

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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TENTH DAY

St. Paul, Minnesota, Monday, February 1, 1999

The Senate met at 11:30 a.m. and was called to order by the President.

## CALL OF THE SENATE

Senator Betzold 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. Greg Iverson.

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	Krentz	Novak	Sams
Belanger	Hottinger	Laidig	Oliver	Samuelson
Berg	Janezich	Langseth	Olson	Scheevel
Berglin	Johnson, D.E.	Larson	Ourada	Scheid
Betzold	Johnson, D.H.	Lesewski	Pappas	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.	Moe, R.D.	Ranum	Terwilliger
Foley	Kiscaden	Morse	Robertson	Vickerman
Frederickson	Kleis	Murphy	Robling	Wiener
Hanson	Knutson	Neuville	Runbeck	Wiger

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

Senators Beckman and Metzen were excused from the Session of today.

## REPORTS OF COMMITTEES

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

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

**S.F. No. 144:** A bill for an act relating to civil commitment; modifying provisions governing

parental consent to chemical dependency treatment for minors; amending Minnesota Statutes 1998, section 253B.04, subdivision 1.

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

Page 2, line 1, delete "as provided in this"

Page 2, line 2, delete "paragraph."

Page 2, line 4, delete the comma and insert a period

Page 2, line 6, delete "and inform the proposed patient that:" and insert a period

Page 2, delete lines 7 to 22

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

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

**S.F. No. 98:** A bill for an act relating to crime victims; granting prosecutors discretion not to disclose a victim's or witness's date of birth; amending Minnesota Statutes 1998, section 611A.035.

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

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

**S.F. No. 73:** A bill for an act relating to human services; modifying financial eligibility criteria for the consumer support program; requiring maximum use of federal funds for the program; amending Minnesota Statutes 1998, section 256.476, subdivisions 3, 7, and 8.

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

Page 3, line 22, after "program" insert "by September 1, 1999"

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

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

**S.F. No. 174:** A bill for an act relating to crime prevention; requiring certain persons committed as mentally ill and dangerous to the public to register as predatory sex offenders and to be subject to the community notification law; amending Minnesota Statutes 1998, sections 243.166, subdivisions 1, 2, and 6; and 244.052, subdivision 1.

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

Page 2, line 31, delete "the"

Page 2, line 32, delete "person was"

Page 2, line 33, after "(1)" insert "the person was"

Page 3, line 1, after "(2)" insert "the person was"

Page 3, line 2, after "deficiency" insert "after a trial for that offense"

Page 3, line 3, after "(3)" insert "the person was"

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

**Senator Hottinger from the Committee on Health and Family Security, to which was re-referred**

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

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

Page 2, line 27, delete "actual or potential"

Page 3, line 27, delete "LOCAL GOVERNMENT" and insert "GOVERNMENTAL UNIT"

Page 3, line 28, delete everything after "against" and insert "a governmental unit as defined in section 462.384, subdivision 2, including governmental units acting jointly under section 471.59,"

Page 3, line 29, delete everything before "for"

Page 6, line 3, delete "must, by July 30, 1999, survey" and insert "is authorized to request from"

Page 6, line 4, delete "noncommunity, nontransient water"

Page 6, delete lines 5 to 8 and insert "municipal water supply systems, and noncommunity, nontransient water systems for best practices information with respect to solutions for year 2000 problems, and is authorized to disseminate such best practices information to hospitals, nursing homes, and"

Page 6, line 9, delete "in a prompt and reasonable manner"

Page 6, line 11, delete everything before "municipal"

Page 6, line 12, after "systems" insert ", and noncommunity, nontransient water systems"

Page 6, after line 20, insert:

"Sec. 8. [DEPARTMENT OF HUMAN SERVICES; 2000 ACTIVITY.]

If year 2000 computer problems create a failure or malfunction in the infrastructure or systems used by the department of human services for payment to health care providers under state government programs or counties, the commissioner of human services shall continue to pay all health care providers paid under state government programs or counties by manual warrant or other measures within the statutorily required time period."

Page 6, after line 25, insert:

"Sec. 10. [USE OF STATUS REPORTS AS EVIDENCE PROHIBITED.]

The status reports required by sections 4 and 7, subdivision 2, may not be used as evidence in any action seeking damages or other relief because of a year 2000 problem."

Page 7, line 33, delete "8, and 9" and insert "9, and 11"

Renumber the sections in sequence

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

**Senator Novak from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 365:** A bill for an act relating to economic development; imposing a specific standard of proof for certain petrofund reimbursement reductions; providing reimbursement for certain bulk petroleum plants upgrading or closing aboveground storage tanks; regulating the cleanup of contaminated land; amending Minnesota Statutes 1998, sections 115C.08, subdivision 4; 115C.09, subdivision 3, and by adding a subdivision; 116J.562, subdivision 2; and 116J.567.

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

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

**S.F. No. 76:** A bill for an act relating to crime prevention; eliminating requirement to hold DWI-related vehicle forfeiture proceeding at same time as implied consent hearing; amending Minnesota Statutes 1998, section 169.1217, subdivision 7a.

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

Page 2, line 35, after the period, insert "If the judicial review and hearing under this section do not take place at the same time as the judicial review of the person's license revocation under section 169.123, the review and hearing must take place at the earliest practicable date."

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

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

**H.F. No. 139** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		139	88		

and that the above Senate File be indefinitely postponed.

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 98, 73, 174 and 76 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 139 was read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Berglin moved that the name of Senator Kiscaden be added as a co-author to S.F. No. 130. The motion prevailed.

Senator Vickerman moved that the names of Senators Johnson, J.B. and Marty be added as co-authors to S.F. No. 300. The motion prevailed.

Senator Johnson, J.B. moved that the name of Senator Wiger be added as a co-author to S.F. No. 310. The motion prevailed.

Senator Samuelson moved that the name of Senator Fischbach be added as a co-author to S.F. No. 325. The motion prevailed.

Senator Oliver moved that the name of Senator Wiger be added as a co-author to S.F. No. 335. The motion prevailed.

