

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

TWENTY-SEVENTH DAY

St. Paul, Minnesota, Monday, March 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. Walter Sundberg.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 593, 649, 914 and 50.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1999

Mr. President:

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

S.F. No. 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.

Senate File No. 174 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1999

Senator Ranum moved that S.F. No. 174 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 232, 492, 911, 1132, 463, 766, 872, 836 and 92.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1999

FIRST READING OF HOUSE BILLS

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

H.F. No. 232: A bill for an act relating to courts; providing for the size of petit juries in civil and criminal cases; proposing coding for new law in Minnesota Statutes, chapter 593.

Referred to the Committee on Judiciary.

H.F. No. 492: A bill for an act relating to education; authorizing building on a state university campus.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 518.

H.F. No. 911: A bill for an act relating to education; clarifying the method of payment of wages by school districts and public school entities; amending Minnesota Statutes 1998, section 181.101.

Referred to the Committee on Children, Families and Learning.

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

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1116, now on General Orders.

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

Referred to the Committee on Judiciary.

H.F. No. 766: 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 Rules and Administration for comparison with S.F. No. 739.

H.F. No. 872: A bill for an act relating to contracts; regulating building and construction contracts; providing for the enforceability of certain agreements indemnifying against environmental liability; amending Minnesota Statutes 1998, section 337.02.

Referred to the Committee on Commerce.

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

Referred to the Committee on Rules and Administration for comparison with S.F. No. 833, now on General Orders.

H.F. No. 92: 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.

REPORTS OF COMMITTEES

Senator Junge moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Hottinger from the Committee on Health and Family Security, to which was re-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 1, line 15, strike "voluntary"

Page 1, line 24, after "age" insert "who refuses to consent personally to admission"

Page 1, line 25, delete "voluntary"

Page 2, line 5, after "patient" insert "and the parent or legal guardian"

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 referred

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.

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

Senator Vickerman from the Committee on Local and Metropolitan Government, to which was referred

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.

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 Ranum from the Committee on Judiciary, to which was referred

S.F. No. 1262: A bill for an act relating to civil actions; limiting liability from year 2000 failures; 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 1, after line 20, insert:

"Subd. 3. [INDIVIDUAL.] "Individual" means a natural person."

Page 1, line 21, delete "3" and insert "4"

Page 2, delete line 2

Page 2, line 9, delete ", in whole or in part,"

Page 2, line 11, after "device" insert "that is not owned, controlled, or operated by the individual"

Page 2, line 15, delete "then" and insert "the court shall dismiss the claim without prejudice and"

Page 2, line 17, delete "30" and insert "60"

Page 2, line 20, delete "45" and insert "90"

Page 2, line 34, delete ", in whole"

Page 2, line 35, delete "or in part,"

Page 3, delete line 5

Page 3, line 6, after "TITLE" insert "; EXPIRATION"

Page 3, line 8, after the period, insert "This chapter expires July 1, 2000."

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

Senators Piper, Pogemiller and Stumpf from the Committee on Children, Families and Learning, to which was referred

S.F. No. 518: A bill for an act relating to education; authorizing building on a state university campus.

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

Page 1, line 6, delete "Mankato State University" and insert "Minnesota State University, Mankato"

Page 1, line 8, before "Mankato" insert "Minnesota State University," and delete "state"

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

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

S.F. No. 891: A bill for an act relating to municipalities; clarifying an exception to tort liability; amending Minnesota Statutes 1998, section 466.03, subdivision 4.

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

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

S.F. No. 796: A bill for an act relating to corporations; modifying provisions for opting out of the control share acquisition statute; requiring approval of an opt out by a disinterested committee of the board; amending Minnesota Statutes 1998, section 302A.671, subdivision 1.

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

Senator Flynn from the Committee on Transportation, to which was referred

S.F. No. 1012: A bill for an act relating to Itasca county; modifying certain accounting and expenditure requirements for road and bridge fund tax money derived from unorganized townships.

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

Senator Flynn from the Committee on Transportation, to which was referred

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.

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

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

S.F. No. 624: A bill for an act relating to public safety; establishing the board of firefighter training and education; establishing a firefighter training reimbursement program; authorizing rulemaking; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 299N.

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

Page 3, line 17, after "qualifications" insert "and renewal requirements"

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

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

S.F. No. 1023: A bill for an act relating to crime victims; clarifying the procedure for the deposit of unclaimed restitution funds; expanding coverage for crime victims reparations to include moving expense for victims of crime; extending the time limit for filing of claims to three years and allowing an exception to the time limit for all child abuse cases; amending Minnesota Statutes 1998, sections 611A.04, by adding a subdivision; 611A.52, subdivision 8; 611A.53, subdivision 2; and 611A.612.

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

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

S.F. No. 486: A bill for an act relating to firefighters; authorizing certain background investigations; requiring disclosures of certain employment information; providing civil and criminal penalties; providing employers immunity for certain disclosures; amending Minnesota Statutes 1998, section 604A.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Senator Vickerman from the Committee on Local and Metropolitan Government, to which was referred

S.F. No. 1221: A bill for an act relating to public administration; dealing with the impact of expansion of the Minneapolis-St. Paul International Airport; authorizing the establishment of airport impact zones and tax increment financing districts in the cities of Bloomington, Minneapolis, and Richfield; creating an airport impact fund in the state treasury; authorizing certain related activities by the Metropolitan Council.

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

Page 1, line 20, delete "RESIGNATION" and insert "DESIGNATION"

Page 1, line 26, before "airport" insert "an" and delete "on"

Page 5, line 34, delete "governing body"

Page 5, line 35, delete "of the"

Page 6, line 12, delete "areas" and insert "area"

Page 7, line 29, before "and" insert "relocation of existing single-family or multifamily housing,"

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

Senator Lessard from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 83: A bill for an act relating to water; changing the classification of public waters wetlands; amending Minnesota Statutes 1998, sections 84.085, subdivision 2; 103F.601, subdivision 1; 103G.005, subdivisions 14, 15, and 19; 103G.201; 103G.211; 103G.231, subdivision 3; 272.02, subdivision 1; and 645.44, subdivision 8a; repealing Minnesota Statutes 1998, sections 103G.005, subdivision 15a; 103G.221; 103G.225; 103G.231, subdivisions 1 and 2; and 103G.235.

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 103G.005, subdivision 14, is amended to read:

Subd. 14. [ORDINARY HIGH WATER LEVEL.] "Ordinary high water level" means the boundary of waterbasins, watercourses, and public waters, ~~and public waters wetlands,~~ and:

(1) the ordinary high water level is an elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial;

(2) for watercourses, the ordinary high water level is the elevation of the top of the bank of the channel; and

(3) for reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

Sec. 2. Minnesota Statutes 1998, section 103G.005, subdivision 15, is amended to read:

Subd. 15. [PUBLIC WATERS.] (a) "Public waters" means:

(1) waterbasins assigned a shoreland management classification by the commissioner under sections 103F.201 to 103F.221, ~~except wetlands less than 80 acres in size that are classified as natural environment lakes or waterbasins reclassified under section 103G.201;~~

(2) waters of the state that have been finally determined to be public waters or navigable waters by a court of competent jurisdiction;

(3) meandered lakes, excluding lakes that have been legally drained;

(4) waterbasins previously designated by the commissioner for management for a specific purpose such as trout lakes and game lakes pursuant to applicable laws;

(5) waterbasins designated as scientific and natural areas under section 84.033;

(6) waterbasins located within and totally surrounded by publicly owned lands;

(7) waterbasins where the state of Minnesota or the federal government holds title to any of the beds or shores, unless the owner declares that the water is not necessary for the purposes of the public ownership;

(8) waterbasins where there is a publicly owned and controlled access that is intended to provide for public access to the waterbasin;

(9) natural and altered watercourses with a total drainage area greater than two square miles;

- (10) natural and altered watercourses designated by the commissioner as trout streams; and
- (11) public waters wetlands, unless the statute expressly states otherwise.

(b) Public waters are not determined exclusively by the proprietorship of the underlying, overlying, or surrounding land or by whether it is a body or stream of water that was navigable in fact or susceptible of being used as a highway for commerce at the time this state was admitted to the union.

Sec. 3. Minnesota Statutes 1998, section 103G.005, subdivision 19, is amended to read:

Subd. 19. [WETLANDS.] (a) "Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three attributes:

- (1) have a predominance of hydric soils;
- (2) are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and
- (3) under normal circumstances support a prevalence of such vegetation.

(b) For the purposes of chapter 103G, wetlands does not include public waters wetlands as defined in subdivision 15a.

Sec. 4. Minnesota Statutes 1998, section 103G.201, is amended to read:

103G.201 [PUBLIC WATERS INVENTORY.]

The commissioner shall prepare a public waters inventory map of each county that shows the waters of this state that are designated as public waters under the public waters inventory and classification procedures prescribed under Laws 1979, chapter 199. The public waters inventory map for each county must be filed with the auditor of the county. The commissioner is authorized to revise the list of public waters prescribed under Laws 1979, chapter 199, to reclassify those type 3, 4, and 5 wetlands previously identified as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands under section 103G.005, subdivision 19. The commissioner may only reclassify public waters wetlands as public waters if:

(1) they are assigned a shoreland management classification by the commissioner under sections 103F.201 to 103F.22; or

(2) they are classified as lacustrine wetlands according to Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al., 1979 edition). The commissioner shall file a copy of these changes with the auditor of the county and the local government unit. The reclassification is effective upon approval by the local government unit. The commissioner shall identify the boundary of public waters wetlands using the United States Army Corps of Engineers Wetland Delineation Manual (January 1987).

Sec. 5. [103G.2212] [CONTRACTOR'S RESPONSIBILITY WHEN WORK DRAINS OR FILLS WETLANDS.]

Subdivision 1. [CONDITIONS FOR EMPLOYEES AND AGENTS TO DRAIN OR FILL WETLANDS.] An agent or employee of another may not drain or fill a wetland, wholly or partially, unless the agent or employee has:

- (1) obtained a signed statement from the property owner stating that the wetland replacement plan required for the work has been obtained or that a replacement plan is not required; and
- (2) mailed a copy of the statement to the local government unit with jurisdiction over the wetland.

Subd. 2. [VIOLATION IS SEPARATE OFFENSE.] Violation of this section is a separate and independent offense from other violations of sections 103G.2212 to 103G.237.

Subd. 3. [FORM FOR COMPLIANCE WITH THIS SECTION.] The board shall develop a form to be distributed to contractors' associations, local government units, and soil and water conservation districts to comply with this section. The form must include:

- (1) a listing of the activities for which a replacement plan is required;
- (2) a description of the penalties for violating sections 103G.2212 to 103G.237;
- (3) the telephone number to call for information on the responsible local government unit;
- (4) a statement that national wetland inventory maps are on file with the soil and water conservation district office; and
- (5) spaces for a description of the work and the names, mailing addresses, and telephone numbers of the person authorizing the work and the agent or employee proposing to undertake it.

Sec. 6. Minnesota Statutes 1998, section 103G.222, is amended to read:

103G.222 [REPLACEMENT OF WETLANDS AND PUBLIC WATERS WETLANDS.]

Subdivision 1. [REQUIREMENTS.] (a) Wetlands must not be drained or filled, wholly or partially, unless replaced by restoring or creating wetland areas of at least equal public value under a replacement plan approved as provided in section 103G.2242, a replacement plan under a local governmental unit's comprehensive wetland protection and management plan approved by the board under section 103G.2243, or, if a permit to mine is required under section 93.481, under a mining reclamation plan approved by the commissioner under the permit to mine. Mining reclamation plans shall apply the same principles and standards for replacing wetlands by restoration or creation of wetland areas that are applicable to mitigation plans approved as provided in section 103G.2242. Public value must be determined in accordance with section 103B.3355 or a comprehensive wetland protection and management plan established under section 103G.2243. Public waters wetlands must be replaced as provided in this section and sections 103G.221 and 103G.245.

(b) Replacement of wetlands and public waters wetlands must be guided by the following principles in descending order of priority:

- (1) avoiding the direct or indirect impact of the activity that may destroy or diminish the wetland or public waters wetland;
- (2) minimizing the impact by limiting the degree or magnitude of the wetland or public waters wetland activity and its implementation;
- (3) rectifying the impact by repairing, rehabilitating, or restoring the affected wetland or public waters wetland environment;
- (4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the activity;
- (5) compensating for the impact by restoring a wetland or public waters wetland; and
- (6) compensating for the impact by replacing or providing substitute wetland or public waters wetland resources or environments.

For a project involving the draining or filling of wetlands in an amount not exceeding 10,000 square feet more than the applicable amount in section 103G.2241, subdivision 9, paragraph (a), the local government unit may make an on-site sequencing determination without a written alternatives analysis from the applicant.

(c) If a wetland is located in a cultivated field, then replacement must be accomplished through

restoration only without regard to the priority order in paragraph (b), provided that a deed restriction is placed on the altered wetland prohibiting nonagricultural use for at least ten years.

(d) Restoration and replacement of wetlands and public waters wetlands must be accomplished in accordance with the ecology of the landscape area affected.

(e) Replacement shall be within the same watershed or county as the impacted wetlands and public waters wetlands, as based on the wetland evaluation in section 103G.2242, subdivision 2, except that a greater than 80 percent area may accomplish replacement in less than 50 percent areas. Wetlands and public waters wetlands impacted by public transportation projects may be replaced statewide, except that wetlands and public waters wetlands impacted in a less than 50 percent area must be replaced in a less than 50 percent area, and wetlands and public waters wetlands impacted in the seven-county twin cities metropolitan area by public highways must be replaced:

- (1) in the affected county, or, if no restoration opportunities exist in the county;
- (2) in another seven-county twin cities metropolitan area county.

The board must maintain a public list of restoration opportunities within the metropolitan area. Disputes about restoration opportunities for wetland and public waters wetland replacement in a watershed or county may be appealed to the board's committee for dispute resolution. Replacement of wetlands and public waters wetlands may be accomplished under the rules for wetland banking as provided for under section 103G.2242.

(f) Except as provided in paragraph (g), for a wetland or public waters wetland located on nonagricultural land, replacement must be in the ratio of two acres of replaced wetland or public waters wetland for each acre of drained or filled wetland or public waters wetland.

(g) For a wetland or public waters wetland located on agricultural land or in a greater than 80 percent area, replacement must be in the ratio of one acre of replaced wetland or public waters wetland for each acre of drained or filled wetland or public waters wetland.

(h) Wetlands and public waters wetlands that are restored or created as a result of an approved replacement plan are subject to the provisions of this section for any subsequent drainage or filling.

(i) Except in a greater than 80 percent area, only wetlands that have been restored from previously drained or filled wetlands, wetlands created by excavation in nonwetlands, wetlands created by dikes or dams along public or private drainage ditches, or wetlands created by dikes or dams associated with the restoration of previously drained or filled wetlands may be used in a statewide banking program established in rules adopted under section 103G.2242, subdivision 1. Modification or conversion of nondegraded naturally occurring wetlands from one type to another are not eligible for enrollment in a statewide wetlands bank.

(j) The technical evaluation panel established under section 103G.2242, subdivision 2, shall ensure that sufficient time has occurred for the wetland to develop wetland characteristics of soils, vegetation, and hydrology before recommending that the wetland be deposited in the statewide wetland bank. If the technical evaluation panel has reason to believe that the wetland characteristics may change substantially, the panel shall postpone its recommendation until the wetland has stabilized.

(k) This section and sections 103G.223 to 103G.2242, 103G.2364, and 103G.2365 apply to the state and its departments and agencies.

(l) For projects involving draining or filling of wetlands or public waters wetlands associated with a new public transportation project in a greater than 80 percent area, public transportation authorities, other than the state department of transportation, may purchase credits from the state wetland bank established with proceeds from Laws 1994, chapter 643, section 26, subdivision 3, paragraph (c). Wetland banking credits may be purchased at the least of the following, but in no case shall the purchase price be less than \$400 per acre: (1) the cost to the state to establish the

credits; (2) the average estimated market value of agricultural land in the township where the road project is located, as determined by the commissioner of revenue; or (3) the average value of the land in the immediate vicinity of the road project as determined by the county assessor. Public transportation authorities in a less than 80 percent area may purchase credits from the state at the cost to the state to establish credits.

(m) A replacement plan for wetlands is not required for individual projects that result in the filling or draining of wetlands for the repair, rehabilitation, reconstruction, or replacement of a currently serviceable existing state, city, county, or town public road necessary, as determined by the public transportation authority, to meet state or federal design or safety standards or requirements, excluding new roads or roads expanded solely for additional traffic capacity lanes. This paragraph only applies to authorities for public transportation projects that:

(1) minimize the amount of wetland filling or draining associated with the project and consider mitigating important site-specific wetland functions on-site; and

(2) submit annual reports by January 15 to the board and members of the public requesting a copy that indicate the location, amount, and type of wetlands that have been filled or drained during the previous year and a projection of the location, amount, and type of wetlands to be filled or drained during the upcoming year.

The technical evaluation panel shall review minimization and delineation decisions made by the public transportation authority and provide recommendations regarding on-site mitigation if requested to do so by the local government unit, a contiguous landowner, or a member of the technical evaluation panel.

Except for state public transportation projects, for which the state department of transportation is responsible, the board must replace the wetlands or public waters wetlands drained or filled by public transportation projects on existing roads in critical rural and urban watersheds.

Public transportation authorities at their discretion may deviate from federal and state design standards on existing road projects when practical and reasonable to avoid wetland or public waters wetland filling or draining, provided that public safety is not unreasonably compromised. The local road authority and its officers and employees are exempt from liability for any tort claim for injury to persons or property arising from travel on the highway and related to the deviation from the design standards for construction or reconstruction under this paragraph. This paragraph does not preclude an action for damages arising from negligence in construction or maintenance on a highway.

(n) If a landowner seeks approval of a replacement plan after the proposed project has already impacted the wetland, the local government unit may require the landowner to replace the impacted wetland at a ratio not to exceed twice the replacement ratio otherwise required.

(o) A local government unit may request the board to reclassify a county or watershed on the basis of its percentage of presettlement wetlands remaining. After receipt of satisfactory documentation from the local government, the board shall change the classification of a county or watershed. If requested by the local government unit, the board must assist in developing the documentation. Within 30 days of its action to approve a change of wetland classifications, the board shall publish a notice of the change in the Environmental Quality Board Monitor.

