

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

EIGHTY-FIRST DAY

St. Paul, Minnesota, Thursday, March 2, 2000

The Senate met at 8:30 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, Rabbi Barry Woolf.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Senators Johnson, D.J.; Oliver; Ourada; Robertson and Stevens were excused from the Session of today.

REPORTS OF COMMITTEES

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

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

S.F. No. 2951: A bill for an act relating to municipalities; clarifying the use of alternative dispute resolution in certain proceedings; amending Minnesota Statutes 1999 Supplement, section 414.12; repealing Minnesota Statutes 1998, section 414.10.

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

Page 2, line 9, after the period, insert "In the case of detachment of lands from a municipality, if the parties do not agree to resolve a boundary adjustment matter by mediation or arbitration, then the case shall be referred to an administrative law judge to conduct hearings and issue final orders under sections 414.01 to 414.09."

Page 2, line 20, after the period, insert "The chief administrative law judge may contract with the parties to a matter directed or delegated to the office of administrative hearings under subdivisions 1 and 2 for the purpose of providing administrative law judges and reporters for an administrative proceeding or alternative dispute resolution. The chief administrative law judge shall assess the cost of services rendered as provided by section 14.53."

Page 2, line 31, delete "..." and insert "14"

Page 2, after line 32, insert:

"Sec. 2. [REPORT TO LEGISLATURE; RULES EXEMPTION.]

The director of the office of strategic and long-range planning must report to the senate committee on local and metropolitan government and the house of representatives committee on local government and metropolitan affairs by February 1, 2002, on the effect of the transfer to the office of authority and duties under Minnesota Statutes, chapter 414. The report must describe the successes and failures of the processes in resolving disputes and include the comments, suggestions, and criticisms of the processes from local governments that have participated in the processes, interested associations representing local governments, administrative law judges that have presided over boundary adjustment matters, and the office of administrative hearings. The office of strategic and long-range planning is exempt from any requirement to adopt or amend rules governing boundary adjustment procedures until after May 1, 2002.

Sec. 3. [REVISOR INSTRUCTION.]

The revisor of statutes is directed to prepare legislation for the 2002 legislative session that makes changes to Minnesota Statutes, chapter 414, to reflect the transfer of powers and duties from the Minnesota municipal board, now abolished, to the office of strategic and long-range planning. In preparing the legislation, the revisor may consult with any interested person. The revisor shall provide the preliminary draft legislation to the chairs of the house local government and metropolitan affairs committee and the senate local and metropolitan government committee."

Page 3, line 2, after the period, insert "Sections 2 and 3 are effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring a report to the legislature; exempting the office of strategic and long-range planning from adopting rules until a certain date; providing instructions to the revisor of statutes;"

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

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

S.F. No. 3092: A bill for an act relating to commerce; regulating certain disclosures; specifying the license term and fees of a managing general agent; regulating securities broker-dealers and investment advisors; authorizing the commissioner to withdraw certain inactive registration applications; extending a real estate continuing education pilot project; regulating the contractor recovery fund; making collection agencies responsible for the acts of collectors; providing standards of conduct for notarial acts; amending Minnesota Statutes 1998, sections 45.027,

subdivision 7a; 60H.03, by adding a subdivision; 60K.03, subdivision 4; 80A.04, subdivisions 2 and 3; 80A.07, subdivision 1; 80A.10, subdivision 2; 80C.05, subdivision 4; 80C.07; 82.22, subdivision 13; 82A.04, subdivision 4, and by adding a subdivision; 82B.14; 83.23, by adding a subdivision; and 326.975, subdivision 1; Minnesota Statutes 1999 Supplement, section 80A.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 332; and 359.

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

Page 3, line 5, delete "advisor" and insert "adviser"

Amend the title as follows:

Page 1, line 5, delete "advisors" and insert "advisers"

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

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

S.F. No. 3246: A bill for an act relating to agriculture; delaying the implementation and enforcement of certain animal feedlot rules.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3092 and 3246 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Cohen moved that the name of Senator Marty be added as a co-author to S.F. No. 2417. The motion prevailed.

Senator Lourey moved that the name of Senator Janezich be added as a co-author to S.F. No. 2738. The motion prevailed.

Senator Sams moved that the name of Senator Larson be added as a co-author to S.F. No. 3441. The motion prevailed.

Senator Kelly, R.C. moved that S.F. No. 3533 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Human Resources Finance. The motion prevailed.

