

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

FORTY-SIXTH DAY

St. Paul, Minnesota, Monday, April 19, 1999

The Senate met at 9:00 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. Rufus R. Campbell.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

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

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.

April 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. 881.

Sincerely,
Jesse Ventura, Governor

April 19, 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
	1132	60	12:08 p.m. April 16	April 16
	643	61	3:35 p.m. April 16	April 16
	408	62	12:11 p.m. April 16	April 16
	1714	63	12:15 p.m. April 16	April 16
	735	64	12:16 p.m. April 16	April 16
881		65	12:20 p.m. April 16	April 16

Sincerely,
Mary Kiffmeyer
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2387.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 15, 1999

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 2387: A bill for an act relating to transportation; appropriating money for the department of transportation and other agencies; providing for a maximum percentage of the motorcycle safety fund that may be spent for certain activities; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable postcard to be provided in a vehicle's certificate of title and completed on transfer of the vehicle; modifying provisions relating to disability parking privileges; abolishing certain credit for vehicle registration fee; specifically authorizing cities to enact ordinances regulating long-term parking; requiring the department of public safety to provide photo identification equipment to certain driver's license agents; reducing cost of Minnesota identification card for persons with serious and persistent mental illness; authorizing siting of public safety radio communications towers; directing commissioner of transportation to establish a southern railway corridor improvement plan; clarifying snowmobile gas tax provision; regulating advertising in department of public safety publications; modifying provisions relating to special number plates for collector aircraft; amending Minnesota Statutes 1998, sections 121A.36, subdivision 3; 168.021, subdivision 2; 168.17; 168.301, subdivisions 3

and 4; 168A.05, subdivision 5; 168A.10, subdivisions 1, 2, and 5; 168A.30, subdivision 2; 169.345, subdivisions 1, 2, 3, and 4; 169.346, subdivision 3, and by adding a subdivision; 171.061, subdivision 4; 171.07, subdivision 3; 174.70; 296A.18, subdivision 3; 299A.01, by adding a subdivision; and 360.55, subdivision 4; Laws 1997, chapter 159, article 1, sections 2, subdivision 7; and 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; and 219.

Senator Moe, R.D. moved that H.F. No. 2387 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Vickerman moved that the name of Senator Kleis be added as a co-author to S.F. No. 78. The motion prevailed.

RECONSIDERATION

Having voted on the prevailing side, Senator Piper moved that the vote whereby S.F. No. 2222 was passed by the Senate on April 16, 1999, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Senator Piper moved that S.F. No. 2222 be laid on the table. The motion prevailed.

RECESS

Senator Moe, R.D. moved that the Senate do now recess until 10:10 a.m. The motion prevailed.

The hour of 10:10 a.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Knutson imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately.

S.F. Nos. 2221 and 2223.

SPECIAL ORDER

S.F. No. 2221: A bill for an act relating to crime prevention and judiciary finance; appropriating money for the judicial branch, public safety, corrections, public defense, human rights, crime victims, and related purposes; establishing grant programs, task forces, and pilot projects; requiring reports and studies; increasing the number of judges; transferring the office of drug policy and violence prevention; increasing the membership and expanding the duties of the criminal and juvenile justice policy group; authorizing a lease-purchase agreement for a northern satellite laboratory facility and additional work related to a new facility in St. Paul for the bureau of criminal apprehension; clarifying and expanding certain criminal and civil penalties; establishing a

work program for certain repeat DWI offenders and repealing the existing work program for nonviolent offenders; requiring counties to pay the costs of placing juvenile females at Minnesota correctional facility-Sauk Centre; requiring the department of corrections to submit an annual performance report; requiring the issuance of a request for proposals to operate the new Rush City prison; privatizing the educational program at Minnesota correctional facility-Red Wing; making certain changes related to part-time peace officers; requiring policies and training and making certain other changes related to police pursuits; increasing the state's fiscal responsibility for certain persons prior to civil commitment; establishing requirements relating to out-of-home placements of juveniles; 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; requiring a study of correctional staffing; establishing a critical incident stress management grant program; amending Minnesota Statutes 1998, sections 2.722, subdivision 1; 3.739, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.31, subdivision 3; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 169.121, subdivisions 3, 3e, and by adding subdivisions; 169.129, 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; 241.016; 242.192; 243.50; 253B.185, by adding a subdivision; 253B.23, subdivisions 1 and 8; 256.01, subdivision 2; 256.486, subdivision 1; 257.69, subdivision 2; 260.151, subdivision 3; 260.161, subdivision 1; 260.181, by adding a subdivision; 260.185, by adding a subdivision; 260.251, subdivisions 2 and 5; 260.56; 299C.65, subdivisions 2, 5, and by adding subdivisions; 340A.415; 340A.703; 466.01, subdivision 6; 480.181, subdivision 1; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2 and 6; 485.03; 485.27; 487.02, subdivision 2; 487.10, subdivision 4; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 609.035, subdivisions 1, 2, and by adding a subdivision; 609.135, subdivision 2; 609.531, subdivision 1; 609.5315, by adding a subdivision; 611.33, subdivision 3; 626.5532, subdivision 1; 626.845, subdivision 1; 626.8462; 626.8463, subdivision 1; and 626.8465, subdivision 2; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 179A; 241; 260; 299A; 299L; 480; and 626; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; 241.277; 256D.05, subdivisions 3 and 3a; 357.021, subdivision 2a; 563.01, subdivision 1; 609.113; 626.5532, subdivision 2; and 626.8463, subdivision 2; Laws 1997, chapter 238, section 4.

Senator Neuville moved to amend S.F. No. 2221 as follows:

Page 71, line 20, before "Part-time" insert "Subdivision 1. [PART-TIME LICENSING EXAMINATION FOR OFFICERS IN HENNEPIN COUNTY, RAMSEY COUNTY, AND CITIES OF THE FIRST CLASS.]" and before "shall" insert "for officers employed by a law enforcement agency in Hennepin or Ramsey county or a city of the first class"

Page 72, after line 3, insert:

"Subd. 2. [PART-TIME LICENSING EXAMINATION FOR OFFICERS IN THE REST OF STATE.] The board shall design a part-time peace officer licensing examination for officers employed by a law enforcement agency that is not within Hennepin or Ramsey county or a city of the first class to insure competency in the areas specified in subdivision 1 within a total hourly maximum of 54 hours."

Page 72, line 4, before "Upon" insert "Subd. 3. [INSTRUCTIONAL MATERIALS.]"

Page 72, line 20, strike "a" and insert "the appropriate"

Page 72, line 23, before the period, insert ", subdivision 1"

Page 73, line 24, delete "Minnesota Statutes," and after the period, insert "A person licensed as a part-time peace officer and employed by a law enforcement agency in Hennepin or Ramsey county or a city of the first class must successfully complete the competency training described in section 626.8462, subdivision 1. A person licensed as a part-time peace officer and employed by a law enforcement agency that is not within Hennepin or Ramsey county or a city of the first class shall complete the competency training described in section 626.8462, subdivision 2."

Page 73, line 28, before "course" insert "appropriate"

Page 73, line 36, after "agency" insert "in Hennepin or Ramsey county, or a city of the first class,"

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend S.F. No. 2221 as follows:

Page 56, after line 10, insert:

"Sec. 11. Minnesota Statutes 1998, section 609.495, is amended by adding a subdivision to read:

Subd. 4. [TAKING RESPONSIBILITY FOR CRIMINAL ACTS.] (a) Unless the person is convicted of the underlying crime, a person who promotes, advocates, and assumes responsibility for a criminal act with the intent to instigate the unlawful conduct of others or to obstruct, impede, or prevent a criminal investigation is guilty of a gross misdemeanor.

(b) Any person who has been injured by violation of this subdivision may bring an action for three times the amount of actual damages sustained by the plaintiff, costs of suit, and reasonable attorney fees.

(c) Nothing in this subdivision shall be construed to impair the right of any individual or group to engage in speech protected by the United States Constitution or the Minnesota Constitution."

Page 56, line 14, delete "10" and insert "11"

Page 56, line 19, delete "11" and insert "12"

Page 89, after line 11, insert:

"Sec. 11. Minnesota Statutes 1998, section 346.56, is amended to read:

346.56 [UNAUTHORIZED RELEASE OF ANIMALS.]

Subd. 2. [LIABILITY FOR DAMAGES.] A person who without permission releases an animal lawfully confined for science, research, commerce, or education is liable:

(1) to the owner of the animal for damages, including the costs of restoring the animal to confinement and to its health condition prior to release; and

(2) for damage to personal and real property caused by the released animal;

(3) if the release causes the failure or interruption of an experiment, the person is liable for all costs of repeating the experiment, including replacement of the animals, labor, and materials; and

(4) for any other damage the person causes to property in the facility from which the animal was released.

Subd. 3. [AMOUNT OF DAMAGES.] A person who is damaged under subdivision 2 is entitled to recover a minimum of \$5,000 or three times the actual damages incurred by that person under subdivision 2, whichever is greater, and punitive damages, costs, and reasonable attorney fees.

Subd. 4. [THIRD PARTY LIABILITY; PRESUMPTION.] A person or organization who plans or assists in the development of a plan to release, without permission, an animal lawfully confined for science, research, commerce, or education, or who otherwise aids, advises, hires, counsels, or encourages another to commit the act is jointly and severally liable for all damages under subdivision 3. There is a rebuttable presumption that a person or organization who claims responsibility for the act is liable under this subdivision."

Page 92, line 15, delete "17" and insert "18"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Kleis then requested division of his amendment as follows:

First portion:

Page 89, after line 11, insert:

"Sec. 11. Minnesota Statutes 1998, section 346.56, is amended to read:

346.56 [UNAUTHORIZED RELEASE OF ANIMALS.]

Subd. 2. [LIABILITY FOR DAMAGES.] A person who without permission releases an animal lawfully confined for science, research, commerce, or education is liable:

(1) to the owner of the animal for damages, including the costs of restoring the animal to confinement and to its health condition prior to release; ~~and~~

(2) for damage to personal and real property caused by the released animal;

(3) if the release causes the failure or interruption of an experiment, ~~the person is liable~~ for all costs of repeating the experiment, including replacement of the animals, labor, and materials; ~~and~~

(4) for any other damage the person causes to property in the facility from which the animal was released.

Subd. 3. [AMOUNT OF DAMAGES.] A person who is damaged under subdivision 2 is entitled to recover a minimum of \$5,000 or three times the actual damages incurred by that person under subdivision 2, whichever is greater, and punitive damages, costs, and reasonable attorney fees.

Subd. 4. [THIRD PARTY LIABILITY; PRESUMPTION.] A person or organization who plans or assists in the development of a plan to release, without permission, an animal lawfully confined for science, research, commerce, or education, or who otherwise aids, advises, hires, counsels, or encourages another to commit the act is jointly and severally liable for all damages under subdivision 3. There is a rebuttable presumption that a person or organization who claims responsibility for the act is liable under this subdivision."

Page 92, line 15, delete "17" and insert "18"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the first portion of the Kleis amendment.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the first portion of the Kleis amendment was adopted.

Senator Kleis withdrew the remainder of his amendment.

Senator Moe, R.D. moved to amend S.F. No. 2221 as follows:

Page 35, line 23, delete the the first "or" and before "to" insert "or groups that include at least one county or judicial district and a tribal government,"

The motion prevailed. So the amendment was adopted.

Senator Ranum moved to amend S.F. No. 2221 as follows:

Page 10, delete lines 53 to 65

Page 11, delete lines 1 and 2

Page 16, after line 4, insert:

"\$500,000 the first year and \$500,000 the second year are to operate the weekend camp program at Camp Ripley described in Laws 1997, chapter 239, article 1, section 12, subdivision 3, as amended by Laws 1998, chapter 367, article 10, section 13. The commissioner shall attempt to expand the program to serve 500 juveniles per year within this appropriation."

Correct the subdivision and section totals and the summaries by fund accordingly

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

Senator Higgins moved to amend S.F. No. 2221 as follows:

Page 76, after line 12, insert:

"Sec. 2. Minnesota Statutes 1998, section 244.052, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section:

(1) "confinement" means confinement in a state correctional facility or a state treatment facility;

(2) "law enforcement agency" means the law enforcement agency having primary jurisdiction over the location where the offender expects to reside upon release; and

(3) "sex offender" and "offender" mean a person who has been convicted of an offense for which registration under section 243.166 is required or a person who has been committed pursuant to a court commitment order under section 253B.185 or Minnesota Statutes 1992, section 526.10, regardless of whether the person was convicted of any offense;

(4) "park zone" has the meaning given in section 152.01, subdivision 12a; and

(5) "school zone" has the meaning given in section 152.01, subdivision 14a.

Sec. 3. Minnesota Statutes 1998, section 244.052, is amended by adding a subdivision to read:

Subd. 4a. [LEVEL III OFFENDERS; LIMITATION ON APPROVED RELEASE PLAN.] When an offender assigned to risk level III is released from confinement or from a licensed residential facility to reside in the community, the offender's approved release plan must prohibit the offender from residing within 1,500 feet of a park zone, a school zone, or another offender assigned to risk level III.

Page 92, line 15, before "Sections" insert "Sections 2 and 3 are effective August 1, 1999, and apply to offenders released from confinement or licensed residential facilities on or after that date, and to changes of residence by offenders after that date." and delete "8 and 17" and insert "10 and 19" and delete "10" and insert "12"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Foley moved to amend S.F. No. 2221 as follows:

Page 7, delete lines 50 to 59

Page 8, delete lines 1 to 66

Page 9, delete lines 1 to 14

Correct the subdivision and section totals and the summaries by fund accordingly

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

Senator Johnson, D.H. moved to amend the Kleis amendment to S.F. No. 2221, adopted by the Senate April 19, 1999, as follows:

Page 2, line 10, before "an" insert "or who takes responsibility for the release of"

Page 2, after line 17, insert:

"Page 92, line 16, after the period, insert "Section 11 is effective retroactively from January 1, 1999.""

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

Senator Pariseau moved to amend S.F. No. 2221 as follows:

Page 56, after line 10, insert:

"Sec. 11. Minnesota Statutes 1998, section 609.495, is amended by adding a subdivision to read:

Subd. 4. [TAKING RESPONSIBILITY FOR CRIMINAL ACTS.] (a) Unless the person is convicted of the underlying crime, a person who promotes, advocates, and assumes responsibility for a criminal act with the intent to instigate the unlawful conduct of others or to obstruct, impede, or prevent a criminal investigation is guilty of a gross misdemeanor.

(b) Any person who has been injured by violation of this subdivision may bring an action for three times the amount of actual damages sustained by the plaintiff, costs of suit, and reasonable attorney fees.

(c) Nothing in this subdivision shall be construed to impair the right of any individual or group to engage in speech protected by the United States Constitution or the Minnesota Constitution."

Page 56, line 14, delete "10" and insert "11"

Page 56, line 19, delete "11" and insert "12"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Berg	Johnson, D.J.	Lessard	Pariseau	Ten Eyck
Day	Kiscaden	Limmer	Robertson	Terwilliger
Dille	Kleis	Murphy	Robling	Vickerman
Fischbach	Knutson	Neuville	Runbeck	Wiener
Frederickson	Laidig	Oliver	Scheevel	Wiger
Johnson, D.E.	Larson	Olson	Solon	Ziegler
Johnson, D.H.	Lesewski	Ourada	Stevens	

Those who voted in the negative were:

Anderson	Hanson	Kelly, R.C.	Novak	Samuelson
Belanger	Higgins	Krentz	Pappas	Scheid
Berglin	Hottinger	Langseth	Piper	Spear
Betzold	Janezich	Lourey	Pogemiller	Stumpf
Cohen	Johnson, J.B.	Marty	Price	
Flynn	Junge	Metzen	Ranum	
Foley	Kelley, S.P.	Moe, R.D.	Sams	

The motion prevailed. So the amendment was adopted.

Senator Ten Eyck moved to amend S.F. No. 2221 as follows:

Page 61, after line 10, insert:

"Sec. 5. Minnesota Statutes 1998, section 243.05, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONAL RELEASE.] (a) The commissioner of corrections may parole any person sentenced to confinement in any state correctional facility for adults under the control of the commissioner of corrections, provided that:

(1) no inmate serving a life sentence for committing murder before May 1, 1980, other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled without having served 20 years, less the diminution that would have been allowed for good conduct had the sentence been for 20 years;

(2) no inmate serving a life sentence for committing murder before May 1, 1980, who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled without having served 25 years, less the diminution which would have been allowed for good conduct had the sentence been for 25 years;

(3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

(4) any new rule or policy or change of rule or policy adopted by the commissioner of corrections which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change.

(b) Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the commissioner, subject at any time to be returned to a facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the commissioner.

(c) The written order of the commissioner of corrections, is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on parole or supervised release. In addition, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without order of warrant, take and detain a parolee or person on supervised release or work release and bring the person to the commissioner for action.

(d) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135. Additionally, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without an order, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14.

(e) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to detain any person on pretrial release who absconds from pretrial release or fails to abide by the conditions of pretrial release.

(f) Persons conditionally released, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or outside the boundaries of the state at the discretion of the commissioner of corrections or the court, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

(g) Except as otherwise provided in subdivision 1b, in considering applications for conditional release or discharge, the commissioner is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the department of corrections in favor of or against the parole or release of any inmates. The commissioner may institute inquiries by correspondence, taking testimony, or otherwise, as to the previous history, physical or mental condition, and character of the inmate and, to that end, has the authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. The commissioner is authorized to administer oaths to witnesses for these purposes.

(h) Unless the district court directs otherwise and unless the probation agency pursues a sanctions conference under sections 243.051 to 243.054 or revocation proceedings under section 609.14, state parole and probation agents may require a person who is under the supervision of the commissioner of corrections to perform community work service for violating a technical condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. Agents may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. The commissioner may authorize an additional 40 hours of community work services, for a total of 64 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. At the time community work service is imposed, parole and probation agents are required to provide written notice to the offender that states:

- (1) the condition of probation that has been violated;
- (2) the number of hours of community work service imposed for the violation; and
- (3) the total number of hours of community work service imposed to date in the 12-month period.

An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.

Community work service includes sentencing to service.

"Technical violation" has the meaning given in section 243.051, subdivision 6.

Sec. 6. [243.051] [DEFINITIONS.]

Subdivision 1. [DEFINITIONS.] As used in sections 243.051 to 243.054, the following terms have the meanings given them.

Subd. 2. [PROBATION.] "Probation" has the meaning given in section 609.02, subdivision 15.

Subd. 3. [PROBATION VIOLATION SANCTION.] "Probation violation sanction" means electronic monitoring, intensive probation, sentencing to service, reporting to a day reporting center, chemical dependency or mental health treatment or counseling, community work service, and work service in a restorative justice program.

Subd. 4. [SANCTIONS CONFERENCE.] "Sanctions conference" means a voluntary conference at which the state parole and probation agent, offender, and, if appropriate, other interested parties meet to discuss the probation violation sanction for the offender's technical violation of probation.

Subd. 5. [SANCTIONS CONFERENCE FORM.] "Sanctions conference form" means a form developed by the chief judge of each judicial district that explains the sanctions conference and the offender's option to elect to participate in the sanctions conference or to proceed to a judicial hearing.

Subd. 6. [TECHNICAL VIOLATION.] "Technical violation" means any violation of a court order of probation, except an allegation of a subsequent criminal act which is alleged in a formal complaint, citation, or petition.

Sec. 7. [243.052] [INITIATION OF SANCTIONS CONFERENCE.]

Subdivision 1. [AUTHORITY.] Unless the district court directs otherwise, a probation agency may use a sanctions conference to address an offender's technical violation of probation.

Subd. 2. [NOTICE OF VIOLATION.] When a probation agency has reason to believe that an offender has committed a technical violation of probation, the agency shall notify the offender in writing of the specific nature of the technical violation and the scheduling of a sanctions conference, including the date, time, and location of the sanctions conference. The notice shall also state that if the offender fails to appear at the sanctions conference, the probation agency may apprehend and detain the offender under section 243.05, subdivision 1, and ask the court to commence revocation proceedings under section 609.14 and rule 27.04 of the Rules of Criminal Procedure. To the extent feasible, the sanctions conference must take place within seven days of mailing of the notice to the offender.

Subd. 3. [SANCTIONS CONFERENCE.] At the sanctions conference, the state parole and probation agent shall provide the offender with a copy of a sanctions conference form explaining the sanctions conference and the offender's options for proceeding. The offender must stipulate, in writing, that the offender has received a copy of the sanctions conference form and that the offender understands the information contained in the form and the options available to the offender. The offender also must declare, in writing, the offender's decision to either participate in the sanctions conference or proceed with a judicial hearing.

Sec. 8. [243.053] [PARTICIPATION IN SANCTIONS CONFERENCE.]

Subdivision 1. [ELECTION TO PARTICIPATE.] If the offender elects to participate in the sanctions conference, the state parole and probation agent shall inform the offender, orally and in writing, of the probation violation sanction that the state parole and probation agent is recommending for the technical violation of probation. The state parole and probation agent shall inform the offender that the probation violation sanction becomes effective upon confirmation by a judge of the district court.

Subd. 2. [REPORT TO DISTRICT COURT.] If the offender elects to participate in the sanctions conference, the state parole and probation agent conducting the sanctions conference shall provide a report to the district court containing:

(1) the specific nature of the technical violation of probation;

(2) the notice provided to the offender of the technical violation of probation and the scheduling of the sanctions conference;

(3) a copy of the offender's signed stipulation indicating that the offender received a copy of the sanctions conference form and understood it;

(4) a copy of the offender's written declaration to participate in the sanctions conference; and

(5) the recommended probation violation sanction.

The recommended probation violation sanction becomes effective when confirmed by a judge. The order of the court shall be proof of such confirmation.

Subd. 3. [RESPONSE TO DISTRICT COURT ACTION.] (a) Upon the state parole and probation agent's receipt of a confirmed order by the judge, the state parole and probation agent shall notify the offender in writing that the probation violation sanction has been approved by the court.

(b) If the court does not confirm the recommendation of the state parole and probation agent, the probation violation sanction shall not go into effect. The state parole and probation agent shall notify the offender that the court has not confirmed the sanction.

(c) If the court does not confirm the recommendation, the state parole and probation agent may ask the court to commence revocation proceedings under section 609.14.

Subd. 4. [APPEAL.] An offender may appeal the judge's confirmation of the probation violation sanction as provided in rule 28.05 of the Rules of Criminal Procedure.

Sec. 9. [243.054] [ELECTION NOT TO PARTICIPATE.]

If the offender elects not to participate in the sanctions conference, the state parole and probation agent may ask the court to initiate revocation proceedings or refer the matter to the appropriate prosecuting authority for action under section 609.14. The state parole and probation agent also may take action to apprehend and detain the offender under section 243.05, subdivision 1.

Sec. 10. Minnesota Statutes 1998, section 244.19, subdivision 3a, is amended to read:

Subd. 3a. [INTERMEDIATE SANCTIONS COMMUNITY WORK SERVICE.] Unless the district court directs otherwise and unless the probation agency pursues a sanctions conference under sections 244.196 to 244.199 or revocation proceedings under section 609.14, county probation officers may require a person committed to the officer's care by the court to perform community work service for violating a technical condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. County probation officers may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. The court services director may authorize an additional 40 hours of community work services, for a total of 64 hours per offender per 12-month period, beginning on the date on which community work service is first imposed. At the time community work service is imposed, county probation agents are required to provide written notice to the offender that states:

(1) the condition of probation that has been violated;

(2) the number of hours of community work service imposed for the violation; and

(3) the total number of hours of community work service imposed to date in the 12-month period.

An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.

Community work service includes sentencing to service.

"Technical violation" has the meaning given in section 244.196, subdivision 6.

Sec. 11. [244.196] [DEFINITIONS.]

Subdivision 1. [DEFINITIONS.] As used in sections 244.196 to 244.199, the following terms have the meanings given them.

Subd. 2. [PROBATION.] "Probation" has the meaning given in section 609.02, subdivision 15.

Subd. 3. [PROBATION VIOLATION SANCTION.] "Probation violation sanction" means electronic monitoring, intensive probation, sentencing to service, reporting to a day reporting center, chemical dependency or mental health treatment or counseling, community work service, and work service in a restorative justice program.

Subd. 4. [SANCTIONS CONFERENCE.] "Sanctions conference" means a voluntary conference at which the county probation officer, offender, and, if appropriate, other interested parties meet to discuss the probation violation sanction for the offender's technical violation of probation.

Subd. 5. [SANCTIONS CONFERENCE FORM.] "Sanctions conference form" means a form developed by the chief judge of each judicial district that explains the sanctions conference and the offender's option to elect to participate in the sanctions conference or to proceed to a judicial hearing.

Subd. 6. [TECHNICAL VIOLATION.] "Technical violation" means any violation of a court order of probation, except an allegation of a subsequent criminal act which is alleged in a formal complaint, citation, or petition.

Sec. 12. [244.197] [INITIATION OF SANCTIONS CONFERENCE.]

Subdivision 1. [AUTHORITY.] Unless the district court directs otherwise, a probation agency may use a sanctions conference to address an offender's technical violation of probation.

Subd. 2. [NOTICE OF VIOLATION.] When a probation agency has reason to believe that an offender has committed a technical violation of probation, the agency shall notify the offender in writing of the specific nature of the technical violation and the scheduling of a sanctions conference, including the date, time, and location of the sanctions conference. The notice shall also state that if the offender fails to appear at the sanctions conference, the probation agency may apprehend and detain the offender under section 244.195 and ask the court to commence revocation proceedings under section 609.14 and rule 27.04 of the Rules of Criminal Procedure. To the extent feasible, the sanctions conference must take place within seven days of mailing of the notice to the offender.

Subd. 3. [SANCTIONS CONFERENCE.] At the sanctions conference, the county probation officer shall provide the offender with a copy of a sanctions conference form explaining the sanctions conference and the offender's options for proceeding. The offender must stipulate, in writing, that the offender has received a copy of the sanctions conference form and that the offender understands the information contained in the form and the options available to the offender. The offender also must declare, in writing, the offender's decision to either participate in the sanctions conference or proceed with a judicial hearing.

Sec. 13. [244.198] [PARTICIPATION IN SANCTIONS CONFERENCE.]

Subdivision 1. [ELECTION TO PARTICIPATE.] If the offender elects to participate in the sanctions conference, the county probation officer shall inform the offender, orally and in writing, of the probation violation sanction that the county probation officer is recommending for the technical violation of probation. The county probation officer shall inform the offender that the probation violation sanction becomes effective upon confirmation by a judge of the district court.

Subd. 2. [REPORT TO DISTRICT COURT.] If the offender elects to participate in the sanctions conference, the county probation officer conducting the sanctions conference shall provide a report to the district court containing:

- (1) the specific nature of the technical violation of probation;
- (2) the notice provided to the offender of the technical violation of probation and the scheduling of the sanctions conference;
- (3) a copy of the offender's signed stipulation indicating that the offender received a copy of the sanctions conference form and understood it;
- (4) a copy of the offender's written declaration to participate in the sanctions conference; and
- (5) the recommended probation violation sanction.

The recommended probation violation sanction becomes effective when confirmed by a judge. The order of the court shall be proof of such confirmation.

Subd. 3. [RESPONSE TO DISTRICT COURT ACTION.] (a) Upon the county probation officer's receipt of a confirmed order by the judge, the county probation officer shall notify the offender in writing that the probation violation sanction has been approved by the court.

(b) If the court does not confirm the recommendation of the county probation officer, the probation violation sanction shall not go into effect. The county probation officer shall notify the offender that the court has not confirmed the sanction.

(c) If the court does not confirm the recommendation, the county probation officer may ask the court to commence revocation proceedings under section 609.14.

Subd. 4. [APPEAL.] An offender may appeal the judge's confirmation of the probation violation sanction as provided in rule 28.05 of the Rules of Criminal Procedure.

Sec. 14. [244.199] [ELECTION NOT TO PARTICIPATE.]

If the offender elects not to participate in the sanctions conference, the county probation officer may ask the court to initiate revocation proceedings or refer the matter to the appropriate prosecuting authority for action under section 609.14. The county probation officer also may take action to apprehend and detain the offender under section 244.195.

Sec. 15. [401.024] [COMMUNITY WORK SERVICE.]

Unless the district court directs otherwise and unless the probation agency pursues a sanctions conference under sections 401.026 to 401.029 or revocation proceedings under section 609.14, county probation officers may require a person committed to the officer's care by the court to perform community work service for violating a technical condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning on the date on which community work service is first imposed. The chief executive officer of a community corrections agency may authorize an additional 40 hours of community work service, for a total of 64 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. At the time community work service is imposed, probation officers are required to provide written notice to the offender that states:

- (1) the condition of probation that has been violated;
- (2) the number of hours of community work service imposed for the violation; and
- (3) the total number of hours of community work service imposed to date in the 12-month period.

An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.

Community work service includes sentencing to service.

"Technical violation" has the meaning given in section 401.026, subdivision 6.

Sec. 16. [401.026] [DEFINITIONS.]

Subdivision 1. [DEFINITIONS.] As used in sections 401.026 to 401.029, the following terms have the meanings given them.

Subd. 2. [PROBATION.] "Probation" has the meaning given in section 609.02, subdivision 15.

Subd. 3. [PROBATION VIOLATION SANCTION.] "Probation violation sanction" means electronic monitoring, intensive probation, sentencing to service, reporting to a day reporting center, chemical dependency or mental health treatment or counseling, community work service, and work service in a restorative justice program.

Subd. 4. [SANCTIONS CONFERENCE.] "Sanctions conference" means a voluntary conference at which the probation officer, offender, and, if appropriate, other interested parties meet to discuss the probation violation sanction for the offender's technical violation of probation.

Subd. 5. [SANCTIONS CONFERENCE FORM.] "Sanctions conference form" means a form developed by the chief judge of each judicial district that explains the sanctions conference and the offender's option to elect to participate in the sanctions conference or to proceed to a judicial hearing.

Subd. 6. [TECHNICAL VIOLATION.] "Technical violation" means any violation of a court order of probation, except an allegation of a subsequent criminal act which is alleged in a formal complaint, citation, or petition.