(p) One hundred citizens who reside within the jurisdiction of the local government unit may request the local government unit to reclassify a county or watershed on the basis of its percentage of presettlement wetlands remaining. In support of their petition, the citizens shall provide satisfactory documentation to the local government unit. The local government unit shall consider the petition and forward the request to the board under paragraph (o) or provide a reason why the petition is denied.

Subd. 2. [ROAD CREDIT FUNDING.] At least 50 percent of money appropriated for road repair wetland or public waters wetland replacement credit under this section must be used for wetland restoration in the seven-county metropolitan area.

The board shall give priority to restoration projects that will:

- (1) intensify land use that leads to more compact development or redevelopment;
- (2) encourage public infrastructure investments which connect urban neighborhoods and suburban communities, attract private sector investment in commercial or residential properties adjacent to the public improvement; or
- (3) complement projects receiving funding under section 473.253.

Sec. 7. Minnesota Statutes 1998, section 103G.2241, subdivision 2, is amended to read:

Subd. 2. [DRAINAGE.] (a) For the purposes of this subdivision, "public drainage system" means a drainage system as defined in section 103E.005, subdivision 12, and any ditch or tile lawfully connected to the drainage system.

(b) A replacement plan is not required for draining of type 1 wetlands, or up to five acres of type 2 or 6 wetlands, in an unincorporated area on land that has been assessed drainage benefits for a public drainage system, provided that:

- (1) during the 20-year period that ended January 1, 1992:
 - (i) there was an expenditure made from the drainage system account for the public drainage system;
 - (ii) the public drainage system was repaired or maintained as approved by the drainage authority; or
 - (iii) no repair or maintenance of the public drainage system was required under section 103E.705, subdivision 1, as determined by the public drainage authority; and
- (2) the wetlands are not drained for conversion to:
 - (i) platted lots;
 - (ii) planned unit, commercial, or industrial developments; or
 - (iii) any development with more than one residential unit per 40 acres.

If wetlands drained under this paragraph are converted to uses prohibited under clause (2) during the ten-year period following drainage, the wetlands must be replaced under section 103G.222.

(c) A replacement plan is not required for draining or filling of wetlands, except for draining types 3, 4, and 5 wetlands that have been in existence for more than 25 years, resulting from maintenance and repair of existing public drainage systems.

(d) A replacement plan is not required for draining or filling of wetlands, except for draining wetlands that have been in existence for more than 25 years, resulting from maintenance and repair of existing drainage systems other than public drainage systems.

(e) A replacement plan is not required for draining or filling of wetlands resulting from activities conducted as part of a public drainage system improvement project that received final approval from the drainage authority before July 1, 1991, and after July 1, 1986, if:

- (1) the approval remains valid;
- (2) the project remains active; and
- (3) no additional drainage will occur beyond that originally approved.

(f) The public drainage authority may, as part of the repair, install control structures, realign the ditch, construct dikes along the ditch, or make other modifications as necessary to prevent drainage of the wetland.

(g) Wetlands and public waters wetlands of all types that would be drained as a part of a public drainage repair project are eligible for the permanent wetlands preserve under section 103F.516. The board shall give priority to acquisition of easements on types 3, 4, and 5 wetlands and public waters wetlands that have been in existence for more than 25 years on public drainage systems and other wetlands that have the greatest risk of drainage from a public drainage repair project.

Sec. 8. Minnesota Statutes 1998, section 103G.2372, is amended to read:

103G.2372 [ENFORCEMENT.]

Subdivision 1. [COMMISSIONER OF NATURAL RESOURCES.] The commissioner of natural resources, conservation officers, and peace officers shall enforce laws preserving and protecting wetlands and public waters. The commissioner of natural resources, a conservation officer, or a peace officer may issue a cease and desist order to stop any illegal activity adversely affecting a wetland or public waters. In the order, or by separate order, the commissioner, conservation officer, or peace officer may require restoration or replacement of the wetland or public waters, as determined by the local soil and water conservation district for wetlands and the commissioner of natural resources for public waters.

Subd. 2. [MISDEMEANOR.] A violation of an order issued under subdivision 1 is a misdemeanor and must be prosecuted by the county attorney where the wetland or public water is located or the illegal activity occurred.

Subd. 3. [RESTITUTION.] The court may, as part of sentencing, require a person convicted under subdivision 2 to restore or replace the wetland or public waters, as determined by the local soil and water conservation district for wetlands and the commissioner of natural resources for public waters.

Sec. 9. Minnesota Statutes 1998, section 103G.2373, is amended to read:

103G.2373 [ANNUAL WETLANDS AND PUBLIC WATERS WETLANDS REPORT.]

By March 1 of each year, the commissioner of natural resources and the board of water and soil resources shall jointly report to the committees of the legislature with jurisdiction over matters relating to agriculture, the environment, and natural resources on:

(1) the status of implementation of state laws and programs relating to wetlands and public waters wetlands;

(2) the quantity, quality, acreage, types, and public value of wetlands and public waters wetlands in the state; and

(3) changes in the items in clause (2).

Sec. 10. Minnesota Statutes 1998, section 103G.245, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] (a) Except as provided in paragraph (b), a public waters work permit is not required for:

(1) work in altered natural watercourses that are part of drainage systems established under chapter 103D or 103E if the work in the waters is undertaken according to chapter 103D or 103E; or

(2) a drainage project for a drainage system established under chapter 103E that does not substantially affect public waters.

(b) A public waters work permit is required for the repair or maintenance of a public drainage system that results in the draining or filling of public waters that have been in existence for more than 25 years.

Sec. 11. Minnesota Statutes 1998, section 103G.245, subdivision 3, is amended to read:

Subd. 3. [PERMIT APPLICATION.] (a) Application for a public waters work permit must be in writing to the commissioner on forms prescribed by the commissioner. The commissioner may issue a state general permit to a governmental subdivision or to the general public for classes of activities having minimal impact upon public waters under which more than one project may be conducted under a single permit.

(b) By August 1, 1999, the commissioner shall issue a general public waters work permit that applies to public waters wetlands incorporating provisions from sections 103G.222 and 103G.2242.

Sec. 12. Minnesota Statutes 1998, section 645.44, is amended by adding a subdivision to read:

Subd. 13a. [WETLANDS.] "Wetlands" means lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, wetlands must have the following three attributes:

(1) have a predominance of hydric soils;

(2) are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and

(3) under normal circumstances support a prevalence of such vegetation."

Delete the title and insert:

"A bill for an act relating to natural resources; simplifying and consolidating wetland regulation; amending Minnesota Statutes 1998, sections 103G.005, subdivisions 14, 15, and 19; 103G.201; 103G.222; 103G.2241, subdivision 2; 103G.2372; 103G.2373; 103G.245, subdivisions 2 and 3; and 645.44, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103G."

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

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

S.F. No. 1114: A bill for an act relating to criminal justice information; adding members to the criminal and juvenile justice information task force; requiring the criminal and juvenile justice information policy group to review plans for creating and implementing integrated criminal justice information systems in counties statewide; authorizing the commissioner of public safety to award grants to local agencies to develop and implement these integration plans; appropriating money; amending Minnesota Statutes 1998, section 299C.65, subdivisions 2 and 5.

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

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

S.F. No. 1075: A bill for an act relating to health; limiting use of health information secured as part of HIV vaccine research for insurance underwriting; amending Minnesota Statutes 1998, section 72A.20, by adding a subdivision.

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

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

S.F. No. 1268: A bill for an act relating to health; requiring prompt payments by health maintenance organizations and nonprofit health service plan corporations of certain claims made by home care providers; requiring claim errors to be reported within a certain time; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Senator Solon from the Committee on Commerce, to which was referred

S.F. No. 1334: A bill for an act relating to insurance; extending the age limit for health coverage for cleft lip and cleft palate to conform to the current required age limit for dependent coverage; amending Minnesota Statutes 1998, sections 62A.042; and 62C.14, subdivision 14.

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

Senator Solon from the Committee on Commerce, to which was referred

S.F. No. 208: A bill for an act relating to insurance; mandating coverage for cochlear implants; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 1, line 14, after "training," insert "internal and external replacement parts,"

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

S.F. No. 692: A bill for an act relating to agriculture; exempting livestock production facilities from the ambient hydrogen sulfide standards on days manure is being removed from barns or manure storage facilities; amending Minnesota Statutes 1998, section 116.0713.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1998, section 116.07, subdivision 7, is amended to read:

Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS.] Any Minnesota county board may, by resolution, with approval of the pollution control agency, assume responsibility for processing applications for permits required by the pollution control agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(a) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the pollution control agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(b) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14.

(c) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(d) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(e) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(f) The pollution control agency shall work with the Minnesota extension service, the department of agriculture, the board of water and soil resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(g) The pollution control agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. ~~A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas.~~ These rules apply both to permits issued by counties and to permits issued by the pollution control agency directly.

(h) The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(i) After May 17, 1997, any new rules or amendments to existing rules proposed under the authority granted in this subdivision, must be submitted to the members of legislative policy committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(j) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(k) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in pollution control agency rules.

(l) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

Sec. 2. Minnesota Statutes 1998, section 116.07, is amended by adding a subdivision to read:

Subd. 7d. [EXCLUSION.] In regulating livestock or animal feedlots under subdivisions 7 to 7c, a county or the commissioner must not include manure runoff contaminant areas that are less than 6,000 cubic feet in the definition of an open air clay, earthen, or flexible membrane lined swine waste lagoon."

Page 1, delete lines 23 to 26

Page 2, delete line 1 and insert:

"(b) Until July 1, 2004, the state ambient air quality standards shall not apply to a feedlot facility during the agitation and pumpout process of a liquid manure storage system if:

(1) the owner or operator of the feedlot facility employs best management practices to agitate, pump, and land apply the manure in an efficient and expedient manner, including all practical steps to modify the agitation and pumpout process to reduce the emission of hydrogen sulfide and odorous gases; and

(2) the owner or operator notifies residents living near the operation in advance of agitating and pumping a liquid manure storage system.

(c) The air space above property situated within the contiguous land area inside the property boundaries of a farm or a parcel of agricultural land on which a livestock production facility is located shall be exempt from ambient air quality standards. This exemption shall include the property where the feedlot is located and contiguous land where air quality easements have been obtained.

Sec. 4. Minnesota Statutes 1998, section 116.072, is amended by adding a subdivision to read:

Subd. 13. [FEEDLOT ADMINISTRATIVE PENALTY ORDERS; FIRST VIOLATIONS.] (a) At least 30 days prior to the commissioner issuing an administrative penalty order to a feedlot operator for a first violation of feedlot laws or rules, agency staff shall offer to meet with the feedlot operator to advise the operator of the nature of the violation, the time period allowed for correction of the violation, and the amount of the proposed administrative penalty.

(b) The commissioner shall reduce the amount of the administrative penalty for a first violation of feedlot laws or rules by the amount spent after the notice of violation by the feedlot operator on environmental improvements to the feedlot or 90 percent of the proposed administrative penalty, whichever is less."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "regulating feedlots; removing an exemption from permitting for small facilities;"

Page 1, line 4, delete everything after "standards"

Page 1, line 5, delete everything before the semicolon and insert "under certain conditions; specifying requirements for administrative penalty orders issued to feedlot operators"

Page 1, line 6, delete everything after the comma and insert "sections 116.07, subdivision 7, and by adding a subdivision; 116.0713; and 116.072, by adding a subdivision."

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

Senator Metzen from the Committee on Governmental Operations and Veterans, to which was referred

S.F. No. 1117: A bill for an act relating to public safety; requiring bleacher safety; providing penalties; appropriating money; amending Minnesota Statutes 1998, sections 16B.72; and 16B.73; proposing coding for new law in Minnesota Statutes, chapters 16B; and 325F.

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

Delete everything after the enacting clause and insert:

"Section 1. [16B.616] [BLEACHER SAFETY.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given.

(b) "Place of public accommodation" means a public or privately owned sports or entertainment arena, gymnasium, auditorium, stadium, hall, special event center in a public park, or other facility for public assembly.

(c) "Bleacher" refers to any tiered or stepped seating facility, whether temporary or permanent, used in a place of public accommodation for the seating of its occupants.

Subd. 2. [APPLICATION.] All places of public accommodation must comply with the provisions of this section.

Subd. 3. [SAFETY REQUIREMENTS.] In places of public accommodation using bleacher seating, all bleachers or bleacher open spaces over 30 inches above grade or the floor below, must conform to the following safety requirements:

(1) the open space between bleacher footboards, seats, and guardrails must not exceed four inches, unless approved safety nets are installed;

(2) bleachers must have vertical perimeter guardrails with no more than four-inch rail spacing between vertical rails or other approved guardrails which address climbability and are designed to prevent accidents; and

(3) bleachers already in existence as of the effective date of this act must comply with the structural provisions of the 1998 State Building Code. All new bleachers manufactured, installed, sold, or distributed after the effective date of this act must comply with the State Building Code in effect and clauses (1) and (2).

Subd. 4. [ENFORCEMENT.] (a) A statutory or home rule charter city that is not covered by the code because of action taken under section 16B.72 or 16B.73 is responsible for enforcement in the city of the code's requirements for bleacher safety. In all other areas where the code does not apply because of action taken under section 16B.72 or 16B.73, the county is responsible for enforcement of those requirements.

(b) Municipalities which have not adopted the code may enforce the code requirements for bleacher safety by either entering into a joint powers agreement for enforcement with another municipality which has adopted the code; or contracting for enforcement with a qualified and certified building official or state licensed design professional to enforce the code.

(c) Municipalities, school districts, organizations, individuals, and other persons, operating or owning places of public accommodation with bleachers, shall provide a signed affidavit of compliance to the commissioner by the effective date of this section. The affidavit shall be prepared by a qualified and certified building official or state licensed design professional and shall certify that the bleachers have been inspected and are in compliance with the requirements of this section and are structurally sound.

Subd. 5. [PENALTIES.] The commissioner, in addition to other remedies provided for violations of this chapter, shall forbid use of bleachers not in compliance with this section consistent with priorities established in rule.

Subd. 6. [RULES.] The commissioner shall adopt rules to implement this section. The rules must provide for periodic inspections of places of public accommodation. Inspections can be completed in the same manner as provided in subdivision 4. The rules adopted pursuant to this section shall be stated in simple and nontechnical language.

Sec. 2. Minnesota Statutes 1998, section 16B.72, is amended to read:

16B.72 [REFERENDA ON STATE BUILDING CODE IN NONMETROPOLITAN COUNTIES.]

Notwithstanding any other provision of law to the contrary, a county that is not a metropolitan county as defined by section 473.121, subdivision 4, may provide, by a vote of the majority of its electors residing outside of municipalities that have adopted the State Building Code before January 1, 1977, that no part of the State Building Code except the building requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety applies within its jurisdiction.

The county board may submit to the voters at a regular or special election the question of adopting the building code. The county board shall submit the question to the voters if it receives a petition for the question signed by a number of voters equal to at least five percent of those voting in the last general election. The question on the ballot must be stated substantially as follows:

"Shall the State Building Code be adopted in County?"

If the majority of the votes cast on the proposition is in the negative, the State Building Code does not apply in the subject county, outside home rule charter or statutory cities or towns that adopted the building code before January 1, 1977, except the building requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety do apply.

Nothing in this section precludes a municipality or town that has not adopted the State Building Code from adopting and enforcing by ordinance or other legal means the State Building Code within its jurisdiction.

Sec. 3. Minnesota Statutes 1998, section 16B.73, is amended to read:

16B.73 [STATE BUILDING CODE IN MUNICIPALITIES UNDER 2,500; LOCAL OPTION.]

The governing body of a municipality whose population is less than 2,500 may provide that the State Building Code, except the requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety, will not apply within the jurisdiction of the municipality, if the municipality is located in whole or in part within a county exempted from its application under section 16B.72. If more than one municipality has jurisdiction over an area, the State Building Code continues to apply unless all municipalities having jurisdiction over the area have provided that the State Building Code, except the requirements for handicapped persons, the requirements for bleacher safety, and the requirements for elevator safety, does not apply within their respective jurisdictions. Nothing in this section precludes a municipality or town from adopting and enforcing by ordinance or other legal means the State Building Code within its jurisdiction.

Sec. 4. Minnesota Statutes 1998, section 240A.09, is amended to read:

240A.09 [PLAN DEVELOPMENT; CRITERIA.]

The Minnesota amateur sports commission shall develop a plan to promote the development of proposals for new statewide public ice facilities including proposals for ice centers and matching grants based on the criteria in this section.

(a) For ice center proposals, the commission will give priority to proposals that come from more than one local government unit.

(b) In the metropolitan area as defined in section 473.121, subdivision 2, the commission is encouraged to give priority to the following proposals:

(1) proposals for construction of two or more ice sheets in a single new facility;

(2) proposals for construction of an additional sheet of ice at an existing ice center;

(3) proposals for construction of a new, single sheet of ice as part of a sports complex with multiple sports facilities; and

(4) proposals for construction of a new, single sheet of ice that will be expanded to a two-sheet facility in the future.

(c) The commission shall administer a site selection process for the ice centers. The commission shall invite proposals from cities or counties or consortia of cities. A proposal for an ice center must include matching contributions including in-kind contributions of land, access roadways and access roadway improvements, and necessary utility services, landscaping, and parking.

(d) Proposals for ice centers and matching grants must provide for meeting the demand for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m. to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.

(e) The location for all proposed facilities must be in areas of maximum demonstrated interest and must maximize accessibility to an arterial highway.

(f) To the extent possible, all proposed facilities must be dispersed equitably, must be located to maximize potential for full utilization and profitable operation, and must accommodate noncompetitive family and community skating for all ages.

(g) The commission may also use the funds to upgrade current facilities, purchase girls' ice time, or conduct amateur women's hockey and other ice sport tournaments.

(h) To the extent possible, 50 percent of all grants must be awarded to communities in greater Minnesota.

(i) To the extent possible, technical assistance shall be provided to Minnesota communities by the commission on ice arena planning, design, and operation, including the marketing of ice time.

