

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

EIGHTY-NINTH DAY

St. Paul, Minnesota, Wednesday, March 11, 1998

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

CALL OF THE SENATE

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

Prayer was offered by Senator Dean E. Johnson.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

March 10, 1998

The Honorable Phil Carruthers
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1998 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1998	Date Filed 1998
2477		273	11:20 a.m. March 9	March 9

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2230, 2574, 2608, 2699 and 3068.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2192: A bill for an act relating to corporations; clarifying the application of certain statutory requirements for corporations created by political subdivisions; authorizing the ratification of a nonprofit corporation by Brown county; amending Minnesota Statutes 1997 Supplement, section 465.715, subdivision 1.

Senate File No. 2192 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

Mr. Frederickson moved that S.F. No. 2192 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 3345: A bill for an act relating to criminal justice; appropriating money for the judicial branch, public safety, corrections, criminal justice, crime prevention programs, and related purposes; modifying various fees, assessments, and surcharges; implementing, clarifying, and modifying certain criminal and juvenile provisions; prescribing, clarifying, and modifying certain penalty provisions; establishing, clarifying, expanding, and making permanent various pilot programs, grant programs, task forces, working groups, reports, and studies; providing for the collection, maintenance, and reporting of certain data; expanding, clarifying, and modifying the powers of the commissioner of corrections; making various changes to the 1997 omnibus criminal justice funding bill; providing for the coordination of services for disasters; clarifying and modifying certain laws involving public defenders; appropriating public defender reimbursements to the board of public defense; requesting the supreme court to amend the Rules of Criminal Procedure; accelerating the repeal of the automobile theft prevention program; limiting the entities that must have an affirmative action plan approved by the commissioner of human rights;

conveying state land to the city of Faribault; amending Minnesota Statutes 1996, sections 3.739, subdivision 1; 12.09, by adding a subdivision; 13.99, by adding a subdivision; 168.042, subdivisions 12 and 15; 169.121, subdivision 5a; 171.16, subdivision 3; 241.01, subdivision 7, and by adding a subdivision; 242.32, subdivision 1; 244.05, subdivision 7; 299C.06; 299C.09; 299F.04, by adding a subdivision; 357.021, by adding subdivisions; 488A.03, subdivision 11; 588.01, subdivision 3; 609.3241; 611.14; 611.20, subdivision 3; 611.26, subdivisions 2 and 3; and 611.27, subdivisions 1 and 7; Minnesota Statutes 1997 Supplement, sections 97A.065, subdivision 2; 168.042, subdivision 11a; 171.29, subdivision 2; 241.277, subdivisions 6, 9, and by adding a subdivision; 357.021, subdivision 2; 363.073, subdivision 1; 401.13; 609.101, subdivision 5; 609.113, subdivision 3; and 611.25, subdivision 3; amending Laws 1996, chapter 408, article 2, section 16; and Laws 1997, chapter 239, article 1, sections 7 and 12; proposing coding for new law in Minnesota Statutes, chapters 169; 241; 299C; 609; and 611A; repealing Minnesota Statutes 1996, sections 609.101, subdivision 1; 609.563, subdivision 2; 611.216, subdivision 1a; 611.26, subdivision 9; 611.27, subdivision 2; and 626.861; Minnesota Statutes 1997 Supplement, section 611.27, subdivision 4.

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

Murphy, Skoglund, Pugh, Entenza and Larsen.

Senate File No. 3345 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 3354: A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government; modifying provisions relating to state government operations; modifying budget preparation provisions; providing for reimbursement of the health care access fund; amending Minnesota Statutes 1996, sections 3.3005, by adding a subdivision; 16A.055, subdivision 6; 16A.10, as amended; 16A.11, subdivision 3, and by adding a subdivision; 16A.501; 16A.72; 16B.04, subdivision 4; 16B.30; 17.03, subdivision 11; 43A.04, subdivision 1a; 43A.317, subdivision 8; 45.012; 84.027, subdivision 14; 116.03, subdivision 2a; 116J.011; 144.05, subdivision 2; 174.02, subdivision 1a; 175.001, subdivision 6; 190.09, subdivision 2; 196.05, subdivision 2; 216A.07, subdivision 6; 268.0122, subdivision 6; 270.02, subdivision 3a; 299A.01, subdivision 1a; 352D.12; 363.05, subdivision 3; and 469.177, subdivision 11; Minnesota Statutes 1997 Supplement, sections 16A.11, subdivision 1; 120.0111; 241.01, subdivision 3b; and 245.03, subdivision 2; Laws 1994, chapter 632, article 3, section 12, as amended; Laws 1997 chapter 202, article 1, section 11; and Laws 1997, Second Special Session chapter 2, section 8; proposing coding for new law in Minnesota Statutes, chapters 16B; 214; and 325G; repealing Minnesota Statutes 1996, sections 3.971, subdivision 3; 15.90; 15.91; and 15.92; Minnesota Statutes 1997 Supplement, sections 16A.11, subdivision 3c; and 241.015.

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

Rukavina, Kahn, Jefferson, Osskopp and Hilty.

Senate File No. 3354 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the

appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 3367: A bill for an act relating to economic development; appropriating money for housing, economic development, and related purposes; establishing pilot projects; providing for a municipal reimbursement; modifying certain loan criteria; requiring studies; establishing a revolving loan fund; requiring the commissioner of labor and industry to provide a brochure; regulating housing; uniform acts; unclaimed property; enacting the Uniform Unclaimed Property Act of 1995; making conforming changes; providing for the Minnesota family assets for independence initiative; amending Minnesota Statutes 1996, sections 16A.45, subdivisions 1 and 4; 80C.03; 116J.415, subdivision 5; 198.231; 276.19, subdivision 4; 308A.711, subdivisions 1 and 2; 356.65, subdivision 2; 462A.222, subdivision 3; 474A.061, subdivision 2a; and 624.68; Minnesota Statutes 1997 Supplement, sections 16A.6701, subdivision 1; 116J.421, subdivision 1, and by adding a subdivision; and 462A.05, subdivision 39; proposing coding for new law in Minnesota Statutes, chapters 116J; 181; 345; and 471; proposing coding for new law as Minnesota Statutes, chapter 119C; repealing Minnesota Statutes 1996, sections 345.31; 345.32; 345.33; 345.34; 345.35; 345.36; 345.37; 345.38; 345.381; 345.39; 345.40; 345.41; 345.42; 345.43; 345.44; 345.45; 345.46; 345.47; 345.485; 345.49; 345.50; 345.51; 345.515; 345.52; 345.525; 345.53; 345.54; 345.55; 345.56; 345.57; 345.58; 345.59; and 345.60; Minnesota Statutes 1997 Supplement, section 345.48.

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

Jaros; Trimble; Clark, K.; Kubly and Gunther.