Sec. 17. [401.027] [INITIATION OF SANCTIONS CONFERENCE.]

Subdivision 1. [AUTHORITY.] Unless the district court directs otherwise, a probation agency may use a sanctions conference to address an offender's technical violation of probation.

Subd. 2. [NOTICE OF VIOLATION.] When a probation agency has reason to believe that an offender has committed a technical violation of probation, the agency shall notify the offender in writing of the specific nature of the technical violation and the scheduling of a sanctions conference, including the date, time, and location of the sanctions conference. The notice shall also state that if the offender fails to appear at the sanctions conference, the probation agency may apprehend and detain the offender under section 401.025 and ask the court to commence revocation proceedings under section 609.14 and rule 27.04 of the Rules of Criminal Procedure. To the extent feasible, the sanctions conference must take place within seven days of mailing of the notice to the offender.

Subd. 3. [SANCTIONS CONFERENCE.] At the sanctions conference, the probation officer shall provide the offender with a copy of a sanctions conference form explaining the sanctions conference and the offender's options for proceeding. The offender must stipulate, in writing, that the offender has received a copy of the sanctions conference form and that the offender understands the information contained in the form and the options available to the offender. The offender also must declare, in writing, the offender's decision to either participate in the sanctions conference or proceed with a judicial hearing.

Sec. 18. [401.028] [PARTICIPATION IN SANCTIONS CONFERENCE.]

Subdivision 1. [ELECTION TO PARTICIPATE.] If the offender elects to participate in the

sanctions conference, the probation officer shall inform the offender, orally and in writing, of the probation violation sanction that the probation officer is recommending for the technical violation of probation. The probation officer shall inform the offender that the probation violation sanction becomes effective upon confirmation by a judge of the district court.

Subd. 2. [REPORT TO DISTRICT COURT.] If the offender elects to participate in the sanctions conference, the probation officer conducting the sanctions conference shall provide a report to the district court containing:

- (1) the specific nature of the technical violation of probation;
- (2) the notice provided to the offender of the technical violation of probation and the scheduling of the sanctions conference;
- (3) a copy of the offender's signed stipulation indicating that the offender received a copy of the sanctions conference form and understood it;
- (4) a copy of the offender's written declaration to participate in the sanctions conference; and
- (5) the recommended probation violation sanction.

The recommended probation violation sanction becomes effective when confirmed by a judge. The order of the court shall be proof of such confirmation.

Subd. 3. [RESPONSE TO DISTRICT COURT ACTION.] (a) Upon the probation officer's receipt of a confirmed order by the judge, the probation officer shall notify the offender in writing that the probation violation sanction has been approved by the court.

(b) If the court does not confirm the recommendation of the probation officer, the probation violation sanction shall not go into effect. The probation officer shall notify the offender that the court has not confirmed the sanction.

(c) If the court does not confirm the recommendation, the probation officer may ask the court to commence revocation proceedings under section 609.14.

Subd. 4. [APPEAL.] An offender may appeal the judge's confirmation of the probation violation sanction as provided in rule 28.05 of the Rules of Criminal Procedure.

Sec. 19. [401.029] [ELECTION NOT TO PARTICIPATE.]

If the offender elects not to participate in the sanctions conference, the probation officer may ask the court to initiate revocation proceedings or refer the matter to the appropriate prosecuting authority for action under section 609.14. The probation officer also may take action to apprehend and detain the offender under section 401.025.

Sec. 20. Minnesota Statutes 1998, section 609.135, subdivision 1, is amended to read:

Subdivision 1. [TERMS AND CONDITIONS.] (a) Except when a sentence of life imprisonment is required by law, or when a mandatory minimum sentence is required by section 609.11, any court may stay imposition or execution of sentence and:

- (1) may order intermediate sanctions without placing the defendant on probation; or
- (2) may place the defendant on probation with or without supervision and on the terms the court prescribes, including intermediate sanctions when practicable. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony or gross misdemeanor, by the commissioner of corrections, or in any case by some other suitable and consenting person. Unless the court directs otherwise, state parole and probation agents and probation officers may impose community work service for an offender's probation violation, consistent with section 243.05, subdivision 1; 244.19, subdivision 3a; or 401.02, subdivision 5, or probation violation sanctions, consistent with sections 243.051 to 243.054; 244.196 to 244.199; or 401.026 to 401.029.

No intermediate sanction may be ordered performed at a location that fails to observe applicable requirements or standards of chapter 181A or 182, or any rule promulgated under them.

(b) For purposes of this subdivision, subdivision 6, and section 609.14, the term "intermediate sanctions" includes but is not limited to incarceration in a local jail or workhouse, home detention, electronic monitoring, intensive probation, sentencing to service, reporting to a day reporting center, chemical dependency or mental health treatment or counseling, restitution, fines, day-fines, community work service, work service in a restorative justice program, work in lieu of or to work off fines and, with the victim's consent, work in lieu of or to work off restitution.

(c) A court may not stay the revocation of the driver's license of a person convicted of violating the provisions of section 169.121."

Page 62, after line 12, insert:

"Sec. 25. [REQUEST; DISTRICT COURT.]

(a) The chief judge in each judicial district, in consultation with other judges in the district, is requested to develop rules containing procedures for the sanctions conference identified in this act and to develop a sanctions conference form that includes notice to the offender:

(1) of the specific court-ordered condition of release that the offender has allegedly violated, the probation officer's authority to ask the court to revoke the offender's probation for the technical violation, and the offender's right to elect to participate in a sanctions conference to address the technical violation in lieu of the probation officer asking the court to revoke the offender's probation;

(2) that participation in the sanctions conference is in lieu of a court hearing under Minnesota Statutes, section 609.14, and that, if the offender elects to participate in the sanctions conference, the offender must admit, or agree not to contest, the alleged technical violation and must waive the right to contest the violation at a judicial hearing, present evidence, call witnesses, cross-examine the state's witnesses, and be represented by counsel;

(3) that, if the offender chooses, the offender has a right to a hearing before the court under Minnesota Statutes, section 609.14, for a determination of whether the offender committed the alleged violation, including the right to be present at the hearing, to cross-examine witnesses, to have witnesses subpoenaed for the offender, to have an attorney present or to have an attorney appointed if the offender cannot afford one, and to require the state to prove the allegations against the offender;

(4) that, if, after a hearing, the court finds the violations have been proven, the court may continue the sentence, subject to the same, modified, or additional conditions, or order a sanction which may include incarceration, additional fines, revocation of the stay of sentence, imposition of sentence, or other sanctions;

(5) that the decision to participate in the sanctions conference will not result in the probation officer recommending revocation of the offender's stay of sentence, unless the offender fails to successfully complete the probation violation sanction;

(6) that various types of probation violation sanctions may be imposed and that the probation violation sanctions imposed on the offender will depend on the nature of the technical violation, the offender's criminal history, and the offender's level of supervision;

(7) that the probation violation sanctions supplement any existing conditions of release; and

(8) that participation in the sanctions conference requires completion of all probation violation sanctions imposed by the probation agency, and that failure to successfully complete the imposed probation violation sanctions could result in additional sanctions or the commencement of revocation proceedings under Minnesota Statutes, section 609.14.

(b) The chief judge of each judicial district is encouraged to cooperate with the chief judges of

the other judicial districts in the state to develop rules for sanctions conferences and a sanctions conference form that will treat offenders uniformly throughout the state."

Page 62, line 14, before "Minnesota" insert "(a)"

Page 62, after line 15, insert:

"(b) Minnesota Statutes 1998, section 401.02, subdivision 5, is repealed."

Page 62, line 17, delete "6 and 9" and insert "22 and 26, paragraph (a),"

Page 62, line 21, after the period, insert "Sections 5 to 20, 25, and 26, paragraph (b), are effective August 1, 1999, and apply to technical violations of probation that occur on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Senator Junge imposed a call of the Senate for the balance of the proceedings on S.F. No. 2221. The Sergeant at Arms was instructed to bring in the absent members.

Senator Kelly, R.C. moved to amend S.F. No. 2221 as follows:

Page 12, line 3, delete "29" and insert "30"

Amend the title as follows:

Page 1, line 8, before "the" insert "responsibility for"

Page 1, line 9, before the semicolon, insert ", the Asian-Pacific juvenile crime intervention and prevention grant program, the juvenile weekend program at Camp Ripley, and the operation and maintenance of the state land and buildings that compose MCF-Sauk Centre"

Page 1, line 22, delete everything after the semicolon

Page 1, delete line 23

Page 1, line 24, delete "prison"

Page 1, line 35, delete "requesting further study;"

Page 1, line 36, delete "imposing"

Page 1, delete lines 37 and 38

Page 1, line 39, delete everything before "amending" and insert "extending the sunset date for a juvenile records provision; requiring that the continued operation of the new Rush City prison beyond July 1, 2001, be specifically authorized by law;"

The motion prevailed. So the amendment was adopted.

Senator Kelly, R.C. then moved to amend S.F. No. 2221 as follows:

Page 18, line 42, delete "2,612,000" and insert "1,877,000" and delete "2,821,000" and insert "1,886,000"

Page 18, delete lines 46 to 48 and insert:

"The executive director of the auto theft prevention board may not sit on its board of directors."

Correct the subdivision and section totals and the summaries by fund accordingly

The motion prevailed. So the amendment was adopted.

Senator Kelly, R.C. then moved to amend S.F. No. 2221 as follows:

Page 64, after line 7, insert:

"Sec. 2. [299A.411] [POSTTRAUMATIC STRESS SYNDROME BENEFIT.]

Any peace officer as defined in section 626.84, subdivision 1, paragraph (c), who suffers a debilitating psychological reaction to a traumatic event and is diagnosed by a licensed psychologist or psychiatrist as suffering from posttraumatic stress syndrome, whether or not there is also an accompanying physical injury or physical cause of the condition, is entitled to:

(1) payment by the employer for a loss of wages up to but not beyond one year while the officer is so disabled; and

(2) unless otherwise provided, payment by the employer for medical treatment, including psychiatric and/or psychological counseling to cure and relieve the effects of the posttraumatic stress syndrome up to but not beyond one year while the officer is so disabled.

For the purposes of this section, "traumatic event" means an event involving the employee lawfully taking the life or causing great bodily harm of another by force or violence. For the purposes of this section, "great bodily harm" has the meaning given it in section 609.02, subdivision 8."

Page 75, line 4, delete "8 to 11, and 13" and insert "4, 9 to 12, and 14"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Neuville moved to amend S.F. No. 2221 as follows:

Page 7, line 35, delete "7,698,000" and insert "7,683,000"

Page 15, after line 38, insert:

"\$15,000 the first year is for a grant to a Rice county-based organization for the purpose of purchasing and placing memorial monuments on graves of former Faribault Regional Center residents who are buried in any cemetery located on the grounds of MCF-Faribault or other nearby cemeteries in Rice county. Memorial monuments shall not be placed if the family of the deceased resident objects to the placement of the monument."

Correct the subdivision and section totals and the summaries by fund accordingly

The motion prevailed. So the amendment was adopted.

Senator Anderson moved to amend S.F. No. 2221 as follows:

Page 12, line 23, before "Of" insert "The executive director shall consult with the Asian-Pacific council when making the grants under this paragraph."

Page 26, after line 6, insert:

"Sec. 11. Minnesota Statutes 1998, section 256.486, subdivision 2, is amended to read:

Subd. 2. [GRANT RECIPIENTS.] The commissioner, in consultation with the Asian-Pacific council, shall award grants in amounts up to \$150,000 to agencies based in the Asian-American community that have experience providing coordinated, family-based community services to Asian-American youth and families."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2221 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Foley Marty

So the bill, as amended, was passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2223: A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative and administrative expenses of state government with certain conditions; amending Minnesota Statutes 1998, sections 3.17; 3C.12, subdivision 2; 8.15, subdivisions 1, 2, and 3; 13.03, subdivision 2; 13.05, by adding a subdivision; 13.073, by adding a subdivision; 15.50, subdivision 2; 16A.102, subdivision 1; 16A.129, subdivision 3; 16A.45, subdivision 1; 16A.85, subdivision 1; 16B.03; 16B.104; 16B.24, subdivision 5; 16B.31, subdivision 2; 16B.32, subdivision 2; 16B.42, subdivision 1; 16B.465, subdivision 3; 16B.72; 16B.73; 16C.14, subdivision 1; 16D.04, subdivision 2; 16E.01, subdivision 1; 16E.02; 16E.08; 43A.047; 43A.22; 43A.23, subdivisions 1 and 2; 43A.30, by adding a subdivision; 43A.31, subdivision 2, and by adding a subdivision; 138.17, subdivisions 7 and 8; 192.49, subdivision 3; 197.79, subdivision 10; 204B.25, subdivision 2, and by adding a subdivision; 204B.27, by adding a subdivision; 204B.28, subdivision 1; 240A.09; 297F.08, by adding a subdivision; 325K.03, by adding a subdivision; 325K.04; 325K.05, subdivision 1; 325K.09, by adding a subdivision; 325K.10, subdivision 5; 325K.14, by adding a subdivision; 325K.15, by adding a subdivision; and 349.163, subdivision 4; Laws 1993, chapter 192, section 16; Laws 1994, chapter 643, section 69,

subdivision 1; Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended; Laws 1997, chapter 202, article 2, section 61; and Laws 1998, chapter 366, section 2; proposing coding for new law in Minnesota Statutes, chapters 16B; 43A; 240A; and 325F; repealing Minnesota Statutes 1998, sections 16A.103, subdivision 3; 16E.11; 16E.12; and 16E.13; Laws 1991, chapter 235, article 5, section 3, as amended; Minnesota Rules, part 8275.0045, subpart 2.

Senator Kiscaden moved to amend S.F. No. 2223 as follows:

Page 11, after line 43, insert:

"The commissioner of employee relations shall not spend any money from any fund on the care system health insurance purchasing project until the commissioner presents a plan and budget proposal for the project to the state government finance and health and human services policy committees of the senate and house of representatives and a direct appropriation for the project is enacted into law."

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

Senator Runbeck moved to amend S.F. No. 2223 as follows:

Page 11, delete lines 36 to 43

Pages 48 to 52, delete section 71

Correct the subdivision and section totals and the summary by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Junge imposed a call of the Senate for the balance of the proceedings on S.F. No. 2223. The Sergeant at Arms was instructed to bring in the absent members.

Senator Oliver moved to amend the Runbeck amendment to S.F. No. 2223 as follows:

Page 1, delete line 3

Page 1, delete lines 6 to 8

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

The question recurred on the adoption of the Runbeck amendment. The motion did not prevail. So the amendment was not adopted.

Senator Stevens moved to amend S.F. No. 2223 as follows:

Page 4, line 50, delete "11,770,000" and insert "11,970,000"

Page 5, delete lines 26 to 28

Correct the section totals and the appropriation summary accordingly

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

Senator Janezich moved to amend S.F. No. 2223 as follows:

Page 14, after line 13, insert:

"The commissioner of veterans affairs, in cooperation with the board of directors of the Minnesota veterans homes and the United States Veterans Administration, shall study the feasibility and desirability of supplementing the missions of the veterans homes and the Veterans Administration hospitals in Minnesota by entering into agreements with health care providers throughout the state to provide free or reduced-cost comprehensive health care to veterans close to their places of residence as a supplement to private health insurance. The commissioner shall report the results of the study and any recommendations to the legislature by January 15, 2000."

The motion prevailed. So the amendment was adopted.

Senator Olson moved to amend S.F. No. 2223 as follows:

Page 40, lines 1 and 2, delete "affidavit" and insert "certification"

The motion prevailed. So the amendment was adopted.

Senator Pariseau moved to amend S.F. No. 2223 as follows:

Page 6, delete lines 9 to 15

Pages 65 to 67, delete section 97

Correct the subdivision and section totals and the summaries by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Belanger	Kleis	Limmer	Pariseau	Stevens
Berg	Langseth	Neuville	Robertson	Stumpf
Day	Larson	Oliver	Robling	Terwilliger
Fischbach	Lesewski	Olson	Runbeck	Ziegler
Kiscaden	Lessard	Ourada	Scheevel	

Those who voted in the negative were:

Anderson	Hanson	Junge	Metzen	Samuelson
Berglin	Higgins	Kelly, R.C.	Moe, R.D.	Scheid
Betzold	Hottinger	Knutson	Novak	Solon
Cohen	Janezich	Krentz	Pappas	Spear
Flynn	Johnson, D.E.	Laidig	Piper	Vickerman
Foley	Johnson, D.J.	Lourey	Price	Wiener
Frederickson	Johnson, J.B.	Marty	Ranum	Wiger

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

Senator Anderson moved to amend S.F. No. 2223 as follows:

Page 54, after line 11, insert:

"Sec. 74. Minnesota Statutes 1998, section 181.941, subdivision 1, is amended to read:

Subdivision 1. [~~SIX-WEEK~~ 12-WEEK LEAVE; BIRTH OR ADOPTION.] An employer must grant an unpaid leave of absence to an employee who is a natural or adoptive parent in conjunction with the birth or adoption of a child. The length of the leave shall be determined by the employee, but may not exceed ~~six~~ 12 weeks, unless agreed to by the employer.

Sec. 75. Minnesota Statutes 1998, section 181.941, subdivision 2, is amended to read:

Subd. 2. [START OF LEAVE.] The leave shall begin at a time requested by the employee. The employer may adopt reasonable policies governing the timing of requests for unpaid leave. The leave may begin not more than ~~six~~ 12 weeks after the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave may not begin more than six weeks after the child leaves the hospital.

Sec. 76. Minnesota Statutes 1998, section 181.943, is amended to read:

181.943 [RELATIONSHIP TO OTHER LEAVE.]

(a) The length of parental leave provided under section 181.941 may be reduced by any period of paid parental or disability leave, but not accrued sick leave, provided by the employer, so that the total leave does not exceed ~~six~~ 12 weeks, unless agreed to by the employer.

(b) Nothing in sections 181.940 to 181.943 prevents any employer from providing leave benefits in addition to those provided in sections 181.940 to 181.944 or otherwise affects an employee's rights with respect to any other employment benefit."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Robertson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Scheevel moved to amend S.F. No. 2223 as follows:

Page 10, delete lines 38 and 39

Page 10, line 40, delete "Humphrey;" and insert "\$336,000 the first year is"

Correct the section totals and the appropriation summary accordingly

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

Senator Vickerman moved to amend S.F. No. 2223 as follows:

Page 66, lines 12 and 14, delete "5,000" and insert "15,000"

The motion prevailed. So the amendment was adopted.

S.F. No. 2223 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Betzold	Fischbach	Hanson	Johnson, D.E.
Belanger	Cohen	Flynn	Higgins	Johnson, D.H.
Berg	Day	Foley	Hottinger	Johnson, D.J.
Berglin	Dille	Frederickson	Janezich	Johnson, J.B.

Junge	Lessard	Olson	Sams	Terwilliger
Kelley, S.P.	Lourey	Ourada	Samuelson	Vickerman
Kiscaden	Marty	Pappas	Scheevel	Wiener
Knutson	Metzen	Piper	Scheid	Wiger
Krentz	Moe, R.D.	Pogemiller	Solon	Ziegler
Laidig	Murphy	Price	Spear	
Langseth	Neuville	Ranum	Stevens	
Larson	Novak	Robertson	Stumpf	
Lesewski	Oliver	Robling	Ten Eyck	

Those who voted in the negative were:

Kleis	Limmer	Pariseau	Runbeck
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So the bill, as amended, was passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Moe, R.D. moved that H.F. No. 2387 be taken from the table. The motion prevailed.

H.F. No. 2387: A bill for an act relating to transportation; appropriating money for the department of transportation and other agencies; providing for a maximum percentage of the motorcycle safety fund that may be spent for certain activities; authorizing suspension of a vehicle's registration in certain circumstances; requiring a detachable postcard to be provided in a vehicle's certificate of title and completed on transfer of the vehicle; modifying provisions relating to disability parking privileges; abolishing certain credit for vehicle registration fee; specifically authorizing cities to enact ordinances regulating long-term parking; requiring the department of public safety to provide photo identification equipment to certain driver's license agents; reducing cost of Minnesota identification card for persons with serious and persistent mental illness; authorizing siting of public safety radio communications towers; directing commissioner of transportation to establish a southern railway corridor improvement plan; clarifying snowmobile gas tax provision; regulating advertising in department of public safety publications; modifying provisions relating to special number plates for collector aircraft; amending Minnesota Statutes 1998, sections 121A.36, subdivision 3; 168.021, subdivision 2; 168.17; 168.301, subdivisions 3 and 4; 168A.05, subdivision 5; 168A.10, subdivisions 1, 2, and 5; 168A.30, subdivision 2; 169.345, subdivisions 1, 2, 3, and 4; 169.346, subdivision 3, and by adding a subdivision; 171.061, subdivision 4; 171.07, subdivision 3; 174.70; 296A.18, subdivision 3; 299A.01, by adding a subdivision; and 360.55, subdivision 4; Laws 1997, chapter 159, article 1, sections 2, subdivision 7; and 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; and 219.

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2387 and that the rules of the Senate be so far suspended as to give H.F. No. 2387 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2387 was read the second time.

Senator Johnson, J.B. moved to amend H.F. No. 2387 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2387, and insert the language after the enacting clause, and the title, of S.F. No. 2217, the first engrossment.

The motion prevailed. So the amendment was adopted.

Senator Johnson, J.B. then moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 3, delete line 2 and insert:

"General	\$ 146,445,000	\$ 84,640,000	\$231,085,000"
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Page 3, delete lines 8 to 10 and insert:

"Trunk Highway	1,038,780,000	1,045,593,000	2,084,373,000
TOTAL	\$1,691,818,000	\$1,645,185,000	\$3,337,003,000"

Page 3, delete lines 16 and 17 and insert:

"Subdivision 1. Total Appropriation	\$1,522,832,000	\$1,475,542,000"
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Page 3, delete line 26 and insert:

"M.S.A.S.	107,624,000	107,394,000"
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Page 3, delete line 27 and insert:

"Trunk Highway	954,747,000	960,720,000"
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Page 5, line 11, before the period, insert "and is subject to the provisions of Minnesota Statutes, section 16A.28, subdivision 5"

Page 12, line 50, delete "57,437,000" and insert "57,819,000" and delete "57,937,000" and insert "58,321,000"

Page 12, delete lines 53 and 54 and insert:

"General	2,618,000	2,688,000
Trunk Highway	55,110,000	55,541,000"

Page 14, line 4, delete "Trunk Highway" and insert "Highway User"

Correct the subdivision and section totals and the summaries by fund accordingly

The motion prevailed. So the amendment was adopted.

Senator Johnson, J.B. then moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 83, line 18, delete "assistance"

The motion prevailed. So the amendment was adopted.

Senator Day moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 79, after line 23, insert:

"Sec. 84. [METERED ACCESS RAMP STUDY.]

The commissioner of transportation shall designate two weeks in October 1999, and two weeks in June 2000, during which all meters on access ramps to freeways and expressways must display only flashing yellow lights. The commissioner shall evaluate the effects of discontinuing meter operation on congestion, traffic flow, crash rates, and travel time and shall report the evaluation and conclusions to the legislature by January 15, 2001."

Renumber the sections in sequence and correct the internal references
Amend the title accordingly

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings on H.F. No. 2387. The Sergeant at Arms was instructed to bring in the absent members.

Senator Kiscaden moved that those not voting be excused from voting. The motion prevailed.

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Larson	Ourada	Scheid
Berg	Johnson, D.J.	Lessard	Pariseau	Solon
Day	Johnson, J.B.	Limmer	Robertson	Stevens
Fischbach	Kiscaden	Marty	Robling	Terwilliger
Frederickson	Kleis	Neuville	Runbeck	Wiener
Hottinger	Knutson	Oliver	Samuelson	Wiger
Janezich	Laidig	Olson	Scheevel	Ziegler

Those who voted in the negative were:

Berglin	Hanson	Krentz	Murphy	Ranum
Betzold	Higgins	Langseth	Pappas	Spear
Cohen	Junge	Lesewski	Piper	Stumpf
Flynn	Kelley, S.P.	Lourey	Pogemiller	Vickerman
Foley	Kelly, R.C.	Metzen	Price	

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Pages 24 and 25, delete section 8

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 46 and nays 12, as follows:

Those who voted in the affirmative were:

Berg	Hottinger	Langseth	Pappas	Spear
Berglin	Janezich	Lesewski	Piper	Stumpf
Betzold	Johnson, D.J.	Lessard	Price	Vickerman
Cohen	Johnson, J.B.	Lourey	Ranum	Wiener
Dille	Junge	Marty	Robertson	Wiger
Flynn	Kelley, S.P.	Metzen	Robling	Ziegler
Foley	Kelly, R.C.	Neuville	Samuelson	
Frederickson	Kiscaden	Oliver	Scheevel	
Hanson	Kleis	Olson	Scheid	
Higgins	Krentz	Ourada	Solon	

Those who voted in the negative were:

Belanger	Johnson, D.E.	Larson	Murphy	Stevens
Day	Knutson	Limmer	Runbeck	Terwilliger
Fischbach	Laidig			

The motion prevailed. So the amendment was adopted.

Senator Oliver moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 23, after line 8, insert:

"Sec. 3. Minnesota Statutes 1998, section 168.012, subdivision 1c, is amended to read:

Subd. 1c. [PAYMENT OF ADMINISTRATIVE, PLATE, AND FILING FEE.] The annual administrative fee for a tax-exempt vehicle under this section is \$5. The license plate fee for a tax-exempt vehicle, except a trailer, is \$10 for ~~two plates~~ one plate per vehicle, payable only on the first tax-exempt registration of the vehicle. The registration period for a tax-exempt vehicle is biennial. The administrative fee is due on March 1 biennially and payable the preceding January 1, with a ~~validating stickers~~ sticker issued at time of payment."

Page 23, after line 20, insert:

"Sec. 5. Minnesota Statutes 1998, section 168.013, subdivision 3, is amended to read:

Subd. 3. [APPLICATION; CANCELLATION; EXCESSIVE GROSS WEIGHTS FORBIDDEN.] The applicant for all licenses based on gross weight shall state in writing upon oath, the unloaded weight of the motor vehicle, trailer or semitrailer and the maximum load the applicant proposes to carry thereon, the sum of which shall constitute the gross weight upon which the license tax shall be paid, but in no case shall the declared gross weight upon which the tax is paid be less than 1-1/4 times the declared unloaded weight of the motor vehicle, trailer or semitrailer to be registered, except recreational vehicles taxed under subdivision 1g, school buses taxed under subdivision 18 and tow trucks or towing vehicles defined in section 169.01, subdivision 52. The gross weight of a tow truck or towing vehicle is the actual weight of the tow truck or towing vehicle fully equipped, but does not include the weight of a wrecked or disabled vehicle towed or drawn by the tow truck or towing vehicle.

The gross weight of no motor vehicle, trailer or semitrailer shall exceed the gross weight upon which the license tax has been paid by more than four percent or 1,000 pounds, whichever is greater.

The gross weight of the motor vehicle, trailer or semitrailer for which the license tax is paid shall be indicated by a distinctive character on the license plate ~~or plates~~ except as provided in subdivision 12 and the plate ~~or plates~~ shall be kept clean and clearly visible at all times.

The owner, driver, or user of a motor vehicle, trailer or semitrailer upon conviction for transporting a gross weight in excess of the gross weight for which it was registered or for operating a vehicle with an axle weight exceeding the maximum lawful axle load weight shall be guilty of a misdemeanor and be subject to increased registration or reregistration according to the following schedule:

(1) The owner, driver or user of a motor vehicle, trailer or semitrailer upon conviction for transporting a gross weight in excess of the gross weight for which it is registered by more than four percent or 1,000 pounds, whichever is greater, but less than 25 percent or for operating or using a motor vehicle, trailer or semitrailer with an axle weight exceeding the maximum lawful axle load as provided in section 169.825 by more than four percent or 1,000 pounds, whichever is greater, but less than 25 percent, in addition to any penalty imposed for the misdemeanor shall apply to the registrar to increase the authorized gross weight to be carried on the vehicle to a weight equal to or greater than the gross weight the owner, driver, or user was convicted of carrying, the increase computed for the balance of the calendar year on the basis of 1/12 of the annual tax for each month remaining in the calendar year beginning with the first day of the month in which the violation occurred. If the additional registration tax computed upon that weight, plus the tax already paid, amounts to more than the regular tax for the maximum gross weight permitted for the vehicle under section 169.825, that additional amount shall nevertheless be paid

into the highway fund, but the additional tax thus paid shall not permit the vehicle to be operated with a gross weight in excess of the maximum legal weight as provided by section 169.825. Unless the owner within 30 days after a conviction shall apply to increase the authorized weight and pay the additional tax as provided in this section, the registrar shall revoke the registration on the vehicle and demand the return of the registration card and ~~plates~~ plate issued on that registration.

(2) The owner or driver or user of a motor vehicle, trailer or semitrailer upon conviction for transporting a gross weight in excess of the gross weight for which the motor vehicle, trailer or semitrailer was registered by 25 percent or more, or for operating or using a vehicle or trailer with an axle weight exceeding the maximum lawful axle load as provided in section 169.825 by 25 percent or more, in addition to any penalty imposed for the misdemeanor, shall have the reciprocity privileges on the vehicle involved if the vehicle is being operated under reciprocity canceled by the registrar, or if the vehicle is not being operated under reciprocity, the certificate of registration on the vehicle operated shall be canceled by the registrar and the registrar shall demand the return of the registration certificate and registration ~~plates~~ plate. The registrar may not cancel the registration or reciprocity privileges for any vehicle found in violation of seasonal load restrictions imposed under section 169.87 unless the axle weight exceeds the year-round weight limit for the highway on which the violation occurred. The registrar may investigate any allegation of gross weight violations and demand that the operator show cause why all future operating privileges in the state should not be revoked unless the additional tax assessed is paid.