(j) The commission may use funds for rehabilitation and renovation grants. Priority must be given to grant applications for indoor air quality improvements, including zero emission ice resurfacing equipment.

(k) Grant funds may be used for ice centers designed for sports other than hockey.

(l) Grant funds may be used to upgrade current facilities so they are in compliance with the bleacher safety requirements of section 16B.616.

Sec. 5. [325F.015] [UNSAFE BLEACHERS.]

Subdivision 1. [BLEACHER BAN.] No person shall manufacture, sell, distribute, or install bleachers within Minnesota that are not in compliance with section 16B.616. For purposes of this section, "person" means an individual, public or private entity, however organized, or a unit of state or local government.

Subd. 2. [PENALTY.] Any person who violates this section shall be subject to a civil penalty of \$..... for each violation.

Sec. 6. [APPROPRIATION.]

\$..... is appropriated from the general fund to the commissioner of administration for the purpose of making grants to places of public accommodation to assist them in achieving compliance with the bleacher safety requirements of section 1. State grants are available when the commissioner of administration has determined matching funds in an amount equal to the grant have been committed. This appropriation is available until June 30, 2001.

Sec. 7. [EFFECTIVE DATE.]

Sections 1, 2, 3, and 5 are effective January 1, 2001, except the rulemaking provisions in section 1 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to public safety; requiring bleacher safety; providing penalties; appropriating money; amending Minnesota Statutes 1998, sections 16B.72; 16B.73; and 240A.09; proposing coding for new law in Minnesota Statutes, chapters 16B; and 325F."

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

Senator Solon from the Committee on Commerce, to which was referred

S.F. No. 243: A bill for an act relating to insurance; health; requiring coverage for eyeglasses and hearing aids; amending Minnesota Statutes 1998, sections 62E.06, subdivision 1; and 62L.05, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 2, line 22, after "eyeglasses" insert "for individuals who are deaf or hard of hearing and rely upon visual communication, whether that be manual communication, lip reading, or other forms of visual communication,"

Page 5, line 10, after "eyeglasses" insert "for individuals who are deaf or hard of hearing and rely upon visual communication, whether that be manual communication, lip reading, or other forms of visual communication,"

Page 5, line 32, after "eyeglasses" insert "for individuals who are deaf or hard of hearing and rely upon manual communication, lip reading, or other forms of visual communication,"

Page 5, line 33, after "aids" insert ". Coverage for eyeglasses must occur"

Page 5, line 35, after the period, insert "Coverage for hearing aids must occur when the hearing aid is ordered or prescribed by a certified audiologist or certified hearing aid specialist, unless the hearing aid is ordered or prescribed for persons over age 18 with a documented hearing loss no greater than 55 dBHTL based on an audiometric threshold test using the pure tone average. The hearing aid may be obtained from anyone who is certified within the scope of practice."

Page 6, line 6, delete "clauses" and insert "clause" and delete "and (10)"

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 Vickerman from the Committee on Local and Metropolitan Government, to which was re-referred

S.F. No. 607: A bill for an act relating to tax expenditures; requiring preparation of certain information for proposed tax expenditures; regulating business subsidies; requesting a study by the legislative auditor; appropriating money; amending Minnesota Statutes 1998, section 270.067, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 3; and 116J; repealing Minnesota Statutes 1998, section 116J.991.

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

Page 3, lines 17 and 18, delete "plus the interest on any loan"

Page 4, line 16, delete "and" and insert:

"(14) assistance for a collaboration between a Minnesota higher education institution and a business; and"

Page 4, line 17, delete "(14)" and insert "(15)"

Page 4, delete lines 25 to 29

Page 4, line 30, delete "7" and insert "6"

Page 4, line 34, delete "8" and insert "7"

Page 5, line 10, after the period, insert "The criteria must include a policy of wage goals that references living wage jobs."

Page 5, line 21, delete "and"

Page 5, line 24, after "date" insert ";

(7) the name and address of the parent corporation of the recipient, if any; and

(8) a list of all financial assistance by all grantors for the project"

Page 6, line 5, delete the colon

Page 6, line 6, delete everything before "goals"

Page 6, line 9, delete "; and" and insert a period

Page 6, delete lines 10 to 15

Page 7, delete lines 18 to 34 and insert:

"(b) A recipient must provide information regarding progress toward meeting the job and wage goals for the two years after the benefit date or until the goals are met, whichever is later. If the goals are not met, the recipient must continue to provide information on the subsidy until the subsidy is repaid. The information must be filed on forms developed by the commissioner in cooperation with representatives of local government. Copies of the completed forms must be sent to the commissioner and the local government agency that provided the business subsidy. The report must include:

(1) the type, public purpose, and amount of subsidies;

(2) the hourly wage of each job created with separate bands of wages;

(3) the sum of the hourly wages and cost of health insurance provided by the employer with separate bands of wages;

(4) the date the job and wage goals will be reached;

(5) the progress toward meeting the wage and job goals;

(6) the location of the recipient prior to receiving the business subsidy; and

(7) other information the commissioner may request.

A report must be filed no later than March 1 of each year for the previous year and within 30 days after the deadline for meeting the job and wage goals. A local government agency must, by March 1 of each year, report in a form approved by the commissioner a summary of the business subsidy reports submitted that year. The local government agency must include a list of recipients that did not complete the report and of recipients subject to the obligations for meeting the job and wage goals of the agreement. The commissioner, by July 1 of each year, must provide to the legislature a summary of the reports submitted to the department.

(c) Financial assistance that is excluded from the definition of "business subsidy" by subdivision 3, clauses (3), (4), (7), and (9), is subject to the reporting requirements of this subdivision, except that the report of the recipient must include:

(1) the type, public purpose, and amount of the financial assistance;

- (2) progress towards meeting the public purpose of the assistance;
(3) the location of the recipient prior to receiving the assistance; and
(4) other information the grantor requests."

Page 8, line 5, delete "(a) Each subsidy grantor"

Page 8, delete lines 6 to 25

Page 8, line 26, delete "(c)" and insert "(a)"

Page 8, line 31, delete "(d)" and insert "(b)"

Page 9, line 3, delete "(e)" and insert "(c)"

Page 10, delete section 5

Page 11, line 31, delete "8" and insert "7"

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 Metzger from the Committee on Governmental Operations and Veterans, to which was referred

S.F. No. 709: A bill for an act relating to state procurement; authorizing the commissioner of administration to award a preference of as much as six percent in the amount bid for specified goods or services to small businesses; amending Minnesota Statutes 1998, section 16C.16, subdivisions 6 and 7.

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

Pages 1 and 2, delete section 1

Page 2, line 21, strike "or"

Page 2, line 23, before the period, insert "; or

(4) the owner resides in or the business is located in a city of the second class that is designated as an economically depressed area by the United States Department of Commerce"

Page 3, after line 2, insert:

"Sec. 2. [REPEALER.]

Minnesota Rules, part 1230.1860, item A, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "subdivisions 6 and" and insert "subdivision" and before the period, insert "; repealing Minnesota Rules, part 1230.1860, item A"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 144, 418, 1262, 518, 891, 796, 1012, 739, 1023, 83, 692 and 709 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Wiger moved that the name of Senator Hanson be added as a co-author to S.F. No. 1195. The motion prevailed.

Senator Berglin moved that the name of Senator Piper be added as a co-author to S.F. No. 1292. The motion prevailed.

Senator Metzen moved that his name be stricken as a co-author to S.F. No. 1328. The motion prevailed.

Senator Spear moved that the name of Senator Wiger be added as a co-author to S.F. No. 1382. The motion prevailed.

Senator Betzold moved that the name of Senator Wiger be added as a co-author to S.F. No. 1567. The motion prevailed.

Senator Janezich moved that the name of Senator Metzen be added as a co-author to S.F. No. 1649. The motion prevailed.

Senator Kelly, R.C. moved that the name of Senator Wiger be added as a co-author to S.F. No. 1666. The motion prevailed.

Senator Kelly, R.C. moved that the name of Senator Wiger be added as a co-author to S.F. No. 1711. The motion prevailed.

Senator Johnson, D.J. moved that S.F. No. 384 be withdrawn from the Committee on Local and Metropolitan Government and returned to its author. The motion prevailed.

Senator Metzen moved that S.F. No. 637 be withdrawn from the Committee on Commerce and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Senator Olson moved that S.F. No. 1117 be withdrawn from the Committee on Commerce and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Senator Robling moved that H.F. No. 183 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 144, now on General Orders. The motion prevailed.

Senator Hottinger moved that H.F. No. 413 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 418, now on General Orders. The motion prevailed.

Senators Pariseau; Johnson, D.H.; Day; Metzen and Fischbach introduced--

Senate Resolution No. 48: A Senate resolution honoring the Veterans of Foreign Wars on the occasion of its Centennial celebration.

Referred to the Committee on Rules and Administration.

Senator Larson introduced--

Senate Resolution No. 49: A Senate resolution congratulating the Fergus Falls High School Boys Hockey team on winning Third Place in the 1999 Minnesota High School Class A Boys Hockey Tournament.

Referred to the Committee on Rules and Administration.

Senators Moe, R.D. and Junge introduced--

Senate Concurrent Resolution No. 7: A Senate concurrent resolution relating to adoption of revenue targets under Minnesota Statutes 1998, section 16A.102, subdivision 2.

BE IT RESOLVED, by the Senate, the House of Representatives concurring, that the following revenue targets are adopted under the requirements of Minnesota Statutes 1998, section 16A.102:

	Fiscal Years 2000 and 2001	Fiscal Years 2002 and 2003
(1) the maximum share of personal income to be collected in taxes and other revenues	17.6 percent	17.5 percent
(2) the division of the share between		
state services	60 percent	60 percent
local services	40 percent	40 percent
the appropriate mix of rates	This resolution assumes a reduction in state individual income taxes and a reduction in local property taxes.	

Senator Junge, for Senator Moe, R.D., moved the adoption of the foregoing resolution.

Senator Runbeck moved to amend Senate Concurrent Resolution No. 7 as follows:

Page 1, line 13, delete "17.6" and insert "17.2" and delete "17.5" and insert "17.3"

Page 1, line 17, delete "60" in both places and insert "59" in both places

Page 1, line 19, delete "40" in both places and insert "41" in both places

CALL OF THE SENATE

Senator Junge imposed a call of the Senate for the balance of the proceedings on Senate Concurrent Resolution No. 7. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 40, as follows:

Those who voted in the affirmative were:

Berg	Kleis	Neuville	Robertson	Stevens
Dille	Knutson	Oliver	Runbeck	
Fischbach	Larson	Olson	Sams	
Hanson	Lesewski	Ourada	Samuelson	
Johnson, J.B.	Limmer	Pariseau	Scheevel	

Those who voted in the negative were:

Anderson	Belanger	Berglin	Betzold	Cohen
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Flynn	Johnson, D.J.	Lessard	Piper	Spear
Foley	Junge	Lourey	Pogemiller	Stumpf
Frederickson	Kelley, S.P.	Marty	Price	Ten Eyck
Hottinger	Kiscaden	Metzen	Ranum	Terwilliger
Janezich	Krentz	Murphy	Robling	Vickerman
Johnson, D.E.	Laidig	Novak	Scheid	Wiener
Johnson, D.H.	Langseth	Pappas	Solon	Wiger

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

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Foley	Limmer	Robling	Runbeck	Stevens
Lesewski	Marty			

The motion prevailed. So the resolution was adopted.

CALENDAR

S.F. No. 333: A bill for an act relating to crime prevention; requiring disclosure to consumer of consumer report recipients; 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, chapters 13C; and 609.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 609: A bill for an act relating to water; requiring new landscape irrigation systems to have rain checks; proposing coding for new law in Minnesota Statutes, chapter 103G.

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 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Fischbach	Lesewski	Limmer	Ourada
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So the bill passed and its title was agreed to.

S.F. No. 129: A bill for an act relating to family law; enacting the Uniform Child Custody Jurisdiction and Enforcement Act; proposing coding for new law as chapter 518D; repealing Minnesota Statutes 1998, sections 518A.01; 518A.02; 518A.03; 518A.04; 518A.05; 518A.06; 518A.07; 518A.08; 518A.09; 518A.10; 518A.11; 518A.12; 518A.13; 518A.14; 518A.15; 518A.16; 518A.17; 518A.18; 518A.19; 518A.20; 518A.21; 518A.22; 518A.23; 518A.24; and 518A.25.

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

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 1180: A bill for an act relating to juveniles; extending juvenile court jurisdiction over children who are habitual truants; amending Minnesota Statutes 1998, section 260.181, subdivision 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1150: A bill for an act relating to traffic regulations; fixing speed limit in rural residential districts; amending Minnesota Statutes 1998, section 169.14, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. No. 198, which the committee recommends to pass, after the following motions:

Senator Limmer moved to amend S.F. No. 198 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1997, chapter 239, article 3, section 22, is amended to read:

Sec. 22. [REVIEW REQUIRED.]

~~Minnesota Rules of Criminal Procedure, rule 26.03, subdivision 11, is superseded to the extent it conflicts with Minnesota Statutes, section 631.07. By January 15, 2001, the supreme court is requested to review rule 26.03, subdivision 11, of the Minnesota Rules of Criminal Procedure and report to the chairs of the senate and house committees having jurisdiction over criminal justice policy on prosecutorial rebuttals.~~

Sec. 2. Laws 1997, chapter 239, article 3, section 23, is amended to read:

Sec. 23. [631.075] [REPORT.]

By January 15, 1999 2000, and each year thereafter, the supreme court is requested to report to the chairs of the senate and house committees having jurisdiction over criminal justice policy on prosecutorial rebuttals under ~~Minnesota Statutes, section 631.07~~ rule 26.03, subdivision 11, of the Minnesota Rules of Criminal Procedure. The report must contain information on:

- (1) the number of rebuttals requested by prosecutors;
- (2) the number of rebuttals permitted by courts; and
- (3) the circumstances involving instances in which rebuttals were not permitted.

Sec. 3. [REPEALER.]

Minnesota Statutes 1998, section 631.07, is repealed."

Delete the title and insert:

"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."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Hottinger	Marty	Piper	Samuelson
Berglin	Kiscaden	Murphy	Pogemiller	Spear
Betzold	Laidig	Neuville	Price	Wiener
Cohen	Limmer	Pappas	Robertson	Wiger
Hanson	Lourey	Pariseau	Sams	

Those who voted in the negative were:

Belanger	Janezich	Kelly, R.C.	Lessard	Scheevel
Berg	Johnson, D.E.	Kleis	Metzen	Solon
Dille	Johnson, D.H.	Knutson	Novak	Stevens
Fischbach	Johnson, D.J.	Krentz	Oliver	Stumpf
Foley	Johnson, J.B.	Langseth	Ourada	Ten Eyck
Frederickson	Junge	Larson	Robling	Terwilliger
Higgins	Kelley, S.P.	Lesewski	Runbeck	Vickerman

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

Senator Neuville moved to amend S.F. No. 198 as follows:

Page 1, line 19, after the period, insert "The court shall permit the defense 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."

Senator Neuville then moved to amend the Neuville amendment to S.F. No. 198 as follows:

Page 1, line 2, delete "shall" and insert "may"

Page 1, line 5, delete "defense" and insert "prosecution"

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

The question recurred on the Neuville amendment, as amended.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, D.E.	Limmer	Pariseau	Samuelson
Berglin	Johnson, J.B.	Lourey	Piper	Spear
Betzold	Kiscaden	Marty	Pogemiller	Terwilliger
Flynn	Laidig	Murphy	Robertson	Wiener
Hanson	Langseth	Neuville	Runbeck	Wiger
Hottinger	Lesewski	Pappas	Sams	

Those who voted in the negative were:

Belanger	Higgins	Kleis	Oliver	Stevens
Berg	Janezich	Knutson	Ourada	Stumpf
Cohen	Johnson, D.H.	Krentz	Price	Ten Eyck
Dille	Johnson, D.J.	Larson	Ranum	Vickerman
Fischbach	Junge	Lessard	Robling	
Foley	Kelley, S.P.	Metzen	Scheevel	
Frederickson	Kelly, R.C.	Novak	Solon	

The motion did not prevail. So the Neuville amendment, as amended, was not adopted.

The question was taken on the recommendation to pass S.F. No. 198.

The roll was called, and there were yeas 44 and nays 17, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.J.	Langseth	Piper	Scheevel
Berg	Johnson, J.B.	Larson	Pogemiller	Solon
Dille	Junge	Lesewski	Price	Stevens
Fischbach	Kelley, S.P.	Lessard	Ranum	Stumpf
Foley	Kelly, R.C.	Metzen	Robertson	Ten Eyck
Frederickson	Kiscaden	Novak	Robling	Terwilliger
Higgins	Kleis	Oliver	Runbeck	Vickerman
Johnson, D.E.	Knutson	Ourada	Sams	Wiger
Johnson, D.H.	Krentz	Pariseau	Samuelson	

Those who voted in the negative were:

Anderson	Flynn	Laidig	Murphy	Wiener
Berglin	Hanson	Limmer	Neuville	
Betzold	Hottinger	Lourey	Pappas	
Cohen	Janezich	Marty	Spear	

The motion prevailed. So S.F. No. 198 was recommended to pass.

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

Without objection, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Motions and Resolutions.

REPORTS OF COMMITTEES

Senator Junge 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. 233: A bill for an act relating to real property; providing for definite and specific

descriptions for certain easements; applying the requirement retroactively to all easements whenever created; amending Minnesota Statutes 1998, section 300.045.

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

Page 1, line 15, strike "not"

Page 1, line 16, strike "greater than the minimum" and insert "in a width"

Page 2, delete lines 23 to 25 and insert:

"Sec. 2. [EFFECTIVE DATE; APPLICATION.]

This act is effective August 1, 1999. This act applies retroactively to all easements whenever created except that this act does not apply to litigation pending on August 1, 1999."

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

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.