Senator Foley moved that the name of Senator Wiger be added as a co-author to S.F. No. 345. The motion prevailed.

Senator Junge moved that the name of Senator Limmer be added as a co-author to S.F. No. 358. The motion prevailed.

Senator Novak moved that the name of Senator Beckman be added as a co-author to S.F. No. 365. The motion prevailed.

**Senator Junge introduced--**

**Senate Resolution No. 27:** A Senate resolution recognizing Saturday, February 6, 1999, as WE CARE ABOUT KIDS DAY.

Referred to the Committee on Rules and Administration.

**Senator Moe, R.D., for the Committee on Rules and Administration, introduced--**

**Senate Resolution No. 28:** A Senate resolution relating to ethical conduct; conduct of Senator Dallas C. Sams.

WHEREAS, the Subcommittee on Ethical Conduct of the Committee on Rules and Administration, in response to a written request for an advisory opinion submitted by Senator Dallas C. Sams on December 1, 1998, met on December 16, 1998, and January 12, 1999, to consider whether Senator Sams' work as a consultant for Media Integrated Training Services (MITS), as part of a contract between MITS and the University of Minnesota College of Agricultural, Food, and Environmental Sciences (COAFES), constituted a conflict of interest.

AND WHEREAS, the Subcommittee on Ethical Conduct, based on clear and convincing evidence, has made the following findings of fact:

1. Senator Sams, during the 1997 legislative session, was the chief Senate author of S.F. No. 1592, a bill to revive agricultural education in the state. The substance of the bill was proposed by the Minnesota Vocational Agricultural Instructors Association because of a decline in agriculture education at the University of Minnesota and a resulting demand for, and shortage of, agriculture instructors in the state. The association worked primarily with the House authors in having the bill drafted. Later, the association asked Senator Sams to be the chief Senate author. The bill achieved two purposes. First, it established the Minnesota Agriculture Education Leadership Council (MAELC). Second, it appropriated money to the university to pay the costs of the council and to enable it to make grants for secondary and post-secondary agricultural education programs. At least initially, the university--and, specifically, COAFES and its then dean, Michael Martin--opposed the bill because agriculture education was a College of Education function and not a COAFES program. S.F. No. 1592 was not enacted, but its substance was incorporated into S.F. No. 1888, the omnibus higher education appropriation bill. Senator Sams was not an author of the latter bill, nor was he a member of the conference committee that reconciled differences between it and its counterpart in the House of Representatives. In incorporating the substance of S.F. No. 1592 into S.F. No. 1888, the conference committee included a provision removed from the Senate version, but retained by the House, that made the chairs of the Senate Committee on Agriculture and Rural Development and the House Committee on Agriculture co-chairs of the council. Senator Sams was then, and is now, chair of the Senate committee.

2. As co-chair of MAELC, Senator Sams began in July of 1997 to spend time helping to establish its office, take steps to hire an executive director, and begin its programs. Between early July and the end of the year, he spent 50 days on MAELC business. For that work, he was

compensated at the rate authorized in the MAELC legislation: \$55 a day, for a total of \$2,750. He also was reimbursed for \$1,620 in expenses, which was also authorized by the legislation. In total, he received \$4,370 for work related to MAELC. The legislation did not follow the standard practice of having legislators serve as nonvoting members of external, executive-type councils. In addition, per diem payments to legislators for MAELC work were paid under contract by the university from the MAELC appropriation rather than using the standard procedure of having legislative per diems paid by the Legislative Coordinating Commission.

3. In August 1997, Dr. Martin proposed to Senator Sams "an arrangement where by (sic) you would provide assistance to this College and the University in revitalizing and redirecting our program in agricultural education." Senator Sams was qualified to provide that service since he is an agricultural education graduate of the University of Minnesota, has taught agriculture and farm management on the secondary and post-secondary levels, and is a farmer. Upon passage of S.F. No. 1888, Dr. Martin said, he had begun asking persons in the agricultural education community to recommend someone who could help him on a short-term basis to implement the provision giving his college new responsibility for agriculture education. Many of those consulted, he said, recommended Senator Sams. The arrangement proposed by Dr. Martin in the August memorandum was to extend from September 15, 1997, to December 15, 1997, and total compensation for Senator Sams was to be \$12,500. On September 11, 1997, Senator Sams signed a contract for that amount, prepared by COAFES, but the contract was never executed by the university. Dr. Martin later told university auditors that he did not go forward with the contract because he had been warned that contracting directly with Senator Sams, while legal, might be publicly perceived as improper. Dr. Martin also told the auditors that he had told Senator Sams that he nonetheless wanted him to provide services to COAFES and would work through MITS to compensate the senator for his efforts. Senator Sams began providing the requested services during the autumn of 1997. Neither the memorandum from Dr. Martin to Senator Sams nor the unexecuted contract contains any reference to what both testified was an understanding from the beginning that Senator Sams was to be paid from nonstate funds. According to the testimony of several witnesses, including Dr. Martin; Shelly Diment, Dr. Martin's assistant; and Dr. Roland Peterson, head of the agriculture education program at the university, Senator Sams performed valuable work for both MAELC and the university. Dr. Peterson specifically identified a number of outcomes resulting from Senator Sams' work.

4. On February 17, 1998, Dr. Martin, on behalf of the university, entered into a \$13,500 contract with MITS under which MITS was to provide consulting services and advice relevant to the development of CD-ROM agricultural education programs, to provide the programs to the university, and to identify potential users of the programs. Thomas Powell, sole proprietor of MITS, testified that his understanding with Dr. Martin was that Senator Sams was to be paid \$12,500 of the \$13,500 paid to MITS. Senator Sams, however, was not a party to the contract, nor was he mentioned in it. The contract between the university and MITS never required Senator Sams to account for his time or to document his work. Moreover, the contract between the university and MITS was drafted and executed after Senator Sams had provided the desired services.