(3) Clause (1) does not apply to the first haul of unprocessed or raw farm products or unfinished forest products, when the registered gross weight is not exceeded by more than ten percent. For purposes of this clause, "first haul" means (i) the first, continuous transportation of unprocessed or raw farm products from the place of production or on-farm storage site to any other location within 50 miles of the place of production or on-farm storage site, or (ii) the first, continuous transportation of unfinished forest products from the place of production to the place of first unloading.

(4) When the registration on a motor vehicle, trailer or semitrailer is revoked by the registrar according to provisions of this section, the vehicle shall not be operated on the highways of the state until it is registered or reregistered, as the case may be, and a new ~~plates~~ plate issued, and the registration fee shall be the annual tax for the total gross weight of the vehicle at the time of violation. The reregistration pursuant to this subdivision of any vehicle operating under reciprocity agreements pursuant to section 168.181 or 168.187 shall be at the full annual registration fee without regard to the percentage of vehicle miles traveled in this state."

Page 24, after line 2, insert:

"Sec. 7. Minnesota Statutes 1998, section 168.021, is amended to read:

168.021 [LICENSE ~~PLATES~~ PLATE FOR PHYSICALLY DISABLED PERSONS.]

Subdivision 1. [SPECIAL ~~PLATES~~ PLATE; APPLICATION.] (a) When a motor vehicle registered under section 168.017, a motorcycle, a truck having a manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or a self-propelled recreational vehicle is owned or primarily operated by a permanently physically disabled person or a custodial parent or guardian of a permanently physically disabled minor, the owner may apply for and secure from the registrar of motor vehicles (1) immediately, a temporary permit valid for 30 days, if the applicant is eligible for the special ~~plates~~ plate issued under this paragraph, and (2) ~~two one license plates~~ one license plate with attached ~~emblems~~ emblem, ~~one plate~~ to be attached to the ~~front, and one to the~~ rear of the vehicle. When the owner first applies for the ~~plates~~ plate, the owner must submit a physician's statement on a form developed by the commissioner under section 169.345, or proof of physical disability provided for in that section.

(b) The owner of a motor vehicle may apply for and secure (i) immediately, a temporary permit valid for 30 days, if the person is eligible to receive the special ~~plates~~ plate issued under this paragraph, and (ii) ~~a set of the special plates~~ the special plate for a motor vehicle if:

(1) the owner employs a permanently physically disabled person who would qualify for a special plates plate under this section; and

(2) the owner furnishes the motor vehicle to the physically disabled person for the exclusive use of that person in the course of employment.

Subd. 1a. [SCOPE OF PRIVILEGE.] If a physically disabled person parks a vehicle displaying a license plates plate described in this section, or a temporary permit valid for 30 days and issued to an eligible person awaiting receipt of the license plates plate described in this section, or any person parks the vehicle for a physically disabled person, that person shall be entitled to park the vehicle as provided in section 169.345.

Subd. 2. [DESIGN OF PLATES PLATE; FURNISHING BY REGISTRAR.] The registrar of motor vehicles shall design and furnish ~~two~~ one license number plates plate with an attached ~~emblems~~ emblem to each eligible owner. The emblem must bear the internationally accepted wheelchair symbol, as designated in section 16B.61, subdivision 5, approximately three inches square. The emblem must be large enough to be visible plainly from a distance of 50 feet. An applicant eligible for the special plates plate shall pay the motor vehicle registration fee authorized by law less a credit of \$1 for each month registered.

Subd. 2a. [PLATE RETURNS, TRANSFERS.] (a) When vehicle ownership is transferred, the owner of the vehicle shall remove the special plates plate from the vehicle and return ~~them~~ it to the registrar. The buyer of the vehicle shall repay the \$1 credit for each month remaining in the registration period for which the special plates were plate was issued. On returning the plates plate and repaying the remaining credit, the buyer is entitled to receive a regular plates plate for the vehicle without further cost for the rest of the registration period.

(b) Notwithstanding section 168.12, subdivision 1, the special plates plate may be transferred to a replacement motor vehicle on notification to the registrar. However, the special plates plate may not be transferred unless the replacement motor vehicle (1) is registered under section 168.017 or is a self-propelled recreational vehicle, and (2) is owned or primarily operated by the permanently physically disabled person.

(c) The transferor shall not receive the \$1 credit for each month the replacement vehicle is registered until the time of renewal or first application for registration on the replacement vehicle.

Subd. 2b. [WHEN NOT ELIGIBLE.] On becoming ineligible for the special plates plate, the owner of the vehicle shall remove the special plates plate and return them to the registrar. The owner shall repay the \$1 credit for each month remaining in the registration period for which the special plates were plate was issued. On returning the plates plate and repaying the remaining credit, the owner may receive a regular plates plate for the vehicle without further cost for the rest of the registration period.

Subd. 3. [PENALTIES FOR UNAUTHORIZED USE OF PLATES PLATE.] (a) A person who uses the plates plate or temporary permit provided under this section on a motor vehicle in violation of this section is guilty of a misdemeanor, and is subject to a fine of \$500. This subdivision does not preclude a person who is not physically disabled from operating a vehicle bearing the plates plate or temporary permit if:

(1) the person is the owner of the vehicle and permits its operation by a physically disabled person;

(2) the person operates the vehicle with the consent of the owner who is physically disabled; or

(3) the person is the owner of the vehicle, is the custodial parent or guardian of a permanently physically disabled minor, and operates the vehicle to transport the minor.

(b) A driver who is not disabled is not entitled to the parking privileges provided in this section and in section 169.346 unless parking the vehicle for a physically disabled person.

Subd. 4. [FEES; DISPOSITION.] All fees collected from the sale of plates under this section shall be deposited in the state treasury to the credit of the highway user tax distribution fund.

Subd. 5. [DEFINITIONS.] For the purposes of this section, the term "physically disabled person" has the meaning given it in section 169.345.

Subd. 6. [DRIVER'S LICENSE LAW NOT AFFECTED.] Nothing in this section shall be construed to revoke, limit, or amend chapter 171.

Sec. 8. Minnesota Statutes 1998, section 168.041, subdivision 6, is amended to read:

Subd. 6. [SPECIAL SERIES PLATES PLATE.] (a) A violator or owner may apply to the commissioner for a new registration plates plate, which must bear a special series of numbers or letters so as to be readily identified by traffic law enforcement officers. The commissioner may authorize the issuance of a special plates plate if a member of the violator's household has a valid driver's license, the violator or owner has a limited license issued under section 171.30, or the owner is not the violator and the owner has a valid or limited license or a member of the owner's household has a valid driver's license. The commissioner may issue the special plates plate on payment of a \$25 fee for each vehicle for which a special plates are plate is requested. The commissioner may not authorize the issuance of a special plates plate unless the court that impounded the vehicle's plates plate gives written approval for the issuance of the special plates plate.

(b) Until the driver's license of the violator is reinstated or reissued, the violator shall inform the commissioner that an impoundment order is in effect when requesting any new registration plates plate.

Sec. 9. Minnesota Statutes 1998, section 168.10, subdivision 1g, is amended to read:

Subd. 1g. [ORIGINAL PLATES PLATE.] A vehicle registered pursuant to subdivision 1a, 1b, 1c or 1d may, in lieu of being issued a number plates plate by the registrar, display an original Minnesota number plates plate issued in the same year as the model year of the car on which they are it was displayed. The number of the original plates plate must be provided to the registrar. The original plates plate must be in good condition and shall be used in pairs one to be displayed in the front of the car and one in the rear, except for an original plate issued in 1911, 1944, 1945, or 1946 which may be used singly and displayed at the rear of the vehicle. An original Minnesota number plates plate shall not be used if the number on the original plate is identical to a number on any current street rod plate or any other plate in a numbering system used by the registrar. Any person currently using plates a plate issued pursuant to subdivision 1a, 1b, 1c or 1d shall return those plates the plate to the registrar before substituting original plates. The registrar may charge a fee for registering the number on an original plates plate.

Sec. 10. Minnesota Statutes 1998, section 168.10, subdivision 1i, is amended to read:

Subd. 1i. [COLLECTOR PLATE TRANSFERS.] Notwithstanding section 168.12, subdivision 1, on payment of a transfer fee of \$5, plates a plate issued under this section may be transferred to another vehicle owned or jointly owned by the person to whom the special plates were plate was issued or the plate may be assigned to another owner. In addition to the transfer fee, a new owner must pay the \$25 plate tax or any fee required by section 168.12, subdivision 2a. The \$5 fee must be paid into the state treasury and credited to the highway user tax distribution fund. A license plates plate issued under this section may not be transferred to a vehicle not eligible for the collector's vehicle license plates plate.

Sec. 11. Minnesota Statutes 1998, section 168.12, subdivision 1, is amended to read:

Subdivision 1. [NUMBER PLATES PLATE; DESIGN, VISIBILITY, PERIODS OF ISSUANCE.] The registrar, upon the approval and payment, shall issue to the applicant ~~the~~ a number plates plate required by law, bearing the state name and the number assigned. The number assigned may be a combination of a letter or sign with figures. The color of the plates plate and the color of the abbreviation of the state name and the number assigned shall be in marked contrast. The plates plate shall be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the registrar, and when a vehicle is registered on the basis of total gross weight, the plates plate issued shall clearly indicate by letters or other suitable insignia

the maximum gross weight for which the tax has been paid. These ~~A number plates~~ plate shall be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, ~~these a number plates~~ plate, when viewed from a vehicle equipped with standard headlights, shall be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet. The registrar shall issue these number plates for the following periods:

(1) ~~A new number plates~~ plate issued pursuant to section 168.012, subdivision 1, shall be issued to a vehicle for as long as it is owned by the exempt agency and shall not be transferable from one vehicle to another but may be transferred with the vehicle from one tax-exempt agency to another.

(2) ~~Plates A plate~~ issued for a ~~passenger automobiles~~ automobile as defined in section 168.011, subdivision 7, shall be issued for a seven-year period. All ~~plates~~ issued under this paragraph must be replaced if they are seven years old or older at the time of annual registration or will become so during the registration period.

(3) Number plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, shall be for a seven-year period.

(4) ~~Plates A plate~~ for any vehicle not specified in clauses (1) to (3), except for trailers as hereafter provided, shall be issued for the life of the vehicle. Beginning with number plates issued for the year 1981, ~~plates a plate~~ issued for ~~trailers a trailer~~ with a total gross weight of 3,000 pounds or less shall be issued for the life of the trailer and shall be not more than seven inches in length and four inches in width.

In a year in which ~~plates are a plate~~ is not issued, the registrar shall issue for each registration a tab or sticker to designate the year of registration. This tab or sticker shall show the calendar year or years for which issued, and is valid only for that period. The number ~~plates~~ plate, number ~~tabs~~ tab, or ~~stickers~~ sticker issued for a motor vehicle may not be transferred to another motor vehicle during the period for which it is issued, except a motor vehicle registered under section 168.187.

Notwithstanding any other provision of this subdivision, a number ~~plates~~ plate issued to a vehicle which is used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The registrar shall be notified of each transfer of a number plates plate under this paragraph and may prescribe a form for notification.

Sec. 12. Minnesota Statutes 1998, section 168.123, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS; FEES.] (a) On payment of a fee of \$10 for ~~each set of two plates, or for a single plate in the case of a motorcycle plate~~, payment of the registration tax required by law, and compliance with other laws relating to the registration and licensing of a passenger automobile, pickup truck, van, self-propelled recreational equipment, or motorcycle, as applicable, the registrar shall issue:

(1) a special license plates plate to an applicant who served in the active military service in a branch of the armed forces of the United States or of a nation or society allied with the United States in conducting a foreign war, was discharged under honorable conditions, and is an owner or joint owner of a passenger automobile, pickup truck, van, or self-propelled recreational equipment; or

(2) a special motorcycle license plate as described in subdivision 2, paragraph (a), or another special license plate designed by the commissioner of public safety to an applicant who is a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, and who served in the active military service in a branch of the armed forces of the United States in conducting a foreign war, was discharged under honorable conditions, and is an owner or joint owner of a motorcycle. ~~Plates A plate~~ issued under this clause must be the same size as a standard motorcycle license plates plate.

(b) The additional fee of \$10 is payable for each ~~set of plates~~ plate, is payable only when the ~~plates are~~ plate is issued, and is not payable in a year in which ~~tabs a tab~~ or ~~stickers are~~ sticker is

issued instead of a number ~~plates~~ plate. An applicant must not be issued a plate for more than two sets of ~~plates~~ for vehicles listed in paragraph (a) and owned or jointly owned by the applicant.

(c) The veteran shall have a certified copy of the veteran's discharge papers, indicating character of discharge, at the time of application. If an applicant served in the active military service in a branch of the armed forces of a nation or society allied with the United States in conducting a foreign war and is unable to obtain a record of that service and discharge status, the commissioner of veterans affairs may certify the applicant as qualified for the veterans' license ~~plates~~ plate provided under this section.

Sec. 13. Minnesota Statutes 1998, section 168.123, subdivision 4, is amended to read:

Subd. 4. [PLATE TRANSFERS.] (a) On payment of a fee of \$5, plates issued under subdivision 1, paragraph (a), clause (1), may be transferred to another passenger automobile, pickup truck, van, or self-propelled recreational equipment owned or jointly owned by the person to whom the ~~plates~~ plate was issued.

(b) On payment of a fee of \$5, a plate issued under subdivision 1, paragraph (a), clause (2), may be transferred to another motorcycle owned or jointly owned by the person to whom the plate was issued.

Sec. 14. Minnesota Statutes 1998, section 168.125, subdivision 2, is amended to read:

Subd. 2. [SPECIAL PLATES ~~PLATE~~; EX-POW AND DISABILITY INSIGNIA.] The registrar shall issue a special license ~~plates~~ plate bearing both the "EX-POW" and disability insignia to any applicant who is entitled to the special license ~~plates~~ plate provided under this section and who is also entitled to a special license ~~plates~~ plate for the physically disabled under section 168.021 upon compliance with the provisions of both sections. The special license ~~plates~~ plate shall be of a design and size to be determined by the commissioner.

Sec. 15. Minnesota Statutes 1998, section 168.1281, subdivision 1, is amended to read:

Subdivision 1. [LICENSE PLATES ~~PLATE~~.] A person who operates a personal transportation service vehicle shall apply to register the vehicle as provided in this section. The registrar shall issue a personal transportation service ~~plates~~ plate on the applicant's compliance with laws relating to registration and licensing of motor vehicles and drivers, and certification by the owner that an insurance policy meeting the requirements of subdivision 2 is in effect for the entire period of registration. The applicant must provide the registrar with proof that the passenger automobile license tax and a \$10 fee have been paid for each vehicle receiving a personal transportation service license ~~plates~~ plate. The registrar shall design the personal transportation service license ~~plates~~ plate so that the ~~plates~~ plate identifies the vehicle as a personal transportation service vehicle, and clearly display the letters "LS." A personal transportation service license ~~plates~~ plate issued to a vehicle may not be transferred to another vehicle, except that they may be transferred to another personal transportation service vehicle owned by the same owner on notification to the registrar and payment of a \$5 transfer fee.

Sec. 16. Minnesota Statutes 1998, section 168.129, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] The commissioner of public safety shall issue a special collegiate license ~~plates~~ plate to an applicant who:

- (1) is an owner or joint owner of a passenger automobile, pickup truck, or van;
- (2) pays a fee determined by the commissioner to cover the costs of handling and manufacturing the ~~plates~~ plate;
- (3) pays the registration tax required under section 168.013;
- (4) pays the fees required under this chapter;
- (5) contributes at least \$25 annually to the scholarship account established in subdivision 6; and

(6) complies with laws and rules governing registration and licensing of vehicles and drivers.

Sec. 17. Minnesota Statutes 1998, section 168.1292, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] The registrar shall issue a special Olympic license ~~plates~~ plate to an applicant who:

- (1) is an owner or joint owner of a passenger automobile, pickup truck, or van;
- (2) pays a fee of \$10 to cover the costs of handling and manufacturing the ~~plates~~ plate;
- (3) pays the registration tax required under section 168.013;
- (4) pays the fees required under this chapter;
- (5) contributes \$15 annually to the Minnesota amateur sports commission; and
- (6) complies with laws and rules governing registration and licensing of vehicles and drivers.

Sec. 18. Minnesota Statutes 1998, section 168.1296, subdivision 1, is amended to read:

Subdivision 1. [GENERAL REQUIREMENTS AND PROCEDURES.] (a) The registrar shall issue a special critical habitat license ~~plates~~ plate to an applicant who:

- (1) is an owner or joint owner of a passenger automobile, pickup truck, or van;
- (2) pays a fee of \$10 to cover the costs of handling and manufacturing the ~~plates~~ plate;
- (3) pays the registration tax required under section 168.013;
- (4) pays the fees required under this chapter;
- (5) contributes a minimum of \$30 annually to the Minnesota critical habitat private sector matching account established in section 84.943; and
- (6) complies with laws and rules governing registration and licensing of vehicles and drivers.

(b) The critical habitat license application form must clearly indicate that the annual contribution specified under paragraph (a), clause (5), is a minimum contribution to receive the license plate and that the applicant may make an additional contribution to the account."

Page 31, after line 35, insert:

"Sec. 35. Minnesota Statutes 1998, section 169.79, is amended to read:

169.79 [VEHICLE REGISTRATION.]

No person shall operate, drive, or park a motor vehicle on any highway unless the vehicle is registered in accordance with the laws of this state and has ~~the one number plates~~ plate for the current year only, except as provided in sections 168.10 and 168.12, subdivision 2f, as assigned to it by the commissioner of public safety, conspicuously displayed thereon at the rear of the vehicle in a manner that the view of ~~any the~~ the plate is not obstructed. If the vehicle is a semitrailer, the number plate displayed must be assigned to the registered owner and correlate to the certificate of title documentation on file with the department and shall not display a year indicator. If the vehicle is a motorcycle; motor scooter; motorized bicycle; motorcycle sidecar; trailer; semitrailer; collector's vehicle with a pioneer, classic car, collector, or street rod license; vehicle that meets the requirements of a pioneer, classic, or street rod vehicle except that the vehicle is used for general transportation purposes; vehicle that is of model year 1968 or earlier, is not registered under section 168.10, subdivision 1c, and is used for general transportation purposes; or vehicle displaying a dealer plate, one plate shall be displayed on the rear thereof; if the vehicle is a truck-tractor, road-tractor or farm truck, as defined in section 168.011, subdivision 17, but excluding from that definition semitrailers and trailers, one plate shall be displayed on the front thereof; if it is any other kind of motor vehicle, one plate shall be displayed ~~on the front and one~~

on the rear thereof. All plates shall be securely fastened so as to prevent them from swinging. The person driving the motor vehicle shall keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering shall be plainly visible at all times. It is unlawful to cover any assigned letters and numbers or the name of the state of origin of a license plate with any material whatever, including any clear or colorless material that affects the plate's visibility or reflectivity. License plates issued to vehicles registered under section 168.017 must display the month of expiration in the lower left corner as viewed facing the plate and the year of expiration in the lower right corner as viewed facing the plate. License plates issued to vehicles registered under section 168.127 must display either fleet registration validation stickers in the lower right corner as viewed facing the plates or distinctive license plates, issued by the registrar, with "FLEET REG" embossed on the bottom center portion of the plate."

Page 83, after line 24, insert:

"The revisor of statutes shall change the word "plates," "stickers," or "tabs," where it refers to vehicle registration number plates, stickers, or tabs, wherever it appears in the next edition of Minnesota Statutes to "plate," "a plate," "the plate," "a sticker," "the sticker," "a tab," or "the tab," or make other appropriate wording changes to effectuate the purposes of this act."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Lesewski moved to amend H.F. No. 2387, as amended by the Senate, adopted April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 82, after line 36, insert:

"Sec. 92. [COMMISSIONER TO ERECT SIGNS.]

The commissioner of transportation shall erect, at the intersections of Pipestone county state-aid highway No. 18 with marked trunk highways Nos. 23 and 30, one sign in each direction displaying directions to the New Life Treatment Center."

Page 83, line 33, after "89," insert "92,"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kiscaden moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 44, after line 35, insert:

"Sec. 35. [219.445] [SOUTHERN RAIL CORRIDOR IMPROVEMENT PLAN.]

Subdivision 1. [CORRIDOR DEVELOPMENT.] The commissioner of transportation shall develop a corridor improvement plan for grade crossings intersecting or crossing the railway right-of-way in the railway corridor that runs east to west across southern Minnesota within all of the counties of Winona, Olmsted, Dodge, Steele, Waseca, Blue Earth, Brown, Redwood, Lyon, and Lincoln.

Subd. 2. [GRADE CROSSING RECOMMENDATIONS.] (a) The corridor improvement plan must include crossing-by-crossing assessments based on ten-year and 20-year projections of train

and vehicle volumes that will identify minimum improvements necessary at crossings with moderate levels of exposure, consistent with rules adopted by the commissioner. The plan must include identification of all crossings that are candidates for grade separations where levels of exposure exceed 300,000, or crossings that meet the criteria identified in the rules adopted by the commissioner. For purposes of this section, "levels of exposure" means average daily vehicle traffic multiplied by the number of trains per day at a crossing.

(b) The department shall consider crossings that are candidates for closure, consistent with rules adopted by the commissioner governing the vacating of a grade crossing.

(c) When community plans have been developed by the affected railroad company and local governing bodies, the department shall review the community plans for compliance with the department's minimum criteria for necessary crossing improvements at all public crossings as identified in the commissioner's rules. The agreed-to community plans take precedence over the elements of the corridor improvement plan.

Subd. 3. [LOCAL GOVERNMENT AND RAILROAD COMPANY PARTICIPATION; FEDERAL REVIEW.] (a) The commissioner shall provide an opportunity for an affected railroad company or local governing body to participate in developing the corridor improvement plan. The commissioner shall allow an affected local governing body the opportunity to review the corridor improvement plan before executing an agreement for grade crossing improvements in the corridor improvement plan between the department and the railroad company and before forwarding the plan to the federal Surface Transportation Board (STB).

(b) Paragraph (a) does not preclude the department from providing comments or information related to the railway corridor improvement project to the STB or any other governing body related to construction activities or environmental impact statement preparation.

Subd. 4. [FINAL PLAN; HOLD HARMLESS.] (a) The final plan must be submitted to any affected area transportation partnership, local unit of government, and railroad company within the corridor area in order to provide future grade crossing safety improvement planning guidance.

(b) Unless otherwise specifically agreed to as part of the plan, the development of a corridor improvement plan does not bind the state or any local government unit to a specific implementation timetable or to funding the cost of proposed recommended safety upgrades."

Page 83, line 35, after the period, insert "Section 35 is effective July 1, 1999."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Day moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 5, delete lines 3 to 11

Page 11, after line 1, insert:

"Sec. 4. ADDITIONAL TRANSPORTATION AND METROPOLITAN COUNCIL APPROPRIATIONS	60,000,000	-0-
--	------------	-----

This appropriation is from the general fund, to be added to the appropriations in this article.

(a) Transportation

45,000,000	-0-
------------	-----

\$30,000,000 the first year is for state road construction.

\$10,000,000 the first year is for grants to political subdivisions for replacement or rehabilitation of local bridges.

\$5,000,000 the first year is for greater Minnesota transit assistance.

(b) Metropolitan Council

15,000,000 -0-

\$15,000,000 the first year is for metropolitan council transit."

Correct the subdivision and section totals and the summaries by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 44, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Limmer	Robling	Ziegler
Berg	Kleis	Neuville	Runbeck	
Day	Knutson	Olson	Scheevel	
Dille	Larson	Ourada	Stevens	
Fischbach	Lesewski	Pariseau	Wiger	

Those who voted in the negative were:

Anderson	Janezich	Krentz	Novak	Scheid
Berglin	Johnson, D.E.	Laidig	Oliver	Solon
Betzold	Johnson, D.H.	Langseth	Pappas	Spear
Cohen	Johnson, D.J.	Lessard	Piper	Stumpf
Flynn	Johnson, J.B.	Lourey	Pogemiller	Ten Eyck
Foley	Junge	Marty	Price	Terwilliger
Hanson	Kelley, S.P.	Metzen	Ranum	Vickerman
Higgins	Kelly, R.C.	Moe, R.D.	Robertson	Wiener
Hottinger	Kiscaden	Murphy	Samuelson	

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

Senator Murphy moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 36, after line 27, insert:

"Sec. 25. [174.19] [PETROLEUM STORAGE TANKS.]

Specifications issued by the commissioner of transportation relating to the procurement of underground fuel storage tanks by the department of transportation and used by the department must be written in such a way that they include all types of fiberglass and steel underground storage tanks that have been approved by the Minnesota pollution control agency and the United States Environmental Protection Agency for underground storage of fuel, or meet the standards for tank approval established by those agencies."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Robling moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 5, delete lines 3 to 11

Page 11, after line 1, insert:

"Sec. 4. ADDITIONAL TRANSPORTATION
AND METROPOLITAN COUNCIL
APPROPRIATIONS

45,000,000

-0-

\$45,000,000 is appropriated from the general fund to be added to the appropriations in this article.

(a) Transportation

41,000,000 - 0 -

\$12,000,000 the first year is for grants to political subdivisions for replacement or rehabilitation of local bridges.

\$7,000,000 the first year is for the county turnback account in the county state-aid highway fund.

\$1,000,000 the first year is for the municipal turnback accounts in the municipal state-aid street fund.

\$15,000,000 the first year is for transfer to the highway account in the transportation revolving loan fund established in Minnesota Statutes, section 446A.085.

\$6,000,000 the first year is for greater Minnesota transit assistance.

(b) Metropolitan Council

4,000,000 - 0 -

\$4,000,000 is for metropolitan council transit.

Sec. 5. LIGHT RAIL TRANSIT
APPROPRIATIONS

60,000,000

- 0 -

\$60,000,000 is appropriated to the commissioner of transportation from the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal funds upon receipt of \$220,000,000 in federal funds for the planning, design, and construction of light rail transit in the Hiawatha corridor.

Sec. 6. [BOND SALE.]

To provide the money appropriated by section 5

from the state transportation fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$60,000,000 in the manner, on the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund."

Correct the subdivision and section totals and the summaries by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 38, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Larson	Olson	Scheevel
Berg	Johnson, D.E.	Lesewski	Ourada	Stevens
Day	Kiscaden	Limmer	Pariseau	Terwilliger
Dille	Kleis	Neuville	Robling	Wiger
Fischbach	Knutson	Oliver	Runbeck	Ziegler

Those who voted in the negative were:

Anderson	Hottinger	Krentz	Pappas	Solon
Berglin	Janezich	Laidig	Piper	Spear
Betzold	Johnson, D.H.	Langseth	Pogemiller	Stumpf
Cohen	Johnson, D.J.	Lourey	Price	Ten Eyck
Flynn	Johnson, J.B.	Marty	Ranum	Vickerman
Foley	Junge	Metzen	Robertson	Wiener
Hanson	Kelley, S.P.	Moe, R.D.	Samuelson	
Higgins	Kelly, R.C.	Novak	Scheid	

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

Senator Marty moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 5, after line 11, insert:

"The appropriation in this subdivision may not be used for study, engineering, design, or construction of any transit projects until the metropolitan council officially adopts findings and documents the evidence used in making those findings determining that the mode of transit selected and the corridors selected are the most efficient and cost-effective means to achieve these goals: increasing overall transit ridership in the metropolitan area; reducing highway congestion; reducing urban sprawl; and providing the fastest, most convenient, and safest

transportation for transit users. In developing its findings, the council must examine the ability of light rail transit in the Hiawatha Avenue corridor to achieve these goals efficiently and cost-effectively in comparison with results that could be achieved by using this same appropriation with the same federal and local matches for other transit improvements, including construction in the metropolitan area of several exclusive busways; establishment of a personal rapid transit (PRT) system; providing subsidies to employers for offering free or discount bus passes; lowering bus fares to a nominal amount such as 25 cents; increasing levels of bus service; reducing commute times for buses through means such as using highway shoulders as bus lanes for rush hour travel. As part of its findings, the council must consider best possible alternatives that are comparable to the light rail proposal, including purchase of new, clean-fuel buses; design and construction of safe, comfortable transit stations; and development of other transit amenities to increase ridership and improve service to transit users. After the council has adopted findings required by this paragraph, this appropriation is available for use for transit improvements consistent with the findings of the council. The council shall work aggressively to secure all possible federal and local funds to match this appropriation.

The council shall work with federal officials to ensure that federal matching funds are provided in a manner that is flexible and best meets the transit needs of the metropolitan area."

Page 79, after line 23, insert:

"The appropriation of \$40,000,000 for light rail transit is subject to the restrictions and conditions in article 1, section 2, subdivision 3, paragraph (c)."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 47, as follows:

Those who voted in the affirmative were:

Berg	Lesewski	Oliver	Scheevel	Ziegler
Day	Limmer	Pariseau	Stevens	
Fischbach	Marty	Robling	Stumpf	
Knutson	Neuville	Runbeck	Wiger	

Those who voted in the negative were:

Anderson	Betzold	Flynn	Hanson	Janezich
Belanger	Cohen	Foley	Higgins	Johnson, D.E.
Berglin	Dille	Frederickson	Hottinger	Johnson, D.H.

Johnson, D.J.	Krentz	Murphy	Ranum	Ten Eyck
Johnson, J.B.	Laidig	Novak	Robertson	Terwilliger
Junge	Langseth	Ourada	Sams	Vickerman
Kelley, S.P.	Larson	Pappas	Samuelson	Wiener
Kelly, R.C.	Lessard	Piper	Scheid	
Kiscaden	Lourey	Pogemiller	Solon	
Kleis	Metzen	Price	Spear	

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

Senator Johnson, D.J. moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 34, after line 22, insert:

"Sec. 23. 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."

Page 35, after line 26, insert:

"Sec. 25. 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."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Ourada moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 15, lines 27 and 28, delete "trunk highway" and insert "general"

Page 20, after line 33, insert:

"Section 1. Minnesota Statutes 1998, section 16A.127, is amended by adding a subdivision to read:

Subd. 10. [HIGHWAY FUNDS.] Statewide indirect cost liabilities may not be accrued to the highway user tax distribution fund, trunk highway fund, county state-aid highway fund, or municipal state-aid street fund with respect to expenditures from those funds. These liabilities must be accrued to another source of state funds.

