" and insert a comma and after "FUEL" insert ", OR AVIATION GASOLINE"

Page 38, delete lines 27 to 31

Page 38, lines 34 and 35, delete "1 or 2" and insert "2 or 3"

Page 48, line 35, after "combination" insert "exceeds 26,000 pounds"

Page 59, line 21, after "296.02" insert ", subdivisions 1, 1a, 1b, 1c, 2, 3, 4, 6, and 8"

Amend the title as follows:

Page 1, line 6, after "296.02" insert ", subdivisions 1, 1a, 1b, 1c, 2, 3, 4, 6, and 8"

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

**Mr. Johnson, D.J. from the Committee on Taxes, to which was referred**

**S.F. No. 2570:** A bill for an act relating to taxation; making technical changes to income, franchise, sales, excise, property, healthcare provider, and gambling taxes; making technical

changes to tax administrative provisions; amending Minnesota Statutes 1996, sections 270.06; 270.069, subdivision 1; 270.70, subdivision 15; 278.10; 289A.42, subdivision 2; 289A.65, subdivisions 7 and 8; 297E.15, subdivisions 8 and 9; Minnesota Statutes 1997 Supplement, sections 270.701, subdivision 2; 289A.09, subdivision 2; 289A.20, subdivision 2; 289A.38, subdivision 7; 290.0673, subdivisions 4, 5, and 7; 290.92, subdivision 30; 290B.04, subdivision 1; 290B.05, subdivisions 1, 2, and 3; 290B.06; 290B.08, subdivision 1; 295.53, subdivision 4a; 297A.01, subdivisions 3 and 11; 297F.22, subdivisions 6 and 7; and 297G.21, subdivisions 6 and 7; repealing Minnesota Statutes 1997 Supplement, section 290B.04, subdivision 3.

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

Page 20, after line 4, insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 3.987, subdivision 2, is amended to read:

Subd. 2. [MANDATE EXPLANATIONS.] ~~Any bill introduced in the legislature after June 30, 1997, Before a committee hearing on a bill that seeks to impose program or financial mandates on political subdivisions must include an attachment from,~~ the author must provide the committee with a note that gives appropriate responses to the following guidelines. ~~If~~ The note must state and list:

(1) the policy goals that are sought to be attained, the performance standards that are to be imposed, and an explanation why the goals and standards will best be served by requiring compliance by political subdivisions;

(2) performance standards that will allow political subdivisions flexibility and innovation of method in achieving those goals;

(3) the reasons for each prescribed standard and the process by which each standard governs input such as staffing and other administrative aspects of the program;

(4) the sources of additional revenue, in addition to existing funding for similar programs, that are directly linked to imposition of the mandates that will provide adequate and stable funding for their requirements;

(5) what input has been obtained to ensure that the implementing agencies have the capacity to carry out the delegated responsibilities; and

(6) the reasons why less intrusive measures such as financial incentives or voluntary compliance would not yield the equity, efficiency, or desired level of statewide uniformity in the proposed program."

Page 30, line 33, delete "3 and 5 to 13" and insert "4 and 6 to 14"

Page 30, line 35, delete "4" and insert "5"

Pages 31 to 34, delete article 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "requiring mandate explanations be attached to legislative bills before committee hearings;"

Page 1, line 10, after "sections" insert "3.987, subdivision 2;"

Page 1, line 13, delete "290B.04, subdivision 1;"

Page 1, delete line 14

Page 1, line 15, delete "subdivision 1;"

Page 1, line 17, delete "; repealing Minnesota" and insert a period

Page 1, delete lines 18 and 19

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

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

**S.F. No. 2875:** A bill for an act relating to agriculture; appropriating money for research and demonstration of production techniques at a Minnesota canola production center.

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

Delete everything after the enacting clause and insert:

"Section 1. [CANOLA PRODUCTION CENTER; APPROPRIATION.]

\$500,000 is appropriated from the general fund to the regents of the University of Minnesota for:

(1) research and demonstration of production techniques at a Minnesota canola production center;

(2) registration of agricultural chemicals for use with canola; and

(3) harmonization with canola research and production efforts in Canada."

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

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

**S.F. No. 2807:** A bill for an act relating to agriculture; appropriating money for turkey respiratory disease research.

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

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

**S.F. No. 2837:** A bill for an act relating to agriculture; appropriating money for wheat and barley scab research.

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

Page 1, line 7, delete "\$500,000" and insert "\$250,000"

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

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

**S.F. No. 2368:** A bill for an act relating to crime prevention; expressly approving an addition to the sentencing guidelines commentary.

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

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

**S.F. No. 2365:** A bill for an act relating to juvenile justice; providing that a person adjudicated as an extended jurisdiction juvenile who has a stay of execution revoked shall not receive credit for time served in a juvenile facility; amending Minnesota Statutes 1996, section 260.126, subdivision 5.

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

**Mr. Johnson, D.J. from the Committee on Taxes,** to which was referred the following appointment as reported in the Journal for January 20, 1998:

TAX COURT

George W. Perez

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

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

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

**S.F. No. 2267:** A bill for an act relating to insurance; workers' compensation self-insurance; regulating terminations of self-insurance authority and commercial workers' compensation self-insurance groups; providing investment, funding, reporting, and transfer requirements; amending Minnesota Statutes 1996, sections 79A.06, subdivision 5; 79A.22, subdivision 7, and by adding a subdivision; 79A.23, subdivisions 1 and 2; 79A.24, subdivisions 1, 2, and 4; 79A.26, subdivision 2; and 79A.31, subdivision 1.

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

Page 5, line 20, delete "and loan" and after "association" insert "or savings bank"

Page 5, line 21, delete "Savings and Loan" and insert "Deposit"

Page 5, line 28, delete the comma

Page 5, line 29, delete everything before "and"

Page 5, line 30, delete "Federal Deposit Insurance Corporation" and insert "National Credit Union Administration"

Page 12, after line 33, insert:

"Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 10 are effective the day following final enactment."

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

**Ms. Flynn, from the Committee on Transportation, to which was referred**

**S.F. No. 2316:** A bill for an act relating to transportation; continuing the uniform program for registration and permitting of intrastate carriers of hazardous materials; eliminating requirement of criminal background check; imposing a fee; amending Minnesota Statutes 1996, section 221.0355, subdivision 4; Minnesota Statutes 1997 Supplement, section 221.0355, subdivision 5; Laws 1994, chapter 589, section 8, as amended; repealing Minnesota Statutes 1997 Supplement, section 221.0355, subdivision 15; Laws 1997, chapter 230, section 24.

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

Page 2, line 5, after "material" insert ", excluding hazardous waste,"

Page 3, line 36, before "Minnesota" and insert: "(a) Minnesota Statutes 1996, sections 221.0335 and 221.035;"

Page 4, after line 2, insert:

"(b) Minnesota Rules, parts 8870.0100; 8870.0200; 8870.0300; 8870.0400; 8870.0500; 8870.0600; 8870.0700; 8870.0800; 8870.0900; 8870.1000; and 8870.1100, are repealed."

