

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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THIRTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 25, 1999

The Senate met at 8:00 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. Lonnie Titus.

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	Pariseau	Spear
Betzold	Johnson, D.H.	Lesewski	Piper	Stevens
Cohen	Johnson, D.J.	Limmer	Pogemiller	Stumpf
Day	Johnson, J.B.	Lourey	Price	Ten Eyck
Dille	Junge	Marty	Ranum	Terwilliger
Fischbach	Kelly, S.P.	Metzen	Robertson	Vickerman
Flynn	Kelly, R.C.	Moe, R.D.	Robling	Wiener
Foley	Kiscaden	Murphy	Runbeck	Wiger
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.

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1421 and 1714.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 24, 1999

## FIRST READING OF HOUSE BILLS

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

**H.F. No. 1421:** A bill for an act relating to professions; modifying temporary permit requirements for podiatrists; amending Minnesota Statutes 1998, sections 153.16, subdivision 3; and 153.17, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1239.

**H.F. No. 1714:** A bill for an act relating to occupations and professions; allowing the board of pharmacy to grant waivers to pharmacists regarding the ratio of pharmacists to pharmacy technicians; amending Minnesota Statutes 1998, section 151.102.

Referred to the Committee on Health and Family Security.

### REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 1269. The motion prevailed.

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

**S.F. No. 1651:** A bill for an act relating to health; modifying well notification fees; modifying definitions; modifying terms of the advisory council on water supply systems and wastewater treatment facilities; modifying provisions for grants to rural hospitals and community health centers; modifying student loan repayment provisions for health professionals; amending Minnesota Statutes 1998, sections 103I.208, subdivision 1; 115.71, subdivisions 9a and 10; 115.741, subdivisions 1 and 2; 144.147, subdivisions 2, 3, 4, and 5; 144.1484, subdivision 1; 144.1486, subdivisions 3, 4, and 8; 144.1488, subdivisions 1, 3, and 4; 144.1489, subdivisions 2 and 4; 144.1490, subdivision 2; 144.1494, subdivisions 2, 3, 5, and by adding a subdivision; 144.1495, subdivisions 3, 4, and by adding a subdivision; 144.1496, subdivisions 2 and 5; and 144.382, subdivision 4.

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

Pages 2 and 3, delete sections 2 to 5

Page 17, delete section 23

Page 18, delete section 26

Page 19, delete section 29

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 9, delete everything after the semicolon

Page 1, line 10, delete everything before "144.147"

Page 1, line 15, delete everything before the semicolon and insert "3, and 5"

Page 1, line 16, delete everything after "3" and insert "and 4; and"

Page 1, line 17, delete everything after "5" and insert a period

Page 1, delete line 18

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

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

**S.F. No. 23:** A bill for an act relating to family law; repealing the administrative process for support orders; establishing a child support magistrate system; appropriating money; amending

Minnesota Statutes 1998, sections 357.021, subdivision 1a; 484.70, subdivision 1; 518.54, by adding a subdivision; 518.551, subdivisions 9, 12, 13, and 14; 518.575, subdivision 1; 518.616, subdivision 1; and 552.05, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 484; and 518; repealing Minnesota Statutes 1998, sections 518.5511; and 518.5512.

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

Page 2, line 6, delete "establish parentage;"

Page 2, after line 33, insert:

"(f) For purposes of this section, "IV-D case" has the meaning given in section 518.54."

Page 3, line 3, delete everything after after "hearings" and insert "and the state court administrator may enter into contracts to"

Page 3, line 5, after "magistrates" insert "and for administrative and case management support"

Page 5, line 4, delete "and negotiate settlements"

Page 9, delete section 8 and insert:

"Sec. 8. Laws 1998, chapter 338, section 8, is amended to read:

Sec. 8. [EVALUATION AND RECOMMENDATIONS.]

The commissioner of human services, in consultation with the commissioner's advisory committee for child support enforcement and the supreme court, shall evaluate the extent to which the administrative process has met the legislative mandate to develop and implement an administrative process that is simple, streamlined, informal, uniform throughout the state, and accessible to parties without counsel expedited process. The evaluation shall determine the extent to which the expedited process meets the goals set forth in Minnesota Statutes, section 484.702, and the level of satisfaction with the expedited process reported by parents who have participated in the process. Results shall be reported, to the extent possible, statewide, by county and by judicial district. The commissioner shall present recommendations for further progress towards these mandates the legislative goals. The evaluation and recommendations shall be presented to the legislature by December 15, 1999 2000."

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

Page 1, line 9, after the second semicolon, insert "Laws 1998, chapter 338, section 8;"

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

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

**S.F. No. 1584:** A bill for an act relating to human services; making changes to deaf and hard-of-hearing services division; modifying interpreter services; amending Minnesota Statutes 1998, sections 237.51, subdivision 5a; 256C.233, subdivisions 1 and 2; and 256C.25.

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

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

**S.F. No. 1391:** A bill for an act relating to occupations and professions; modifying practical examination requirements for chiropractors licensed in other states; amending Minnesota Statutes 1998, section 148.06, subdivision 1.

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

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

**S.F. No. 1239:** A bill for an act relating to professions; modifying temporary permit requirements for podiatrists; amending Minnesota Statutes 1998, sections 153.16, subdivision 3; and 153.17, subdivision 2.

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

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

**H.F. No. 60:** A bill for an act relating to health; allowing reimbursement for supplemental private duty nursing services provided by spouses of recipients under the community alternative care home and community-based waived services program; amending Minnesota Statutes 1998, section 256B.49, by adding a subdivision.

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

Page 2, lines 13 and 14, delete "Minnesota Rules, part 4668.0020" and insert "section 245A.04"

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. 470:** A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

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

Page 1, line 13, reinstate the stricken language

Page 1, delete line 14 and insert "the maximum lifetime benefit on these plans shall be \$2,000,000 \$2,500,000,"

Page 1, lines 16 to 19, delete the new language

Amend the title as follows:

Page 1, line 2, delete "prohibiting a" and insert "increasing the"

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. 1423:** A bill for an act relating to commerce; regulating rental-purchase agreements; modifying the definitions of certain terms; providing for the calculation of the cash price of property; limiting charges for cost-of-lease services; amending Minnesota Statutes 1998, sections 325F.84, subdivision 3, and by adding a subdivision; 325F.85; 325F.86; and 325F.91, by adding subdivisions.

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

Page 2, line 6, delete "official fees,"

Page 2, line 7, delete "not listed in this subdivision" and insert "required by law"

Page 3, line 5, delete "or any other charges," and insert "taxes, or other fees required by law,"

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. 1269:** A bill for an act relating to health; providing for disposition of tobacco settlement money; establishing the Minnesota families foundation; creating health-related endowment funds; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 10; 16A; 137; 144; and 145.

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

Delete everything after the enacting clause and insert:

"Section 1. [10.57] [MINNESOTA FAMILIES FOUNDATION.]

Subdivision 1. [ESTABLISHMENT.] The legislature finds that the Minnesota families foundation will foster a public-private partnership that will provide improved services to clients, a more effective coordination of services, and a more efficient allocation of resources. The Minnesota families foundation is a nonprofit foundation established to support self-sufficiency and reduce long-term dependency on government. The foundation shall operate as a supporting organization under the Internal Revenue Code, section 509(a), and chapter 317A. The foundation is not subject to chapters 13, 14, 16A, 16B, 16C, 43A, and 179A.

Subd. 2. [BOARD MEMBERSHIP.] The foundation shall be governed by a 15-member board of directors consisting of:

(1) four members, who are not state employees, appointed by the governor;

(2) four members, who are not members of the legislature, two of whom are appointed by the senate and two of whom are appointed by the house of representatives; and

(3) seven members appointed by the board itself.