Senate File No. 3367 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2874:

H.F. No. 2874: A bill for an act relating to education; kindergarten through grade 12; providing for general education; special education; interagency services and lifelong learning; facilities and organization; policies promoting academic excellence; education policy issues; libraries; state agencies; appropriating money; amending Minnesota Statutes 1996, sections 43A.17, subdivisions 9 and 10; 120.03, subdivision 1; 120.06, subdivision 2a; 120.064, subdivisions 5 and 11; 120.101, subdivisions 3 and 6; 120.17, subdivisions 1, 2, 3, 3a, 3b, 6, 7, 9, and 15; 120.1701, subdivisions 2, 5, 11, and 17; 120.173, subdivisions 1 and 6; 120.73, subdivision 1; 121.1115, by adding subdivisions; 121.908, subdivisions 2 and 3; 122.23, subdivision 6; 123.35, subdivision 19a; 123.39, subdivision 1, and by adding a subdivision; 123.935, subdivisions 1 and 2; 124.078; 124.14, subdivision 7, and by adding a subdivision; 124.17, subdivision 2, and by adding a subdivision; 124.248, subdivisions 1 and 1a; 124.2713, subdivision 6a; 124.273, by adding a subdivision; 124.32, by adding a subdivision; 124.323, by adding a subdivision; 124.646, subdivision 4; 124.755, subdivision 1; 124.95, subdivision 6; 124A.03, subdivisions 2b and 3c; 124A.034, subdivision 2; 124A.036, subdivisions 1a, 4, 6, and by adding a subdivision; 124A.22, by adding a subdivision; 124A.292, subdivision 3; 124A.30; 124C.45, subdivision 2; 124C.47; 124C.48, by adding a subdivision; 125.191; 126.12, subdivision 1; 126.237; 127.27, subdivisions 2 and 4; 256B.0625, subdivision 26; 260.015, subdivision 19; 260.132, subdivision 4; and 471.895, subdivision 1; Minnesota Statutes 1997 Supplement, sections 120.101, subdivision 5; 120.1701, subdivision 3; 120.181; 121.11, subdivision 7c; 121.1113, subdivision 1; 121.904, subdivision 4a; 124.17, subdivisions 1d, 6, and 7; 124.248, subdivisions 2a and 6; 124.2601, subdivisions 3 and 6; 124.2711, subdivision 2a; 124.2713, subdivision 6; 124.3111, subdivisions 2 and 3; 124.3201, subdivisions 1, 2, and 4; 124.6475; 124.648, subdivision 3; 124.91, subdivisions 1 and 5; 124.916, subdivision 2; 124A.036, subdivision 5; 124A.22, subdivisions 1 and 11; 124A.23, subdivision 1; 124A.28, subdivisions 1 and 1a; 124C.46, subdivisions 1 and 2; 126.79, subdivisions 3, 6, 7, 8, and 9; 127.27, subdivisions 10 and 11; 127.281; 127.31, subdivision 15;

127.32; 127.36, subdivision 1; and 127.38; Laws 1992, chapter 499, article 7, section 31; Laws 1997, First Special Session chapter 4, article 1, section 58; article 1, section 61, subdivision 3; article 2, section 51, subdivisions 2, 4, 5, and 29; article 3, section 23, by adding a subdivision; article 3, section 25, subdivisions 2 and 4; article 4, section 35, subdivision 9; article 5, section 24, subdivision 4; article 5, section 28, subdivisions 4, 9, and 12; article 6, section 20, subdivision 4; article 8, section 4, subdivision 3; article 9, section 11; article 9, section 12, subdivision 8; article 10, section 3, subdivision 2; article 10, section 4; and article 10, section 5; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 124; 124A; and 126; repealing Minnesota Statutes 1996, sections 124.2713, subdivision 6b; 124.647; 124A.292, subdivisions 2 and 4; 124A.697; 124A.698; 124A.70; 124A.71; 124A.711, subdivision 1; 124A.72; and 124A.73; Minnesota Statutes 1997 Supplement, sections 124.2601, subdivisions 4 and 5; 124.912, subdivisions 2 and 3; 124A.711, subdivision 2; and 135A.081; Laws 1993, chapter 146, article 5, section 20, as amended; Laws 1997, chapter 231, article 1, section 17; Minnesota Rules, part 3525.2750, subpart 1, item B.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Kelso, Greiling, Biernat, Leighton and Dempsey have been appointed as such committee on the part of the House.

House File No. 2874 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1998

Mr. Pogemiller moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2874, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2814, 3184 and 3068.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1998

FIRST READING OF HOUSE BILLS

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

H.F. No. 2814: A bill for an act relating to health; regulating coverage of durable medical equipment; requiring disclosure of covered medical equipment and supplies; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2130.

H.F. No. 3184: A bill for an act relating to health; providing for voluntary reporting of alcohol abuse by a pregnant woman; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3207, now on General Orders.

H.F. No. 3068: A bill for an act relating to state employment; modifying salary provisions for certain officials; 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; ratifying certain labor agreements; ratifying certain plans and proposals; amending Minnesota Statutes 1997 Supplement, sections 15A.0815, subdivision 3; 43A.17, subdivision 3; and 298.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2520, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 3644 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3644	3170				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3644 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3644 and insert the language after the enacting clause of S.F. No. 3170; further, delete the title of H.F. No. 3644 and insert the title of S.F. No. 3170.

And when so amended H.F. No. 3644 will be identical to S.F. No. 3170, and further recommends that H.F. No. 3644 be given its second reading and substituted for S.F. No. 3170, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2722 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				2722	2756

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2722 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2722 and insert the language after the enacting clause of S.F. No. 2756, the third engrossment; further, delete the title of H.F. No. 2722 and insert the title of S.F. No. 2756, the third engrossment.

And when so amended H.F. No. 2722 will be identical to S.F. No. 2756, and further recommends that H.F. No. 2722 be given its second reading and substituted for S.F. No. 2756, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 3644 and 2722 were read the second time.

MOTIONS AND RESOLUTIONS

Mrs. Fischbach moved that the name of Mr. Marty be added as a co-author to S.F. No. 2550. The motion prevailed.

CALENDAR

S.F. No. 2108: A bill for an act relating to health; establishing requirements for blood lead analysis reports and data; providing for lead abatement, lead hazard reduction, and lead risk assessment; authorizing licensure of persons and firms to perform lead work; providing grants; establishing a lead-safe property certification program; amending Minnesota Statutes 1996, sections 144.9501, subdivisions 1, 17, 18, 20, 23, 30, and by adding subdivisions; 144.9502, subdivisions 3, 4, and 9; 144.9503, subdivisions 4, 6, and 7; 144.9504, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10; 144.9505, subdivisions 1, 4, and 5; 144.9507, subdivisions 2, 3, and 4; 144.9508, subdivisions 1, 3, 4, and by adding a subdivision; 144.9509, subdivision 2; 144.99, subdivision 1; and 268.92, subdivision 4; Minnesota Statutes 1997 Supplement, sections 144.9504, subdivision 2; and 144.9506, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1996, sections 144.491; 144.9501, subdivisions 12, 14, and 16; and 144.9503, subdivisions 5, 8, and 9.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 695: A bill for an act relating to trusts; defining a nonprofit health care trust; establishing requirements for certain agreements or transactions between nonprofit health care trusts and for-profit corporations or entities; amending Minnesota Statutes 1996, section 317A.811, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 501B.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Belanger	Berglin	Cohen	Fischbach
Beckman	Berg	Betzold	Dille	Flynn

Foley	Kelley, S.P.	Lessard	Olson	Samuelson
Frederickson	Kelly, R.C.	Limmer	Ourada	Scheevel
Hanson	Kiscaden	Lourey	Pariseau	Scheid
Higgins	Kleis	Marty	Piper	Spear
Hottinger	Knutson	Metzen	Pogemiller	Stevens
Johnson, D.E.	Krentz	Moe, R.D.	Price	Stumpf
Johnson, D.H.	Laidig	Morse	Ranum	Ten Eyck
Johnson, D.J.	Langseth	Murphy	Robling	Vickerman
Johnson, J.B.	Larson	Novak	Runbeck	Wiener
Junge	Lesewski	Oliver	Sams	Wiger

So the bill passed and its title was agreed to.

