

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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SEVENTEENTH DAY

St. Paul, Minnesota, Monday, February 15, 1999

The Senate met at 10:00 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. Willie Hudson.

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

## MEMBERS EXCUSED

Senators Day, Frederickson, Hottinger, Scheid and Sams were excused from the Session of today.

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1:

**H.F. No. 1:** A bill for an act relating to taxation; providing for an income and property tax

rebate; providing for agricultural assistance; exempting certain storm-damaged tree trimming and removal services from the sales tax; providing for automatic rebates in enacted budget; appropriating money; amending Minnesota Statutes 1998, sections 297A.15, subdivision 6; and 297A.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Abrams, McElroy, Osthoff, Daggett and Kuisle have been appointed as such committee on the part of the House.

House File No. 1 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 February 11, 1999

Senator Johnson, D.J. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1, 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 File, herewith transmitted: H.F. No. 15.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 11, 1999

### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

**H.F. No. 15:** A bill for an act relating to education; amending the state graduation standards; providing for districts to adopt rigorous academic standards; providing for statewide accountability; amending Minnesota Statutes 1998, sections 120B.02; 120B.30, subdivision 1; 120B.31, subdivisions 1, 3, and 4; and 136A.233, subdivision 4; repealing Minnesota Statutes 1998, sections 120B.03; and 120B.04; Minnesota Rules, parts 3501.0300; 3501.0310; 3501.0320; 3501.0330; 3501.0340; 3501.0350; 3501.0360; 3501.0370; 3501.0380; 3501.0390; 3501.0400; 3501.0410; 3501.0420; 3501.0430; 3501.0440; 3501.0441; 3501.0442; 3501.0443; 3501.0444; 3501.0445; 3501.0446; 3501.0447; 3501.0448; 3501.0449; 3501.0450; 3501.0460; 3501.0461; 3501.0462; 3501.0463; 3501.0464; 3501.0465; 3501.0466; 3501.0467; 3501.0468; and 3501.0469.

Referred to the Committee on Children, Families and Learning.

### REPORTS OF COMMITTEES

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

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

**S.F. No. 533:** A bill for an act relating to criminal procedure; requesting a report on prosecutorial rebuttals; repealing the law providing for order of final argument; amending Laws 1997, chapter 239, article 3, sections 22 and 23; repealing Minnesota Statutes 1998, section 631.07.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 631.07, is amended to read:

631.07 [ORDER OF FINAL ARGUMENT.]

When the giving of evidence is concluded in a criminal trial, unless the case is submitted on both sides without argument, the prosecution may make a closing argument to the jury. The defense may then make its closing argument to the jury. The court shall permit the prosecution to reply in rebuttal, which shall be limited to a response to any misstatement of law or fact or a statement that is inflammatory or prejudicial made by the defense in its closing argument. The court shall then permit the defense to reply in surrebuttal, which shall be limited to issues of law and fact which were raised in the prosecutor's rebuttal.

Sec. 2. [RULE SUPERSEDED.]

Minnesota Rules of Criminal Procedure, rule 26.03, subdivision 11, is superseded to the extent it conflicts with section 1.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective August 1, 1999, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; specifying that the prosecution may reply in rebuttal to the closing argument of the defense and that the defense may then reply in surrebuttal to the prosecution's rebuttal; amending Minnesota Statutes 1998, section 631.07."

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. 333:** A bill for an act relating to crime; providing criminal penalties for persons who intentionally use the identity of another person to obtain money, goods, or services, to commit unlawful activity, or to cause loss to another person; authorizing the civil forfeiture of property that is used to commit or is generated by such fraudulent activity; amending Minnesota Statutes 1998, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Delete everything after the enacting clause and insert:

"Section 1. [609.527] [IDENTITY THEFT.]

Subdivision 1. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given them in this subdivision.

(b) "Direct victim" means any person or entity described in section 611A.01, paragraph (b), whose identity has been transferred, used, or possessed in violation of this section.

(c) "Identity" means any name, number, or data transmission that may be used, alone or in conjunction with any other information, to identify a specific individual, including any of the following:

(1) a name, social security number, date of birth, official government-issued driver's license or identification number, government passport number, or employer or taxpayer identification number;

(2) unique electronic identification number, address, account number, or routing code; or

(3) telecommunication identification information or access device.

(d) "Indirect victim" means any person or entity described in section 611A.01, paragraph (b), other than a direct victim.

(e) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause (3), and expenses incurred by a direct or indirect victim as a result of a violation of this section.

(f) "Unlawful activity" means:

(1) any felony violation of the laws of this state or any felony violation of a similar law of another state or the United States; and

(2) any non-felony violation of the laws of this state involving theft, theft by swindle, forgery, fraud, or giving false information to a public official, or any non-felony violation of a similar law of another state or the United States.

Subd. 2. [CRIME.] A person who transfers, possesses, or uses an identity that is not the person's own, with the intent to commit, aid, or abet any unlawful activity is guilty of identity theft and may be punished as provided in subdivision 3.

Subd. 3. [PENALTIES.] A person who violates subdivision 2 may be sentenced as follows:

(1) if the offense involves a single direct victim and the total, combined loss to the direct victim and any indirect victims is \$200 or less, the person may be sentenced as provided in section 609.52, subdivision 3, clause (5);

(2) if the offense involves a single direct victim and the total, combined loss to the direct victim and any indirect victims is more than \$200 but not more than \$500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (4);

(3) if the offense involves a single direct victim and the total, combined loss to the direct victim and any indirect victims is more than \$500 but not more than \$2,500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (3);

(4) if the offense involves more than one but fewer than four direct victims, or if the total, combined loss to the direct and indirect victims is more than \$2,500 but not more than \$35,000, the person may be sentenced as provided in section 609.52, subdivision 3, clause (2); and

(5) if the offense involves four or more direct victims, or if the total, combined loss to the direct and indirect victims is more than \$35,000, the person may be sentenced as provided in section 609.52, subdivision 3, clause (1).

Subd. 4. [RESTITUTION.] A direct or indirect victim of an identity theft crime shall be considered a victim for all purposes, including any rights that accrue under chapter 611A and rights to court-ordered restitution.

Sec. 2. Minnesota Statutes 1998, section 609.531, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purpose of sections 609.531 to 609.5318, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a dangerous weapon as defined under section 609.02, subdivision 6, that the actor used or had in possession in furtherance of a crime.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the bureau of criminal apprehension, the Minnesota state patrol, a county sheriff's department, the suburban Hennepin regional park district park rangers, the department of natural resources division of enforcement, the University of Minnesota police department, or a city or airport police department.

(f) "Designated offense" includes:

(1) for weapons used: any violation of this chapter, chapter 152, or chapter 624;

(2) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21; 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345, subdivision 1, clauses (a) to (e), and (h) to (j); 609.42; 609.425; 609.466; 609.485; 609.487; 609.52; 609.525; 609.527; 609.53; 609.54; 609.551; 609.561; 609.562; 609.563; 609.582; 609.59; 609.595; 609.631; 609.66, subdivision 1e; 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89; 609.893; 617.246; or a gross misdemeanor or felony violation of section 609.891 or 624.7181; or any violation of section 609.324.

(g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Sec. 3. Minnesota Statutes 1998, section 609.902, subdivision 4, is amended to read:

Subd. 4. [CRIMINAL ACT.] "Criminal act" means conduct constituting, or a conspiracy or attempt to commit, a felony violation of chapter 152, or a felony violation of section 297D.09; 299F.79; 299F.80; 299F.82; 609.185; 609.19; 609.195; 609.20; 609.205; 609.221; 609.222; 609.223; 609.2231; 609.228; 609.235; 609.245; 609.25; 609.27; 609.322; 609.342; 609.343; 609.344; 609.345; 609.42; 609.48; 609.485; 609.495; 609.496; 609.497; 609.498; 609.52, subdivision 2, if the offense is punishable under subdivision 3, clause (3)(b) or clause 3(d)(v) or (vi); section 609.52, subdivision 2, clause (4); 609.53; 609.527, if the crime is punishable under subdivision 3, clause (4) or (5); 609.561; 609.562; 609.582, subdivision 1 or 2; 609.668, subdivision 6, paragraph (a); 609.67; 609.687; 609.713; 609.86; 609.894, subdivision 3 or 4; 624.713; 624.74; or 626A.02, subdivision 1, if the offense is punishable under section 626A.02, subdivision 4, paragraph (a). "Criminal act" also includes conduct constituting, or a conspiracy or attempt to commit, a felony violation of section 609.52, subdivision 2, clause (3), (4), (15), or (16), if the violation involves an insurance company as defined in section 60A.02, subdivision 4, a nonprofit health service plan corporation regulated under chapter 62C, a health maintenance organization regulated under chapter 62D, or a fraternal benefit society regulated under chapter 64B.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective August 1, 1999, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; providing criminal penalties and forfeiture sanctions for persons who transfer, possess, or use the identity of another with intent to commit or aid in the commission of certain unlawful activity; amending Minnesota Statutes 1998, sections 609.531, subdivision 1; and 609.902, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609."