Subd. 3. [TERMS; COMPENSATION; REMOVAL.] (a) Board members appointed by the governor and the legislature shall serve during the term of the appointing authority. The governor and the legislature shall make initial appointments of board members, as specified in subdivision 2, as soon as possible after the effective date of this section. Initially appointed board members' terms shall begin on July 1, 1999. Two of the governor's initial appointments shall be for two-year terms. Subsequent appointments shall be made at the beginning of each regular session of the legislature. The board members appointed by the governor and the legislature shall appoint seven board members no later than January 1, 2000. Board members appointed by the board shall serve four-year terms. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(b) Board members shall be reimbursed for reasonable out-of-pocket expenses actually incurred.

(c) Board members must disclose fully to the board of directors whenever they may have a conflict of interest within the meaning of section 317A.255, subdivision 2. Liability of board members shall be governed by section 317A.257.

Subd. 4. [ORGANIZATION.] The board of directors shall adopt bylaws necessary for the conduct of the business of the foundation. The board shall select a chairperson from its members, and any other officers the board deems necessary. Board meetings shall be open to the public, and all grants, contracts, and meeting minutes of the foundation shall be available to the public.

Subd. 5. [EXECUTIVE DIRECTOR; EMPLOYEES OF THE FOUNDATION.] (a) The board members appointed by the governor and the legislature shall convene prior to January 1, 2000, and hire an executive director. The executive director shall serve at the pleasure of the board of directors. The executive director shall serve as a nonvoting member of the board. The executive director's compensation shall be capped at 95 percent of the governor's salary.

(b) The executive director shall oversee the daily operations of the foundation, including the hiring of necessary staff. Employees of the foundation are not state employees.

(c) The executive director shall prepare an annual budget for the foundation for review and approval by the board of directors.

(d) To the extent that the board of directors makes funds available, the department of finance shall provide administrative support to the foundation until June 30, 2000, including but not limited to processing of payroll for the executive director and foundation staff, payment of expenses to board members, and payment of rent. The board of directors shall make up to \$200,000 available to the department of finance to cover payroll, expenses of board members, rent, and other administrative expenses incurred to support the foundation in fiscal year 2000.

Subd. 6. [FOUNDATION FUNDS.] (a) The board of directors shall be responsible for managing the investment of the foundation funds as follows:

(1) all foundation fund assets, including income and appreciation, shall be placed in a separate account;

(2) the foundation funds shall be audited annually by an independent auditor;

(3) the foundation funds shall be invested and managed according to rules applicable to trust investments, as provided in the Minnesota Prudent Investor Act, sections 501B.151 and 501B.152;

(4) reasonable and necessary administrative and investment expenses directly associated with the management and investment of the foundation funds may be recovered from the foundation; and

(5) according to limits established by the board and consistent with the limitations in the Uniform Management of Institutional Funds Act, sections 309.62 to 309.71, earnings on foundation funds shall be expended to cover administrative expenses of the foundation and grant awards under subdivision 7.

(b) The foundation may accept gifts from private donors. Such gifts to the foundation must be accounted for and expended in a manner consistent with this section.

Subd. 7. [FOUNDATION GRANTS.] (a) Beginning in July 2000, the foundation shall provide grants to nonprofit, community-based organizations for activities that:

(1) are flexible and innovative and that close the gap between dependence on government and independence from government programs;

(2) support the efforts of working families and working individuals to remain self-sufficient by building assets that promote family stability;

(3) will ensure that core public sector efforts to encourage self-sufficiency have every opportunity to succeed;

(4) focus resources in a way that can demonstrate impact on a single goal or a single set of goals; and

(5) have demonstrated success in reducing future government expenditures.

(b) All grantees must match funds received from the foundation, dollar for dollar. The match may include up to 25 percent in-kind. The match cannot be made with federal, state, or local government funds.

Subd. 8. [REPORTS TO THE LEGISLATURE.] (a) The foundation shall biennially report to the governor and the legislature on January 15th of each odd-numbered year. The report must include:

- (1) a financial report that details the foundation's earnings;
- (2) an expense report detailing the amounts and purposes for which funds were expended;
- (3) a list of grant awards; and
- (4) a copy of the independent audit reports for the two previous years.

(b) The initial report of the foundation shall include a copy of the foundation's mission statement, bylaws, and policies adopted by the board of directors.

Subd. 9. [DISSOLUTION OF THE FOUNDATION.] On June 30, 2009, the foundation shall sunset and all remaining foundation funds shall be returned to the tobacco settlement fund. If the legal status of the foundation or the foundation funds are successfully challenged in state or federal court, the foundation is automatically dissolved and the funds appropriated to the foundation, along with any unspent earnings, revert to the tobacco settlement fund.

Sec. 2. [16A.86] [TOBACCO SETTLEMENT FUND.]

Subdivision 1. [ESTABLISHMENT; PURPOSE.] The tobacco settlement fund is established and dedicated for the purposes of sections 10.57, 137.44, 144.1461, 144.395, and 145.076.

Subd. 2. [DEPOSIT OF MONEY.] The commissioner shall deposit all settlement payments received after July 1, 1998, as defined in section IIB of the settlement document filed in State v. Philip Morris Inc., No. C1-94-8565 (Minnesota District Court, Second Judicial District), in the tobacco settlement fund. All other payments to the state resulting from the specified litigation shall be deposited in the general fund.

Sec. 3. [137.44] [HEALTH PROFESSIONAL EDUCATION AND MEDICAL RESEARCH ENDOWMENT FUND.]

Subdivision 1. [CONDITION; APPROPRIATION.] If the board of regents accepts the appropriation under this subdivision, it shall comply with this section. \$350,000,000 is appropriated from the tobacco settlement fund to the board of regents for the health professional education and medical research endowment fund.

Subd. 2. [ESTABLISHMENT; PURPOSE; ADMINISTRATION.] The board of regents shall establish the health professional education and medical research endowment fund solely to support health professional education programs at the university academic health center and medical research at the university and the Mayo foundation. The board of regents shall administer the fund. All earnings including income and appreciation of the endowment fund must be credited to the fund.

Subd. 3. [INVESTMENT MANAGEMENT.] (a) The board of regents shall transfer the endowment fund money to the Minnesota medical foundation, which shall be responsible for managing the investment of the endowment fund according to this section.

(b) The Minnesota medical foundation shall manage the investment of the endowment fund as follows:

- (1) all endowment fund assets including income and appreciation shall be placed in a separate account;
- (2) the endowment fund shall be audited annually by an independent auditor;
- (3) the endowment fund shall be invested and managed according to rules applicable to trust investments as provided in the Minnesota Prudent Investor Act, sections 501B.151 and 501B.152;

(4) reasonable and necessary administrative and investment expenses directly associated with the management and investment of the endowment fund may be recovered from the endowment fund; and

(5) the Minnesota medical foundation shall transfer assets from the endowment fund for purposes consistent with this section as directed by the board of regents, including the return of the entire balance in the endowment fund on July 1, 2009, to the board of regents.

(c) The board of regents shall in its discretion establish an annual appropriation from the endowment fund, not to exceed five percent of the fair market value of all assets held in the endowment fund as of the first day of the calendar year.

(d) The amount of the annual appropriation determined in paragraph (c) shall be distributed as directed by the board of regents for the purposes of the endowment fund according to subdivision 2.

Subd. 4. [ADVISORY BOARD.] (a) The board of regents shall appoint an advisory board to consult with the senior vice-president for health sciences in making budget recommendations regarding the annual appropriation from the endowment fund.

(b) The advisory board shall consist of seven members, one of which shall be the commissioner of health. The other members shall be Minnesota residents, selected in equal number to represent the interests of health care consumers and providers.

Subd. 5. [BUDGETING ANNUAL APPROPRIATION.] (a) The board of regents shall adopt an annual budget for the use of the annual appropriation from the endowment fund. In each year, funds shall be specifically budgeted for the instructional costs of health professional education programs at the university academic health center and its affiliated teaching hospitals and for medical research at the University of Minnesota and its affiliated teaching hospitals and the Mayo foundation.