Sec. 2. Minnesota Statutes 1998, section 161.04, is amended by adding a subdivision to read:

Subd. 4. [PROHIBITION AGAINST APPROPRIATIONS FROM TRUNK HIGHWAY FUND.] To ensure compliance with the Minnesota Constitution, article XIV, sections 2, 5, and 6, the commissioner of finance, agency directors, and legislative commission personnel may not include in a biennial budget, expenditures from the trunk highway fund for a nonhighway purpose. Prohibited expenditures include, without limitation, statewide indirect costs and tort claims."

Correct the subdivision and section totals and the summaries by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Larson	Pariseau	Terwilliger
Berg	Johnson, D.H.	Lesewski	Robertson	Ziegler
Day	Kiscaden	Limmer	Robling	
Dille	Kleis	Neuville	Runbeck	
Fischbach	Knutson	Oliver	Scheevel	
Frederickson	Laidig	Ourada	Stevens	

Those who voted in the negative were:

Anderson	Janezich	Lourey	Pogemiller	Stumpf
Berglin	Johnson, D.J.	Marty	Price	Ten Eyck
Betzold	Johnson, J.B.	Metzen	Ranum	Vickerman
Cohen	Junge	Moe, R.D.	Sams	Wiener
Flynn	Kelley, S.P.	Murphy	Samuelson	Wiger
Foley	Kelly, R.C.	Novak	Scheid	
Higgins	Krentz	Pappas	Solon	
Hottinger	Langseth	Piper	Spear	

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

Senator Fischbach moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 83, delete sections 92 and 93 and insert:

"Sec. 92. [CONSTITUTIONAL AMENDMENT PROPOSED.]

An amendment to the Minnesota Constitution, article XIV, is proposed to the people. If adopted the article will be amended by adding a section to read:

Sec. 12. Of the proceeds of any tax levied by law on the sale price of new and used motor vehicles, not less than 22 percent must be paid into the highway user tax distribution fund.

Sec. 93. [CONSTITUTIONAL AMENDMENT PROPOSED.]

An amendment to the Minnesota Constitution, article XIV, is proposed to the people. If adopted the article will be amended by adding a section to read:

Sec. 13. Of the proceeds of any tax levied by law on the sale price of new and used motor vehicles, not less than five percent must be paid into a fund established by law for transit capital.

Sec. 94. [SUBMISSION TO VOTERS.]

The constitutional amendment proposed in section 92 must be submitted at the 2000 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to require that of the proceeds from a sales tax on new and used motor vehicles at least 22 percent must be paid into the highway user tax distribution fund?"

Yes.....
No....."

Sec. 95. [SUBMISSION TO VOTERS.]

The constitutional amendment proposed in section 93 must be submitted at the 2000 general election. The question submitted must be:

"Shall the Minnesota Constitution be amended to require that of the proceeds from a sales tax on new and used motor vehicles at least five percent must be paid into a fund for public transit assistance?"

Yes.....
No....." "

Page 84, line 4, delete "amendment" and insert "amendments" and delete "section 92 is" and insert "sections 92 and 93 are"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Junge questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Larson	Olson	Scheevel
Berg	Kiscaden	Lesewski	Pariseau	Stevens
Day	Kleis	Limmer	Robertson	Terwilliger
Dille	Knutson	Neuville	Robling	Wiger
Fischbach	Laidig	Oliver	Runbeck	Ziegler

Those who voted in the negative were:

Anderson	Higgins	Kelly, R.C.	Piper	Spear
Berglin	Hottinger	Krentz	Pogemiller	Stumpf
Betzold	Janezich	Langseth	Price	Ten Eyck
Cohen	Johnson, D.H.	Lessard	Ranum	Vickerman
Flynn	Johnson, D.J.	Lourey	Sams	Wiener
Foley	Johnson, J.B.	Marty	Samuelson	
Frederickson	Junge	Metzen	Scheid	
Hanson	Kelley, S.P.	Murphy	Solon	

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

Senator Marty moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 79, after line 23, insert:

"Sec. 84. [PROHIBITION OF EXPENDITURE OF FUNDS ON STILLWATER BRIDGE.]

The commissioner of transportation may not expend state funds in connection with construction of a bridge across the St. Croix river near Stillwater unless the metropolitan council first adopts findings that a newly-constructed bridge across the St. Croix river will not contribute to urban sprawl."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 8 and nays 52, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Neuville	Ranum	Wiger
Dille	Marty	Piper		

Those who voted in the negative were:

Belanger	Johnson, D.E.	Larson	Pariseau	Spear
Berg	Johnson, D.H.	Lesewski	Pogemiller	Stevens
Betzold	Johnson, D.J.	Lessard	Price	Stumpf
Cohen	Junge	Limmer	Robertson	Ten Eyck
Day	Kelley, S.P.	Lourey	Robling	Terwilliger
Fischbach	Kelly, R.C.	Moe, R.D.	Runbeck	Vickerman
Frederickson	Kiscaden	Murphy	Sams	Wiener
Hanson	Kleis	Novak	Samuelson	Ziegler
Higgins	Knutson	Oliver	Scheevel	
Hottinger	Laidig	Olson	Scheid	
Janezich	Langseth	Ourada	Solon	

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

Senator Kleis moved to amend H.F. No. 2387, as amended by the Senate April 19, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 2217.)

Page 31, after line 35, insert:

"Sec. 21. Minnesota Statutes 1998, section 169.81, subdivision 3c, is amended to read:

Subd. 3c. [RECREATIONAL VEHICLE COMBINATION.] Notwithstanding subdivision 3, a recreational vehicle combination may be operated without a permit if:

(1) the combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;

(2) the combination does not exceed ~~60~~ 65 feet in length;

(3) the camper-semitrailer in the combination does not exceed 28 feet in length;

(4) the operator of the combination is at least 18 years of age;

(5) the trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, or all-terrain vehicle meets all requirements of law;

(6) the trailers in the combination are connected to the pickup truck and each other in conformity with section 169.82; and

(7) the combination is not operated within the seven-county metropolitan area, as defined in section 473.121, subdivision 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Foley questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the Kleis amendment. The motion prevailed. So the amendment was adopted.

Pursuant to Rule 22, Senator Kleis moved that he be excused from voting on all questions pertaining to H.F. No. 2387. The motion prevailed.

H.F. No. 2387 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 51 and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belanger	Foley	Neuville	Runbeck	Stevens
Day	Limmer	Robling	Scheevel	Ziegler
Fischbach	Marty			

So the bill, as amended, was passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, J.B. moved that S.F. No. 2217, No. 51 on General Orders, be stricken and laid on the table. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, First Reading of House Bills, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

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. 1467 and 2380.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 16, 1999

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 1467: A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, and self-sufficiency and lifelong learning; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405, subdivision 2; 119A.31, subdivision 1, and by adding a subdivision; 119B.01, subdivisions 1, 2, 10, 12, 12a, 13, 16, 17, and by adding subdivisions; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, 6, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.06, subdivision 1; 119B.061; 119B.07; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.18, subdivision 3; 119B.19, subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 119B.25, subdivision 3; 121A.19; 122A.26, by adding a subdivision; 124D.13, subdivision 2; 124D.135, subdivisions 1 and 3; 124D.19, subdivision 11; 124D.20, subdivision 5; 124D.22; 124D.23, by adding a subdivision; 124D.33, subdivision 3; 124D.52, subdivision 2, and by adding subdivisions; 124D.53, subdivision 3, and by adding a subdivision; 124D.54, subdivision 1; 125A.35, subdivision 5; 171.29, subdivision 2; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.046, subdivision 1; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 2 and 3, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10 and 11; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 15; 119B.03, subdivision 7; 119B.05, subdivisions 6 and 7; 119B.075; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; 124D.14; and 124D.53, subdivision 6.

Senator Moe, R.D. moved that H.F. No. 1467 be laid on the table. The motion prevailed.

H.F. No. 2380: A bill for an act relating to education; appropriating money for education and related purposes to the higher education services office, board of trustees of the Minnesota state colleges and universities, board of regents of the University of Minnesota, and the Mayo medical foundation, with certain conditions; modifying certain conditions for the Minnesota state colleges and universities; clarifying requirements for student conduct policy; modifying programs that promote college affordability; modifying provisions relating to regent selection and recruitment; authorizing board of regents to establish a branch campus in Rochester; clarifying and changing requirements for private career schools; providing for rulemaking; amending Minnesota Statutes 1998, sections 16B.465, subdivision 4; 135A.155; 136A.031, subdivision 3; 136A.121, subdivisions 5 and 6; 136A.125, subdivision 4; 136F.02, subdivision 2; 136F.04, subdivision 1; 136F.22, subdivision 1; 136F.32, subdivision 2, and by adding a subdivision; 137.0245, subdivision 4; 141.21, subdivisions 3, 5, 6, and by adding subdivisions; 141.22; 141.25, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 12; 141.26, subdivision 2; 141.271, subdivisions 1, 2, 3, 4, 5, 6, and 12; 141.28, subdivisions 3 and 5; 141.29, subdivision 1; 141.31; 141.32; 141.35; and 471.59, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 137; and 141; repealing Minnesota Statutes 1998, sections 136A.1359; 136A.136; 141.25, subdivisions 9a, 9b, and 11; and 141.36.

Senator Moe, R.D. moved that H.F. No. 2380 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

Senator Berglin from the Committee on Human Resources Finance, to which was referred

S.F. No. 2052: A bill for an act relating to claims against the state; providing for payment of various claims; clarifying certain language concerning claims; appropriating money; amending Minnesota Statutes 1998, sections 3.738, subdivision 2; and 3.739, subdivision 2a.

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

Page 2, line 26, delete everything after "(d)"

Page 2, delete lines 27 and 28

Page 2, line 29, delete everything before "To"

Page 2, lines 32 and 36, delete "(f)" and insert "(e)"

Page 2, line 35, delete "(g)" and insert "(f)"

Page 3, after line 7, insert:

"Subd. 4. [MCF-MOOSE LAKE CONVERSION.] (a) \$34,000 is appropriated from the general fund to the commissioner of corrections for full and final payment of claims against the state for losses incurred by the claimants named in paragraphs (b) and (c) in the conversion of the state hospital at Moose Lake into a corrections facility. The appropriation is available until June 30, 2000.

(b) \$18,000 of the amount in paragraph (a) is for full and final payment of the claim of Michael and Mary Jo Kosloski of Moose Lake, Minnesota.

(c) \$16,000 of the amount in paragraph (a) is for full and final payment of the claim of Alan and Sandra Schmeling of Moose Lake, Minnesota."

Page 4, line 30, delete "\$....." and insert "\$17,000"

Page 5, after line 19, insert:

"Sec. 8. [WILLIS LAKE IN WASECA COUNTY.]

Notwithstanding Minnesota Rules, part 6115.0221, item A, subitem (2), unit (b), the division of waters of the department of natural resources may determine a different control elevation for Willis lake in Waseca county.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective the day following final enactment.

Amend the title as follows:

Page 1, line 4, after the first semicolon, insert "authorizing determination of a lake control elevation;"

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

Senator Berglin from the Committee on Human Resources Finance, 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; 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; Laws 1998, chapter 338, section 8; 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 8, after line 26, insert:

"Subd. 6. [SHARING OF INFORMATION.] The public authority may share available and relevant information on the parties in order to perform its duties under this section or under supreme court rules governing the expedited child support hearing process under section 484.702, subject to the limitations of sections 256.87, subdivision 8; 257.70; and 518.005, subdivision 5."

Page 9, line 10, after "The" insert "supreme court, in consultation with the" and strike everything after "services" and insert "and"

Page 9, line 12, delete the new language

Page 9, line 16, after the period, insert "Notwithstanding Minnesota Statutes, section 13.46, the supreme court has access to private data on parties to the expedited process for purposes of doing this evaluation."

Page 9, line 22, delete ", by county" and strike "commissioner"

Page 9, line 23, strike "shall" and insert "legislature requests that the supreme court"

Page 9, line 25, strike "shall" and insert "should"

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 under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 851: A bill for an act relating to local government; removing the expiration of

corporations created by political subdivisions; establishing a task force to develop legislation relating to establishment of corporations by political subdivisions; amending Minnesota Statutes 1998, section 465.715, subdivision 1a.

Reports the same back with the recommendation that the report from the Committee on Governmental Operations and Veterans, shown in the Journal for April 13, 1999, be adopted; that committee recommendation being:

"the bill be amended 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 under Joint Rule 2.03, together with the committee report thereon,

H.F. No. 585: A bill for an act relating to capital investment; reducing an appropriation; making a conforming change; excluding an authorization for certain kitchen facilities; amending a match requirement for the Isle Community Center grant; amending Laws 1998, chapter 404, section 5, subdivision 4.

Reports the same back with the recommendation that the report from the Committee on Jobs, Energy and Community Development, shown in the Journal for April 15, 1999, be amended to read:

"the bill do pass and be placed on the Consent Calendar". Report adopted.

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

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.

Reports the same back with the recommendation that the report from the Committee on Agriculture and Rural Development, shown in the Journal for April 16, 1999, be amended to read:

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

Senator Berglin from the Committee on Human Resources Finance, to which was referred

H.F. No. 2390: A bill for an act relating to state government; appropriating money for economic development and certain agencies of state government; establishing and modifying programs; regulating activities and practices; modifying fees; eliminating certain boards; transferring regulatory authority over health maintenance organizations and similar entities to the commissioner of commerce; making conforming changes; requiring reports; amending Minnesota Statutes 1998, sections 45.0295; 53A.03; 53A.05, subdivision 1; 60A.14, subdivision 1; 60A.23, subdivision 8; 60A.71, subdivision 7; 60B.02; 60B.03, subdivisions 2 and 4; 60B.15; 60B.20; 60G.01, subdivisions 2 and 4; 60K.06, subdivision 2; 62A.61; 62D.01, subdivision 2; 62D.02, subdivision 3, and by adding a subdivision; 62D.03, subdivisions 1, 3, and 4; 62D.04, subdivisions 1, 2, 4, and by adding a subdivision; 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 1b, 2, 3, and by adding a subdivision; 62D.12, subdivisions 1, 2, and 9; 62D.121, subdivisions 3a and 7; 62D.14, subdivisions 1, 3, 4, 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; 65B.48, subdivision 3; 70A.14, subdivision 4; 72A.139, subdivision 2; 72B.04, subdivision 10; 79.255, subdivision 10; 80A.28, subdivision 1; 82A.08, subdivision 2; 82A.16, subdivisions 2 and 6; 116J.415, subdivision 5; 116J.421, subdivision 3, and by adding subdivisions; 116J.63, subdivision 4; 116J.8745, subdivisions 1 and 2; 116L.03, subdivision 5; 116L.04, subdivision 1a; 116L.06, subdivision 4; 175.17; 176.181, subdivision 2a; 237.295, subdivision 1; 268.022, subdivision 1; 268.98, subdivision 3; 298.22, subdivision 2; 326.244, subdivision 2, and by adding a subdivision; 326.86, subdivision 1; 446A.072, subdivision 4; 462A.20, subdivision 2, and by adding a subdivision; 462A.204, by adding a subdivision; 462A.209; and 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116J; and 178; repealing Minnesota Statutes 1998, sections 44A.001; 44A.01; 44A.02; 44A.023; 44A.025; 44A.031; 44A.0311; 44A.06; 44A.08; 44A.11; 62D.18; 62L.11, subdivision 2; 62Q.45, subdivision 1; 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06; 341.01; 341.02; 341.04; 341.045; 341.05; 341.06; 341.07; 341.08; 341.09; 341.10; 341.11; 341.115; 341.12; 341.13; 341.15; 462A.28; 469.305; 469.306; 469.307; 469.308; and 469.31; Laws 1998, chapter 404, section 13, subdivision 5.

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

Delete everything after the enacting clause and insert:

"Section 1. [ECONOMIC DEVELOPMENT; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "2000" and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 2000, or June 30, 2001, respectively. The term "first year" means the fiscal year ending June 30, 2000, and "second year" means the fiscal year ending June 30, 2001.

SUMMARY BY FUND

	2000	2001	TOTAL
General	\$228,244,000	\$184,455,000	\$412,699,000
Petroleum Tank Cleanup	1,015,000	1,045,000	2,060,000
Trunk Highway	745,000	766,000	1,511,000
Workers' Compensation	22,217,000	22,439,000	44,656,000
Environmental	700,000	700,000	1,400,000
TOTAL	\$252,921,000	\$209,405,000	\$462,326,000

APPROPRIATIONS

Available for the Year
Ending June 30
2000 2001

Sec. 2. TRADE AND ECONOMIC DEVELOPMENT

Subdivision 1. Total Appropriation \$ 39,895,000 \$ 32,171,000

Summary by Fund

General 38,450,000 30,705,000

Trunk Highway	745,000	766,000
Environmental	700,000	700,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Business and Community

Development	23,570,000	16,549,000
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Summary by Fund

General	22,870,000	15,849,000
Environmental	700,000	700,000

\$3,017,000 the first year and \$2,517,000 the second year are for Minnesota investment fund grants.

\$1,000,000 the first year is for the taconite mining grant program under Minnesota Statutes, section 116J.992.

\$405,000 the first year is for a grant to Advantage Minnesota, Inc. The funds are available only if matched on at least a dollar-for-dollar basis from other sources. The commissioner may release the funds only upon:

- (1) certification that matching funds from each participating organization are available; and
- (2) review and approval by the commissioner of the proposed operations plan of Advantage Minnesota, Inc. for the biennium.

\$5,924,000 the first year and \$5,931,000 the second year are for the job skills partnership program. If the appropriation for either year is insufficient, the appropriation for the other year is available. This appropriation does not cancel.

\$500,000 the first year is for a grant to the city of Fridley for costs of the design and construction of infrastructure improvements required by a large business campus development in the Moore lakes area of the city.

\$3,050,000 in each year is for deposit in the contaminated site cleanup and development account created in Minnesota Statutes, section 116J.551. The appropriation in the first year is for the purpose of making grants to the St. Paul port authority to continue removal of blight by property acquisition, site preparation, and redevelopment activities on and around the former Stroh's brewery, Maxson Steel, and Dale Street Shops sites, and to acquire a roadway right-of-way in the Phalen corridor in the city of St. Paul and to the city of Minneapolis for

contamination cleanup in federally designated empowerment zones.

\$250,000 the first year is for technical assistance to microenterprise under Minnesota Statutes, section 116J.8745.

\$551,000 the first year and \$565,000 the second year are from fees collected under Minnesota Statutes, section 446A.04, subdivision 5, to administer the programs of the public facilities authority.

\$225,000 the first year is for a grant to the board of the rural policy and development center for operation of the center.

\$140,000 the first year is for a grant to the metropolitan economic development association.

\$315,000 the first year and \$315,000 the second year are for grants to WomenVenture. WomenVenture must implement a program to encourage and assist women to enter nontraditional careers in the trades and technical occupations. The program shall consist of outreach to women and girls and training, job placement, and job retention support that meet women's specific needs. The program must be accessible to low-income working mothers, including MFIP recipients.

\$450,000 is for a grant to the city of Duluth to support the development of the Duluth Technology Village. The grant shall be used to establish international partnerships, attract software businesses, recruit and train workers for the software industry, and support a software business incubator facility. This is a one-time appropriation and is not part of the agency base budget. This appropriation is not available unless matched by nonstate money.

\$80,000 in the first year is for a grant to the Neighborhood Development Center, Inc. The center shall use the grant for the purpose of expanding and improving its neighborhood and ethnic-based entrepreneur training, lending, and support programs in the poorest communities of Minneapolis and St. Paul. This appropriation is added to the department's budget base.

\$180,000 in the first year is for a grant to the suburban Hennepin regional park district for restoration of the Grimm farmstead.

\$150,000 in the first year is for a grant to the city of Ely for rehabilitation of the Ely technical building.

\$90,000 is for a grant to the city of Lake Benton for planning costs associated with a new visitor center and railroad depot building. This is a one-time appropriation and is not added to the agency's base.

\$900,000 in the first year is for the community resources program under Minnesota Statutes, chapter 466A.

\$400,000 is for a grant to the Camp Heartland center. The grant shall be used for phase II capital expenditures for a septic system upgrade and bath/shower house construction.

\$50,000 in the first year is for a grant to the city of St. Paul for the enhancement of the West Seventh Street/Gateway area, which serves as a major transportation and commercial corridor for visitors from the Minneapolis-St. Paul International Airport, Mall of America, and other destinations. The appropriation may be used to make improvements to the public right-of-way including, but not limited to, landscaping, lighting, signage, and roadway improvements. This appropriation must be matched one-for-one by nonstate funds.

\$2,000,000 in the first year and \$1,000,000 in the second year are for the redevelopment account under Minnesota Statutes, sections 116J.561 to 116J.567. The appropriation is available for the biennium ending June 30, 2001.

\$100,000 in the first year is for a grant to Perham Business Technology Center to equip the training center with interactive television and for program funds to implement the business plan.

\$300,000 in the first year is for a grant to the city of Owatonna for city infrastructure improvements.

\$300,000 the first year is for a grant to the city of St. Peter to assist with the cost of the community center destroyed by a tornado.

\$70,000 in the first year and \$80,000 in the second year are for grants to the greater metropolitan area foreign trade zones commission for promotion of foreign trade zones in Minnesota.

\$200,000 the first year is for a grant to Wabasha county for water and sanitary sewer extension from the city of Wabasha to the unincorporated area of Reads Landing in Pepin township in Wabasha county.

The commissioner shall adjust allocations of

grants under Minnesota Statutes, section 469.309, to reflect appropriation levels.

Subd. 3. Minnesota Trade Office

2,275,000	2,318,000
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The department shall act as the lead agency in developing a plan for a coordinated effort to promote Minnesota internationally. The commissioner may appoint an advisory committee and may seek federal and private funding to develop and implement the plan.

Subd. 4. Tourism

8,854,000	8,909,000
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Summary by Fund

General	8,109,000	8,143,000
Trunk Highway	745,000	766,000

To develop maximum private sector involvement in tourism, \$3,000,000 the first year and \$3,000,000 the second year of the amounts appropriated for marketing activities are contingent on receipt of an equal contribution from nonstate sources that have been certified by the commissioner. Up to one-half of the match may be given in in-kind contributions. This appropriation may not be spent until the money is matched.

In order to maximize marketing grant benefits, the commissioner must give priority for joint venture marketing grants to organizations with year-round sustained tourism activities. For programs and projects submitted, the commissioner must give priority to those that encompass two or more areas or that attract nonresident travelers to the state.

If an appropriation for either year for grants is not sufficient, the appropriation for the other year is available for it.

The commissioner may use grant dollars or the value of in-kind services to provide the state contribution for the partnership program.

Any unexpended money from general fund appropriations made under this subdivision does not cancel but must be placed in a special advertising account for use by the office of tourism to purchase additional media.

This appropriation may be used for the costs of activities to resolve a dispute concerning fishing restrictions in Ontario waters that unduly restrict the rights of Minnesota residents to take fish by

angling in border waters and to increase tourism in the areas near the northern border of Minnesota including the Northwest Angle. The commissioner may use this appropriation for: (1) a grant to the attorney general to study a legal challenge in the courts of Ontario or any other available forum to actions of that province relating to fishing rights of Minnesotans in border waters; (2) efforts to mediate the dispute; (3) seeking recourse through the mechanisms of international trade agreements; or (4) other actions the commissioner deems necessary to achieve a resolution.

This appropriation may be used for programs to: (1) increase occupancy and visitations at lodging and attractions in the Mille Lacs area from out-of-state markets, focusing on promoting nonconsumptive vertical markets including biking, hiking, snowmobiling, boating, birdwatching, and golfing; (2) increase awareness of safe environmental practices and compliance with regulations to protect the Mille Lacs fishery; (3) improve the Soo Line Trail in the Mille Lacs area; and (4) evaluate marketing projects.

This appropriation may be used for a grant to Minnesota Festivals and Events Association for the following purposes:

(1) for a partnership with the University of Minnesota's tourism center to build the methodology for a low-cost economic impact model that will allow festival and event managers to conduct research independently in their own communities;

(2) to promote regional workshops to increase production value and professionalism for events in the state, increase event service and entertainment value for local residents, build community awareness of opportunities to generate new tourism, and assure production of high quality, safe, and meaningful tourism products that are in line with the vision, mission, and growth goals of individual towns and cities in Minnesota;

(3) for a partnership with the University of Minnesota's tourism center to enhance professionalism via its certified festival manager program, training event managers and volunteer staff to implement value-added festivals and events for visitors to the state;

(4) for a partnership with the Minnesota office of

tourism to publish a pull-out mini-magazine advertising the statewide festivals and events calendar for the year; and

(5) to expand the Minnesota Festivals and Events Association website, to provide travel planners with more festival and event intensive links to communities hosting such activities.

\$250,000 in the first year is for the purpose of the Upper Red Lake business loan program.

\$100,000 is for a grant to the city of Lanesboro for predevelopment costs for the Root River Regional Arts Center.

\$829,000 the first year and \$829,000 the second year are for the Minnesota film board. This appropriation is available only upon receipt by the board of \$1 in matching contributions of money or in-kind from nonstate sources for every \$3 provided by this appropriation. The commissioner may use this appropriation for the film production jobs program.

Subd. 5. Administration

4,021,000 3,192,000

\$874,000 the first year is appropriated for enhancements to the journey travel destination system. The funds are available only if matched on at least a dollar-for-dollar basis from other sources. This is a one-time appropriation and is available until spent.

Subd. 6. Information and Analysis

1,415,000 1,450,000

Subd. 7. Reductions

The appropriation totals to the agency for each year reflect a salary base reduction of \$240,000 for fiscal year 2000 and \$247,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 3. MINNESOTA TECHNOLOGY, INC.

7,858,000 8,220,000

\$6,041,000 the first year and \$6,541,000 the second year are for transfer from the general fund to the Minnesota Technology, Inc. fund.

The appropriation totals to the agency for each year reflect a salary base reduction of \$132,000 for fiscal year 2000 and \$132,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

\$70,000 the first year and \$70,000 the second year are for grants to Minnesota Inventors Congress.

\$694,000 the first year and \$556,000 the second year are for grants to Minnesota Project Innovation. Minnesota Project Innovation must open and maintain an office in Northeastern Minnesota.

\$850,000 the first year and \$850,000 the second year are for grants to the Natural Resources Research Institute.

\$103,000 the first year and \$103,000 the second year are for grants to Minnesota Council for Quality.

\$100,000 the first year and \$100,000 the second year are for grants to Minnesota Cold Weather Research Center.

Sec. 4. ECONOMIC SECURITY

Subdivision 1. Total
Appropriation

37,611,000

36,277,000

The amounts that may be spent from this appropriation for each program are specified in subdivisions 2 to 5.

Subd. 2. Rehabilitation Services

20,827,000

21,113,000

\$1,750,000 the first year and \$1,750,000 the second year are for centers for independent living.

\$275,000 in fiscal year 2001 is to increase the reimbursement rates for extended employment services.

Subd. 3. State Services for the Blind

6,114,000

4,817,000

\$1,400,000 the first year is appropriated to convert the communication center to digital technology and move the radio talking book program to a different frequency. The funds are available only if matched on at least a dollar-for-dollar basis from private sources. This is a one-time appropriation and is available until June 30, 2001.

Subd. 4. Workforce Preparation

10,711,000

10,391,000

\$800,000 the first year and \$800,000 the second year are for the Youthbuild program under Minnesota Statutes, sections 268.361 to 268.366. Of this amount, \$100,000 in the first year and

\$100,000 in the second year is for the YOUTHBUILD technical program under Minnesota Statutes, section 268.368. A Minnesota YOUTHBUILD program funded under this section as authorized in Minnesota Statutes, sections 268.361 to 268.367, qualifies as an approved training program under Minnesota Rules, part 5200.0930, subpart 1.

\$116,000 the first year and \$116,000 the second year are appropriated for youth violence prevention programs to match the federal juvenile accountability incentive block grant. This is a one-time appropriation.

\$400,000 the first year is for a grant to the center for victims of torture to design and develop training to educate health care and human services workers on levels of sensitive care and how to make referrals and to establish a network of care providers to do pro bono care for torture survivors so as to enable a rapid integration into communities and labor markets by torture victims. This is a one-time appropriation requiring a one-to-one nonstate, in-kind match, and is available until expended.

Notwithstanding Minnesota Statutes, section 268.022, subdivision 2, the commissioner of finance shall transfer to the general fund from the dedicated fund on July 1, 1999, \$29,000,000 of the money collected through the special assessment established in Minnesota Statutes, section 268.022, subdivision 1.

The commissioner shall adjust allocations of enterprise zone credits under Minnesota Statutes, sections 469.305 to 469.31, to reflect appropriation levels.

Subd. 5. Workforce Exchange

2,398,625	2,050,000
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\$348,625 the first year is for systems development for electronic commerce to improve communication with customers of the job service and reemployment insurance program. In accordance with Minnesota Statutes, section 268.194, subdivision 5, this money is a one-time appropriation from federal money made available specifically for that purpose under United States Code, title 42, section 1103, also known as the "Reed Act." This appropriation is available for the biennium ending June 30, 2001.

\$2,000,000 the first year and \$2,000,000 the second year is for systems development for

electronic commerce in the reemployment insurance program to improve communication with employers. In accordance with Minnesota Statutes, section 268.194, subdivision 5, this money is a one-time appropriation from federal money to be made available specifically for that purpose under United States Code, title 42, section 1103, also known as the "Reed Act," and section 5403 of the federal Balanced Budget Act of 1997. Each annual appropriation is available for the biennium ending June 30, 2001.

\$50,000 the first year and \$50,000 the second year are for asset preservation and facility repair.

The appropriation totals to the agency for each year reflect a salary base reduction of \$91,000 for fiscal year 2000 and \$94,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 5. HOUSING FINANCE AGENCY	79,307,000	45,307,000
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Subdivision 1. General

The amounts that may be spent from this appropriation for certain programs are specified below.