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. 214** 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.
		214	241		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 214 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 214 and insert the language after the enacting clause of S.F. No. 241, the first engrossment; further, delete the title of H.F. No. 214 and insert the title of S.F. No. 241, the first engrossment.

And when so amended H.F. No. 214 will be identical to S.F. No. 241, and further recommends that H.F. No. 214 be given its second reading and substituted for S.F. No. 241, 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.

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

**S.F. No. 90:** A bill for an act relating to civil actions; modifying the limitations provision governing health provider actions; amending Minnesota Statutes 1998, section 541.07; proposing coding for new law in Minnesota Statutes, chapter 541.

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

Page 3, line 18, delete "for which the applicable"

Page 3, line 19, delete everything before the period

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

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

**S.F. No. 343:** A bill for an act relating to real property; making changes in provisions about certificates of title and the Common Interest Ownership Act; making miscellaneous changes to alter real property provisions; amending Minnesota Statutes 1998, sections 40A.10, subdivisions 1 and 3; 40A.11, subdivision 4; 47.20, subdivision 2; 51A.02, subdivision 29; 60C.09, subdivision 1; 83.20, subdivisions 11 and 14; 83.26, subdivision 2; 103F.612, subdivisions 2 and 4; 103F.613, subdivision 3; 103I.235, subdivision 1; 238.22, subdivision 3; 273.124, subdivision 2; 297H.01, subdivision 8; 327C.095, subdivision 5; 357.18, subdivision 1; 359.02; 389.09; 428A.11, subdivisions 4 and 6; 462C.02, subdivisions 4 and 5; 462C.05, subdivision 1; 473H.02, subdivision 6; 473H.05, subdivision 1; 473H.06, subdivisions 1 and 2; 473H.08, subdivision 4; 500.20, subdivision 2a; 505.08, subdivision 3; 507.421; 508.14; 508.24, subdivision 2; 508.25; 508.35; 508.36; 508.38; 508.40; 508.421, subdivision 2; 508.47, subdivision 4; 508.49; 508.51, subdivision 1; 508.52; 508.55; 508.56; 508.57; 508.58; 508.59; 508.61, subdivisions 2 and 3; 508.67; 508.68; 508.71, subdivisions 2, 4, 5, 6, and by adding a subdivision; 508.76; 508.82, subdivision 1; 508A.10; 508A.11, subdivision 3; 508A.22, subdivisions 2 and 3; 508A.25; 508A.35; 508A.38; 508A.40; 508A.421, subdivision 2; 508A.47, subdivision 4; 508A.49; 508A.51, subdivision 1; 508A.52; 508A.55; 508A.56; 508A.57; 508A.58; 508A.59; 508A.61, subdivisions 2 and 3; 508A.71, subdivisions 2, 3, 5, 6, and by adding a subdivision; 508A.72; 508A.76; 508A.82, subdivision 1; 508A.85, subdivisions 3 and 4; 515B.1-102; 515B.1-103; 515B.1-116; 515B.2-101; 515B.2-104; 515B.2-105; 515B.2-108; 515B.2-109; 515B.2-110; 515B.2-118; 515B.2-119; 515B.2-121; 515B.2-122; 515B.3-103; 515B.3-105; 515B.3-106; 515B.3-110; 515B.3-113; 515B.3-115; 515B.3-116; 515B.3-121; 515B.4-101; 515B.4-102; 515B.4-106; 515B.4-107; 515B.4-108; 515B.4-111; 515B.4-115; 524.2-201; 559.21, subdivision

2a; and 582.32, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 386; and 515B; repealing Minnesota Statutes 1998, sections 473H.02, subdivision 11; 473H.05, subdivision 3; 508.405; 508.421, subdivision 1; 508.44; 508.45; 508.51, subdivision 2; 508.835; 508A.421, subdivision 1; 508A.44; 508A.45; 508A.51, subdivision 2; and 508A.835.

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

Page 13, line 29, strike "likewise" and insert "also"

Page 13, line 30, strike "such" and insert "the"

Page 14, line 5, strike "The court shall adopt"

Page 14, strike lines 6 to 8

Page 19, line 36, delete "title (other)" and insert "title, other"

Page 20, line 2, delete "attorney-in-fact)" and insert "attorney-in-fact,"

Page 34, line 25, strike "to-wit,"

Page 36, line 21, strike "it" and insert "them"

Page 36, line 24, strike everything after the period

Page 36, strike lines 25 and 26

Page 55, line 34, delete the second "and"

Page 55, line 35, delete "section" and after the comma, insert "and 515B.4-108"

Page 75, after line 31, insert:

"Sec. 10. Minnesota Statutes 1998, section 515B.2-113, is amended to read:

515B.2-113 [ALTERATIONS OF UNITS.]

~~Subject to the provisions of the declaration and applicable law:~~

(a) ~~Subject to the provisions of the declaration and applicable law, a unit owner may, at the unit owner's expense, make any improvements or alterations to the unit, provided: (i) that they do not impair the structural integrity or mechanical systems, affect the common elements, or impair the support of any portion of the common interest community provided, (i); (ii) that prior arrangements are made with the association to ensure that other unit owners are not disturbed, (ii); (iii) that the common elements are not damaged,; and (iii) (iv) that the common elements and other units are protected against mechanics' liens.~~

(b) ~~Subject to the provisions of applicable law, a unit owner of a unit in residential use may, at the unit owner's expense, make improvements or alterations to the unit as necessary for the full enjoyment of the unit by any person residing in the unit who has a handicap or disability, as provided in the Fair Housing Amendments Act, United States Code, title 42, section 3601, et seq., and the Minnesota Human Rights Act, chapter 363, and any amendments to those acts.~~

(c) ~~The declaration, bylaws, rules, and regulations, or agreements with the association may not prohibit the improvements or alterations referred to in subsection (b), but may reasonably regulate the type, style, and quality of the improvements or alterations, as they relate to health, safety, and architectural standards. In addition, improvements or alterations made pursuant to subsection (b) must satisfy the requirements of subsection (a)(i), (ii), (iii), and (iv).~~

(d) ~~Notwithstanding any contrary provision of section 515B.1-102, subsection (b), applies to all common interest communities subject to chapter 515, 515A, or this chapter. The unit owner's rights under this section may not be waived.~~

(e) Subsection (b) does not apply to restrictions on improvements or alterations imposed by statute, rule, or ordinance.

(f) Subject to the provisions of the declaration and applicable law, a unit owner may, at the unit owner's expense, after acquiring title to an adjoining unit or an adjoining part of an adjoining unit, with the prior written approval of the association and first mortgagees of the affected units, remove or alter any intervening partition or create apertures therein, even if the partition is part of the common elements, if those acts do not impair the structural integrity or mechanical systems or lessen the support of any portion of the common interest community. The adjoining unit owners shall have the exclusive license to use the space occupied by the removed partition, but the use shall not create an easement or vested right. Removal of partitions or creation of apertures under this paragraph is not an alteration of boundaries. The association may require that the owner or owners of units affected replace or restore any removed partition, that the unit owner comply with subsection (a)(i), (ii) and (iii), and that the unit owner pay all fees and costs incurred by the association in connection with the alteration."