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

Pages 1 and 2, delete section 1

Page 2, after line 23, insert:

"(c) The supervising physician who otherwise provides supervision to a physician assistant under a physician and physician assistant agreement described in section 147A.20 shall not be held medically responsible for the care rendered by a physician assistant pursuant to paragraph (a). Services provided by a physician assistant under paragraph (a) shall be considered outside the scope of the relationship between the supervising physician and the physician assistant."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "granting immunity to"

Page 1, delete line 3

Page 1, line 4, delete "render care in disasters;"

Page 1, line 6, delete "amending"

Page 1, delete line 7

Page 1, line 8, delete "subdivision;"

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 referred

S.F. No. 1539: A bill for an act relating to the environment; providing a new license category

under the well code for a vertical heat exchanger contractor; establishing training requirements for well contractors installing vertical heat exchangers; amending Minnesota Statutes 1998, sections 103I.005, subdivision 20; 103I.101, subdivisions 2 and 5; 103I.105; 103I.208, subdivision 2; 103I.501; 103I.525, by adding a subdivision; and 103I.641, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 103I.

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

Page 2, delete line 30 and insert:

"(vi) persons constructing, repairing, and sealing vertical heat exchangers;"

Page 4, line 21, after the semicolon, insert "and"

Page 4, line 24, delete "; and"

Page 4, lines 25 to 28, delete the new language

Pages 5 and 6, delete section 5

Page 6, line 29, delete "20" and insert "eight"

Page 6, line 32, after the comma, insert "or demonstrates to the commissioner that the well contractor had installed at least 20,000 feet of vertical heat exchanger bore hole in Minnesota prior to December 31, 1998,"

Page 7, delete lines 8 to 15

Page 9, line 16, delete "9 and 10" and insert "8 and 9"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 8 and 9, delete "103I.208, subdivision 2;"

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

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

S.F. No. 846: A bill for an act relating to juveniles; establishing requirements relating to out-of-home placements of juveniles; establishing task forces; amending Minnesota Statutes 1998, sections 245A.09, subdivision 2; 260.151, subdivision 3; 260.181, by adding a subdivision; and 260.185, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 260.

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

Page 5, line 21, delete "WORKING GROUP" and insert "TASK FORCE"

Page 5, line 23, after the period, insert "If" and after "task force" insert "is convened, it"

Page 5, lines 33 and 36, delete "shall" and insert "should"

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

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

S.F. No. 1219: A bill for an act relating to health; establishing a uniform complaint resolution process for health plan companies; establishing an external appeal process; appropriating money; amending Minnesota Statutes 1998, sections 62D.11, subdivision 1; 62M.01; 62M.02, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, 12, 17, 20, 21, and by adding a subdivision; 62M.03, subdivisions 1 and 3; 62M.04, subdivisions 1, 2, 3, and 4; 62M.05; 62M.06; 62M.07; 62M.09, subdivision 3; 62M.10, subdivisions 2, 5, and 7; 62M.12; 62M.15; 62Q.106; 62Q.19, subdivision 5a; 62T.04; 72A.201, subdivisions 4 and 4a; and 256B.692, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 1998, sections 62D.11, subdivisions 1b and 2; 62Q.105; 62Q.11; and 62Q.30; Minnesota Rules, parts 4685.0100, subparts 4 and 4a; and 4685.1700.

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

Page 3, line 14, delete the new language and strike "in"

Page 3, line 15, strike everything before the period and insert "an enrollee"

Page 14, line 6, delete "62M.03" and insert "62M.06"

Page 21, line 6, after the comma, insert "or the oral complaint is not resolved by the health plan company within ten days of receiving the complaint,"

Pages 24 to 26, delete section 38 and insert:

"Sec. 38. [62Q.73] [EXTERNAL REVIEW OF ADVERSE DETERMINATIONS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the term defined in this subdivision has the meaning given it.

(b) An adverse determination means:

(1) a complaint decision relating to a health care service or claim made in accordance with section 62Q.67 or an appeal decision made in accordance with section 62Q.68 that is partially or wholly adverse to the complainant; or

(2) any initial determination not to certify made in accordance with section 62M.05 or an appeal made in accordance with section 62M.06 that does not reverse an initial determination not to certify.

An adverse determination does not include complaints relating to fraudulent marketing practices or agent misrepresentation.

Subd. 2. [RIGHT TO EXTERNAL REVIEW.] (a) Any enrollee or anyone acting on behalf of an enrollee who has received an adverse determination may submit a written request for an external review of the adverse determination.

(b) If an enrollee requests an external review, the health plan company must participate in the external review.

Subd. 3. [CONTRACT.] Pursuant to a request for proposal, the commissioner of administration, in consultation with the commissioners of health and commerce, shall contract with an organization or business entity to provide independent external reviews of all adverse determinations submitted for external review.

Subd. 4. [CRITERIA.] The request for proposal must require that the entity be affiliated with an institution of higher learning and demonstrate:

(1) no conflicts of interest in that it is not owned, a subsidiary of, or affiliated with a health plan company or utilization review organization;

(2) an expertise in dispute resolution;

(3) an expertise in health related law;

(4) an ability to conduct reviews using a variety of procedures depending upon the nature of the dispute;

(5) an ability to provide data to the commissioners of health and commerce on the resolution of reviews; and

(6) an ability to ensure confidentiality of medical records and other enrollee information.

Subd. 5. [PROCESS.] (a) Upon receiving a request for an external review, the external review entity must provide immediate notice of the review to the enrollee and to the health plan company. Within ten business days of receiving notice of the review the health plan company and the enrollee must provide the external review entity with any information that they wish to be considered. Each party shall be provided an opportunity to present its version of the facts and arguments. An enrollee may be assisted or represented by a person of the enrollee's choice.

(b) As part of the external review process, an independent medical opinion may be sought or a medical review panel may be established to provide additional technical expertise.

(c) An external review shall be made as soon as practical but in no case later than 40 days after receiving the request for an external review and must promptly send written notice of the decision and the reasons for it to the enrollee and the health plan company.

Subd. 6. [EFFECTS OF EXTERNAL REVIEW.] A decision rendered under this section shall be nonbinding on the enrollee and binding on the health plan company. The health plan company may seek judicial review of the decision on the grounds that the decision was arbitrary and capricious or involved an abuse of discretion.

Subd. 7. [IMMUNITY FROM CIVIL LIABILITY.] A person who participates in an external review by investigating, reviewing materials, providing technical expertise, or rendering a decision shall not be civilly liable for any action that is taken in good faith, that is within the scope of the person's duties, and that does not constitute willful or reckless misconduct.

Subd. 8. [DATA REPORTING.] (a) The entity conducting the external review must provide the commissioner with the number of reviews heard and a summary of each decision rendered, including its disposition.

(b) The commissioners shall make available to the public, upon request, summary data on the decisions rendered under this section, including the number of reviews heard and decided and the final outcomes."

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

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

S.F. No. 760: A bill for an act relating to local government; authorizing collection of penalties and fines imposed by local governments for certain violations of water and planning laws together with taxes; amending Minnesota Statutes 1998, section 394.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103F.

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

Pages 1 and 2, delete section 2 and insert:

"Sec. 2. [375.511] [ADMINISTRATIVE PENALTIES.]

A county board may impose an administrative penalty for violation of an ordinance enacted under chapter 103F. No penalty may be imposed unless the owner has received notice, served personally or by mail, of the alleged violation and an opportunity for a hearing before a person authorized by the county board to conduct the hearing. A decision that a violation occurred must be in writing. The amount of the penalty with interest may not exceed the amount allowed for a

single misdemeanor violation. A person aggrieved by a decision under this section may have the decision reviewed in the district court. If a penalty imposed under this section is unpaid for more than 60 days after the date when payment is due, the county board may certify the penalty to the county auditor for collection to the same extent and in the same manner provided by law for the assessment and collection of real estate taxes."

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon and insert "establishing procedures for imposition of penalties"

Page 1, line 6, delete everything before the semicolon

Page 1, line 7, delete everything after the comma and insert "chapters 103F; and 375."

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

Senator Solon from the Committee on Commerce, to which was referred

S.F. No. 1331: A bill for an act relating to liquor; extending tour boat liquor license season; amending Minnesota Statutes 1998, section 340A.404, subdivision 8.

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 340A.404, subdivision 2, is amended to read:

Subd. 2. [SPECIAL PROVISION; CITY OF MINNEAPOLIS.] (a) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theatre, the Cricket Theatre, the Orpheum Theatre, and the State Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The licenses authorize sales on all days of the week to holders of tickets for performances presented by the theatres and to members of the nonprofit corporations holding the licenses and to their guests.

(b) The city of Minneapolis may issue an intoxicating liquor license to 510 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises owned by 510 Groveland Associates, notwithstanding limitations of law, or local ordinance, or charter provision.

(c) The city of Minneapolis may issue an on-sale intoxicating liquor license to Zuhrah Shrine Temple for use on the premises owned by Zuhrah Shrine Temple at 2540 Park Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(d) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Association of University Women, Minneapolis branch, for use on the premises owned by the American Association of University Women, Minneapolis branch, at 2115 Stevens Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provisions relating to zoning or school or church distances.

(e) The city of Minneapolis may issue an on-sale wine license and an on-sale 3.2 percent malt liquor license to a restaurant located at 5000 Penn Avenue South and a restaurant located at 1931 Nicollet Avenue South, notwithstanding any law or local ordinance or charter provision.

(f) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Brave New Workshop Theatre located at 3001 Hennepin Avenue South, notwithstanding any law or local ordinance or charter provision. The license authorizes sales on all days of the week.

Sec. 2. Minnesota Statutes 1998, section 340A.404, is amended by adding a subdivision to read:

Subd. 2b. [SPECIAL PROVISION; CITY OF ST. PAUL.] The city of St. Paul may issue an on-sale intoxicating liquor license to the Fitzgerald Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The license authorizes sales on all days of the week to holders of tickets for performances presented by the theatre and to members of the nonprofit corporation holding the license and to their guests.

Sec. 3. Minnesota Statutes 1998, section 340A.404, subdivision 8, is amended to read:

Subd. 8. [LAKE SUPERIOR, ST. CROIX RIVER, AND MISSISSIPPI RIVER TOUR BOATS.] (a) The commissioner may issue an on-sale intoxicating liquor license to a person regularly engaged, on an annual or seasonal basis, in the business of offering tours by boat on Lake Superior and adjacent bays, the St. Croix river, and the Mississippi river. The license shall authorize the sale of intoxicating liquor between May 1 and ~~October~~ November 1 for consumption on the boat while underway or attached to a dock or other mooring. No license may be issued unless each boat used in the tour business regularly sells meals in the place where intoxicating liquor is sold.

(b) All sales of intoxicating liquor made on a boat while it is attached to a dock or other mooring are subject to any restrictions on the sale of liquor prescribed by the governing body of the city where the boat is attached, or of a county when it is attached outside a city. A governing body may prohibit liquor sales within its jurisdiction but may not require an additional license, or require a fee or occupation tax, for the sales.

Sec. 4. Minnesota Statutes 1998, section 340A.412, subdivision 4, is amended to read:

Subd. 4. [LICENSES PROHIBITED IN CERTAIN AREAS.] (a) No license to sell intoxicating liquor may be issued within the following areas:

(1) where restricted against commercial use through zoning ordinances and other proceedings or legal processes regularly had for that purpose, except licenses may be issued to restaurants in areas which were restricted against commercial uses after the establishment of the restaurant;

(2) within the capitol or on the capitol grounds, except as provided under Laws 1983, chapter 259, section 9, or section 7, paragraph (b);

(3) on the state fairgrounds or at any place in a city of the first class within one-half mile of the fairgrounds, except as otherwise provided by charter;

(4) on the campus of the college of agriculture of the University of Minnesota or at any place in a city of the first class within one-half mile of the campus, provided that a city may issue one on-sale wine license in this area that is not included in the area described in clause (3), except as provided by charter;

(5) within 1,000 feet of a state hospital, training school, reformatory, prison, or other institution under the supervision or control, in whole or in part, of the commissioner of human services or the commissioner of corrections;

(6) in a town or municipality in which a majority of votes at the last election at which the question of license was voted upon were not in favor of license under section 340A.416, or within one-half mile of any such town or municipality, except that intoxicating liquor manufactured within this radius may be sold to be consumed outside it;

(7) at any place on the east side of the Mississippi River within one-tenth of a mile of the main building of the University of Minnesota unless: (i) the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940, for and by former students of the University of Minnesota, or (ii) the licensed premises is Northrop Auditorium and the board of regents approves the issuance of the license;

(8) within 1,500 feet of a state university, except that:

(i) the minimum distance in the case of Winona and Southwest State University is 1,200 feet;

(ii) within 1,500 feet of St. Cloud State University one on-sale wine and two off-sale intoxicating liquor licenses may be issued, measured by a direct line from the nearest corner of the administration building to the main entrance of the licensed establishment;

(iii) at Mankato State University the distance is measured from the front door of the student union of the Highland campus; and

(iv) a temporary license under section 340A.404, subdivision 10, may be issued to a location on the grounds of a state university for an event sponsored or approved by the state university; and

(9) within 1,500 feet of any public school that is not within a city.

(b) The restrictions of this subdivision do not apply to a manufacturer or wholesaler of intoxicating liquor or to a drugstore or to a person who had a license originally issued lawfully prior to July 1, 1967.

Sec. 5. [CITY OF MARSHALL; LIQUOR LICENSES.]

The city of Marshall may issue five on-sale intoxicating liquor licenses in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the licenses authorized under this section.

Sec. 6. [TEMPORARY ON-SALE LICENSE; INTERNATIONAL FALLS.]

Notwithstanding any other law to the contrary, the International Falls city council may issue a temporary license for the on-sale of intoxicating liquor to the all class reunion committee of International Falls High School in connection with the all class reunion to be held June 29 to July 4, 2000. The license may authorize the on-sale of intoxicating liquor for the period of June 29 to July 4, 2000, on premises designated by the International Falls city council. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full-year on-sale intoxicating liquor license issued by any municipality. The license is subject to the terms, including a license fee, imposed by the city council. The license is subject to all laws and ordinances governing the sale of intoxicating liquor except Minnesota Statutes, sections 340A.409 and 340A.504, subdivision 3, paragraph (d).

Sec. 7. [CITY OF ST. PAUL; LICENSES AUTHORIZED.]

(a) The city of St. Paul may issue temporary intoxicating liquor licenses under Minnesota Statutes, section 340A.404, subdivision 10, to Macalester college for the Macalester Scottish fair and for the annual alumni reunion weekend without regard to the limitation in Minnesota Statutes, section 340A.410, subdivision 10, paragraph (b).

(b) Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, the city of St. Paul may issue a temporary on-sale intoxicating liquor license to Twin Cities Marathon, Inc. The license may authorize only the sale of intoxicating malt liquor and 3.2 percent malt liquor on the grounds of the state capitol on the day of the Twin Cities Marathon. The intoxicating malt liquor and 3.2 percent malt liquor must be produced by a Minnesota brewery. All provisions of Minnesota Statutes, section 340A.404, subdivision 10, not inconsistent with this section, apply to the license authorized by this section.

Sec. 8. [CITY OF PROCTOR; LIQUOR LICENSE.]

The city of Proctor may issue one on-sale intoxicating liquor license in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license authorized under this section.

Sec. 9. [DETROIT LAKES; LICENSE AUTHORIZED.]

The city of Detroit Lakes may issue one on-sale intoxicating liquor license in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license authorized by this section.

Sec. 10. [CITY OF STILLWATER; LIQUOR LICENSES.]

Notwithstanding any other law, the city of Stillwater may issue two on-sale intoxicating liquor licenses in addition to the number authorized by law. The licenses may not be issued for any location in the downtown central business district of Stillwater. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the licenses authorized by this section.

Sec. 11. [EDEN PRAIRIE; LIQUOR LICENSES.]

The city of Eden Prairie may issue four on-sale intoxicating liquor licenses in addition to the number authorized by law. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the licenses authorized under this section.

Sec. 12. [EFFECTIVE DATES.]

Section 3 is effective the day following final enactment.

Section 1 is effective on approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021.

Sections 2, 4, and 7 are effective upon approval by the St. Paul city council and compliance with Minnesota Statutes, section 645.021.

Section 5 is effective upon approval by the Marshall city council and compliance with Minnesota Statutes, section 645.021.

Section 6 is effective upon approval by the International Falls city council and compliance with Minnesota Statutes, section 645.021.

Section 8 is effective upon approval by the Proctor city council and compliance with Minnesota Statutes, section 645.021.

Section 9 is effective on approval by the Detroit Lakes city council and compliance with Minnesota Statutes, section 645.021.

Section 10 is effective on approval by the Stillwater city council and compliance with Minnesota Statutes, section 645.021.

Section 11 is effective upon approval by the Eden Prairie city council and compliance with Minnesota Statutes, section 645.021."

Delete the title and insert:

"A bill for an act relating to liquor; authorizing the city of Minneapolis to issue an on-sale liquor license for the Brave New Workshop; authorizing the city of St. Paul to issue an on-sale license; extending the tour boat liquor license season; authorizing St. Paul to issue a temporary license for the sale of beer on the grounds of the state capitol in connection with the Twin Cities Marathon; authorizing the city of International Falls to issue a temporary on-sale liquor license; authorizing the city of St. Paul to issue temporary intoxicating liquor licenses to Macalester college; authorizing the cities of Proctor, Marshall, Detroit Lakes, Eden Prairie, and Stillwater to issue additional on-sale licenses; amending Minnesota Statutes 1998, sections 340A.404, subdivisions 2, 8, and by adding a subdivision; and 340A.412, subdivision 4."

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 referred

S.F. No. 1202: A bill for an act relating to health; establishing protocol for occupational exposure to bloodborne pathogens in certain settings; providing criminal penalties; amending

Minnesota Statutes 1998, sections 13.99, subdivision 38, and by adding a subdivision; 72A.20, subdivision 29; 144.4804, by adding a subdivision; 214.18, subdivision 5, and by adding a subdivision; 214.19, subdivision 1; and 611A.19, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 144; and 241; repealing Minnesota Statutes 1998, sections 144.761; 144.762; 144.763; 144.764; 144.765; 144.766; 144.767; 144.768; 144.769; and 144.7691.

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

Page 2, lines 15 and 16, strike "the human immunodeficiency virus (HIV) antibody" and insert "a bloodborne pathogen"

Page 4, line 27, after "contact" insert "likely to transmit a bloodborne pathogen" and after "current" insert "guidelines and"

Page 6, line 19, before the period, insert "or civil proceedings, except for procedures under sections 144.4171 to 144.4186"

Page 6, after line 19, insert:

"(b) The facility shall inform the source individual of the insurance protections in section 72A.20, subdivision 29."