S.F. No. 2586: A bill for an act relating to corrections; requiring sex offender treatment facilities to provide certain information regarding sex offenders; clarifying which law enforcement agency may request the end-of-confinement review committee to reassess the risk level to which an offender has been assigned; adjusting the time within which certain requirements of the community notification law must be met; eliminating duplicative efforts on notifying victims of certain information; amending Minnesota Statutes 1996, sections 241.67, subdivision 8, and by adding a subdivision; 244.052, subdivision 1; and 611A.037, subdivision 2; Minnesota Statutes 1997 Supplement, section 244.052, subdivisions 3, 4, and 5.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1169: A bill for an act relating to personal watercraft; increasing restrictions on personal watercraft; imposing additional requirements on renters and dealers of personal watercraft; exempting emergency, safety, and enforcement watercraft from certain watercraft restrictions; amending Minnesota Statutes 1996, sections 86B.313, subdivisions 1, 3, and 4; and 86B.805, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Janezich	Kiscaden	Limmer
Beckman	Fischbach	Johnson, D.E.	Kleis	Lourey
Belanger	Flynn	Johnson, D.H.	Knutson	Marty
Berg	Foley	Johnson, D.J.	Krentz	Metzen
Berglin	Frederickson	Johnson, J.B.	Laidig	Moe, R.D.
Betzold	Hanson	Junge	Langseth	Morse
Cohen	Higgins	Kelley, S.P.	Larson	Murphy
Day	Hottinger	Kelly, R.C.	Lesewski	Neuville

Novak	Piper	Robling	Scheid	Vickerman
Oliver	Pogemiller	Runbeck	Spear	Wiener
Olson	Price	Sams	Stevens	Wiger
Ourada	Ranum	Samuelson	Stumpf	
Pariseau	Robertson	Scheevel	Ten Eyck	

So the bill passed and its title was agreed to.

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; clarifying immunity from liability under the Minnesota FAIR plan act; amending Minnesota Statutes 1996, sections 60A.715; and 65A.42.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2489: 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.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2708: 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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2276: A bill for an act relating to children; modifying certain parentage and child support enforcement provisions; amending Minnesota Statutes 1996, sections 257.64, subdivision 3; 518.54, subdivision 8, and by adding a subdivision; 518.551, subdivisions 1, 5, and 9; and 518.615, subdivision 2; Minnesota Statutes 1997 Supplement, sections 518.54, subdivision 6; 518.551, subdivision 5b; 518.5511, by adding a subdivision; 518.6111, subdivisions 9 and 14; 518.615, subdivision 1; and 552.04, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 518.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2161: A bill for an act relating to crime prevention; increasing the statutory maximum for a drive-by shooting at an occupied motor vehicle; amending Minnesota Statutes 1996, section 609.66, subdivision 1e.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2500: A bill for an act relating to financial institutions; limiting customer liability for loss or theft of a debit card; amending Minnesota Statutes 1996, section 47.69, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2268: A bill for an act relating to game and fish; providing for bonding of license subagents; amending Minnesota Statutes 1996, section 97A.485, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2911: A bill for an act relating to lawful gambling; allowing expenditures as lawful purposes of compliance with the Americans with Disabilities Act; authorizing organizations to make certain expenditures and contributions through electronic fund transfers; allowing an employee to participate in lawful gambling under certain circumstances; allowing locally administered funds receiving contributions from gambling profits to be spent for certain public safety purposes; amending Minnesota Statutes 1996, sections 349.168, subdivision 6; 349.19, subdivision 3; and 349.213, subdivision 1; Minnesota Statutes 1997 Supplement, sections 349.12, subdivision 25; 349.154, subdivision 2; and 349.18, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2078: A bill for an act relating to crime; increasing the minimum sentence for certain firearms offenses; amending Minnesota Statutes 1996, section 609.11, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2846: A bill for an act relating to controlled substances; delaying the effective date for listing the drug Carisoprodol as a controlled substance; amending Laws 1997, chapter 239, article 4, section 15.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2222: A bill for an act relating to cartways; providing for the establishment of cartways in certain circumstances; amending Minnesota Statutes 1996, section 164.08, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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 51 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Foley	Janezich	Junge
Beckman	Cohen	Frederickson	Johnson, D.E.	Kelley, S.P.
Belanger	Day	Hanson	Johnson, D.H.	Krentz
Berg	Dille	Higgins	Johnson, D.J.	Laidig
Berglin	Flynn	Hottinger	Johnson, J.B.	Langseth

Larson	Morse	Pogemiller	Scheid	Wiener
Lessard	Murphy	Price	Solon	Wiger
Lourey	Novak	Ranum	Spear	
Marty	Olson	Robertson	Stumpf	
Metzen	Pariseau	Sams	Ten Eyck	
Moe, R.D.	Piper	Samuelson	Vickerman	

Those who voted in the negative were:

Fischbach	Knutson	Neuville	Robling	Stevens
Kiscaden	Lesewski	Oliver	Runbeck	
Kleis	Limmer	Ourada	Scheevel	

So the bill passed and its title was agreed to.

S.F. No. 2783: A bill for an act relating to health care; providing for assessments of proposed health coverage mandates; amending Minnesota Statutes 1996, section 62J.152, subdivision 7; Minnesota Statutes 1997 Supplement, section 62J.152, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62J.

Ms. Kiscaden moved that S.F. No. 2783 be stricken and placed on General Orders. The motion prevailed.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

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

Senate File No. 1076 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

CONCURRENCE AND REPASSAGE

Mr. Sams moved that the Senate concur in the amendments by the House to S.F. No. 1076 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1076 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

Piper	Robertson	Scheevel	Stumpf	Wiger
Pogemiller	Robling	Scheid	Ten Eyck	
Price	Runbeck	Spear	Vickerman	
Ranum	Sams	Stevens	Wiener	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2384: A bill for an act relating to Chisago county; permitting the appointment of the county recorder.

Senate File No. 2384 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

CONCURRENCE AND REPASSAGE

Ms. Johnson, J.B. moved that the Senate concur in the amendments by the House to S.F. No. 2384 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2384: A bill for an act relating to Chisago county; permitting the appointment of the county recorder and the granting of certain easements to Rush City.

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

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1583: A bill for an act relating to state government; setting state policy for regulatory rules and programs of agencies; regulating obsolete, unnecessary, or duplicative rules; amending Minnesota Statutes 1996, sections 14.05, subdivision 5; and 14.131; proposing coding for new law in Minnesota Statutes, chapter 14.

Senate File No. 1583 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1998

CONCURRENCE AND REPASSAGE

Mr. Hottinger moved that the Senate concur in the amendments by the House to S.F. No. 1583 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1583: A bill for an act relating to state government; setting state policy for regulatory rules and programs of agencies; regulating obsolete, unnecessary, or duplicative rules; providing notice of rulemaking action to the legislature; requiring a study; amending Minnesota Statutes 1997 Supplement, sections 14.05, subdivision 5; and 14.131; proposing coding for new law in Minnesota Statutes, chapter 14.