(b) Seventy-five percent of the annual appropriation from the endowment fund shall be budgeted for the instructional costs of health professional education programs of the university academic health center and its affiliated teaching hospitals.

(c) 8.33 percent of the annual appropriation from the endowment fund shall be budgeted for medical research costs at the university and its affiliated teaching hospitals and is available only if matched dollar for dollar by nonstate funds.

(d) 8.33 percent of the annual appropriation from the endowment fund shall be transferred annually by the board of regents to the Mayo foundation for medical research costs and is available only if matched dollar for dollar by nonstate funds.

(e) 8.34 percent of the annual appropriation from the endowment fund shall be budgeted by the board of regents for the purpose of collaborative medical research between the university and its affiliated teaching hospitals and the Mayo foundation and is available only if matched dollar for dollar with nonstate funds. Notwithstanding the provisions of subdivision 4, paragraph (a), the board of regents and the Mayo foundation shall jointly establish a collaborative medical research committee to evaluate and select collaborative research projects and award funds specifically budgeted for collaborative medical research projects. The collaborative medical research committee shall consist of five members, one of whom shall be the commissioner of health. The board of regents and the Mayo foundation shall each appoint two members to the committee.

Subd. 6. [ANNUAL REPORT.] (a) The board of regents in consultation with the Mayo foundation shall annually prepare a report detailing how the annual appropriation is budgeted and the amounts and purposes for which it is expended.

(b) The board of regents shall include the following in the biennial budget document submitted to the governor and legislature:

(1) endowment fund annual reports for the two most recent fiscal years completed; and

(2) a discussion of forecasted endowment fund income and planned expenditures for the coming biennium.

Subd. 7. [SUNSET.] The endowment fund expires July 1, 2009, at which time the board of regents shall return to the tobacco settlement fund the balance in the endowment fund on July 1, 2009.

Sec. 4. [144.1461] [MEDICAL EDUCATION AND RESEARCH COSTS ENDOWMENT.]

Subdivision 1. [ESTABLISHMENT; PURPOSE.] The medical education and research costs endowment fund is established as a nonexpendable trust fund to support medical education and research activities throughout the state. The commissioner of health shall administer the fund. All earnings of the endowment must be credited to the fund.

Subd. 2. [APPROPRIATION.] Beginning in fiscal year 2000, the accrued earnings of the medical education and research costs endowment fund, not to exceed \$5,000,000, is annually appropriated to the commissioner of health for distribution according to section 62J.69.

Subd. 3. [REVIEW.] The purpose of the endowment fund shall be reviewed in the governor's budget each biennium.

Sec. 5. [144.395] [TOBACCO PREVENTION ENDOWMENT FUND.]

Subdivision 1. [CREATION.] The tobacco prevention endowment fund is established as a nonexpendable trust fund for the purpose of reducing the human and economic consequences of tobacco use through tobacco prevention measures. The commissioner of health shall administer the fund. All earnings of the fund must be credited to the fund.

Subd. 2. [APPROPRIATION OF EARNINGS.] The accrued earnings of the tobacco prevention endowment fund, not to exceed five percent of the account balance, is annually appropriated to the commissioner of health who shall allocate the amount to the Minnesota partnership for action against tobacco. Minnesota partnership for action against tobacco shall use the amounts received for tobacco use prevention measures.

Subd. 3. [AUDITS REQUIRED.] The legislative auditor shall audit endowment fund expenditures to ensure that the money is spent for tobacco prevention measures.

Subd. 4. [REPORT.] On January 15, 2001, and annually thereafter, the Minnesota partnership for action against tobacco must submit a report to the legislature on the prevention measures and initiatives that have been undertaken during the preceding year.

Subd. 5. [SUNSET.] The tobacco prevention endowment fund expires on June 30, 2015. Upon expiration, the commissioner of finance shall transfer the principal and any remaining interest to the general fund.

Sec. 6. [TRANSFER OF MONEY.]

(a) The commissioner of finance shall transfer \$..... from the tobacco settlement fund to the medical education and research costs endowment fund.

(b) The commissioner of finance shall transfer \$..... from the tobacco settlement fund to the local public health endowment fund in fiscal year 2001; \$..... in fiscal year 2002; and \$..... in fiscal year 2003.

(c) The commissioner of finance shall transfer \$..... from the tobacco settlement fund to the tobacco prevention endowment fund.

Sec. 7. [APPROPRIATION.]

(a) The appropriations in clauses (1) to (3) are made to the commissioner of finance for the Minnesota families foundation from the tobacco settlement fund:

- (1) \$..... is appropriated in fiscal year 2000;  
 (2) \$..... is appropriated in fiscal year 2001; and  
 (3) \$..... is appropriated in fiscal year 2002.

(b) The commissioner shall transfer the appropriated funds to the Minnesota families foundation when the board of directors establishes an account, as required in Minnesota Statutes, section 10.57, subdivision 6.

Sec. 8. [EFFECTIVE DATES.]

Sections 1 and 2 are effective the day following final enactment. Sections 3 to 7 are effective July 1, 1999."

Amend the title as follows:

Page 1, line 6, delete "144;" and insert "and 144."

Page 1, delete line 7

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 651:** A bill for an act relating to the environment; conforming state requirements for water supply and wastewater treatment operator certification to federal requirements; removing the expiration date of an advisory council; removing obsolete references; amending Minnesota Statutes 1998, sections 115.71, subdivisions 9a and 10; and 115.741, subdivisions 1, 2, and 3.

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

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

**H.F. No. 1126** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1126	862		

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 1258** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.          S.F. No.

**CONSENT CALENDAR**H.F. No.          S.F. No.  
1258                      487**CALENDAR**

H.F. No.          S.F. No.

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 1565** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.          S.F. No.

**CONSENT CALENDAR**H.F. No.          S.F. No.  
1565                      1677**CALENDAR**

H.F. No.          S.F. No.

and that the above Senate File be indefinitely postponed.

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1651, 1584, 1391, 1239, 470 and 1423 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 60, 1565, 1258 and 1126 were read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Belanger moved that the name of Senator Wiger be added as a co-author to S.F. No. 1403. The motion prevailed.

Senator Robertson moved that H.F. No. 645 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 Piper moved that H.F. No. 1216 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. 1391, now on the Consent Calendar. The motion prevailed.

**CONFERENCE COMMITTEE EXCUSED**

Pursuant to Rule 21, Senator Hanson moved that the following members be excused for a Conference Committee on H.F. No. 414 at 8:00 to 9:20 a.m.:

Senators Hanson, Stumpf and Dille. The motion prevailed.

### CALENDAR

**H.F. No. 640:** A bill for an act relating to mental health; modifying membership, duties, and reporting requirements for the state advisory council on mental health; amending Minnesota Statutes 1998, section 245.697.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 50:** A bill for an act relating to the county of Goodhue; allowing a 1998 levy limit adjustment for certain payments in lieu of tax.

Senator Murphy moved that H.F. No. 50, No. 2 on the Calendar, be stricken and placed on General Orders. The motion prevailed.

### CONSENT CALENDAR

**H.F. No. 1305:** A bill for an act relating to highways; requiring commissioner of transportation to transfer excess highway easements to city of Kenyon.

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1463:** A bill for an act relating to townships; authorizing creation of a capital reserve fund; amending Minnesota Statutes 1998, section 365.10, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1660:** A bill for an act relating to the board of government innovation and cooperation; extending exemptions from enforcement of law granted by the board during calendar years 1996 and 1998; amending Minnesota Statutes 1998, section 465.797, subdivision 5a.

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

So the bill passed and its title was agreed to.

**S.F. No. 1017:** A bill for an act relating to civil actions; requiring the summons to include notice of the alternative dispute resolution process; amending Minnesota Statutes 1998, section 518.091; proposing coding for new law in Minnesota Statutes, chapter 543.