Page 90, delete lines 21 to 36

Page 91, delete lines 1 to 4 and insert:

"(i) If so provided in the master declaration, a master association may levy assessments for common expenses of the master association against the property subject to the master declaration, and have and foreclose liens securing the assessments. The liens shall have the same priority against secured parties, shall include the same fees and charges, and may be foreclosed in the same manner, as assessment liens under section 515B.3-116. The master association's lien shall have priority as against the lien of an association or property owner's association subject to the master association, regardless of when the lien arose or was perfected.

(1) Master association common expenses shall be allocated among the members of the master association in a fair and equitable manner. If the members are associations or property owners' associations, then the master assessments may be allocated among and levied directly against the units or other parcels owned by the members of the association or property owner's association. If so provided in the master declaration, master assessments levied against a member association or property owner's association are allocated among and levied against the units or other parcels owned by the members of the association or property owner's association. If applicable and appropriate, the formulas and principles described in section 515B.2-108, subsections (b), (c), (d), and (e), shall be used in making the allocations. The assessment formulas and procedures described in the declarations of any common interest communities or any instruments governing other real estate subject to the master association shall not conflict with the formulas and procedures described in the master declaration."

Page 120, lines 22 and 28, strike "15" and insert "ten"

Page 125, lines 19, 21, and 22, strike "15" and insert "ten"

Page 125, line 26, delete "15-day" and insert "ten-day"

Page 129, lines 4 and 7, strike "15" and insert "ten"

Page 129, line 9, delete "15-day" and insert "ten-day"

Pages 140 to 143, delete section 6

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "83.26, subdivision 2;"

Page 1, line 35, after "515B.2-110;" insert "515B.2-113;"

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



**SECOND READING OF SENATE BILLS**

S.F. Nos. 533, 333, 90 and 343 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 214 was read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Samuelson moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 52. The motion prevailed.

Senator Ranum moved that the name of Senator Johnson, J.B. be added as a co-author to S.F. No. 174. The motion prevailed.

Senator Marty moved that the name of Senator Murphy be added as a co-author to S.F. No. 295. The motion prevailed.

Senator Pogemiller moved that the name of Senator Limmer be added as a co-author to S.F. No. 409. The motion prevailed.

Senator Murphy moved that the name of Senator Johnson, J.B. be added as a co-author to S.F. No. 474. The motion prevailed.

Senator Johnson, D.J. moved that the names of Senators Day and Pappas be added as co-authors to S.F. No. 528. The motion prevailed.

Senator Price moved that the name of Senator Moe, R.D. be added as a co-author to S.F. No. 573. The motion prevailed.

Senator Hottinger moved that the names of Senators Lourey and Anderson be added as co-authors to S.F. No. 607. The motion prevailed.

Senator Price moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 609. The motion prevailed.

Senator Langseth moved that the names of Senators Foley and Lourey be added as co-authors to S.F. No. 680. The motion prevailed.

Senator Olson moved that the name of Senator Wiger be added as a co-author to S.F. No. 729. The motion prevailed.

Senator Kelly, R.C. moved that S.F. No. 698 be withdrawn from the Committee on Transportation and re-referred to the Committee on Crime Prevention. The motion prevailed.

Senator Stumpf moved that S.F. No. 720 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Agriculture and Rural Development. The motion prevailed.

**Senator Lesewski introduced--**

**Senate Resolution No. 36:** A Senate resolution commending Jennifer Johansson of Ghent, Minnesota, for her outstanding record of volunteer service.

Referred to the Committee on Rules and Administration.

Senator Pappas moved that S.F. No. 604 be withdrawn from the Committee on Governmental Operations and Veterans and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of the Calendar.

### CALENDAR

**S.F. No. 121:** A bill for an act relating to health; repealing the requirement that licensees of health-related boards receive continuing education in infection control; repealing Minnesota Statutes 1998, section 214.12, 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 185:** A bill for an act relating to education; eliminating three additional days of instruction; repealing Minnesota Statutes 1998, section 120A.41.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Flynn	Kelly, R.C.	Spear
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So the bill passed and its title was agreed to.

**S.F. No. 86:** A bill for an act relating to education; providing for technical and other changes to kindergarten through grade 12 education provisions; amending Minnesota Statutes 1998, sections 120B.05; 120B.11, subdivision 5; 121A.25, subdivision 1; 123A.22, subdivisions 6 and 7; 123A.27; 123A.48, subdivision 19; 123A.485, subdivision 1; 123B.14, subdivision 5; 123B.31;

123B.70, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivisions 1, 13, and 22; 123B.95, subdivision 2; 124D.11, subdivision 5; 124D.114; 124D.21; 124D.38, subdivision 9; 124D.40; 124D.41; 124D.42, subdivisions 4, 6, and 7; 124D.43; 124D.45, subdivisions 1 and 2; 124D.454, subdivision 8; 124D.53, subdivision 2; 124D.61; 124D.70; 124D.81, subdivision 1; 124D.83, subdivision 1; 124D.895; 124D.896; 125A.62, subdivision 1; 125A.77, subdivision 1; 125A.79, subdivision 1; 126C.05, subdivisions 4 and 5; 126C.10, subdivision 9; 126C.14; 126C.15, subdivision 3; 126C.16, subdivisions 1 and 2; 126C.22, subdivision 4; 126C.41, subdivision 1; 126C.44; 126C.48, subdivisions 2 and 5; 127A.41, subdivision 1; 127A.45, subdivision 13; and 127A.49, subdivisions 2 and 3; Laws 1998, chapter 398, article 5, section 50, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120A; repealing Minnesota Statutes 1998, sections 123B.92, subdivision 10; 124D.128, subdivision 4; 124D.38, subdivision 10; and 124D.45, subdivision 3; Laws 1995, First Special Session chapter 3, article 5, section 9; Laws 1997, chapter 192, section 19.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 27:** A bill for an act relating to game and fish; providing for lifetime crossbow permits for persons with permanent physical disabilities; amending Minnesota Statutes 1998, section 97B.106.

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

So the bill passed and its title was agreed to.

**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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of General Orders.

### GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Spear in the chair.

After some time spent therein, the committee arose, and Senator Spear reported that the committee had considered the following:

H.F. No. 6, which the committee recommends to pass with the following amendments offered by Senators Stumpf and Lourey:

Senator Stumpf moved to amend H.F. No. 6, the unofficial engrossment, as follows:

Pages 2 and 3, delete section 2 and insert:

"Sec. 2. [84.8712] [METAL TRACTION DEVICES; PROHIBITION ON PAVED TRAILS.]

Subdivision 1. [PROHIBITION.] A person may not use a snowmobile with metal traction devices on any paved public trail, except:

- (1) as provided by a local government with jurisdiction over a trail;
- (2) to make the shortest possible crossing over a paved state trail; or
- (3) on any portion of a paved state trail designated by the commissioner.

Subd. 2. [CIVIL CITATION; AUTHORITY TO ISSUE.] Conservation officers and other licensed peace officers may issue civil citations to a person who operates a snowmobile in violation of this section. The citation must impose a penalty of no more than \$50 for the first offense, no more than \$300 for the second offense, and no more than \$600 for third and subsequent offenses.

Subd. 3. [APPEALS.] Civil citations for offenses under this section may be appealed under the procedures in section 116.072, subdivision 6, if the recipient of the citation requests a hearing by notifying the commissioner in writing within 15 days after receipt of the citation. For the purposes of the enforcement of this section, the terms "commissioner" and "agency" as used in section 116.072 mean the commissioner of natural resources. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 4. [ENFORCEMENT.] Civil citations for offenses under this section may be enforced under section 116.072, subdivision 9. If a person fails to pay a penalty owed under this section, the person may not operate a snowmobile until the penalty is paid. Penalty amounts must be remitted within 30 days of issuance of the penalty citation.

Subd. 5. [ALLOCATION OF PENALTY AMOUNTS.] Penalty amounts collected from civil citations issued under this section are deposited to the unit of government employing the officer that issues the civil citation. The commissioner must deposit penalty amounts received by the state in the snowmobile trails and enforcement account established by section 84.83, subdivision 1. The penalty amounts in the account must be dedicated for the repair of paved public trails.

Subd. 6. [SELECTION OF REMEDY.] A person operating a snowmobile in violation of this section is guilty of a petty misdemeanor punishable by a fine of no more than \$50 for the first offense, no more than \$300 for the second offense, and no more than \$600 for the third and subsequent offenses. A peace officer may not seek both civil and petty misdemeanor penalties for a violation of this section."