CALENDAR

S.F. No. 613: A bill for an act relating to animals; increasing certain penalties for cruelty to animals; defining acts or omissions constituting cruelty or abuse; imposing criminal penalties; amending Minnesota Statutes 1998, sections 343.20, subdivision 3, and by adding a subdivision; 343.21, subdivisions 2, 3, 7, 10, and by adding a subdivision; 343.25; and 343.26; repealing Minnesota Statutes 1998, section 343.21, subdivisions 1 and 9.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kiscaden	Metzen	Sams
Belanger	Higgins	Kleis	Moe, R.D.	Samuelson
Berg	Hottinger	Knutson	Neuville	Scheevel
Betzold	Janezich	Krentz	Olson	Scheid
Cohen	Johnson, D.E.	Langseth	Pappas	Solon
Day	Johnson, D.H.	Larson	Pariseau	Spear
Dille	Junge	Lesewski	Piper	Stumpf
Fischbach	Kelley, S.P.	Lessard	Price	Vickerman
Flynn	Kelly, R.C.	Limmer	Ranum	Wiener
Foley	Kierlin	Lourey	Ring	Wiger
Frederickson	Kinkel	Marty	Robling	Ziegler

So the bill passed and its title was agreed to.

S.F. No. 2725: A bill for an act relating to public defense; limiting representation by public defenders and court-appointed counsel to minors who are ten years of age or older; amending Minnesota Statutes 1998, section 611.26, subdivision 6; Minnesota Statutes 1999 Supplement, sections 260C.163, subdivision 3; and 611.14.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Knutson	Neuville	Scheid
Belanger	Hottinger	Krentz	Olson	Solon
Berg	Janezich	Laidig	Pappas	Spear
Betzold	Johnson, D.E.	Langseth	Pariseau	Stumpf
Cohen	Johnson, D.H.	Larson	Piper	Vickerman
Day	Junge	Lesewski	Price	Wiener
Dille	Kelley, S.P.	Lessard	Ranum	Wiger
Fischbach	Kelly, R.C.	Limmer	Ring	Ziegler
Flynn	Kierlin	Lourey	Robling	
Foley	Kinkel	Marty	Sams	
Frederickson	Kiscaden	Metzen	Samuelson	
Hanson	Kleis	Moe, R.D.	Scheevel	

So the bill passed and its title was agreed to.

S.F. No. 2570: A bill for an act relating to St. Louis county; increasing the authorized number for a position in the unclassified service; amending Minnesota Statutes 1998, section 383C.035.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Kleis	Metzen	Samuelson
Belanger	Hottinger	Knutson	Moe, R.D.	Scheevel
Berg	Janezich	Krentz	Olson	Scheid
Betzold	Johnson, D.E.	Laidig	Pappas	Solon
Cohen	Johnson, D.H.	Langseth	Pariseau	Spear
Dille	Junge	Larson	Piper	Stumpf
Fischbach	Kelley, S.P.	Lesewski	Price	Vickerman
Flynn	Kelly, R.C.	Lessard	Ranum	Wiener
Foley	Kierlin	Limmer	Ring	Wiger
Frederickson	Kinkel	Lourey	Robling	Ziegler
Hanson	Kiscaden	Marty	Sams	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

H.F. No. 2465: A bill for an act relating to elections; allowing party treasurers to sign certain political contribution refund receipt forms; amending Minnesota Statutes 1999 Supplement, section 290.06, subdivision 23.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2722: A bill for an act relating to the county of Kittson; granting the county board limited authority to initiate the dissolution of towns in the county having a certain population.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Senator Moe, R.D. moved that Rule 9 be suspended as to the lie-over requirement on the Consent Calendar. The motion prevailed.

S.F. No. 3212: A bill for an act relating to Hennepin county; including a fifth chief deputy sheriff in the unclassified service; amending Minnesota Statutes 1998, section 383B.32, subdivision 2.

Senator Higgins moved that S.F. No. 3212, on the Consent Calendar, be stricken and returned to its author. The motion prevailed.

S.F. No. 3355: A bill for an act relating to state government; authorizing electronic disbursement of port authority funds; amending Minnesota Statutes 1998, section 469.051, subdivision 4.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S.F. Nos. 3195, 11, 2408 and 2569, which the committee recommends to pass.

S.F. No. 2397, which the committee recommends to pass with the following amendment offered by Senator Higgins:

Page 1, line 22, after "controls" insert ", for example, needleless systems and sharps with engineered sharps injury protection,"

Page 1, line 25, delete everything after "must" and insert "make recommendations for the use"

Page 1, line 26, delete "recommendation"

Page 2, line 1, delete "this subcommittee" and insert "the safety committee"

Page 2, line 4, after the period, insert "The employer may establish a subcommittee of the safety committee to meet the requirements of this paragraph. One-half of the members of this subcommittee must be employee representatives of job classifications that would use or may reasonably anticipate encountering any device in the category being evaluated in the performance of the employee's duties."

