

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

TWENTY-NINTH DAY

St. Paul, Minnesota, Wednesday, March 17, 1999

The Senate met at 12:00 noon 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. Dennis D. Evenson.

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

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

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.  
February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

### COMMISSIONER OF THE MINNESOTA DEPARTMENT OF HUMAN SERVICES

Michael O'Keefe, 1506 Mount Curve Avenue, Minneapolis, Minnesota 55403, in the county of Hennepin, effective March 1, 1999, for a four-year term expiring on Monday, January 6, 2003.

(Referred to the Committee on Health and Family Security.)

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE HOUSING FINANCE AGENCY

Katherine G. Hadley, 2083 James Avenue, St. Paul, Minnesota 55105, in the county of Ramsey, effective January 11, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

March 3, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE MINNESOTA  
POLLUTION CONTROL AGENCY

Karen Studders, 7809 Southtown Center, #356, Bloomington, Minnesota 55431, in the county of Hennepin, effective March 1, 1999, for a four-year term expiring on Monday, January 6, 2003.

(Referred to the Committee on Environment and Natural Resources.)

Sincerely,  
Jesse Ventura, Governor

March 16, 1999

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1999	Date Filed 1999
	248	7	2:30 p.m. March 15	March 15
	214	8	2:32 p.m. March 15	March 15
464		9	2:33 p.m. March 15	March 15
73		10	2:34 p.m. March 15	March 15
343		11	2:35 p.m. March 15	March 15

Sincerely,  
Mary Kiffmeyer  
Secretary of State

March 16, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 301.

Sincerely,  
Jesse Ventura, Governor

March 17, 1999

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1999	Date Filed 1999
	49	12	2:15 p.m. March 16	March 16
	302	13	2:20 p.m. March 16	March 16
301		14	2:23 p.m. March 16	March 16

Sincerely,  
Mary Kiffmeyer  
Secretary of State

## REPORTS OF COMMITTEES

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

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

**S.F. No. 551:** A bill for an act relating to domestic abuse; authorizing service of short form notification in lieu of personal service for orders for protection; expanding the definition of first degree murder in situations involving domestic abuse; providing enhanced penalties based upon a previous conviction or adjudication for malicious punishment of a child and other laws; adding assault in the fifth degree and domestic assault to definition of "crimes of violence"; increasing the cash bail for individuals charged with malicious punishment of a child; clarifying when evidence of similar prior conduct of an accused related to domestic abuse is admissible; changing a definition in the law related to the order of disposition of issues on a court's calendar; providing

criminal penalties; amending Minnesota Statutes 1998, sections 518B.01, subdivisions 5, 8, and by adding subdivisions; 609.185; 609.224, subdivisions 2 and 4; 609.2242, subdivisions 2 and 4; 609.342, subdivision 3; 609.343, subdivision 3; 609.344, subdivision 3; 609.345, subdivision 3; 609.377; 609.749, subdivisions 3 and 4; 624.712, subdivision 5; 629.471, subdivision 3; 630.36; and 634.20.

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

Page 1, after line 25, insert:

"Section 1. Minnesota Statutes 1998, section 260.133, subdivision 1, is amended to read:

Subdivision 1. [PETITION.] The local welfare agency may bring an emergency petition on behalf of minor family or household members seeking relief from acts of domestic child abuse. The petition shall be brought pursuant to section 260.131 and shall allege the existence of or immediate and present danger of domestic child abuse, ~~and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought. The court has jurisdiction over the parties to a domestic child abuse matter notwithstanding that there is a parent in the child's household who is willing to enforce the court's order and accept services on behalf of the family.~~

Sec. 2. Minnesota Statutes 1998, section 260.133, subdivision 2, is amended to read:

Subd. 2. [TEMPORARY ORDER.] (a) If it appears from the notarized petition ~~or by sworn affidavit~~ that there are reasonable grounds to believe the child is in immediate and present danger of domestic child abuse, the court may grant an ex parte temporary order for protection, pending a full hearing pursuant to section 260.135, which must be held not later than 14 days after service of the ex parte order on the respondent. The court may grant relief as it deems proper, including an order:

(1) restraining any party from committing acts of domestic child abuse; or

(2) excluding the alleged abusing party from the dwelling which the family or household members share or from the residence of the child.

~~However,~~ (b) No order excluding the alleged abusing party from the dwelling may be issued unless the court finds that:

(1) the order is in the best interests of the child or children remaining in the dwelling; and

(2) a parent remaining adult family or in the child's household member is able to care adequately for the child or children in the absence of the excluded party and to seek appropriate assistance in enforcing the provisions of the order.

(c) Before the temporary order is issued, the local welfare agency shall advise the court and the other parties who are present that appropriate social services will be provided to the family or household members during the effective period of the order. The petition shall identify the parent remaining in the child's household under paragraph (b), clause (2).

~~An ex parte temporary order for protection shall be effective for a fixed period not to exceed 14 days. Within five days of the issuance of the temporary order, the petitioner shall file a petition with the court pursuant to section 260.131, alleging that the child is in need of protection or services and the court shall give docket priority to the petition.~~

The court may renew the temporary order for protection one time for a fixed period not to exceed 14 days if a petition alleging that the child is in need of protection or services has been filed with the court and if the court determines, upon informal review of the case file, that the renewal is appropriate. If the court determines that the petition states a prima facie case that there are reasonable grounds to believe that the child is in immediate danger of domestic child abuse or child abuse without the court's order, at the hearing pursuant to section 260.135, the court may continue its order issued under this subdivision pending trial under section 260.155.