Page 5, line 28, delete the first "and" and delete "Laws 1998, chapter 401, section 23" and insert "85.015, subdivision 1c"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Lourey moved to amend the Stumpf amendment to H.F. No. 6 as follows:

Page 1, line 12, before the semicolon, insert "at slow speed"

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

The question recurred on the adoption of the Stumpf amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

On motion of Senator Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

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

## MOTIONS AND RESOLUTIONS

**Senator Moe, R.D. introduced--**

**Senate Concurrent Resolution No. 4:** A Senate concurrent resolution providing for a Joint Convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring:

The Senate and House of Representatives shall meet in Joint Convention on Thursday, February 18, 1999, at 12:00 noon in the chamber of the House of Representatives to elect members to the Board of Regents of the University of Minnesota.

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

**Senator Moe, R.D. introduced--**

**Senate Concurrent Resolution No. 5:** A Senate concurrent resolution adopting Permanent Joint Rules of the Senate and House of Representatives.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

The Permanent Joint Rules of the Senate and the House of Representatives for the 81st Legislature shall read as follows:

**JOINT RULES OF THE SENATE AND  
HOUSE OF REPRESENTATIVES**

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### **ARTICLE I: JOINT CONVENTIONS**

#### **HOW GOVERNED**

**Rule 1.01.** The Speaker of the House shall preside at all Conventions of the two houses of the Legislature and shall call the members to order. The Chief Clerk of the House shall be the Secretary and the Sergeant at Arms of the House shall be the Sergeant at Arms of the Convention.

#### **PRESIDENT'S DUTIES**

**Rule 1.02.** The President of the Convention shall preserve order and decorum. ~~He~~ The President may speak on all points of order in preference to other members and shall decide questions of order, subject to an appeal to the Convention by any member. ~~He~~ The President shall rise to put a question but may state it while seated.

#### **PRESIDENT'S RIGHT TO VOTE**

**Rule 1.03.** The President shall have the right to vote in all cases except appeals from ~~his~~ the President's decisions. ~~He~~ The President shall vote last on all questions.

#### **STATING QUESTIONS**

**Rule 1.04.** Questions shall be put to the Convention in the following form: "As many as are of the opinion that (the question) shall pass, say 'Aye.'" After an affirmative vote is expressed the nays shall be called as follows: "As many as are of the contrary opinion, say 'No.'" If the President is in doubt or a division is called, those in the affirmative shall rise first and those in the negative afterward.

#### **ORDER OF DEBATE**

**Rule 1.05.** When any member wishes to speak to the Convention on any matter, ~~he~~ the member shall rise and respectfully address the President, and not speak further until recognized. ~~He~~ The member shall ~~confine himself~~ speak only to the question under debate and avoid personal remarks. When two or more members rise at the same time, the President shall designate the member to speak first. No member shall speak more than twice on the same question without permission of the Convention.

#### **CALLING MEMBER TO ORDER**

**Rule 1.06.** If any member of the Joint Convention is called to order for offensive words in debate, the member calling ~~him~~ to order shall report the words to which exception is taken and the Secretary shall record them. No member may be called to order for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place. A member called to order shall immediately sit down unless another member moves to permit ~~him~~

the member to explain. In any case, the Joint Convention, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall he the member be at liberty to proceed.

### CALL OF THE CONVENTION

**Rule 1.07.** Five members may demand a call of the Convention at any time except after voting has commenced. When such a call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave the Chamber, unless excused by the President, until the call is lifted. Proceedings under the roll call may be suspended by a majority vote of all the members of the Convention. A call of the Convention may be lifted by a majority vote of all the members of the Convention.

### ELECTIONS

**Rule 1.08.** In all elections by the Joint Convention, members shall vote viva voce and the roll of Senate members shall be called first. Whenever there is an election of any officer in Joint Convention, the result shall be certified by the President of the Senate and the Speaker of the House and announced by them to their respective houses. The result shall be entered ~~on~~ in the Journal of each house and communicated to the Governor by the Secretary of the Convention.

### NO SMOKING

**Rule 1.09.** No person is permitted to smoke in the Chamber or in the gallery during a Joint Convention.

### PARLIAMENTARY PROCEDURE

**Rule 1.10.** The rules of the House shall be the Rules of the Joint Convention of both houses in all cases in which the foregoing rules are not applicable.

## ARTICLE II: BILLS

### FORM

**Rule 2.01.** The title of each bill shall clearly state its subject and briefly state its purpose. When a bill amends or repeals an existing act, the title shall refer to the chapter, section or subdivision.

Reference shall be made to Minnesota Statutes for the provisions appearing therein unless reference to previous session laws is required for some special reason.

Bills shall refer to Minnesota Statutes as follows:

"Minnesota Statutes ....., section ....."

Bills shall refer to the session laws as follows:

"Laws ....., chapter ....., section ....."

A bill for the amendment of a statute shall contain the full text of the section or subdivision to be amended as it appears in the latest edition of Minnesota Statutes unless it has been amended, in which event it shall contain the full text as amended.



The words and characters constituting the amending matter shall be inserted in the proper place in the text and underscored. The words and characters to be eliminated by the amendment shall be stricken by drawing a line through them. The text of a new section or subdivision shall also be underscored when a bill amends an existing chapter or section by adding a new section or subdivision. In the omnibus appropriation bills required by Joint Rule 2.02, sections making an appropriation or transfer and not amending a statute or session law need not have new material underscored. Before a committee favorably reports upon a bill, the ~~chairman~~ chair of the committee shall see that the bill conforms to this rule. When a bill is printed in the Journal, the new matter shall be in italics or underscored and the matter to be eliminated shall be capitalized and in parentheses or stricken by drawing a line through it. A bill drafted by the Revisor of Statutes for the purposes of correcting errors in Minnesota Statutes need not comply with the provisions of this paragraph if the bill is labeled "REVISOR'S BILL" immediately below the title, and if there is attached thereto a memorandum of information explaining the reasons for the bill.

If the bill is for an original law and not for an amendment of an existing law, the sections and subdivisions shall be arranged, subdivided, and numbered in like manner as Minnesota Statutes. If such a bill assigns to the sections thereof headnotes or identification by the decimal system of numbering used in Minnesota Statutes, such headnotes and decimal identification may be submitted by standing committee ~~chairmen~~ chairs to the Revisor of Statutes for examination. Any such headnotes shall be capital letters enclosed in brackets, and shall be subject to the provisions of Minnesota Statutes, section 648.36.

All numbers in titles shall be expressed in figures. All numbers of section or chapter of law shall be in figures. In the body of a bill numbers in excess of ten shall be in figures, except for a special reason they may be written, but when written they shall not be followed by numbers or parentheses.

A bill may include or be accompanied by a table of contents.

A bill that repeals a statute may include or be accompanied by an appendix containing the full text of the section or subdivision repealed.

### APPROPRIATING MONEY

**Rule 2.02.** The same bill shall not appropriate public money or property to more than one local or private purpose.

No clause appropriating money for a local or private purpose shall be contained in a bill appropriating money for the State government or public institutions.

All resolutions authorizing the issuing of abstracts by the Secretary of the Senate or the Chief Clerk of the House for the payment of money shall be upon the call of "yeas" and "nays."

~~In odd-numbered years, at least eighteen calendar days prior to the last day the Legislature can meet in regular session, the Committee on finance of the Senate and the Committee on Ways and Means of the House shall report to their respective houses, unless directed by concurrent resolution to report different appropriation bills, appropriation bills for the two succeeding fiscal years as follows:~~

~~(a) A bill appropriating money for the general administrative and judicial expenses of the State government, including salaries, office expenses and supplies and other necessary expenses connected therewith;~~

~~(b) A bill covering appropriations relating to health and human services;~~

~~(c) A bill appropriating money for the support and maintenance of State educational institutions;~~

~~(d) A bill appropriating money for aid to school districts;~~

(e) A bill appropriating money for the protection and improvement of the State's environment and natural resources;

(f) A bill appropriating money for the department of transportation and other agencies;

(g) A bill appropriating money for criminal justice and the judiciary;

(h) A bill appropriating money for community development;

(i) A bill covering all appropriations providing for the payment of claims against the State of Minnesota which may have been allowed by the finance Committee of the Senate or the Ways and Means Committee of the House.