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

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

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

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

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

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

S.F. No. 2712, which the committee recommends to pass, subject to the following motions:

Mr. Johnson, D.J. moved to amend S.F. No. 2712 as follows:

Page 4, after line 9, insert:

"Sec. 7. Minnesota Statutes 1996, section 97C.325, is amended to read:

97C.325 [PROHIBITED METHODS OF TAKING FISH.]

(a) Except as specifically authorized, a person may not take fish with:

(1) explosives, chemicals, drugs, poisons, lime, medicated bait, fish berries, or other similar substances;

(2) substances or devices that kill, stun, or affect the nervous system of fish;

(3) nets, traps, trot lines, or snares; or

(4) spring devices that impale, hook, or capture fish; or

(5) the assistance of underwater video equipment.

(b) If a person possesses a substance or device listed in paragraph (a), clauses (1) to (4), on waters, shores, or islands, it is presumptive evidence that the person is in violation of this section.

(c) The commissioner may, by rule, allow the use of a nonmotorized device with a recoil mechanism to take fish through the ice.

(d) A person may not possess an underwater video camera while the person is on or in waters of this state and in possession of angling gear, spears, or other equipment used to take fish, excluding artificial or natural bait and lures. For the purposes of this paragraph, any item in a boat is in the possession of each occupant of the boat.

(e) The commissioner may issue a permit to allow the use of underwater video equipment to take fish for the production of educational or entertainment programs for commercial purposes."

Page 8, after line 11, insert:

"Sec. 17. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Re-number the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting the use of underwater video equipment to take fish;"

Page 1, line 18, before "97C.501" insert "97C.325;"

Mr. Pogemiller moved to amend the Johnson, D.J. amendment to S.F. No. 2712 as follows:

Page 1, delete lines 22 to 27

Page 1, line 28, delete "(e)" and insert "(d)"

Amend the title amendment accordingly

The question was taken on the adoption of the Pogemiller amendment to the Johnson, D.J. amendment.

The roll was called, and there were yeas 32 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson
Beckman
Belanger

Berg
Berglin
Betzold

Cohen
Dille
Higgins

Hottinger
Kelley, S.P.
Kleis

Knutson
Lesewski
Marty

Metzen	Novak	Pogemiller	Stumpf	Wiger
Moe, R.D.	Oliver	Robertson	Ten Eyck	
Murphy	Olson	Scheevel	Terwilliger	
Neuville	Pariseau	Stevens	Wiener	

Those who voted in the negative were:

Fischbach	Johnson, D.E.	Krentz	Lourey	Sams
Flynn	Johnson, D.H.	Laidig	Morse	Samuelson
Foley	Johnson, D.J.	Langseth	Piper	Scheid
Frederickson	Johnson, J.B.	Larson	Price	Solon
Hanson	Junge	Lessard	Ranum	Spear
Janezich	Kiscaden	Limmer	Robling	Vickerman

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

The question recurred on the Johnson, D.J. amendment, as amended.

The roll was called, and there were yeas 51 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Murphy	Sams
Berg	Hottinger	Krentz	Neuville	Scheid
Berglin	Janezich	Laidig	Novak	Spear
Betzold	Johnson, D.E.	Langseth	Oliver	Ten Eyck
Cohen	Johnson, D.H.	Larson	Olson	Vickerman
Dille	Johnson, D.J.	Lesewski	Pariseau	Wiener
Fischbach	Johnson, J.B.	Lessard	Piper	Wiger
Flynn	Junge	Limmer	Pogemiller	
Foley	Kelley, S.P.	Lourey	Price	
Frederickson	Kelly, R.C.	Marty	Ranum	
Hanson	Kiscaden	Morse	Robling	

Those who voted in the negative were:

Belanger	Metzen	Samuelson	Stevens	Terwilliger
Kleis	Robertson	Scheevel	Stumpf	

The motion prevailed. So the Johnson, D.J. amendment, as amended, was adopted.

Mr. Johnson, D.J. moved to amend S.F. No. 2712 as follows:

Page 4, after line 9, insert:

"Sec. 7. [97C.206] [WALLEYE STOCKING.]

The commissioner must ensure that at least 300 million walleye fry and 4.4 million walleye fingerlings are stocked in the waters of this state each year. This level of stocking must remain in effect until the commissioner determines that field studies have conclusively proved that a reduction in the amount of stocking will not adversely affect the population of walleye. Prior to any reduction in stocking, the commissioner must provide notice to the public and conduct a public hearing to receive and respond to comments on the proposed reduction."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 40 and nays 19, as follows:

Those who voted in the affirmative were:

Beckman	Hottinger	Kelly, R.C.	Langseth	Metzen
Berg	Janezich	Kleis	Larson	Murphy
Fischbach	Johnson, D.E.	Knutson	Lesewski	Neuville
Hanson	Johnson, D.J.	Krentz	Lessard	Oliver
Higgins	Junge	Laidig	Limmer	Olson

Ourada
Pariseau
Robertson

Robling
Runbeck
Sams

Samuelson
Scheid
Stevens

Stumpf
Ten Eyck
Terwilliger

Vickerman
Wiener
Wiger

Those who voted in the negative were:

Anderson
Belanger
Berglin
Betzold

Cohen
Flynn
Foley
Frederickson

Johnson, J.B.
Lourey
Marty
Moe, R.D.

Morse
Novak
Pappas
Piper

Pogemiller
Price
Spear

The motion prevailed. So the amendment was adopted.

Mrs. Pariseau moved to amend S.F. No. 2712 as follows:

Page 2, after line 8, insert:

"Sec. 2. Minnesota Statutes 1997 Supplement, section 97A.475, subdivision 16, is amended to read:

Subd. 16. [RESIDENT HUNTING GUIDES.] The fees for the following resident guide licenses are:

- (1) to guide bear hunters, \$82.50; and
- (2) to guide turkey hunters, \$22; and
- (3) to guide moose hunters, \$82.50."

Page 3, after line 18, insert:

"Sec. 6. [97B.512] [MOOSE HUNTING GUIDES.]

A person may not guide moose hunters for compensation without a moose hunters guide license. The license must be purchased prior to the first day of the moose hunting season. Licensed moose hunting guides must submit a report to the commissioner within ten days of the close of the moose hunting season on a form provided with the license. The commissioner may adopt rules for qualifications for issuance and administration of the license."

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Johnson, D.E. moved to amend S.F. No. 2712 as follows:

Page 6, after line 30, insert:

"Sec. 14. [CORMORANT STUDY.]

By January 15, 1999, the commissioner of natural resources must submit a report to the house and senate environment and natural resources committees regarding the effect of cormorants on the fish population in this state."

Re-number the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 13, after the semicolon, insert "requiring the commissioner of natural resources to study the effect of cormorants on the fish population in this state;"

The motion prevailed. So the amendment was adopted.

Mrs. Lourey moved to amend S.F. No. 2712 as follows:

Page 8, after line 11, insert:

"Sec. 16. Laws 1997, chapter 207, section 7, is amended to read:

Sec. 7. [PRIVATE SALE OF TAX-FORFEITED LAND; CARLTON COUNTY.]

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

(b) ~~The land described in paragraph (d) may be sold by private sale. The consideration for the conveyance must include the taxes due on the property and any penalties, interest, and costs shall be the appraised value of the land. If the lands are sold, the conveyance must reserve to the state a conservation perpetual easement, in a form prescribed by the commissioner of natural resources, for the land within 100 feet of the ordinary high water level of Slaughterhouse creek for public angler access and stream habitat protection and enhancement for the benefit of the state of Minnesota, department of natural resources, over the following lands:~~

A strip of land lying in the North 6.66 acres of the West Half of the Northeast Quarter of the Southwest Quarter of Section 6, Township 48 North, Range 16 West, Carlton county. Said strip lying 100 feet on each side of the centerline of Slaughterhouse Creek.