Amend the title as follows:

Page 1, line 9, after "repealing" insert "Minnesota Statutes 1996, sections 221.0335 and 221.035;"

Page 1, line 11, before the period, insert "; Minnesota Rules, parts 8870.0100; 8870.0200; 8870.0300; 8870.0400; 8870.0500; 8870.0600; 8870.0700; 8870.0800; 8870.0900; 8870.1000; and 8870.1100"

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

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

**S.F. No. 2259:** A bill for an act relating to criminal justice data; requiring the bureau of criminal apprehension to collect and maintain computerized data relating to the conditions of conditional release of convicted offenders, for use by criminal justice agencies; amending Minnesota Statutes 1996, sections 299C.06; and 299C.09; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Page 1, line 26, delete "conditions of" and after "release" insert "information"

Page 2, line 23, delete "conditions of"

Page 2, line 24, after "release" insert "information"

Amend the title as follows:

Page 1, line 4, delete "the conditions"

Page 1, line 5, delete the first "of" and after "release" insert "information"

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

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

**S.F. No. 2182:** A bill for an act relating to crime; clarifying and updating the language of the harassment statutes; amending Minnesota Statutes 1996, section 609.795; Minnesota Statutes 1997 Supplement, section 609.749, subdivision 2.

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

Page 1, line 24, after the semicolon, insert "or"

Page 2, line 1, strike "; or" and insert a period

Page 2, strike lines 2 to 4

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

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

**S.F. No. 2369:** A bill for an act relating to crime prevention; providing that preventing a commission of a felony by a trespasser is justifiable homicide; amending Minnesota Statutes 1996, section 609.065.

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

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

Page 1, line 4, delete everything before "amending" and insert "clarifying when the intentional taking of the life of another is authorized to prevent the commission of a felony;"

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

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

**S.F. No. 2262:** A bill for an act relating to insurance; regulating reinsurance intermediary-brokers; providing for the investment of funds held or collected; amending Minnesota Statutes 1996, section 60A.715.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1996, section 60A.715, is amended to read:

60A.715 [REQUIRED CONTRACT PROVISIONS; REINSURANCE INTERMEDIARY-BROKERS.]

Transactions between a RB and the insurer it represents in this capacity shall only be entered into pursuant to a written authorization, specifying the responsibilities of each party. The authorization must, at a minimum, provide that:

(1) the insurer may terminate the RB's authority at any time;

(2) the RB will render accounts to the insurer accurately detailing all material transactions, including information necessary to support all commissions, charges, and other fees received by, or owing to the RB, and remit all funds due to the insurer within 30 days of receipt;

(3) all funds collected for the insurer's account will be held by the RB in a fiduciary capacity:

(i) in a bank that is a qualified United States financial institution ~~and may be;~~ or

(ii) if authorized in writing by the insurer in whose account the funds are held, invested in direct obligations of, or obligations guaranteed or insured by, the United States, its agencies, or its instrumentalities, excluding mortgage-backed securities, or in obligations described in section 60A.11, subdivision 17, paragraphs (a) and (b). Investments made under clause (3), item (ii), shall be restricted to obligations rated in the highest category established by the securities valuation office of the National Association of Insurance Commissioners. The RB shall be responsible for any losses on investments made pursuant to item (ii).

These funds may not be invested in obligations whose maturities exceed 90 days; At least 50 percent of the funds invested under clause (3), based on the prior 30 days' average balance, must be invested in instruments that mature in no more than 120 days. In no case shall an investment mature in greater than three years from the date of purchase. Investments made pursuant to clause (3) should emphasize safety and liquidity. The RB is required to structure those investments so that funds are available to remit on a timely basis to the insurer;

(4) the RB will comply with section 60A.72;

(5) the RB will comply with the written standards established by the insurer for the cession or retrocession of all risks; and

(6) the RB will disclose to the insurer any relationship with any reinsurer to which business will be ceded or retroceded.

Sec. 2. Minnesota Statutes 1996, section 65A.42, is amended to read:

65A.42 [IMMUNITY FROM LIABILITY.]

There shall be no civil or criminal liability on the part of, and no cause of action of any nature shall arise against insurers, the inspection bureau, the facility, or their agents or employees or the commissioner or the commissioner's authorized representatives, for any ~~statements made in good faith acts or omissions by them in any reports or communications concerning the property to be insured, or at the time of any hearings conducted in connection therewith, or in the findings required by the provisions of~~ if the acts or omissions were in good faith and within the scope of their responsibilities under sections 65A.31 to 65A.42. The inspection reports and communications of the inspection bureau and the facility are not public documents."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "clarifying immunity from liability under the Minnesota FAIR plan act;"

Page 1, line 5, delete "section" and insert "sections" and before the period, insert "; and 65A.42"

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

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

**S.F. No. 2381:** A bill for an act relating to natural resources; modifying the description of a state trail in Ramsey and Washington counties; amending Minnesota Statutes 1996, section 85.015, subdivision 14.

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

Page 1, line 10, strike everything after "at"

Page 1, strike lines 11 to 15

Page 1, line 16, strike "West, in Washington county," and delete "thence" and insert "the state capitol and shall extend"

Page 1, lines 21 to 23, reinstate the stricken language

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

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

**S.F. No. 2351:** A bill for an act relating to natural resources; adding to and deleting from state parks; creating a new recreation area; authorizing a private sale of surplus state land in Rock county; providing for a state park permit exemption; amending Minnesota Statutes 1996, section 85.054, by adding a subdivision.

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

Page 1, line 13, delete everything after "area"

Page 1, delete lines 14 to 16 and insert "located adjacent to county state aid highway No. 4 at Zippel Bay state park, Lake of the Woods county."

Page 5, delete section 3

Page 5, delete lines 29 to 32

Page 5, line 33, delete "4" and insert "3"

Page 5, line 36, after the period, insert "The commissioner may not designate any portion of Garden Island state recreation area as a scientific and natural area and must consult with the Lake of the Woods county board prior to making any change in the management plan for the area."

Page 6, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "Rock county;"

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

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

**S.F. No. 2334:** A bill for an act relating to recreational vehicles; requiring snowmobiles registered in another jurisdiction to have a state trail use sticker; amending Minnesota Statutes 1997 Supplement, section 84.8205.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1997 Supplement, section 84.8205, is amended to read:

84.8205 [SNOWMOBILE STATE TRAIL ~~PERMIT~~ STICKER.]

Subdivision 1. [STICKER REQUIRED; FEE.] A person may not operate a snowmobile that is not registered in this state ~~may not be operated~~ on a state or grant-in-aid snowmobile trail unless a snowmobile state trail sticker is affixed to the snowmobile operator has in possession a snowmobile state trail permit. The commissioner of natural resources shall issue a permit sticker upon application and payment of a \$15 fee. The permit sticker is valid from November 1 through April 30. Fees collected under this section shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund.

Subd. 2. [PLACEMENT OF STICKER.] The state trail sticker shall be permanently affixed to the forward half of the snowmobile directly above or below the headlight of the snowmobile.

Subd. 3. [LICENSE AGENTS.] County auditors are appointed agents of the commissioner for the sale of snowmobile state trail stickers. The commissioner may appoint other state agencies as agents for the sale of the stickers. A county auditor may appoint subagents within the county or within adjacent counties to sell stickers. Upon appointment of a subagent, the auditor shall notify the commissioner of the name and address of the subagent. The auditor may revoke the appointment of a subagent, and the commissioner may revoke the appointment of a state agency at any time. The commissioner may require an auditor to revoke a subagent's appointment. The auditor shall furnish stickers on consignment to any subagent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the stickers to be consigned to that subagent. A surety bond is not required for a state agency appointed by the commissioner. The county auditor shall be responsible for all stickers issued to and user fees received by agents except in a county where the county auditor does not retain fees paid for license purposes. In these counties, the responsibilities imposed by this section upon the county auditor are imposed upon the county. The commissioner may promulgate additional rules governing the accounting and procedures for handling state trail stickers as provided in section 97A.485, subdivision 11.