No other appropriations shall be contained in any of said bills but all other appropriations shall be contained in separate bills.

### DEADLINES

**Rule 2.03.** (a) Except as provided in paragraph (b), in odd-numbered years, committee reports on bills favorably acted upon by a committee in the house of origin after the sixth Friday before the last Friday the Legislature can meet in regular session, and committee reports on bills originating in the other house favorably acted upon by a committee after the fourth Friday before the last Friday the Legislature can meet in regular session, shall be referred in the Senate to the Committee on Rules and Administration, and the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Referral is not required when a committee after the earlier date and by the later date set by this paragraph acts on a bill that is a companion to a bill that has met the earlier deadline in the other house.

(b) Committee reports on bills containing an appropriation that are favorably acted upon by a committee in either house after the third Friday before the last Friday the Legislature can meet in regular session, shall be referred in the Senate to the Committee on Rules and Administration, and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. This rule does not apply to the Senate Committees on Finance and on Taxes and Tax Laws, and the House Committees on Ways and Means and on Taxes.

(c) Conference committees on the major appropriation bills specified in Joint Rule 2.02 shall have their reports on the members' desks by the last Thursday on which the Legislature can meet in regular session. After the last Friday on which the Legislature can meet in regular session, neither house shall act on bills other than those contained in:

(1) Reports of Conference Committees;

(2) Messages from the other house;

(3) Reports of the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House; or

(4) Messages from the Governor.

(d) In even-numbered years The Legislature shall establish by concurrent resolution deadlines for each regular session based on the date intended to be the date of adjournment sine die. When a committee in either house acts favorably on a bill after a deadline established in the concurrent resolution, the bill must be referred in the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

### AMENDING BILLS ORIGINATING IN OTHER HOUSE

**Rule 2.04.** Either house shall have the power to amend any bill, memorial, or resolution passed by the other house.

## RECEDING FROM POSITION

**Rule 2.05.** Prior to a Conference Committee on any matter, either house may recede from its position on any difference existing between the two houses. In order to recede, and if the matter is not in the possession of a house, that house shall request return of the matter from the other house. To recede, a majority of a house shall govern, except in cases otherwise provided in the Constitution. If the question is put and lost, it shall not be put again on the same day. A reconsideration of the question shall in all respects be regulated by the rules of that house.

## CONFERENCE COMMITTEES

**Rule 2.06.** In all cases of disagreement between the Senate and House on amendments adopted by either house to a bill, memorial or resolution passed by the other house, a Conference Committee consisting of not less than three members nor more than five members from each house may be requested by either house. The other house shall appoint a similar committee.

The manner of procedure shall be as follows: The house of origin passes a bill and transmits it to the other body. If the other body adopts an amendment to the bill and passes it as amended, it shall return the bill with a record of its actions to the house of origin. If the house of origin refuses to concur in the amendment, it shall ask for a Conference Committee, appoint such a committee on its part, and transmit the bill with a record of its action to the other house. If the other house adheres to its amendment, it shall appoint a like committee and return the bill to the house of origin.

All Conference Committees shall be open to the public. As much as practical, meetings of Conference Committees shall be announced as far in advance as possible and actions taken shall be agreed upon in an open meeting. At an agreed upon hour the Conference Committee shall meet. The members from each house shall state to the members from the other house, orally or in writing, the reason for their respective positions. The members shall confer thereon and a conference committee may not meet between the hours of midnight and 7:00 a.m., except that a committee may extend a meeting for up to one hour past midnight by a vote of two-thirds of the members appointed to the committee by each house. The conferees shall report to their respective houses the agreement they have reached, or, if none, the fact of a disagreement.

If an agreement is reported, the house of origin shall act first upon the report. A Conference Committee report must be limited to provisions that are germane to the bill and amendments that were referred to the Conference Committee. A provision is not germane if it relates to a substantially different subject or is intended to accomplish a substantially different purpose from that of the bill and amendment that were referred to the Conference Committee.

A Conference Committee report may not appropriate a larger sum of money than the larger of the bill or the amendments that were referred to the Conference Committee unless the additional appropriation is authorized by the Speaker of the House of Representatives and the Majority Leader of the Senate.

A Conference Committee report may not delegate rulemaking to a department or agency of state government or exempt a department or agency of state government from rulemaking unless the delegation or exemption was included in either the bill or the amendment that was referred to the Conference Committee.

A Conference Committee report may not create a new commission, council, task force, board, or other body to which a member of the legislature may be appointed unless the body was created in either the bill or the amendment that was referred to the Conference Committee.

If the report is adopted and repassed as amended by the Conference Committee by the house of origin, the report, the bill and a record of its action shall be transmitted to the other house.

Except after the last Thursday on which the Legislature can meet in regular session in

odd-numbered years, and after the last Thursday on which the Legislature intended, when it adopted the concurrent resolution required by Rule 2.03, ~~paragraph (b)~~, to meet in regular session in even-numbered years, a written copy of a report of a Conference Committee shall be placed on the desk of each member of a house twelve hours before action on the report by that house. If the report has been reprinted in the Journal of either house for a preceding day and is available to the members, the Journal copy shall serve as the written report. The member presenting the Conference Committee report to the body shall disclose, either in writing or orally, the substantial changes from the bill or the amendment as they were last before the body.

### ENROLLMENT AND SIGNATURE

**Rule 2.07.** After a bill or memorial or joint resolution has been passed by both houses, it shall be carefully and properly enrolled by the Revisor of Statutes under the direction of the Secretary of the Senate for a matter originating in the Senate or the Chief Clerk of the House for a matter originating in the House. ~~The Revisor of Statutes shall obtain the signatures and certificates of the proper officers to the enrolled copy of the bill or memorial and present it to the Governor for his approval.~~

~~A bill or memorial may~~ The enrollment shall be prepared for presentation to the Governor on good archival quality paper approximately 8 1/2" x 14" in size and may be produced by means of a copying machine. An enrolled bill shall be labeled "An Act" and it but otherwise shall be identical to the bill passed by the Legislature. An enrolled bill which is amendatory of any existing law or constitutional provision shall indicate deletions and additions in the manner provided in Rule 2.01 for printed bills. Other enrollments shall be identical to the memorial or joint resolution passed by the legislature.

The Revisor of Statutes shall obtain the signatures and certificates of the proper officers to the enrollment. A joint resolution applying to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States, ratifying an amendment to the Constitution of the United States, proposing an amendment to the Minnesota Constitution, or prescribing the compensation of judges shall not be presented to the Governor for approval but shall be deposited by the Revisor of Statutes with the Secretary of State. All other enrollments shall be presented to the Governor for approval.

### ARTICLE III: GENERAL PROVISIONS

#### SUSPENSION OF JOINT RULES

**Rule 3.01.** Either house may suspend the Joint Rules of the Senate and House by a vote of two-thirds of its members.

#### ODD YEAR SESSION ADJOURNMENT

**Rule 3.02.** Adjournment of the regular session in any odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that upon adjournment in any odd-numbered year to a date certain in the following year:

(a) Any bill being considered by a Conference Committee shall be returned to the house of origin, laid on the table, and the Conference Committee shall be discharged;

(b) Any bill referred to the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House pursuant to Joint Rule 2.03 shall be returned to the standing committee to which it was last previously referred; and

(c) Any bill returned by the Governor to the house of origin with ~~his~~ the Governor's objections following ~~such~~ the adjournment shall be laid on the table.

## INTERIM COMMITTEE AND COMMISSION REPORTS

**Rule 3.03.** Except as otherwise provided by law, the report of any interim committee or commission to the Legislature shall be submitted on paper 8 1/2" x 11" in size, spiral bound, stapled, or punched on the left edge to fit a standard size three ring binder intended for that size paper. A brief summary of the recommendations of the commission or committee shall appear first and be clearly separated from its findings, discussions, and exhibits. If the report contains legislative recommendations, a copy of any proposed legislation, particularly if extensive in character, shall if possible be attached as an exhibit at the end of the report.