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

(d) The land to be conveyed is located in Carlton county and is described as:

North 6.66 acres of the West Half of the Northeast Quarter of the Southwest Quarter, subject to pipeline easement, Section 6, Township 48 North, Range 16 West, City of Carlton.

(e) Carlton county has determined that this sale best serves the land management interests of Carlton county.

Sec. 17. [AITKIN COUNTY; PRIVATE SALE.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell by private sale for a consideration of not less than the appraised value, excluding improvements, to the holder of the life estate in the tract of land described in paragraph (c).

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

(c) The land to be sold is in Aitkin county, Minnesota in the Vendla Badger wildlife management area and is described as:

That part of the Southwest Quarter of the Southeast Quarter of Section 12, Township 46 North, Range 26 West, Aitkin county, Minnesota, described as follows:

Commencing at a 1-1/4 inch iron pipe at the south quarter corner of said Section 12; thence EAST, bearing assumed, on the south line of said Section 12, a distance of 141.85 feet to the point of beginning; thence NORTH 725.00 feet; thence EAST 450.00 feet; thence SOUTH 725.00 feet to said south line; thence WEST on said south line 450.00 feet to the point of beginning; containing 7.5 acres, more or less.

(d) The buyer's predecessor donated land to the state for the Vendla Badger wildlife management area, including the land described in paragraph (c), but retained a possessory interest in the land described in paragraph (c). The sale gives the buyer full title free of state interest.

Sec. 18. [CONVEYANCE OF STATE LAND TO CITY OF FARIBAULT.]

Subdivision 1. [CONVEYANCE.] Notwithstanding Minnesota Statutes, sections 92.45 and 94.09 to 94.16, the commissioner of administration shall convey to the city of Faribault for no consideration the land described in subdivision 3.

Subd. 2. [FORM.] The conveyance must be in a form approved by the attorney general and must provide that the land reverts to the state if Parcels A and B cease to be used for a nature interpretive center and recreational trail system or if Parcel C ceases to be used for a municipal park.

Subd. 3. [DESCRIPTION.] (a) The land to be conveyed are those parts of Sections 31, 32, and 33 in Township 110 North, Range 20 West, and those parts of Sections 4, 5, 6, and 8 in Township 109 North, Range 20 West, in the city of Faribault, Rice county, Minnesota, described as follows:

(1) Parcel A: Beginning at the Southeast corner of the Southeast Quarter of said Section 31; thence South 89 degrees, 58 minutes, 35 seconds West, along the South line of said Southeast Quarter (for purposes of this description bearings are assumed and based on said South line being South 89 degrees, 58 minutes, 35 seconds West), 299.47 feet to a point in the easterly right-of-way line of the Chicago, Rock Island and Pacific railroad; thence North 8 degrees, 28 minutes, 35 seconds East, along said easterly right-of-way line, 64.53 feet to a point in the center line of the Straight river; thence along said river center line on the following six courses: (1) North 38 degrees, 39 minutes, 35 seconds East, 291.75 feet; (2) thence North 20 degrees, 9 minutes, 45 seconds East, 681.78 feet; (3) thence North 34 degrees, 19 minutes, 49 seconds East, 248.24 feet; (4) thence North 0 degrees, 39 minutes, 31 seconds East, 435.03 feet; (5) thence North 18 degrees, 9 minutes, 34 seconds West, 657.76 feet; (6) thence North 46 degrees, 16 minutes, 23 seconds West, 98.54 feet to a point in the West line of the Southwest Quarter of said Section 32; thence North 0 degrees, 5 minutes, 56 seconds West, along said West line, 161.66 feet to a point in the southwesterly right-of-way line of a street known as Institute Place; thence along said southwesterly line of Institute Place on the following three courses: (1) South 61 degrees, 31 minutes, 27 seconds East, 56.14 feet; (2) thence South 53 degrees, 22 minutes, 44 seconds East, 87.77 feet; (3) thence South 44 degrees, 26 minutes, 3 seconds East, 215.06 feet to the Northeast corner of Block 1 in AUDITOR'S PLAT NO. 1 OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 110 NORTH, RANGE 20 WEST OF THE FIFTH PRINCIPAL MERIDIAN, FARIBAULT, RICE COUNTY, MINNESOTA; thence North 89 degrees, 21 minutes, 4 seconds West, along the North line of said Block 1, a distance of 111.58 feet to the Northwest corner of said Block 1; thence South 11 degrees, 41 minutes, 14 seconds East, along the West line of said Block 1, a distance of 202.66 feet; thence South 12 degrees, 51 minutes, 4 seconds East, along said westerly line of Block 1, a distance of 349.14 feet to the Southwest corner of said Block 1; thence South 74 degrees, 6 minutes, 4 seconds East, along the southerly line of said Block 1, a distance of 205.26 feet; thence South 82 degrees, 21 minutes, 4 seconds East, along said southerly line of Block 1, a distance of 106.92 feet to the Southeast corner of said Block 1; thence South 38 degrees, 13 minutes, 56 seconds West, 194.00 feet; thence South 0 degrees, 13 minutes, 56 seconds West, 1000.00 feet; thence South 46 degrees, 15 minutes, 16 seconds West, 626.46 feet to said point of beginning;

(2) Parcel B: Commencing at the Northwest corner of the Northeast Quarter of said Section 5; thence South 89 degrees, 30 minutes, 57 seconds East, along the North line of said Northeast Quarter of Section 5 (for purposes of this description bearings are assumed and based on said North line being South 89 degrees, 30 minutes, 57 seconds East), a distance of 937.89 feet to the point of beginning of the parcel to be herein described; thence northwesterly along a nontangential curve, concave southwesterly (curve data: delta angle = 64 degrees, 8 minutes, 9 seconds; radius = 500.00 feet; chord bearing and distance = North 57 degrees, 57 minutes, 11 seconds West, 530.92 feet), an arc distance of 559.69 feet; thence South 89 degrees, 58 minutes, 44 seconds West, 175.00 feet; thence northwesterly, along a tangential curve, concave northeasterly (curve data: delta angle = 90 degrees, 0 minutes, 0 seconds; radius = 80.00 feet; chord bearing and distance = North 45 degrees, 1 minute, 16 seconds West, 113.14 feet), an arc distance of 125.66 feet; thence North 0 degrees, 1 minute, 16 seconds West, 309.89 feet to a point in the North line of the South One-fourth of the Southeast Quarter of said Section 32; thence South 89 degrees, 28 minutes, 9 seconds East, along said North line, 2413.98 feet to a point in the East line of said Southeast Quarter of Section 32; thence South 0 degrees, 1 minute, 9 seconds East, along said East line, 399.59 feet; thence South 89 degrees, 38 minutes, 30 seconds East, 826.74 feet; thence South 0 degrees, 21 minutes, 30 seconds West, 264.00 feet to