5. In a May 6, 1998, telephone conversation with Ms. Diment, Dr. Martin said he used a third-party arrangement to pay Senator Sams because Senator Roger D. Moe, the Senate majority leader, advised against a direct payment. "Roger Moe just absolutely told [Senator Sams] flat out not to have it direct," he said in the conversation, which was taped by Ms. Diment. In a September 18, 1997, letter to Senator Sams, a copy of which he furnished to the subcommittee, Senator Moe advised Senator Sams to "terminate [his] relationship with the University." In a cover memorandum to the subcommittee, Senator Moe further stated: "I did not know of, nor would I have condoned, any third-party arrangement between Senator Sams and the University of Minnesota."

6. On February 27, 1998, MITS sent the university an invoice requesting payment of \$13,500, and a check for that amount was issued to MITS on March 9, 1998. The payment was apparently issued before MITS had delivered any CD-ROM programs to the university. The two sets of programs that were eventually delivered were available on the open market for \$500 a set. The payment to MITS was made from a \$200,000 appropriation to the university for agricultural

education under the 1997 omnibus higher education bill discussed in finding No. 1. Later in March, MITS paid Senator Sams \$12,500.

7. In his testimony of December 16, 1998, Senator Sams said Dr. Martin had told him that his payment would come from nonstate funds, but "[w]hether in fact they did or in fact they did not I am in no position whatsoever to respond to that." Later on that date, he said he did not learn the source of the funds until after Ms. Diment had raised the issue with Dr. Martin. On May 8, 1998, Senator Sams had a telephone conversation with Ms. Diment, Dr. Martin's assistant, which Ms. Diment taped. During the conversation, Senator Sams asked whether his payment came from the MAELC program budget or from the agriculture education program budget, both of which were appropriated to the university by S.F. No. 1888. Ms. Diment told him that the money came from the latter budget. In the conversation, Senator Sams repeatedly expressed concern about who would know about his payment from the university through MITS. Senator Sams testified on January 12, 1999, that Dr. Martin had told him the previous day that the payment had come from state funds.

8. Both Ms. Diment and Monica Siems, a program assistant in Dr. Martin's office, testified on December 16, 1998. Ms. Diment said then that Dr. Martin had told her in the autumn of 1997 that he intended to pay Senator Sams for his services to COAFES through a third party, and that she advised him then that he should instead pay him directly. Ms. Siems testified that in April of 1998, while reviewing March expenditures from the agriculture education budget, she came across the \$13,500 payment to MITS and questioned it because she was unaware of any arrangement between the college and MITS. She said she asked Ms. Diment, her supervisor, and Dr. Peterson, head of the agriculture education program, about the payment, and both said they knew nothing about it. Subsequently, Ms. Siems said, she learned that the MITS contract had been the vehicle through which Senator Sams was paid. She also testified that she knew of no other instance in fiscal 1998 in which Dr. Martin "authorized an expense from [the agriculture education] budget of which neither Shelly, Roland, nor I had any knowledge." Both Ms. Diment and Ms. Siems said they spoke with Dr. Martin, questioning the appropriateness of the payment to Senator Sams through MITS. One reason for their concern, they said, was the question of whether Senator Sams was compensated twice for the same work: once through MAELC per diem payments, and again through the MITS contract.

9. Dr. Martin and Senator Sams testified, both on December 16 and January 12, that the intention always was that Senator Sams would be paid from nonstate funds. Dr. Martin said that he paid MITS in March of 1998 from state funds because the nonstate account from which he intended to make the payment was depleted. His plan, he said, was to avoid interest charges by paying MITS from state funds, then to transfer money to cover the payment when a gift to the nonstate account, which he expected later in the year, was received. The university development office, however, in a letter provided to the subcommittee by university auditors, stated that the gift was committed to the university in March 1998, when MITS and, through it, Senator Sams was paid. The money was not available, however, until August. University sources also noted that the procedure followed by Dr. Martin would not have avoided payment of interest.

10. On May 6, 1998, Ms. Diment tape recorded a telephone conversation with Dr. Martin expressing her discomfort with the indirect payment to Senator Sams. On May 8, she tape recorded a telephone conversation with Senator Sams in which she again expressed her concerns about the payment. Shortly thereafter, in a May 11, 1998, e-mail to Ms. Diment, a copy of which Ms. Diment furnished to the subcommittee, Dr. Martin informed her that "we've shifted the entire MITS contract payment to none (sic) state funds. . . . So I think any question about appropriateness has been resolved." He further said, "We still have an issue about trust, communication, and assignments that require resolution." Ms. Diment testified on January 12, 1999, that, to the best of her knowledge, the decision to cover the payment with nonstate funds was made in May of 1998, after she and Ms. Siems had questioned the MITS payment. Money was transferred from nonstate funds later in May, although Dr. Martin testified that the nonstate fund from which he intended to pay MITS would be depleted until an expected gift was received, and money from the gift was not yet available in May.

11. In mid-May of 1998, Ms. Diment and Ms. Siems approached the university Department of

Audits with their concerns about the MITS contract, and the department began an investigation of the matter. Dr. Martin testified repeatedly on December 16, 1998, that he had initiated the investigation, but the audit report substantiates that it was initiated after the Department of Audits had heard from Ms. Diment and Ms. Siems. Mr. Rotenberg, the university's general counsel, discussed the audit in testimony on December 16. He said that a direct contract between the university and Senator Sams would have been legal, whether the payment under the contract came from state or nonstate funds. He also pointed out that the auditors concluded that an indirect payment to Senator Sams through MITS was not unlawful, so long as the university received commensurate value from both the senator and MITS. In exchange for the \$13,500 paid to MITS, the auditors further noted, the university received CD-ROM sets worth \$1,000 and what Dr. Martin "considers to be \$12,500 worth of consulting services from Senator Sams." "While we lack objective means of measuring the value of Sams' work for the University, we do not have adequate basis for questioning the Dean's judgment. Because the University paid money to MITS and, ultimately, Sams for products and services whose value, in Martin's opinion, is equal to the payment, the payment was neither a bribe of a public official nor payment of a false claim under the Minnesota Criminal Code, nor was the payment a prohibited gift under the Regent's (sic) Gift Policy." Nonetheless, the auditors noted, the arrangement with MITS and, through it, Senator Sams, "constituted poor business practice."