Any resident desiring to sell snowmobile state trail stickers may either purchase for cash or obtain on consignment stickers from a county auditor in groups of not less than ten individual stickers. In selling stickers, the resident shall be deemed a subagent of the county auditor and the commissioner, and shall observe all rules promulgated by the commissioner for accounting and handling of licenses and stickers pursuant to section 97A.485, subdivision 11.

The county auditor shall promptly deposit all money received from the sale of the stickers with the county treasurer, and shall promptly transmit any reports required by the commissioner, plus 96 percent of the price paid by each stickerholder, exclusive of the issuing fee, for each sticker sold or consigned by the auditor and subsequently sold to a stickerholder during the accounting period. The county auditor shall retain as a commission four percent of all sticker fees, excluding the issuing fee for stickers consigned to subagents and the issuing fee on stickers sold by the auditor to stickerholders.

Unsold stickers in the hands of any subagent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner. Any stickers not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the subagent possessing the same or to whom they are charged shall be accountable.

Subd. 4. [DISTRIBUTION OF STICKERS.] The commissioner shall provide stickers to all agents authorized to issue stickers by the commissioner.

Subd. 5. [AGENT'S FEE.] The fee for a sticker shall be increased by the amount of an issuing fee of \$1 per sticker. The issuing fee may be retained by the seller of the sticker."

Delete the title and insert:

"A bill for an act relating to recreational vehicles; requiring snowmobiles registered in another jurisdiction that use a state or grant-in-aid trail to have a state trail sticker; authorizing agents and subagents for the sale of state trail stickers; imposing procedures for sale of the stickers; amending Minnesota Statutes 1997 Supplement, section 84.8205."

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 2608, 2055, 2429, 2477, 2378, 2520, 2302, 2315, 2611, 2645, 2581, 2281, 2685, 2730, 2675, 2516, 2605, 2572, 2659, 2293, 2266, 2570, 2368, 2365, 2267, 2316, 2182, 2369, 2262, 2381, 2351 and 2334 were read the second time.

## MOTIONS AND RESOLUTIONS

Ms. Wiener moved that her name be stricken as a co-author to S.F. No. 2421. The motion prevailed.

Mr. Metzen moved that the names of Mrs. Scheid, Ms. Wiener and Mr. Wiger be added as co-authors to S.F. No. 2549. The motion prevailed.

Mr. Kelly, R.C. moved that the name of Mr. Kleis be added as a co-author to S.F. No. 2586. The motion prevailed.

Mr. Ten Eyck moved that the name of Mr. Laidig be added as a co-author to S.F. No. 2639. The motion prevailed.

Mr. Johnson, D.H. moved that the name of Ms. Junge be added as a co-author to S.F. No. 2663. The motion prevailed.

Ms. Krentz moved that the name of Ms. Runbeck be added as a co-author to S.F. No. 2686. The motion prevailed.

Mr. Lessard moved that the name of Mr. Foley be added as a co-author to S.F. No. 3011. The motion prevailed.

Mr. Beckman moved that the name of Mr. Sams be added as a co-author to S.F. No. 2341. The motion prevailed.

Mr. Metzen moved that the name of Mr. Janezich be added as a co-author to S.F. No. 2549. The motion prevailed.

Mr. Moe, R.D. moved that S.F. No. 1996 be withdrawn from the Committee on Children, Families and Learning and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Mr. Oliver moved that S.F. No. 2952 be withdrawn from the Committee on Children, Families and Learning and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Mr. Metzen moved that S.F. No. 2255, No. 3 on the Consent Calendar, be stricken and placed on General Orders. The motion prevailed.

Mr. Moe, R.D. moved that S.F. No. 1076 be withdrawn from the Committee on Commerce and given a second reading and placed on General Orders. The motion prevailed.

S.F. No. 1076 was read the second time.

Mr. Ten Eyck moved that S.F. No. 2522 be withdrawn from the Committee on Children, Families and Learning and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

## CALENDAR

**S.F. No. 1480:** A bill for an act relating to evidence; fixing the conditions for the disclosure of certain information subject to the Minnesota Free Flow of Information Act; amending Minnesota Statutes 1996, sections 595.023; and 595.024, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

## CONSENT CALENDAR

**S.F. No. 2030:** A bill for an act relating to family law; changing provisions of the putative fathers' registry law; amending Minnesota Statutes 1997 Supplement, section 259.52, subdivisions 9, 10, 11, 12, and 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1440:** A bill for an act relating to appellate courts; providing for questions of law certified between the appellate courts of this state and other states and nations; enacting the 1997 Uniform Certification of Questions of Law Act; proposing coding for new law in Minnesota Statutes, chapter 480; repealing Minnesota Statutes 1996, section 480.061.

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

So the bill passed and its title was agreed to.

**S.F. No. 2288:** A bill for an act relating to utilities; extending deadline for public utilities commission to adopt rules relating to public rights-of-way; amending Minnesota Statutes 1997 Supplement, section 237.163, subdivision 8.

Mr. Ourada moved that S.F. No. 2288 be stricken from the Consent Calendar and be placed on General Orders. The motion prevailed.

**H.F. No. 2524:** A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, unconstitutional, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1996, sections 3C.08, subdivision 1; 3C.12, subdivision 4; 10A.01, subdivision 19; 10A.323; 11A.04; 14.47, subdivision 3; 15A.082, subdivisions 1 and 3; 16B.51, subdivision 1; 32.70, subdivisions 2 and 10; 47.27, subdivision 1; 47.325; 48.846, subdivision 3; 62J.17, subdivision 2; 62Q.03, subdivision 6; 82A.11, subdivision 5; 97A.0455, subdivision 2; 115A.191, subdivisions 2 and 4; 115B.17, subdivision 6; 115B.25, subdivision 7a; 127.09; 127.17, subdivision 4; 134A.01; 144.651, subdivision 1; 144A.45,