Page 2, line 16, after "description" insert "and brand name"

The motion prevailed. So the amendment was adopted.

H.F. No. 2815, which the committee recommends to pass with the following amendment offered by Senator Johnson, D.H.:

Page 3, delete line 1 and insert "citation. On or before the tenth day after the last day of the month in which the money was collected, the county"

Page 3, line 4, after "be" insert "credited to the general revenue fund of the county."

Page 3, delete line 5

The motion prevailed. So the amendment was adopted.

H.F. No. 979, which the committee reports progress, after the following motion:

Senator Frederickson moved to amend H.F. No. 979, the unofficial engrossment, as follows:

Page 2, after line 27, insert:

"By September 30 of each year, a landlord of a single-metered residential building who bills for gas and electric utility charges separate from rent shall inform tenants in writing of the possible availability of energy assistance from the low income home energy assistance program. The information must contain the toll-free telephone number of the administering agency."

The motion prevailed. So the amendment was adopted.

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

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

REPORTS OF COMMITTEES

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

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

S.F. No. 2949: A bill for an act relating to natural resources; providing for the establishment of heritage forests in specified counties through resolution of the county board; proposing coding for new law in Minnesota Statutes, chapter 89.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 84.944, subdivision 2, is amended to read:

Subd. 2. [DESIGNATION OF ACQUIRED SITES.] The critical natural habitat acquired in fee title by the commissioner under this section shall be designated by the commissioner as: (1) an outdoor recreation unit pursuant to section 86A.07, subdivision 3, or (2) as provided in sections 89.018, subdivision 2, paragraph (a), 97A.101, 97A.125, 97C.001, and 97C.011. The commissioner may so designate any critical natural habitat acquired in less than fee title.

Sec. 2. [89.018] [HERITAGE FORESTS.]

Subdivision 1. [ESTABLISHMENT; TERMINATION.] (a) The commissioner may establish heritage forest areas within counties named under this subdivision if:

(1) the commissioner determines that establishment is consistent with the purposes of the heritage forest; and

(2) the county board has submitted a resolution to the commissioner delineating and requesting establishment of the heritage forest areas of the county.

(b) The named counties for the Big Woods Heritage Forest are:

- (1) Blue Earth;
- (2) Carver;
- (3) Dakota;
- (4) Hennepin;
- (5) Le Sueur;
- (6) McLeod;
- (7) Meeker;
- (8) Nicollet;
- (9) Rice;
- (10) Sibley;
- (11) Scott;
- (12) Waseca; and
- (13) Wright.

(c) The commissioner may terminate the heritage forest status of an area within a county if the commissioner determines that the termination would be in the public interest and the county board has submitted a resolution to the commissioner requesting termination.

Subd. 2. [COMMISSIONER'S POWERS.] (a) Within areas established as a heritage forest under subdivision 1, the commissioner may:

- (1) designate any commissioner-administered state-owned lands as heritage forest lands for management purposes, including lands that have previously been designated for another purpose;
- (2) accept donations of land, including easements under subdivision 3, for heritage forest management;
- (3) manage lands designated by local governments for heritage forest management; and
- (4) contract with other agencies or organizations for management services, including any required monitoring activities.

(b) Lands designated under paragraph (a), clause (1), that were previously designated by law or by the commissioner continue to be subject to requirements under the previous designation.

Subd. 3. [EASEMENTS.] (a) The commissioner or a political subdivision may individually or jointly acquire heritage forest land for conservation purposes in areas established under subdivision 1 by entering into easements with landowners. The easements must be conservation easements as defined in section 84C.01, clause (1), except the easements may be made possessory as well as nonpossessory if agreed upon by the landowner and the commissioner or political subdivision.

(b) In an easement agreement between the commissioner or political subdivision and a landowner, the landowner must agree:

- (1) to place forest lands in the program for the period of the easement;
- (2) to implement a heritage forest stewardship plan as provided in the easement agreement;
- (3) not to alter the heritage forest by developing the land, cutting timber that is not identified in the forest stewardship plan, or otherwise destroying the heritage forest character of the easement area;

(4) to allow the commissioner or political subdivision or agents of the commissioner or political subdivision access to the land for monitoring activities;

(5) not to adopt a practice specified by the commissioner or political subdivision in the easement as a practice that would tend to defeat the purposes of the heritage forest; and

(6) to additional provisions included in the easement that the commissioner or political subdivision determines are consistent with the purposes of the heritage forest program.