12. The auditors also concluded that, while it was difficult to separate the work done by Senator Sams for which he was compensated by MAELC per diem payments and the work for which he was compensated through the MITS contract, "Sams performed work for both the University and the Council, and . . . separate payments for the two types of work was not improper."

13. On June 23, 1998, during the preparation of the audit, university auditors received a faxed copy of a "letter of agreement" between Mr. Powell of MITS and Senator Sams. Mr. Powell's signature was dated September 25, 1997, and Senator Sams' signature was dated October 1, 1997. In the agreement, Senator Sams committed himself to providing services to MITS for \$400 a day, similar, but not identical, to those outlined in the September 11, 1997, unexecuted contract between him and COAFES. Neither Ms. Diment nor Ms. Siems knew anything about this letter of agreement before the audit.

14. On December 16, 1998, Dr. Martin testified that he "drafted most of" the September 25, 1997, letter of agreement between Mr. Powell of MITS and Senator Sams, and implied that it was in the file given to the auditors when they began their investigation. In contrast, on January 12, 1999, he said Mr. Powell drafted the agreement. Mr. Powell, however, said on that same date that "Dr. Martin drafted it."

15. Mr. Powell first testified on January 12, 1999, that he did not receive a draft of the letter of agreement until "after the first of the year" some time in early 1998. He said he dated his signature September 25, 1997, at Dr. Martin's direction. Later in the January 12 hearing, after checking dates with his secretary, Mr. Powell said his office received the draft from Dr. Martin and entered it on the office computer on June 18, 1998, and sent it to Senator Sams for his signature on June 22, 1998. (Those dates were later confirmed in a letter to the subcommittee counsel from Joan Schoepke, the secretary who prepared the letters of agreement and provided the information to Mr. Powell on January 12.) University auditors received a copy with both Mr. Powell's and Senator Sams' signatures on June 23, 1998.

16. On December 16, 1998, Senator Sams testified that he signed the letter of agreement on October 1, 1997. On January 12, 1999, however, he testified that he signed it after October 1, but sometime in the autumn of 1997. The work under the agreement, he said, "was in process at that time." He also said that he "worked into January" under the agreement. According to that testimony, work "in process" did not extend beyond January of 1998. Senator Sams also said on January 12 that he thought it acceptable to backdate his signature because he had begun performing the work covered by the letter of agreement on October 1, 1997.

17. In the preparation of the university audit, auditors were unaware that the letter of agreement dated September 25 and October 1, 1997, and received on June 23, 1998, had been drafted in June of 1998. They also were not provided copies of the telephone conversations taped by Shelly Diment.

AND WHEREAS, the Subcommittee on Ethical Conduct, based on clear and convincing evidence, has drawn the following conclusions:

1. Senator Sams' work for the University of Minnesota did not constitute a conflict of interest. No testimony was presented suggesting that he sponsored the MAELC legislation in return for a promise of employment or a consulting contract. In fact, the initiative for the legislation came from the Minnesota Vocational Agriculture Instructors Association, and the bill was drafted under the direction of the chief House author.

2. The subcommittee also concluded, as did the university auditors, that Senator Sams performed work, and achieved significant results, for both MAELC and the university that justified separate payments from both entities and that he was not paid twice for the same work. While he was not, ultimately, paid from state-appropriated funds, it would not have been illegal had he been paid from that source.

In reaching those conclusions, however, subcommittee members felt obligated to consider the manner in which the payment from the university was handled and the testimony it heard with respect to that matter. Having done so, the subcommittee further concluded from clear and convincing evidence that:

3. Dr. Michael Martin, who at the time of events under scrutiny was not only a dean, but a vice president of the University of Minnesota, entered into an inappropriately written and executed third-party contract with MITS in an effort to conceal a payment to Senator Sams.

4. Dr. Martin, while testifying that he always intended to pay Senator Sams out of nonstate funds, failed to do so until directly pressured by Ms. Diment and Ms. Siems.

5. Dr. Martin drafted the letter of agreement between MITS and Senator Sams in June of 1998, after the audit had been commenced and the work performed, and then directed Mr. Powell, a party to the agreement, to backdate his signature to September 25, 1997.

6. The letter of agreement, which Dr. Martin implied was in the files given to the university auditors at the start of their audit, was actually provided to them on June 23, 1998, either by Dr. Martin or, at his direction, by Mr. Powell.

7. Dr. Martin, under oath, gave false and misleading testimony to the subcommittee with respect to several matters, including his sworn testimony that he had initiated the university audit and that Mr. Powell had drafted the letter of agreement between MITS and Senator Sams.

8. Dr. Martin gave additional conflicting and confusing testimony under oath about documents he personally prepared, the contents of the file provided to the university auditors, and the transfer of funds to cover the university payment to MITS.

9. Although a direct payment from state-appropriated funds to Senator Sams would not have been illegal, unethical, or a conflict of interest, it is the subcommittee's belief that Senator Sams was concerned enough about potentially negative political perceptions that he knowingly engaged in collective efforts with Dr. Martin to conceal his payment and to prevent disclosure of it.

10. Senator Sams' actions were contrary to the advice he received from Senator Roger D. Moe and were motivated by a desire to conceal his actions from Senator Moe and avoid the negative political implications of which Senator Moe had warned.

11. Senator Sams knew on May 7 or 8, 1998, that his payment from MITS originally came from state-appropriated funds.

12. On or about June 22, 1998, after the university audit commenced, Senator Sams signed the letter of agreement with MITS, backdating his signature to October 1, 1997.

13. Senator Sams, who is not an attorney, testified on January 12 that he had dated his signature on the letter of agreement as of October 1, 1997, "since he had begun work under the agreement on that date."

14. Senator Sams gave conflicting and confusing testimony with respect to when he knew that his payment had come from state-appropriated funds and when he signed his letter of agreement with MITS.

15. Senator Sams' conduct in attempting to conceal the payment to avoid negative political perceptions was unethical and improper and brought disrepute to the Minnesota Senate.