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	Day	Hottinger	Junge	Krentz
Belanger	Fischbach	Janezich	Kelley, S.P.	Laidig
Berg	Flynn	Johnson, D.E.	Kelly, R.C.	Langseth
Berglin	Foley	Johnson, D.H.	Kiscaden	Larson
Betzold	Frederickson	Johnson, D.J.	Kleis	Lesewski
Cohen	Higgins	Johnson, J.B.	Knutson	Limmer

Lourey	Novak	Price	Samuelson	Ten Eyck
Marty	Oliver	Ranum	Scheevel	Terwilliger
Metzen	Olson	Robertson	Scheid	Vickerman
Moe, R.D.	Ourada	Robling	Solon	Wiener
Murphy	Pariseau	Runbeck	Spear	Wiger
Neuville	Piper	Sams	Stevens	

So the bill passed and its title was agreed to.

**S.F. No. 973:** A bill for an act relating to courts; requesting the supreme court to study and make recommendations regarding juror compensation.

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

So the bill passed and its title was agreed to.

**S.F. No. 376:** A bill for an act relating to the Western Lake Superior sanitary district and the Moose Lake-Windemere sanitary sewer district; modifying board members' compensation; amending Minnesota Statutes 1998, section 458D.03, subdivision 9; Laws 1974, chapter 400, section 4, subdivision 9, as amended.

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

So the bill passed and its title was agreed to.

**S.F. No. 1888:** A bill for an act relating to highways; designating Otter Tail Veterans Memorial Drive; amending Minnesota Statutes 1998, section 161.14, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kiscaden	Oliver	Runbeck
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So the bill passed and its title was agreed to.

**S.F. No. 1562:** A bill for an act relating to planning; repealing a firearm report requirement; repealing Minnesota Statutes 1998, section 4A.06.

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 57 and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Laidig	Price
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So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

Senator Moe, R.D. moved that the rules of the Senate be so far suspended as to waive the lie-over requirement, as it relates to H.F. No. 475 on the Consent Calendar. The motion prevailed.

**H.F. No. 475:** A bill for an act relating to local government; providing for reimbursement to officers and employees for costs and legal fees to defend criminal charges in certain cases; amending Minnesota Statutes 1998, section 465.76.

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

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. Nos. 984, 1173, 1330, 891, 1020, 803, 1352, 972, 1188 and H.F. Nos. 183, 413, 492 and 766, which the committee recommends to pass.

S.F. No. 1120, which the committee recommends to pass with the following amendment offered by Senator Wiger:

Page 1, lines 18 and 19, delete "without the consent of the person"

Page 1, after line 21, insert:

"Subd. 3. [EXCEPTION.] This section does not apply to a licensed health care provider who is treating a patient.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1999, and applies to crimes committed on or after that date."

The motion prevailed. So the amendment was adopted.

On motion of Senator Betzold, 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 Messages From the House, First Reading of House Bills, Reports of Committees and Motions and Resolutions.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 99 and 609.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 24, 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. 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.

Senate File No. 333 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 24, 1999

Senator Kelly, R.C. moved that the Senate do not concur in the amendments by the House to S.F. No. 333, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 408, 1003, 627, 1553, 1554, 2067, 420 and 1415.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 24, 1999

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 408:** A bill for an act relating to health; modifying the definition of practice of pharmacy; amending Minnesota Statutes 1998, section 151.01, subdivision 27.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 170.

**H.F. No. 1003:** A bill for an act relating to legislature; prescribing the powers and duties of the legislative audit commission and the legislative auditor; making various technical changes; amending Minnesota Statutes 1998, sections 3.97; 3.971; 3.974; 3.975; 6.74; 10.48; 13.46, subdivision 8; 16A.27, subdivision 2; 37.06; 37.07; 85A.02, subdivision 5c; 89.05; 161.08; 192.551; 352.03, subdivision 6; 353.03, subdivision 3a; 353A.05, subdivision 1; 354.06, subdivision 2a; 360.015, subdivision 19; 574.20; and 609.456; Laws 1990, chapter 535, section 5; repealing Minnesota Statutes 1998, sections 3.973; 116.072, subdivision 12; 469.207, subdivision 1; and 574.02.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 810, now on General Orders.

**H.F. No. 627:** A bill for an act relating to Washington county; changing the length of the terms of housing and redevelopment authority commissioners; amending Laws 1974, chapter 475, section 2, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 616, now on General Orders.

**H.F. No. 1553:** A bill for an act relating to corrections; authorizing offenders conditionally released to perform community work service to file claims for injuries sustained during compensated service; repealing a requirement for a report on training funds; authorizing

expenditure of funds for staff working in licensed juvenile facilities; authorizing deduction from an inmate's account of restitution ordered for damage to staff property and personal injuries to another; authorizing Minnesota correctional facility-Red Wing to retain money collected from detention holds and federal contracts; authorizing the commissioner to require any inmate to participate in rehabilitative programs and impose disciplinary sanctions for refusal to participate; exempting licensed contractor requirement for institution work crew program; clarifying that sentence for imprisonment is only for felonies; making certain criminal justice agency records available to commissioner of corrections and probation officers; specifying criteria for commitment of juvenile male offenders at the Minnesota correctional facility-Red Wing; repealing the law authorizing the mutual agreement rehabilitative program; amending Minnesota Statutes 1998, sections 3.739, subdivision 1; 241.01, subdivision 5; 241.0221, subdivisions 1, 2, and 4; 241.26, subdivision 5; 243.23, subdivision 3; 244.03; 244.05, subdivision 1b; 326.84, subdivision 3; 609.105, subdivision 1; and 609.115, subdivision 3; Laws 1997, chapter 239, article 9, section 45; repealing Minnesota Statutes 1998, section 244.02.

Referred to the Committee on Crime Prevention.

**H.F. No. 1554:** A bill for an act relating to corrections; authorizing the department of corrections to contract with the department of human services to conduct criminal history background checks for job applicants for juvenile corrections facilities; amending Minnesota Statutes 1998, section 241.021, subdivision 6.

Referred to the Committee on Crime Prevention.

**H.F. No. 2067:** A bill for an act relating to juvenile justice; when an extended jurisdiction juvenile offender has stayed sentence executed for violation of stay no credit is granted for time in juvenile facility; amending Minnesota Statutes 1998, section 260.126, subdivision 5.

Referred to the Committee on Crime Prevention.

**H.F. No. 420:** A bill for an act relating to cities; modifying the authority to establish a housing improvement area; amending Minnesota Statutes 1998, sections 428A.11, subdivision 6, and by adding subdivisions; 428A.13, subdivisions 1 and 3; 428A.14, subdivision 1; 428A.15; 428A.16; 428A.17; and 428A.19; repealing Minnesota Statutes 1998, section 428A.21.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 321.

**H.F. No. 1415:** A bill for an act relating to natural resources; providing for gray wolf management; 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.

## REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 75 and 1243. The motion prevailed.

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

**S.F. No. 75:** A bill for an act relating to crimes; lowering per se level for alcohol impairment offenses from 0.10 to 0.08 for hunting, for handling explosives, and for operating a motor vehicle, recreational vehicle, or watercraft; amending Minnesota Statutes 1998, sections 97B.065, subdivision 1; 97B.066, subdivision 1; 169.121, subdivision 1; 169.123, subdivisions 2, 4, 5a, and 6; 192A.555; and 609.21, subdivision 1.