(c) A limited-term easement may be converted to a permanent easement or renewed at the end of the easement period by mutual agreement of the commissioner or political subdivision and the landowner.

(d) If during the easement period the landowner sells or otherwise disposes of the ownership or right of occupancy of the land, the new landowner must continue the easement under the same terms or conditions.

(e) If during the limited-term easement period the landowner sells or otherwise disposes of the ownership or right of occupancy of the land, the new landowner may continue the easement under the same terms or conditions.

(f) The commissioner or political subdivision may terminate an easement by mutual agreement with the landowner if the commissioner or political subdivision determines that the termination would be in the public interest. The commissioner or political subdivision may agree to modification of an agreement if the commissioner or political subdivision determines the modification is desirable to implement the heritage forest program.

Subd. 4. [FOREST STEWARDSHIP REGISTRATION.] Private landowners may establish their lands as heritage forest land by having a heritage forest stewardship plan prepared and by completing a stewardship registration agreement. A stewardship registration agreement is a nonbinding commitment by a landowner to provide stewardship to forested lands. In a stewardship registration agreement, a landowner acknowledges an intent to implement a heritage forest stewardship plan. If the landowner sells or otherwise disposes of the ownership or right of occupancy of the land, the commissioner shall terminate the stewardship registration agreement. A new owner must enter into a new stewardship registration agreement to continue recognition of the forest land as heritage forest. The commissioner may terminate a stewardship registration agreement by mutual agreement of the landowner if the commissioner determines the termination would be in the public interest."

Delete the title and insert:

"A bill for an act relating to natural resources; providing for the establishment of heritage forest areas in specified counties; amending Minnesota Statutes 1998, section 84.944, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 89."

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

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

S.F. No. 3173: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; dedicating the sales tax receipts equal to a sales tax of one-eighth of one percent on taxable sales for natural resource purposes.

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

Delete everything after the enacting clause and insert:

"Section 1. [CONSTITUTIONAL AMENDMENT.]

An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a section shall be added to article XI, to read:

Sec. 15. The sales tax receipts equal to a general sales tax of 3/16 of one percent on taxable sales are dedicated as follows: 45 percent of the receipts shall be deposited in a game and fish enhancement account in the game and fish fund and may be spent only on activities that improve, enhance or protect game and fish resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state; 25 percent of the receipts shall be deposited in the natural resources fund and may be spent only for state parks and trails; 25 percent of the revenue shall be deposited in the natural resources fund and may be spent only on metropolitan park and trail grants; three percent of the receipts shall be deposited in the natural resources fund and may be spent only on local trail grants; and two percent of the receipts shall be deposited in the natural resources fund and may be spent only for the Minnesota zoological garden, the Como park zoo and conservatory, and the Duluth zoo. The money dedicated under this section may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated money shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under this section must be open to public hunting and fishing during the open season.

Sec. 2. [SUBMISSION TO VOTERS.]

The proposed amendment shall be submitted to the people at the 2000 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to provide that the sales tax receipts equal to a general sales tax of 3/16 of one percent on taxable sales be dedicated for game and fish resource enhancement, improvement, and protection, natural resource conservation, state parks and trails, metropolitan parks and trails, local trail grants, and state and local zoos?"

Yes
No"

Sec. 3. [97A.056] [GAME AND FISH ENHANCEMENT ACCOUNT; REVIEW COMMITTEE.]

Subdivision 1. [ACCOUNT CREATION.] The game and fish enhancement account is established as an account in the game and fish fund.

Subd. 2. [REVIEW COMMITTEE MEMBERSHIP.] (a) A game and fish enhancement account review committee of nine members is created, consisting of:

- (1) two members of the senate appointed by the subcommittee on committees of the committee on rules and administration;
 - (2) two members of the house appointed by the speaker;
 - (3) two public members representing sporting interests appointed by the subcommittee on committees of the committee on rules and administration;
 - (4) two public members representing sporting interests appointed by the speaker; and
 - (5) the commissioner of natural resources or the commissioner's designee.
- (b) One member from the senate and one member from the house must be from the minority caucus. Legislative members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the committee. The compensation and removal of public members are as provided in section 15.0575.

(c) Members shall appoint a chair who shall preside and convene meetings as often as necessary to conduct duties prescribed by this section.