16. Senator Sams' testimony to the subcommittee failed to meet the level of candor, thoroughness, and accuracy expected of a state senator.

NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the State of Minnesota:

1. Senator Dallas C. Sams is reprimanded.
2. Senator Dallas C. Sams shall make a public apology to the Minnesota Senate, his constituents, and the public.
3. Senator Dallas C. Sams is removed as a member and vice-chair of the Human Resources Finance Committee.

Senator Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Pursuant to the foregoing resolution, Senator Sams apologized to the Senate.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

#### **Senators Piper, Samuelson, Fischbach, Dille and Ten Eyck introduced--**

**S.F. No. 369:** A bill for an act relating to health occupations; granting immunity to physician assistants and supervising physicians who render care in disasters; permitting physician assistants to render care in disasters without physician and physician assistant agreements; amending Minnesota Statutes 1998, section 147A.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 147A.

Referred to the Committee on Health and Family Security.

#### **Senator Wiger introduced--**

**S.F. No. 370:** A bill for an act relating to education; providing independent school district No. 622, North St. Paul-Maplewood-Oakdale, with alternative facilities bonding and levy program authority.

Referred to the Committee on Children, Families and Learning.

#### **Senator Wiger introduced--**

**S.F. No. 371:** A bill for an act relating to public safety; appropriating money for National Weather Service transmitters.

Referred to the Committee on Transportation.

#### **Senator Robertson introduced--**

**S.F. No. 372:** A bill for an act relating to retirement; teachers retirement association; authorizing the purchase of service credit for a sabbatical leave by certain teachers.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Vickerman, Hottinger, Lourey, Frederickson and Lesewski introduced--**

**S.F. No. 373:** A bill for an act relating to regional development commissions; appropriating money for regional planning.

Referred to the Committee on Local and Metropolitan Government.

**Senators Ranum, Berglin, Spear, Betzold and Limmer introduced--**

**S.F. No. 374:** A bill for an act relating to criminal justice information; establishing a public-private task force to develop a plan to create and implement an integrated criminal justice information system in Hennepin county and statewide; authorizing the supreme court to award aid to counties and judicial districts to develop and implement these integration plans; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 299C and 477A.

Referred to the Committee on Crime Prevention.

**Senators Murphy; Solon; Langseth; Johnson, D.E. and Morse introduced--**

**S.F. No. 375:** A bill for an act relating to transportation; appropriating money for port development assistance.

Referred to the Committee on Transportation.

**Senators Solon; Johnson, D.J. and Lourey introduced--**

**S.F. No. 376:** A bill for an act relating to the Western Lake Superior sanitary district; modifying board members' compensation; amending Minnesota Statutes 1998, section 458D.03, subdivision 9.

Referred to the Committee on Environment and Natural Resources.

**Senator Robertson introduced--**

**S.F. No. 377:** A bill for an act relating to state employment; Minnesota state colleges and universities system; permitting retired employees formerly represented by the Minnesota federation of teachers to elect between certain contract provisions.

Referred to the Committee on Governmental Operations and Veterans.

**Senator Day introduced--**

**S.F. No. 378:** A bill for an act relating to education; authorizing health and safety revenue for independent school district No. 2125, Triton.

Referred to the Committee on Children, Families and Learning.

**Senators Scheevel, Kiscaden, Robling, Langseth and Hanson introduced--**

**S.F. No. 379:** A bill for an act relating to highways; modifying route of Laura Ingalls Wilder Historic Highway; amending Minnesota Statutes 1998, section 161.14, subdivision 29.

Referred to the Committee on Transportation.

**Senators Krentz, Beckman, Janezich, Wiger and Knutson introduced--**

**S.F. No. 380:** A bill for an act relating to education; authorizing program grants for gifted and talented students; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Pappas; Johnson, D.J.; Belanger; Murphy and Scheid introduced--**

**S.F. No. 381:** A bill for an act relating to mortgage registry and deed taxes; making technical and clarifying changes; defining terms; amending Minnesota Statutes 1998, sections 270.101, subdivision 1; 287.01; 287.04; 287.05; 287.08; 287.10; 287.11; 287.12; 287.13, subdivision 1; 287.21, subdivision 1; 287.22; 287.23; 287.24; 287.241; 287.29, subdivision 1; 287.30; 287.31; and 287.33; proposing coding for new law in Minnesota Statutes, chapter 287; repealing Minnesota Statutes 1998, sections 287.06; 287.07; 287.09; 287.21, subdivisions 2 and 4; 287.34; 287.35; and 287.36.

Referred to the Committee on Local and Metropolitan Government.

**Senators Scheid; Johnson, D.J.; Belanger; Murphy and Hanson introduced--**

**S.F. No. 382:** A bill for an act relating to taxation; making technical corrections to income, property, sales, MinnesotaCare, and certain special taxes; making technical corrections to certain state tax administrative provisions; amending Minnesota Statutes 1998, sections 60A.15, by adding a subdivision; 271.01, subdivision 5; 271.21, subdivision 2; 273.111, subdivision 3; 273.124, subdivision 13; 289A.40, subdivision 1; 289A.60, subdivisions 3 and 21; 290.0671, subdivision 1; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivision 4; 295.50, subdivision 9b; 295.55, subdivisions 2 and 3; 295.57, by adding a subdivision; 297A.15, subdivision 5; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.01, subdivision 12; 297H.05; and 297H.06, subdivision 2; repealing Minnesota Statutes 1998, sections 273.11, subdivision 10; 297E.12, subdivision 3; 297F.19, subdivision 4; and 297G.18, subdivision 4.

Referred to the Committee on Taxes.

**Senators Pappas, Foley, Fischbach, Piper and Lourey introduced--**

**S.F. No. 383:** A bill for an act relating to health occupations; clarifying licensure requirements for the practice of midwifery; amending Minnesota Statutes 1998, sections 147.09; 148.30; 148.31; and 148.32; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Rules, parts 5600.2000; and 5600.2100.

Referred to the Committee on Health and Family Security.