Sec. 3. Minnesota Statutes 1998, section 260.191, subdivision 1b, is amended to read:

Subd. 1b. [DOMESTIC CHILD ABUSE.] (a) If the court finds that the child is a victim of domestic child abuse, as defined in section 260.015, subdivision 24, it may order any of the following dispositions of the case in addition to or as alternatives to the dispositions authorized under subdivision 1:

- (1) restrain any party from committing acts of domestic child abuse;
- (2) exclude the abusing party from the dwelling which the family or household members share or from the residence of the child;
- (3) on the same basis as is provided in chapter 518, establish temporary visitation with regard to minor children of the adult family or household members;
- (4) on the same basis as is provided in chapter 518, establish temporary support or maintenance for a period of 30 days for minor children or a spouse;
- (5) provide counseling or other social services for the family or household members; or
- (6) order the abusing party to participate in treatment or counseling services.

Any relief granted by the order for protection shall be for a fixed period not to exceed one year.

~~However,~~ (b) No order excluding the abusing party from the dwelling may be issued unless the court finds that:

- (1) the order is in the best interests of the child or children remaining in the dwelling;
- (2) a remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party; and
- (3) the local welfare agency has developed a plan to provide appropriate social services to the remaining family or household members.

(c) Upon a finding that the remaining parent is able to care adequately for the child and enforce an order excluding the abusing party from the home and that the provision of supportive services by the responsible social service agency is no longer necessary, the responsible social service agency may be dismissed as a party to the proceedings. Orders entered regarding the abusing party remain in full force and effect and may be renewed by the remaining parent as necessary for the continued protection of the child for specified periods of time, not to exceed one year."

Page 2, line 2, delete "any time up" and insert "least 12 hours prior"

Page 13, after line 12, insert:

"Sec. 20. Minnesota Statutes 1998, section 611A.32, subdivision 2, is amended to read:

Subd. 2. [APPLICATIONS.] Any public or private nonprofit agency may apply to the commissioner for a grant to provide emergency shelter services, support services, or both, to battered women and their children. The application shall be submitted in a form approved by the commissioner by rule adopted under chapter 14, after consultation with the advisory council, and shall include:

- (1) a proposal for the provision of emergency shelter services, support services, or both, for battered women and their children;
- (2) a proposed budget;
- (3) evidence of an ability to integrate into the proposed program the uniform method of data collection and program evaluation established under sections 611A.33 and 611A.34;
- (4) evidence of an ability to represent the interests of battered women and their children to local

law enforcement agencies and courts, county welfare agencies, and local boards or departments of health;

(5) evidence of an ability to do outreach to unserved and underserved populations and to provide culturally and linguistically appropriate services; and

(6) evidence of a commitment to provide for the protection of children of battered women and to cooperate with the local welfare agency to ensure that appropriate safety measures are in place for both children and battered women; and

(7) any other content the commissioner may require by rule adopted under chapter 14, after considering the recommendations of the advisory council.

Programs which have been approved for grants in prior years may submit materials which indicate changes in items listed in clauses (1) to ~~(6)~~ (7), in order to qualify for renewal funding. Nothing in this subdivision may be construed to require programs to submit complete applications for each year of renewal funding.

Sec. 21. Minnesota Statutes 1998, section 611A.34, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] The advisory council shall:

(1) advise the commissioner on all planning, development, data collection, rulemaking, funding, and evaluation of programs and services for battered women that are funded under section 611A.32, other than matters of a purely administrative nature;

(2) advise the commissioner on the adoption of rules under chapter 14 governing the award of grants to ensure that funded programs are consistent with section 611A.32, subdivision 1;

(3) recommend to the commissioner the names of five applicants for the position of battered women's program director;

(4) advise the commissioner on the rules adopted under chapter 14 pursuant to section 611A.33;

(5) review applications received by the commissioner for grants under section 611A.32 and make recommendations on the awarding of grants; and

(6) advise the program director in the performance of duties in the administration and coordination of the programs funded under section 611A.32; and

(7) evaluate the level of cooperation and collaboration between battered women's programs and local welfare agencies in providing for the safety of children of battered women and make recommendations to the commissioner for improving collaboration."

Page 14, after line 9, insert:

"Sec. 23. Minnesota Statutes 1998, section 626.556, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child, as defined in section 609.341, or by a person in a position of authority, as defined in section 609.341, subdivision 10, to any act which constitutes a violation of section 609.342, 609.343, 609.344, or 609.345. Sexual abuse also includes any act which involves a minor which constitutes a violation of sections 609.321 to 609.324 or 617.246. Sexual abuse includes threatened sexual abuse.

(b) "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, or

other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

(c) "Neglect" means:

(1) failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter or medical care when reasonably able to do so, failure to protect a child from conditions or actions which imminently and seriously endanger the child's physical or mental health when reasonably able to do so, or failure to take steps to ensure that a child is educated in accordance with state law. Nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of medical care may cause serious danger to the child's health. This section does not impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, shelter, education, or medical care, a duty to provide that care. ~~Neglect includes;~~

(2) prenatal exposure to a controlled substance, as defined in section 253B.02, subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child at birth, or medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance. ~~Neglect also means;~~

(3) "medical neglect" as defined in section 260.015, subdivision 2a, clause (5);;

(4) that the parent or other person responsible for the care of the child:

(i) engages in violent behavior that demonstrates a disregard for the well-being of the child as indicated by action that could reasonably result in serious physical, mental, or threatened injury, or emotional damage to the child;

(ii) engages in repeated domestic assault that would constitute a violation of section 609.2242, subdivision 2 or 4;

(iii) commits domestic assault that would constitute a violation of section 609.2242 within sight or sound of the child; or

(iv) subjects the child to ongoing domestic violence in the home environment that is likely to have a detrimental effect on the well-being of the child.

(d) "Physical abuse" means any physical or mental injury, or threatened injury, inflicted by a person responsible for the child's care on a child other than by accidental means, or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive and deprivation procedures that have not been authorized under section 245.825.

(e) "Report" means any report received by the local welfare agency, police department, or county sheriff pursuant to this section.

(f) "Facility" means a day care facility, residential facility, agency, hospital, sanitarium, or other facility or institution required to be licensed pursuant to sections 144.50 to 144.58, 241.021, or 245A.01 to 245A.16.

(g) "Operator" means an operator or agency as defined in section 245A.02.