(d) Membership terms shall be two years, except that members shall serve on the committee until their successors are appointed.

(e) Vacancies occurring on the committee shall not affect the authority of the remaining

members of the committee to carry out their duties, and vacancies shall be filled in the same manner under paragraph (a).

Subd. 3. [DUTIES OF THE REVIEW COMMITTEE.] (a) The committee shall meet and review spending plans for appropriations from the game and fish enhancement account.

(b) As a condition of acceptance of the appropriations made from the game and fish enhancement account created in subdivision 1, the commissioner must submit a spending plan and semiannual progress reports in the form determined by the game and fish enhancement account review committee. None of the money provided may be spent unless the committee has approved the spending plan.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. Section 3 is effective the day following adoption by the voters of the constitutional amendment proposed in section 1."

Amend the title as follows:

Page 1, line 6, before the period, insert "; creating a game and fish enhancement account and a review committee for the account; proposing coding for new law in Minnesota Statutes, chapter 97A"

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

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

S.F. No. 3346: A bill for an act relating to real property; requiring the secretary of state to establish a task force to study and make recommendations on electronic filing of real estate documents.

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

Page 2, line 2, delete "and" and insert:

"(8) the commissioner of revenue; and"

Page 2, line 3, delete "(8)" and insert "(9)"

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

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

S.F. No. 43: A bill for an act proposing an amendment to the Minnesota Constitution; providing for a unicameral legislature; changing article IV; article V, sections 3 and 5; article VIII, sections 1 and 6; article IX, sections 1 and 2; and article XI, section 5; amending Minnesota Statutes 1998, sections 2.021; and 2.031, subdivision 1.

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

Pages 10 and 11, delete section 5

Renumber the sections in sequence

And when so amended the bill be re-referred to the Committee on Rules and Administration without recommendation. Amendments adopted. Report adopted.

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

S.F. No. 2821: A bill for an act relating to charitable organizations; amending report filing requirements; amending Minnesota Statutes 1998, section 309.53, subdivision 2.

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

Page 1, line 23, after "the" insert "attorney general may permit the" and delete "may" and insert "to"

Page 2, line 1, after the period, insert "The attorney general may grant such permission provided that:

(1) the request is made not later than 30 days before the expiration of any extension granted under subdivision 1; and

(2) the charitable organization demonstrates that, due to circumstances beyond its control, it is not possible for the charitable organization to comply within the period established by any extension already granted."

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

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

S.F. No. 2829: A bill for an act relating to the metropolitan council; modifying the cost allocation system for the metropolitan disposal system; amending Minnesota Statutes 1998, section 473.517, subdivision 3.

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

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

S.F. No. 2827: A bill for an act relating to the metropolitan council; eliminating or modifying requirements that are obsolete, unnecessary, or inefficient; authorizing the use of facsimile or digital signatures; amending Minnesota Statutes 1998, sections 473.129, by adding a subdivision; 473.13, subdivision 1; 473.254, subdivision 1; and 473.704, subdivision 19; repealing Minnesota Statutes 1998, sections 473.1623, subdivisions 3 and 6; and 473.23, subdivision 1; Minnesota Rules, chapter 5900.

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

Page 1, line 15, delete "facsimile signatures,"

Page 1, line 16, delete "electronic approvals, or" and after "signatures" insert "and facsimile or electronic approvals if digital signatures are not practicable under chapter 325K"

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

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

S.F. No. 2813: A bill for an act relating to relating to motor vehicles; modifying how state vehicles are identified; amending Minnesota Statutes 1999 Supplement, section 168.012, subdivision 1.

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

Amend the title as follows:

Page 1, line 2, delete the first "relating to"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

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

S.F. No. 2826: A bill for an act relating to public employment; ratifying certain labor agreements; making technical changes to the Public Employment Labor Relations Act; amending Minnesota Statutes 1998, sections 15A.0815, subdivisions 2 and 3; 85A.02, subdivision 5a; and 179A.18, subdivision 1; Minnesota Statutes 1999 Supplement, section 179A.04, subdivision 3.

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

Page 3, line 6, delete "85" and insert "95"

Page 6, after line 20, insert:

"Sec. 6. Minnesota Statutes 1998, section 349A.02, subdivision 1, is amended to read:

Subdivision 1. [DIRECTOR.] A state lottery is established under the supervision and control of the director of the state lottery appointed by the governor with the advice and consent of the senate. The director must be qualified by experience and training in the operation of a lottery to supervise the lottery. The director serves in the unclassified service. The annual salary rate authorized for the director is equal to 85 95 percent of the salary rate prescribed for the governor."