This appropriation is for transfer to the housing development fund for the programs specified. Except as otherwise indicated, this transfer is part of the agency's permanent budget base.

Spending limit on cost of general administration of agency programs:

2000	2001
16,521,000	15,735,000

Subd. 2. Challenge Program

\$34,000,000 is appropriated for transfer to the housing development fund for the economic development and housing challenge program created by Minnesota Statutes, section 462A.32. \$4,000,000 of this appropriation is for transfer to the metropolitan council for deposit in the inclusionary housing account created in Minnesota Statutes, section 473.251. The metropolitan council may use this transfer only for projects that are consistent with Minnesota Statutes, section 462A.32.

Subd. 3. Rental Assistance
For Persons with Mental Illness

\$1,550,000 the first year and \$1,550,000 the

second year are for a rental housing assistance program for persons with a mental illness or families with an adult member with a mental illness under Minnesota Statutes, section 462A.2097.

Subd. 4. Family Homeless Prevention

\$2,875,000 in each year is for the family homeless prevention and assistance program under Minnesota Statutes, section 462A.204, and is available until June 30, 2001. \$100,000 of this amount is for grants to organizations providing case management for persons that need assistance to rehabilitate their rent history and find rental housing. Case management services include, but are not limited to, assisting tenants in correcting tenant screening reports, providing intensive training and certification for tenants, creating a bonding program to encourage landlords to accept high-risk tenants with poor rent histories, paying security deposits for high-risk tenants, and agreeing to pay landlord expenses for filing unlawful detainer actions.

Subd. 5. Mortgage Foreclosure Prevention

\$583,000 the first year and \$583,000 the second year are for the mortgage foreclosure prevention and assistance program under Minnesota Statutes, section 462A.207.

Subd. 6. Rent Assistance For Family Stabilization

\$2,000,000 the first year and \$2,000,000 the second year are for the rent assistance for family stabilization program under Minnesota Statutes, section 462A.205.

Subd. 7. Housing Trust Fund

\$2,348,000 the first year and \$2,348,000 the second year are for the housing trust fund to be deposited in the housing trust fund account created under Minnesota Statutes, section 462A.201, and used for the purposes provided in that section. Of this amount, \$550,000 each year must be used for transitional housing.

Subd. 8. Affordable Rental Assistance

\$20,993,000 the first year and \$21,493,000 the second year are for the affordable rental investment fund program under Minnesota Statutes, section 462A.21, subdivision 8b. Of this amount, \$15,000,000 the first year and \$15,000,000 the second year are to finance the

acquisition, rehabilitation, and debt restructuring of federally assisted rental property and for making equity take-out loans under Minnesota Statutes, section 462A.05, subdivision 39. The owner of the federally assisted rental property must agree to participate in the applicable federally assisted housing program and to extend any existing low-income affordability restrictions on the housing for the maximum term permitted. The owner must also enter into an agreement that gives local units of government, housing and redevelopment authorities, and nonprofit housing organizations the right of first refusal if the rental property is offered for sale. Priority must be given among comparable properties to properties with the longest remaining term under an agreement for federal rental assistance. Priority must also be given among comparable rental housing developments to developments that are or will be owned by local government units, a housing and redevelopment authority, or a nonprofit housing organization. Of this appropriation, \$5,000,000 in each year is a one-time appropriation and is not added to the agency's permanent base.

To the extent practicable, this appropriation shall be used so that an approximately equal number of housing units are financed in the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, and in the nonmetropolitan area.

\$500,000 of this appropriation in the first year is for the school stability project under Minnesota Statutes, section 462A.204, subdivision 8.

Subd. 9. Urban Indian Housing

\$187,000 the first year and \$187,000 the second year are for the urban Indian housing program under Minnesota Statutes, section 462A.07, subdivision 15.

Subd. 10. Tribal Indian Housing

\$1,683,000 the first year and \$1,683,000 the second year are for the tribal Indian housing program under Minnesota Statutes, section 462A.07, subdivision 14.

Subd. 11. Rural and Urban Homesteading

\$186,000 the first year and \$186,000 the second year are for the Minnesota rural and urban homesteading program under Minnesota Statutes, section 462A.057.

Subd. 12. Nonprofit Capacity
Building

\$240,000 the first year and \$240,000 the second year are for nonprofit capacity building grants under Minnesota Statutes, section 462A.21, subdivision 3b.

Subd. 13. Community Rehabilitation
Program

\$5,150,000 the first year and \$5,150,000 the second year are for the community rehabilitation program under Minnesota Statutes, section 462A.206. Of this appropriation, \$250,000 the first year and \$250,000 the second year are for full-cycle home ownership and purchase-rehabilitation lending initiatives. Of this appropriation, \$100,000 is for a grant to the city of Hilltop for a manufactured housing pilot project. Of this appropriation, \$70,000 the first year and \$70,000 the second year must be used to make grants to a statewide organization that advocates on behalf of persons with mental retardation or related conditions. The grants must be used to provide entry cost assistance, prepurchase and postpurchase counseling to persons with various disabilities who are participating in the Fannie Mae Homechoice demonstration project and other projects designed to encourage home ownership among persons with disabilities. Of this appropriation, \$60,000 in the first year and \$60,000 in the second year are for services authorized in Minnesota Statutes, section 462A.07, to reduce health risk related to HIV/AIDS disease for individuals and communities. The commissioner of the Minnesota housing finance agency shall report to the legislature by February 1, 2000, on housing opportunities and needs for reducing health risks related to HIV/AIDS for individuals or communities in Minnesota, current and proposed strategies for coordinating local, state, and federal housing resources to address identified opportunities and needs, plans for future implementation, and recommendations for future legislative action. The commissioner shall consult with the commissioners of health and human services and representatives of affected populations in preparing this report.

Subd. 14. Housing Rehabilitation
and Accessibility

\$4,287,000 the first year and \$4,287,000 the second year are for the housing rehabilitation and accessibility program under Minnesota Statutes, section 462A.05, subdivisions 14a and 15a.

Subd. 15. Home Ownership
Assistance Fund

\$900,000 the first year and \$900,000 the second year are for the home ownership assistance fund under Minnesota Statutes, section 462A.21, subdivision 8.

Subd. 16. Employer
Matching Grants

\$800,000 in the first year and \$800,000 in the second year are for the employer matching grant program under Minnesota Statutes, section 462A.2092.

Sec. 6. COMMERCE

Subdivision 1. Total
Appropriation

18,799,000

17,216,000

Summary by Fund

General	17,117,000	15,587,000
Petro Cleanup	1,015,000	1,045,000
Workers' Compensation	567,000	584,000
Special Revenue	100,000	-0-

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Financial Examinations

3,963,000	4,052,000
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Subd. 3. Registration and Insurance

4,816,000	4,934,000
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Summary by Fund

General	4,249,000	4,350,000
Special Revenue	100,000	-0-
Workers' Compensation	567,000	584,000

\$100,000 the first year is from the real estate education, research, and recovery account for the purposes of an educational campaign aimed at stopping the fraudulent practice known commonly as mortgage flipping. The department is directed to develop a public awareness campaign targeted to the communities hardest hit by this practice. The department is further directed to solicit contributions to this campaign from trade organizations, banks, mortgage companies, and foundations to supplement the program. The materials shall be prepared in multiple languages as necessary. The appropriation is available until expended and any contributions received are available for the educational campaign described in this section. If

the appropriation from the special revenue fund for either year is insufficient, the appropriation for the other year is available for it.

Subd. 4. Enforcement and Licensing

4,355,000	4,296,000
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Subd. 5. Petroleum Tank Release Cleanup Board

1,015,000	1,045,000
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This appropriation is from the petroleum tank release cleanup fund.

Subd. 6. Administrative Services

4,788,000	3,133,000
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Of this amount, \$90,000 may be used for expanding website capabilities.

Subd. 7. Reductions

The appropriation totals to the agency for each year reflect a salary base reduction of \$238,000 for fiscal year 2000 and \$244,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 7. BOARD OF ACCOUNTANCY	607,000	624,000
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Sec. 8. BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE, AND INTERIOR DESIGN	770,000	794,000
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Sec. 9. BOARD OF BARBER EXAMINERS	144,000	149,000
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Sec. 10. BOARD OF BOXING	84,000	87,000
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Sec. 11. LABOR AND INDUSTRY

Subdivision 1. Total Appropriation	23,763,000	24,100,000
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Summary by Fund

General	3,656,000	6,370,000
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Workers' Compensation	20,107,000	20,270,000
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The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Workers' Compensation

10,586,000	10,833,000
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This appropriation is from the workers' compensation fund.

Subd. 3. Workplace Services

6,711,000	6,980,000	
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Summary by Fund

General	2,672,000	2,844,000
Workers' Compensation	4,039,000	4,136,000

Subd. 4. General Support

6,546,000	6,370,000	
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Summary by Fund

General	1,064,000	1,069,000
Workers' Compensation	5,482,000	5,301,000

Subd. 5. Reductions

The appropriation totals to the agency for each year reflect a salary base reduction of \$80,000 for fiscal year 2000 and \$83,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 12. BUREAU OF MEDIATION SERVICES

Subdivision 1. Total Appropriation

2,093,000	2,142,000
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The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Mediation Services

1,712,000	1,759,000
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Subd. 3. Labor Management Cooperation Grants

302,000	302,000
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\$302,000 each year is for grants to area labor-management committees. Any unencumbered balance remaining at the end of the first year does not cancel but is available for the second year.

Subd. 4. Office of Dispute Resolution

116,000	119,000
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Subd. 5. Reductions

The appropriation totals to the agency for each year reflect a salary base reduction of \$37,000 for fiscal year 2000 and \$38,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 13. WORKERS' COMPENSATION
COURT OF APPEALS

1,543,000 1,585,000

This appropriation is from the workers' compensation fund.

Sec. 14. LABOR INTERPRETIVE
CENTER

220,000 227,000

Sec. 15. PUBLIC UTILITIES
COMMISSION

3,781,000 3,880,000

Sec. 16. DEPARTMENT OF PUBLIC SERVICE

Subdivision 1. Total
Appropriation

9,587,000 9,797,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Telecommunications

962,000 980,000

Subd. 3. Weights and Measures

3,138,000 3,207,000

Subd. 4. Information and Operations
Management

1,584,000 1,627,000

Subd. 5. Energy

3,920,000 4,000,000

\$588,000 each year is for transfer to the energy and conservation account established in Minnesota Statutes, section 216B.241, subdivision 2a, for programs administered by the commissioner of children, families, and learning to improve the energy efficiency of residential oil-fired heating plants in low-income households and, when necessary, to provide weatherization services to the homes.

Subd. 6. Reductions

The appropriation totals to the agency for each year reflect a salary base reduction of \$17,000 for fiscal year 2000 and \$17,000 for fiscal year 2001 that the agency must achieve by reducing the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 17. MINNESOTA HISTORICAL
SOCIETY

Subdivision 1. Total
Appropriation

24,894,000 24,996,000

The amounts that may be spent from this

appropriation for each program are specified in the following subdivisions.

Subd. 2. Education and Outreach

12,669,000 12,812,000

\$80,000 in the first year is for the Northwest Fur Company Post.

Subd. 3. Preservation and Access

9,318,000 9,479,000

\$25,000 the first year and \$25,000 the second year are for historic site repair and maintenance.

Subd. 4. Information Program Delivery

2,488,000 2,544,000

\$347,000 the first year and \$389,000 the second year are for technology improvements that will expand core capacity and improve service and program delivery. If the appropriation for either year is insufficient, the appropriation for the other year is available.

Subd. 5. Fiscal Agent

721,000 473,000

(a) Sibley House Association

88,000 88,000

(b) Minnesota International Center

50,000 50,000

(c) Minnesota Air National Guard Museum

19,000

(d) Institute for Learning and Teaching - Project 120

110,000 110,000

(e) Minnesota Military Museum

29,000

(f) Farmamerica

150,000 150,000

Notwithstanding any other law, this appropriation may be used for operations.

(g) Citizenship Programs

75,000 75,000

For a grant to the Minnesota center for community legal education for citizenship programs in Minnesota schools. Of this amount, (1) \$30,000 is for Project Citizen, a program to educate middle school students to identify, study,

and influence decisions on public policy issues, (2) \$25,000 is for We the People, a program to promote civic awareness and responsibility among elementary and secondary students, and (3) \$20,000 is for the Minnesota youth summit on violence prevention, a program to build citizenship skills among middle and high school students by engaging them in the lawmaking process.

(h) Historic Building Relocation

100,000

\$100,000 is for a grant to the city of Maplewood to pay up to 75 percent of the costs of acquiring land, developing a site, relocating certain buildings onto the site, and renovating the buildings. The buildings to be acquired, relocated, and renovated are the home, barn, granary, and windmill on the Bruentrup farm site, the last working farm in Ramsey county. The grant must not be made until the director of the Minnesota historical society has determined that the necessary additional financing to complete the project has been committed by nonstate sources. The appropriation is available the day following final enactment and until June 30, 2000.

(i) Fishing Museum

50,000

\$50,000 is for a grant to the city of Little Falls for planning in connection with the establishment of a museum of fishing-related artifacts, equipment, and memorabilia and an environmental education center. This appropriation is available until spent. This is a one-time appropriation and is not added to the agency's base.

(j) \$50,000 is to refurbish the Fridley historical museum in Fridley. This is a one-time appropriation and is not added to the agency's budget base.

(k) Balances Forward

Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Subd. 6. Reductions

The appropriation totals to the agency for each year reflect a salary base reduction of \$302,000 for fiscal year 2000 and \$312,000 for fiscal year 2001 that the agency must achieve by reducing

the personal services budget category expenditures from the amounts specified in the governor's proposed budget for those years.

Sec. 18. MINNESOTA MUNICIPAL BOARD	162,000	-0-
Sec. 19. COUNCIL ON BLACK MINNESOTANS	320,000	329,000
\$25,000 each year is for expenses associated with the Dr. Martin Luther King Day activities.		
Sec. 20. COUNCIL ON CHICANO-LATINO AFFAIRS	314,000	324,000
Sec. 21. COUNCIL ON ASIAN-PACIFIC MINNESOTANS	377,000	286,000
Of the amount appropriated in the first year, \$100,000 is for a grant to the nonprofit Asian-Pacific Community Center to plan and predesign an Asian-Pacific Community Center to be located in the city of St. Paul. The design and plan must provide for a bilingual workforce center system affiliate site. The role of an affiliate site is to ensure access either electronically or in person to the full range of services normally associated with a workforce center. Each dollar of the appropriation must be matched by 60 cents of nonstate money. The appropriation does not cancel.		
Sec. 22. INDIAN AFFAIRS COUNCIL	551,000	567,000
Sec. 23. MINNESOTA STATE COLLEGES AND UNIVERSITIES	180,000	-0-
\$180,000 is appropriated in fiscal year 2000 from the general fund to the board of trustees of the Minnesota state colleges and universities to provide start-up funds for a virtual reality center at Pine technical college. This appropriation is available only upon an equal match in cash by the board of trustees.		
Sec. 24. OFFICE OF STRATEGIC AND LONG-RANGE PLANNING	161,000	327,000
To assume administrative responsibilities resulting from the sunset of the municipal board under Laws 1997, chapter 202, article 5, section 8.		

Sec. 25. [MINNESOTA MINERALS 21ST CENTURY FUND; FUTURE FUNDING.]

It is the intent of the legislature and the commissioner of trade and economic development to monitor the balance of the Minnesota minerals 21st century fund and provide additional funding in fiscal year 2001 and other future fiscal years as necessary to carry out the purposes of the fund.

Sec. 26. [TRANSFERS.]

All of the rights and obligations of the Minnesota World Trade Center Corporation under the development agreement and all existing contracts related to the approximately 20,000 square feet to which the World Trade Center Corporation is a party or beneficiary is transferred to the state of Minnesota, department of trade and economic development, Minnesota trade office. All other property of the World Trade Center Corporation is transferred and appropriated to the commissioner under Minnesota Statutes, section 15.039.

Sec. 27. [TRANSFER.]

The unobligated balance as of July 1, 1999, of the amount appropriated to the department of trade and economic development for a grant to the Minnesota World Trade Center Corporation in Laws 1992, chapter 513, article 4, section 17, subdivision 2, to establish an annual medical exposition, trade fair, and health care congress is transferred to the world trade center account in the special revenue fund in the state treasury.

Sec. 28. [DIRECT REDUCTION IRON PROCESSING FACILITIES APPROPRIATION TRANSFER.]

The appropriation of \$10,000,000 made to the commissioner of trade and economic development for direct reduction iron processing facilities by Laws 1998, chapter 404, section 23, subdivision 3, is transferred and appropriated to the Minnesota minerals 21st century fund created by Minnesota Statutes, section 116J.423.

Sec. 29. [UPPER RED LAKE BUSINESS LOAN PROGRAM.]

The commissioner of trade and economic development must make loans to businesses in the Upper Red Lake area that have been severely affected by the significant decline of the walleye fishing resource in Upper Red Lake. The loans may only be made to businesses that operated in 1998. A business must submit an application to the commissioner on forms provided by the commissioner. The application must include a business plan for continued operation, with the assistance of the loan, until the walleye fishing resource recovers. The commissioner shall allocate available loan funds to a business based on the commissioner's evaluation of the probable success of its business plan. A loan shall be for a maximum amount of \$75,000 and a duration of ten years from the date of the loan and shall be interest free. Repayment of a loan in monthly payments of 1/120 of the original principal amount must begin no later than one year after walleye fishing on Upper Red Lake is allowed by the department of natural resources. Any principal balance remaining at the end of the ten-year period shall be forgiven if the business continues in operation for the ten-year period. Loan repayments shall be deposited in the general fund.

Sec. 30. [CITY OF DULUTH; REFUNDING BONDS; DULUTH ENTERTAINMENT AND CONVENTION CENTER AUTHORITY.]

The Duluth city council may by ordinance provide for the issuance and sale of general obligation revenue refunding bonds to refund in advance of their maturity, the city's gross revenue recreation facility bonds (Duluth Entertainment Convention Center/Imax Dome Theater Project) series 1994, dated as of December 1, 1994. These refunding bonds must be issued with the full faith and credit of the city. The Duluth entertainment and convention center authority shall pledge the net revenues of the authority's facilities for payment of principal and interest on these refunding bonds. The issuance of the refunding bonds is subject to the provisions of Minnesota Statutes, chapter 475, except that no election is required unless a referendum on the ordinance is required under section 92 of the Duluth city charter, and except that the refunding bonds must not be included in computing the city's net debt.

Sec. 31. [LONG PRAIRIE; HOTEL REICHERT.]

If the Long Prairie housing and redevelopment authority issues bonds under Minnesota Statutes, section 469.034, subdivision 2, to provide funds to renovate the Hotel Reichert building on the National Register of Historic Places for a qualified housing development project, the project is not required to be owned by the authority for the term of the bonds. The bonds are subject to all other requirements of section 469.034, subdivision 2.

Sec. 32. [PIPESTONE INDIAN SCHOOL AUTHORIZATION.]

Notwithstanding Minnesota Statutes, section 16A.695, the board of trustees of the Minnesota state colleges and universities may convey by quitclaim deed, at no cost, the state's interest in the historic Pipestone Indian school superintendent's house and gymnasium at the Pipestone campus of Minnesota West community and technical college. The conveyance shall be in a form approved by the attorney general.

The deed must reserve to the state all minerals and mineral rights and provide that the property shall revert to the state if the grantee:

- (1) fails to provide the use intended on the property;
- (2) allows a public use other than the use agreed to by the board without the written approval of the board; or
- (3) abandons the use of the property.

Sec. 33. [PASS THROUGH GRANT EVALUATION PROCESS.]

This act makes various appropriations that are commonly referred to as pass through appropriations. The commissioner of trade and economic development shall evaluate the following entities to determine if their programs are an effective part of a statewide strategy for economic development or serve some other purpose. The commissioner shall report the results of the evaluation to the legislative finance divisions or committees having jurisdiction over the appropriations in this act. The entities to be evaluated are:

- (1) Advantage Minnesota, Inc.;
- (2) Rural policy and development center;
- (3) metropolitan economic development association;
- (4) WomenVenture;
- (5) Minnesota Inventor's Congress;
- (6) Minnesota Project Innovation;
- (7) Natural Resources Research Institute;
- (8) Minnesota Council for Quality;
- (9) Minnesota Cold Weather Research Center;
- (10) Center for Victims of Torture;
- (11) St. Paul Rehabilitation Center;
- (12) Microenterprise Assistance;
- (13) NeighborLink Community Program; and
- (14) Neighborhood Development Corporation.

Sec. 34. [GRANT COUNTY.]

A grant by the commissioner of trade and economic development to Grant county for community infrastructure improvements needed to develop value-added agriprocessing facilities is not subject to the maximum grant limitation of Minnesota Statutes, section 116J.8731, subdivision 5, or agency policy regarding maximum grant per job created.

Sec. 35. [LOW-INCOME ENERGY TASK FORCE.]

The management analysis division of the department of administration, in consultation with the appropriate commissioners, shall report to the legislature by January 15, 2000, on the future of low-income energy assistance. The report shall be developed with the input of appropriate consumer advocates, energy providers of various fuel types, energy assistance delivery organizations and other interested parties.

The report shall analyze and make recommendations in the following areas:

(1) improvements necessary in the administration of low-income energy assistance programs to develop a uniform statewide assistance network, including outreach efforts, eligibility determination, and areas for technological improvements;

(2) development of an accurate and consistent method to determine the number of Minnesotans who should be eligible for energy assistance and the level of assistance which should be provided; and

(3) analyze funding level and revenue options for low-income energy assistance programs consistent with competitive electric and gas energy markets.

Sec. 36. [MANUFACTURED HOUSING PILOT PROJECT.]

Subdivision 1. [PILOT PROJECT ESTABLISHED.] (a) The city of Hilltop may establish a pilot project for the purpose of planning, designing, and implementing a neighborhood redevelopment project in the Central Avenue corridor in Hilltop. The neighborhood redevelopment project must use manufactured housing as a means of providing safe, attractive, affordable housing for people with incomes at or below 80 percent of the metropolitan area median income.

(b) Implementation costs may include, but are not limited to: relocation costs for displaced residents of the project area in the same amount as provided in Minnesota Statutes, section 327C.095; site preparation costs; set-up and installation costs for new manufactured housing units; and roadway improvements.

(c) The city of Hilltop must file a plan with the housing finance agency for the sale of finished units in the redeveloped project area. The plan must take into account the housing needs of potential buyers in descending order of priority: residents of the project area before the redevelopment project; current Hilltop residents; current Columbia Heights residents; and all other potential buyers.

Subd. 2. [REPORT.] (a) The housing finance agency must report to the legislature on the pilot project. The report must include: information on site preparation procedures; the project layout and plans; costs; administrative and contracting processes used and an evaluation of the processes; and results of the pilot project. The housing finance agency must make the report available to local communities, the federal government, and other interested persons.

(b) The city of Hilltop must cooperate in creating the pilot project report and must provide all information requested by the housing finance agency.

(c) Private contractors hired for the pilot project must agree to: (1) make public the design and layout plans they create for the project; and (2) contribute relevant information on processes followed and costs incurred to the housing finance agency for use in the report.

Sec. 37. [INDUSTRIAL HEMP STUDY.]

The commissioner of trade and economic development shall study the economic impact of permitting the growth of industrial hemp in Minnesota. The commissioner shall report the results of the study to the legislature by January 15, 2000.

Sec. 38. [REPORT.]

The commissioner of trade and economic development shall submit a report to the legislature

reviewing business regulations contained in Minnesota Statutes and Minnesota Rules that have a positive or negative impact on the business climate in Minnesota. The commissioner shall submit the report to the legislature under Minnesota Statutes, section 3.195, by February 15, 2000.

Sec. 39. [AUTHORIZATION; AIRPORT IMPACT ZONES.]

Subdivision 1. [CITY OF RICHFIELD; DESIGNATION.] There is hereby established within the city of Richfield an airport impact zone consisting of the real property described as follows: commencing at the intersection of the north city limits with the w'ly ROW line of trunk highway 77, thence south along the w'ly ROW line of trunk highway 77 to the n'ly ROW line of interstate highway 494, thence west along the n'ly ROW line of Interstate Highway 494 to the center line of Bloomington Avenue, thence north on the center line of Bloomington Avenue to the n'ly ROW line of East 77th Street to a point 133.2 feet east of the e'ly ROW line of Bloomington Avenue, thence north on a line parallel with and 133.2 feet east of the e'ly ROW line of Bloomington Avenue to the north city limits, thence east along the north city limits to the point of beginning.

Subd. 2. [CITIES OF BLOOMINGTON, MINNEAPOLIS, AND EAGAN; DESIGNATION; CRITERIA.] (a) Each of the cities of Bloomington, Minneapolis, and Eagan may designate one or more airport impact zones within their respective boundaries. An airport impact zone is a discrete geographic area that meets criteria for such a zone established by the metropolitan council. The criteria established by the metropolitan council for an airport impact zone must be based upon airport impacts found by the council after study and consultation with the cities of Bloomington, Minneapolis, Eagan, and Richfield and the metropolitan airports commission.

(b) A city wishing to establish an airport impact zone must prepare and submit to the metropolitan council for approval a plan identifying the geographic boundaries of the proposed zone and the airport mitigation measures to be undertaken in the zone. The metropolitan council shall certify the dollar amount necessary to mitigate the airport impacts in these communities.

Subd. 3. [AIRPORT IMPACTS DEFINED.] The legislature finds that:

(1) the area included within the airport impact zones defined under this section will experience significant adverse environmental and socioeconomic impacts associated with the operation of the Minneapolis-St. Paul International Airport;

(2) whether funded directly by the metropolitan airports commission or by other means, expenditures for mitigation of those airport-created impacts involve an aspect of the airport's capital and operating expenses and will be made for airport purposes; and

(3) appropriate measures to mitigate those adverse impacts include, but are not limited to, housing replacement activities.

Sec. 40. [BONDS; SECURITY.]

Subdivision 1. [RICHFIELD.] The city of Richfield may issue and sell its obligations in an aggregate principal amount in the amount certified by the metropolitan council. In no event shall the amount exceed \$60,000,000. This amount shall be used to finance the costs of land and structure acquisition, demolition, relocation and site clearance, and public improvements within the airport impact tax zone established under subdivision 1, including, without limitation, the following housing replacement activities anywhere within the city: rehabilitation, acquisition, demolition, relocation assistance, and relocation of existing single-family or multifamily housing, and financing of new or existing single-family or multifamily housing that replaces housing units eliminated by redevelopment within the airport impact zone.

Subd. 2. [BLOOMINGTON, MINNEAPOLIS, AND EAGAN.] Each of the cities of Bloomington, Minneapolis, and Eagan may issue and sell its obligations in an aggregate principal amount approved by the metropolitan council to finance the cost of airport mitigation measures approved by the metropolitan council and undertaken within an airport impact zone, provided that the aggregate principal amount of bonds approved for each shall not exceed \$60,000,000. These amounts shall be used in the manner enumerated in subdivision 1.

Subd. 3. [TERMS.] The obligations must be secured by the revenues and pledges from the metropolitan airports commission in accordance with subdivision 4 hereof, and must be issued in accordance with chapter 475, provided that no election is required, net debt limits do not apply, and the obligations must mature no later than 35 years from the date of issue of the original obligations. A city may issue obligations to refund any obligations issued under this section, the principal amount of which shall not be included in computing the limits on amount of obligations issuable by the city under this section.

Subd. 4. [SECURITY; METROPOLITAN AIRPORTS COMMISSION PAYMENTS.] (a) Notwithstanding anything to the contrary in Minnesota Statutes, sections 473.601 to 473.679, on or before the due date of each principal and interest payment on obligations issued by the cities of Bloomington, Minneapolis, Eagan, or Richfield under this section, the treasurer of the metropolitan airports commission shall remit from any available funds to the trustee or paying agent for the obligations an amount sufficient for such payment, without further order from the commission. The metropolitan airports commission shall be obligated to the cities of Bloomington, Minneapolis, Eagan, and Richfield, and to the holders of obligations issued by the city under this section, to establish, revise from time to time, and collect concession, parking, and rentals for all airport and air navigation facilities and service used by and made available to concession, parking, or rental firm association, or corporation according to schedules such as to produce revenues at all times sufficient to pay 105 percent of principal and interest on all obligations issued by the city under this section or other revenue not restricted by federal law or regulation. The pledge of revenues by the metropolitan airports commission under this section to obligations issued by any city under this act is a parity lien with the pledge of the revenues to obligations issued by any other city under this act.

(b) Notwithstanding anything to the contrary in Minnesota Statutes, sections 473.601 to 473.679, any obligations issued by any city under this section shall be further secured by the pledge of the full faith and credit of the metropolitan airports commission, which shall be obligated to levy upon all taxable property within the metropolitan area a tax at such times and in such amounts, if any, as may be required to provide funds sufficient to pay all the obligations and interest thereon in the event revenues pledged under subdivision 4, paragraph (a), are insufficient for such purpose. This tax, if ever required to be levied, shall not be subject to any limitation of rate or amount.

Subd. 5. [OBLIGATION DEFINED.] In this act, "obligation" has the meaning given it in Minnesota Statutes, section 475.51, subdivision 3. The term includes obligations issued to refund prior obligations issued under this act.

Sec. 41. [COMPLIANCE WITH FEDERAL LAW.]

None of the foregoing shall require the metropolitan airports commission to violate federal law or regulation, including the Federal Aviation Administration revenue diversion policy.

Sec. 42. Minnesota Statutes 1998, section 45.0295, is amended to read:

45.0295 [FEES.]

(a) The following fees shall be paid to the commissioner:

(1) for a letter of certification of licensure, \$20;

(2) for a license history, \$20;

(3) for a duplicate license, \$10;

(4) for a change of name or address, \$10;

(5) for a temporary license, \$10;

(6) for each hour or fraction of one hour of course approval for continuing education sought, \$10; and

(7) (2) for each continuing education course coordinator approval, \$100.

(b) All fees paid to the commissioner under this section are nonrefundable, except that an overpayment of a fee shall be returned upon proper application.