(h) "Commissioner" means the commissioner of human services.

(i) "Assessment" includes authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing the risk to the child, and formulating a plan.

(j) "Practice of social services," for the purposes of subdivision 3, includes but is not limited to employee assistance counseling and the provision of guardian ad litem and visitation expeditor services.

(k) "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.

(l) "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury.

Sec. 24. Minnesota Statutes 1998, section 626.558, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT OF THE TEAM.] A county shall establish a multidisciplinary child protection team that may include, but not be limited to, the director of the local welfare agency or designees, the county attorney or designees, the county sheriff or designees, representatives of health and education, representatives of mental health or other appropriate human service or community-based agencies, and parent groups. As used in this section, a "community-based agency" may include, but is not limited to, schools, social service agencies, family service and mental health collaboratives, early childhood and family education programs, Head Start, or other agencies serving children and families. A member of the team must be designated as the lead person of the team responsible for coordinating its activities with battered women's programs and services."

Page 16, line 3, delete "1" and insert "4"

Page 16, line 4, delete "2, 3, 17, 19, and 20" and insert "5, 6, 20, 21, 22, 26, and 27"

Page 16, line 5, delete "4 to 16 and 18" and insert "7 to 19 and 25"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "requiring battered women programs to coordinate services with child protection agencies;"

Page 1, line 17, after "sections" insert "260.133, subdivisions 1 and 2; 260.191, subdivision 1b;"

Page 1, line 22, after "4;" insert "611A.32, subdivision 2; 611A.34, subdivision 3;"

Page 1, line 23, after the first semicolon, insert "626.556, subdivision 2; 626.558, subdivision 1;"

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

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

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

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

Page 4, after line 4, insert:

"Subd. 7. [DEPOSIT OF PROCEEDS; ENVIRONMENTAL TRUST FUND.] The proceeds from the sale of the land under this section must be deposited in an Itasca county environmental trust fund, established under Laws 1998, chapter 389, article 16, section 31, subdivision 4."

Page 4, line 5, delete "7" and insert "8"

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

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

**S.F. No. 972:** A bill for an act relating to game and fish; modifying migratory waterfowl refuge provisions; designating a migratory waterfowl refuge; amending Minnesota Statutes 1998, section 97A.095, subdivision 1.

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

Page 1, line 17, reinstate the stricken language and delete "except" and insert "by or"

Page 2, after line 15, insert:

"Sec. 3. [REPEAL OF COMMISSIONER'S ORDER.]

The order from the commissioner of conservation dated September 26, 1955, designating the migratory waterfowl refuge on Swan lake is repealed."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "repealing a commissioner's order;"

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

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

**S.F. No. 921:** A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Itasca county.

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

Page 1, line 10, delete "shall" and insert "may"

Page 1, line 16, before "The" insert "Except as provided in paragraph (d),"

Page 1, line 24, delete ", 26, 35, and" and insert "to 27 and 34 to"

Page 1, after line 25, insert:

"(d) The county shall not include in the sale any tax-forfeited lands lying within the Mesabi Range iron formation for which the state owns the mineral rights or has a claim against the mineral rights under provisions of Minnesota Statutes, section 93.55. Any lands excluded from sale under this paragraph may be leased by Itasca county or the state as provided by law."

Page 2, line 1, delete "(d)" and insert "(e)"

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

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

**S.F. No. 1225:** A bill for an act relating to the metropolitan council; eliminating an unnecessary report; making conforming changes; amending Minnesota Statutes 1998, sections 473.13, subdivision 1; and 473.704, subdivision 19; repealing Minnesota Statutes 1998, section 473.1623, subdivision 3.

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

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

**S.F. No. 1699:** A bill for an act relating to state government; authorizing payment by electronic means; proposing coding for new law in Minnesota Statutes, chapter 16A.

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. 1188:** A bill for an act relating to municipalities; increasing certain dollar limits in the Uniform Municipal Contracting Law; amending Minnesota Statutes 1998, section 471.345, subdivisions 3 and 4.

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

Page 2, after line 3, insert:

"Sec. 3. Minnesota Statutes 1998, section 471.345, is amended by adding a subdivision to read:

Subd. 15. [COOPERATIVE PURCHASING.] A municipality may contract for the purchase of supplies, materials, or equipment without regard to the competitive bidding requirements of this section if the purchase is through a national municipal association's purchasing alliance or cooperative that purchases items from more than one source on the basis of competitive bids or competitive quotations."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing an exemption for certain cooperative purchasing;"

Page 1, line 5, delete "and" and insert a comma and before the period, insert ", and by adding a subdivision"

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

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

**S.F. No. 1712:** A bill for an act relating to the metropolitan council; changing the schedule for the metropolitan transit system's operation performance audit; amending Minnesota Statutes 1998, section 473.1466.

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. 1645:** A bill for an act relating to traffic regulations; exempting vehicles carrying milk from seasonal weight restrictions under certain circumstances; amending Minnesota Statutes 1998, section 169.87, by adding a subdivision.

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

Page 1, line 12, after "transporting" insert "a load consisting only of"

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

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

**S.F. No. 1325:** A bill for an act relating to traffic regulations; regulating low-speed vehicles; amending Minnesota Statutes 1998, section 169.045.

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

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

**S.F. No. 283:** A bill for an act relating to civil commitment; clarifying standards and procedures; modifying procedures governing persons committed as mentally ill and dangerous to the public; amending Minnesota Statutes 1998, sections 253B.065, subdivision 5; 253B.17, subdivision 1; 253B.18, subdivisions 1, 2, and 4c; 253B.185, subdivision 1; and 256G.08, subdivision 1.

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

Page 5, line 23, after "establishes" insert "by clear and convincing evidence"

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. 510:** A bill for an act relating to health occupation; expanding the number of dental hygienists on the board of dentistry; amending Minnesota Statutes 1998, section 150A.02, subdivision 1.