## ARTICLE IV: ELECTION OF REGENTS

### JOINT COMMITTEE

**Rule 4.01.** By May 7 of each odd-numbered year, or at a date agreed to by concurrent resolution, a joint committee shall meet to recommend nominees for regent of the University of Minnesota to be presented to a Joint Convention of the legislature. The members of the joint committee are the members of the senate and house committees on education. A majority of the members from each house is a quorum of the joint committee.

The joint committee shall determine the number of persons, and the person or persons to be recommended for each open seat.

Each person recommended by the regent candidate advisory council is considered to be nominated. Other persons may be nominated by a member of the committee at the meeting. Nominations may be made by committee members only. Nominations must be made for a specified congressional or student seat, or for any at-large seat.

The roll shall be called viva voce on the recommendation of regents. A majority vote of the members of the joint committee is required for a candidate to be recommended.

### JOINT CONVENTION

**Rule 4.02.** At the Joint Convention of the Senate and House of Representatives called to elect regents, the joint committee shall report the name of the person or persons recommended for each seat. These persons are considered to be nominated. Any member of the legislature may submit additional nominations. If there is more than one at-large seat to be filled, all candidates nominated for an at-large seat ~~are~~ are candidates for any of the at-large seats.

The roll shall be called viva voce on the election of regents. The roll must be called first on congressional district seats until they are filled, then on the student seat, and then on the at-large seats.

Each member may cast one vote for each seat to be filled, but no more than one vote for a candidate.

The candidate for each seat receiving a majority of the votes cast must be declared elected. If there is more than one candidate who receives a majority of the votes cast, the candidate receiving the highest number of votes must be declared elected; in case of a tie for the highest number of votes, the votes must be cast again. If no candidate receives a majority of the votes cast for a seat, on each succeeding ballot the candidate with the fewest votes must be dropped from consideration and the votes cast again until a majority vote is achieved. Any candidate with fewer than 20 votes on any ballot shall also be dropped on succeeding ballots.

Senator Robertson moved to amend Senate Concurrent Resolution No. 5 as follows:

Page 13, line 10, after "one" insert "at-large seat to be filled and more than one"

Page 13, line 12, delete "candidate" and insert "candidates"

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend Senate Concurrent Resolution No. 5 as follows:

Page 9, line 23, delete "unless the additional" and insert a period

Page 9, delete lines 24 to 26

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 39, as follows:

Those who voted in the affirmative were:

Berg	Krentz	Oliver	Robling	Wiger
Fischbach	Larson	Olson	Runbeck	
Kiscaden	Lesewski	Ourada	Scheevel	
Kleis	Limmer	Pariseau	Stevens	
Knutson	Neuville	Robertson	Wiener	

Those who voted in the negative were:

Anderson	Foley	Junge	Metzen	Ranum
Beckman	Hanson	Kelley, S.P.	Moe, R.D.	Samuelson
Belanger	Higgins	Kelly, R.C.	Morse	Spear
Berglin	Janezich	Laidig	Murphy	Stumpf
Betzold	Johnson, D.E.	Langseth	Pappas	Ten Eyck
Cohen	Johnson, D.H.	Lessard	Piper	Terwilliger
Dille	Johnson, D.J.	Lourey	Pogemiller	Vickerman
Flynn	Johnson, J.B.	Marty	Price	

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

Senator Junge moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

**MOTIONS AND RESOLUTIONS - CONTINUED**

**Senator Moe, R.D. introduced--**

**Senate Resolution No. 6:** A Senate concurrent resolution adopting deadlines for the 1999 regular session.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

(a) In accordance with Joint Rule 2.03, the deadlines in this resolution apply to the 1999 regular session. They do not apply to the House committees on Ways and Means, Taxes, or Rules and Legislative Administration, or to the Senate committees on Finance, Taxes, or Rules and Administration.

(1) The first deadline, Friday, March 19, is for committees to act favorably on bills in the house of origin.

(2) The second deadline, 4:00 p.m. Wednesday, March 31, is for committees to act favorably on bills, or companions of bills, that met the first deadline in the other house.

(3) The omnibus appropriation bills are exempt from the first two deadlines. The deadline for committees to act favorably on omnibus appropriation bills is Friday, April 16. An omnibus bill in the House appropriating money for agriculture and rural development is subject to this deadline.

(b) The omnibus appropriation bills are the following:

(1) A bill appropriating money for education in kindergarten through grade 12;

(2) A bill appropriating money for higher education;

(3) A bill appropriating money for family and early childhood education;

(4) A bill appropriating money for health and human services;

(5) A bill appropriating money for crime prevention and the judiciary;

(6) A bill appropriating money for economic development;

(7) A bill appropriating money for the general administrative expenses of state government;

(8) A bill appropriating money for the protection and improvement of the State's environment, natural resources, and agriculture;

(9) A bill appropriating money for the department of transportation and other agencies;

(10) A bill appropriating money for the payment of claims against the State of Minnesota that may have been allowed by the finance committees of the Senate or the Ways and Means Committee of the House; and

(11) A bill appropriating money for the acquisition and betterment of public lands and buildings and other public improvements of a capital nature, if the House finance committees or Senate budget divisions find there are capital improvement projects that should not be deferred until the omnibus capital improvement bill in the even-numbered year.

(c) When a committee in either house acts favorably on a bill after a deadline established in this resolution, the bill must be referred in the Senate to the Committee on Rules and Administration and in the House of Representatives to the Committee on Rules and Legislative Administration for disposition.

Senator Junge moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

### RECESS

Senator Moe, R.D. 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

Senator 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. 1: Senators Johnson, D.J.; Vickerman; Hottinger; Belanger and Flynn.

Senator Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

#### **Senators Wiger, Beckman, Runbeck and Kelly, R.C. introduced--**

**S.F. No. 730:** A bill for an act relating to recreation; appropriating money for a regional trail.

Referred to the Committee on Environment and Natural Resources.

#### **Senators Johnson, D.E. and Knutson introduced--**

**S.F. No. 731:** A bill for an act relating to education; increasing the crime-related costs levy maximum amount; amending Minnesota Statutes 1998, section 126C.44.

Referred to the Committee on Children, Families and Learning.

#### **Senators Wiener, Solon, Oliver, Cohen and Foley introduced--**

**S.F. No. 732:** A bill for an act relating to consumer protection; regulating service and membership contracts; restricting automatic renewal provisions; proposing coding for new law in Minnesota Statutes, chapter 325G.

Referred to the Committee on Commerce.

#### **Senators Lourey, Higgins, Robling, Marty and Janezich introduced--**

**S.F. No. 733:** A bill for an act relating to children; appropriating money from the special revenue fund for matching chemical abuse prevention grants through a collaborative organization.

Referred to the Committee on Children, Families and Learning.

#### **Senators Kelly, R.C.; Moe, R.D.; Spear; Johnson, D.J. and Novak introduced--**

**S.F. No. 734:** A bill for an act relating to employment; increasing and indexing the minimum wage; amending Minnesota Statutes 1998, section 177.24, subdivision 1.

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

#### **Senators Hottinger, Larson, Kleis and Solon introduced--**

**S.F. No. 735:** A bill for an act relating to insurance; regulating investments by township mutual insurance companies; amending Minnesota Statutes 1998, section 67A.231.

Referred to the Committee on Commerce.



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

**S.F. No. 736:** A bill for an act relating to retirement; authorizing purchase of service credit in the teachers retirement association and the first class city teachers retirement fund associations for voluntary service under federal law; amending Minnesota Statutes 1998, sections 354.53; and 354A.093.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Novak, Murphy, Larson and Johnson, D.H. introduced--**

**S.F. No. 737:** A bill for an act relating to economic security; increasing the statewide, hourly reimbursement rates for the extended employment program; appropriating money for the continuation of the welfare-to-work extended employment partnership program.

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

**Senator Wiener introduced--**

**S.F. No. 738:** A bill for an act relating to insurance; regulating claims; providing remedies for the bad faith actions of certain insurers; proposing coding for new law in Minnesota Statutes, chapter 72A.

Referred to the Committee on Commerce.

**Senators Murphy; Johnson, J.B.; Langseth; Johnson, D.E. and Laidig introduced--**

**S.F. No. 739:** A bill for an act relating to traffic regulations; authorizing blue lights on motorcycles as part of the rear brake light; amending Minnesota Statutes 1998, section 169.64, subdivision 4.