Sec. 43. Minnesota Statutes 1998, section 53A.05, subdivision 1, is amended to read:

Subdivision 1. [NAME OR LOCATION.] If a licensee proposes to change the name or location of any or all of its currency exchanges, the licensee shall file an application for approval of the change with the commissioner. The commissioner shall not approve a change of location if the requirements of sections 53A.02, subdivision 2, and 53A.04 have not been satisfied. If the change is approved by the commissioner, the commissioner shall issue an amended license in the licensee's new name or location. A \$50 \$100 fee must be paid for the amended license.

Sec. 44. Minnesota Statutes 1998, section 60A.14, subdivision 1, is amended to read:

Subdivision 1. [FEES OTHER THAN EXAMINATION FEES.] In addition to the fees and charges provided for examinations, the following fees must be paid to the commissioner for deposit in the general fund:

(a) by township mutual fire insurance companies:

(1) for filing certificate of incorporation \$25 and amendments thereto, \$10;

(2) for filing annual statements, \$15;

(3) for each annual certificate of authority, \$15;

(4) for filing bylaws \$25 and amendments thereto, \$10.

(b) by other domestic and foreign companies including fraternal and reciprocal exchanges:

(1) for filing certified copy of certificate of articles of incorporation, \$100;

(2) for filing annual statement, \$225;

(3) for filing certified copy of amendment to certificate or articles of incorporation, \$100;

(4) for filing bylaws, \$75 or amendments thereto, \$75;

(5) for each company's certificate of authority, \$575, annually.

(c) the following general fees apply:

(1) for each certificate, including certified copy of certificate of authority, renewal, valuation of life policies, corporate condition or qualification, \$25;

(2) for each copy of paper on file in the commissioner's office 50 cents per page, and \$2.50 for certifying the same;

(3) for license to procure insurance in unadmitted foreign companies, \$575;

(4) for valuing the policies of life insurance companies, one cent per \$1,000 of insurance so valued, provided that the fee shall not exceed \$13,000 per year for any company. The commissioner may, in lieu of a valuation of the policies of any foreign life insurance company admitted, or applying for admission, to do business in this state, accept a certificate of valuation from the company's own actuary or from the commissioner of insurance of the state or territory in which the company is domiciled;

(5) for receiving and filing certificates of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, \$50;

(6) for each appointment of an agent filed with the commissioner, a domestic insurer shall remit \$5 and all other insurers shall remit \$3;

- (7) for filing forms and rates, ~~\$50~~ \$75 per filing;
- (8) for annual renewal of surplus lines insurer license, \$300.

The commissioner shall adopt rules to define filings that are subject to a fee.

Sec. 45. Minnesota Statutes 1998, section 60A.23, subdivision 8, is amended to read:

Subd. 8. [SELF-INSURANCE OR INSURANCE PLAN ADMINISTRATORS WHO ARE VENDORS OF RISK MANAGEMENT SERVICES.] (1) [SCOPE.] This subdivision applies to any vendor of risk management services and to any entity which administers, for compensation, a self-insurance or insurance plan. This subdivision does not apply (a) to an insurance company authorized to transact insurance in this state, as defined by section 60A.06, subdivision 1, clauses (4) and (5); (b) to a service plan corporation, as defined by section 62C.02, subdivision 6; (c) to a health maintenance organization, as defined by section 62D.02, subdivision 4; (d) to an employer directly operating a self-insurance plan for its employees' benefits; (e) to an entity which administers a program of health benefits established pursuant to a collective bargaining agreement between an employer, or group or association of employers, and a union or unions; or (f) to an entity which administers a self-insurance or insurance plan if a licensed Minnesota insurer is providing insurance to the plan and if the licensed insurer has appointed the entity administering the plan as one of its licensed agents within this state.

(2) [DEFINITIONS.] For purposes of this subdivision the following terms have the meanings given them.

(a) "Administering a self-insurance or insurance plan" means (i) processing, reviewing or paying claims, (ii) establishing or operating funds and accounts, or (iii) otherwise providing necessary administrative services in connection with the operation of a self-insurance or insurance plan.

(b) "Employer" means an employer, as defined by section 62E.02, subdivision 2.

(c) "Entity" means any association, corporation, partnership, sole proprietorship, trust, or other business entity engaged in or transacting business in this state.

(d) "Self-insurance or insurance plan" means a plan providing life, medical or hospital care, accident, sickness or disability insurance for the benefit of employees or members of an association, or a plan providing liability coverage for any other risk or hazard, which is or is not directly insured or provided by a licensed insurer, service plan corporation, or health maintenance organization.

(e) "Vendor of risk management services" means an entity providing for compensation actuarial, financial management, accounting, legal or other services for the purpose of designing and establishing a self-insurance or insurance plan for an employer.

(3) [LICENSE.] No vendor of risk management services or entity administering a self-insurance or insurance plan may transact this business in this state unless it is licensed to do so by the commissioner. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to provide. The license may be granted only when the commissioner is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner may issue a license subject to restrictions or limitations upon the authorization, including the type of services which may be supplied or the activities which may be engaged in. The license fee is ~~\$500~~ \$1000 for the initial application and ~~\$500~~ \$1000 for each two-year renewal. All licenses are for a period of two years.

(4) [REGULATORY RESTRICTIONS; POWERS OF THE COMMISSIONER.] To assure that self-insurance or insurance plans are financially solvent, are administered in a fair and equitable fashion, and are processing claims and paying benefits in a prompt, fair, and honest manner, vendors of risk management services and entities administering insurance or self-insurance plans are subject to the supervision and examination by the commissioner. Vendors

of risk management services, entities administering insurance or self-insurance plans, and insurance or self-insurance plans established or operated by them are subject to the trade practice requirements of sections 72A.19 to 72A.30. In lieu of an unlimited guarantee from a parent corporation for a vendor of risk management services or an entity administering insurance or self-insurance plans, the commissioner may accept a surety bond in a form satisfactory to the commissioner in an amount equal to 120 percent of the total amount of claims handled by the applicant in the prior year. If at any time the total amount of claims handled during a year exceeds the amount upon which the bond was calculated, the administrator shall immediately notify the commissioner. The commissioner may require that the bond be increased accordingly.

(5) [RULEMAKING AUTHORITY.] To carry out the purposes of this subdivision, the commissioner may adopt rules pursuant to sections 14.001 to 14.69. These rules may:

- (a) establish reporting requirements for administrators of insurance or self-insurance plans;
- (b) establish standards and guidelines to assure the adequacy of financing, reinsuring, and administration of insurance or self-insurance plans;
- (c) establish bonding requirements or other provisions assuring the financial integrity of entities administering insurance or self-insurance plans; or
- (d) establish other reasonable requirements to further the purposes of this subdivision.

Sec. 46. Minnesota Statutes 1998, section 60A.71, subdivision 7, is amended to read:

Subd. 7. [FEES.] Each applicant for a reinsurance intermediary license shall pay to the commissioner a fee of ~~\$160~~ \$200 for an initial two-year license and a fee of ~~\$120~~ \$150 for each renewal. Applications shall be submitted on forms prescribed by the commissioner.

Sec. 47. Minnesota Statutes 1998, section 60K.06, is amended to read:

60K.06 [FEES.]

Subdivision 1. [RENEWAL FEES.] (a) Each agent licensed pursuant to section 60K.03 shall pay in accordance with the procedure adopted by the commissioner a renewal fee as prescribed by subdivision 2.

(b) Every agent, corporation, limited liability company, and partnership renewal license is valid for a period of 24 months. The commissioner may stagger the implementation of the 24-month licensing program so that approximately one-half of the licenses will expire on October 31 of each even-numbered year and the other half on October 31 of each odd-numbered year. Those licensees who will receive a 12-month license on November 1, 1994, because of the staggered implementation schedule, will pay for the license a fee reduced by an amount equal to one-half the fee for renewal of the license.

(c) Persons whose applications have been properly and timely filed who have not received notice of denial of renewal are approved for renewal and may continue to transact business whether or not the renewed license has been received on or before November 1. Applications for renewal of a license are timely filed if received by the commissioner on or before October 15 of the year due, on forms duly executed and accompanied by appropriate fees. An application mailed is considered timely filed if addressed to the commissioner, with proper postage, and postmarked by October 15.

Subd. 2. [LICENSING FEES.] (a) In addition to the fees and charges provided for examinations, each agent licensed pursuant to section 60K.03 shall pay to the commissioner:

(1) a fee of ~~\$60~~ \$80 per license for an initial license issued to an individual agent, and a fee of ~~\$60~~ \$80 for each renewal;

(2) a fee of ~~\$160~~ \$200 for an initial license issued to a partnership, limited liability company, or corporation, and a fee of ~~\$120~~ \$150 for each renewal;

(3) a fee of \$75 for an initial amendment (variable annuity) to a license, and a fee of \$50 for each renewal; and

(4) a fee of \$500 for an initial surplus lines agent's license, and a fee of \$500 for each renewal.

(b) Persons whose applications have been properly and timely filed who have not received notice of denial of renewal are approved for renewal and may continue to transact business whether or not the renewed license has been received on or before November 1 of the renewal year. Applications for renewal of a license are timely filed if received by the commissioner on or before the 15th day preceding the license renewal date of the applicant on forms duly executed and accompanied by appropriate fees. An application mailed is considered timely filed if addressed to the commissioner, with proper postage, and postmarked on or before the 15th day preceding the licensing renewal date of the applicant.

(c) Initial licenses issued under this section must be valid for a period not to exceed two years. The commissioner shall assign an expiration date to each initial license so that approximately one-half of all licenses expire each year. Each initial license must expire on October 31 of the expiration year assigned by the commissioner.

(d) All fees shall be retained by the commissioner and are nonreturnable, except that an overpayment of any fee must be refunded upon proper application.

Subd. 3. [INITIAL LICENSE EXPIRATION; FEE REDUCTION.] If an initial license issued under subdivision 2, paragraph (a), expires less than 12 months after issuance, the license fee must be reduced by an amount equal to one-half the fee for a renewal of the license.

Sec. 48. Minnesota Statutes 1998, section 65B.48, subdivision 3, is amended to read:

Subd. 3. Self-insurance, subject to approval of the commissioner, is effected by filing with the commissioner in satisfactory form:

(1) a continuing undertaking by the owner or other appropriate person to pay tort liabilities or basic economic loss benefits, or both, and to perform all other obligations imposed by sections 65B.41 to 65B.71;

(2) evidence that appropriate provision exists for prompt administration of all claims, benefits, and obligations provided by sections 65B.41 to 65B.71;

(3) evidence that reliable financial arrangements, deposits, or commitments exist providing assurance, substantially equivalent to that afforded by a policy of insurance complying with sections 65B.41 to 65B.71, for payment of tort liabilities, basic economic loss benefits, and all other obligations imposed by sections 65B.41 to 65B.71; and

(4) a nonrefundable initial application fee of ~~\$500~~ \$1,500 and an annual renewal fee of ~~\$100~~ \$400 for political subdivisions and ~~\$250~~ \$500 for nonpolitical entities.

Sec. 49. Minnesota Statutes 1998, section 70A.14, subdivision 4, is amended to read:

Subd. 4. [DURATION.] Licenses issued pursuant to this section shall remain in effect until the licensee withdraws from the state or until the license is suspended or revoked. The fee for each license shall be ~~\$1,000~~ \$3,000, payable every three years.

Sec. 50. [82B.201] [CRIMINAL PENALTY.]

A person is guilty of a gross misdemeanor 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:

(1) violates section 82B.20, subdivision 2, clause (4);

(2) performs unlicensed activities, if a license is required under this chapter; or

(3) violates any order issued by the commissioner related to conduct prohibited by clause (1).

Sec. 51. [116J.036] [DEPARTMENT MAY NOT OPERATE AS TRAVEL AGENCY.]

The department may not operate or provide a travel reservation system in competition with private sector travel agents, but may make referrals to private sector travel agents.

Sec. 52. [116J.037] [CERTIFICATION OF ELECTRONIC- COMMERCE-READY CITIES AND COUNTIES.]

A county or statutory or home rule charter city of Minnesota shall be designated an electronic-commerce-ready city or county by the department of trade and economic development and may be annually recertified as an electronic-commerce-ready city or county if it:

(1) has formed effective public-private partnerships with communication providers, the business community, banks, schools, health care, government, and nonprofit social and service organizations to become electronic commerce ready;

(2) makes available training and continuing education to develop an electronic-commerce-ready workforce;

(3) develops a plan for electronic commerce readiness that reflects resource integration across economic and government sectors, including current and future investments by business, government, education, and health care to achieve cooperative community and economic development benefits;

(4) uses local funding sources to catalyze and sustain information technology investments to adapt to new business priorities as electronic commerce grows; and

(5) maintains public access sites to ensure access to electronic commerce applications and community networking tools, such as electronic mail.

Sec. 53. Minnesota Statutes 1998, section 116J.421, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] The center shall:

(1) research and identify present and emerging social and economic issues for rural Minnesota, including health care, transportation, crime, housing, and job training;

(2) forge alliances and partnerships with rural communities to find practical solutions to economic and social problems;

(3) provide a resource center for rural communities on issues of importance to them;

(4) encourage collaboration across higher education institutions to provide interdisciplinary team approaches to problem solving with rural communities; and

(5) involve students in center projects.

Sec. 54. Minnesota Statutes 1998, section 116J.421, is amended by adding a subdivision to read:

Subd. 6. [USE OF APPROPRIATION.] State appropriations to the board, whether from the general fund or the rural policy and development fund, may, at the discretion of the board, be expended for administration of the center and to carry out its duties under this section or under other law.

Sec. 55. Minnesota Statutes 1998, section 116J.421, is amended by adding a subdivision to read:

Subd. 7. [BOARD COMPENSATION.] Compensation and expense reimbursement of board members is as provided in section 15.0575, subdivision 3.

Sec. 56. [116J.423] [MINNESOTA MINERALS 21ST CENTURY FUND.]

Subdivision 1. [CREATED.] The Minnesota minerals 21st century fund is created as a separate account in the treasury. Money in the account is appropriated to the commissioner of trade and economic development for the purposes of this section. All money earned by the account, loan repayments of principal and interest, and earnings on investments must be credited to the account. For the purpose of this section, "fund" means the Minnesota minerals 21st century fund. The commissioner shall operate the account as a revolving account.

Subd. 2. [USE OF FUND.] The commissioner shall use money in the fund to make loans or equity investments in mineral processing facilities including, but not limited to, taconite processing, direct reduction processing, and steel production. The commissioner must, prior to making any loans or equity investments and after consultation with industry and public officials, develop a strategy for making loans and equity investments that assists the Minnesota mineral industry in becoming globally competitive. Money in the fund may also be used to pay for the costs of carrying out the commissioner's due diligence duties under this section.

Subd. 3. [REQUIREMENTS PRIOR TO COMMITTING FUNDS.] The commissioner, prior to making a commitment for a loan or equity investment must, at a minimum, conduct due diligence research regarding the proposed loan or equity investment, including contracting with professionals as needed to assist in the due diligence.

Subd. 4. [REQUIREMENTS FOR FUND DISBURSEMENTS.] The commissioner may make conditional commitments for loans or equity investments but disbursements of funds pursuant to a commitment may not be made until commitments for the remainder of a project's funding are made that are satisfactory to the commissioner and disbursements made from the other commitments sufficient to protect the interests of the state in its loan or investment.

Subd. 5. [COMPANY CONTRIBUTION.] The commissioner may provide loans or equity investments that match, in a proportion determined by the commissioner, an investment made by the owner of a facility.

Sec. 57. [116J.424] [IRRRB CONTRIBUTION.]

The commissioner of the iron range resources and rehabilitation board with approval of the board shall provide an equal match for any loan or equity investment made by the Minnesota minerals 21st century fund created by Minnesota Statutes, section 116J.423. The match may be in the form of a loan or equity investment, notwithstanding whether the fund makes a loan or equity investment. The state shall not acquire an equity interest because of an equity investment or loan by the board, and the board at its sole discretion shall decide what interest it acquires in a project. The commissioner of trade and economic development may require a commitment from the board to make the match prior to disbursing money from the fund.

Sec. 58. Minnesota Statutes 1998, section 116J.8731, subdivision 5, is amended to read:

~~Subd. 5. [GRANT LIMITS GRANTS.] A Minnesota investment fund grant may not be approved for an amount in excess of \$500,000. This limit covers all money paid to complete the same project, whether paid to one or more grant recipients and whether paid in one or more fiscal years. The portion of a Minnesota investment fund grant that exceeds \$100,000 must be repaid to the state when it is repaid to the local community or recognized Indian tribal government by the person or entity to which it was loaned by the local community or Indian tribal government. Money repaid to the state must be credited to the general fund. A grant or loan may not be made to a person or entity for the operation or expansion of a casino or a store which is used solely or principally for retail sales. Persons or entities receiving grants or loans must pay each employee total compensation, including benefits not mandated by law, that on an annualized basis is equal to at least 110 percent of the federal poverty level for a family of four.~~

Sec. 59. Minnesota Statutes 1998, section 116J.8745, subdivision 1, is amended to read:

~~Subdivision 1. [TECHNICAL ASSISTANCE; LOAN ADMINISTRATION.] The commissioner of trade and economic development shall make grants to nonprofit organizations to provide technical assistance to individuals with entrepreneurial plans that require microenterprise~~

~~loans in an amount ranging from approximately \$1,000 to \$25,000, and for loan administration costs related to those microenterprise loans. Microenterprise is a small business which employs under five employees plus the owner and requires under \$25,000 to start to support the startup and growth of self-employment and microbusinesses. Eligible businesses are microenterprises employing under five people plus the owner and requiring under \$25,000 or no capital to start or expand the business.~~

Sec. 60. Minnesota Statutes 1998, section 116J.8745, subdivision 2, is amended to read:

Subd. 2. [GRANT ELIGIBILITY AND ALLOCATION.] Nonprofit organizations must apply for grants under this section following procedures established by the commissioner. To be eligible for a grant, an organization must demonstrate to the commissioner that it has the appropriate expertise. The commissioner shall give preference for grants to organizations that target nontraditional entrepreneurs such as women, members of a minority, low-income individuals, or persons seeking work who are currently on or recently removed from welfare assistance.

An application must include:

- (1) the local need for microenterprise support;
- (2) proposed criteria for business eligibility;
- (3) proposals for identifying and serving eligible businesses;
- (4) a description of technical assistance to be provided to eligible businesses;
- (5) proposals to coordinate technical assistance with financial assistance; and
- (6) a demonstration of ability to collaborate with other agencies including educational and financial institutions; and
- (7) project goals identifying the number of eligible businesses to be assisted with the state funds awarded under the grant.

Sec. 61. [116J.9665] [WORLD TRADE CENTER.]

The commissioner shall facilitate and support Minnesota world trade center programs and services and promote the Minnesota world trade center. The world trade center corporation account in the special revenue fund under section 44A.0311 is renamed the world trade center account. All money received by the commissioner in connection with membership of the Minnesota world trade center in the World Trade Center Association, including money from the use of the conference and service center, must be deposited in the account. Money in the account, including interest earned, is appropriated to the commissioner and must be used exclusively for the purposes of this section.

Sec. 62. Minnesota Statutes 1998, section 175.17, is amended to read:

175.17 [POWERS AND DUTIES, COMMISSIONER OF THE DEPARTMENT OF LABOR AND INDUSTRY.]

- (1) The commissioner shall administer the laws relating to workers' compensation and the laws governing employees of the state, a county, or other governmental subdivisions who contract tuberculosis;
- (2) The commissioner shall adopt reasonable and proper rules governing rules of practice before the workers' compensation division in matters which are not before a compensation judge;
- (3) The commissioner shall collect, collate, and publish statistical and other information relating to work under the department's jurisdiction and make public reports the commissioner judges necessary, including such other reports as may be required by law;
- (4) The commissioner shall establish and maintain branch offices as needed for the conduct of the affairs of the workers' compensation division;

(5) The commissioner may:

(i) apply for, receive, and spend money received from federal, municipal, county, regional, and other government agencies and private sources; and

(ii) apply for, accept, and disburse grants and other aids from public and private sources.

Sec. 63. Minnesota Statutes 1998, section 176.181, subdivision 2a, is amended to read:

Subd. 2a. [APPLICATION FEE.] Every initial application filed pursuant to subdivision 2 requesting authority to self-insure shall be accompanied by a nonrefundable fee of ~~\$2,500~~ \$4,000. When an employer seeks to be added as a member of an existing approved group under section 79A.03, subdivision 6, the proposed new member shall pay a nonrefundable ~~\$250~~ \$400 application fee to the commissioner at the time of application. Each annual report due August 1 under section 79A.03, subdivision 9, shall be accompanied by an annual fee of ~~\$200~~ \$500.

Sec. 64. Minnesota Statutes 1998, section 216C.41, is amended to read:

216C.41 [RENEWABLE ENERGY PRODUCTION INCENTIVE.]

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

(b) "Qualified hydroelectric facility" means a hydroelectric generating facility in this state that:

(1) is located at the site of a dam, if the dam was in existence as of March 31, 1994; and

(2) begins generating electricity after July 1, 1994.

(c) "Qualified wind energy conversion facility" means a wind energy conversion system that:

(1) produces two megawatts or less of electricity as measured by nameplate rating and begins generating electricity after June 30, 1997, and before July 1, 1999; ~~or~~

(2) begins generating electricity after June 30, 1999, produces two megawatts or less of electricity as measured by nameplate rating, and is:

(i) located within one county and owned by a natural person who owns the land where the facility is sited;

(ii) owned by a Minnesota small business as defined in section 645.445;

(iii) owned by a nonprofit organization; or

(iv) owned by a tribal council if the facility is located within the boundaries of the reservation;
or

(3) begins generating electricity after June 30, 1999, produces seven megawatts or less of electricity as measured by nameplate rating, and:

(i) is owned by a cooperative organized under chapter 308A; and

(ii) all shares and membership in the cooperative are held by natural persons or estates, at least 51 percent of whom reside in a county or contiguous to a county where the wind energy production facilities of the cooperative are located.

Sec. 65. [245.4705] [EMPLOYMENT SUPPORT SERVICES AND PROGRAMS.]

The commissioner of human services shall cooperate with the commissioner of economic security in the operation of a statewide system, as provided in section 268A.14, to reimburse providers for employment support services for persons with mental illness.

Sec. 66. Minnesota Statutes 1998, section 268.666, is amended by adding a subdivision to read:

Subd. 5. [INTERPRETER.] Workforce centers in areas that have a significant number of residents for whom English is not the primary language must attempt to have at the center staff that are fluent in those other languages or arrange for interpreter services.

Sec. 67. Minnesota Statutes 1998, section 268A.13, is amended to read:

268A.13 [EMPLOYMENT SUPPORT SERVICES FOR PERSONS WITH MENTAL ILLNESS.]

The commissioner of economic security, in cooperation with the commissioner of human services, shall develop a statewide program of grants as outlined in section 268A.14 to provide services for persons with mental illness in supported employment. Projects funded under this section must: (1) assist persons with mental illness in obtaining and retaining employment; (2) emphasize individual community placements for clients; (3) ensure interagency collaboration at the local level between vocational rehabilitation field offices, county service agencies, community support programs operating under the authority of section 245.4712, and community rehabilitation providers, in assisting clients; and (4) involve clients in the planning, development, oversight, and delivery of support services. Project funds may not be used to provide services in segregated settings such as the center-based employment subprograms as defined in section 268A.01.

The commissioner of economic security, in consultation with the commissioner of human services, shall develop a request for proposals which is consistent with the requirements of this section and section 268A.14 and which specifies the types of services that must be provided by grantees. ~~Projects shall be funded for state fiscal year 1995 and~~ Priority for funding shall be given to organizations with experience in developing innovative employment support services for persons with mental illness. Each applicant for funds under this section shall submit an evaluation protocol as part of the grant application.

Sec. 68. Minnesota Statutes 1998, section 268A.14, is amended to read:

268A.14 [PLAN FOR A STATEWIDE REIMBURSEMENT SYSTEM FOR EMPLOYMENT SUPPORT SERVICES.]

Subdivision 1. [EMPLOYMENT SUPPORT SERVICES AND PROGRAMS.] The commissioner of economic security, in cooperation with the commissioner of human services, shall develop a detailed plan for establishing operate a statewide system to reimburse providers for employment support services for persons with mental illness. ~~The plan must include the following: (1) protocols for certifying eligible providers; (2) standards for determining client eligibility for the service; (3) a list of reimbursable services with the proposed reimbursement level for each service; and (4) a description of the systems, including necessary computer systems, that will be used by the state agency for payment of reimbursement to eligible providers. The plan must also include projected total biennial costs for the new reimbursement system, recommendations on the nature of appeal rights which shall be provided to clients and providers, and recommendations on the necessity for agency rulemaking prior to implementation of the new reimbursement system. The system shall be operated to support employment programs and services where:~~

(1) services provided are readily accessible to all persons with mental illness so they can make progress toward economic self-sufficiency;

(2) services provided are made an integral part of all treatment and rehabilitation programs for persons with mental illness to ensure that they have the ability and opportunity to consider a variety of work options;

(3) programs help persons with mental illness form long range plans for employment that fit their skills and abilities by ensuring that ongoing support, crisis management, placement, and career planning services are available;

(4) services provided give persons with mental illness the information needed to make informed choices about employment expectations and options, including information on the types of employment available in the local community, the types of employment services available, the impact of employment on eligibility for governmental benefits, and career options;

(5) programs assess whether persons with mental illness being serviced are satisfied with the services and outcomes. Satisfaction assessments shall address at least whether persons like their jobs, whether quality of life is improved, whether potential for advancement exists, and whether there are adequate support services in place;

(6) programs encourage persons with mental illness being served to be involved in employment support services issues by allowing them to participate in the development of individual rehabilitation plans and to serve on boards, committees, task forces, and review bodies that shape employment services policies and that award grants, and by encouraging and helping them to establish and participate in self-help and consumer advocacy groups;

(7) programs encourage employers to expand employment opportunities for persons with mental illness and, to maximize the hiring of persons with mental illness, educate employers about the needs and abilities of persons with mental illness and the requirements of the Americans with Disabilities Act;

(8) programs encourage persons with mental illness, vocational rehabilitation professionals, and mental health professionals to learn more about current work incentive provisions in governmental benefits programs;

(9) programs establish and maintain linkages with a wide range of other programs and services, including educational programs, housing programs, economic assistance services, community support services, and clinical services to ensure that persons with mental illness can obtain and maintain employment;

(10) programs participate in ongoing training across agencies and service delivery systems so that providers in human services systems understand their respective roles, rules, and responsibilities and understand the options that exist for providing employment and community support services to persons with mental illness; and

(11) programs work with local communities to expand system capacity to provide access to employment services to all persons with mental illness who want them.

Subd. 2. [REPORT.] Before preparing a biennial budget request, the commissioner of economic security, in cooperation with the commissioner of human services, must report on the status and evaluation of the grants currently funded under section 268A.14 to the chairs of the policy and finance committees of the legislature having jurisdiction. The report must also include a determination of the unmet needs of persons with mental illness who require employment services and provide recommendations to expand the program to meet the identified needs.

Sec. 69. [268.368] [YOUTHBUILD TECH.]

Subdivision 1. [GENERALLY.] A pilot program is established within the department to make grants to eligible organizations for programs which are available to students who have completed at least four months in a program funded under section 268.362. Programs funded under this section must provide participants with the knowledge and skills necessary to obtain entry-level jobs in the computer industry, including core computer classes and job-specific education.

Subd. 2. [GRANTS.] The provisions of section 268.361; 268.362, subdivision 2; 268.3625; and 268.366 shall apply to grants under this section.

Sec. 70. Minnesota Statutes 1998, section 298.22, subdivision 2, is amended to read:

Subd. 2. [IRON RANGE RESOURCES AND REHABILITATION BOARD.] There is hereby created the iron range resources and rehabilitation board, consisting of 11 members, five of whom are state senators appointed by the subcommittee on committees of the rules committee of the senate, and five of whom are representatives, appointed by the speaker of the house of representatives. The members shall be appointed in January of every odd-numbered year. The 11th member of the board is the commissioner of natural resources. Vacancies on the board shall be filled in the same manner as the original members were chosen. At least a majority of the legislative members of the board shall be elected from state senatorial or legislative districts in

which over 50 percent of the residents reside within a tax relief area as defined in section 273.134. All expenditures and projects made by the commissioner of iron range resources and rehabilitation shall first be submitted to the iron range resources and rehabilitation board for approval by ~~at least eight board members~~ a majority of the board of expenditures and projects for rehabilitation purposes as provided by this section, and the method, manner, and time of payment of all funds proposed to be disbursed shall be first approved or disapproved by the board. The board shall biennially make its report to the governor and the legislature on or before November 15 of each even-numbered year. The expenses of the board shall be paid by the state from the funds raised pursuant to this section.

Sec. 71. Minnesota Statutes 1998, section 298.22, subdivision 6, is amended to read:

Subd. 6. ~~[EQUITY PRIVATE ENTITY PARTICIPATION.]~~ The board may acquire an equity interest in any project for which it provides funding. The commissioner may establish, participate in the management of, and dispose of the assets of charitable foundations and nonprofit corporations associated with any project for which it provides funding, including specifically, but without limitation, a corporation within the meaning of section 317A.011, subdivision 6.

Sec. 72. Minnesota Statutes 1998, section 298.22, subdivision 7, is amended to read:

Subd. 7. ~~[GIANTS RIDGE RECREATION AREA.]~~ (a) In addition to the other powers granted in this section and other law, the commissioner, for purposes of fostering economic development and tourism within the ~~Giants Ridge recreation area~~ any tax relief area, as defined in section 273.134, may spend any money made available to the agency under section 298.28, and approved for projects as provided in this section, to acquire real or personal property or interests therein by gift, purchase, or lease and may convey by lease, sale, or other means of conveyance or commitment any or all of those property interests acquired.