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

Page 1, line 13, after "one" insert "resident board-certified oral and maxillofacial surgeon, two"

Page 1, line 14, strike "assistant" and insert "assistants" and delete "three" and insert "two"

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. 673:** A bill for an act relating to health plans; regulating contract stacking; providing a remedy; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Delete everything after the enacting clause and insert:

"Section 1. [62Q.68] [NETWORK SHADOW CONTRACTING.]

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

(b) "Category of coverage" means one of the following types of health-related coverage:

(1) health;

(2) no-fault automobile medical benefits; or

(3) worker's compensation medical benefits.

(c) "Health care provider" or "provider" has the meaning given in section 148.01.

(d) "Network organization" means a preferred provider organization as defined in section 145.61, subdivision 4c; a managed care organization as defined in section 62Q.01, subdivision 5;

or other entity that uses or consists of a network of health care providers; but does not include a nonprofit health service plan corporation operating under chapter 62C or its affiliates.

Subd. 2. [PROVIDER CONSENT REQUIRED.] (a) No network organization shall require a health care provider to participate in a network under a category of coverage that differs from the category or categories of coverage to which the existing contract between the network organization and the provider applies, without the consent of the provider obtained under subdivision 3.

(b) This section does not apply to situations in which the network organization wishes the provider to participate in a new or different plan or other arrangement within a category of coverage that is already provided for in an existing contract between the network organization and the provider.

(c) Compliance with this section may not be waived in a contract or otherwise.

Subd. 3. [CONSENT PROCEDURE.] (a) The network organization, if it wishes to apply an existing contract with a provider to a different category of coverage, shall first notify the provider in writing. The written notice must include at least the following:

(1) the network organization's name, address, and telephone number, and the name of the specific network, if it differs from that of the network organization;

(2) a description of the proposed new category of coverage;

(3) the names of all payers expected by the network organization to use the network for the new category of coverage;

(4) the approximate number of current enrollees of the network organization in that category of coverage within the provider's geographical area;

(5) a disclosure of all contract terms of the proposed new category of coverage, including the discount or reduced fees, care guidelines, utilization review criteria, prior authorization process, and dispute resolution process;

(6) a form for the provider's convenience in accepting or declining participation in the proposed new category of coverage, provided that the provider need not use that form in responding; and

(7) a statement informing the provider of the provisions of paragraph (b).

(b) If the provider does not decline participation within 30 days after the postmark date of the notice, the provider is deemed to have accepted the proposed new category of coverage.

Subd. 4. [CONTRACT TERMINATION RESTRICTED.] A network organization must not terminate an existing contract with a provider, or fail to honor the contract in good faith, based solely on the provider's decision not to accept a proposed new category of coverage. The most recent agreed-upon contractual obligations remain in force until the existing contract's renewal or termination date.

Subd. 5. [REMEDY.] If a network organization violates this section by reimbursing a provider as if the provider had agreed under this section to participate in the network under a category of coverage to which the provider has not agreed, the provider has a cause of action against the network organization to recover two times the difference between the reasonable charges for claims affected by the violation and the amounts actually paid to the provider. The provider is also entitled to recover costs, disbursements, and reasonable attorney fees.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for contracts entered into or renewed after August 1, 1999."

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

**S.F. No. 1324:** A bill for an act relating to drivers' licenses; imposing disqualification and civil penalties on commercial motor vehicle operator for violating out-of-service order; allocating penalty proceeds; amending Minnesota Statutes 1998, section 171.165, by adding subdivisions.

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 171.165, is amended by adding a subdivision to read:

Subd. 4a. [VIOLATION OF OUT-OF-SERVICE ORDER.] (a) The commissioner shall disqualify a person from operating a commercial motor vehicle for not less than:

(1) 90 days nor more than one year if the operator is convicted of a first violation of an out-of-service order;

(2) one year nor more than five years if, during any ten-year period, the operator is convicted of two violations of out-of-service orders in separate incidents; and

(3) three years nor more than five years if, during any ten-year period, the operator is convicted of three or more violations of out-of-service orders in separate incidents.

(b) The commissioner shall notify the commissioner of transportation of each disqualification under this subdivision.

Sec. 2. Minnesota Statutes 1998, section 221.036, subdivision 3, is amended to read:

Subd. 3. [AMOUNT OF PENALTY; CONSIDERATIONS.] (a) The commissioner may issue an order assessing a penalty of up to \$5,000 for all violations of section 221.021; 221.041, subdivision 3; 221.081; 221.141; 221.151; or 221.171, or rules of the board or commissioner relating to motor carrier operations, insurance, or tariffs and accounting, identified during a single inspection, audit, or investigation.

(b) The commissioner may issue an order assessing a penalty up to a maximum of \$10,000 for all violations of section 221.033, subdivision 2b, or 221.035, and rules adopted under those sections, identified during a single inspection or audit.

(c) In determining the amount of a penalty, the commissioner shall consider:

(1) the willfulness of the violation;

(2) the gravity of the violation, including damage to humans, animals, air, water, land, or other natural resources of the state;

(3) the history of past violations, including the similarity of the most recent violation and the violation to be penalized, the time elapsed since the last violation, the number of previous violations, and the response of the person to the most recent violation identified;

(4) the economic benefit gained by the person by allowing or committing the violation; and

(5) other factors as justice may require, if the commissioner specifically identifies the additional factors in the commissioner's order.

(d) The commissioner shall assess a penalty of not less than \$1,000 against a driver who is convicted of a violation of an out-of-service order. The commissioner shall assess a penalty of not more than \$10,000 against an employer who knowingly allows or requires an employee to operate a commercial motor vehicle in violation of an out-of-service order."

Delete the title and insert:

"A bill for an act relating to motor vehicles; requiring commissioner of public safety to impose commercial driver's license disqualifications for violations of an out-of-service order; requiring commissioner of transportation to impose civil penalties for violations of an out-of-service order; amending Minnesota Statutes 1998, section 171.165, by adding a subdivision; and 221.036, subdivision 3."