Page 6, line 20, delete "(b)" and insert "(c)"

Page 6, line 24, delete "(c)" and insert "(d)"

Page 6, line 28, before "Before" insert "(a)"

Page 6, after line 33, insert:

"(b) The facility shall inform the emergency medical services person of the insurance protections in section 72A.20, subdivision 29."

Page 8, line 17, delete "under section 144.7614, subdivision 2,"

Page 8, line 22, delete "as"

Page 8, delete line 23

Page 8, line 24, delete everything before the semicolon and insert "under section 144.7614, subdivision 2"

Page 10, line 4, delete everything after "(2)"

Page 10, delete line 5

Page 10, line 6, delete everything before "that" and insert "it has been determined under section 144.7614, subdivision 2,"

Page 10, line 9, after "that" insert "the emergency medical services person has provided a blood sample and consented to testing for bloodborne pathogens and"

Page 10, line 32, delete "privacy" and after "individual" insert ", including, but not limited to, privacy, health, safety, or economic interests"

Page 11, line 17, before the period, insert "or civil proceedings, except for procedures under sections 144.4171 to 144.4186"

Page 13, delete lines 8 to 12 and insert:

"(2) a process for an infectious disease specialist, or a licensed physician who is knowledgeable about the most current recommendations of the United States Public Health Service in

consultation with an infectious disease specialist, (i) to determine whether a significant exposure to one or more bloodborne pathogens has occurred, and (ii) to provide, under the direction of a licensed physician, a recommendation or recommendations for follow-up treatment appropriate to the particular bloodborne pathogen or pathogens for which a significant exposure has been determined;"

Page 13, line 18, after "counseling" insert "prior to and following testing for a bloodborne pathogen"

Page 13, delete lines 25 to 27

Page 13, line 28, delete everything before "the" and insert "under clause (4) to the emergency medical services person and"

Page 14, line 27, delete "maintains current registration" and insert "is currently registered"

Page 14, delete section 21 and insert:

"Sec. 21. Minnesota Statutes 1998, section 214.19, is amended to read:

214.19 [REPORTING OBLIGATIONS.]

Subdivision 1. [PERMISSION TO REPORT.] A person with actual knowledge that a regulated person has been diagnosed as infected with HIV or, HBV, or HCV may file a report with the commissioner.

Subd. 2. [SELF-REPORTING.] A regulated person who is diagnosed as infected with HIV or, HBV, or HCV shall report that information to the commissioner promptly, and as soon as medically necessary for disease control purposes but no more than 30 days after learning of the diagnosis or 30 days after becoming licensed or registered by the state.

Subd. 3. [MANDATORY REPORTING.] A person or institution required to report HIV or, HBV, or HCV status to the commissioner under Minnesota Rules, parts 4605.7030, subparts 1 to 4 and 6, and 4605.7040, shall, at the same time, notify the commissioner if the person or institution knows that the reported person is a regulated person.

Subd. 4. [INFECTION CONTROL REPORTING.] A regulated person shall, within ten days, report to the appropriate board personal knowledge of a serious failure or a pattern of failure by another regulated person to comply with accepted and prevailing infection control procedures related to the prevention of HIV and, HBV, and HCV transmission. In lieu of reporting to the board, the regulated person may make the report to a designated official of the hospital, nursing home, clinic, or other institution or agency where the failure to comply with accepted and prevailing infection control procedures occurred. The designated official shall report to the appropriate board within 30 days of receiving a report under this subdivision. The report shall include specific information about the response by the institution or agency to the report. A regulated person shall not be discharged or discriminated against for filing a complaint in good faith under this subdivision.

Subd. 5. [IMMUNITY.] A person is immune from civil liability or criminal prosecution for submitting a report in good faith to the commissioner or to a board under this section.

Sec. 22. Minnesota Statutes 1998, section 214.20, is amended to read:

214.20 [GROUNDS FOR DISCIPLINARY OR RESTRICTIVE ACTION.]

A board may refuse to grant a license or registration or may impose disciplinary or restrictive action against a regulated person who:

(1) fails to follow accepted and prevailing infection control procedures, including a failure to conform to current recommendations of the Centers for Disease Control for preventing the transmission of HIV and, HBV, and HCV, or fails to comply with infection control rules promulgated by the board. Injury to a patient need not be established;

- (2) fails to comply with any requirement of sections 214.17 to 214.24; or
- (3) fails to comply with any monitoring or reporting requirement.

Sec. 23. Minnesota Statutes 1998, section 214.22, is amended to read:

214.22 [NOTICE; ACTION.]

If the board has reasonable grounds to believe a regulated person infected with HIV or, HBV, or HCV has done or omitted doing any act that would be grounds for disciplinary action under section 214.20, the board may take action after giving notice three business days before the action, or a lesser time if deemed necessary by the board. The board may:

- (1) temporarily suspend the regulated person's right to practice under section 214.21;
- (2) require the regulated person to appear personally at a conference with representatives of the board and to provide information relating to the regulated person's health or professional practice; and
- (3) take any other lesser action deemed necessary by the board for the protection of the public.

Sec. 24. Minnesota Statutes 1998, section 214.23, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER OF HEALTH.] The board shall enter into a contract with the commissioner to perform the functions in subdivisions 2 and 3. The contract shall provide that:

(1) unless requested to do otherwise by a regulated person, a board shall refer all regulated persons infected with HIV or, HBV, or HCV to the commissioner;

(2) the commissioner may choose to refer any regulated person who is infected with HIV or, HBV, or HCV as well as all information related thereto to the person's board at any time for any reason, including but not limited to: the degree of cooperation and compliance by the regulated person; the inability to secure information or the medical records of the regulated person; or when the facts may present other possible violations of the regulated persons practices act. Upon request of the regulated person who is infected with HIV or, HBV, or HCV the commissioner shall refer the regulated person and all information related thereto to the person's board. Once the commissioner has referred a regulated person to a board, the board may not thereafter submit it to the commissioner to establish a monitoring plan unless the commissioner of health consents in writing;

(3) a board shall not take action on grounds relating solely to the HIV or, HBV, or HCV status of a regulated person until after referral by the commissioner; and

(4) notwithstanding sections 13.39 and 13.41 and chapters 147, 147A, 148, 150A, 153, and 214, a board shall forward to the commissioner any information on a regulated person who is infected with HIV or, HBV, or HCV that the department of health requests.

Sec. 25. Minnesota Statutes 1998, section 214.23, subdivision 2, is amended to read:

Subd. 2. [MONITORING PLAN.] After receiving a report that a regulated person is infected with HIV or, HBV, or HCV, the board or the commissioner acting on behalf of the board shall evaluate the past and current professional practice of the regulated person to determine whether there has been a violation under section 214.20. After evaluation of the regulated person's past and current professional practice, the board or the commissioner, acting on behalf of the board, shall establish a monitoring plan for the regulated person. The monitoring plan may:

(1) address the scope of a regulated person's professional practice when the board or the commissioner, acting on behalf of the board, determines that the practice constitutes an identifiable risk of transmission of HIV or, HBV, or HCV from the regulated person to the patient;

(2) include the submission of regular reports at a frequency determined by the board or the commissioner, acting on behalf of the board, regarding the regulated person's health status; and

(3) include any other provisions deemed reasonable by the board or the commissioner of health, acting on behalf of the board.

The board or commissioner, acting on behalf of the board, may enter into agreements with qualified persons to perform monitoring on its behalf. The regulated person shall comply with any monitoring plan established under this subdivision.

Sec. 26. Minnesota Statutes 1998, section 214.25, subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER OF HEALTH DATA.] (a) All data collected or maintained as part of the commissioner of health's duties under sections 214.19, 214.23, and 214.24 shall be classified as investigative data under section 13.39, except that inactive investigative data shall be classified as private data under section 13.02, subdivision 12, or nonpublic data under section 13.02, subdivision 9, in the case of data not on individuals.

(b) Notwithstanding section 13.05, subdivision 9, data addressed in this subdivision shall not be disclosed except as provided in this subdivision or section 13.04; except that the commissioner may disclose to the boards under section 214.23.

(c) The commissioner may disclose data addressed under this subdivision as necessary: to identify, establish, implement, and enforce a monitoring plan; to investigate a regulated person; to alert persons who may be threatened by illness as evidenced by epidemiologic data; to control or prevent the spread of HIV ~~or~~, HBV, or HCV disease; or to diminish an imminent threat to the public health."

Page 15, line 19, after "contact" insert "likely to transmit a bloodborne pathogen" and delete "recommendation" and insert "the most current guidelines and recommendations and standards"

Page 15, line 20, delete "most current"

Page 15, line 21, delete "these evaluations take" and insert "an evaluation takes"

Page 15, line 24, delete "which" and insert "that"

Page 15, line 25, delete "other" and insert "potentially infectious"

Page 16, line 20, before the period, insert "or civil proceedings, except for procedures under sections 144.4171 to 144.4186"

Page 19, line 17, after "inmate" insert "three days"

Page 19, line 26, after "that" insert "the corrections employee has provided a blood sample and consented to testing for bloodborne pathogens and"

Page 19, line 28, before the period, insert "under section 241.341"

Page 20, line 11, delete "privacy" and after "inmate" insert ", including, but not limited to, privacy, health, safety, or economic interests"

Page 20, line 29, before the period, insert "or civil proceedings, except for procedures under sections 144.4171 to 144.4186"

Page 21, line 13, delete everything after the period

Page 21, delete lines 14 to 16 and insert:

"Every correctional facility shall adopt and follow a postexposure protocol for corrections employees who have experienced a significant exposure. The postexposure protocol must adhere to the most current recommendations of the United States Public Health Service and include, at a minimum, the following:

(1) a process for corrections employees to report a significant exposure in a timely fashion;

(2) a process for an infectious disease specialist, or a licensed physician who is knowledgeable about the most current recommendations of the United States Public Health Service in consultation with an infectious disease specialist, (i) to determine whether a significant exposure to one or more bloodborne pathogens has occurred, and (ii) to provide, under the direction of a licensed physician, a recommendation or recommendations for follow-up treatment appropriate to the particular bloodborne pathogen or pathogens for which a significant exposure has been determined;

(3) if there has been a significant exposure, a process to determine whether the inmate has a bloodborne pathogen through disclosure of test results, or through blood collection and testing as required by sections 241.33 to 241.342;

(4) a process for providing appropriate counseling prior to and following testing for a bloodborne pathogen regarding the likelihood of bloodborne pathogen transmission and follow-up recommendations according to the most current recommendations of the United States Public Health Service, recommendations for testing, and treatment;

(5) a process for providing appropriate counseling under clause (4) to the corrections employee and inmate; and

(6) compliance with applicable state and federal laws relating to data practices, confidentiality, informed consent, and the patient bill of rights."

Page 22, line 11, reinstate the stricken language

Page 22, delete line 12 and insert "to provide the counseling described in section 144.763 144.7614, and that"

Page 22, line 29, reinstate the stricken language

Page 22, line 30, reinstate "in section" and after the stricken "144.763" insert "144.7614"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete ", subdivision 1" and insert "; 214.20; 214.22; 214.23, subdivisions 1 and 2; 214.25, subdivision 2"

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

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

S.F. No. 953: A bill for an act relating to health; regulating coverages and the classification of treatment; specifying the duties of certain carriers and providers; providing remedies; amending Minnesota Statutes 1998, sections 62A.60; 62J.71, subdivision 1; 62J.72, by adding a subdivision; 62M.07; 62M.09, subdivision 3; 62Q.58, subdivision 3; and 144.335, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62Q; proposing coding for new law as Minnesota Statutes, chapter 62U.

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 62A.60, is amended to read:

62A.60 [RETROACTIVE DENIAL OF EXPENSES.]

In cases where the subscriber or insured is liable for costs beyond applicable copayments or deductibles, no insurer may retroactively deny payment to a person who is covered when the

services are provided for health care services that are otherwise covered, if the insurer or its representative failed to provide prior or concurrent review or authorization for the expenses when required to do so under the policy, plan, or certificate. ~~If prior or concurrent review or authorization was provided by the insurer or its representative, and the preexisting condition limitation provision, the general exclusion provision and any other coinsurance, or other policy requirements have been met, the insurer may not deny payment for the authorized service or time period except in cases where fraud or substantive misrepresentation occurred.~~ A health carrier that has given preauthorization approval for a service or treatment may not subsequently deny payment for that service or treatment on the grounds that the service or treatment is not covered by the health plan. At the time a decision regarding the medical necessity of a service or treatment is communicated to an enrollee in accordance with section 62M.05, a health carrier shall also communicate whether the requested service or treatment is a covered benefit.

Sec. 2. Minnesota Statutes 1998, section 62J.71, subdivision 1, is amended to read:

Subdivision 1. [PROHIBITED AGREEMENTS AND DIRECTIVES.] The following types of agreements and directives are contrary to state public policy, are prohibited under this section, and are null and void:

(1) any agreement or directive that prohibits a health care provider from communicating with an enrollee with respect to the enrollee's health status, health care, or treatment options, if the health care provider is acting in good faith and within the provider's scope of practice as defined by law;

(2) any agreement or directive that prohibits a health care provider from making a recommendation regarding the suitability or desirability of a health plan company, health insurer, or health coverage plan for an enrollee, unless the provider has a financial conflict of interest in the enrollee's choice of health plan company, health insurer, or health coverage plan;

(3) any agreement or directive that prohibits a provider from providing testimony, supporting or opposing legislation, or making any other contact with state or federal legislators or legislative staff or with state and federal executive branch officers or staff;

(4) any agreement or directive that prohibits a health care provider from disclosing accurate information about whether services or treatment will be paid for by a patient's health plan company or health insurer or health coverage plan; ~~and~~

(5) any agreement or directive that prohibits a health care provider from informing an enrollee about the nature of the reimbursement methodology used by an enrollee's health plan company, health insurer, or health coverage plan to pay the provider; ~~and~~

(6) any agreement or directive that constitutes a physician incentive plan prohibited under United States Code, title 42, section 1395mm, paragraph (i), clause (8).

Sec. 3. Minnesota Statutes 1998, section 62J.71, subdivision 3, is amended to read:

Subd. 3. [RETALIATION PROHIBITED.] No person, health plan company, or other organization may take retaliatory action against a health care provider solely on the grounds that the provider:

(1) refused to enter into an agreement or provide services or information in a manner that is prohibited under this section or took any of the actions listed in subdivision 1;

(2) disclosed accurate information about whether a health care service or treatment is covered by an enrollee's health plan company, health insurer, or health coverage plan;

(3) discussed diagnostic, treatment, or referral options that are not covered or are limited by the enrollee's health plan company, health insurer, or health coverage plan;

(4) criticized coverage of the enrollee's health plan company, health insurer, or health coverage plan; ~~or~~

(5) expressed personal disagreement with a decision made by a person, organization, or health care provider regarding treatment or coverage provided to a patient of the provider, or assisted or advocated for the patient in seeking reconsideration of such a decision, provided the health care provider makes it clear that the provider is acting in a personal capacity and not as a representative of or on behalf of the entity that made the decision;

(6) discloses information relating to the care, services, or conditions affecting an enrollee to an appropriate public regulatory agency, private accreditation body, or management personnel of the health plan company; or

(7) initiates, cooperates, or otherwise participates in a utilization review under chapter 62M or in an investigation or proceeding by a public regulatory agency.

Sec. 4. Minnesota Statutes 1998, section 62J.72, is amended by adding a subdivision to read:

Subd. 1a. [DISCLOSURE OF COVERAGE AGREEMENT OR SUBSCRIBER CONTRACT.] A health plan company shall, upon request, provide to a prospective enrollee a specimen copy of the actual certificate or other evidence of coverage required to be filed with the commissioner of commerce or commissioner of health under chapter 62A, 62C, or 62D.

Sec. 5. Minnesota Statutes 1998, section 62J.80, is amended to read:

62J.80 [RETALIATION.]

A health plan company or health care provider shall not retaliate or take adverse action against an enrollee or patient, or health care provider who, in good faith, makes a complaint against a health plan company or health care provider or who participates in a utilization review under chapter 62M. If retaliation is suspected, the executive director of a health-related licensing board as defined in section 214.01, subdivision 2, may report it to the appropriate regulatory authority.

Sec. 6. Minnesota Statutes 1998, section 62M.05, subdivision 3, is amended to read:

Subd. 3. [NOTIFICATION OF DETERMINATIONS.] A utilization review organization must have written procedures for providing notification of its determinations on all certifications in accordance with the following:

(a) When an initial determination is made to certify, notification must be provided promptly by telephone to the provider according to paragraph (c). The utilization review organization shall send written notification to the hospital, attending physician, or applicable service provider within ten business days of the determination in accordance with section 72A.201, subdivision 4a, or and the enrollee according to paragraph (c). The utilization review organization shall maintain an audit trail of the determination and telephone notification. For purposes of this subdivision, "audit trail" includes documentation of the telephone notification, including the date; the name of the person spoken to; the enrollee or patient; the service, procedure, or admission certified; and the date of the service, procedure, or admission. If the utilization review organization indicates certification by use of a number, the number must be called the "certification number."

(b) When a determination is made not to certify a hospital or surgical facility admission or extension of a hospital stay, or other service requiring review determination, within one working day after making the decision the attending physician and hospital must be notified by telephone and a written notification must be sent to the hospital, attending physician, and enrollee or patient. The written notification must include the principal reason or reasons for the determination and the process for initiating an appeal of the determination. Upon request, the utilization review organization shall provide the attending physician or provider, enrollee, or patient with the criteria used to determine the necessity, appropriateness, and efficacy of the health care service and identify the database, professional treatment parameter, or other basis for the criteria. Reasons for a determination not to certify may include, among other things, the lack of adequate information to certify after a reasonable attempt has been made to contact the attending physician.

(c) When an initial determination is made to certify, the utilization review organization shall provide notice according to this paragraph:

(1) In the case of utilization review involving prior authorization of services, the utilization review organization shall provide notice as soon as possible according to medical exigencies of the case and in no event later than three business days after the date of receipt of information that is necessary to make the determination.