a point in the North line of the West One-half of the Northwest Quarter of said Section 4; thence South 89 degrees, 38 minutes, 30 seconds East, along said North line, 490.37 feet to the Northeast corner of said West One-half of the Northwest Quarter; thence South 0 degrees, 24 minutes, 20 seconds West, along the East line of said West One-half of the Northwest Quarter, 2670.04 feet to the Southeast corner of said West One-half of the Northwest Quarter; thence South 0 degrees, 24 minutes, 20 seconds West, along the East line of the Northwest Quarter of the Southwest Quarter of said Section 4, a distance of 598.97 feet to a point in the center line of the Straight river; thence South 34 degrees, 34 minutes, 54 seconds West, along said river center line, 447.98 feet; thence continue along said river center line, South 13 degrees, 53 minutes, 50 seconds West, 359.52 feet to a point in the South line of the Northwest Quarter of the Southwest Quarter of said Section 4; thence North 89 degrees, 35 minutes, 28 seconds West, along said South line of the Northwest Quarter of the Southwest Quarter, 983.94 feet to the Southwest corner of said Northwest Quarter of the Southwest Quarter; thence North 89 degrees, 38 minutes, 42 seconds West, along the South line of the Northeast Quarter of the Southeast Quarter of said Section 5, a distance of 1328.17 feet to the Southwest corner of said Northeast Quarter of the Southeast Quarter; thence South 0 degrees, 31 minutes, 57 seconds West, along the East line of the Southwest Quarter of the Southeast Quarter of said Section 5, a distance of 1320.78 feet to the Southeast corner of said Southwest Quarter of the Southeast Quarter; thence North 89 degrees, 54 minutes, 59 seconds West, along the South line of said Southwest Quarter of the Southeast Quarter, 1329.77 feet to the Southwest corner of said Southwest Quarter of the Southeast Quarter; thence North 89 degrees, 16 minutes, 29 seconds West, along the North line of the Northwest Quarter of said Section 8, a distance of 435.63 feet to a point in the northwesterly line of the City of Faribault Trail; thence South 61 degrees, 6 minutes, 11 seconds West, along said Faribault Trail, 20.70 feet to the beginning of a spiral curve; thence southwesterly along said Faribault Trail on said spiral curve, concave northwesterly (center line curve data: radius = 1644.62 feet; spiral angle = 3 degrees, 26 minutes, 57 seconds; spiral arc = 198.00 feet; chord bearing and distance = South 62 degrees, 14 minutes, 7 seconds West, 191.95 feet), to the beginning of a circular curve; thence continue southwesterly along said Faribault Trail on a circular curve, concave northwesterly (curve data: delta angle = 1 degree, 55 minutes, 51 seconds; radius = 1544.62 feet; chord bearing and distance = South 65 degrees, 31 minutes, 4 seconds West, 52.05 feet), an arc distance of 52.05 feet; thence continue along said Faribault Trail, South 23 degrees, 31 minutes, 1 second East, 50.00 feet; thence continue southwesterly along said Faribault Trail, on a curve, concave northwesterly (curve data: delta angle = 38 degrees, 51 minutes, 59 seconds; radius = 1594.62 feet; chord bearing and distance = South 85 degrees, 54 minutes, 58 seconds West, 1061.08 feet), an arc distance of 1081.70 feet; thence South 21 degrees, 30 minutes, 5 seconds West, 465.54 feet to a point in the center line of Glynview Trail (county state aid highway 19); thence North 48 degrees, 33 minutes, 14 seconds West, along said Glynview Trail center line, 214.36 feet; thence North 29 degrees, 20 minutes, 41 seconds East, 285.93 feet to a point in the southwesterly line of said Faribault Trail; thence North 11 degrees, 41 minutes, 14 seconds East, 101.49 feet to a point in the northwesterly line of said Faribault Trail; thence North 40 degrees, 40 minutes, 22 seconds East, 265.18 feet to a point in said North line of the Northwest Quarter of Section 8; thence North 42 degrees, 10 minutes, 22 seconds East, 308.20 feet; thence North 62 degrees, 10 minutes, 22 seconds East, 205.00 feet to a point in the West line of the Southeast Quarter of the Southwest Quarter of said Section 5; thence North 0 degrees, 40 minutes, 22 seconds East, along said West line, 410.33 feet to a point in the center line of said Straight river; thence northwesterly along said river center line on the following 5 courses: (1) North 54 degrees, 15 minutes, 52 seconds West, 456.31 feet; (2) North 32 degrees, 45 minutes, 20 seconds West, 850.19 feet; (3) North 6 degrees, 42 minutes, 35 seconds East, 513.52 feet; (4) North 67 degrees, 45 minutes, 4 seconds West, 356.55 feet; (5) South 88 degrees, 6 minutes, 43 seconds West, 200.73 feet to a point in the West line of the Southwest Quarter of said Section 5; thence North 0 degrees, 44 minutes, 44 seconds East, along said West line, 307.02 feet to the Southwest corner of the Northwest Quarter of said Section 5; thence North 0 degrees, 37 minutes, 43 seconds East, along the West line of said Northwest Quarter of Section 5, a distance of 264.00 feet; thence North 30 degrees, 52 minutes, 17 seconds West, 396.00

feet; thence North 49 degrees, 52 minutes, 17 seconds West, 178.86 feet; thence South 51 degrees, 7 minutes, 43 seconds West, 264.00 feet; thence North 81 degrees, 22 minutes, 17 seconds West, 198.00 feet; thence North 48 degrees, 22 minutes, 17 seconds West, 132.00 feet to a point in the center line of said Straight river; thence northerly and westerly along said river center line on the following 4 courses: (1) North 19 degrees, 25 minutes, 39 seconds East, 131.22 feet; (2) North 42 degrees, 27 minutes, 59 seconds West, 399.91 feet; (3) North 85 degrees, 54 minutes, 52 seconds West, 280.71 feet; (4) North 5 degrees, 57 minutes, 52 seconds West, 229.98 feet to a point in the North line of the South One-half of the Northeast Quarter of said Section 6; thence South 89 degrees, 55 minutes, 31 seconds East, along said North line, 721.93 feet; thence North 29 degrees, 34 minutes, 29 seconds East, 384.78 feet; thence North 47 degrees, 4 minutes, 29 seconds East, 195.36 feet; thence South 86 degrees, 25 minutes, 31 seconds East, 108.44 feet to a point in the southwesterly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific railroad; thence southeasterly along said railroad right-of-way line on a curve, concave northeasterly (curve data: delta angle = 0 degrees, 43 minutes, 5 seconds; radius = 2964.77 feet; chord bearing and distance = South 23 degrees, 57 minutes, 58 seconds East, 37.16 feet), an arc distance of 37.16 feet; thence North 65 degrees, 40 minutes, 30 seconds East, 200.00 feet to a point in the northeasterly right-of-way line of said railroad; thence South 78 degrees, 31 minutes, 31 seconds East, 644.57 feet; thence South 41 degrees, 58 minutes, 52 seconds East, 980.53 feet to a point in a line 49.50 feet westerly from and parallel with the East line of the Southwest Quarter of the Northwest Quarter of said Section 5; thence South 0 degrees, 36 minutes, 52 seconds West, along said parallel line, 1003.61 feet to a point in the North line of the Northwest Quarter of the Southwest Quarter of said Section 5; thence South 0 degrees, 40 minutes, 22 seconds West, along a line parallel with and 49.50 feet westerly of the East line of said Northwest Quarter of the Southwest Quarter of Section 5, a distance of 86.04 feet; thence South 66 degrees, 3 minutes, 0 seconds West, 600.24 feet; thence South 9 degrees, 16 minutes, 10 seconds West, 117.00 feet; thence South 55 degrees, 34 minutes, 0 seconds East, 451.30 feet; thence South 80 degrees, 13 minutes, 0 seconds East, 257.20 feet to a point in a line 16.50 feet easterly from and parallel with the West line of the Northeast Quarter of the Southwest Quarter of said Section 5; thence North 0 degrees, 40 minutes, 22 seconds East, along said parallel line, 410.00 feet; thence South 89 degrees, 19 minutes, 38 seconds East, 190.00 feet; thence North 0 degrees, 40 minutes, 22 seconds East, 200.00 feet; thence North 89 degrees, 19 minutes, 38 seconds West, 190.00 feet to a point in said line 16.50 feet easterly from and parallel with the West line of the Northeast Quarter of the Southwest Quarter of said Section 5; thence North 0 degrees, 40 minutes, 22 seconds East, along said parallel line, 133.39 feet to a point in the South line of the Southeast Quarter of the Northwest Quarter of said Section 5; thence North 0 degrees, 36 minutes, 52 seconds East, along a line parallel with and 16.50 feet easterly of the West line of said Southeast Quarter of the Northwest Quarter of Section 5, a distance of 720.09 feet; thence South 89 degrees, 14 minutes, 13 seconds East, 1302.89 feet to a point in the East line of said Southeast Quarter of the Northwest Quarter of Section 5; thence South 89 degrees, 30 minutes, 56 seconds East, 70.81 feet; thence North 40 degrees, 24 minutes, 41 seconds East, 564.03 feet; thence North 18 degrees, 38 minutes, 14 seconds West, 124.13 feet; thence North 2 degrees, 6 minutes, 24 seconds East, 187.00 feet; thence North 23 degrees, 19 minutes, 8 seconds East, 108.46 feet to a point designated as Point A; thence North 56 degrees, 4 minutes, 42 seconds East, 446.55 feet; thence North 52 degrees, 19 minutes, 41 seconds East, 270.10 feet; thence North 2 degrees, 38 minutes, 16 seconds West, 500.00 feet; thence along a tangential curve, concave westerly (curve data: delta angle = 23 degrees, 14 minutes, 51 seconds; radius = 500.00 feet; chord bearing and distance = North 14 degrees, 15 minutes, 41 seconds West, 201.48 feet), an arc distance of 202.87 feet to said point of beginning; and