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

Page 9, after line 32, insert:

"Sec. 8. Minnesota Statutes 1998, section 171.20, subdivision 4 is amended to read:

Subd. 4. [REINSTATEMENT FEE.] Before the license is reinstated, a person whose driver's license has been suspended under section 171.16, subdivision 2; 171.18, except subdivision 1, clause (10); or 171.182, or who has been disqualified from holding a commercial driver's license under section 171.165 must pay a fee of \$25 until June 30, 1999, and ~~\$20~~ \$22.50 thereafter. When fees are collected by a county-operated office of deputy registrar, a handling charge is imposed in the amount specified under section 168.33, subdivision 7. The handling charge must be deposited in the treasury of the place for which the deputy registrar was appointed and the reinstatement fee and surcharge must be deposited in an approved state depository as directed under section 168.33, subdivision 2. A suspension may be rescinded without fee for good cause."

Page 10, after line 33, insert:

"Sec. 11. Minnesota Statutes 1998, section 609.21, subdivision 2, is amended to read:

Subd. 2. [RESULTING IN GREAT BODILY HARM.] A person is guilty of criminal vehicular operation resulting in great bodily harm and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person causes great bodily harm to another, not constituting attempted murder or assault, as a result of operating a motor vehicle:

- (1) in a grossly negligent manner;
- (2) in a negligent manner while under the influence of:
  - (i) alcohol;
  - (ii) a controlled substance; or
  - (iii) any combination of those elements;
- (3) while having an alcohol concentration of ~~0-10~~ 0.08 or more;
- (4) while having an alcohol concentration of ~~0-10~~ 0.08 or more, as measured within two hours of the time of driving;
- (5) in a negligent manner while knowingly under the influence of a hazardous substance;
- (6) in a negligent manner while any amount of a controlled substance listed in schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's body; or
- (7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6.

Sec. 12. Minnesota Statutes 1998, section 609.21, subdivision 2a, is amended to read:

Subd. 2a. [RESULTING IN SUBSTANTIAL BODILY HARM.] A person is guilty of criminal vehicular operation resulting in substantial bodily harm and may be sentenced to imprisonment of not more than three years or to payment of a fine of not more than \$10,000, or both, if the person causes substantial bodily harm to another, as a result of operating a motor vehicle;

- (1) in a grossly negligent manner;
- (2) in a negligent manner while under the influence of:
  - (i) alcohol;
  - (ii) a controlled substance; or
  - (iii) any combination of those elements;

- (3) while having an alcohol concentration of ~~0.10~~ 0.08 or more;
- (4) while having an alcohol concentration of ~~0.10~~ 0.08 or more, as measured within two hours of the time of driving;
- (5) in a negligent manner while knowingly under the influence of a hazardous substance;
- (6) in a negligent manner while any amount of a controlled substance listed in schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's body; or
- (7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6.

Sec. 13. Minnesota Statutes 1998, section 609.21, subdivision 2b, is amended to read:

Subd. 2b. [RESULTING IN BODILY HARM.] A person is guilty of criminal vehicular operation resulting in bodily harm and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the person causes bodily harm to another, as a result of operating a motor vehicle:

- (1) in a grossly negligent manner;
- (2) in a negligent manner while under the influence of:
  - (i) alcohol;
  - (ii) a controlled substance; or
  - (iii) any combination of those elements;
- (3) while having an alcohol concentration of ~~0.10~~ 0.08 or more;
- (4) while having an alcohol concentration of ~~0.10~~ 0.08 or more, as measured within two hours of the time of driving;
- (5) in a negligent manner while knowingly under the influence of a hazardous substance;
- (6) in a negligent manner while any amount of a controlled substance listed in schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's body; or
- (7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6.

Sec. 14. Minnesota Statutes 1998, section 609.21, subdivision 3, is amended to read:

Subd. 3. [RESULTING IN DEATH TO AN UNBORN CHILD.] A person is guilty of criminal vehicular operation resulting in death to an unborn child and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the person causes the death of an unborn child as a result of operating a motor vehicle:

- (1) in a grossly negligent manner;
- (2) in a negligent manner while under the influence of:
  - (i) alcohol;
  - (ii) a controlled substance; or
  - (iii) any combination of those elements;
- (3) while having an alcohol concentration of ~~0.10~~ 0.08 or more;
- (4) while having an alcohol concentration of ~~0.10~~ 0.08 or more, as measured within two hours of the time of driving;

- (5) in a negligent manner while knowingly under the influence of a hazardous substance;
- (6) in a negligent manner while any amount of a controlled substance listed in schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's body; or
- (7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6.

A prosecution for or conviction of a crime under this subdivision is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct.

Sec. 15. Minnesota Statutes 1998, section 609.21, subdivision 4, is amended to read:

Subd. 4. [RESULTING IN INJURY TO UNBORN CHILD.] A person is guilty of criminal vehicular operation resulting in injury to an unborn child and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the person causes great bodily harm to an unborn child who is subsequently born alive, as a result of operating a motor vehicle:

- (1) in a grossly negligent manner;
- (2) in a negligent manner while under the influence of:
  - (i) alcohol;
  - (ii) a controlled substance; or
  - (iii) any combination of those elements;
- (3) while having an alcohol concentration of ~~0.10~~ 0.08 or more;
- (4) while having an alcohol concentration of ~~0.10~~ 0.08 or more, as measured within two hours of the time of driving;
- (5) in a negligent manner while knowingly under the influence of a hazardous substance;
- (6) in a negligent manner while any amount of a controlled substance listed in schedule I or II, other than marijuana or tetrahydrocannabinols, is present in the person's body; or
- (7) where the driver who causes the accident leaves the scene of the accident in violation of section 169.09, subdivision 1 or 6.

A prosecution for or conviction of a crime under this subdivision is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct."

Page 10, line 35, delete "1 to 9" and insert "1 to 7 and 9 to 15" and delete "August" and insert "September"

Page 10, line 36, after the period, insert "Section 8 is effective July 1, 1999."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete ", for"

Page 1, line 4, delete "handling explosives,"

Page 1, line 5, delete "watercraft" and insert "motorboat" and after the semicolon, insert "raising certain drivers' license reinstatement fees;"

Page 1, line 8, after the first semicolon, insert "171.20, subdivision 4;"

Page 1, line 9, delete "subdivision" and insert "subdivisions" and after "1" insert ", 2, 2a, 2b, 3, and 4"

And when so amended the bill do pass and be re-referred to the Committee on Transportation.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 1894:** A bill for an act relating to insurance; transferring regulatory authority over health maintenance organizations and similar entities to the commissioner of commerce; making conforming changes; amending Minnesota Statutes 1998, sections 60B.02; 60B.03, subdivision 2; 60B.15; 60B.20; 60G.01, subdivisions 2 and 4; 62A.61; 62D.01, subdivision 2; 62D.02, subdivision 3; 62D.03, subdivisions 1, 3, and 4; 62D.04, subdivisions 1 and 2; 62D.05, subdivision 6; 62D.06, subdivision 2; 62D.07, subdivisions 2, 3, and 10; 62D.08, subdivisions 1, 2, 3, 4, and 5; 62D.09, subdivisions 1 and 8; 62D.10, subdivision 4; 62D.11, subdivisions 2 and 3; 62D.12, subdivisions 1, 2, and 9; 62D.121, subdivision 3a; 62D.14, subdivisions 1, 3, 5, and 6; 62D.15, subdivisions 1 and 4; 62D.16, subdivisions 1 and 2; 62D.17, subdivisions 1, 3, 4, and 5; 62D.18, subdivisions 1 and 7; 62D.19; 62D.20, subdivision 1; 62D.21; 62D.211; 62D.22, subdivisions 4 and 10; 62D.24; 62D.30, subdivisions 1 and 3; 62L.02, subdivision 8; 62L.05, subdivision 12; 62L.08, subdivisions 10 and 11; 62M.11; 62M.16; 62N.02, subdivision 4; 62N.26; 62N.31, subdivision 1; 62Q.01, subdivision 2; 62Q.07; 62Q.075, subdivision 4; 62Q.105, subdivisions 6 and 7; 62Q.11; 62Q.22, subdivisions 2, 6, and 7; 62Q.32; 62Q.51, subdivision 3; 62Q.525, subdivision 3; 62R.04, subdivision 5; 62R.25; 62T.01, subdivision 4; and 72A.139, subdivision 2; repealing Minnesota Statutes 1998, sections 62D.18; 62L.11, subdivision 2; and 62Q.45, subdivision 1.