subdivision 2; 144A.46, subdivision 4; 144A.48, subdivision 2; 145.698, subdivision 1; 145C.01, subdivision 7; 147.02, subdivision 1; 147B.01, subdivisions 5, 12, and 16; 147B.02, subdivisions 4, 7, 9, and 12; 147B.03, subdivisions 1 and 4; 147B.05, subdivision 1; 148B.21, subdivisions 1 and 8; 148B.24; 148B.27, subdivision 2b; 154.161, subdivision 4; 157.17, subdivision 3; 164.08, subdivision 3; 169.421, subdivisions 5 and 7; 169.792, subdivision 7; 169.86, subdivision 1; 169.871, subdivision 2; 169.965, subdivision 3; 169.966, subdivision 3; 169.971, subdivision 4; 169.99, subdivision 3; 190.08, subdivision 6; 204B.11, subdivisions 1 and 2; 204B.34, subdivision 3; 204C.35, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 205A.10, subdivision 2; 206.90, subdivision 3; 216C.01, subdivision 1; 256.9657, subdivisions 1a and 7; 257.022, subdivisions 1 and 2a; 257.59, subdivision 1; 268.027; 273.13, subdivision 1; 273.1398, subdivision 6; 273.166, subdivision 2; 284.07; 325F.692, subdivision 2; 345.02; 345.03; 345.14; 346.04; 346.55, subdivision 2; 347.04; 353.01, subdivision 2a; 383A.281, subdivision 13; 383A.286, subdivision 2; 383A.404, subdivision 4; 383B.054, subdivision 6; 383B.057; 383B.121, subdivision 1; 383B.129; 383B.225, subdivision 10; 393.07, subdivision 9; 395.23; 448.56, subdivision 2; 458D.15; 462.16; 465.48; 473.191, subdivision 2; 473.197, subdivision 2; 473.608, subdivision 17; 477A.011, subdivision 27; 477A.0132, subdivision 3; 477A.014, subdivisions 1 and 3; 480.052; 480.054; 480.055, subdivision 1; 480.059, subdivision 2; 480.0591, subdivision 2; 480.19; 484.66, subdivision 2; 485.01; 517.08, subdivision 1b; 550.07; 559.211, subdivision 1; 566.175, subdivision 1; 574.18; 574.34, subdivision 2; 574.35; 611A.21, subdivision 2; 611A.25, subdivision 1; 617.27; 624.7131, subdivision 8; 624.7132, subdivision 13; 624.714, subdivision 12; 625.01; 626.21; 630.17; 631.04; 643.01; and 643.02; Minnesota Statutes 1997 Supplement, sections 15.0591, subdivision 2; 62J.04, subdivision 3; 62J.61, subdivision 2; 62Q.01, subdivision 3; 85A.02, subdivision 5b; 115.58, subdivision 2; 119A.15, subdivision 5a; 144A.45, subdivision 1; 144A.4605, subdivisions 3 and 4; 148B.20, subdivision 1; 157.17, subdivision 2; 161.14, subdivision 41; 169.121, subdivision 3e; 169.123, subdivision 6; 244.09, subdivision 5; 260.015, subdivision 29; 268.145, subdivision 1; 274.01, subdivision 1; 275.011, subdivision 1; 275.065, subdivision 6; 297A.48, subdivisions 1 and 10; 325D.32, subdivision 4; 325D.415; 326.921; 473.249, subdivision 1; 477A.011, subdivision 34; 552.04, subdivision 1; 609.749, subdivision 2; 609.7495, subdivision 1; and 611A.74, subdivision 1a; repealing Minnesota Statutes 1996, sections 13.99, subdivision 19g; 157.17, subdivision 4; 256.9657, subdivision 1b; 256E.06, subdivision 9; 458D.14, subdivision 2; and 484.015; Laws 1997, chapter 12, article 3, sections 2 and 3; chapter 162, article 1, section 19; chapter 187, article 2, sections 11 and 12; chapter 219, section 3; chapter 225, article 2, sections 24, 25, 26, 27, and 28; chapter 226, section 10; and chapter 239, article 7, section 37.

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

So the bill passed and its title was agreed to.

**GENERAL ORDERS**

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

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

S.F. Nos. 2017, 2089, 2230, 2156, 2261, 2167, 2384, 2221, 2148, 2118, 2256, 2163, 2028, 2119, 2525, 2170, 2040, 2252, 2402 and H.F. No. 661, which the committee recommends to pass.

S.F. No. 2031, which the committee recommends to pass with the following amendment offered by Mr. Betzold:

Page 9, delete section 11 and insert:

"Sec. 11. Laws 1997, chapter 174, article 12, section 67, is amended to read:

Minnesota Statutes, chapter 323A, ~~takes effect~~ and section 61, are effective January 1, 1999.

Section 65 is effective January 1, 1997."

The motion prevailed. So the amendment was adopted.

Mr. Moe, R.D. divided out the report as to S.F. No. 2256.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted, with the exception of the report on S.F. No. 2256.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

**Ms. Krentz introduced--**

**S.F. No. 3031:** A bill for an act relating to education; providing for an office of educational accountability; appropriating money; amending Minnesota Statutes 1996, section 121.1115, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

**Ms. Wiener, Mr. Hottinger, Mrs. Scheid, Messrs. Oliver and Larson introduced--**

**S.F. No. 3032:** A bill for an act relating to insurance; regulating investments of certain insurers; proposing coding for new law as Minnesota Statutes, chapter 60L.

Referred to the Committee on Commerce.

**Mr. Cohen introduced--**

**S.F. No. 3033:** A bill for an act relating to courts; extending the Ramsey county family court combined jurisdiction pilot project; amending Laws 1996, chapter 365, section 3.

Referred to the Committee on Judiciary.

**Mr. Samuelson, Mrs. Fischbach, Messrs. Sams and Dille introduced--**

**S.F. No. 3034:** A bill for an act relating to human services; changing medical assistance reimbursement for special transportation services; amending Minnesota Statutes 1996, section 256B.0625, subdivision 17.

Referred to the Committee on Health and Family Security.

**Mr. Pogemiller introduced--**

**S.F. No. 3035:** A bill for an act relating to housing; providing for certain bond allocations and related matters; amending Minnesota Statutes 1996, sections 474A.045; and 474A.061, subdivisions 1, 2a, and 6; Minnesota Statutes 1997 Supplement, section 474A.091, subdivisions 3 and 6; repealing Minnesota Statutes 1996, section 474A.061, subdivision 3.

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

**Messrs. Betzold, Knutson, Mrs. Scheid and Mr. Johnson, D.J. introduced--**

**S.F. No. 3036:** A bill for an act relating to limited partnerships; regulating withdrawals by limited partners; changing state law to provide favorable federal estate tax valuation treatment in certain circumstances; amending Minnesota Statutes 1996, section 322A.47.

Referred to the Committee on Judiciary.

**Mr. Novak, Mrs. Scheid, Messrs. Murphy, Knutson and Hottinger introduced--**

**S.F. No. 3037:** A bill for an act relating to sales tax; directing the amateur sports commission to certify qualifying junior golf programs; providing a partial refund of tax paid by golf facilities with qualifying programs for juniors; amending Minnesota Statutes 1996, section 297A.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 240A; and 297A.

Referred to the Committee on Taxes.

**Messrs. Pogemiller and Morse introduced--**

**S.F. No. 3038:** A bill for an act relating to retirement; Minneapolis employees retirement fund; increasing certain shorter service death-while-active retirement benefits, providing annuity escalation; amending Minnesota Statutes 1996, sections 422A.06, subdivisions 3 and 6; 422A.22, subdivisions 4 and 5; and 422A.23; repealing Minnesota Statutes 1996, section 422A.16, subdivision 3a.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Wiener introduced--**

**S.F. No. 3039:** A bill for an act relating to remedies; garnishment; modifying the definition of earnings to include maintenance; amending Minnesota Statutes 1996, section 571.921.

Referred to the Committee on Judiciary.

**Messrs. Murphy, Sams, Dille, Vickerman and Ms. Lesewski introduced--**

**S.F. No. 3040:** A bill for an act relating to agriculture; creating a small feedlot upgrade cost-share program; prohibiting enforcement actions against small feedlots unless state or local cost-share funds are available; appropriating money; amending Minnesota Statutes 1996, section 116.07, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 116.07, subdivision 7.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Janezich; Johnson, D.J. and Solon introduced--**

**S.F. No. 3041:** A bill for an act relating to liquor; allowing the commissioner of public safety to issue on-sale licenses to Giants Ridge and Ironworld Discovery Center; amending Minnesota Statutes 1996, section 340A.404, by adding a subdivision.