(b) ~~Notwithstanding any other law to the contrary, property conveyed under this subdivision and used for residential purposes is not eligible for property tax homestead classification under section 273.124 or for a property tax refund under chapter 290A.~~

(c) ~~In furtherance of development of the Giants Ridge recreation area, the commissioner may establish and participate in charitable foundations and nonprofit corporations, including a corporation within the meaning of section 317A.011, subdivision 6.~~

(d) ~~The term " or owned, in regard to:~~

(1) ~~Giants Ridge recreation area" refers to, an economic development project area established by the commissioner in furtherance of the powers delegated in this section within St. Louis county in the western portions of the town of White and in the eastern portion of the westerly, adjacent, unorganized township; and~~

(2) the Ironworld discovery center, a tourism and economic development facility established by the commissioner in furtherance of the powers delegated in this section within and south of the city of Chisholm.

Sec. 73. Minnesota Statutes 1998, section 298.2213, subdivision 4, is amended to read:

Subd. 4. ~~[PROJECT APPROVAL.]~~ The board shall by August 1 each year prepare a list of projects to be funded from the money appropriated in this section with necessary supporting information including descriptions of the projects, plans, and cost estimates. A project must not be approved by the board unless it finds that:

(1) the project will materially assist, directly or indirectly, the creation of additional long-term employment opportunities;

(2) the prospective benefits of the expenditure exceed the anticipated costs; and

(3) in the case of assistance to private enterprise, the project will serve a sound business purpose.

To be proposed by the board, a project must be approved by at least eight a majority of the iron range resources and rehabilitation board members and the commissioner of iron range resources and rehabilitation. The list of projects must be submitted to the governor, who shall, by November 15 of each year, approve, disapprove, or return for further consideration, each project. The money for a project may be spent only upon approval of the project by the governor. The board may submit supplemental projects for approval at any time.

Sec. 74. Minnesota Statutes 1998, section 298.223, subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION.] The taconite environmental protection fund shall be administered by the commissioner of the iron range resources and rehabilitation board. The commissioner shall by September 1 of each year submit to the board a list of projects to be funded from the taconite environmental protection fund, with such supporting information including description of the projects, plans, and cost estimates as may be necessary. Upon approval by at least eight a majority of the members of the iron range resources and rehabilitation board, this list shall be submitted to the governor by November 1 of each year. By December 1 of each year, the governor shall approve or disapprove, or return for further consideration, each project. Funds for a project may be expended only upon approval of the project by the board and governor. The commissioner may submit supplemental projects to the board and governor for approval at any time.

Sec. 75. Minnesota Statutes 1998, section 326.86, subdivision 1, is amended to read:

Subdivision 1. [LICENSING FEE.] The licensing fee for persons licensed pursuant to sections 326.83 to 326.991 is \$75 \$100 per year. ~~The commissioner may adjust the fees under section 16A.1285 to recover the costs of administration and enforcement. The fees must be limited to the cost of license administration and enforcement and must be deposited in the state treasury and credited to the general fund.~~

Sec. 76. Minnesota Statutes 1998, section 383B.79, subdivision 4, is amended to read:

Subd. 4. [ADMINISTRATION.] The board of county commissioners shall administer the program and funds and bond for projects in this section either as a county board or a housing and redevelopment authority. The board of county commissioners may acquire property in connection with the project known as the Humboldt Avenue Greenway from projects in this section with any funds under its control. Any sale, lease, or development of such property by the board of county commissioners shall be conducted in accordance with section 469.029.

Sec. 77. Minnesota Statutes 1998, section 462A.204, is amended by adding a subdivision to read:

Subd. 8. [SCHOOL STABILITY.] (a) The agency in consultation with the interagency task force on homelessness may establish a school stability project under the family homeless prevention and assistance program. The purpose of the project is to secure stable housing for families with school-age children who have moved frequently and for unaccompanied youth. For purposes of this subdivision, "unaccompanied youth" are minors who are leaving foster care, juvenile correctional facilities, or unstable families.

(b) The agency shall make grants to family homeless prevention and assistance projects in communities with a school or schools that have a significant degree of student mobility.

(c) Each project must be designed to reduce school absenteeism; stabilize children in one home setting, or at a minimum, in one school setting; and reduce shelter usage. Each project must include plans for the following:

(1) targeting of families with children under age 12 who, in the last 12 months have either: changed schools or homes at least once or been absent from school at least 15 percent of the school year and who have either been evicted from their housing; are living in overcrowded conditions in their current housing; or are paying more than 50 percent of their income for rent;

(2) targeting of unaccompanied youth in need of an alternative residential setting;

(3) connecting families with the social services necessary to maintain the family's stability in their home; and

(4) one or more of the following:

(i) provision of rental assistance for a specified period of time, which may exceed 24 months; or

(ii) development of permanent supportive housing or transitional housing.

(d) Notwithstanding subdivision 2, grants under this section may be used to acquire, rehabilitate, or construct transitional or permanent housing.

(e) Each grantee under the project must include representatives of the local school district or targeted schools, or both, and of the local community correction agencies on its advisory committee.

Sec. 78. Minnesota Statutes 1998, section 462A.205, is amended by adding a subdivision to read:

Subd. 10. [HOME OWNERSHIP PILOT PROJECT.] (a) An eligible family may receive assistance with paying a home mortgage if funds are specifically appropriated to the agency for that purpose. A family is eligible for home ownership assistance if a caretaker parent:

(1) has been employed for at least six months;

(2) has a gross annualized wage of at least \$16,000; and

(3) agrees to participate in home ownership and credit counseling courses.

(b) The maximum duration of the assistance is 36 months and the maximum assistance amount is \$250 a month. The assistance must be allocated between payment on the mortgage and an escrow for emergencies as follows:

(1) in the first year, no more than \$200 to the mortgage and no more than \$50 to escrow;

(2) in year two, no more than \$150 to the mortgage and no more than \$100 to escrow; and

(3) in year three, no more than \$100 to the mortgage and no more than \$150 to escrow.

Escrowed money shall be under the control of the local housing organization. At the end of the three-year period, any balance in an escrow account and earnings on the account must be transferred to the eligible family.

(c) The agency may contract with a local housing organization to administer the mortgage assistance under this subdivision. The agency may pay the local housing organization an administrative fee. The fee may not exceed \$40 per mortgage per month.

(d) The agency must coordinate assistance under this subdivision with other home ownership programs it administers. Assistance under this section can be considered an asset in meeting eligibility requirements of other programs but cannot be considered an asset for purposes of making a participant ineligible for other programs.

Sec. 79. Minnesota Statutes 1998, section 462A.209, is amended to read:

462A.209 [HOME OWNERSHIP ASSISTANCE.]

Subdivision 1. [FULL CYCLE HOME OWNERSHIP SERVICES.] The full cycle home ownership services program shall be used to fund nonprofit organizations and political subdivisions providing, building capacity to provide, or supporting full cycle lending for home ownership to low and moderate income home buyers and homeowners, including seniors. The purpose of the program is to encourage private investment in affordable housing and collaboration of nonprofit organizations and political subdivisions with each other and private lenders in providing full cycle lending services.

Subd. 2. [DEFINITION.] "Full cycle home ownership services" means supporting eligible home buyers and owners through all phases of purchasing and keeping a home, by providing prepurchase home buyer education, prepurchase counseling and credit repair, prepurchase property inspection and technical and financial assistance to buyers in rehabilitating the home, postpurchase and counseling, including home equity conversion loan counseling, mortgage default counseling, postpurchase assistance with home maintenance, entry cost assistance, and access to flexible loan products.

Subd. 3. [ELIGIBILITY.] The agency shall establish eligibility criteria for nonprofit organizations and political subdivisions to receive funding under this section. The eligibility criteria must require the nonprofit organization or political subdivision to provide, to build capacity to provide, or support full cycle home ownership services for eligible home buyers. The agency may fund a nonprofit organization or political subdivision that will provide full cycle home ownership services by coordinating with one or more other organizations that will provide specific components of full cycle home ownership services. The agency may make exceptions to providing all components of full cycle lending if justified by the application. If there are more applicants requesting funding than there are funds available, the agency shall award the funds on a competitive basis and also assure an equitable geographic distribution of the available funds. The eligibility criteria must require the nonprofit organization or political subdivision to have a demonstrated involvement in the local community and to target the housing affordability needs of the local community or to have demonstrated experience with counseling older persons on housing, or both. Partnerships and collaboration with innovative, grass roots, or community-based initiatives shall be encouraged. The agency shall give priority to nonprofit organizations and political subdivisions that provide matching funds. Applicants for funds under section 462A.057 may also apply funds under this program.

Subd. 4. [ENTRY COST HOME OWNERSHIP OPPORTUNITY PROGRAM.] The agency may establish an entry cost home ownership opportunity program, on terms and conditions it deems advisable, to assist individuals with downpayment and closing costs to finance the purchase of a home.

Sec. 80. [462A.2093] [INCLUSIONARY HOUSING PROGRAM.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given them in this subdivision.

(a) "Municipality" means a town or a statutory or home rule city.

(b) "Nonmetropolitan" means the area of the state outside of the metropolitan area defined in section 473.121, subdivision 2.

(c) "Inclusionary housing development" means a residential development meeting the requirements of section 473.255.

Subd. 2. [INCLUSIONARY HOUSING GRANT ALLOCATION.] The housing finance agency shall use funds specifically appropriated for use under this section to the community rehabilitation account or the affordable rental investment fund for the purposes of making grants to promote inclusionary housing in nonmetropolitan municipalities. A grant application must at a minimum include the location of the inclusionary housing development, the type of housing to be produced, the number of affordable units to be produced, the monthly rent, or purchase price of the affordable units, and the incentives provided by the municipality to achieve development of the affordable units. The application must include a resolution of support from the municipality in which the inclusionary development is located. The participating developer must also submit a letter of support.

Sec. 81. Minnesota Statutes 1998, section 462A.21, is amended by adding a subdivision to read:

Subd. 25. [FULL CYCLE HOME OWNERSHIP SERVICES.] The agency may spend money for the purposes of section 462A.209 and may pay the costs and expenses necessary and incidental to the development and operation of the program.

Sec. 82. [462A.32] [ECONOMIC DEVELOPMENT AND HOUSING CHALLENGE PROGRAM.]

Subdivision 1. [CREATED.] The economic development and housing challenge program is created to be administered by the agency.

The program shall provide grants or loans for the purpose of providing housing to support economic development activities within a community or region by meeting locally identified housing needs.

Subd. 2. [JOB RELATED.] Challenge grants or loans may be made to a city, a private developer, a nonprofit organization, or the owner of the housing, including individuals. Preference shall be given to challenge grants or loans for home ownership. To the extent practicable, grants and loans shall be made so that an approximately equal number of housing units are financed in the metropolitan area, as defined in section 473.121, subdivision 2, and in the nonmetropolitan area. Grants or loans made for new construction housing projects may be used in areas experiencing or projecting net new job growth. Grants or loans may be made for the rehabilitation of existing housing.

Subd. 3. [MATCH REQUIREMENT; REGULATORY FLEXIBILITY.] Challenge grants or loans must be used for economically viable homeownership or rental housing proposals that:

(1) include a financial or in-kind contribution from units of local government, area employers, and private philanthropic organizations; and

(2) address the housing needs of the local work force.

Preference for grants and loans shall be given to comparable proposals that include regulatory changes that result in identifiable cost avoidance or cost reductions, such as increased density, flexibility in site development standards or zoning code requirements.

Subd. 4. [STATE AND LOCAL GOVERNMENT COOPERATION.] In making challenge grants or loans, the commissioner must coordinate funding with funding available to the commissioner of trade and economic development and local governments for housing and infrastructure construction and repair. The commissioner must give preference for grants and loans to local governments that provide a match that, combined with other spending by the local government, constitutes a significant increase in the local government's spending on housing.

Subd. 5. [INCOME LIMITS.] Households served through challenge grants or loans must not have incomes that exceed, for homeownership projects, 115 percent of the greater of state or area median income as determined by the United States Department of Housing and Urban Development, and for rental housing projects, 80 percent of the greater of state or area median income as determined by the United States Department of Housing and Urban Development.

Subd. 6. [LARGE-SCALE PROJECTS.] At least one proposal funded under this section must provide sufficient resources to make a significant impact on the housing needs and economic development activities within a community.

Subd. 7. [GRANTS AND LOANS TO INDIVIDUALS.] Preference shall be given to grants and loans that provide down payments and other assistance to individuals to purchase a home. The commissioner must coordinate home ownership assistance provided to individuals under this section with other programs administered by or through the commissioner.

Sec. 83. Minnesota Statutes 1998, section 473.251, is amended to read:

473.251 [METROPOLITAN LIVABLE COMMUNITIES FUND.]

The metropolitan livable communities fund is created and consists of the following accounts:

(1) the tax base revitalization account;

(2) the livable communities demonstration account; and

(3) the local housing incentives account; and

(4) the inclusionary housing account.

Sec. 84. [473.255] [INCLUSIONARY HOUSING ACCOUNT.]

Subdivision 1. [DEFINITIONS.] For the purpose of this section, the terms defined in this section have the meanings given them.

(a) "Affordable rental housing" means rental housing units having a monthly rent of no more than the amount determined by:

(1) multiplying 30 percent of the area annual median income by 0.3; and

(2) dividing the product obtained in clause (1) by 12.

(b) "Affordable homes" means owner-occupied homes having a monthly mortgage payment of principal and interest of no more than the amount determined by:

(1) multiplying 50 percent of the area annual median income by 0.3; and

(2) dividing the product obtained in clause (1) by 12.

(c) "Inclusionary housing development" means a new construction development of single-family or multiple-family residences containing a total of 30 or more units located on a single parcel of land and having at least 15 percent of its owner-occupied housing consist of affordable homes and at least ten percent of its rental housing consist of affordable rental housing.

An inclusionary housing development may include resale limitations on its affordable homes. The limitations may include a minimum ownership period of no more than three years before a purchaser may profit on a sale of an affordable home.

(d) "Municipality" means a statutory or home rule charter city or town participating in the local housing incentives program under section 473.254.

Subd. 2. [INCLUSIONARY HOUSING INCENTIVES.] The metropolitan council may work with municipalities and developers to provide incentives to inclusionary housing developments such as waiver of service availability charges and other regulatory incentives that would result in identifiable cost avoidance or reductions for an inclusionary housing development.

Subd. 3. [INCLUSIONARY HOUSING GRANTS.] The council shall use funds in the inclusionary housing account to make grants or loans to municipalities to fund the production of inclusionary housing developments. In evaluating grant or loan applications, the council shall give priority to projects in municipalities that offer the following incentives to assist in the production of inclusionary housing. Such incentives include but are not limited to: density bonuses, reduced setbacks and parking requirements, decreased roadwidths, flexibility in site development standards and zoning code requirements, waiver of permit or impact fees, fast-track permitting and approvals, or any other regulatory incentives that would result in identifiable cost avoidance or reductions that contribute to the economic feasibility of inclusionary housing.

Subd. 4. [GRANT APPLICATION.] A grant application must at a minimum include the location of the inclusionary development, the type of housing to be produced, the number of affordable units to be produced, the monthly rent, or purchase price of the affordable units, and the incentives provided by the municipality to achieve development of the affordable units. The application must include a resolution of support from the municipality in which the inclusionary development is located. The participating developer must also submit a letter of support.

Sec. 85. Laws 1998, chapter 404, section 5, subdivision 4, is amended to read:

Subd. 4. Recreation and Community

Center Grants

~~10,800,000~~ 10,500,000

(a) Unless otherwise specifically provided, the

commissioner may not make a grant from this appropriation until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources.

(b) The commissioner may not make a grant under this subdivision until the commissioner has determined that, if the center will charge a fee for use of the center's facilities, the plan for operating the center includes free or reduced-rate use of the facilities by individuals and families that have a household income at or below 150 percent of the federal poverty income guidelines.

(c) The commissioner may not make a grant under this subdivision until the commissioner has determined that the recipient has the ability and a plan to fund the program intended for the facility.

(d) Dawson-Boyd Educational
and Community Center

1,000,000

For a grant to independent school district No. 378, Dawson-Boyd, to design, construct, furnish, and equip an educational and community center.

(e) Detroit Lakes Community
Center

1,500,000

For a grant to the city of Detroit Lakes to design, construct, furnish, and equip the Detroit Lakes Community Center.

(f) Granite Falls Area
Multipurpose Community Recreation and
Education Center

1,000,000

For a grant to the city of Granite Falls to design, construct, furnish, and equip a multipurpose community recreation and education building.

(g) Hallett Community
Center, City of Crosby

300,000

For a grant to the city of Crosby to design, construct, furnish, and equip the Hallett Community Center.

(h) Hastings Municipal Water
Park

500,000

For a grant to the city of Hastings to design, construct, furnish, and equip a municipal water park.

(i) Hermantown Community Indoor
Sports and Physical Education Complex

1,000,000

For a grant to independent school district No. 700, Hermantown, to design, construct, furnish,

and equip a community indoor sports and physical education complex with an indoor track.

(j) Isle Community Center 1,000,000 700,000

For a grant to independent school district No. 473, Isle, to convert a school building into a community center. Programs located at the converted facility must include the alternative education program, early childhood family education programs, ~~centralized school district kitchen facilities~~, and other community programs. This appropriation is available on a dollar-for-dollar basis as matching funds are committed from nonstate sources up to a total required match of \$700,000.

(k) Lake Crystal Area Recreation Center 1,500,000

For a grant to the city of Lake Crystal to design, construct, furnish, and equip the Lake Crystal Area Recreation Center.

(l) Proctor Community Activity Center 1,000,000

For a grant to the city of Proctor to design, construct, furnish, and equip a city community activity center designed to provide facilities for city government, library, arts, museum, and other public functions.

(m) Redwood Valley Multipurpose Education and Community Center 1,000,000

For a grant to independent school district No. 2758, Redwood Falls, to design, construct, furnish, and equip a multipurpose education and community center to be constructed and operated under a joint powers agreement with the city of Redwood Falls.

The center must provide: (1) expanded physical education curriculum for Redwood Valley students; (2) a latchkey program and an after-school program for at-risk youth; (3) expanded healthy lifestyle community education and recreation programs for all age groups in the community; and (4) community conference and meeting facilities.

(n) Windom Area Multipurpose Center 1,000,000

For a grant to the city of Windom to design, construct, furnish, and equip a multipurpose center.

Sec. 86. [REPEALER.]

Minnesota Statutes 1998, sections 44A.001; 44A.01; 44A.02; 44A.023; 44A.025; 44A.031; 44A.0311; 44A.06; 44A.08; 44A.11; and 462A.28, are repealed.

Sec. 87. [EFFECTIVE DATE.]

Section 17, subdivision 5, paragraph (h), relating to the Bruentrup farm site is effective the day following final enactment.

Section 30 is effective upon approval by the Duluth city council and the Duluth entertainment and convention center authority, and upon compliance with the provisions of Minnesota Statutes, section 645.021.

Section 31 is effective the day after the latter of the certificates of approval of the Long Prairie city council and the board of commissioners of the Long Prairie housing and redevelopment authority is filed in compliance with Minnesota Statutes, section 645.021, subdivision 3."

Delete the title and insert:

"A bill for an act relating to economic development; appropriating money for economic development and certain agencies of state government; establishing and modifying programs; regulating activities and practices; establishing pilot projects; requiring reports; modifying fees; providing criminal penalties; amending Minnesota Statutes 1998, sections 45.0295; 53A.05, subdivision 1; 60A.14, subdivision 1; 60A.23, subdivision 8; 60A.71, subdivision 7; 60K.06; 65B.48, subdivision 3; 70A.14, subdivision 4; 116J.421, subdivision 3, and by adding subdivisions; 116J.8731, subdivision 5; 116J.8745, subdivisions 1 and 2; 175.17; 176.181, subdivision 2a; 216C.41; 268.666, by adding a subdivision; 268A.13; 268A.14; 298.22, subdivisions 2, 6, and 7; 298.2213, subdivision 4; 298.223, subdivision 2; 326.86, subdivision 1; 383B.79, subdivision 4; 462A.204, by adding a subdivision; 462A.205, by adding a subdivision; 462A.209; 462A.21, by adding a subdivision; and 473.251; Laws 1998, chapter 404, section 5, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 82B; 116J; 245; 268; 462A; and 473; repealing Minnesota Statutes 1998, sections 44A.001; 44A.01; 44A.02; 44A.023; 44A.025; 44A.031; 44A.0311; 44A.06; 44A.08; 44A.11; and 462A.28."

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

Senator Cohen from the Committee on State Government Finance, to which was referred

S.F. No. 2226: A bill for an act relating to state government; appropriating money for environmental, natural resource, and agricultural purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 1998, sections 14.386; 16A.531, by adding a subdivision; 16B.171, as amended; 17.038; 17.102, subdivision 4; 17.109, subdivisions 1 and 3; 17.115, subdivision 3; 17.116, subdivision 3; 17.117, subdivision 3; 17.457, subdivision 10; 17.59, subdivision 5; 17.85; 17.982, subdivision 1; 17.983, subdivision 1; 17A.11; 17B.15, subdivision 1; 18B.05, subdivision 1; 18B.26, subdivision 5; 18C.131; 18E.02, subdivision 5; 18E.03, subdivision 1; 21.115; 21.116; 21.90, subdivision 3; 21.92; 25.39, subdivision 4; 27.07, subdivision 6; 28A.08, subdivision 3; 29.22, subdivision 5; 31.94; 31.95, subdivision 3a; 31B.06; 32.21, subdivision 4; 32.394, subdivision 9; 41A.09, subdivision 3a; 41B.044, subdivision 2; 84.027, subdivision 15; 84.0855, subdivision 2, and by adding a subdivision; 84.81, by adding a subdivision; 84.8205, by adding a subdivision; 84.83, subdivisions 3 and 4; 84.86, subdivision 1; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.91, subdivision 1; 84.98, subdivision 6; 85.015, by adding a subdivision; 85.019, subdivision 2, and by adding subdivisions; 85.40, subdivision 5; 85.41, subdivisions 1, 4, and 5; 85.42; 85.44; 85.45, subdivision 1; 88.067; 89A.01, by adding a subdivision; 89A.02; 89A.03; 89A.04; 89A.05; 89A.06; 89A.07, subdivisions 3 and 5; 89A.10; 92.45; 92.46, subdivision 1; 97A.075, subdivision 1; 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; 97A.485, subdivisions 6 and 12; 97B.020; 103G.271, subdivision 6; 115.55, subdivision 5a; 115A.554; 115A.908, subdivision 2; 115A.918, subdivision 1; 115B.175, subdivision 2; 115B.39, subdivision 2; 115B.40, subdivisions 2, 3, 4, 5, 6, 7, and 8; 115B.405, subdivision 1; 115B.412, subdivision 3; 115B.42; 115B.43, subdivision 1; 115B.442, by adding a

subdivision; 115B.445; 115B.48, subdivision 8; 116.072, subdivision 1; 116.073, subdivisions 1 and 2; 116O.09, subdivision 5; 169.121, subdivision 3; 169.1217, subdivisions 7a and 9; 169.123, subdivision 1; 171.07, subdivisions 12 and 13; 216C.41, subdivision 2; 223.17, subdivision 3; 231.16; 232.22, subdivision 3; 233.08; 236.02, subdivision 4; 282.018, subdivision 1; 290.431; 290.432; 297A.44, subdivision 1; 446A.072, subdivision 4; 574.263; 574.264, subdivision 1; Laws 1994, chapter 643, section 27, subdivision 2, as amended; Laws 1995, chapter 220, section 142, as amended; and Laws 1998, chapter 401, section 53; proposing coding for new law in Minnesota Statutes, chapters 18; 28A; 31B; 41B; 84; 85; 103G; 115B; and 116; repealing Minnesota Statutes 1998, sections 115A.929; 115A.9651; 115A.981; 297H.13, subdivisions 3 and 6; and 473.845, subdivision 2.

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

Page 2, line 31, delete "8,997,000" and insert "9,072,000" and delete "9,154,000" and insert "9,229,000" and delete "18,151,000" and insert "18,301,000"

Page 2, line 40, delete "368,932,000" and insert "369,007,000" and delete "345,863,000" and insert "345,938,000" and delete "714,795,000" and insert "714,945,000"

Page 3, line 3, delete "48,916,000" and insert "48,991,000" and delete "50,711,000" and insert "50,786,000"

Page 3, line 10, delete "8,897,000" and insert "8,972,000" and delete "9,054,000" and insert "9,126,000"

Page 5, line 42, delete "18,456,000" and insert "18,531,000" and delete "18,808,000" and insert "18,883,000"

Page 5, line 47, delete "7,761,000" and insert "7,836,000" and delete "7,890,000" and insert "7,965,000"

Page 6, after line 58, insert:

"\$75,000 the first year and \$75,000 the second year are transferred from the solid waste fund to the listed metals account in the environmental fund and is for administration of the listed metals program."

Page 7, line 49, delete "209,128,000" and insert "209,053,000" and delete "202,798,000" and insert "202,723,000"

Page 7, line 51, delete "120,317,000" and insert "120,242,000" and delete "112,654,000" and insert "112,579,000"

Page 8, line 35, delete "15,263,000" and insert "15,188,000" and delete "12,293,000" and insert "12,218,000"

Page 9, line 10, delete "\$2,000,000" and insert "\$1,925,000"

Page 9, line 11, delete "\$1,000,000" and insert "\$925,000"

Page 16, line 16, delete "18,965,000" and insert "19,040,000" and delete "18,650,000" and insert "18,725,000"

Page 16, delete lines 29 to 32

Page 17, after line 30, insert:

"\$100,000 the first year is for a grant to the Minnesota river basin data center at Minnesota State University, Mankato."

Page 17, line 38, delete "\$25,000" and insert "\$100,000" in both places

Pages 84 to 88, delete section 58

Pages 113 to 115, delete section 98

Page 128, after line 1, insert:

"Sec. 117. Minnesota Statutes 1998, section 115A.9651, subdivision 6, is amended to read:

Subd. 6. [PRODUCT REVIEW REPORTS.] (a) Except as provided under subdivision 7, the manufacturer, or an association of manufacturers, of any specified product distributed for sale or use in this state that is not listed pursuant to subdivision 4 shall submit a product review report and fee as provided in paragraph (c) to the commissioner for each product by July 1, 1998. Each product review report shall contain at least the following:

(1) a policy statement articulating upper management support for eliminating or reducing intentional introduction of listed metals into its products;

(2) a description of the product and the amount of each listed metal distributed for use in this state;

(3) a description of past and ongoing efforts to eliminate or reduce the listed metal in the product;

(4) an assessment of options available to reduce or eliminate the intentional introduction of the listed metal including any alternatives to the specified product that do not contain the listed metal, perform the same technical function, are commercially available, and are economically practicable;

(5) a statement of objectives in numerical terms and a schedule for achieving the elimination of the listed metals and an environmental assessment of alternative products;

(6) a listing of options considered not to be technically or economically practicable; and

(7) certification attesting to the accuracy of the information in the report signed and dated by an official of the manufacturer or user.

If the manufacturer fails to submit a product review report, a user of a specified product may submit a report and fee which comply with this subdivision by August 15, 1998.

(b) By July 1, 1999, and annually thereafter until the commissioner takes action under subdivision 9, the manufacturer or user must submit a progress report and fee as provided in paragraph (c) updating the information presented under paragraph (a).

(c) The fee shall be ~~\$295~~ \$750 for each report. The fee shall be deposited in the state treasury and credited to the environmental fund.

(d) Where it cannot be determined from a progress report submitted by a person pursuant to Laws 1994, chapter 585, section 30, subdivision 2, paragraph (e), the number of products for which product review reports are due under this subdivision, the commissioner shall have the authority to determine, after consultation with that person, the number of products for which product review reports are required.

(e) The commissioner shall summarize, aggregate, and publish data reported under paragraphs (a) and (b) annually.

(f) A product that is the subject of a decision under section 115A.965 is exempt from this section."

Page 147, line 5, before the period, insert "except that the Western Lake Superior Sanitary District, as organized pursuant to chapter 458D, may also issue orders and assess penalties for violations of ordinances adopted under section 400.16, 473.811, or chapter 115A, that regulate

solid waste and any standards, limitations, or conditions established in a sanitary district license issued pursuant to the ordinances"

Page 149, after line 13, insert:

"Sec. 143. [116.656] [PROHIBITION ON FEE INCREASE TO REPLACE MOTOR VEHICLE INSPECTION FEES.]

The commissioner must not impose any additional, nor collect any increase in, fees from stationary sources, stationary emission facilities, or stationary emissions units to offset or recover any reduction in the aggregate amount of fees collected under the motor vehicle inspection program before fiscal year 2001."

Page 159, line 16, after "generated" insert "by the facility"

Page 159, line 17, delete "distributed" and insert "used by the owner of the facility"

Pages 163 to 165, delete section 158

Pages 167 and 168, delete section 161

Page 172, line 33, strike "later" and insert "sooner"

Page 174, after line 20, insert:

"Sec. 169. [ADVISORY TASK FORCE ON SNOWMOBILE TRAIL REPAIR.]

The commissioner of natural resources shall appoint an advisory task force including representatives of the department of natural resources, the department of transportation, the association of Minnesota counties, the Minnesota united snowmobile association, the snowmobile manufacturers and snowmobile stud manufacturers, the Minnesota parks and trails council, and the Minnesota bicycle business council to make recommendations to the commissioner regarding prioritization of repairs to snowmobile trails. The advisory task force shall assess damage to snowmobile trails, establish criteria for repairs, and prioritize repairs. This section expires after June 2001."