**Senators Johnson, D.J. and Solon introduced--**

**S.F. No. 384:** A bill for an act relating to tax increment financing; permitting pooling of increments by certain districts in the city of Duluth.

Referred to the Committee on Local and Metropolitan Government.

**Senators Johnson, D.J. and Solon introduced--**

**S.F. No. 385:** A bill for an act relating to the city of Duluth; authorizing the refunding of convention center bonds.

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

**Senators Stumpf; Pariseau; Murphy; Johnson, D.J. and Vickerman introduced--**

**S.F. No. 386:** A bill for an act relating to taxation; extending relative homestead treatment to

property occupied by the niece or nephew of the owner; amending Minnesota Statutes 1998, section 273.124, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

**Senators Stumpf; Berg; Murphy; Johnson, D.J. and Vickerman introduced--**

**S.F. No. 387:** A bill for an act relating to taxation; reducing the rates of the taxes on lawful gambling; amending Minnesota Statutes 1998, section 297E.02, subdivisions 1, 4, and 6.

Referred to the Committee on Local and Metropolitan Government.

**Senators Novak; Runbeck; Anderson; Johnson, D.J. and Pappas introduced--**

**S.F. No. 388:** A bill for an act relating to state lands; authorizing conveyance of certain tax-forfeited land in Ramsey county.

Referred to the Committee on Environment and Natural Resources.

**Senators Larson and Samuelson introduced--**

**S.F. No. 389:** A bill for an act relating to economic development; appropriating money for the office of tourism.

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

**Senators Betzold and Robertson introduced--**

**S.F. No. 390:** A bill for an act relating to the state high school league; amending Minnesota Statutes 1998, sections 128C.01, subdivision 4; 128C.02, by adding a subdivision; 128C.03; 128C.12, subdivision 1; 128C.20, subdivisions 1, 2, and by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 391:** A bill for an act relating to young people; appropriating money for youth outreach services.

Referred to the Committee on Children, Families and Learning.

**Senators Hanson, Belanger, Wiener, Lessard and Knutson introduced--**

**S.F. No. 392:** A bill for an act relating to taxation; providing a reduced class rate for certain property bordering public waters; amending Minnesota Statutes 1998, section 273.13, subdivision 23.

Referred to the Committee on Local and Metropolitan Government.

**Senators Novak, Belanger, Scheid, Wiener and Metzen introduced--**

**S.F. No. 393:** A bill for an act relating to property taxes; extending the education homestead credit to seasonal recreational property; amending Minnesota Statutes 1998, section 273.1382, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

**Senators Kleis; Day; Kelly, R.C. and Foley introduced--**

**S.F. No. 394:** A bill for an act relating to motor vehicles; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable form to be provided in a vehicle's certificate of title and completed under certain circumstances; appropriating money; amending Minnesota Statutes 1998, sections 168.17; 168A.05, subdivision 5; and 168A.10, subdivisions 1, 2, and 5.

Referred to the Committee on Transportation.

**Senators Pariseau, Lessard, Limmer, Stevens and Laidig introduced--**

**S.F. No. 395:** A bill for an act proposing an amendment to the Minnesota Constitution, article I; providing that the right of citizens to bear arms for certain purposes is fundamental and shall not be abridged.

Referred to the Committee on Judiciary.

**Senators Johnson, D.J.; Moe, R.D.; Belanger; Ten Eyck and Hanson introduced--**

**S.F. No. 396:** A bill for an act relating to public administration; providing a sales tax rebate; providing a permanent procedure for tax rebates; providing for deposit of tobacco settlement proceeds; abolishing certain accounts; converting capital project financing from general fund cash to general obligation bonding; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; appropriating money; amending Laws 1998, chapter 404, section 27, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1998, sections 16A.152, subdivision 2; and 16A.1521.

Referred to the Committee on Taxes.

**Senator Betzold introduced--**

**S.F. No. 397:** A bill for an act relating to drivers' licenses; modifying required content of petition for seeking judicial review of driver's license revocation for violating implied consent law; limiting scope of discovery in that proceeding under implied consent law; amending Minnesota Statutes 1998, section 169.123, subdivision 5c.

Referred to the Committee on Crime Prevention.

**Senators Sams and Larson introduced--**

**S.F. No. 398:** A bill for an act relating to the Sauk river watershed district; authorizing a levy for its administrative fund.

Referred to the Committee on Environment and Natural Resources.

**Senators Johnson, D.J.; Stumpf; Janezich; Robertson and Langseth introduced--**

**S.F. No. 399:** A bill for an act relating to education; establishing declining pupil unit aid for school; appropriating money; amending Minnesota Statutes 1998, sections 126C.05, by adding a subdivision; and 126C.10, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

**Senators Samuelson, Fischbach and Stevens introduced--**

**S.F. No. 400:** A bill for an act relating to transportation; appropriating money to commissioner of transportation to study feasibility of extending Northstar corridor from St. Cloud to Little Falls.

Referred to the Committee on Transportation.

**Senators Ten Eyck, Stumpf and Johnson, D.J. introduced--**

**S.F. No. 401:** A bill for an act relating to tax-forfeited land sales; removing a provision dealing with apportionment of the net proceeds of sales and rental of forfeited lands; repealing Minnesota Statutes 1998, section 282.05.

Referred to the Committee on Environment and Natural Resources.

**Senators Hanson, Betzold, Krentz and Foley introduced--**

**S.F. No. 402:** A bill for an act relating to state lands; authorizing conveyance or public sale of certain tax-forfeited lands that border public water or natural wetlands in Anoka county.

Referred to the Committee on Environment and Natural Resources.

**Senators Betzold, Foley, Krentz and Hanson introduced--**

**S.F. No. 403:** A bill for an act relating to counties; providing for an alternative method of describing real property for some purposes; proposing coding for new law in Minnesota Statutes, chapter 507.

Referred to the Committee on Judiciary.

**Senators Runbeck, Betzold, Foley and Hanson introduced--**

**S.F. No. 404:** A bill for an act relating to Anoka county; providing for city administration of the dangerous dog registration system.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Foley, Betzold, Hanson and Runbeck introduced--**

**S.F. No. 405:** A bill for an act relating to counties; providing for alternative numbering of certain recorded and filed documents; amending Minnesota Statutes 1998, sections 386.31; and 508.38.