Referred to the Committee on Commerce.

**Messrs. Solon and Hottinger introduced--**

**S.F. No. 3042:** A bill for an act relating to education; creating a declining pupil unit aid; amending Minnesota Statutes 1997 Supplement, section 124.17, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Messrs. Kelly, R.C. and Wiger introduced--**

**S.F. No. 3043:** A bill for an act relating to economic development and job creation; appropriating money to assist in redevelopment of the Stroh Brewery area and creation of manufacturing jobs; authorizing the sale of bonds.

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

**Mr. Terwilliger and Ms. Higgins introduced--**

**S.F. No. 3044:** A bill for an act relating to education; working to develop, provide, and maintain an educational structure that meets the needs of nonwhite and white at-risk students; identifying obstacles to students educational success; providing for staff development and community training; creating an advisory council to assist in analyzing student performance data; emphasizing outcomes; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126.

Referred to the Committee on Children, Families and Learning.

**Ms. Kiscaden introduced--**

**S.F. No. 3045:** A bill for an act relating to education; repealing the prohibition against beginning the school year before Labor Day; repealing Minnesota Statutes 1996, section 126.12.

Referred to the Committee on Children, Families and Learning.

**Messrs. Kelly, R.C.; Wiger and Ms. Pappas introduced--**

**S.F. No. 3046:** A bill for an act relating to transportation; defining road or highway; requiring certain expenditures from the trunk highway fund; establishing transportation spending goals; creating a transportation trust fund primarily to provide state agencies and local governments with money to match federal transportation funds; proposing a constitutional amendment to dedicate all vehicle registration tax revenues and 20 percent of motor vehicle sales tax revenues to the transportation trust fund; requiring certain appropriations for the state patrol to be from the general fund; authorizing issuance of \$34,000,000 in state transportation bonds for local bridge grants; amending Minnesota Statutes 1996, sections 160.02, subdivision 7, and by adding a subdivision; 161.04, by adding a subdivision; 168.053, subdivisions 1 and 2; 168.056; 168.181, subdivisions 1 and 2; 168.211; 168.221; 174.01, by adding a subdivision; 297B.09, subdivision 1; 299D.01, by adding a subdivision; and 299D.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 168; and 174; repealing Minnesota Statutes 1996, sections 168.012, subdivision 12; 168.013, subdivision 8; 168.021, subdivision 4; 168.041, subdivision 11; 168.042, subdivision 15; 168.057; 168.091, subdivision 3; 168.123, subdivision 5; 168.128; 168.1292, subdivision 4; 168.231; and 168.82, subdivision 2.

Referred to the Committee on Transportation.

**Messrs. Stevens, Scheevel, Ms. Lesewski and Mr. Samuelson introduced--**

**S.F. No. 3047:** A bill for an act relating to wetlands; creating a cost-share program for small cities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103G.

Referred to the Committee on Environment and Natural Resources.

**Mr. Wiger, Mses. Wiener, Ranum, Mr. Betzold and Ms. Higgins introduced--**

**S.F. No. 3048:** A bill for an act relating to children; proposing an amendment to the Minnesota Constitution by adding a section to article XI; establishing the children's endowment fund; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 119C.

Referred to the Committee on Children, Families and Learning.

**Messrs. Wiger; Marty; Janezich; Kelly, R.C. and Ms. Higgins introduced--**

**S.F. No. 3049:** A bill for an act relating to insurance; mandating coverage for cochlear implants; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

**Mr. Kelley, S.P. introduced--**

**S.F. No. 3050:** A bill for an act relating to health; creating a religious exemption to mandated autopsies; amending Minnesota Statutes 1996, sections 145.132; 299F.04, subdivision 5; 383B.225, subdivisions 7 and 8; 390.11, subdivisions 2, 2a, and 3; and 390.32, subdivisions 2, 2a, and 3; proposing coding for new law in Minnesota Statutes, chapter 390.

Referred to the Committee on Health and Family Security.

**Mr. Johnson, D.H. introduced--**

**S.F. No. 3051:** A bill for an act relating to insurance; no-fault auto; regulating disability and income loss benefits; amending Minnesota Statutes 1996, section 65B.44, subdivision 3.

Referred to the Committee on Commerce.

**Messrs. Stumpf and Lessard introduced--**

**S.F. No. 3052:** A bill for an act relating to state lands; requiring the private sale of certain surplus state land in Lake of the Woods county.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Stumpf and Solon introduced--**

**S.F. No. 3053:** A bill for an act relating to liquor; authorizing additional liquor licenses for the city of East Grand Forks.

Referred to the Committee on Commerce.

**Messrs. Morse, Samuelson and Ms. Berglin introduced--**

**S.F. No. 3054:** A bill for an act relating to health; establishing a nursing home planning and transition grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

**Messrs. Morse, Samuelson and Ms. Berglin introduced--**

**S.F. No. 3055:** A bill for an act relating to health; providing for an inactive status of licensed beds in nursing homes; amending Minnesota Statutes 1996, sections 144.122; 144A.01, by adding a subdivision; 256.9657, subdivision 1; 256B.0911, subdivision 6; and 256B.431, subdivisions 2r, 3a, and 22; proposing coding for new law in Minnesota Statutes, chapter 144A.

Referred to the Committee on Health and Family Security.

**Messrs. Kelly, R.C. and Stumpf introduced--**

**S.F. No. 3056:** A bill for an act relating to corrections; authorizing a restitution grant program for adult offenders; proposing coding for new law in Minnesota Statutes, chapter 243.

Referred to the Committee on Crime Prevention.

**Ms. Krentz introduced--**

**S.F. No. 3057:** A bill for an act relating to capital improvements; appropriating money for restoration and preservation of Brown's Creek in Washington county; appropriating money to the Brown's Creek watershed district for flood control measures; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

**Mr. Sams introduced--**

**S.F. No. 3058:** 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 grant to the city of Perham for the Perham Area Technology Center; authorizing issuance of bonds; appropriating money.

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

**Mrs. Scheid introduced--**

**S.F. No. 3059:** A bill for an act relating to education; appropriating money for a school restructuring grant.

Referred to the Committee on Children, Families and Learning.

**Mrs. Scheid introduced--**

**S.F. No. 3060:** A bill for an act relating to education; modifying the requirements for membership on the board of teaching; amending Minnesota Statutes 1996, section 125.183, subdivision 3.

Referred to the Committee on Children, Families and Learning.

**Mr. Sams introduced--**

**S.F. No. 3061:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for college campuses at Staples and Wadena.

Referred to the Committee on Children, Families and Learning.

**Mr. Cohen and Ms. Pappas introduced--**

**S.F. No. 3062:** A bill for an act relating to appropriations; providing money for exhibition in the Science Museum of Minnesota.

Referred to the Committee on Environment and Natural Resources.

**Ms. Piper and Mr. Ten Eyck introduced--**

**S.F. No. 3063:** A bill for an act relating to state lands; authorizing the public sale of certain tax-forfeited land that borders public water in Mower county.

Referred to the Committee on Environment and Natural Resources.

**Ms. Piper, Mr. Hottinger, Mrs. Lourey and Mr. Foley introduced--**

**S.F. No. 3064:** A resolution urging the President and the Congress of the United States to support the closure of the United States Army School of the Americas.

Referred to the Committee on Governmental Operations and Veterans.