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

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

**S.F. No. 347:** A bill for an act relating to drivers' licenses; allowing parents to provide home-school instruction to children in classroom component of driver education; amending Minnesota Statutes 1998, sections 171.05, subdivision 2; 171.055, subdivision 1; and 171.39.

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 171.05, subdivision 2, is amended to read:

Subd. 2. [PERSON LESS THAN 18 YEARS OF AGE.] (a) Notwithstanding any provision in subdivision 1 to the contrary, the department, upon application therefor, may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and:

(1) is enrolled in a driver education program including classroom and behind-the-wheel training, which has been approved by the state board of education for courses offered through the public schools, or, in the case of a course offered by a private, commercial driver education school or institute, by the department of public safety; except when the applicant has completed a course of driver education in another state or has a previously issued valid license from another state; or is receiving full-time instruction in a home-school within the meaning of sections 120A.22 and 120A.24, as certified by the superintendent of the district in which the applicant resides, is working toward a home-school diploma, and is enrolled in an approved behind-the-wheel driver education program;

(2) has completed the classroom phase of instruction in the driver education program or in the case of a home-school student, has completed home classroom driver training with classroom materials approved by the commissioner of public safety;

(3) has passed a test of the applicant's eyesight;

(4) has passed a test of the applicant's knowledge of traffic laws, which test must be administered by the department;

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, then (v) the applicant's employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, or employer; and

(6) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for one year from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

Sec. 2. Minnesota Statutes 1998, section 171.39, is amended to read:

171.39 [EXEMPTIONS.]

The provisions of sections 171.33 to 171.41 shall not apply: to any person giving driver training lessons without charge; to employers maintaining driver training schools without charge for their employees only; to a home-school within the meaning of sections 120A.22 and 120A.24; to schools or classes conducted by colleges, universities and high schools as a part of the normal program for such institutions; nor to those schools or persons described in section 171.05, subdivision 2. Any person who is a certificated driver training instructor in a high school driver training program may give driver training instruction to persons over the age of 18 without acquiring a driver training school license or instructor's license, and such instructors may make a charge for that instruction, if there is no private commercial driver training school licensed under this statute within 10 miles of the municipality where such instruction is given and there is no adult drivers training program in effect in the schools of the school district in which the trainee resides."

Delete the title and insert:

"A bill for an act relating to drivers' licenses; allowing parents to provide home-school instruction to children in classroom component of driver education; amending Minnesota Statutes 1998, sections 171.05, subdivision 2; and 171.39."

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

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

**S.F. No. 916:** A bill for an act relating to local government; establishing the Cedar lake area water and sanitary sewer district.

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

Page 1, line 11, delete "including" and insert "which includes the area within"

Page 1, line 12, delete everything after "county" and insert a period

Page 1, delete line 13 and insert "The district shall precisely describe the area over which it has jurisdiction by a metes and bounds description in the comprehensive plan adopted pursuant to section 5. The territory may not be larger than the area encompassed by the Cedar Lake improvement district, but it may be smaller and the area may include a route along public rights-of-way from Cedar Lake to the city of New Prague along which the sewer main is laid."

Page 3, lines 25 and 26, delete "one resident" and insert "two residents"

Page 3, line 29, delete "One member" and insert "Two members"

Page 3, line 30, delete everything after the period

Page 3, delete line 31

Page 3, line 32, delete everything before "Each"

Page 4, line 34, delete "must" and insert "may"

Page 7, delete lines 22 to 36

Page 8, delete lines 1 to 3

Page 8, line 4, delete "5" and insert "4"

Page 8, line 18, delete "6" and insert "5"

Page 8, line 22, delete "7" and insert "6"

Page 8, line 28, delete "8" and insert "7"

Page 9, line 3, delete "9" and insert "8"

Page 9, line 35, delete "10" and insert "9"

Page 10, line 9, delete "11" and insert "10"

Page 10, line 21, delete "12" and insert "11"

Page 11, line 9, after the period, insert "All comprehensive plans of the district shall be subject to the planning and zoning authority of Scott county and in conformance with all planning and zoning ordinances of Scott county."

Page 11, line 15, after the period, insert "In no case shall the comprehensive plan provide for more than 325 connections to the disposal system. All connections must be charged a full assessment. Connections made after the initial assessment period ends must be charged an amount equal to the initial assessment plus an adjustment for inflation and plus any other charges determined to be reasonable and necessary by the board. Deferred assessments may be permitted, as provided for in Minnesota Statutes, chapter 429."

Page 11, line 25, after the period, insert "Each comprehensive plan must be approved by the metropolitan council prior to implementation."

Page 21, line 5, delete everything after the period

Page 21, delete lines 6 to 9

Page 23, line 26, delete everything after the period

Page 23, delete lines 27 to 32

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

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

**H.F. No. 346:** A bill for an act relating to courts; prohibiting certain contracting arrangements for freelance court reporting services; regulating certain services; proposing coding for new law in Minnesota Statutes, chapter 486.

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

Delete everything after the enacting clause and insert:

"Section 1. [486.10] [FREELANCE COURT REPORTERS; DISCLOSURE OF FINANCIAL ARRANGEMENTS.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Court reporting firm" means a business entity that provides services of freelance court reporters.

(c) "Freelance court reporter" means an impartial officer of the court who captures and transcribes verbatim legal proceedings and who may be required to administer oaths to witnesses.

Subd. 2. [DISCLOSURE OF CERTAIN CONTRACTUAL ARRANGEMENTS.] (a) A freelance court reporter shall disclose to all parties present at any court hearing, administrative law proceeding, or similar proceeding in which the court reporter is taking a record, the existence of any direct or indirect contracting relationship between the court reporter or the court reporting firm through which the reporter is providing services, and any party or attorney to the proceeding. This paragraph does not apply to a court reporter working in a courtroom setting as an employee of the court.

(b) A freelance court reporter shall treat all parties to an action equally, providing comparable services to all parties.