Page 8, after line 27, insert:

"Subd. 17. [SALARY FOR THE DIRECTOR OF HIGHER EDUCATION SERVICES OFFICE.] The proposal to increase the salary of the director of the higher education services office, recommended by the legislative coordinating commission subcommittee on employee relations on February 22, 2000, is ratified."

Page 8, line 29, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "and"

Page 1, line 7, before "Minnesota" insert "and 349A.02, subdivision 1;"

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

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

S.F. No. 2521: A bill for an act relating to local government; establishing standards for the creation of corporations by political subdivisions; providing for the continuation of existing corporations created by political subdivisions; amending Minnesota Statutes 1998, section 238.08, subdivision 3; proposing coding for new law in Minnesota Statutes 1998, chapter 465; repealing Minnesota Statutes 1998, section 465.715, subdivisions 1, 2, and 3; Minnesota Statutes 1999 Supplement, section 465.715, subdivision 1a.

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

Pages 1 to 5, delete section 1 and insert:

"Section 1. [465.717] [CREATION OF CORPORATIONS BY POLITICAL SUBDIVISIONS.]

Subdivision 1. [STATUTORY AUTHORIZATION REQUIRED.] A county, home rule charter city, statutory city, town, school district, or other political subdivision, including a joint powers entity operating under section 471.59 may not create a corporation, whether for profit or not for profit, unless explicitly authorized to do so by law.

Subd. 2. [AUTHORITY TO INCORPORATE A JOINT POWERS ENTITY.] A joint powers entity created under section 471.59 may incorporate itself as a nonprofit under chapter 317A. A corporation created under this subdivision shall comply with every law that applies to the participating political subdivisions and shall possess no greater authority or power than that held by the joint powers entity itself."

Page 5, line 31, before "appointed" insert "automatically" and after "board" insert "solely"

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

Senator Johnson, D.J. from the Committee on Taxes, to which was referred

S.F. No. 2655: A bill for an act relating to taxation; recodifying insurance tax laws; providing for civil and criminal penalties; appropriating money; amending Minnesota Statutes 1998, sections 43A.316, subdivision 9; 43A.317, subdivision 8; 60A.19, subdivision 8; 60A.198, subdivision 3; 60A.208, subdivision 8; 60A.209, subdivision 3; 60C.17; 60E.04, subdivision 4; 60E.095; 61B.30, subdivision 1; 62C.01, subdivision 3; 62E.10, subdivision 1; 62E.13, subdivision 10; 62L.13, subdivision 3; 62T.10; 64B.24; 71A.04, subdivision 1; 79.252, subdivision 4; 79.34, subdivision 1a; 176A.08; 290.35, subdivisions 2, 3, and 6; 295.58; and 424.165; Minnesota Statutes 1999 Supplement, sections 43A.23, subdivision 1; and 60A.19, subdivision 6; proposing coding for new law as Minnesota Statutes, chapter 297I; repealing Minnesota Statutes 1998, sections 60A.15; 60A.152; 60A.198, subdivision 6; 60A.199, subdivisions 2, 3, 4, 5, 6, 6a, 7, 8, 9, 10, and 11; 60A.209, subdivisions 4 and 5; 69.54; 69.55; 69.56; 69.57; 69.58; 69.59; 69.60; 69.61; 71A.04, subdivision 2; 299F.21; 299F.22; 299F.23; 299F.24; 299F.25; and 299F.26; Minnesota Rules, part 2765.1500, subpart 6.

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

Page 2, delete lines 16 to 33 and insert:

"Subd. 9. [GROSS PREMIUMS.] "Gross premiums" means total premiums paid by policyholders and applicants of policies, whether received in the form of money or other valuable consideration on property, persons, lives, interests, and other risks located, resident, or to be performed in this state, but excluding consideration and premiums for reinsurance assumed from other insurance companies. The term "gross premiums" includes the total consideration paid to bail bond agents for bail bonds. For title insurance companies, "gross premiums" means the charge for title insurance made by a title insurance company or its agents according to the company's rate filing approved by the commissioner of commerce without a deduction for commissions paid to or retained by the agent. Gross premiums of a title insurance company does not include any other charge or fee for abstracting, searching, or examining the title or escrow closing, or other related services."