Referred to the Committee on Local and Metropolitan Government.

**Senators Murphy; Moe, R.D.; Johnson, D.H. and Johnson, D.E. introduced--**

**S.F. No. 406:** A bill for an act relating to Indian affairs; modifying provisions related to human remains; amending Minnesota Statutes 1998, sections 138.31, subdivisions 2, 4, and by adding a subdivision; 138.34; 138.35, subdivision 1b; 138.36, subdivisions 1, 2, and 5; 138.37, subdivisions 2 and 3; and 307.08.

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

**Senators Johnson, D.E. and Frederickson introduced--**

**S.F. No. 407:** A bill for an act relating to capital investment; amending a grant to the McLeod West school district No. 2887; amending Laws 1998, chapter 404, section 5, subdivision 11.

Referred to the Committee on Children, Families and Learning.

**Senators Moe, R.D. and Pogemiller introduced--**

**S.F. No. 408:** A bill for an act relating to education; appropriating money for a new facility for Pine Point school and for a community center.

Referred to the Committee on Children, Families and Learning.

**Senators Pogemiller, Solon, Metzen and Stumpf introduced--**

**S.F. No. 409:** A bill for an act relating to retirement; modifying early retirement provisions for the state patrol retirement fund and public employees retirement association; providing for pre-1999 consolidations; amending Minnesota Statutes 1998, sections 352B.08, subdivision 2a; 353.651, subdivision 4; and 353A.083, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Ten Eyck, Morse, Samuelson, Dille and Solon introduced--**

**S.F. No. 410:** A bill for an act relating to human services; increasing prepaid medical assistance and prepaid general assistance medical care program contract rates for nonmetropolitan counties; amending Minnesota Statutes 1998, section 256B.69, subdivision 5b.

Referred to the Committee on Health and Family Security.

**Senators Johnson, D.H.; Ten Eyck; Belanger; Knutson and Spear introduced--**

**S.F. No. 411:** A bill for an act relating to crime; imposing criminal penalties for manufacturing, distributing, selling, or possessing counterfeited intellectual property; providing for forfeiture of these items; amending Minnesota Statutes 1998, sections 609.531, subdivision 1; and 609.902, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

**Senator Cohen introduced--**

**S.F. No. 412:** A bill for an act relating to liquor; authorizing the city of St. Paul to issue temporary intoxicating liquor licenses to Macalester college.

Referred to the Committee on Commerce.

**Senators Anderson, Higgins, Novak and Limmer introduced--**

**S.F. No. 413:** A bill for an act relating to community development; providing a grant for the Neighborhood Development Center, Inc.; appropriating money.

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

**Senator Anderson introduced--**

**S.F. No. 414:** A bill for an act relating to economic security finance; declaring a state policy; appropriating money to accomplish it.

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

**Senator Lesewski introduced--**

**S.F. No. 415:** A bill for an act relating to health; exempting certain services provided free of charge from the MinnesotaCare tax; amending Minnesota Statutes 1998, section 295.50, subdivision 3.

Referred to the Committee on Health and Family Security.

**Senators Higgins, Flynn, Pogemiller, Berglin and Spear introduced--**

**S.F. No. 416:** A bill for an act relating to local government; directing the city of Minneapolis to authorize participation by certain workers and apprentices in deferred compensation plan; amending Laws 1988, chapter 471, section 1, subdivision 1, as amended.

Referred to the Committee on Local and Metropolitan Government.

**Senator Hottinger introduced--**

**S.F. No. 417:** A bill for an act relating to retirement; public employees retirement association; authorizing the purchase of certain periods of salary credit.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Hottinger, Berglin, Betzold, Terwilliger and Fischbach introduced--**

**S.F. No. 418:** A bill for an act relating to professions; modifying certain licensing and registration requirements for physicians, acupuncturists, and athletic trainers; amending Minnesota Statutes 1998, sections 147.02, subdivision 1; 147.03, subdivision 1; 147.037, subdivision 1; 147B.02, subdivisions 4 and 9; 147B.05, subdivision 2; 148.7808, subdivisions 4 and 5; and 148.7815, subdivisions 1 and 2.

Referred to the Committee on Health and Family Security.

**Senators Runbeck, Wiener, Kiscaden, Spear and Oliver introduced--**

**S.F. No. 419:** A bill for an act relating to civil actions; regulating economic loss arising from the sale of goods; amending Minnesota Statutes 1998, section 604.10; repealing Laws 1998, First Special Session chapter 2.

Referred to the Committee on Judiciary.

**Senators Hottinger, Kiscaden, Betzold and Wiger introduced--**

**S.F. No. 420:** A bill for an act relating to civil actions; enacting the Uniform Correction or Clarification of Defamation Act; proposing coding for new law as Minnesota Statutes, chapter 553A.

Referred to the Committee on Judiciary.

**Senator Lessard introduced--**

**S.F. No. 421:** A bill for an act relating to state lands; authorizing private or public sale of tax-forfeited lands bordering public waters in Itasca county.

Referred to the Committee on Environment and Natural Resources.

**Senators Higgins, Piper, Lourey, Foley and Marty introduced--**

**S.F. No. 422:** A resolution memorializing the President and Congress to enact legislation to close the United States Army School of the Americas, a United States Army training facility, located at Fort Benning, Georgia.

Referred to the Committee on Governmental Operations and Veterans.

**Senator Spear introduced--**

**S.F. No. 423:** A bill for an act relating to retirement; Minneapolis teachers retirement fund association; permitting the designation of certain supplemental needs trusts as the designated beneficiary of an optional annuity form.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Vickerman, Sams, Berg, Dille and Scheevel introduced--**

**S.F. No. 424:** A bill for an act relating to agriculture; permitting distribution of nonregistered pesticides for certain uses outside the state; amending Minnesota Statutes 1998, section 18B.26, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

**Senators Vickerman, Day, Pariseau, Murphy and Hanson introduced--**

**S.F. No. 425:** A bill for an act relating to property taxation; requiring a truth in taxation hearing for hospital districts; amending Minnesota Statutes 1998, section 275.065, subdivisions 3, 5a, and 6.