(c) A freelance court reporter may not act as an advocate for any party or act partially to any party to an action.

(d) A freelance court reporter shall comply with all state and federal court rules that govern the activities of court reporters.

Subd. 3. [REMEDIES.] Upon the request of a party who did not receive the disclosure required under subdivision 2, paragraph (a), the court or presiding officer may declare that the record for which the reporting services were provided is void in whole or in part and order that the legal proceeding for which the disclosure was not provided be reconducted. Parties who arranged the court reporter's services for that legal proceeding are jointly and severally liable for all costs associated with reconducting the legal proceeding and preparing a new record, including, but not limited to, attorney and witness fees, and freelance court reporter appearance and transcript fees."

Delete the title and insert:

"A bill for an act relating to courts; requiring disclosure of certain contracting arrangements for freelance court reporting services; regulating certain services; proposing coding for new law in Minnesota Statutes, chapter 486."

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

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

**H.F. No. 837** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
837	1205				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 837 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 837 and insert the language after the enacting clause of S.F. No. 1205, the first engrossment; further, delete the title of H.F. No. 837 and insert the title of S.F. No. 1205, the first engrossment.

And when so amended H.F. No. 837 will be identical to S.F. No. 1205, and further recommends that H.F. No. 837 be given its second reading and substituted for S.F. No. 1205, and that the Senate File be indefinitely postponed.

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 551, 421, 972, 921, 1225, 1699, 1188, 1712, 1645, 1325, 283, 510, 1324 and 347 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. Nos. 346 and 837 were read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Samuelson moved that the name of Senator Lourey be added as a co-author to S.F. No. 1387. The motion prevailed.

Senator Runbeck moved that the name of Senator Wiger be added as a co-author to S.F. No. 1415. The motion prevailed.

Senator Wiger moved that the names of Senators Kiscaden and Stevens be added as co-authors to S.F. No. 1546. The motion prevailed.

Senator Solon moved that the names of Senators Johnson, J.B. and Lourey be added as co-authors to S.F. No. 1795. The motion prevailed.

Senator Samuelson moved that the name of Senator Berglin be added as a co-author to S.F. No. 1840. The motion prevailed.

Senator Foley moved that the name of Senator Berglin be added as a co-author to S.F. No. 1863. The motion prevailed.

Senator Johnson, D.J. moved that the name of Senator Solon be added as a co-author to S.F. No. 1889. The motion prevailed.

Senator Flynn moved that S.F. No. 501 be withdrawn from the Committee on Local and Metropolitan Government and returned to its author. The motion prevailed.

Senator Flynn moved that S.F. No. 1143 be withdrawn from the Committee on Local and Metropolitan Government and returned to its author. The motion prevailed.

Senator Kelley, S.P. moved that S.F. No. 1533 be withdrawn from the Committee on Governmental Operations and Veterans and returned to its author. The motion prevailed.

Senator Vickerman moved that S.F. No. 1789 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Taxes. The motion prevailed.

Senator Vickerman moved that S.F. No. 1756 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Senator Kiscaden moved that S.F. No. 1268 be withdrawn from the Committee on Commerce and re-referred to the Committee on Health and Family Security. 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 Scheid, Hanson and Stumpf introduced--**

**S.F. No. 1923:** A bill for an act relating to education; authorizing a planning grant to create an urban agricultural high school; appropriating money; amending Minnesota Statutes 1998, section 41D.02, subdivision 2.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 1924:** A bill for an act relating to corrections; requiring all counties to be charged for the actual costs of confinement of juvenile females at the Minnesota correctional facility-Sauk Centre; amending Minnesota Statutes 1998, section 242.192.

Referred to the Committee on Crime Prevention.

**Senator Price introduced--**

**S.F. No. 1925:** A bill for an act relating to state government; requiring the commissioner of employee relations to conform to consumer protection and benefit mandates; requiring reports; amending Minnesota Statutes 1998, sections 43A.22; 43A.23, subdivisions 1 and 2; and 43A.31, subdivision 2, and by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

**Senator Vickerman introduced--**

**S.F. No. 1926:** A bill for an act relating to agricultural tax relief; creating an offer-in-compromise program; expanding an exemption; amending Minnesota Statutes 1998, sections 270.67, by adding a subdivision; and 290.491.

Referred to the Committee on Taxes.

**Senator Vickerman introduced--**

**S.F. No. 1927:** A bill for an act relating to the city of Jackson; extending the duration of a tax increment financing district.

Referred to the Committee on Local and Metropolitan Government.

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

**S.F. No. 1928:** A bill for an act relating to taxation; exempting certain printing activities from the sales and use tax; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Sams and Hottinger introduced--**

**S.F. No. 1929:** A bill for an act relating to human services; appropriating money for the traumatic brain injury demonstration project.

Referred to the Committee on Health and Family Security.

**Senator Ten Eyck introduced--**

**S.F. No. 1930:** A bill for an act relating to taxation; sales and use; exempting equipment and materials used to make improvements to certain resorts; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

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

**S.F. No. 1931:** A bill for an act relating to education; providing for a grant for the colocation of the program and services of the Minnesota River Valley Education District and Southwest Minnesota Workforce Development Center; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Johnson, J.B.; Frederickson; Vickerman and Dille introduced--**

**S.F. No. 1932:** A bill for an act relating to water; increasing the water implementation tax that may be levied by a county; increasing the amount of the base grant that may be awarded to a county that levies a water implementation tax; appropriating money; amending Minnesota Statutes 1998, section 103B.3369, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

**Senators Frederickson, Vickerman and Dille introduced--**

**S.F. No. 1933:** A bill for an act relating to natural resources; appropriating money to maintain and update the Minnesota land use map.

Referred to the Committee on Environment and Natural Resources.

**Senator Larson introduced--**

**S.F. No. 1934:** A bill for an act relating to state lands; authorizing conveyance of certain surplus state land in Otter Tail county.

Referred to the Committee on Environment and Natural Resources.