(2) In the case of a utilization review involving authorization for continued or extended health care services or additional services for an enrollee undergoing a course of continued treatment prescribed by the attending physician, the utilization review organization shall provide notice as soon as possible according to medical exigencies of the case and in no event later than one business day after the date of receipt of information that is necessary to make the determination. Notification regarding continued or extended health care services must specify the number of extended services approved, the new total of approved services, the date of onset of services, and the new review date, if any.

(3) In the case of a utilization review involving retrospective review of health care services previously provided, the utilization review organization shall provide notice within 30 days of the date of receipt of information that is necessary to make the determination.

Sec. 7. Minnesota Statutes 1998, section 62M.09, subdivision 2, is amended to read:

Subd. 2. [LICENSURE REQUIREMENT.] Except as provided under subdivision 3, nurses, physicians, and other licensed health professionals conducting reviews of medical services, and other clinical reviewers conducting specialized reviews in their area of specialty must be currently licensed or certified by an approved state licensing agency in the United States.

Sec. 8. Minnesota Statutes 1998, section 62M.09, subdivision 3, is amended to read:

Subd. 3. [PHYSICIAN REVIEWER INVOLVEMENT.] A physician must review all cases in which the utilization review organization has concluded that a determination not to certify for clinical reasons is appropriate. The physician conducting the review must be licensed in the state and must be currently practicing or have practiced in the same primary specialty as the attending physician. The physician should shall be reasonably available by telephone to discuss the determination with the attending physician, the enrollee, and the enrollee's designee. This subdivision does not apply to outpatient mental health or substance abuse services governed by subdivision 3a.

Sec. 9. Minnesota Statutes 1998, section 62M.09, subdivision 6, is amended to read:

Subd. 6. [PHYSICIAN CONSULTANTS.] A utilization review organization must use physician consultants in the appeal process described in section 62M.06, subdivision 3. The physician consultants should include, as needed and available, specialists who are must be board-certified, or board-eligible and working towards certification, in a specialty board approved by the American Board of Medical Specialists or the American Board of Osteopathy.

Sec. 10. Minnesota Statutes 1998, section 62M.09, is amended by adding a subdivision to read:

Subd. 9. [ANNUAL REPORT.] A utilization review organization shall file an annual report with the commissioner of commerce that includes:

- (1) the number and rate of denied claims for each procedure or service; and
- (2) the number and rate of denials overturned on appeal.

Sec. 11. Minnesota Statutes 1998, section 62M.10, subdivision 7, is amended to read:

Subd. 7. [AVAILABILITY OF CRITERIA.] Upon request, a utilization review organization shall provide to an enrollee or to, an attending physician or provider, and the commissioners of commerce and health the criteria used for a specific procedure to determine the medical necessity, appropriateness, and efficacy of that a procedure or service and identify the database, professional treatment guideline, or other basis for the criteria.

Sec. 12. [62Q.235] [CLASSIFICATION OF MEDICAL TREATMENT.]

Subdivision 1. [EXPERIMENTAL OR INVESTIGATIVE TREATMENT.] A health plan company may not classify a drug, device, medical treatment, diagnostic procedure, or other procedure that is recommended for an enrollee's use by a licensed physician as "experimental" or "investigative" unless the health plan company demonstrates that it is unsafe or ineffective with respect to the health outcome of the enrollee seeking the treatment. In making a demonstration that a drug, device, medical treatment, diagnostic procedure, or other procedure is experimental or investigative, a health plan company may not rely exclusively on a finding that the drug, device, medical treatment, diagnostic procedure, or other procedure is under study by medical providers or researchers.

Subd. 2. [MEDICALLY NECESSARY TREATMENT.] For purposes of coverage under a health plan, a service, treatment, or procedure is considered "medically necessary" if the service, treatment, or procedure is appropriate, in terms of type, frequency, level, setting, and duration to the enrollee's diagnosis or condition and is:

(1) consistent with generally accepted practice parameters as determined by a practicing health care provider in the same or similar general specialty that typically manages the condition, treatment, or procedure at issue; and

(2) helps to restore, maintain, establish, or improve the enrollee's health or function; or

(3) prevents deterioration of the enrollee's condition; or

(4) prevents the reasonably likely onset of a health problem or detects an incipient problem.

Sec. 13. Minnesota Statutes 1998, section 62Q.58, subdivision 3, is amended to read:

Subd. 3. [DISCLOSURE.] Information regarding referral procedures, including the application process and criteria and conditions for a standing referral to a health care provider who is a specialist, must be included in member contracts or certificates of coverage and must be provided to an enrollee or prospective enrollee by a health plan company upon request.

Sec. 14. [62Q.60] [COVERAGE FOR APPROVED CLINICAL TRIALS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Approved clinical trial" means a clinical research study or clinical investigation approved and funded by one or more of the following:

(1) the National Institute of Health;

(2) a cooperative group or center of the National Institute of Health;

(3) the United States Department of Veterans Affairs; or

(4) the United States Department of Defense.

(c) "Qualified enrollee" means an enrollee:

(1) who has a life-threatening or serious illness for which no standard treatment is effective;

(2) who is eligible to participate in an approved clinical trial according to the trial protocol with respect to treatment of the illness; and

(3) whose participation in the approved clinical trial offers meaningful potential for significant clinical benefit for the enrollee.

(d) "Patient costs" means costs associated with benefits that are covered under the enrollee's health plan and do not include the cost of tests or measurements conducted primarily for the purpose of the approved clinical trial involved.

Subd. 2. [COVERAGE REQUIRED.] (a) A health plan company that provides coverage to a qualified enrollee may not deny the enrollee participation in an approved clinical trial if the enrollee's referring physician is a participating provider in the clinical trial and has concluded that the enrollee's participation in the trial would be appropriate. The health plan company may not deny, limit, or impose additional conditions on the coverage of patient costs for items and services furnished in connection with the participation in the approved clinical trial.

(b) The health plan company may not discriminate against the enrollee on the basis of the enrollee's participation in the approved clinical trial.

Subd. 3. [PAYMENT.] A health plan company shall provide for payment of routine patient costs but is not required to pay for costs of items and services that are reasonably expected to be paid by the sponsors of the approved clinical trial.

Subd. 4. [CONSTRUCTION.] Nothing in this section shall be construed to limit a health plan company's coverage with respect to clinical trials.

Sec. 15. [62U.01] [SHORT TITLE.]

This chapter may be cited as the "Health Care Liability Act."

Sec. 16. [62U.02] [DEFINITIONS.]

Subdivision 1. [ENROLLEE.] "Enrollee" means an individual who is covered by a health carrier, health insurance, or health coverage plan, including an insured, policyholder, subscriber, contract holder, member-covered person, or certificate holder.

Subd. 2. [HEALTH PLAN.] "Health plan" means a policy or certificate of accident and sickness insurance as defined in section 62A.01 offered by an insurance company licensed under chapter 60A; a subscriber contract or certificate offered by a nonprofit health service plan corporation operating under chapter 62C; a health maintenance contract or certificate offered by a health maintenance organization operating under chapter 62D; a health benefit certificate offered by a fraternal benefit society operating under chapter 64B; or health coverage offered by a joint self-insurance employee health plan operating under chapter 62H. Health plan means individual and group coverage, unless otherwise specified.

Subd. 3. [HEALTH CARE PROVIDER.] "Health care provider" or "provider" means a person defined in section 144.335, subdivision 1, paragraph (b).

Subd. 4. [HEALTH CARE TREATMENT DECISION.] "Health care treatment decision" means determinations or decisions made that affect the quality of the diagnosis, care, or treatment provided to the enrollees. A health care treatment decision includes, but is not limited to, a determination that a service, treatment, or procedure is not medically necessary.

Subd. 5. [HEALTH CARRIER.] "Health carrier" means an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a nonprofit health service plan corporation operating under chapter 62C; a health maintenance organization operating under chapter 62D; a joint self-insurance employee health plan operating under chapter 62H; a community integrated systems network licensed under chapter 62N; a fraternal benefit society operating under chapter 64B; or an association, partnership, corporation, or limited liability corporation organized for the purpose of providing, arranging, or administering health care services or treatment.

Subd. 6. [MEDICALLY NECESSARY TREATMENT.] "Medically necessary treatment" means services, treatment, or procedures that are appropriate in terms of type, frequency, level, setting, and duration of the enrollee's diagnosis or condition and is:

(1) consistent with generally accepted practice parameters as determined by a practicing health care provider in the same or similar general specialty that typically manages the condition, treatment, or procedure at issue; and

- (2) helps to restore, maintain, establish, or improve the enrollee's health or function; or
- (3) prevents deterioration of the enrollee's condition; or
- (4) prevents the reasonably likely onset of a health problem or detects an incipient problem.

Subd. 7. [ORDINARY CARE.] "Ordinary care" means, in the case of a health carrier, that degree of care that a principled, provident provider would exercise in a matter of the gravest importance. In the case of a person who is an employee, agent, ostensible agent, or representative of a health carrier, ordinary care means that degree of care that a person of ordinary prudence in the same profession, specialty, or area of practice would use in the same or similar circumstances.

Sec. 17. [62U.03] [APPLICATION.]

Subdivision 1. [DUTY OF ORDINARY CARE.] A health carrier has the duty to exercise ordinary care when making health care treatment decisions and is liable for damages to an enrollee for harm proximately caused by its failure to exercise ordinary care. Damages awarded pursuant to this subdivision must not be considered claims-related expenses.

Subd. 2. [RESPONSIBILITY FOR ACTIONS OF OTHERS.] A health carrier is also liable for damages to an enrollee for harm proximately caused by a health care treatment decision made by its:

- (1) employees;
- (2) agents;
- (3) ostensible agents; or
- (4) representatives who are acting on its behalf and over whom it has the right to exercise influence or control or has actually exercised influence or control that results in the failure to exercise ordinary care.

In an action against a health carrier, a finding that a health care provider is an employee, agent, ostensible agent, or representative of the health carrier shall not be based solely on proof that the person's name appears in a listing of approved health care providers made available to enrollees under a health plan.

Subd. 3. [DEFENSES.] It shall be a defense to an action asserted against a health carrier that:

(1) neither the health carrier, nor any employee, agent, ostensible agent, or representative for whose conduct the health carrier is liable under subdivision 2, controlled, influenced, or participated in the health care treatment decision; and

(2) the health carrier did not deny or delay payment for any service, treatment, or procedure prescribed or recommended by a provider to the enrollee.

Subd. 4. [LIMITATIONS.] (a) The standards in subdivisions 1 and 2 create no obligation on the part of the health carrier to provide to an enrollee a service, treatment, or procedure that is not covered by the health plan.

(b) This chapter does not create liability on the part of an employer or an employer group purchasing organization that purchases coverage or assumes risk on behalf of its employees.

Subd. 5. [LIMITATION ON DEFENSES.] Nothing in any law of this state prohibiting a health carrier from practicing medicine or being licensed to practice medicine may be asserted as a defense by the health carrier in an action brought against it pursuant to this section or any other law.

Subd. 6. [NONAPPLICATION.] This chapter does not apply to workers' compensation insurance coverage under chapter 79 or workers' compensation self-insurance under chapter 79A.

Subd. 7. [RECOVERY OF ATTORNEY FEES AND OTHER EXPENSES.] If an enrollee is the prevailing party in a proceeding under this section, the court shall award attorney fees and other reasonable expenses to the enrollee. This subdivision does not preclude an enrollee from recovering costs, disbursements, fees, and expenses under other applicable law.

Sec. 18. Minnesota Statutes 1998, section 144.335, is amended by adding a subdivision to read:

Subd. 2a. [DISCLOSURE OF INCENTIVE AGREEMENTS.] A provider shall disclose to a patient in writing the precise reimbursement methodology used by the patient's health plan company as defined under section 62J.70 to reimburse the provider. The disclosure must explain clearly and in plain, ordinary language any aspects of the reimbursement methodology that creates a direct or indirect financial incentive for the provider to limit or restrict the health care provided to that patient. The disclosure must be made at each appointment.

Sec. 19. Minnesota Statutes 1998, section 147.081, subdivision 3, is amended to read:

Subd. 3. [PRACTICE OF MEDICINE DEFINED.] For purposes of this chapter, a person not exempted under section 147.09 is "practicing medicine" or engaged in the "practice of medicine" if the person does any of the following:

(1) advertises, holds out to the public, or represents in any manner that the person is authorized to practice medicine in this state;

(2) offers or undertakes to prescribe, give, or administer any drug or medicine for the use of another;

(3) offers or undertakes to prevent or to diagnose, correct, or treat in any manner or by any means, methods, devices, or instrumentalities, any disease, illness, pain, wound, fracture, infirmity, deformity or defect of any person;

(4) offers or undertakes to perform any surgical operation including any invasive or noninvasive procedures involving the use of a laser or laser assisted device, upon any person;

(5) offers to undertake to use hypnosis for the treatment or relief of any wound, fracture, or bodily injury, infirmity, or disease; or

(6) uses in the conduct of any occupation or profession pertaining to the diagnosis of human disease or conditions, the designation "doctor of medicine," "medical doctor," "doctor of osteopathy," "osteopath," "osteopathic physician," "physician," "surgeon," "M.D.," "D.O.," or any combination of these designations; or

(7) makes a determination not to certify an admission, service, procedure, or extension of a hospital stay under chapter 62M."

Delete the title and insert:

"A bill for an act relating to health; providing for certain patient rights and protections; regulating coverages and the classification of treatment; specifying the duties of certain carriers and providers; providing remedies; amending Minnesota Statutes 1998, sections 62A.60; 62J.71, subdivisions 1 and 3; 62J.72, by adding a subdivision; 62J.80; 62M.05, subdivision 3; 62M.09, subdivisions 2, 3, 6, and by adding a subdivision; 62M.10, subdivision 7; 62Q.58, subdivision 3; 144.335, by adding a subdivision; and 147.081, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 62Q; proposing coding for new law as Minnesota Statutes, chapter 62U."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 369, 760 and 1331 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Vickerman moved that S.F. No. 946 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Taxes. The motion prevailed.

Senator Murphy moved that S.F. No. 1433 be withdrawn from the Committee on Transportation and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Wiener moved that S.F. No. 1522 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Commerce. The motion prevailed.

Senator Kleis moved that S.F. No. 1562 be withdrawn from the Committee on Governmental Operations and Veterans and re-referred to the Committee on Crime Prevention. The motion prevailed.

Senator Kleis moved that S.F. No. 1644 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Taxes. The motion prevailed.

Senator Frederickson moved that S.F. No. 1694 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Senator Wiger moved that S.F. No. 1739 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Governmental Operations and Veterans. 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 Johnson, D.E.; Ourada; Robling; Langseth and Flynn introduced--

S.F. No. 1753: A bill for an act relating to utilities; modifying political subdivision's authority to manage the public right-of-way; amending Minnesota Statutes 1998, sections 237.162, subdivision 8; and 237.163, subdivision 7.

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

Senators Junge, Stumpf and Ranum introduced--

S.F. No. 1754: A bill for an act relating to education funding; authorizing a grant for the metro homework hotline; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Lesewski and Johnson, D.E. introduced--

S.F. No. 1755: A bill for an act relating to education; financing a new school powered by gasification; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Vickerman and Dille introduced--

S.F. No. 1756: A bill for an act relating to the office of strategic and long-range planning; appropriating money for planning and technology grants to local governments to assist them in preparing community-based plans.

Referred to the Committee on Local and Metropolitan Government.

Senators Olson and Limmer introduced--

S.F. No. 1757: A bill for an act relating to tax increment financing; expanding the definition of a qualified housing district to include certain owner-occupied housing for purposes of the state aid offset; amending Minnesota Statutes 1998, section 273.1399, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Senators Junge and Kelly, R.C. introduced--

S.F. No. 1758: A bill for an act relating to state government; creating the department of crime victims and violence prevention; consolidating crime victims and violence prevention programs within this department; appropriating money; amending Minnesota Statutes 1998, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 119A.13, subdivisions 2 and 3; 119A.17; 119A.22; 119A.23, subdivisions 2, 3, and 4; 119A.26; 119A.27, subdivision 1; 119A.28, subdivision 3; 119A.29, subdivision 1; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 124D.32, subdivisions 1 and 3; 145A.15, subdivisions 1 and 4; 256.486, subdivision 1; 268.29; 268.30, subdivision 1, and by adding a subdivision; 299A.331, subdivision 1; 299A.63, subdivisions 1, 2, and 3; 299C.065, subdivisions 1a, 2, 3a, and 4; 609.3241; 609.531, subdivision 1; 609.5315, by adding a subdivision; 609.605, subdivision 2; 609.7495, subdivision 1; 611A.01; 611A.02, subdivision 2; 611A.0311, subdivision 3; 611A.07, subdivision 1; 611A.25; 611A.32; 611A.34; 611A.35; 611A.36, subdivision 1; 611A.361; 611A.55; 611A.57, subdivision 3; 611A.612; 611A.675, subdivision 1; 611A.71; 611A.74, subdivision 1a; 611A.76; and 611A.77, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 611A; proposing coding for new law as Minnesota Statutes, chapter 611B; repealing Minnesota Statutes 1998, sections 119A.11, subdivision 6; 119A.20, subdivision 4; 611A.02, subdivision 1; 611A.21; 611A.22; 611A.221; 611A.31; 611A.33; 611A.345; 611A.41; 611A.43; and 611A.78.

Referred to the Committee on Crime Prevention.

Senator Murphy introduced--

S.F. No. 1759: A bill for an act relating to natural resources; authorizing an extension of the Goodhue-Pioneer trail to the city of Bellechester in Goodhue county; amending Minnesota Statutes 1998, section 85.015, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Senator Berglin introduced--

S.F. No. 1760: A bill for an act relating to health; directing the commissioner of health to provide grants for targeted case management, outreach, and prevention services for AIDS and sexually transmitted diseases; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Senators Lessard; Morse; Johnson, J.B.; Frederickson and Stevens introduced--

S.F. No. 1761: A bill for an act proposing an amendment to the Minnesota Constitution, article

XI, by adding a section; providing for the dedication of a part of the sales and use tax to the game and fish fund.

Referred to the Committee on Taxes.