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

Page 2, line 8, after "commerce" insert "and the state commissioner of health"

Page 6, line 6, strike "subdivision 1, clauses (b) and (c)" and insert "subdivision 1a, clauses (1) and (2),"

Page 7, strike lines 3 to 15

Page 7, line 16, strike "(e)" and insert "(a)"

Page 7, line 31, strike "(f)" and insert "(b)"

Page 8, line 20, strike "(g)" and insert "(c)"

Page 8, line 29, strike "(h)" and insert "(d)"

Page 8, after line 30, insert:

"Sec. 7. Minnesota Statutes 1998, section 62D.04, is amended by adding a subdivision to read:

Subd. 1a. [REVIEW BY COMMISSIONER OF HEALTH.] (a) Upon receipt of an application for a certificate of authority, the commissioner of health shall determine whether the applicant has:

(1) demonstrated the willingness and potential ability to assure that health care services will be provided in such a manner so as to enhance and assure both the availability and accessibility of adequate personnel and facilities;

(2) arrangements for an ongoing evaluation of the quality of health care;

(3) a procedure to develop, compile, evaluate, and report statistics relating to the cost of its operations, the pattern of utilization of its services, the quality, availability and accessibility of its services, and such other matters as may be reasonably required by rule of the commissioner; and

(4) reasonable provisions for emergency and out of area health care services.

(b) The commissioner of health shall report this determination to the commissioner within the time period specified in subdivision 2."

Page 9, after line 6, insert:

"Sec. 9. Minnesota Statutes 1998, section 62D.04, subdivision 4, is amended to read:

Subd. 4. [CONTINUED COMPLIANCE.] Upon being granted a certificate of authority to operate as a health maintenance organization, the organization must continue to operate in compliance with the standards set forth in ~~subdivision 1~~ subdivisions 1 and 1a. Noncompliance may result in the imposition of a fine or the suspension or revocation of the certificate of authority, in accordance with sections 62D.15 to 62D.17. The commissioner of health shall inform the commissioner of any failure to comply with subdivision 1a."

Page 14, line 30, after the period insert "If the modification involves the operations or documents described in the information submitted under section 62D.03, subdivision 4, clause (o), the notice of modification must be filed with the commissioner of health at the same time it is filed with the commissioner. The commissioner of health shall provide the commissioner with a recommendation on the approval or disapproval of the modifications within 60 days of the filing."

Page 15, line 2, after the stricken "health" insert "and with the commissioner of health"

Page 15, line 29, strike "subdivision 1, clause (c)" and insert "subdivision 1a, clause (3)"

Page 16, line 17, after "commissioner" insert "and with the commissioner of health"

Page 19, after line 18, insert:

"Sec. 23. Minnesota Statutes 1998, section 62D.11, subdivision 1b, is amended to read:

Subd. 1b. [EXPEDITED RESOLUTION OF COMPLAINTS ABOUT MEDICALLY URGENT SERVICES.] In addition to any remedy contained in subdivision 1a, when a complaint involves a dispute about a health maintenance organization's coverage of a medically urgent service, the commissioner or the commissioner of health may also order the health maintenance organization to use an expedited system to process the complaint."

Page 19, line 23, after the stricken "health" insert "and the commissioner of health"

Page 19, after line 36, insert:

"Sec. 26. Minnesota Statutes 1998, section 62D.11, is amended by adding a subdivision to read:

Subd. 5. [REFERRAL TO COMMISSIONER OF HEALTH.] The commissioner shall determine whether a complaint relates primarily to quality of care. The commissioner shall refer such complaints to the commissioner of health for information, recommendation, investigation, or resolution."

Page 21, after line 18, insert:

"Sec. 31. Minnesota Statutes 1998, section 62D.121, subdivision 7, is amended to read:

Subd. 7. [GEOGRAPHIC ACCESSIBILITY.] If the commissioner of health determines that there are not enough providers to assure that enrollees have accessible health services available in a geographic service area, the commissioner of health shall institute a plan of corrective action that shall be followed by the health maintenance organization. Such a plan may include but not be limited to requiring the health maintenance organization to make payments to nonparticipating providers for health services for enrollees, requiring the health maintenance organization to discontinue accepting new enrollees in that service area, and requiring the health maintenance organization to reduce its geographic service area. If a nonparticipating provider has been a participating provider with the health maintenance organization within the last year, any payments made under this section must not exceed the payment level of the previous contract unless the commissioner of health determines that without adjusting payments the health maintenance organization will be unable to meet the health care needs of enrollees in the area."

Page 22, line 10, after "performed" insert ", or arrange with the commissioner of health for the commissioner of health to do so"

Page 22, after line 21, insert:

"Sec. 34. Minnesota Statutes 1998, section 62D.14, subdivision 4, is amended to read:

Subd. 4. Any data or information pertaining to the diagnosis, treatment, or health of any enrollee, or any application obtained from any person, shall be private as defined in chapter 13 and shall not be disclosed to any person except (a) to the extent necessary to carry out the purposes of sections 62D.01 to 62D.30, the commissioner and the commissioner of health and a designee shall have access to the above data or information but the data removed from the health maintenance organization or participating entity shall not identify any particular patient or client by name or contain any other unique personal identifier; (b) upon the express consent of the enrollee or applicant; (c) pursuant to statute or court order for the production of evidence or the discovery thereof; or (d) in the event of claim or litigation between such person and the provider or health maintenance organization wherein such data or information is pertinent. In any case involving a suspected violation of a law applicable to health maintenance organizations in which access to health data maintained by the health maintenance organization or participating entity is necessary, the commissioner and the commissioner of health and agents, while maintaining the privacy rights of individuals and families, shall be permitted to obtain data that identifies any particular patient or client by name. A health maintenance organization shall be entitled to claim any statutory privileges against such disclosure which the provider who furnished such information to the health maintenance organization is entitled to claim."

Page 22, line 24, reinstate the stricken "have" and before the reinstated "have" insert "and the commissioner of health" and delete "has"

Page 25, line 20, strike "and"

Page 25, line 23, before the period, insert "; and"

(6) any recommendation made by the commissioner of health"

Page 31, line 18, after the period, insert "The commissioner shall seek and consider recommendations from the commissioner of health regarding this coordination."

Page 33, after line 13, insert:

"Sec. 56. [REPORT; FINANCIAL REGULATION OF RISK-BEARING ENTITIES.]

The commissioners of commerce and health shall study the issues involved in consistent financial regulation of all entities that assume financial risks related to health coverage in this state. The study must consider all such entities, regardless of current licensure or regulation. The commissioners must consider laws recently enacted by the state of Ohio on this subject and any relevant model laws or regulations adopted or under consideration by the National Association of Insurance Commissioners. The commissioners shall provide a written report, with recommendations, to the legislature in compliance with Minnesota Statutes, section 3.195, no later than January 15, 2000."

Page 33, delete line 19 and insert:

"This article is effective July 1, 2000."

Page 33, line 27, after the period, insert "With respect to this chapter, the commissioner of health has the same role as under chapter 62D."

Page 35, line 8, after the period, insert "With respect to this chapter, the commissioner of health has the same role as under chapter 62D."

Page 35, line 29, after the period, insert "With respect to this chapter, the commissioner of health has the same role as under chapter 62D."

Page 35, delete line 31 and insert:

"This article is effective July 1, 2000."