Referred to the Committee on Transportation.

**Senators Murphy; Johnson, J.B.; Langseth; Johnson, D.E. and Laidig introduced--**

**S.F. No. 740:** A bill for an act relating to public safety; providing for a maximum percentage of the motorcycle safety fund that may be spent for certain activities; amending Minnesota Statutes 1998, section 121A.36, subdivision 3.

Referred to the Committee on Transportation.

**Senators Kelly, R.C.; Pappas and Anderson introduced--**

**S.F. No. 741:** A bill for an act relating to community development; providing a grant for the Asian-Pacific Community Center; appropriating money.

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

**Senators Higgins, Piper, Robling, Janezich and Foley introduced--**

**S.F. No. 742:** A bill for an act relating to lead hazard reduction; appropriating money for a lead hazard reduction project.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 743:** A bill for an act relating to public safety; creating emergency management grant

program; authorizing rulemaking; amending Minnesota Statutes 1998, section 12.03, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 12.

Referred to the Committee on Crime Prevention.

**Senators Dille, Limmer, Larson, Metzen and Wiener introduced--**

**S.F. No. 744:** A bill for an act relating to education; requiring knowledge in personal and family financial management and investment for graduation; amending Minnesota Statutes 1998, section 120B.02.

Referred to the Committee on Children, Families and Learning.

**Senators Kelly, R.C.; Spear; Solon; Anderson and Ranum introduced--**

**S.F. No. 745:** A bill for an act relating to crime prevention; authorizing the commissioner of economic security to award grants to cities of the first class; appropriating money.

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

**Senators Lessard, Langseth and Vickerman introduced--**

**S.F. No. 746:** A bill for an act relating to local government; permitting Grand Rapids Township to hold its general election in November.

Referred to the Committee on Election Laws.

**Senators Scheid, Belanger, Hottinger, Day and Johnson, D.J. introduced--**

**S.F. No. 747:** A bill for an act relating to taxes; eliminating June accelerated payments of sales, liquor, and cigarette and tobacco taxes; amending Minnesota Statutes 1998, sections 289A.18, subdivision 4; 289A.20, subdivision 4; and 297F.09, subdivisions 1 and 2; repealing Minnesota Statutes 1998, sections 289A.60, subdivision 15; 297F.09, subdivision 6; and 297G.09, subdivision 5.

Referred to the Committee on Taxes.

**Senators Ranum, Berglin, Krentz, Robertson and Samuelson introduced--**

**S.F. No. 748:** A bill for an act relating to education; providing for care and treatment aid; modifying placements; providing for a uniform billing system; providing for approval of education programs; appropriating money; amending Minnesota Statutes 1998, sections 125A.15; 125A.51; 125A.75, subdivision 3; 125A.79, by adding a subdivision; 241.021, subdivision 1; and 245A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124D; and 125A.

Referred to the Committee on Children, Families and Learning.

**Senators Vickerman; Johnson, D.J.; Lesewski; Hottinger and Murphy introduced--**

**S.F. No. 749:** A bill for an act relating to taxes; exempting the purchase of certain property used in constructing a multipurpose center from sales and use taxes; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Hottinger introduced--**

**S.F. No. 750:** A bill for an act relating to education; creating a declining pupil unit aid by adjusting the definition of a pupil unit; appropriating money; amending Minnesota Statutes 1998, section 126C.05, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Senators Novak, Ranum, Runbeck and Pappas introduced--**

**S.F. No. 751:** A bill for an act relating to metropolitan government; defining minor use and intermediate use airports for certain purposes; establishing a reliever airport sound abatement council; amending Minnesota Statutes 1998, section 473.641, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Local and Metropolitan Government.

**Senators Kelly, R.C.; Neuville; Knutson; Spear and Ranum introduced--**

**S.F. No. 752:** A bill for an act relating to crime; appropriating money to operate the criminal gang oversight council and strike force and provide grants to combat criminal gangs.

Referred to the Committee on Crime Prevention.

**Senators Lourey; Murphy; Johnson, J.B.; Moe, R.D. and Laidig introduced--**

**S.F. No. 753:** A bill for an act relating to liquor; modifying sales regulations for farm wineries; amending Minnesota Statutes 1998, section 340A.315, subdivision 2.

Referred to the Committee on Commerce.

**Senators Morse; Vickerman; Kelly, R.C.; Piper and Scheevel introduced--**

**S.F. No. 754:** A bill for an act relating to agriculture; expanding eligibility for ethanol producer payments; amending Minnesota Statutes 1998, section 41A.09, subdivision 3a.

Referred to the Committee on Agriculture and Rural Development.

**Senators Pappas, Spear, Robertson and Pogemiller introduced--**

**S.F. No. 755:** A bill for an act relating to education; continuing support of the learn and earn graduation achievement program; appropriating money.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 756:** A bill for an act relating to local government; preserving shooting ranges from planning and zoning laws and ordinances; limiting net loss of shooting ranges and providing for relocation costs; proposing coding for new law as Minnesota Statutes, chapter 87A.

Referred to the Committee on Local and Metropolitan Government.

**Senators Junge; Belanger; Moe, R.D. and Terwilliger introduced--**

**S.F. No. 757:** A resolution memorializing Congress to enact legislation to prohibit federal recoupment of the state tobacco settlement recoveries.

Referred to the Committee on Health and Family Security.

**Senators Price, Laidig, Pariseau, Morse and Junge introduced--**

**S.F. No. 758:** A bill for an act relating to appropriations; appropriating money for the operation and maintenance of the metropolitan regional parks system.

Referred to the Committee on Local and Metropolitan Government.

**Senators Novak and Dille introduced--**

**S.F. No. 759:** A bill for an act relating to forestry; modifying tree growth tax requirements; amending Minnesota Statutes 1998, section 270.38, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

**Senators Belanger, Wiener, Metzen, Knutson and Murphy introduced--**

**S.F. No. 760:** A bill for an act relating to local government; authorizing county boards to establish by ordinance procedures for imposing civil penalties for ordinance violations and allowing a county to certify fines to its county auditor as a special tax against the land; proposing coding for new law in Minnesota Statutes, chapter 375.

Referred to the Committee on Local and Metropolitan Government.

**Senator Lourey introduced--**

**S.F. No. 761:** A bill for an act relating to local government; authorizing Carlton county to make a cemetery levy in and for Sawyer unorganized township.

Referred to the Committee on Local and Metropolitan Government.

**Senator Lourey introduced--**

**S.F. No. 762:** A bill for an act relating to health; modifying MinnesotaCare eligibility requirements for persons with continuation coverage; amending Minnesota Statutes 1998, section 256L.07, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Vickerman; Johnson, D.E.; Pariseau and Dille introduced--**

**S.F. No. 763:** A bill for an act relating to natural resources; permitting the hunting of farmed cervidae on licensed shooting preserves; amending Minnesota Statutes 1998, sections 17.451, subdivision 2; and 17.452, subdivisions 5 and 8; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Development.

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

**S.F. No. 764:** A bill for an act relating to appropriations; appropriating money to repair and restore the aerial lift bridge in Duluth.

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

**Senator Johnson, D.E. introduced--**

**S.F. No. 765:** A bill for an act relating to traffic regulations; requiring school bus to pull off onto shoulder of road to load and unload students where designated by school district; requiring

use of stop signal arm and flashing red signals when loading and unloading from the shoulder; amending Minnesota Statutes 1998, section 169.443, subdivision 2.

Referred to the Committee on Transportation.

**Senator Johnson, D.E. introduced--**

**S.F. No. 766:** A bill for an act relating to human services; increasing reimbursement rates for certain services.

Referred to the Committee on Health and Family Security.

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

**S.F. No. 767:** A bill for an act relating to taxation; property; exempting certain electric utility property; amending Minnesota Statutes 1998, sections 272.027; and 273.13, subdivision 31.

Referred to the Committee on Taxes.

**Senators Pappas, Anderson and Novak introduced--**

**S.F. No. 768:** A bill for an act relating to Ramsey county; making changes in the personnel process; amending Minnesota Statutes, section 383A.289, by adding subdivisions; repealing Minnesota Statutes 1998, sections 383A.288; and 383A.289, subdivisions 1, 2, and 3.