**Mrs. Lourey, Messrs. Morse, Sams, Dille and Vickerman introduced--**

**S.F. No. 3065:** A bill for an act relating to agriculture; expanding the eligibility requirements for the Minnesota grown coupon program; establishing a pilot project to expand the Minnesota grown program; establishing program components; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Vickerman, Lessard, Scheevel, Langseth and Wiger introduced--**

**S.F. No. 3066:** A bill for an act relating to the state lottery; creating a lottery retailer study task force.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Vickerman introduced--**

**S.F. No. 3067:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the wastewater project for the town of Fox Lake in Martin county.

Referred to the Committee on Environment and Natural Resources.

**Ms. Runbeck introduced--**

**S.F. No. 3068:** A bill for an act relating to workers' compensation; correcting an appropriation error; modifying reporting requirements; eliminating certain reimbursement requirements; amending Minnesota Statutes 1996, sections 176.183, subdivision 2; 176.231, subdivisions 2 and 7; and 176.305, subdivisions 1 and 2; Laws 1997, chapter 200, article 1, section 12, subdivision 5.

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

**Messrs. Morse, Beckman, Ms. Piper and Mrs. Lourey introduced--**

**S.F. No. 3069:** A bill for an act relating to animal feedlots; requiring licenses; creating and funding a cleanup fund; limiting issuance of certain permits; requiring an inventory and review; providing for assistance in adoption, review, and update of feedlot ordinances; requiring a generic environmental impact statement on feedlots; appropriating money; amending Minnesota Statutes 1996, section 116.07, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116; proposing coding for new law as Minnesota Statutes, chapter 18G.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Scheevel and Morse introduced--**

**S.F. No. 3070:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for completion of the Blufflands Trail between Preston and Forestville.

Referred to the Committee on Environment and Natural Resources.

**Mrs. Scheid, Messrs. Marty and Johnson, D.J. introduced--**

**S.F. No. 3071:** A bill for an act relating to campaign finance; requiring conduit funds to register with the board of campaign finance and public disclosure, to have a treasurer, and to not commingle funds; requiring reports; amending Minnesota Statutes 1996, sections 10A.01, by adding a subdivision; 10A.14, subdivisions 1 and 2; 10A.20, subdivisions 1, 3, and by adding a subdivision; and 211B.15, subdivision 16; Minnesota Statutes 1997 Supplement, section 10A.20, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 10A.

Referred to the Committee on Election Laws.

**Mses. Johnson, J.B.; Flynn; Messrs. Oliver and Spear introduced--**

**S.F. No. 3072:** A bill for an act relating to commerce; restricting the placement of outdoor advertisements for tobacco; permitting retail vendors of tobacco to display certain outdoor advertising; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

**Messrs. Johnson, D.H.; Ten Eyck; Ms. Higgins and Mr. Spear introduced--**

**S.F. No. 3073:** A bill for an act relating to the housing finance agency; extending the availability of equity take-out loans; amending procedures for the allocation of low-income housing tax credits; permitting allocation of the housing pool to senior rental housing if it is federally assisted; requiring an impact statement and a hearing before an owner terminates participation in a federally assisted rental housing program; permitting a local government to require relocation assistance for certain tenants; appropriating money; amending Minnesota Statutes 1996, sections 462A.222, subdivision 3; and 474A.061, subdivision 2a; Minnesota Statutes 1997 Supplement, section 462A.05, subdivision 39; proposing coding for new law in Minnesota Statutes, chapter 471.

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

**Messrs. Janezich and Johnson, D.J. introduced--**

**S.F. No. 3074:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the United States Hockey Hall of Fame.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Samuelson introduced--**

**S.F. No. 3075:** A bill for an act relating to human services; increasing reimbursement for dental services; amending Minnesota Statutes 1996, section 256B.76.

Referred to the Committee on Health and Family Security.

**Mr. Kelley, S.P. introduced--**

**S.F. No. 3076:** A bill for an act relating to state government; requiring electronic versions of the guidebook of state agencies and the State Register to be available on the Internet; appropriating money; amending Minnesota Statutes 1996, sections 14.04; and 14.46, subdivision 4; Minnesota Statutes 1997 Supplement, section 16E.07, subdivision 3.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Samuelson, Janezich, Scheevel, Morse and Mrs. Lourey introduced--**

**S.F. No. 3077:** A bill for an act relating to housing; providing for an income tax credit for contributions by an employer for employee housing; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

**Mr. Novak introduced--**

**S.F. No. 3078:** A bill for an act relating to tax increment financing; modifying restrictions on redevelopment tax increment financing districts located within the seven-city coalition; appropriating money for grants to certain districts.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Novak introduced--**

**S.F. No. 3079:** A bill for an act relating to utilities; modifying definition of energy conservation improvement; amending Minnesota Statutes 1996, section 216B.241, subdivision 1.

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

**Messrs. Beckman and Vickerman introduced--**

**S.F. No. 3080:** A bill for an act relating to agriculture; appropriating money for a regional studies center at Southwest State University.

Referred to the Committee on Children, Families and Learning.

**Mr. Terwilliger, Ms. Flynn, Messrs. Langseth and Novak introduced--**

**S.F. No. 3081:** A bill for an act relating to baseball; providing for a process to construct, fund, maintain, and govern a major league baseball park; providing for community ownership of the baseball team; providing for powers and duties of the metropolitan sports facilities commission and the metropolitan council; authorizing certain taxes, revenue distributions, bonds and other debt obligations, and allocations; appropriating money; amending Minnesota Statutes 1996, sections 349A.10, by adding a subdivision; 473.551, subdivision 8, and by adding subdivisions; 473.552; 473.553, subdivision 1; and 473.556, subdivisions 3, 4, 5, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 473; proposing coding for new law as Minnesota Statutes, chapter 473I.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Price introduced--**

**S.F. No. 3082:** A bill for an act relating to taxation; sales and use; including machinery used to produce certain plants and nursery stock in the definition of farm machinery; amending Minnesota Statutes 1996, section 297A.01, subdivision 15.

Referred to the Committee on Taxes.

**Ms. Wiener introduced--**

**S.F. No. 3083:** A bill for an act relating to drivers' licenses; providing for renewal every two years for drivers over age 70; amending Minnesota Statutes 1996, section 171.27; Minnesota Statutes 1997 Supplement, section 171.06, subdivision 2.

Referred to the Committee on Transportation.

**Mr. Janezich, Mses. Higgins, Hanson, Messrs. Solon and Johnson, D.J. introduced--**

**S.F. No. 3084:** A bill for an act relating to reemployment insurance; providing additional benefits for certain individuals on layoff from a certain employer; providing an exemption from certain requirements.

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

**Mr. Janezich introduced--**

**S.F. No. 3085:** A bill for an act relating to state lands; authorizing the sale of certain school trust land bordering public waters in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

**Mr. Spear introduced--**

**S.F. No. 3086:** A bill for an act relating to crime; establishing the CODEFOR (Computer Optimized Development-Focus On Results) law enforcement strategy grant program in Hennepin county; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Crime Prevention.