Referred to the Committee on Local and Metropolitan Government.

**Senators Betzold and Johnson, J.B. introduced--**

**S.F. No. 426:** A bill for an act relating to public safety; reducing fee for identification card for person with persistent mental illness; amending Minnesota Statutes 1998, section 171.07, subdivision 3.

Referred to the Committee on Transportation.

**Senators Scheevel, Wiger, Neuville, Langseth and Vickerman introduced--**

**S.F. No. 427:** A bill for an act relating to education; providing for an alternative facilities design grant; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Hanson, Scheevel, Piper, Vickerman and Murphy introduced--**

**S.F. No. 428:** A bill for an act relating to agriculture; extending the program for control of pseudorabies in swine; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

**Senator Pogemiller introduced--**

**S.F. No. 429:** A bill for an act relating to education; appropriating money for the center for victims of torture.

Referred to the Committee on Children, Families and Learning.

**Senators Pogemiller and Pappas introduced--**

**S.F. No. 430:** A bill for an act relating to education; appropriating money to fund the Minnesota International Center's international classroom connection.

Referred to the Committee on Children, Families and Learning.

**Senator Flynn introduced--**

**S.F. No. 431:** A bill for an act relating to taxes; removing the application requirement in certain cases for the "this old house" program; amending Minnesota Statutes 1998, section 273.11, subdivision 16.

Referred to the Committee on Local and Metropolitan Government.

**Senators Vickerman; Metzen; Runbeck; Johnson, D.J. and Day introduced--**

**S.F. No. 432:** A bill for an act relating to taxation; reducing the rates of the taxes on lawful gambling; amending Minnesota Statutes 1998, section 297E.02, subdivisions 1, 4, and 6.

Referred to the Committee on Local and Metropolitan Government.

**Senators Junge; Betzold; Johnson, D.H.; Ten Eyck and Beckman introduced--**

**S.F. No. 433:** A bill for an act relating to public safety; appropriating money for fire code position in the state fire marshal division.

Referred to the Committee on Crime Prevention.

**Senators Foley, Cohen, Flynn and Marty introduced--**

**S.F. No. 434:** A bill for an act relating to transportation; making seat belt violation a primary offense; amending Minnesota Statutes 1998, section 169.686, subdivision 1.

Referred to the Committee on Transportation.

**Senator Betzold introduced--**

**S.F. No. 435:** A bill for an act relating to education funding; creating an equalized discretionary aid and levy for deferred maintenance purposes; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Children, Families and Learning.

**Senators Foley, Lourey and Janezich introduced--**

**S.F. No. 436:** A bill for an act relating to public safety; relieving 911 dispatchers from tort liability in certain cases; proposing coding for new law in Minnesota Statutes, chapter 403.

Referred to the Committee on Judiciary.

**Senator Ten Eyck introduced--**

**S.F. No. 437:** A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Hubbard county.

Referred to the Committee on Environment and Natural Resources.

**Senator Junge introduced--**

**S.F. No. 438:** A bill for an act relating to civil service in the city of New Hope.

Referred to the Committee on Local and Metropolitan Government.

**Senators Berg; Kelly, R.C.; Lesewski and Day introduced--**

**S.F. No. 439:** A bill for an act relating to gambling; increasing the minimum age to gamble; amending Minnesota Statutes 1998, sections 240.25, subdivision 8; 349.2127, subdivision 8; and 349A.12, subdivisions 1, 2, and 5.

Referred to the Committee on Local and Metropolitan Government.

**Senators Robling, Oliver and Dille introduced--**

**S.F. No. 440:** A bill for an act relating to human services; exempting a nursing home in Carver county from the nursing home reimbursement operating per diem limit; amending Minnesota Statutes 1998, section 256B.431, subdivision 26.

Referred to the Committee on Health and Family Security.

**Senators Spear, Ten Eyck, Solon, Kleis and Belanger introduced--**

**S.F. No. 441:** A bill for an act relating to crime prevention; modifying the criminal penalties for certain crimes to provide more uniformity; increasing the amount of certain civil penalties for issuance of dishonored checks; creating a pretrial diversion program for writers of dishonored checks; amending Minnesota Statutes 1998, sections 332.50, subdivision 2; 609.52, subdivision 3; 609.535, subdivision 2a; 609.631, subdivision 4; and 609.821, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 628.

Referred to the Committee on Crime Prevention.

**Senators Neuville, Scheevel and Olson introduced--**

**S.F. No. 442:** A bill for an act relating to education; entitling public school students to an education without serious classroom disruption; providing a remedy; amending Minnesota Statutes 1998, sections 121A.42; 121A.45, subdivision 2; and 125A.08; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Children, Families and Learning.

**Senators Marty, Knutson and Neuville introduced--**

**S.F. No. 443:** A bill for an act relating to crime prevention; expanding reporting requirements for health professionals concerning injuries resulting from alcohol- or controlled substance-related accidents; expanding civil and criminal immunity for reports by health professionals; amending Minnesota Statutes 1998, sections 626.52; and 626.55, subdivision 1; repealing Minnesota Statutes 1998, section 626.55, subdivision 2.

Referred to the Committee on Crime Prevention.

**Senators Langseth, Higgins, Hanson and Scheevel introduced--**

**S.F. No. 444:** A bill for an act relating to education; providing referendum revenue for charter school; amending Minnesota Statutes 1998, section 124D.11, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

**Senators Krentz, Hanson, Scheid and Langseth introduced--**

**S.F. No. 445:** A bill for an act relating to education funding; increasing equity in Minnesota's school finance system; increasing the general education formula allowance; appropriating money; amending Minnesota Statutes 1998, sections 126C.10, subdivisions 1, 2, and by adding a subdivision; and 127A.51.

Referred to the Committee on Children, Families and Learning.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Thursday, February 4, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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