Page 36, after line 31, insert:

"Sec. 3. Minnesota Statutes 1998, section 60B.03, subdivision 4, is amended to read:

Subd. 4. [INSURER.] "Insurer" means any person who is doing, has done, purports to do or is licensed to do an insurance business and is or has been subject to the authority of, or to liquidation, rehabilitation, reorganization, or conservation by, a the commissioner. For purposes of sections 60B.01 to 60B.61, all other persons included under section 60B.02 shall be deemed to be insurers."

Page 40, line 2, strike everything after "(18)"

Page 40, strike line 3

Page 40, line 4, strike everything before "In"

Page 42, line 8, strike everything after "(8)"

Page 42, strike line 9

Page 42, line 10, strike everything before "In"

Page 54, delete line 19 and insert:

"This article is effective July 1, 2000."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 2, after "transferring" insert "certain"

Page 1, line 6, delete "subdivision 2" and insert "subdivisions 2 and 4"

Page 1, line 9, delete the second "and" and insert a comma

Page 1, line 10, after the first "2" insert ", 4, and by adding a subdivision"

Page 1, line 13, delete "2" and insert "1b, 2,"

Page 1, line 14, delete "and 3" and insert "3, and by adding a subdivision"

Page 1, line 15, delete "subdivision 3a" and insert "subdivisions 3a and 7" and after "3," insert "4,"

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

**S.F. No. 1308:** A bill for an act relating to courts; providing for state funding of certain programs and personnel; providing for state funding of court administration costs in specified judicial districts; requesting further study; establishing collective bargaining provisions for court employees; imposing taxes; appropriating money; amending Minnesota Statutes 1998, sections 43A.02, subdivision 25; 43A.24, subdivision 2; 97A.065, subdivision 2; 179A.03, subdivisions 7, 14, 15, and by adding a subdivision; 179A.06, subdivision 2; 179A.10, subdivision 4; 179A.12, subdivision 4; 179A.22, subdivisions 2 and 3; 243.50; 253B.23, subdivisions 1 and 8; 257.69, subdivision 2; 260.251, subdivisions 2 and 5; 260.56; 273.1398, by adding a subdivision; 299D.03, subdivision 5; 357.021, subdivision 1a; 466.01, subdivision 6; 480.181, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2, 5, and 6; 485.03; 485.27;

487.02, subdivision 2; 487.10, subdivision 4; 487.32, subdivision 3; 487.33, subdivision 5; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 574.34, subdivision 1; and 611.33, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 179A; and 480; repealing Minnesota Statutes 1998, sections 357.021, subdivision 2a; and 563.01, subdivision 1.

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

Page 5, line 13, strike everything after "the"

Page 5, strike line 14

Page 5, line 15, strike everything before the comma and insert "state board of public defense"

Page 5, line 25, after "state" insert "courts"

Page 6, lines 9 and 23, after "state" insert "courts"

Page 7, line 11, delete "state court administrator's"

Page 7, line 12, delete "office" and insert "trial courts" and after "account" insert "is appropriated to the trial courts and"

Page 7, line 35, after "state" insert "courts"

Page 8, line 10, delete "state court administrator's"

Page 8, line 11, delete "office" and insert "trial courts" and after "account" insert "is appropriated to the trial courts and"

Page 8, line 24, after "state" insert "courts"

Page 9, line 27, after "state" insert "courts"

Page 10, line 1, after "statute" insert ", except in appeal cases and postconviction cases handled by the board of public defense"

Page 13, line 24, delete "state court administrator's"

Page 13, line 25, delete "office" and insert "trial courts" and after "account" insert "is appropriated to the trial courts and"

Page 14, lines 5 and 13, after "state" insert "courts"

Page 15, line 11, strike "out of the general"

Page 15, line 12, strike "fund of the" and delete "state" and after the period, insert "The fees and expenses must be paid by the state courts. Payment for any activities requiring interpreter services on behalf of law enforcement, the board of public defense, prosecutors, or corrections agents other than court appearances is the responsibility of the agency that requested the services."

Page 15, line 32, after the semicolon, insert "and"

Page 15, delete lines 33 and 34

Page 15, line 35, delete "(3)" and insert "(2)"

Page 16, line 2, after the period, insert "The supreme court is requested to disband the task force January 15, 2001."

Page 23, line 33, before "costs" insert "statutory court"

Page 24, line 2, before "costs" insert "statutory court"

Page 27, line 19, delete "and" and insert:

"(d) the state board of public defense for its employees; and"

Page 27, line 20, delete "(d)" and insert "(e)"

Page 28, line 24, delete "state court"

Page 28, line 25, delete "administrator," and before "court" insert "confidential" and strike "the" and insert "confidential" and after "Minnesota" insert "employees"

Page 28, line 26, after "Supervisory" insert "and managerial"

Page 30, line 3, after the period, insert "Initial assignment of classifications to bargaining units shall be made by the state court administrator by August 15, 1999. An exclusive representative may appeal the initial assignment decision of the state court administrator by filing a petition with the commissioner within 45 days of being certified as the exclusive representative for a judicial district."

Page 30, after line 33, insert:

"(e) Copies of collective bargaining agreements entered into under this section must be submitted to the legislative coordinating commission for the commission's information."

Page 31, line 6, delete "UNITS" and insert "EMPLOYEE ORGANIZATIONS"

Page 31, lines 16 and 17, delete "discovering or being informed" and insert "receipt of a petition demonstrating"

Page 31, line 35, delete "stating" and insert "demonstrating"

Page 32, line 17, delete "stating" and insert "demonstrating"

Page 33, line 3, delete "stating" and insert "demonstrating"

Page 33, line 18, delete "within 180 days of" and insert "subsequent to"

Page 33, line 20, delete "stating" and insert "demonstrating"

Page 33, line 31, delete "30" and insert "45"

Page 35, line 23, delete "2000" and insert "1999"

Page 36, after line 8, insert:

"Sec. 10. [179A.104] [BOARD OF PUBLIC DEFENSE.]

Subdivision 1. [BOARD OF PUBLIC DEFENSE EMPLOYEE UNITS.] The state board of public defense shall meet and negotiate with the exclusive representative of each of the statewide units specified in this section. The units provided in this section are the only appropriate statewide units for state employees of the board. Employees of the state board of public defense, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. The following are the appropriate statewide units of state employees of the board:

(1) assistant district and assistant state public defender unit; and

(2) clerical and support staff unit.

Each unit consists of the classifications or positions assigned to it in the schedule of job classifications and positions maintained by the state board of public defense.

Subd. 2. [EXCLUSIONS.] The following employees are excluded from the appropriate statewide units under subdivision 1:

(1) the positions of state public defender, deputy state public defender, and chief district public defender;

(2) the positions of managing attorney and managing legal secretary in judicial district public defender offices and in the state public defender's office;

(3) positions of all employees in the administrative services office of the state board of public defense;

(4) positions of all part-time and temporary employees as defined under section 179A.03, subdivision 14, clauses (e) and (f)."

Page 37, after line 16, insert:

"Sec. 15. [179A.226] [BOARD OF PUBLIC DEFENSE EMPLOYEES; NEGOTIATIONS.]

Subdivision 1. [DUTIES.] In all negotiations between the state board of public defense and exclusive representatives, the board must be represented by the chief administrator of the board or the chief administrator's designee. Each appointing authority shall cooperate with the chief administrator in conducting negotiations and shall make available any personnel and other resources necessary to enable the chief administrator to conduct effective negotiations. For purposes of this subdivision, "appointing authority" means the state public defender, the deputy state public defender, or the chief public defender of the judicial district, as appropriate.

Subd. 2. [AGREEMENTS.] The state board of public defense is authorized to enter into agreements with exclusive representatives."

Renumber the sections in sequence

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

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

**S.F. No. 1243:** A bill for an act relating to joint powers agreements; adding the University of Minnesota as a governmental unit; amending Minnesota Statutes 1998, section 471.59, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Children, Families and Learning.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

## MOTIONS AND RESOLUTIONS

Senator Kelly, R.C. moved that S.F. No. 697 be withdrawn from the Committee on Commerce and re-referred to the Committee on Crime Prevention. The motion prevailed.