(3) Parcel C: Beginning at the Northeast corner of the Southwest Quarter of said section 32; thence southerly, along the East line of said Southwest Quarter (for purposes of this description bearing of said East line is assumed South 0 degrees, 4 minutes, 9 seconds West), a distance of 1638.76 feet; thence North 89 degrees, 18 minutes, 51 seconds West, 33.00 feet to the Southeast corner of Block 1, FARIBAULT STATE HOSPITAL ADDITION, FARIBAULT,

RICE COUNTY, MINNESOTA, said Southeast corner being a point in the West line of Tenth Avenue Northeast and the true point of beginning of the parcel to be herein described; thence South 0 degrees, 4 minutes, 9 seconds West, along said West line of Tenth Avenue Northeast, 360.00 feet; thence North 89 degrees, 18 minutes, 51 seconds West, 826.98 feet to a point in the East line of vacated State Avenue; thence North 0 degrees, 4 minutes, 9 seconds East, along said East line of vacated State Avenue, 360.00 feet to the Southwest corner of said Block 1; thence South 89 degrees, 18 minutes, 51 seconds East, along the South line of said Block 1, 826.98 feet to said true point of beginning.

(b) The following land is excepted from the land described in paragraph (a):

(1) Parcel D: That part of the North One-half of the Northeast Quarter of Section 6 and that part of the North One-half of the Northwest Quarter of Section 5, all in Township 109 North, Range 20 West, in the city of Faribault, Rice county, Minnesota, described as follows: Beginning at a point in the East line of said Northeast Quarter of Section 6 (for purposes of this description bearings are assumed and based on said East line being South 0 degrees, 37 minutes, 43 seconds West), a distance of 1309.61 feet southerly from the Northeast corner of said Northeast Quarter; thence South 86 degrees, 27 minutes, 58 seconds West, 153.73 feet; thence North 0 degrees, 13 minutes, 34 seconds East, 252.29 feet; thence South 89 degrees, 34 minutes, 30 seconds East, 82.53 feet to a point in the southwesterly right-of-way line of the Chicago, Rock Island and Pacific railroad; thence southeasterly, along said railroad right-of-way line, on a curve, concave northeasterly (curve data: radius = 2914.77 feet; delta angle = 5 degrees, 27 minutes, 8 seconds; chord bearing and distance = South 30 degrees, 58 minutes, 52 seconds East, 277.26 feet), an arc distance of 277.37 feet; thence South 86 degrees, 27 minutes, 58 seconds West, 72.95 feet to said point of beginning; and

(2) the property deeded to the Chicago, Rock Island and Pacific railroad, and City of Faribault Trail.

(c) The land described in paragraph (a) is subject to:

(1) Glynview Trail (county state aid highway 19) over the southwesterly side thereof;

(2) 220th Street East over part of the southerly side of Section 5;

(3) Fifth Street Northeast over part of the northerly side of the South One-quarter of the Southeast Quarter of Section 32;

(4) an easement for ingress and egress over and across Parcel B, said easement being a strip of land 30.00 feet in width lying immediately adjacent to and southwesterly of the southwesterly right-of-way line of said Chicago, Rock Island and Pacific railroad, bounded on the North by the southerly line of Parcel D, and bounded on the East by a line 49.50 feet westerly of and parallel with said East line of the Southwest Quarter of the Northwest Quarter of Section 5; and

(5) an easement for access to and maintenance of a deep sewer tunnel over, under, and across part of Parcel B, being a strip of land 100.00 feet in width, 50.00 feet on both sides of the following described center line: Commencing at said Point A in Parcel B; thence North 56 degrees, 4 minutes, 42 seconds East, 267.00 feet to the point of beginning of said easement center line; thence South 53 degrees, 14 minutes, 0 seconds East, 300.00 feet and there terminating; the side lines of said easement to be lengthened or shortened to meet in said course herein described as North 56 degrees, 4 minutes, 42 seconds East.

Subd. 4. [PURPOSE.] The land to be conveyed is no longer utilized by the department of corrections in Faribault. The city of Faribault intends to continue to use Parcels A and B for a nature interpretive center and recreational trail system and Parcel C for a municipal park.

Sec. 19. [SALE OF TAX-FORFEITED LAND; DOUGLAS COUNTY.]

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

(b) The conveyance must be in a form approved by the attorney general. Consideration shall be for not less than the appraised value as determined by the Douglas county board.

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

Lot 43, block 1, Christinas Moon Lake Heights, section 28, Township 129 North, Range 39 West.

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

Sec. 20. [EFFECTIVE DATE.]

Sections 16 and 17 are effective the day following final enactment."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend S.F. No. 2712 as follows:

Page 2, after line 8, insert:

"Sec. 2. Minnesota Statutes 1996, section 97A.037, subdivision 1, is amended to read:

Subdivision 1. [INTERFERENCE WITH TAKING WILD ANIMALS PROHIBITED.] A person who has the intent to prevent, or disrupt, or dissuade the taking of another person from taking or preparing to take a wild animal or enjoyment of the out-of-doors ~~may~~ must not disturb or interfere with another that person who if that person is lawfully taking a wild animal or preparing to take a wild animal. "Preparing to take a wild animal" includes travel, camping, and other acts that occur on land or water where the affected person has the right or privilege to take lawfully a wild animal."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Janezich moved to amend S.F. No. 2712 as follows:

Page 8, after line 11, insert:

"Sec. 16. [PRIVATE SALE OF TAX-FORFEITED PEAT LAND; ST. LOUIS COUNTY.]