Referred to the Committee on Local and Metropolitan Government.

**Senators Kelly, R.C.; Junge; Spear; Johnson, D.H. and Ourada introduced--**

**S.F. No. 769:** A bill for an act relating to public safety; requiring the peace officer standards and training board to adopt a new or revised model policy governing police pursuits of fleeing suspects; requiring municipal and state law enforcement agencies to adopt new or revised agency policies on police pursuits in compliance with the state model policy; requiring pre-service and in-service peace officer training in conducting police pursuits and other emergency vehicle operations; requiring the commissioner of public safety to administer a tire deflator distribution program and a driving simulator distribution program; appropriating money for police pursuit training, tire deflators, and four computer-controlled driving simulators; appropriating money; amending Minnesota Statutes 1998, sections 626.5532; and 626.845, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Crime Prevention.

**Senators Murphy, Sams, Langseth, Dille and Laidig introduced--**

**S.F. No. 770:** A bill for an act relating to railroads; extending right of first refusal to leaseholders of real property in railroad right-of-way; requiring railroad interests to provide notice; making technical changes; amending Minnesota Statutes 1998, sections 222.631; and 222.632.

Referred to the Committee on Transportation.

**Senators Knutson, Price, Wiger, Janezich and Murphy introduced--**

**S.F. No. 771:** A bill for an act relating to education; amending Minnesota state high school league provisions; amending Minnesota Statutes 1998, sections 43A.18, subdivision 4a; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; and 128C.20.

Referred to the Committee on Children, Families and Learning.

**Senators Pogemiller; Morse; Stumpf; Johnson, D.E. and Terwilliger introduced--**

**S.F. No. 772:** A bill for an act relating to retirement; employer contributions to tax-sheltered annuities; expanding qualified tax-sheltered annuity vendors; amending Minnesota Statutes 1998, section 356.24, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Spear, Robertson and Morse introduced--**

**S.F. No. 773:** A bill for an act relating to health; exempting portable wading pools from rules related to public swimming pools; allowing portable wading pools to be used at certain day care homes; requiring the commissioners of health and human services to amend rules; amending Minnesota Statutes 1998, section 144.1222, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Langseth; Moe, R.D. and Stumpf introduced--**

**S.F. No. 774:** A bill for an act relating to water; appropriating money for water management in the Red river basin.

Referred to the Committee on Environment and Natural Resources.

**Senators Solon, Fischbach, Lourey, Robertson and Samuelson introduced--**

**S.F. No. 775:** A bill for an act relating to health; changing the required travel distance or time to the nearest mental health provider for health maintenance organizations; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Rules, part 4685.1010, subpart 3.

Referred to the Committee on Health and Family Security.

**Senators Kleis and Lessard introduced--**

**S.F. No. 776:** A bill for an act relating to occupations and professions; requiring the board of electricity to adopt rules authorizing special licenses for sign contractors; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Commerce.

**Senator Janezich introduced--**

**S.F. No. 777:** A bill for an act relating to education; establishing a task force on diabetes and schools; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Sams, Murphy, Flynn, Hanson and Belanger introduced--**

**S.F. No. 778:** A bill for an act relating to motor vehicles; requiring release of a security interest in a vehicle to be acted on within five days; amending Minnesota Statutes 1998, section 168A.20.

Referred to the Committee on Transportation.

**Senator Ten Eyck introduced--**

**S.F. No. 779:** A bill for an act relating to peace officers; authorizing the Hubbard county sheriff

to have additional part-time peace officer positions; amending Minnesota Statutes 1998, section 626.8463, subdivision 2.

Referred to the Committee on Crime Prevention.

**Senators Piper, Lourey, Spear, Berglin and Solon introduced--**

**S.F. No. 780:** A bill for an act relating to health; enacting the Medical Marijuana Act to protect seriously ill patients from prosecution and prison for using medicinal marijuana under a medical doctor's supervision; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 152.

Referred to the Committee on Health and Family Security.

**Senators Oliver; Moe, R.D. and Beckman introduced--**

**S.F. No. 781:** A bill for an act relating to appropriations; transferring to the world trade center appropriations that were not expended for an international medical exposition.

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

**Senator Beckman introduced--**

**S.F. No. 782:** A bill for an act relating to taxation; property; providing a state-paid credit for 1999 agricultural property taxes.

Referred to the Committee on Agriculture and Rural Development.

**Senator Beckman introduced--**

**S.F. No. 783:** A bill for an act relating to natural resources; appropriating money for the quad lakes restoration project in Faribault and Blue Earth counties.

Referred to the Committee on Environment and Natural Resources.

**Senator Beckman introduced--**

**S.F. No. 784:** A bill for an act relating to education; providing for an environmental learning grant program for independent school district Nos. 829, Waseca, and 2835, Janesville-Waldorf-Pemberton; authorizing a grant for independent school district No. 2835, Janesville-Waldorf-Pemberton; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senator Beckman introduced--**

**S.F. No. 785:** A bill for an act relating to natural resources; appropriating money for stream bank stabilization in St. Clair.

Referred to the Committee on Environment and Natural Resources.

**Senators Anderson, Price, Foley, Krentz and Lourey introduced--**

**S.F. No. 786:** A bill for an act relating to energy; altering a wind energy mandate; setting aside a portion of a wind energy mandate for farmers; creating a revolving loan account; regulating utility renewable energy obligations; appropriating money; amending Minnesota Statutes 1998, sections 116C.779; and 216B.2423, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

**Senators Morse, Janezich, Beckman, Higgins and Johnson, D.E. introduced--**

**S.F. No. 787:** A bill for an act relating to energy; altering a wind energy mandate; setting aside a portion of a wind energy mandate for farmers; creating a revolving loan account; regulating utility renewable energy obligations; appropriating money; amending Minnesota Statutes 1998, sections 116C.779; and 216B.2423, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

**Senators Johnson, J.B.; Vickerman; Lesewski; Stumpf and Moe, R.D. introduced--**

**S.F. No. 788:** A bill for an act relating to energy; altering a wind energy mandate; setting aside a portion of a wind energy mandate for farmers; creating a revolving loan account; regulating utility renewable energy obligations; appropriating money; amending Minnesota Statutes 1998, sections 116C.779; and 216B.2423, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

**Senators Lesewski, Belanger, Pariseau, Berg and Hottinger introduced--**

**S.F. No. 789:** A bill for an act relating to the city of Minneota; ratifying actions relating to a tax increment financing district.

Referred to the Committee on Local and Metropolitan Government.

**Senator Scheevel introduced--**

**S.F. No. 790:** A bill for an act relating to agriculture; providing risk management and technology development assistance; appropriating money; amending Minnesota Statutes 1998, section 17.115, by adding a subdivision.

Referred to the Committee on Agriculture and Rural Development.

**Senator Scheevel introduced--**

**S.F. No. 791:** A bill for an act relating to agriculture; authorizing owners or occupiers of certain land to take one deer per year if the animal is causing damage; amending Minnesota Statutes 1998, section 97B.655, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

**Senator Scheevel introduced--**

**S.F. No. 792:** A bill for an act relating to agriculture; compensating crop owners for crop damage or destruction by deer; appropriating money; amending Minnesota Statutes 1998, section 3.7371, subdivisions 1, 2, 3, and 5.

Referred to the Committee on Agriculture and Rural Development.

**Senators Kleis, Scheevel and Fischbach introduced--**

**S.F. No. 793:** 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; 126C.17, subdivision 5; and 127A.51.



Referred to the Committee on Children, Families and Learning.

**Senators Kleis, Flynn, Metzen and Ourada introduced--**

**S.F. No. 794:** A bill for an act relating to utilities; modifying provisions of the one call excavation notice system; amending Minnesota Statutes 1998, section 216D.06, subdivision 1.

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

**MEMBERS EXCUSED**

Senator Scheevel was excused from the Session of today from 10:00 to 11:05 a.m. Senator Novak was excused from the Session of today from 10:00 to 11:15 a.m. and at 12:20 p.m. Senator Solon was excused from the Session of today at 12:00 noon.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, February 18, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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