**Messrs. Kelly, R.C. and Morse introduced--**

**S.F. No. 3087:** A bill for an act relating to retirement; closing St. Paul teachers retirement fund association to new members and providing coverage for new hirees by the teachers retirement association; amending Minnesota Statutes 1996, sections 354.05, subdivision 2; and 354A.011, subdivision 27; proposing coding for new law in Minnesota Statutes, chapter 354A.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Oliver introduced--**

**S.F. No. 3088:** A bill for an act relating to taxation; providing conformity to federal provisions providing for deduction of student loan interest and education savings accounts; amending Minnesota Statutes 1997 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

**Messrs. Pogemiller, Spear, Ms. Flynn and Mr. Johnson, D.J. introduced--**

**S.F. No. 3089:** A bill for an act relating to taxes; providing an exemption from sales tax for certain purposes; amending Laws 1986, chapter 396, section 2, as amended, by adding a subdivision.

Referred to the Committee on Taxes.

**Mr. Ten Eyck introduced--**

**S.F. No. 3090:** A bill for an act relating to local government; providing for petitions for the

dissolution of town subordinate service districts; proposing coding for new law in Minnesota Statutes, chapter 365A; repealing Minnesota Statutes 1996, section 365A.09.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Ten Eyck introduced--**

**S.F. No. 3091:** A bill for an act relating to peace officers; authorizing the Hubbard county sheriff to have additional part-time peace officer positions; amending Minnesota Statutes 1996, section 626.8463, subdivision 2.

Referred to the Committee on Crime Prevention.

**Mr. Metzen, Ms. Wiener and Mr. Kelly, R.C. introduced--**

**S.F. No. 3092:** A bill for an act relating to prescription drugs; requiring the dispensing of ephedrine through prescription; restricting the sale, marketing, and possession of ephedrine; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 152.

Referred to the Committee on Commerce.

**Mr. Scheevel introduced--**

**S.F. No. 3093:** A bill for an act relating to libraries; appropriating money for the Chatfield brass band music lending library.

Referred to the Committee on Children, Families and Learning.

**Mr. Scheevel introduced--**

**S.F. No. 3094:** A bill for an act relating to appropriations; authorizing state bonds; appropriating money for the Blufflands trail between Eyota and Chatfield.

Referred to the Committee on Environment and Natural Resources.

**Mr. Ourada introduced--**

**S.F. No. 3095:** A bill for an act relating to education; modifying declining pupil unit aid for fiscal year 1998; amending Laws 1997, First Special Session chapter 4, article 4, section 34.

Referred to the Committee on Children, Families and Learning.

**Messrs. Stumpf, Langseth and Ten Eyck introduced--**

**S.F. No. 3096:** A bill for an act relating to the legislature; appropriating money for meetings with Manitoba and Ontario parliamentarians.

Referred to the Committee on Rules and Administration.

**Mses. Johnson, J.B.; Pappas and Mr. Solon introduced--**

**S.F. No. 3097:** A bill for an act relating to transportation; appropriating money to the metropolitan council for regular route transit operating assistance and to the commissioner of transportation for Greater Minnesota transit operating assistance; changing formula used to calculate fixed local shares for Greater Minnesota transit systems receiving state operating assistance; appropriating money; amending Minnesota Statutes 1996, sections 174.22, subdivisions 10 and 13; 174.24, subdivision 3b; repealing Minnesota Statutes 1996, section 174.22, subdivision 9.

Referred to the Committee on Transportation.

**Mses. Johnson, J.B.; Pappas and Mr. Solon introduced--**

**S.F. No. 3098:** A bill for an act relating to transportation; appropriating money to the metropolitan council for transit vehicle replacement in the metropolitan area, and to the commissioner of transportation for transit vehicle replacement in Greater Minnesota.

Referred to the Committee on Transportation.

**Mr. Metzen introduced--**

**S.F. No. 3099:** A bill for an act relating to the city of West St. Paul and the Dakota county housing and redevelopment authority; authorizing certain exceptions to requirements relating to tax increment financing districts in the city.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Oliver introduced--**

**S.F. No. 3100:** A bill for an act relating to taxation; adopting provisions of the Internal Revenue Code relating to the exclusion of capital gain from the sale of a principal residence; amending Minnesota Statutes 1997 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

**Ms. Berglin and Mr. Samuelson introduced--**

**S.F. No. 3101:** A bill for an act relating to human services; adding covered services under medical assistance; amending Minnesota Statutes 1996, section 256B.0627, subdivision 2.

Referred to the Committee on Health and Family Security.

**Ms. Pappas introduced--**

**S.F. No. 3102:** A bill for an act relating to education; increasing funding for the collaborative urban educator program; appropriating money; amending Laws 1997, First Special Session chapter 4, article 5, section 28, subdivision 9.

Referred to the Committee on Children, Families and Learning.

**Ms. Johnson, J.B. introduced--**

**S.F. No. 3103:** A bill for an act relating to designation of wild animals; creating a state amphibian and a state reptile; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Wiger and Kelly, R.C. introduced--**

**S.F. No. 3104:** 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 grant to the city of St. Paul for acquisition of land and creation of a holding pond for flood mitigation; authorizing issuance of bonds; appropriating money.

Referred to the Committee on Environment and Natural Resources.

**Mses. Anderson, Pappas, Mr. Foley, Mrs. Scheid and Mr. Kelly, R.C. introduced--**

**S.F. No. 3105:** A bill for an act relating to children; proposing an amendment to the Minnesota Constitution by adding a section to article XI; establishing the children's endowment fund; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 119C.

Referred to the Committee on Children, Families and Learning.

**Mses. Anderson, Pappas, Messrs. Janezich and Novak introduced--**

**S.F. No. 3106:** A bill for an act relating to state government; providing for community ownership of a professional baseball franchise; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

**Mrs. Lourey introduced--**

**S.F. No. 3107:** A bill for an act relating to human services; legal nonlicensed family child care; requiring minimal safety standards if public child care funds are received; proposing coding for new law in Minnesota Statutes, chapter 245A.

Referred to the Committee on Health and Family Security.

**Mrs. Lourey, Messrs. Hottinger, Dille and Ms. Berglin introduced--**

**S.F. No. 3108:** A bill for an act relating to health; modifying the home care bill of rights; amending Minnesota Statutes 1996, section 144A.44, subdivision 2.

Referred to the Committee on Health and Family Security.

**Messrs. Sams, Dille, Beckman and Morse introduced--**

**S.F. No. 3109:** A bill for an act relating to agriculture; adding requirements for manure storage structures; requiring a report on manure applicator training; requiring a generic environmental impact statement on feedlots; establishing a voluntary rural dispute resolution procedure; appropriating money; amending Minnesota Statutes 1997 Supplement, section 116.07, subdivision 7; Laws 1986, chapter 398, article 1, section 18, as amended; proposing coding for new law in Minnesota Statutes, chapter 583.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Dille introduced--**

**S.F. No. 3110:** A bill for an act relating to education; reauthorizing a canceled facilities grant to the Crow River special education cooperative and the Meeker and Wright special education cooperative; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Mr. Dille introduced--**

**S.F. No. 3111:** A bill for an act relating to employment; requiring that the commissioner of labor and industry establish compensation ranges for job classifications and assign prevailing wage rates within those ranges; amending Minnesota Statutes 1996, section 177.43, subdivision 4.

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

**Mr. Dille introduced--**

**S.F. No. 3112:** A bill for an act relating to employment; including certain government employees in prevailing wage determinations; amending Minnesota Statutes 1996, section 177.43, subdivision 4.