(a) Notwithstanding Minnesota Statutes, section 92.461, the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis county may sell by private sale the tax-forfeited land with commercial quantities of peat that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The land described in paragraph (c) may be sold by private sale for its appraised value. The sale must be in a form approved by the attorney general.

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

The east one-half of the Northwest Quarter of the Northwest Quarter, Section 11, Township 55 North, Range 18 West.

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

Amend the title as follows:

Page 1, line 17, after the semicolon, insert "authorizing the private sale of certain tax-forfeited peat land in St. Louis county;"

The motion prevailed. So the amendment was adopted.

Mr. Morse moved to amend S.F. No. 2712 as follows:

Page 2, after line 8, insert:

"Sec. 2. Minnesota Statutes 1996, section 97A.095, subdivision 1, is amended to read:

Subdivision 1. [MIGRATORY WATERFOWL REFUGES.] The commissioner shall designate by rule any part of a state game refuge as a migratory waterfowl refuge if there is presented to the commissioner a petition signed by ten resident licensed hunters describing an area that is primarily a migratory waterfowl refuge. The commissioner shall post the area as a migratory waterfowl refuge. A person may not enter a posted migratory waterfowl refuge during the open migratory waterfowl season ~~unless accompanied~~ except under a permit issued by a conservation officer or game refuge manager."

Page 8, after line 11, insert:

"Sec. 17. [SWAN LAKE MIGRATORY WATERFOWL REFUGE.]

(a) The lands described in paragraph (b) are designated a state migratory waterfowl refuge under Minnesota Statutes, section 97A.095, subdivision 1.

(b) All of the area contained within the following boundary lines: beginning at the northeast corner of Section 24, Township 110 North, Range 29 West, and running thence West on the Section line 160 rods, more or less, to the Northwest Quarter corner of said Section 24, thence south on the center line of said Section 24, eighty rods more or less, thence in a southwesterly direction to the center of the southeast quarter of Section 23, thence south eighty rods more or less to the south section line of said Section 23, thence east on said south line of said Section 23, to a point one rod West of the meandered line of Johnson Island, thence southerly and easterly on a line parallel with and one rod distant, from said meandered line of Johnson Island to a point where said line intersects the north and south center line of Section 25 in said Township and Range; thence 200 feet south, thence east to the east line of Section 25 in said Township and Range, thence running north on the east line of said Sections 25 and 24, to the point of commencement."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Beckman moved to amend S.F. No. 2712 as follows:

Page 3, after line 4, insert:

"Sec. 3. Minnesota Statutes 1997 Supplement, section 97A.485, subdivision 6, is amended to read:

Subd. 6. [LICENSES TO BE SOLD AND ISSUING FEES.] (a) Persons authorized to sell licenses under this section must sell the following licenses for the license fee and the following issuing fees:

- (1) to take deer or bear with firearms and by archery, the issuing fee is ~~\$1~~ \$1.50;
- (2) Minnesota sporting, the issuing fee is ~~\$1~~ \$1.50; and
- (3) to take small game, for a person under age 65 to take fish by angling or for a person of any age to take fish by spearing, and to trap fur-bearing animals, the issuing fee is ~~\$1~~ \$1.50;
- (4) for a trout and salmon stamp that is not issued simultaneously with an angling or sporting license, an issuing fee of ~~50 cents~~ \$1 may be charged at the discretion of the authorized seller; and
- (5) for stamps other than a trout and salmon stamp, and for a special season Canada goose license, there is no fee.

(b) An issuing fee may not be collected for issuance of a trout and salmon stamp if a stamp is issued simultaneously with the related angling or sporting license. Only one issuing fee may be collected when selling more than one trout and salmon stamp in the same transaction after the end of the season for which the stamp was issued.

(c) The auditor or subagent shall keep the issuing fee as a commission for selling the licenses.

(d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

(e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

(f) For duplicate licenses, the issuing fees are:

(1) for licenses to take big game, 75 cents; and

(2) for other licenses, 50 cents."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 14 and nays 41, as follows:

Those who voted in the affirmative were:

Beckman	Frederickson	Lessard	Pogemiller	Stumpf
Berg	Langseth	Murphy	Solon	Vickerman
Fischbach	Larson	Oliver	Stevens	

Those who voted in the negative were:

Anderson	Janezich	Laidig	Pappas	Scheid
Belanger	Johnson, D.E.	Lesewski	Pariseau	Spear
Berglin	Johnson, D.J.	Limmer	Piper	Terwilliger
Betzold	Johnson, J.B.	Lourey	Price	Wiener
Cohen	Junge	Metzen	Robertson	Wiger
Flynn	Kelley, S.P.	Morse	Robling	
Foley	Kleis	Neuville	Sams	
Hanson	Knutson	Olson	Samuelson	
Higgins	Krentz	Ourada	Scheevel	

The motion did not prevail. So the amendment was not adopted.

On motion of Ms. Junge, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Morse moved that S.F. No. 2712, on the Calendar, be stricken and re-referred to the Committee on State Government Finance.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 25 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Kelley, S.P.	Morse	Robertson
Berglin	Higgins	Krentz	Pappas	Samuelson
Betzold	Hottinger	Langseth	Piper	Spear
Cohen	Johnson, J.B.	Lourey	Pogemiller	Wiener
Flynn	Junge	Marty	Price	Wiger

Those who voted in the negative were:

Beckman	Johnson, D.E.	Lessard	Ourada	Stevens
Belanger	Johnson, D.J.	Limmer	Pariseau	Ten Eyck
Berg	Kleis	Metzen	Robling	Terwilliger
Day	Knutson	Murphy	Sams	Vickerman
Frederickson	Laidig	Neuville	Scheevel	
Hanson	Larson	Oliver	Scheid	
Janezich	Lesewski	Olson	Solon	

The motion did not prevail.

RECESS

Ms. Junge moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Ms. Junge, for Mr. Moe, R.D. from the Subcommittee on Committees, recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2874: Mr. Pogemiller, Mses. Krentz, Robertson, Pappas and Mr. Scheevel.

Ms. Junge moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Mr. Terwilliger was excused from the Session of today from 10:00 a.m. to 12:00 noon. Ms. Pappas was excused from the Session of today from 10:00 a.m. to 1:00 p.m. Mr. Day was excused from the Session of today from 12:10 to 1:15 p.m. Ms. Runbeck was excused from the Session of today from 12:15 to 1:15 and at 1:45 p.m. Mr. Solon was excused from the Session of today from 12:20 to 1:00 p.m. Mses. Kiscaden and Ranum were excused from the Session of today at 1:00 p.m. Messrs. Kelley, S.P. and Scheevel were excused from the Session of today from 1:00 to 2:15 p.m. Messrs. Johnson, D.H. and Dille were excused from the Session of today at 1:15 p.m. Mr. Novak was excused from the Session of today at 1:55 p.m.

ADJOURNMENT

Ms. Junge moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 12, 1998. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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