Page 4, delete lines 11 to 20 and insert:

"Subd. 4. [MUTUAL PROPERTY AND CASUALTY COMPANIES WITH TOTAL ASSETS LESS THAN \$1,600,000,000 ON DECEMBER 31, 1989.] A tax is imposed on mutual property and casualty companies that had total assets greater than \$5,000,000 at the end of the calendar year but that had total assets less than \$1,600,000,000 on December 31, 1989. The rate of tax is equal to:

(1) two percent of gross premiums less return premiums on all direct business received by the insurer or agents of the insurer in Minnesota for life insurance, in cash or otherwise, during the year; and

(2) 1.26 percent of gross premiums less return premiums on all other direct business received by the insurer or agents of the insurer in Minnesota, in cash or otherwise, during the year."

Page 10, line 32, delete "2, and 3" and insert "3, and 4"

Page 32, lines 25, 30, and 32, delete "July 1, 2000" and insert "January 1, 2001"

Page 33, lines 10 and 14, delete "July 1, 2000" and insert "January 1, 2001"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2949, 2821, 2829, 2827, 2813 and 2521 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Pogemiller and Stumpf introduced--

S.F. No. 3682: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; appropriating money.

Referred to the Committee on Children, Families and Learning.

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

S.F. No. 3683: A bill for an act relating to natural resources; appropriating money for the stream maintenance program.

Referred to the Committee on Environment and Natural Resources.

Senators Ranum, Foley, Junge and Knutson introduced--

S.F. No. 3684: A bill for an act relating to alcoholic beverages; requiring the commissioner of public safety to prescribe standards for identification of beer kegs; requiring retailers of beer to maintain records of sale of beer kegs and to record the identification number of each beer keg sold; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

Senators Ranum, Foley, Lourey, Terwilliger and Wiener introduced--

S.F. No. 3685: A bill for an act relating to health; requiring certain information to be available; establishing a toll-free telephone number and Web site; requiring a survey of home visiting services; appropriating money; amending Minnesota Statutes 1998, section 16A.76, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Senator Lesewski introduced--

S.F. No. 3686: A bill for an act relating to human services; requiring the commissioner to study the management of aggregate spending under the traumatic brain injury home and community-based services waiver.

Referred to the Committee on Health and Family Security.

Senator Lesewski introduced--

S.F. No. 3687: A bill for an act relating to taxation; increasing certain homestead and agricultural credit aid payments to Lincoln county; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

Senator Day introduced--

S.F. No. 3688: A bill for an act relating to utilities; providing that costs for relocating utility facilities due to light rail construction be paid by the state; amending Minnesota Statutes 1998, section 216B.16, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Novak, Hanson, Price, Betzold and Scheid introduced--

S.F. No. 3689: A bill for an act relating to taxation; providing that sales of diesel fuel used to operate commuter rail systems are exempt from the sales tax; appropriating money; amending Minnesota Statutes 1998, sections 297A.15, by adding a subdivision; and 297A.25, subdivision 7.

Referred to the Committee on Transportation.

Senators Novak, Hanson, Price, Betzold and Scheid introduced--

S.F. No. 3690: A bill for an act relating to taxation; providing that purchases of construction materials and equipment used to provide commuter rail services are exempt from the sales tax; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Krentz and Hanson introduced--

S.F. No. 3691: A bill for an act relating to natural resources; appropriating money and authorizing bonds for the critical habitat matching account.

Referred to the Committee on Environment and Natural Resources.

Senators Vickerman; Johnson, D.E.; Sams and Lesewski introduced--

S.F. No. 3692: A bill for an act relating to motor fuels; requiring that diesel fuel sold in the state contain a minimum of five percent biodiesel fuel oil by weight; proposing coding for new law in Minnesota Statutes, chapter 239.

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

Senator Kelly, R.C. introduced--

S.F. No. 3693: A bill for an act relating to the Minnesota Historical Society; appropriating money for a bust of former United States Supreme Court Justice Harry A. Blackmun.

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

Senator Kelly, R.C. introduced--

S.F. No. 3694: A bill for an act relating to judiciary finance; requesting a study of and report on court fines, fees, and surcharges.

Referred to the Committee on Judiciary.

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

S.F. No. 3695: A bill for an act relating to metropolitan government; requiring metropolitan council to report on the future of the metro mobility transit system.

Referred to the Committee on Transportation.

Senators Kelly, R.C.; Knutson; Kiscaden and Moe, R.D. introduced--

S.F. No. 3696: A bill for an act relating to the operation of state government; crime prevention and judiciary finance; appropriating money for the judicial branch, criminal justice technology infrastructure improvements and grants, Community Corrections Act subsidy grants, and grants to reduce sex offender supervision caseloads.

Referred to the Committee on Crime Prevention.