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

**S.F. No. 1935:** A bill for an act relating to sales tax; exempting certain machinery and equipment used by ski areas; exempting sales of lift tickets; amending Minnesota Statutes 1998, section 297A.25, by adding subdivisions.

Referred to the Committee on Taxes.

**Senators Sams and Vickerman introduced--**

**S.F. No. 1936:** A bill for an act relating to taxation; providing that municipalities may use the Revenue Recapture Act to collect delinquent payments for ambulance services; amending Minnesota Statutes, section 270A.03, subdivision 2.

Referred to the Committee on Taxes.

**Senator Berglin introduced--**

**S.F. No. 1937:** A bill for an act relating to health; establishing premium growth goals; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62A.65, subdivision 3; 62J.04, subdivision 3, and by adding a subdivision; 62J.301, subdivision 3; 62J.38; and 62L.08, subdivision 8.

Referred to the Committee on Health and Family Security.

**Senators Vickerman and Lesewski introduced--**

**S.F. No. 1938:** A bill for an act relating to energy; providing an incentive for certain small and medium-sized wind energy facilities; appropriating money; amending Minnesota Statutes 1998, section 216C.41, subdivisions 1 and 5.

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

**Senator Betzold introduced--**

**S.F. No. 1939:** A bill for an act relating to crime prevention; defining "day" for purposes of incarceration in a jail or workhouse; amending Minnesota Statutes 1998, section 609.105, by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Senators Betzold and Scheid introduced--**

**S.F. No. 1940:** A bill for an act relating to highways; requiring commissioner of transportation to conduct feasibility, cost, and safety study regarding an overpass; appropriating money.

Referred to the Committee on Transportation.

**Senators Frederickson, Metzen and Price introduced--**

**S.F. No. 1941:** A bill for an act relating to governmental operations; clarifying that the government training service is not subject to the solicitation process in Minnesota Statutes, chapter 16C; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations and Veterans.

**Senator Larson introduced--**

**S.F. No. 1942:** A bill for an act relating to taxes; sales and use taxes; exempting the purchases of materials and supplies used in construction of a community center in Fergus Falls; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Vickerman introduced--**

**S.F. No. 1943:** A bill for an act relating to education; appropriating money to independent school district No. 505, Fulda, to supplement its operating capital fund.

Referred to the Committee on Children, Families and Learning.

**Senator Vickerman introduced--**

**S.F. No. 1944:** A bill for an act relating to education funding; making permanent the telecommunications access grant program; providing funding for additional telecommunications access grants; appropriating money; amending Laws 1997, First Special Session chapter 4, article 9, section 13.

Referred to the Committee on Children, Families and Learning.

**Senator Spear introduced--**

**S.F. No. 1945:** A bill for an act relating to education; appropriating money for a grant program for violence prevention through the development of plays, workshops, and educational resources.

Referred to the Committee on Children, Families and Learning.

**Senator Terwilliger introduced--**

**S.F. No. 1946:** A bill for an act relating to state employment; modifying definitions; redesigning administrative procedures for certain pilot projects; amending Minnesota Statutes 1998, sections 43A.02, subdivision 11; 43A.04, subdivision 4; 43A.07, subdivision 6; and 43A.08, subdivision 2a; repealing Laws 1995, chapter 248, article 13, section 2, subdivision 8.

Referred to the Committee on Governmental Operations and Veterans.

**Senator Terwilliger introduced--**

**S.F. No. 1947:** A bill for an act relating to child support; establishing a child support mediation pilot program; requiring an evaluation; appropriating money.

Referred to the Committee on Judiciary.

**Senator Junge introduced--**

**S.F. No. 1948:** A bill for an act relating to higher education; directing the regent candidate advisory council to change its recommendation process; amending Minnesota Statutes 1998, section 137.0245, subdivision 4.

Referred to the Committee on Children, Families and Learning.

**Senator Wiger introduced--**

**S.F. No. 1949:** A bill for an act relating to taxation; individual income; exempting damages awards from taxation; amending Minnesota Statutes 1998, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

**Senator Sams introduced--**

**S.F. No. 1950:** A bill for an act relating to state lands; authorizing public and private sale of certain tax-forfeited land that borders public water in Wadena county.

Referred to the Committee on Environment and Natural Resources.

**Senator Terwilliger introduced--**

**S.F. No. 1951:** A bill for an act relating to children; appropriating money to support the Kids Capacity Initiative; requiring a report.

Referred to the Committee on Children, Families and Learning.

**Senator Berg introduced--**

**S.F. No. 1952:** A bill for an act relating to peace officers; clarifying warrant authority of alcohol and gambling agents; amending Minnesota Statutes 1998, section 626.11.

Referred to the Committee on Crime Prevention.

**Senator Berg introduced--**

**S.F. No. 1953:** A bill for an act relating to natural resources; appropriating money to resurface a recreational trail.

Referred to the Committee on Environment and Natural Resources.

**Senator Berg introduced--**

**S.F. No. 1954:** A bill for an act relating to highways; requiring commissioner of transportation to reconstruct segments of marked trunk highways No. 7 and No. 212 as super-2 highways.

Referred to the Committee on Transportation.

**Senator Dille introduced--**

**S.F. No. 1955:** A bill for an act relating to marriage; providing for covenant marriages;

amending Minnesota Statutes 1998, sections 517.08, subdivision 1a, and by adding a subdivision; and 517.10; proposing coding for new law in Minnesota Statutes, chapters 517; and 518.

Referred to the Committee on Judiciary.

**Senator Dille introduced--**

**S.F. No. 1956:** A bill for an act relating to state lands; authorizing private sale of certain surplus state land in Wright county.

Referred to the Committee on Environment and Natural Resources.