Senator Flynn introduced--

S.F. No. 1762: A bill for an act relating to transportation; modifying state contract requirements; allowing department of transportation to contract for land surveying; clarifying requirements for notaries and filing corrections to maps and plats relating to highways; providing for transfer of certain revolving loan accounts to transportation revolving loan fund; correcting trunk highway route description; modifying filing requirements for highway route location orders; increasing dollar amount for contracts negotiated by commissioner of transportation for highway construction or maintenance work; modifying provisions for estimates and agency costs relating to county state-aid highway and municipal state-aid street funds; modifying provision requiring certification for disbursement from state transportation fund; authorizing commissioner to convey excess rail bank corridor land to state agency or political subdivision; modifying provisions governing state grants for local airports; modifying deadlines for metropolitan transit performance evaluation reports by metropolitan council; making technical corrections; appropriating money; amending Minnesota Statutes 1998, sections 16C.05, subdivision 2; 16C.09; 160.085, subdivisions 1 and 1a; 161.04, subdivision 3, and by adding a subdivision; 161.115, subdivision 164; 161.16, subdivision 2; 161.32, subdivision 2; 162.06, subdivisions 1, 2, and 6; 162.12, subdivisions 1, 2, and 5; 174.02, by adding a subdivision; 174.50, subdivision 5; 222.63, subdivision 4; 360.0151, subdivision 2; 360.032, subdivision 1a; 360.305, subdivision 4; 446A.085, subdivisions 3 and 6; and 473.1466.

Referred to the Committee on Transportation.

Senator Flynn introduced--

S.F. No. 1763: A bill for an act relating to metropolitan area transit; providing for the annual financing of metropolitan area transit and paratransit capital expenditures; amending Minnesota Statutes 1998, section 473.39, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Flynn introduced--

S.F. No. 1764: A bill for an act relating to the metropolitan area; providing for the financing of metropolitan area transit and paratransit capital expenditures; amending Minnesota Statutes 1998, section 473.39, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Metzen and Wiener introduced--

S.F. No. 1765: A bill for an act relating to education; increasing the maximum referendum revenue allowance; increasing state aid for voter-approved referenda; appropriating money; amending Minnesota Statutes 1998, section 126C.17, subdivisions 2 and 5.

Referred to the Committee on Children, Families and Learning.

Senator Lessard introduced--

S.F. No. 1766: A bill for an act relating to appropriations; appropriating money for a grant to the city of Little Fork for a community center, recreation complex, and general grandstand.

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

Senator Berglin introduced--

S.F. No. 1767: A bill for an act relating to health; providing medical assistance coverage of lead center services; requiring the commissioner of human services to seek federal waivers to allow medical assistance coverage of window replacement; amending Minnesota Statutes 1998, section 256B.0625, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Berglin introduced--

S.F. No. 1768: A bill for an act relating to economic security; appropriating money for youth employment programs; modifying youth employment program provisions; amending Minnesota Statutes 1998, sections 268.361, subdivision 7; 268.362, subdivision 2; 268.363; and 268.365, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Senator Berglin introduced--

S.F. No. 1769: A bill for an act relating to health; increasing the medical assistance income standard for persons who are aged, blind, or disabled; amending Minnesota Statutes 1998, section 256B.056, subdivision 4, and by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Berglin; Janezich; Higgins; Kelly, R.C. and Frederickson introduced--

S.F. No. 1770: A bill for an act relating to housing; creating a pilot home ownership program under the rental assistance to family stabilization program; appropriating money; amending Minnesota Statutes 1998, section 462A.205, by adding a subdivision.

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

Senators Lessard; Johnson, J.B.; Pogemiller; Pariseau and Johnson, D.J. introduced--

S.F. No. 1771: A bill for an act relating to environment; adding methane gas recovery to the list of preferred waste management practices; amending Minnesota Statutes 1998, section 115A.02.

Referred to the Committee on Environment and Natural Resources.

Senator Vickerman introduced--

S.F. No. 1772: A bill for an act relating to disasters; providing for aid to political subdivisions for certain extraordinary disaster expenses; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 12.

Referred to the Committee on Crime Prevention.

Senators Wiger; Kelley, S.P.; Novak; Olson and Krentz introduced--

S.F. No. 1773: 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 Environment and Natural Resources.

Senators Johnson, D.J.; Hottinger; Stumpf; Belanger and Scheid introduced--

S.F. No. 1774: A bill for an act relating to taxation; prohibiting imposition of additional qualifications on granting of homestead classification; amending Minnesota Statutes 1998, section 273.124, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

Senators Neuville, Junge and Betzold introduced--

S.F. No. 1775: A bill for an act relating to legislation; providing rules for the construction of laws and administrative rules; adopting the Uniform Statute and Rule Construction Act; amending Minnesota Statutes 1998, sections 41B.23; 116R.15; 219.755; 354.05, subdivision 40; 573.02, subdivision 4; 645.001; 645.08; and 645.34; proposing coding for new law in Minnesota Statutes, chapter 645; repealing Minnesota Statutes 1998, sections 645.14; 645.15; 645.151; 645.16; 645.17; 645.20; 645.21; 645.22; 645.26; 645.28; 645.31, subdivision 2; 645.35; 645.36; 645.37; 645.39; 645.44, subdivisions 15 and 16; and 645.48.

Referred to the Committee on Judiciary.

Senator Scheid introduced--

S.F. No. 1776: A bill for an act relating to education; making the first grade preparedness program permanent; appropriating money; amending Minnesota Statutes 1998, section 124D.081, subdivision 3; repealing Minnesota Statutes 1998, section 124D.081, subdivision 8.

Referred to the Committee on Children, Families and Learning.

Senator Scheid introduced--

S.F. No. 1777: A bill for an act relating to education funding; replacing the two-year lag of the base year for special education and limited English proficiency programs with a one-year lag; amending Minnesota Statutes 1998, sections 124D.65, subdivision 1; and 125A.76, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senator Scheid introduced--

S.F. No. 1778: A bill for an act relating to education; providing a grant to promote excellence in geographic education in Minnesota; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Hottinger introduced--

S.F. No. 1779: A bill for an act relating to human services; expanding eligibility for the senior citizen drug program; amending Minnesota Statutes 1998, section 256.955, subdivision 2, and by adding a subdivision; Laws 1997, chapter 225, article 4, section 4; repealing Minnesota Statutes 1998, section 256.955, subdivision 9.

Referred to the Committee on Health and Family Security.

Senator Hottinger introduced--

S.F. No. 1780: A bill for an act relating to human services; expanding the access to data by the commissioner to include public safety, workers' compensation, and revenue data; changing county retention of collection of overpayments; clarifying the use of photographic data as evidence; seeking a federal waiver to allow administrative disqualification in the medical assistance program; amending Minnesota Statutes 1998, sections 13.69, subdivision 1; 176.191, subdivision 4; 256.019; 256.98, by adding a subdivision; and 256B.09.

Referred to the Committee on Health and Family Security.

Senator Hottinger introduced--

S.F. No. 1781: A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV, section 23; providing for veto override sessions of the legislature.

Referred to the Committee on Governmental Operations and Veterans.

Senator Hottinger introduced--

S.F. No. 1782: A bill for an act relating to state finance; changing the fiscal biennium to begin with even-numbered years; providing that expenditures of federal money must be approved by the legislature; amending Minnesota Statutes 1998, sections 16A.011, subdivision 6; and 16A.152, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Governmental Operations and Veterans.

Senator Hottinger introduced--

S.F. No. 1783: A bill for an act relating to education funding; authorizing a disaster relief facilities grant for independent school district No. 508, St. Peter; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Ourada; Novak; Kelley, S.P.; Johnson, D.H. and Runbeck introduced--

S.F. No. 1784: A bill for an act relating to state telecommunications infrastructure development; providing for open competition for state telecommunications services; prohibiting state competition with the private sector; making other conforming changes; amending Minnesota Statutes 1998, sections 16B.415; 16B.46; and 16B.465; Laws 1995, First Special Session chapter 3, article 12, section 10.

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

Senators Ourada; Novak; Kelley, S.P. and Johnson, D.H. introduced--

S.F. No. 1785: A bill for an act relating to telecommunications; providing for telecommunications pricing plans for state government under oversight of public utilities commission; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Senators Ten Eyck and Samuelson introduced--

S.F. No. 1786: A bill for an act relating to human services; increasing funding for senior nutrition meals; appropriating money.

Referred to the Committee on Health and Family Security.

Senator Piper introduced--

S.F. No. 1787: A bill for an act relating to education; providing funding to promote student success in kindergarten through grade 12; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Ten Eyck, Lourey, Dille and Fischbach introduced--

S.F. No. 1788: A bill for an act relating to health; requiring health plan company acceptance of sole community pharmacies; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce.

Senator Vickerman introduced--

S.F. No. 1789: A bill for an act relating to gambling; taxation; changing tax collection date; amending Minnesota Statutes 1998, sections 297E.01, by adding a subdivision; 297E.02, subdivision 3; and 297E.05, subdivision 4.

Referred to the Committee on Local and Metropolitan Government.

Senators Sams, Samuelson, Scheevel, Fischbach and Lourey introduced--

S.F. No. 1790: A bill for an act relating to agriculture; providing for a temporary 30-day permit for producers of Grade A or manufacturing grade milk for adulterated milk; amending Minnesota Statutes 1998, section 32.21, subdivision 4.

Referred to the Committee on Agriculture and Rural Development.

Senators Larson, Stumpf, Sams, Dille and Scheevel introduced--

S.F. No. 1791: A bill for an act relating to higher education; providing funding for farm and small business management programs and tuition assistance; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Novak introduced--

S.F. No. 1792: A bill for an act relating to utilities; modifying requirements for renewable energy development funding; specifying that certain required expenditures are recoverable; amending Minnesota Statutes 1998, sections 116C.779; and 216B.1645.

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

Senators Larson and Murphy introduced--

S.F. No. 1793: A bill for an act relating to education; distinguishing among types of credentials awarded in technical colleges; limiting the use of standardized assessment; amending Minnesota Statutes 1998, section 136F.32, subdivision 2, and by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senator Kiscaden introduced--

S.F. No. 1794: A bill for an act relating to human services; modifying provisions for developmental disabilities; clarifying the intent of consolidated standards and expanding the standards to respite sites; clarifying who may administer medication; requiring written authorization for safekeeping of consumer funds; changing provisions for the family support program and personal care services; amending Minnesota Statutes 1998, sections 245B.05, subdivision 7; 245B.07, subdivisions 5, 8, and 10; 252.32, subdivision 3a; 256B.04, subdivision 16; 256B.0625, subdivisions 6a and 19c; 256B.0627, subdivisions 1, 2, 4, 5, 8, and by adding subdivisions; 256B.501, subdivision 8a; and 256B.77, subdivisions 7a, 8, 10, 14, and by adding subdivisions.

Referred to the Committee on Health and Family Security.

Senators Solon; Johnson, D.J. and Janezich introduced--

S.F. No. 1795: A bill for an act relating to railroads; appropriating money for a study of restoring and extending Amtrak rail passenger service connecting the Twin Cities, Duluth, and the Iron Range.

Referred to the Committee on Transportation.

Senator Cohen introduced--

S.F. No. 1796: A bill for an act relating to traffic regulations; prescribing the display period for "Walk" and "Don't Walk" signals at intersections with pedestrian-control traffic signals; amending Minnesota Statutes 1998, section 169.06, subdivision 6.

Referred to the Committee on Transportation.

Senator Novak introduced--

S.F. No. 1797: A bill for an act relating to public safety; providing health coverage for survivors of public safety officers killed in the line of duty; appropriating money; amending Minnesota Statutes 1998, section 299A.465, subdivision 2.

Referred to the Committee on Governmental Operations and Veterans.

Senators Novak and Cohen introduced--

S.F. No. 1798: A bill for an act relating to retirement; providing service credit in the correctional employees plan.

Referred to the Committee on Governmental Operations and Veterans.

Senators Junge, Spear, Pogemiller and Stumpf introduced--

S.F. No. 1799: A bill for an act relating to education; exempting an incumbent regent of the University of Minnesota from evaluation by the regent candidate advisory council; amending Minnesota Statutes 1998, section 137.0245, subdivision 3.

Referred to the Committee on Children, Families and Learning.

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

S.F. No. 1800: A bill for an act relating to economic development; providing funding for the contaminated site cleanup and development account; appropriating money.

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

Senators Scheevel, Sams, Dille, Lesewski and Berg introduced--

S.F. No. 1801: A bill for an act relating to state government; transferring authority for feedlots from the pollution control agency to the department of agriculture.

Referred to the Committee on Agriculture and Rural Development.

Senators Kelly, R.C. and Wiger introduced--

S.F. No. 1802: A bill for an act relating to community development; providing funding for the acquisition and development of the former Stroh's brewery site in St. Paul; appropriating money.

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

Senator Hottinger introduced--

S.F. No. 1803: A bill for an act relating to taxation; modifying the LGA/HACA offset for certain tax increment financing districts; amending Minnesota Statutes 1998, section 273.1399, subdivisions 3, 6, 7, and 8.

Referred to the Committee on Local and Metropolitan Government.

Senators Anderson and Kelly, R.C. introduced--

S.F. No. 1804: A bill for an act relating to community development; providing funding for employment-related empowerment groups; appropriating money.

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

Senators Pappas; Kelley, S.P.; Anderson; Higgins and Robertson introduced--

S.F. No. 1805: A bill for an act relating to taxation; providing that the education expense credit and deduction apply to certain expenditures for prekindergarten expenses and museum memberships; amending Minnesota Statutes 1998, sections 290.01, subdivision 19b; and 290.0674, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senator Hanson introduced--

S.F. No. 1806: A bill for an act relating to retirement; teachers retirement association; authorizing assignment of survivorship interest in a 100 percent joint and survivor optional annuity to an estate.

Referred to the Committee on Governmental Operations and Veterans.

Senators Johnson, J.B.; Johnson, D.E. and Janezich introduced--

S.F. No. 1807: A bill for an act relating to transportation; appropriating money for highways.

Referred to the Committee on Transportation.

Senators Johnson, D.E.; Frederickson; Laidig; Pappas and Murphy introduced--

S.F. No. 1808: A resolution memorializing the President and Congress to honor Hmong and Lao combat veterans by easing naturalization requirements for those who served in the U.S. Secret Army during the Vietnam War and enacting H.R. 371, the Hmong Veterans' Naturalization Act of 1999.

Referred to the Committee on Governmental Operations and Veterans.

Senator Day introduced--

S.F. No. 1809: A bill for an act relating to economic development; appropriating money for infrastructure improvements in the city of Owatonna.

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

Senators Fischbach, Limmer and Neville introduced--

S.F. No. 1810: A bill for an act relating to taxation; individual income; modifying dependent care credit; amending Minnesota Statutes 1998, section 290.067, subdivision 1.

Referred to the Committee on Taxes.

Senator Vickerman introduced--

S.F. No. 1811: A bill for an act relating to economic development; providing for a grant to Martin county for a wastewater treatment project by the Fox Lake improvement district; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senators Langseth, Pappas, Robling and Johnson, J.B. introduced--

S.F. No. 1812: A bill for an act relating to transportation; appropriating money for metropolitan council transit and greater Minnesota transit.

Referred to the Committee on Transportation.

Senators Pappas and Murphy introduced--

S.F. No. 1813: A bill for an act relating to taxation; sales tax and sales tax on motor vehicles; exempting motor vehicles and replacement parts purchased by certain transit systems and transit providers; amending Minnesota Statutes 1998, sections 297A.25, by adding a subdivision; and 297B.03.

Referred to the Committee on Taxes.

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

S.F. No. 1814: A bill for an act relating to transportation; appropriating money for county turnback account.

Referred to the Committee on Transportation.

Senators Pappas, Stumpf, Robertson, Pogemiller and Wiener introduced--

S.F. No. 1815: A bill for an act relating to education; establishing a grant program to prepare teachers to teach in urban classrooms.

Referred to the Committee on Children, Families and Learning.

Senator Moe, R.D., by request, introduced--

S.F. No. 1816: A bill for an act relating to education; appropriating money for independent school district No. 600, Fisher.

Referred to the Committee on Children, Families and Learning.

Senator Belanger introduced--

S.F. No. 1817: A bill for an act relating to marriage dissolution; providing for suspension of hunting and fishing licenses of certain persons who are in arrears on support or maintenance payments; amending Minnesota Statutes 1998, section 518.551, subdivision 13a, and by adding a subdivision.

Referred to the Committee on Judiciary.

Senator Anderson introduced--

S.F. No. 1818: A bill for an act relating to appropriations; funding research on amphibians; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senators Anderson and Janezich introduced--

S.F. No. 1819: A bill for an act relating to employment; appropriating money for the Minnesota employment center for deaf and hard-of-hearing people in greater Minnesota.

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

Senator Lesewski introduced--

S.F. No. 1820: A bill for an act relating to children; removing obsolete child care system reports from statute; amending Minnesota Statutes 1998, section 119B.24.

Referred to the Committee on Children, Families and Learning.

Senator Higgins introduced--

S.F. No. 1821: A bill for an act relating to housing; housing finance agency; authorizing agency to make home improvement loans where debt to value ratio is up to 110 percent; authorizing agency to make equity take-out loans to owners of federally subsidized housing under certain circumstances; allowing participants to receive rental assistance for family stabilization for up to 60 months; clarifying purposes for which community rehabilitation funds may be used; establishing account to provide homeownership opportunities for disabled; modifying low-income housing credits; amending Minnesota Statutes 1998, sections 462A.05, subdivision 14; 462A.073, subdivision 2; 462A.205, subdivisions 1, 2, 5, 6, and 9; 462A.206, subdivision 2; 462A.21, by adding a subdivision; 462A.222, subdivision 3; and 462A.223, subdivision 2; repealing Minnesota Statutes 1998, section 462A.073, subdivision 3.

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

Senators Fischbach; Johnson, D.E.; Stevens and Lesewski introduced--

S.F. No. 1822: A bill for an act relating to agriculture; authorizing income averaging for certain farmers; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Lessard; Johnson, D.J.; Stumpf; Stevens and Pariseau introduced--

S.F. No. 1823: A bill for an act relating to natural resources; providing for wolf management; providing for wolf hunting and trapping to meet goals established in the wolf management plan; providing criminal penalties; amending Minnesota Statutes 1998, sections 97A.331, by adding a subdivision; and 97B.645; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Environment and Natural Resources.