Senators Kelley, S.P.; Wiener; Kierlin; Kiscaden and Stumpf introduced--

S.F. No. 3697: A bill for an act relating to education; requiring the board of trustees of Minnesota state colleges and universities and board of regents of University of Minnesota to establish a joint pilot project in e-mentoring; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Cohen introduced--

S.F. No. 3698: A bill for an act relating to corrections; creating an advisory task force to study the department of corrections' release policies and procedures concerning mentally ill inmates and inmates confined in punitive segregation; requiring a report.

Referred to the Committee on Crime Prevention.

Senator Wiener introduced--

S.F. No. 3699: A bill for an act relating to commerce; enacting the Uniform Electronic Transactions Act adopted by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 325L.

Referred to the Committee on Commerce.

Senator Runbeck introduced--

S.F. No. 3700: A bill for an act relating to taxation; providing an increased levy limit base for the city of Circle Pines.

Referred to the Committee on Local and Metropolitan Government.

Senators Wiener, Murphy and Larson introduced--

S.F. No. 3701: A bill for an act relating to state government; excepting the University of Minnesota from the selection process administered by the designer selection board; amending Minnesota Statutes 1998, section 16B.33, subdivisions 3, 3a, and 4.

Referred to the Committee on Governmental Operations and Veterans.

Senators Johnson, D.H. and Murphy introduced--

S.F. No. 3702: A bill for an act relating to higher education; establishing Knowledge Transfer,

Inc., a public corporation to develop instructional programs and services to train and prepare the state's workforce; proposing coding for new law as Minnesota Statutes, chapter 136G.

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

Senator Lessard introduced--

S.F. No. 3703: A bill for an act relating to Indians; recognizing the Sandy Lake Band of Mississippi Chippewa as a state recognized Indian tribe.

Referred to the Committee on Governmental Operations and Veterans.

Senator Johnson, D.H. introduced--

S.F. No. 3704: A bill for an act relating to transportation; imposing fair use standard for use of freeway ramp meters; amending Minnesota Statutes 1998, section 174.03, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Wiger introduced--

S.F. No. 3705: A bill for an act relating to retirement; public employees retirement association; authorizing certain trades personnel employed by independent school district No. 625, St. Paul, or the city of St. Paul, to elect an exclusion from retirement plan coverage; amending Minnesota Statutes 1999 Supplement, section 353.01, subdivision 2b; Laws 1965, chapter 705, section 1, subdivision 4, as amended.

Referred to the Committee on Governmental Operations and Veterans.

Senator Lourey introduced--

S.F. No. 3706: A bill for an act relating to health; requiring counties to provide notices to real property owners recommending periodic testing of wells and providing other information; directing the commissioner of health to create the notice; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103I.

Referred to the Committee on Health and Family Security.

Senator Lourey introduced--

S.F. No. 3707: A bill for an act relating to taxes; authorizing the city of Cloquet to impose a local sales tax.

Referred to the Committee on Taxes.

Senator Johnson, D.H. introduced--

S.F. No. 3708: A bill for an act relating to economic development; providing oversight and regulation of state job training programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 4A.

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

Senator Runbeck introduced--

S.F. No. 3709: A bill for an act relating to taxation; civil penalties; modifying penalty for failure to pay tax; amending Minnesota Statutes 1998, section 289A.60, subdivision 1.

Referred to the Committee on Taxes.

Senator Olson introduced--

S.F. No. 3710: A bill for an act relating to education; modifying the provision for trespasses on school property; amending Minnesota Statutes 1998, section 609.605, subdivision 4.

Referred to the Committee on Crime Prevention.

Senator Olson introduced--

S.F. No. 3711: A bill for an act relating to education; expanding the kindergarten through grade 12 education credit; amending Minnesota Statutes 1999 Supplement, section 290.0674, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senator Day introduced--

S.F. No. 3712: A bill for an act relating to commerce; regulating certain motor vehicle sales; amending Minnesota Statutes 1998, section 168.275.

Referred to the Committee on Commerce.

Senator Kinkel introduced--

S.F. No. 3713: A bill for an act relating to community development; providing funding to complete a village of Federal Dam sewer project; appropriating money.

Referred to the Committee on Environment and Natural Resources.

MEMBERS EXCUSED

Senators Berglin and Novak were excused from the Session of today from 8:30 to 9:00 a.m. Senator Runbeck was excused from the Session of today from 8:30 to 9:10 a.m. Senator Pogemiller was excused from the Session of today from 8:30 to 9:45 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Friday, March 3, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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