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

**S.F. No. 1957:** A bill for an act relating to retirement; teachers retirement association; authorizing certain former teachers to purchase service credit for periods of employment by the Lydia special education co-op.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Lesewski, Janezich, Robling, Terwilliger and Foley introduced--**

**S.F. No. 1958:** A bill for an act relating to child care; funding child care resource and referral programs and child care development grants; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Piper; Johnson, D.J.; Hottinger and Terwilliger introduced--**

**S.F. No. 1959:** A bill for an act relating to income taxes; allowing a credit for children; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senator Lourey introduced--**

**S.F. No. 1960:** A bill for an act relating to education; permitting independent school district No. 704, Proctor, to include safety improvements to an ice arena in its health and safety program.

Referred to the Committee on Children, Families and Learning.

**Senator Lourey introduced--**

**S.F. No. 1961:** A bill for an act relating to natural resources; appropriating money for a snowmobile trail.

Referred to the Committee on Environment and Natural Resources.

**Senator Pappas introduced--**

**S.F. No. 1962:** A bill for an act relating to education; enhancing teacher preparation; fostering first year teacher induction programs; supporting teacher of color programs; encouraging teachers to participate in the national board for professional teaching standards certification process; appropriating money; amending Laws 1997, First Special Session chapter 4, article 5, section 22; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Children, Families and Learning.

**Senator Ourada introduced--**

**S.F. No. 1963:** A bill for an act relating to education funding; authorizing a technology grant for independent school district No. 882, Monticello; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senator Olson introduced--**

**S.F. No. 1964:** A bill for an act relating to child care; exempting licensed family providers from certain voluntary standards; establishing permanent age groups for family day care; establishing a rule advisory group; amending Minnesota Statutes 1998, section 119B.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Laws 1997, chapter 248, section 46, as amended.

Referred to the Committee on Health and Family Security.

**Senators Langseth and Stumpf introduced--**

**S.F. No. 1965:** A bill for an act relating to education; increasing distance factor for sparsity revenue; amending Minnesota Statutes 1998, section 126C.10, subdivision 6.

Referred to the Committee on Children, Families and Learning.

**Senator Sams introduced--**

**S.F. No. 1966:** A bill for an act relating to health; making certain health-related data nondisclosable; extending expiration date of the medical education and research advisory committee; modifying classification of certain licensing data; modifying maternal and child health provisions; removing expiration date for advisory council on water supply systems and wastewater treatment facilities; modifying provisions for speech-language pathologists, audiologists, unlicensed mental health practitioners, alcohol and drug counselors, and hearing instrument dispensers; clarifying certain crimes committed by psychotherapists; establishing protocol for occupational exposure to bloodborne pathogens in certain settings; modifying the Minnesota Health Care Administrative Simplification Act; providing criminal penalties; amending Minnesota Statutes 1998, sections 13.41, subdivision 2; 13.99, subdivision 38, and by adding a subdivision; 15.059, subdivision 5a; 62J.51, by adding subdivisions; 62J.52, subdivisions 1, 2, and 5; 62J.60, subdivision 1; 62J.69, subdivision 2; 72A.20, subdivision 29; 115.741, subdivision 3; 144.4804, by adding a subdivision; 145.881, subdivision 2; 145.882, subdivision 7, and by adding a subdivision; 145.885, subdivision 2; 148.511; 148.515, subdivision 3; 148.517, by adding a subdivision; 148B.60, subdivision 3; 148B.68, subdivision 1; 148B.69, by adding a subdivision; 148B.71, subdivision 1; 148C.01, subdivisions 2, 7, 9, 10, and by adding a subdivision; 148C.03, subdivision 1; 148C.04, by adding subdivisions; 148C.06, subdivision 1; 148C.09, subdivisions 1 and 1a; 148C.11, subdivision 1; 153A.13, subdivision 9, and by adding subdivisions; 153A.14, subdivisions 1, 2a, 2h, 4, 4a, and by adding subdivisions; 153A.15, subdivision 1; 214.18, subdivision 5, and by adding a subdivision; 214.19, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; and 611A.19, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapters 13; 62J; 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; 144.7691; 145.882, subdivisions 3 and 4; and 148C.04, subdivision 5.

Referred to the Committee on Health and Family Security.

**Senator Knutson introduced--**

**S.F. No. 1967:** A bill for an act relating to education; authorizing funding for establishing a voluntary accreditation program to assist school districts in providing optimal educational support services; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senator Hottinger introduced--**

**S.F. No. 1968:** A bill for an act relating to elections; requiring a polling place on every college campus with 500 or more students enrolled; amending Minnesota Statutes 1998, section 204B.16, subdivision 1.

Referred to the Committee on Election Laws.

**Senators Novak, Janezich, Anderson, Murphy and Frederickson introduced--**

**S.F. No. 1969:** A bill for an act relating to the housing finance agency; appropriating money.

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

**Senators Ranum, Higgins, Spear and Flynn introduced--**

**S.F. No. 1970:** A bill for an act relating to education; increasing the funding available for staff development to aid in the implementation of the graduation rule; appropriating money; amending Minnesota Statutes 1998, section 120B.05.

Referred to the Committee on Children, Families and Learning.

**Senators Hanson and Foley introduced--**

**S.F. No. 1971:** A bill for an act relating to natural resources; modifying an appropriation to Anoka county for trails; amending Laws 1998, chapter 404, section 7, subdivision 23.

Referred to the Committee on Environment and Natural Resources.

**Senators Hanson and Foley introduced--**

**S.F. No. 1972:** A bill for an act relating to capital improvements; authorizing bonds and appropriating money to remove and replace exterior brick veneer on a portion of the Anoka county courthouse.

Referred to the Committee on Crime Prevention.

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

**S.F. No. 1973:** A bill for an act relating to taxation; requiring a study of the taxation of property used for agricultural purposes and open space property; providing appointments.

Referred to the Committee on Local and Metropolitan Government.

**Senator Murphy introduced--**

**S.F. No. 1974:** A bill for an act relating to capital improvements; authorizing the issuance of bonds to refurbish the LeDuc mansion in Hastings; appropriating money.

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

**MEMBERS EXCUSED**

Senator Pogemiller was excused from the Session of today.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 8:30 a.m., Thursday, March 18, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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