Page 174, line 22, delete "115A.929; 115A.9651;"

Page 174, line 25, delete "135 to 139" and insert "134 to 138"

Page 174, line 29, delete "61, 89 to 97, and 166" and insert "60, 88 to 96, and 164"

Page 174, line 31, delete "101 to 109, and 111" and insert "99 to 107, and 109"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 20, delete "41A.09, subdivision 3a;"

Page 1, line 32, delete "92.45;"

Page 1, line 37, after the second semicolon, insert "115A.9651, subdivision 6;"

Page 2, line 2, delete "282.018,"

Page 2, line 3, delete "subdivision 1;" and delete "297A.44, subdivision"

Page 2, line 4, delete "1;"

Page 2, line 11, delete "115A.929; 115A.9651;"

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

Senator Berglin from the Committee on Human Resources Finance, to which was referred

S.F. No. 2225: A bill for an act relating to human services; appropriating money for the departments of human services and health, the veterans nursing homes board, the health-related boards, the emergency medical services board, the council on disability, the ombudsman for mental health and mental retardation, and the ombudsman for families; amending Minnesota Statutes 1998, sections 13.99, subdivision 38a, and by adding a subdivision; 16A.76, subdivision 2; 16C.10, subdivision 5; 60A.15, subdivision 1; 62A.045; 62J.69; 116L.02; 125A.08; 125A.21, subdivision 1; 125A.74, subdivisions 1 and 2; 144.1761, subdivision 1; 144.99, subdivision 1, and by adding a subdivision; 144A.073, subdivision 5; 144A.10, by adding subdivisions; 144D.01, subdivision 4; 144E.001, by adding subdivisions; 144E.10, subdivision 1; 144E.11, by adding a subdivision; 144E.16, subdivision 4; 144E.18; 144E.27, by adding subdivisions; 144E.50, by adding a subdivision; 145.924; 145A.02, subdivision 10; 148.5194, subdivisions 2, 3, 4, and by adding a subdivision; 148B.32, subdivision 1; 150A.10, subdivision 1; 245.462, subdivisions 4 and 17; 245.4711, subdivision 1; 245.4712, subdivision 2; 245.4871, subdivisions 4 and 26; 245.4881, subdivision 1; 245A.04, subdivision 3a; 245A.08, subdivision 5; 245A.30; 245B.05, subdivision 7; 245B.07, subdivisions 5, 8, and 10; 246.18, subdivision 6; 252.28, subdivision 1; 252.291, by adding a subdivision; 252.32, subdivision 3a; 252.46, subdivision 6; 253B.045, by adding subdivisions; 253B.07, subdivision 1; 253B.185, by adding a subdivision; 254B.01, by adding a subdivision; 254B.03, subdivision 2; 254B.04, subdivision 1; 254B.05, subdivision 1; 256.01, subdivision 2; 256.015, subdivisions 1 and 3; 256.87, subdivision 1a; 256.955, subdivisions 3, 4, 7, 8, and 9; 256.9685, subdivision 1a; 256.969, subdivision 1; 256B.04, subdivision 16, and by adding a subdivision; 256B.042, subdivisions 1, 2, and 3; 256B.055, subdivision 3a; 256B.056, subdivision 4; 256B.057, subdivision 3, and by adding a subdivision; 256B.0575; 256B.061; 256B.0625, subdivisions 6a, 8, 8a, 13, 19c, 20, 26, 28, 30, 32, 35, and by adding subdivisions; 256B.0627, subdivisions 1, 2, 4, 5, 8, and by adding subdivisions; 256B.0635, subdivision 3; 256B.064, subdivisions 1a, 1b, 1c, 2, and by adding a subdivision; 256B.0911, subdivision 6; 256B.0913, subdivisions 5, 10, 12, and 16; 256B.0917, subdivision 8; 256B.094, subdivisions 3, 5, and 6; 256B.37, subdivision 2; 256B.431, subdivisions 2i, 17, 26, and by adding a subdivision; 256B.434, subdivisions 3, 4, 13, and by adding a subdivision; 256B.435; 256B.48, subdivisions 1, 1a, 1b, and 6; 256B.50, subdivision 1e; 256B.501, subdivision 8a, and by adding a subdivision; 256B.5011, subdivisions 1, 2, and 3; 256B.69, subdivisions 3a, 5b, 6a, 6b, and by adding subdivisions; 256B.692, subdivision 2; 256B.75; 256B.76; 256B.77, subdivisions 7a, 8, and by adding subdivisions; 256D.03, subdivisions 3, 4, and 8; 256D.051, subdivision 2a, and by adding a subdivision; 256D.053, subdivision 1; 256D.06, subdivision 5; 256F.03, subdivision 5; 256F.05, subdivision 8; 256F.10, subdivisions 1, 4, 6, 7, 8, 9, and 10; 256I.04, subdivision 3; 256I.05, subdivisions 1 and 1a; 256J.08, subdivisions 11, 24, 65, 82, 83, 86a, and by adding subdivisions; 256J.11, subdivisions 2 and 3; 256J.12, subdivisions 1a and 2; 256J.14; 256J.20, subdivision 3; 256J.21, subdivisions 2, 3, and 4; 256J.24, subdivisions 2, 3, 7, 8, 9, and by adding a subdivision; 256J.26, subdivision 1; 256J.30, subdivisions 2, 7, 8, and 9; 256J.31, subdivisions 5 and 12; 256J.32, subdivisions 4 and 6; 256J.33; 256J.34, subdivisions 1, 3, and 4; 256J.35; 256J.36; 256J.37, subdivisions 1, 1a, 2, 9, and 10; 256J.38, subdivision 4; 256J.42, subdivisions 1, 5, and by adding a subdivision; 256J.43; 256J.45, subdivision 1; 256J.46, subdivisions 1, 2, and 2a; 256J.47, subdivision 4; 256J.48, subdivisions 2 and 3; 256J.50, subdivision 1; 256J.515; 256J.52, subdivisions 1, 4, 8, and by adding a subdivision; 256J.55, subdivision 4; 256J.56; 256J.57, subdivision 1; 256J.62, subdivisions 1, 6, 7, 8, 9, and by adding a subdivision; 256J.67, subdivision 4; 256J.74, subdivision 2; 256J.76, subdivisions 1, 2, and 4; 256L.03, subdivisions 5 and 6; 256L.04, subdivisions 2, 7, 8, 11, and 13; 256L.05, subdivision 4; 256L.06, subdivision 3; 256L.07; 256L.15, subdivisions 1, 1b, 2, and 3; 257.071, subdivisions 1, 1a, 1c, 1d, 1e, 3, and 4; 257.66, subdivision 3; 257.75, subdivision 2; 257.85, subdivisions 2, 3, 4, 5, 6, 7, 9, and 11; 259.67, subdivisions 6 and 7; 259.73; 259.85, subdivisions 2, 3, and 5; 259.89, by adding a subdivision; 260.011, subdivision 2; 260.012; 260.015, subdivisions 2a, 13, and 29; 260.131, subdivision 1a; 260.133, subdivisions 1 and 2; 260.135, by adding a subdivision; 260.172, subdivision 1, and by adding a subdivision; 260.191, subdivisions 1, 1a, 1b, and 3b; 260.192; 260.221, subdivisions 1, 1a, 1b, 1c, 3, and 5; 326.40, subdivisions 2, 4, and 5; 518.10; 518.551, by adding a subdivision; 518.5853, by adding a subdivision; 626.556, subdivisions 2, 3, 4, 7, 10, 10b, 10d, 10e, 10f, 10i, 10j, 11, 11b, 11c, and by adding a subdivision; and 626.558,

subdivision 1; Laws 1995, chapter 178, article 2, section 46, subdivision 10; chapter 207, article 8, section 41, as amended; Laws 1998, chapter 407, article 7, section 2, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 10; 62J; 116L; 137; 144; 144A; 144E; 214; 245; 246; 252; 254A; 256; 256B; 256J; and 626; proposing coding for new law as Minnesota Statutes, chapter 256M; repealing Minnesota Statutes 1998, sections 62J.77; 62J.78; 62J.79; 144.0723; 144E.16, subdivisions 1, 2, 3, and 6; 144E.17; 144E.25; 144E.30, subdivisions 1, 2, and 6; 145.46; 256B.434, subdivision 17; 256B.501, subdivision 3g; 256B.5011, subdivision 3; 256D.051, subdivisions 6 and 19; 256D.053, subdivision 4; 256J.03; 256J.30, subdivision 6; 256J.62, subdivisions 2, 3, and 5; 257.071, subdivisions 8 and 10; and 462A.208; Laws 1997, chapter 85, article 1, section 63; chapter 203, article 4, section 55; Laws 1998, chapter 407, article 2, section 104; Minnesota Rules, parts 4690.0100, subparts 4, 13, 15, 19, 20, 21, 22, 23, 24, 26, 27, and 29; 4690.0300; 4690.0400; 4690.0500; 4690.0600; 4690.0700; 4690.0800, subparts 1 and 2; 4690.0900; 4690.1000; 4690.1100; 4690.1200; 4690.1300; 4690.1600; 4690.1700; 4690.2100; 4690.2200, subparts 1, 3, 4, and 5; 4690.2300; 4690.2400, subparts 1, 2, and 3; 4690.2500; 4690.2900; 4690.3000; 4690.3700; 4690.3900; 4690.4000; 4690.4100; 4690.4200; 4690.4300; 4690.4400; 4690.4500; 4690.4600; 4690.4700; 4690.4800; 4690.4900; 4690.5000; 4690.5100; 4690.5200; 4690.5300; 4690.5400; 4690.5500; 4690.5700; 4690.5800; 4690.5900; 4690.6000; 4690.6100; 4690.6200; 4690.6300; 4690.6400; 4690.6500; 4690.6600; 4690.6700; 4690.6800; 4690.7000; 4690.7100; 4690.7200; 4690.7300; 4690.7400; 4690.7500; 4690.7600; 4690.7700; 4690.7800; 4690.8300, subparts 1, 2, 3, 4, and 5; and 4735.5000.

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

Page 3, line 39, delete "\$2,647,966,000" and insert "\$2,648,495,000" and delete "\$5,425,129,000" and insert "\$5,425,628,000"

Page 3, line 43, delete "149,317,000" and insert "149,417,000" and delete "188,785,000" and insert "188,885,000" and delete "338,102,000" and insert "338,302,000"

Page 4, after line 1, insert:

"[SPENDING TAILS CAP.] (a) The commissioner of finance shall make transfers and base reductions described in clauses (1) and (2) below to reduce the recognized fund balance expenditures including planning estimates, if any, for fiscal years 2002 and 2003 to \$6,247,197,000, provided that the reductions shall not exceed \$42,000,000:

(1) Notwithstanding any contrary provision in section 2, subdivision 10, paragraph (a), of this article, \$12,000,000 in fiscal year 2002 and \$12,000,000 in fiscal year 2003 shall be transferred to the state's federal Title XX block grant to be allocated according to the community social services aids formula in Minnesota Statutes, section 256E.06, and the base funding level for the community social services block grant shall be reduced by \$12,000,000 in fiscal year 2002 and fiscal year 2003.

(2) If full implementation of clause (1) does not produce sufficient reductions, notwithstanding any contrary provision in article 10, section 7, of this act, in fiscal year 2002 the first \$6,000,000 in earnings credited to the tobacco prevention endowment fund shall be appropriated to the commissioner of finance and transferred to the

general fund, and in fiscal year 2003 the first \$12,000,000 in earnings credited to the tobacco prevention endowment fund shall be appropriated to the commissioner of finance and transferred to the general fund.

(b) The spending cap of \$6,247,197,000 shall be adjusted upward by an amount equivalent to additional spending and applicable planning estimates, if any, approved after December 31, 1999, for activities funded in this article.

(c) This provision shall not take effect if the recognized fund balance expenditures including planning estimates, if any, for the activities referenced in paragraph (b) are determined by the commissioner of finance at any time between May 1, 1999, and March 31, 2001, to be below \$6,247,197,000."

Page 4, line 1, delete "\$2,836,973,000" and insert "\$2,837,572,000" and delete "\$3,005,384,000" and insert "\$3,005,484,000" and delete "\$5,842,357,000" and insert "\$5,843,056,000"

Page 4, line 11, delete "2,555,354,000" and insert "2,555,853,000"

Page 4, line 15, delete "138,643,000" and insert "138,743,000" and delete "178,262,000" and insert "178,362,000"

Page 6, lines 29 and 35, delete "117,777,000" and insert "117,877,000" and delete "155,473,000" and insert "155,573,000"

Page 12, line 8, delete "1,171,228,000" and insert "1,171,727,000"

Page 18, line 38, delete "36,751,000" and insert "37,250,000"

Page 18, after line 41, insert:

"[CHEMICAL DEPENDENCY SERVICES.]
Of this appropriation, \$499,000 in fiscal year 2000 is to the commissioner for chemical dependency services to persons who qualify under Minnesota Statutes, section 254B.04, subdivision 1, paragraph (b)."

Page 21, line 23, delete everything after the period

Page 21, delete lines 24 to 37

Page 21, line 38, delete "year 2001," and insert "In each year"

Page 23, after line 50, insert:

"[EXPEDITED PROCESS.] Appropriations relating to the operation of the administrative process under Minnesota Statutes 1998, section 518.5511, may be used for the expedited child support hearing process. Appropriations for the second year of the biennium are available in the first year, but only to the extent that the costs of

the expedited child support hearing process exceed the base budget for the administrative process because of an increase in the number of orders in the process. The commissioner shall include cost reimbursement claims for the child support expedited process in the department's federal cost reimbursement claim process according to federal law. Federal dollars earned under these claims are appropriated to the commissioner and shall be disbursed according to department procedures and schedules."

Page 27, line 24, delete "at least the same amount" and insert "the same proportion"

Page 27, line 28, after the comma, insert "not to exceed the amount received for the 1998 to 1999 grant cycle,"

Page 28, line 52, delete "AND LOAN"

Page 28, line 57, delete "and loan"

Page 30, line 33, delete "the grant" and insert "activities described under Minnesota Statutes, sections 144.065 and 144.066, of which no less than 65 percent shall be distributed as grants under Minnesota Statutes, section 144.066, to demonstrate effective integration of STD and HIV prevention education to reach adolescents with the highest health risks, including youth of color."

Page 30, delete lines 34 to 38

Page 32, after line 54, insert:

"[CENTRALIZED LICENSING FUNCTION.]
The health-related licensing boards shall develop a plan to centralize their licensing functions within the administrative services unit and report to the legislature by January 15, 2000. If the plan is not submitted:

(1) the appropriations in this section to the board of medical practice and the board of nursing for licensing and disciplinary systems for fiscal year 2001 shall not be expended; and

(2) three percent of the appropriations in this section for fiscal year 2001 for the board of chiropractic examiners, the board of dietetic and nutrition practice, the board of marriage and family therapy, the board of nursing home administrators, the board of optometry, the board of pharmacy, the board of podiatry, the board of psychology, the board of social work, and the board of veterinary medicine, shall not be expended."

Page 36, after line 6, insert:

"Sec. 2. Minnesota Statutes 1998, section 144.065, is amended to read:

144.065 ~~[VENEREAL DISEASE TREATMENT CENTERS~~ PREVENTION AND TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS.]

The state commissioner of health shall assist local health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases sexually transmitted infections. These services shall provide for research, screening and diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state commissioner of health shall ~~promulgate rules relative to determine~~ the composition of such services and shall establish a method of providing funds to local health agencies boards of health as defined in section 145A.02, subdivision 2, state agencies, state councils, and organizations nonprofit corporations, which offer such services. The state commissioner of health shall provide technical assistance to such agencies and organizations in accordance with the needs of the local area. Planning and implementation of services, and technical assistance may be conducted in collaboration with boards of health; state agencies, including the University of Minnesota and the department of children, families, and learning; state councils; nonprofit organizations; and representatives of affected populations.

Sec. 3. [144.066] [SEXUALLY TRANSMITTED INFECTIONS PREVENTION AND TREATMENT GRANTS.]

The commissioner may award grants to boards of health as defined in section 145A.02, subdivision 2, state agencies, state councils, or nonprofit corporations to provide services described in section 144.065 to populations most vulnerable to sexually transmitted infections as determined by current epidemiological research."

Page 39, after line 27, insert:

"Sec. 8. Minnesota Statutes 1998, section 144.148, is amended to read:

144.148 [RURAL HOSPITAL CAPITAL IMPROVEMENT GRANT AND ~~LOAN~~ PROGRAM.]

Subdivision 1. [DEFINITION.] (a) For purposes of this section, the following definitions apply.

(b) "Eligible rural hospital" means a any nonfederal, general acute care hospital that:

(1) is either located in a rural area, as defined in the federal Medicare regulations, Code of Federal Regulations, title 42, section 405.1041, or located in a community with a population of less than 5,000, according to United States Census Bureau Statistics, outside the seven-county metropolitan area;

(2) has 50 or fewer ~~licensed hospital beds with a net hospital operating margin not greater than two percent in the two fiscal years prior to application;~~ and

(3) is ~~25 miles or more from another hospital not for profit.~~

(c) "Eligible project" means a modernization project to update, remodel, or replace aging hospital facilities and equipment necessary to maintain the operations of a hospital.

Subd. 2. [PROGRAM.] The commissioner of health shall award rural hospital capital improvement grants ~~or loans~~ to eligible rural hospitals. A grant ~~or loan~~ shall not exceed \$1,500,000 ~~\$300,000~~ per hospital. ~~Grants or loans shall be interest free. An eligible rural hospital may apply the funds retroactively to capital improvements made during the two fiscal years preceding the fiscal year in which the grant or loan was received, provided the hospital met the eligibility criteria during that time period~~ Prior to the receipt of any grant, the hospital must certify to the commissioner that at least one-quarter of the grant amount, which may include in-kind services, is available for the same purposes from nonstate resources.

Subd. 3. [APPLICATIONS.] Eligible hospitals seeking a grant ~~or loan~~ shall apply to the commissioner. Applications must include a description of the problem that the proposed project will address, a description of the project including construction and remodeling drawings or specifications, sources of funds for the project, uses of funds for the project, the results expected, and a plan to maintain or operate any facility or equipment included in the project. The applicant must describe achievable objectives, a timetable, and roles and capabilities of responsible

individuals and organization. Applicants must submit to the commissioner evidence that competitive bidding was used to select contractors for the project.

Subd. 4. [CONSIDERATION OF APPLICATIONS.] The commissioner shall review each application to determine whether or not the hospital's application is complete and whether the hospital and the project are eligible for a grant ~~or loan~~. In evaluating applications, the commissioner shall score each application on a 100 point scale, assigning: a maximum of 40 points for an applicant's clarity and thoroughness in describing the problem and the project; a maximum of 40 points for the extent to which the applicant has demonstrated that it has made adequate provisions to assure proper and efficient operation of the facility once the project is completed; and a maximum of 20 points for the extent to which the proposed project is consistent with the hospital's capital improvement plan or strategic plan. The commissioner may also take into account other relevant factors. During application review, the commissioner may request additional information about a proposed project, including information on project cost. Failure to provide the information requested disqualifies a ~~loan~~ an applicant.

Subd. 5. [PROGRAM OVERSIGHT.] ~~The commissioner of health shall review audited financial information of the hospital to assess eligibility.~~ The commissioner shall determine the amount of a grant ~~or loan~~ to be given to an eligible rural hospital based on the relative score of each eligible hospital's application and the funds available to the commissioner. The grant ~~or loan~~ shall be used to update, remodel, or replace aging facilities and equipment necessary to maintain the operations of the hospital. The commissioner may collect, from the hospitals receiving grants, any information necessary to evaluate the program.

Subd. 6. [LOAN PAYMENT.] ~~Loans shall be repaid as provided in this subdivision over a period of 15 years. In those years when an eligible rural hospital experiences a positive net operating margin in excess of two percent, the eligible rural hospital shall pay to the state one-half of the excess above two percent, up to the yearly payment amount based upon a loan period of 15 years. If the amount paid back in any year is less than the yearly payment amount, or if no payment is required because the eligible rural hospital does not experience a positive net operating margin in excess of two percent, the amount unpaid for that year shall be forgiven by the state without any financial penalty. As a condition of receiving an award through this program, eligible hospitals must agree to any and all collection activities the commissioner finds necessary to collect loan payments in those years a payment is due.~~

Subd. 7. [ACCOUNTING TREATMENT.] ~~The commissioner of finance shall record as grants in the state accounting system funds obligated by this section. Loan payments received under this section shall be deposited in the health care access fund.~~

Subd. 8. [EXPIRATION.] This section expires June 30, 1999 2001."

Page 91, line 14, strike "Notwithstanding paragraph (b),"

Pages 105 and 106, delete section 34

Page 106, lines 25 and 26, delete "Consumer Price Index-All Items (United States City Average) (CPI-U)" and insert "Employment Cost Index for Private Industry Workers - Total Compensation"

Page 106, line 31, delete "CPI-U" and insert "Employment Cost Index for Private Industry Workers - Total Compensation"

Page 118, line 33, delete "46" and insert "45"

Page 119, line 8, delete "46" and insert "45"

Page 141, line 16, delete "department" and insert "commissioner"

Page 155, delete lines 26 to 32 and insert:

"(b) On the basis of information provided on the completed application, an applicant who meets the following criteria shall be determined eligible beginning in the month of application:

- (1) whose gross income is less than 90 percent of the applicable income standard;
- (2) whose total liquid assets are less than 90 percent of the asset limit;
- (3) does not reside in a long-term care facility; and
- (4) meets all other eligibility requirements.

The applicant must provide all required verifications within 30 days' notice of the eligibility determination or eligibility shall be terminated."

Page 156, line 11, after the period, insert "Telemedicine consultations shall be paid at the full allowable rate."

Page 160, line 31, before the semicolon, insert ", except that medically necessary anorectics shall be covered for a recipient previously diagnosed as having pickwickian syndrome and currently diagnosed as having diabetes and being morbidly obese"

Page 165, line 10, delete "if services" and insert "are"

Page 165, line 11, after "basis" insert "and" and delete "included as"

Page 165, line 13, strike "if the service is" and insert "are"

Page 168, line 35, delete everything after "(1)"

Page 168, delete line 36

Page 169, line 1, delete everything before "a" and after the semicolon, insert "and"

Page 169, line 2, delete "(3)" and insert "(2)" and delete the semicolon and insert a period

Page 169, delete lines 3 to 8

Page 218, line 27, strike everything after "(a)"

Page 218, strike line 28

Page 219, line 20, after the semicolon, insert "and"

Page 219, delete lines 21 to 24

Page 219, line 25, delete "(6)" and insert "(5)"

Page 219, line 27, strike everything after "(b)"

Page 219, line 28, strike everything before "Effective"

Page 231, line 10, delete the new language and insert "On the basis of information provided on the completed application, an applicant who meets the following criteria shall be determined eligible beginning in the month of application:

- (1) has gross income less than 90 percent of the applicable income standard;
- (2) has liquid assets that total within \$300 of the asset standard;
- (3) does not reside in a long-term care facility; and
- (4) meets all other eligibility requirements.

The applicant must provide all required verifications within 30 days' notice of the eligibility determination or eligibility shall be terminated."

Page 231, delete lines 11 to 16

Page 235, line 9, delete "if services" and insert "are"

Page 235, line 10, after "basis" insert "and" and delete "included as"

Page 235, line 32, before the semicolon, insert ". Telemedicine consultations shall be paid at the full allowable rate"

Page 246, after line 21, insert:

"Sec. 98. Minnesota Statutes 1998, section 256L.05, is amended by adding a subdivision to read:

Subd. 3c. [RETROACTIVE COVERAGE.] Notwithstanding subdivision 3, the effective date of coverage shall be the first day of the month following termination from medical assistance or general assistance medical care for families and individuals who are eligible for MinnesotaCare and who submitted a written request to the commissioner for MinnesotaCare within 30 days of receiving notification of termination from medical assistance or general assistance medical care."

Page 249, line 9, delete "100" and insert "101"

Page 250, line 21, delete "one of the parents" and insert "a parent"

Page 251, line 7, delete "100" and insert "101"

Page 251, line 10, delete "116" and insert "117"

Page 251, line 13, delete "one of the parents" and insert "a parent"

Page 253, line 23, delete "If a"

Page 253, delete lines 24 and 25 and insert "The commissioner may reduce the annual premium to \$30 for families who choose to pay the premium on an annual basis."

Page 253, line 36, delete "105" and insert "106"

Page 254, line 2, delete "116" and insert "117"

Page 255, line 4, delete "106" and insert "107"

Page 255, line 6, delete "116" and insert "117"

Page 256, line 11, delete "107" and insert "108"

Page 256, line 13, delete "116" and insert "117"

Page 257, line 4, delete "108" and insert "109"

Page 257, line 6, delete "116" and insert "117"

Page 257, line 31, delete "family" and insert "facility"

Page 257, line 36, delete everything after "hearing"

Page 258, line 1, delete everything before the period and after the period, insert "The time for action on the decision may be extended for as many days as the hearing is postponed or the record is held open for the benefit of either party."

Page 258, line 24, delete "gathering" and insert "collecting" and delete "collection"

Page 261, line 10, after "with" insert "the commissioner of health,"

Page 261, line 12, before "counties" insert "and" and delete "and the department of health,"

Page 262, after line 4, insert:

"Sec. 122. [PHYSICIAN AND PROFESSIONAL SERVICES PAYMENT METHODOLOGY CONVERSION.]

The commissioner of human services shall submit a proposal to the legislature by January 15, 2000, detailing the medical assistance physician and professional services payment methodology conversion to resource based relative value scale."

Page 262, line 6, delete "section" and insert "sections 256B.74, subdivisions 2 and 5; and" and delete "is" and insert "are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the second semicolon, insert "144.065; 144.148;"

Page 2, line 9, delete ", 2, and 3" and insert "and 2"

Page 2, line 40, after "4" insert ", and by adding a subdivision"

Page 2, line 70, after the semicolon, insert "256B.74, subdivisions 2 and 5;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2052, 23, 851, 2226 and 2225 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 585 and 2390 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Piper moved that the name of Senator Ziegler be added as a co-author to S.F. No. 1835. The motion prevailed.

Senators Moe, R.D.; Larson; Langseth; Price and Kiscaden introduced--

Senate Resolution No. 69: A Senate resolution honoring A Prairie Home Companion with Garrison Keillor on its 25th anniversary.

WHEREAS, A Prairie Home Companion with Garrison Keillor is a well beloved, enriching radio program serving the state of Minnesota on the statewide network of Minnesota Public Radio and on over 460 public radio stations nationwide; and

WHEREAS, A Prairie Home Companion with Garrison Keillor is celebrating the 25th anniversary of the program's first live broadcast on Tuesday, July 6, 1999, with a live show from the campus of Macalester College in Saint Paul; and

WHEREAS, A Prairie Home Companion with Garrison Keillor is marking this anniversary with a special season of 34 live broadcasts - half from the program's home base of the Fitzgerald Theater in downtown Saint Paul - beginning in October 1999 through July 2000; and

WHEREAS, A Prairie Home Companion with Garrison Keillor proudly represents the state of Minnesota by providing quality radio programming to over 2.6 million listeners in the United States and hundreds of thousands more listeners in Europe and the Far East; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it congratulates Minnesota Public Radio, the staff of A Prairie Home Companion, and Garrison Keillor on the occasion of this notable achievement of 25 years of proud representation of the art, culture, and people of Minnesota.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the Chair of the Senate Rules and Administration Committee, and transmit it to Minnesota Public Radio.

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

Senator Moe, R.D. moved that H.F. No. 1467 be taken from the table. The motion prevailed.

H.F. No. 1467: A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, and self-sufficiency and lifelong learning; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405, subdivision 2; 119A.31, subdivision 1, and by adding a subdivision; 119B.01, subdivisions 1, 2, 10, 12, 12a, 13, 16, 17, and by adding subdivisions; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, 6, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.06, subdivision 1; 119B.061; 119B.07; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.18, subdivision 3; 119B.19, subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 119B.25, subdivision 3; 121A.19; 122A.26, by adding a subdivision; 124D.13, subdivision 2; 124D.135, subdivisions 1 and 3; 124D.19, subdivision 11; 124D.20, subdivision 5; 124D.22; 124D.23, by adding a subdivision; 124D.33, subdivision 3; 124D.52, subdivision 2, and by adding subdivisions; 124D.53, subdivision 3, and by adding a subdivision; 124D.54, subdivision 1; 125A.35, subdivision 5; 171.29, subdivision 2; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.046, subdivision 1; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 2 and 3, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10 and 11; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 15; 119B.03, subdivision 7; 119B.05, subdivisions 6 and 7; 119B.075; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; 124D.14; and 124D.53, subdivision 6.

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1467 and that the rules of the Senate be so far suspended as to give H.F. No. 1467 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1467 was read the second time.

Senator Piper moved to amend H.F. No. 1467 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1467, and insert the language after the enacting clause, and the title, of S.F. No. 2222, the second engrossment.

The motion prevailed. So the amendment was adopted.

H.F. No. 1467 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Limmer	Marty	Pariseau	Runbeck
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So the bill, as amended, was passed and its title was agreed to.

RECESS

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

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

APPOINTMENTS

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

H.F. No. 1568: Senators Wiener; Johnson, J.B. and Robertson.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

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

S.F. No. 2229: A bill for an act relating to crimes; providing criminal penalties for persons who promote, advocate, and take responsibility for criminal acts under certain circumstances; expanding civil remedies for the unauthorized release of animals; amending Minnesota Statutes 1998, sections 346.56; and 609.495, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Senators Stevens and Kleis introduced--

S.F. No. 2230: A bill for an act relating to taxation; changing referendum options for certain cities with respect to funding the Central Minnesota Events Center and other projects; making technical corrections; exempting certain purchases from sales and use tax; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision; Laws 1998, chapter 389, article 8, section 44, subdivisions 1 and 5.

Referred to the Committee on Taxes.

Senator Sams introduced--

S.F. No. 2231: A bill for an act relating to appropriations; appropriating wastewater funding for the city of Eagle Bend; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

MEMBERS EXCUSED

Senator Scheid was excused from the Session of today from 2:15 to 2:30 p.m. Senator Kelley, S.P. was excused from the Session of today from 3:15 to 4:15 p.m. Senator Dille was excused from the Session of today from 4:00 to 5:30 p.m. Senator Ten Eyck was excused from the Session of today from 4:00 to 4:40 and 4:50 to 6:15 p.m. Senator Sams was excused from the Session of today from 4:00 to 4:35 and from 5:00 to 6:30 p.m. Senator Anderson was excused from the Session of today from 5:15 to 5:50 p.m. Senator Metzen was excused from the Session of today at 7:05 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Tuesday, April 20, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