Senators Moe, R.D.; Johnson, J.B. and Day introduced--

S.F. No. 1824: A bill for an act relating to transportation; appropriating money for local bridges.

Referred to the Committee on Transportation.

Senators Lourey, Cohen, Metzen and Stumpf introduced--

S.F. No. 1825: A bill for an act relating to agriculture; establishing a citizens advisory council on food; requiring a report; appropriating money.

Referred to the Committee on Governmental Operations and Veterans.

Senators Metzen and Wiener introduced--

S.F. No. 1826: A bill for an act relating to public utilities; regulating certain transmission line siting; proposing coding for new law in Minnesota Statutes, chapter 116C.

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

Senators Oliver, Solon, Wiener and Scheid introduced--

S.F. No. 1827: A bill for an act relating to insurance; making changes in Medicare supplemental insurance required by federal law; amending Minnesota Statutes 1998, sections 62A.31, subdivisions 1, 3, and by adding a subdivision; and 62A.43, subdivision 4.

Referred to the Committee on Commerce.

Senators Anderson; Kelly, R.C.; Robling; Foley and Terwilliger introduced--

S.F. No. 1828: A bill for an act relating to drug policy and violence prevention; authorizing a grant to an organization to develop and administer a residential program for women leaving prostitution; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Johnson, D.H. and Novak introduced--

S.F. No. 1829: A bill for an act relating to appropriations; appropriating money for the metropolitan area foreign trade zones commission.

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

Senator Johnson, D.J. introduced--

S.F. No. 1830: A bill for an act relating to state lands; authorizing private and public sales of certain tax-forfeited land that borders public water in Cook county.

Referred to the Committee on Environment and Natural Resources.

Senator Anderson introduced--

S.F. No. 1831: A bill for an act relating to crime prevention; making miscellaneous changes to certain forfeiture provisions; amending Minnesota Statutes 1998, sections 169.1217, subdivisions 7 and 7a; and 609.5314, subdivisions 2 and 3.

Referred to the Committee on Crime Prevention.

Senators Pappas, Olson and Scheid introduced--

S.F. No. 1832: A bill for an act relating to education; providing grants to the Minnesota highway safety center to improve traffic safety education; amending Minnesota Statutes 1998, section 171.29, subdivision 2.

Referred to the Committee on Transportation.

Senators Hottinger; Kelley, S.P.; Anderson; Janezich and Sams introduced--

S.F. No. 1833: A bill for an act relating to taxation; basing the working family credit on the federal earned income tax credit; amending Minnesota Statutes 1998, section 290.0671, subdivision 1; repealing Minnesota Statutes 1998, section 290.0671, subdivision 1a.

Referred to the Committee on Taxes.

Senator Piper introduced--

S.F. No. 1834: A bill for an act relating to appropriations; appropriating wastewater funding for the city of Good Thunder; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

Senator Piper introduced--

S.F. No. 1835: A bill for an act relating to appropriations; appropriating wastewater funding for the city of Blue Earth; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

Senators Price and Pogemiller introduced--

S.F. No. 1836: A bill for an act relating to family services; appropriating money for a grant program to provide services to families with deaf or hard-of-hearing children.

Referred to the Committee on Children, Families and Learning.

Senators Wiener, Ten Eyck and Lessard introduced--

S.F. No. 1837: A bill for an act relating to shoreland areas; creating a pilot program in two counties; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senator Wiener introduced--

S.F. No. 1838: A bill for an act relating to state government; requiring legislative approval of new fees and fee increases; providing an expiration date for certain fees; making conforming changes; amending Minnesota Statutes 1998, sections 14.131; 14.23; 16A.11, by adding a subdivision; 16B.748; 18.54; 21.92; 60A.964, subdivision 1; 60A.972, subdivision 3; 97B.025; 103G.301, subdivision 2; 103I.525, subdivision 9; 103I.531, subdivision 9; 103I.535, subdivision 9; 103I.541, subdivision 5; 115B.49, subdivisions 2 and 4; 115B.491, subdivisions 2 and 3; 116.07, subdivision 4d; 116.12; 116C.834, subdivision 1; 144.98, subdivision 3; 176.102, subdivision 14; 183.375, subdivision 5; 223.17, subdivision 3; 239.101, subdivision 4; 299M.04; 326.50; and 326.86, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1998, section 16A.1285, subdivisions 4 and 5.

Referred to the Committee on Governmental Operations and Veterans.

Senator Wiener introduced--

S.F. No. 1839: A bill for an act relating to local government; providing for certain local government fees; proposing coding for new law in Minnesota Statutes, chapter 462.

Referred to the Committee on Local and Metropolitan Government.

Senator Samuelson introduced--

S.F. No. 1840: A bill for an act relating to human services; making a deficiency appropriation for MinnesotaCare; appropriating money.

Referred to the Committee on Health and Family Security.

Senators Larson and Ten Eyck introduced--

S.F. No. 1841: A bill for an act relating to education; modifying distribution of hazing policy; amending Minnesota Statutes 1998, section 135A.155.

Referred to the Committee on Children, Families and Learning.

Senators Marty, Foley and Lourey introduced--

S.F. No. 1842: A bill for an act relating to medical assistance; providing coverage for a certain over-the-counter drug under certain circumstances; amending Minnesota Statutes 1998, section 256B.0625, subdivision 13.

Referred to the Committee on Health and Family Security.

Senators Knutson and Metzen introduced--

S.F. No. 1843: A bill for an act relating to state government; providing an exception to the bid solicitation process for certain professional services; amending Minnesota Statutes 1998, section 16C.10, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

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

S.F. No. 1844: A bill for an act relating to taxation; sales and use; exempting certain equipment used in furnishing telephone services; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Frederickson and Dille introduced--

S.F. No. 1845: A bill for an act relating to education; appropriating money to independent school district No. 2859, Glencoe-Silver Lake, for a long-range facility study.

Referred to the Committee on Children, Families and Learning.

Senator Pogemiller introduced--

S.F. No. 1846: A bill for an act relating to retirement; Minneapolis teachers retirement fund association; including union business agents in plan membership; proposing coding for new law in Minnesota Statutes, chapter 354A.

Referred to the Committee on Governmental Operations and Veterans.

Senators Johnson, D.H.; Robling and Dille introduced--

S.F. No. 1847: A bill for an act relating to appropriations; appropriating money for restoration of the Grimm farmstead.

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

Senators Novak and Runbeck introduced--

S.F. No. 1848: A bill for an act relating to workers' compensation; modifying third party liability provisions; requiring attorneys to file statements of attorney fees; modifying special compensation fund procedures; providing alternative cost allocation accounts; amending Minnesota Statutes 1998, sections 176.011, subdivision 3; 176.061, subdivisions 3, 5, 7, 10, and by adding a subdivision; 176.081, subdivision 1; 176.101, subdivisions 1, 2a, and 8; 176.102, subdivision 11; 176.111, by adding a subdivision; 176.129, subdivisions 2, 3, and 4; 176.231, subdivision 2; and 176.611, subdivision 2a.

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

Senators Wiener, Dille, Pariseau, Laidig and Murphy introduced--

S.F. No. 1849: A bill for an act relating to the environment; modifying environmental assessment worksheet requirements for a facility along the Mississippi river; amending Minnesota Statutes 1998, section 116G.151.

Referred to the Committee on Environment and Natural Resources.

Senators Piper, Foley, Berglin, Lourey and Higgins introduced--

S.F. No. 1850: A bill for an act relating to health; requiring reimbursement for lead testing and treatment of lead poisoning in children under the age of 18 by stationary sources emitting large amounts of lead; creating civil causes of action; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

Senator Lourey introduced--

S.F. No. 1851: A bill for an act relating to taxation; allowing the city of Proctor to impose a local sales tax.

Referred to the Committee on Taxes.

Senator Lourey introduced--

S.F. No. 1852: A bill for an act relating to occupations; modifying provisions relating to plumbers giving bond to the state; amending Minnesota Statutes 1998, section 326.40, subdivisions 2, 4, and 5.

Referred to the Committee on Commerce.

Senator Lourey introduced--

S.F. No. 1853: A bill for an act relating to human services; expanding participation in the senior citizen drug program to disabled persons; amending Minnesota Statutes 1998, section 256.955, subdivisions 2 and 9; Laws 1997, chapter 225, article 4, section 4.

Referred to the Committee on Health and Family Security.

Senator Kelly, R.C. introduced--

S.F. No. 1854: A bill for an act relating to crime; authorizing prosecution of domestic assault misdemeanors to be by a municipal or county attorney in Ramsey county; appropriating money to the Ramsey county attorney's office to fund the domestic assault and child abuse protection unit; amending Minnesota Statutes 1998, section 488A.27, subdivision 11.

Referred to the Committee on Crime Prevention.

Senator Novak introduced--

S.F. No. 1855: A bill for an act relating to housing; allocating a portion of mortgage and deed tax payments to housing purposes; exempting certain housing construction material purchases from the sales tax; establishing a local government housing fund; allocating certain money from the fund; providing for the use of the money; requiring cooperation between certain commissioners; appropriating money; amending Minnesota Statutes 1998, sections 287.12; 287.21, subdivision 2; and 297A.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Senator Wiger introduced--

S.F. No. 1856: A bill for an act relating to human services; authorizing the replacement of the Lake Owasso intermediate care facility in Ramsey county.

Referred to the Committee on Health and Family Security.

Senator Scheevel introduced--

S.F. No. 1857: A bill for an act relating to appropriations; appropriating wastewater funding for the city of Lewiston; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

Senator Scheevel introduced--

S.F. No. 1858: A bill for an act relating to appropriations; appropriating wastewater funding for the city of Rollingstone; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

Senator Foley introduced--

S.F. No. 1859: A bill for an act relating to crime; allowing consecutive sentencing when an offender commits one or more additional crimes between the time of the commission of one crime and the time of sentencing on that crime; directing the sentencing guidelines commission to make the guidelines consistent; amending Minnesota Statutes 1998, section 609.15, subdivision 1.

Referred to the Committee on Crime Prevention.

Senator Foley introduced--

S.F. No. 1860: A bill for an act relating to employment; barring certain employers from bidding on state contracts; requiring construction employers to develop and implement written safety and health plans for each construction project; providing civil and criminal penalties; amending Minnesota Statutes 1998, sections 182.651, by adding subdivisions; 182.66, subdivision 1; 182.666, subdivisions 1, 2, and 3; and 182.667, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 16B; and 182.

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

Senator Foley introduced--

S.F. No. 1861: A bill for an act relating to traffic regulations; deleting some particulars about

transporting sand, gravel, and the like; amending Minnesota Statutes 1998, section 169.81, subdivision 5b.

Referred to the Committee on Transportation.

Senator Foley introduced--

S.F. No. 1862: A bill for an act relating to public safety; prohibiting the possession of firearms by persons who have been admitted or held for emergency care due to imminent risk of suicide or attempted suicide; authorizing peace officers to take temporary custody of any firearms owned by the person; permitting such persons to possess firearms after they have recovered from this disability; amending Minnesota Statutes 1998, sections 253B.05, by adding a subdivision; and 624.713, subdivision 1.

Referred to the Committee on Crime Prevention.

Senator Foley introduced--

S.F. No. 1863: A bill for an act relating to crime; extending enhanced penalties for illegally carrying a pistol to juveniles who are adjudicated delinquent for this offense; amending Minnesota Statutes 1998, section 624.714, subdivision 1.

Referred to the Committee on Crime Prevention.

Senator Foley introduced--

S.F. No. 1864: A bill for an act relating to crime; providing a mandatory minimum sentence for certain persons who possess a firearm with an altered or removed serial number or with no serial number; amending Minnesota Statutes 1998, section 609.11, subdivision 5.

Referred to the Committee on Crime Prevention.

Senators Hanson, Higgins, Foley, Lourey and Piper introduced--

S.F. No. 1865: A bill for an act relating to education; increasing general community education revenue; appropriating money; amending Minnesota Statutes 1998, section 124D.20, subdivision 3.

Referred to the Committee on Children, Families and Learning.

Senators Higgins, Anderson, Pappas and Samuelson introduced--

S.F. No. 1866: A bill for an act relating to crime; appropriating money for a weekend camp program at Camp Ripley for first- or second-time juvenile offenders and youth at risk.

Referred to the Committee on Crime Prevention.

Senator Pogemiller introduced--

S.F. No. 1867: A bill for an act relating to education; expanding subject matter of teacher contract negotiations; amending Minnesota Statutes 1998, sections 179A.03, subdivision 19; and 179A.07, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

Senators Frederickson and Vickerman introduced--

S.F. No. 1868: A bill for an act relating to property taxes; providing a property tax credit for property damaged by tornado; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

Senator Johnson, J.B. introduced--

S.F. No. 1869: A bill for an act relating to traffic regulations; allowing certain lighting devices mounted on delivery vehicles; requiring department of public safety to make recommendations concerning allowable lighting; amending Minnesota Statutes 1998, sections 169.55, subdivision 1; and 169.58, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Hottinger introduced--

S.F. No. 1870: A bill for an act relating to commerce; motor vehicle fuel franchises; changing the definition of a franchise; creating a right of first refusal upon assignment or sale of marketing premises; amending Minnesota Statutes 1998, section 80C.01, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 80C.

Referred to the Committee on Commerce.

Senator Dille introduced--

S.F. No. 1871: A bill for an act relating to human services; providing for a truancy prevention pilot program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Family Security.

Senator Kelly, R.C. introduced--

S.F. No. 1872: A bill for an act relating to education; appropriating money for a stability demonstration project.

Referred to the Committee on Children, Families and Learning.

Senator Kelly, R.C. introduced--

S.F. No. 1873: A bill for an act relating to corrections; requiring the commissioner of corrections to conduct a chemical use and mental health assessment of every inmate committed to the commissioner's custody and to order the inmate to participate in available prison chemical use and mental health treatment programs as recommended by the assessments; requiring the commissioner to maintain information on the results of an inmate's chemical use and mental health assessment and treatment in the inmate's case file for at least ten years following expiration of the inmate's sentence; prohibiting free weights and cable television service in state correctional facilities; requiring state prison inmates to participate in or complete work assignments and education or treatment programs ordered by the commissioner and to fulfill court-ordered restitution obligations as a condition to receiving certain privileges in state prisons; proposing coding for new law in Minnesota Statutes, chapters 241; and 243.

Referred to the Committee on Crime Prevention.

Senator Janezich introduced--

S.F. No. 1874: A bill for an act relating to Itasca county; providing for tax increment financing district and development powers for power plant related to taconite mine direct reduction plant and steel mill.

Referred to the Committee on Local and Metropolitan Government.

Senator Pogemiller introduced--

S.F. No. 1875: A bill for an act relating to state government; legislative commission on pensions and retirement; reducing the commission membership from 12 to ten; amending Minnesota Statutes 1998, section 3.85, subdivision 3.

Referred to the Committee on Governmental Operations and Veterans.

Senator Pogemiller introduced--

S.F. No. 1876: A bill for an act relating to public finance; imposing and modifying conditions and limitations on the use of public debt; amending Minnesota Statutes 1998, sections 126C.55, subdivision 7; 272.02, by adding a subdivision; 373.01, subdivision 3; 410.32; 412.301; 469.155, subdivision 4; 474A.04, subdivision 1a; 475.56; 475.58, subdivision 1; and 475.60, subdivisions 1 and 3.

Referred to the Committee on Local and Metropolitan Government.

Senators Stumpf; Johnson, D.J. and Lessard introduced--

S.F. No. 1877: A bill for an act relating to railroads; requiring railroads incorporated in a foreign country to install signalized grade crossing protection at all grade crossings in Minnesota.

Referred to the Committee on Transportation.

Senators Stumpf; Johnson, D.J. and Lessard introduced--

S.F. No. 1878: A bill for an act relating to railroads; requiring the commissioner of transportation to prescribe a speed limit on a rail line between and connecting Warroad and Baudette.

Referred to the Committee on Transportation.

Senators Stumpf; Johnson, D.J. and Lessard introduced--

S.F. No. 1879: A bill for an act relating to railroads; requiring trains entering Minnesota from a foreign country to be inspected; providing a penalty; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation.

Senators Stumpf; Johnson, D.J. and Lessard introduced--

S.F. No. 1880: A bill for an act relating to railroads; imposing an entry fee upon railroads entering Minnesota from a foreign country; providing a penalty.

Referred to the Committee on Transportation.

Senators Stumpf; Johnson, D.J. and Lessard introduced--

S.F. No. 1881: A bill for an act relating to railroads; authorizing the city of Ranier to prohibit the parking of running railroad locomotives within the city.

Referred to the Committee on Transportation.

Senators Scheid and Junge introduced--

S.F. No. 1882: A bill for an act relating to tax increment financing; exempting certain

superfund sites from fiscal disparities; amending Minnesota Statutes 1998, section 469.177, subdivision 3.

Referred to the Committee on Local and Metropolitan Government.

Senators Stumpf and Moe, R.D. introduced--

S.F. No. 1883: A bill for an act relating to natural resources; providing for the designation of consolidated conservation lands as wildlife management areas by rule; amending Minnesota Statutes 1998, section 84A.55, subdivisions 5, 7a, and 11.

Referred to the Committee on Environment and Natural Resources.

Senator Kelly, R.C. introduced--

S.F. No. 1884: A bill for an act relating to conservation easements; authorizing local bonding to acquire conservation easements; amending Minnesota Statutes 1998, sections 373.40, subdivision 1; 375.18, subdivision 12; and 475.52, subdivisions 1, 3, and 4.

Referred to the Committee on Local and Metropolitan Government.

Senators Oliver and Robling introduced--

S.F. No. 1885: A bill for an act relating to education; appropriating money for a planning grant to independent school district No. 112, Chaska.

Referred to the Committee on Children, Families and Learning.

MEMBERS EXCUSED

Senator Kelly, R.C. was excused from the Session of today from 10:00 to 10:45 a.m. Senator Olson was excused from the Session of today at 10:55 a.m. Senator Scheid was excused from the Session of today at 11:25 a.m.

ADJOURNMENT

Senator Junge moved that the Senate do now adjourn until 12:00 noon, Tuesday, March 16, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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