Senator Ranum moved that S.F. No. 174 be taken from the table. The motion prevailed.

**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.

Senator Ranum moved that the Senate do not concur in the amendments by the House to S.F. No. 174, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Senator Pogemiller moved that S.F. No. 1876 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Taxes. The motion prevailed.

Senator Kelly, R.C. moved that S.F. No. 1884, No. 142 on General Orders, be stricken and re-referred to the Committee on Taxes. The motion prevailed.

### RECESS

Senator Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

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

### APPOINTMENTS

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

S.F. No. 174: Senators Ranum, Betzold and Neuville.

S.F. No. 333: Senators Kelly, R.C.; Limmer and Ten Eyck.

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

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

#### **Senator Anderson introduced--**

**S.F. No. 2093:** A bill for an act relating to taxation; income; replacing the working family tax credit, dependent care tax credit, education credit, and property tax refund with a comprehensive low-income tax credit; appropriating money; amending Minnesota Statutes 1998, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 1998, sections 290.067; 290.0671; 290.0674; 290A.01; 290A.02; 290A.03; 290A.04; 290A.05; 290A.07; 290A.08; 290A.09; 290A.091; 290A.10; 290A.13; 290A.14; 290A.15; 290A.18; 290A.20; 290A.22; 290A.23; 290A.25; and 290A.27.

Referred to the Committee on Taxes.

#### **Senator Anderson introduced--**

**S.F. No. 2094:** A bill for an act relating to courts; jury service; excusing from service certain nursing mothers; proposing coding for new law in Minnesota Statutes, chapter 593.

Referred to the Committee on Judiciary.

#### **Senators Lessard and Johnson, D.J. introduced--**

**S.F. No. 2095:** A bill for an act relating to taxation; sales and use taxes; exempting purchases of materials and equipment used in constructing a biomass electrical generating facility; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

#### **Senators Belanger, Knutson, Olson, Terwilliger and Wiener introduced--**

**S.F. No. 2096:** A bill for an act relating to property taxes; limiting contributions to the areawide tax base; amending Minnesota Statutes 1998, section 473F.07, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 473F.

Referred to the Committee on Local and Metropolitan Government.

**Senators Lessard and Stumpf introduced--**

**S.F. No. 2097:** A bill for an act relating to education; authorizing certain construction.

Referred to the Committee on Children, Families and Learning.

**Senators Higgins and Terwilliger introduced--**

**S.F. No. 2098:** A bill for an act relating to education; appropriating money for the urban league street academy.

Referred to the Committee on Children, Families and Learning.

**Senators Pogemiller and Anderson introduced--**

**S.F. No. 2099:** A resolution memorializing the President, Congress, and other national and international officials to immediately lift the economic sanctions against Iraq.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Sams, Samuelson, Piper and Berglin introduced--**

**S.F. No. 2100:** A bill for an act relating to health; appropriating money for cancer awareness and prevention; classifying certain health data.

Referred to the Committee on Health and Family Security.

**Senators Scheid, Higgins, Ranum, Robertson and Wiger introduced--**

**S.F. No. 2101:** A bill for an act relating to education; providing for a statewide youth athletic program; appropriating money; amending Laws 1998, chapter 398, article 5, section 45.

Referred to the Committee on Children, Families and Learning.

**Senator Lesewski introduced--**

**S.F. No. 2102:** A bill for an act relating to taxes; sales and use taxes; exempting materials used in constructing a regional emergency response and fire training center; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Ten Eyck introduced--**

**S.F. No. 2103:** A bill for an act relating to crimes; amending the definition of harassment for purposes of the harassment restraining order law; authorizing the court to find a hearing is unnecessary in certain harassment cases; authorizing indigent parties to perform alternative community service work in lieu of paying filing fees; amending Minnesota Statutes 1998, section 609.748, subdivisions 1, 3, and 3a.

Referred to the Committee on Crime Prevention.

**Senator Ten Eyck introduced--**

**S.F. No. 2104:** A bill for an act relating to community development; providing financial assistance to the city of Backus for its waterfront improvement project and related roadway improvements; appropriating money.

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

**Senator Vickerman introduced--**

**S.F. No. 2105:** A bill for an act relating to education; providing for a grant to independent school district No. 2862, Jackson County Central, for costs related to facilities and consolidation.

Referred to the Committee on Children, Families and Learning.

**Senators Sams, Stumpf and Langseth introduced--**

**S.F. No. 2106:** A bill for an act relating to agriculture; creating the dairy farming task force; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

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

**S.F. No. 2107:** A bill for an act relating to education funding; consolidating supplemental revenue and transition revenue; providing state aid for levies that are recognized early; amending Minnesota Statutes 1998, sections 123B.75, by adding a subdivision; 126C.10, subdivisions 1 and 19; 126C.13, subdivisions 2, 3, and 4; and 127A.45, subdivision 13, and by adding a subdivision; repealing Minnesota Statutes 1998, section 126C.10, subdivisions 9, 10, 11, and 12.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 2108:** A bill for an act relating to education; restoring categorical funding for pupil transportation to and from school; appropriating money; amending Minnesota Statutes 1998, section 123B.92, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

**Senators Pogemiller and Robertson introduced--**

**S.F. No. 2109:** A bill for an act relating to education; revising the procedural requirements for employment or reemployment of school board members; amending Minnesota Statutes 1998, section 123B.195.

Referred to the Committee on Children, Families and Learning.

**Senators Robertson and Pogemiller introduced--**

**S.F. No. 2110:** A bill for an act relating to education; providing for a grant for alternative educational experiences for children with a disability; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Olson, Belanger and Day introduced--**

**S.F. No. 2111:** A bill for an act relating to taxation; individual income; modifying education

subtraction; modifying education credit; amending Minnesota Statutes 1998, sections 290.01, subdivision 19b; and 290.0674, subdivision 2.

Referred to the Committee on Children, Families and Learning.

**Senator Olson introduced--**

**S.F. No. 2112:** A bill for an act relating to education; allowing school district residents to participate in shared time, cocurricular and extracurricular activities sponsored by the resident school district; amending Minnesota Statutes 1998, sections 123B.49, subdivisions 2 and 4; and 126C.01, subdivision 8.

Referred to the Committee on Children, Families and Learning.

**Senator Foley introduced--**

**S.F. No. 2113:** A bill for an act relating to taxation; corporate franchise tax; increasing the rate of the research credit; amending Minnesota Statutes 1998, section 290.068, subdivision 1.

Referred to the Committee on Taxes.

**Senator Foley introduced--**

**S.F. No. 2114:** A bill for an act relating to state government; increasing the state share of education funding; reducing income taxes; reducing local property tax levies; reducing the sales tax; eliminating the MinnesotaCare provider tax; limiting increases in market value; amending Minnesota Statutes 1998, sections 62J.041, subdivision 1; 62Q.095, subdivision 6; 123B.53, subdivisions 4 and 5; 123B.54; 123B.57, subdivision 4; 126C.13, subdivision 1; 126C.17, subdivision 5; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; 270B.14, subdivision 1; 273.11, subdivision 1a; 273.13, subdivisions 22 and 25; 273.1382, subdivision 1; 273.1398, subdivision 1a; 290.06, subdivision 2c; 290.091, subdivisions 1, 2, and 6; and 297A.02, subdivision 1; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 144.1484, subdivision 2; 273.1382, subdivision 1a; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

Referred to the Committee on Local and Metropolitan Government.

**MEMBERS EXCUSED**

Senators Lessard and Pappas were excused from the Session of today. Senator Junge was excused from the Session of today from 8:00 to 8:35 a.m. Senator Pogemiller was excused from the Session of today from 8:00 to 8:55 a.m.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, March 29, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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