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

**Messrs. Kelly, R.C.; Limmer; Metzen; Novak and Ms. Higgins introduced--**

**S.F. No. 3113:** A bill for an act relating to housing; providing funding to retain certain federally assisted affordable housing; providing for affordable rental housing; appropriating money; amending Minnesota Statutes 1997 Supplement, section 462A.05, subdivision 39.

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

**Mr. Kelly, R.C.; Mses. Pappas, Anderson, Messrs. Novak and Metzen introduced--**

**S.F. No. 3114:** A bill for an act relating to taxation; providing a sales tax exemption for materials used in construction of an arena at the RiverCentre complex in the city of St. Paul; amending Minnesota Statutes 1996, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Mr. Kelly, R.C. introduced--**

**S.F. No. 3115:** A bill for an act relating to state government; creating the department of crime victims and violence prevention; consolidating crime victims and violence prevention programs within this department; amending Minnesota Statutes 1996, sections 15.01; 15.06, subdivision 1; 299C.065, subdivisions 2 and 4; and 611A.07; Minnesota Statutes 1997 Supplement, sections 15A.0815, subdivision 2; and 611A.01; proposing coding for new law as Minnesota Statutes, chapter 611B; repealing Minnesota Statutes 1996, sections 119A.20; 119A.21; 119A.22; 119A.23, subdivisions 3, 4, and 5; 119A.25; 119A.26, subdivision 1; 119A.27; 119A.28; 119A.29; 119A.31, subdivisions 2 and 3; 119A.32; 119A.33; 119A.34; 268.29; 299C.065, subdivisions 1a and 3a; 611A.02; 611A.0311; 611A.04, subdivisions 1, 1a, 1b, 2, and 3; 611A.045, subdivisions 2 and 3; 611A.046; 611A.05; 611A.21; 611A.22; 611A.221; 611A.25, subdivisions 1 and 2; 611A.31; 611A.32; 611A.33; 611A.34; 611A.35; 611A.36; 611A.361, subdivisions 1 and 2; 611A.41; 611A.43; 611A.51; 611A.52, subdivisions 1, 2, 3, 4, 5, 7, 9, and 10; 611A.53, subdivisions 1, 1a, and 2; 611A.54; 611A.55; 611A.56, subdivision 2; 611A.57; 611A.58; 611A.60; 611A.61; 611A.612; 611A.62; 611A.63; 611A.64; 611A.65; 611A.66; 611A.67; 611A.70; 611A.71, subdivisions 1, 2, 3, 4, and 6; 611A.72; 611A.73; 611A.74, subdivisions 2, 4, 5, and 6; 611A.76; 611A.77; and 611A.78; Minnesota Statutes 1997 Supplement, sections 119A.26, subdivision 2; 119A.31, subdivision 1; 119A.37; 611A.04, subdivision 4; 611A.045, subdivision 1; 611A.25, subdivision 3; 611A.361, subdivision 3; 611A.52, subdivisions 6 and 8; 611A.53, subdivision 1b; 611A.56, subdivision 1; 611A.675; 611A.71, subdivisions 5 and 7; and 611A.74, subdivisions 1, 1a, and 3.

Referred to the Committee on Crime Prevention.

**Messrs. Hottinger, Price, Betzold, Ms. Pappas and Mr. Oliver introduced--**

**S.F. No. 3116:** A bill for an act relating to taxation; abolishing the sales tax on massages; imposing the MinnesotaCare tax on providers of massages; amending Minnesota Statutes 1996, section 295.50, by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 295.50, subdivision 4; and 297A.01, subdivision 3.

Referred to the Committee on Taxes.

**Mrs. Lourey and Ms. Berglin introduced--**

**S.F. No. 3117:** A bill for an act relating to health; increasing the MinnesotaCare income limit for certain child care workers; amending Minnesota Statutes 1997 Supplement, section 256L.04, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Messrs. Lessard and Johnson, D.J. introduced--**

**S.F. No. 3118:** A bill for an act relating to natural resources; modifying provisions for a timber permit extension; amending Minnesota Statutes 1996, section 90.193.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Johnson, D.J.; Metzen; Kelly, R.C. and Limmer introduced--**

**S.F. No. 3119:** A bill for an act relating to crime; increasing penalties for certain drive-by shooting crimes; providing that a drive-by shooting resulting in death is first degree murder; increasing penalties for drive-by shootings that result in substantial or great bodily harm or that involve occupied buildings or motor vehicles; amending Minnesota Statutes 1996, sections 609.185; 609.19, subdivision 1; and 609.66, subdivision 1e.

Referred to the Committee on Crime Prevention.

**Mr. Johnson, D.J. introduced--**

**S.F. No. 3120:** A bill for an act relating to taxes; sales and use; exempting construction materials and supplies used to comply with the Americans with Disabilities Act; amending Minnesota Statutes 1996, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Mr. Beckman, Ms. Anderson and Mr. Janezich introduced--**

**S.F. No. 3121:** A bill for an act relating to economic development; creating a renewable development account in the state treasury and providing financial assistance for the development of renewable energy; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

**Mr. Oliver introduced--**

**S.F. No. 3122:** A bill for an act relating to taxation; income; providing a minimum subtraction for certain elderly and disabled persons; amending Minnesota Statutes 1996, section 290.0802, subdivision 2.

Referred to the Committee on Taxes.

**Mr. Spear introduced--**

**S.F. No. 3123:** A bill for an act relating to appropriations; appropriating money for rehabilitation and community centers for Vision Loss Resources, Inc.

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

**Ms. Flynn, Mr. Langseth, Mses. Johnson, J.B. and Pappas introduced--**

**S.F. No. 3124:** A bill for an act relating to transit; authorizing the metropolitan council to issue bonds; amending Minnesota Statutes 1996, section 473.39, by adding a subdivision.

Referred to the Committee on Transportation.

**Mmes. Robling and Pariseau introduced--**

**S.F. No. 3125:** A bill for an act relating to the environment; changing inspection criteria for individual sewage treatment systems; amending Minnesota Statutes 1997 Supplement, section 115.55, subdivision 5a.

Referred to the Committee on Environment and Natural Resources.

**Ms. Wiener introduced--**

**S.F. No. 3126:** A bill for an act relating to children; providing for a child care program; appropriating money; amending Minnesota Statutes 1996, section 119B.05, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

**Messrs. Sams, Hottinger, Mmes. Lourey and Fischbach introduced--**

**S.F. No. 3127:** A bill for an act relating to taxation; reducing the assessed value of vegetative filter strips; requiring a report; amending Minnesota Statutes 1996, section 273.11, subdivision 10.

Referred to the Committee on Taxes.

**Mr. Moe, R.D.; Mses. Flynn and Johnson, J.B. introduced--**

**S.F. No. 3128:** A bill for an act relating to transportation; authorizing the local gasoline and special fuel excise tax; dedicating revenues to transportation purposes; proposing an amendment to the Minnesota Constitution by adding a section to article XIV; proposing coding for new law in Minnesota Statutes, chapters 296; and 473.

Referred to the Committee on Transportation.

**MEMBERS EXCUSED**

Ms. Hanson was excused from the Session of today. Mr. Marty was excused from the Session of today from 10:00 to 10:30 a.m. Mr. Novak was excused from the Session of today from 10:00 to 10:35 a.m. Mr. Price was excused from the Session of today from 10:00 to 11:05 a.m. Mr. Solon was excused from the Session of today from 10:00 to 11:15 a.m. Mr. Laidig was excused from the Session of today at 11:15 a.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Wednesday, February 11, 1998. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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