

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

SIXTEENTH DAY

St. Paul, Minnesota, Monday, February 24, 1997

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

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

Ms. Berglin, Messrs. Lessard and Pogemiller were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

February 20, 1997

The Honorable Phil Carruthers
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 Act of the 1997 Session of the State Legislature has been received from the Office of the Governor and is 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 1997	Date Filed 1997
	13	2	2:30 p.m. February 19	February 19

Sincerely,
Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 264.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 20, 1997

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 4: A Senate concurrent resolution providing for a joint convention of the Senate and the House of Representatives to elect members of the Board of Regents of the University of Minnesota.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 20, 1997

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 50, 125 and 473.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 20, 1997

FIRST READING OF HOUSE BILLS

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

H.F. No. 50: A bill for an act relating to economic development; providing for trade and economic development officers to be placed in nonmetropolitan state offices; amending Minnesota Statutes 1996, section 116J.01, subdivision 5.

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

H.F. No. 125: A bill for an act relating to taxation; authorizing the city of Kenyon to recertify its final levy for taxes levied in 1996.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 160, now on the Consent Calendar.

H.F. No. 473: A bill for an act relating to metropolitan government; permitting the metropolitan council to operate preventive health and employee recognition programs; amending Minnesota Statutes 1996, section 473.129, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 197, now on General Orders.

REPORTS OF COMMITTEES

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

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

S.F. No. 128: A bill for an act relating to game and fish; modifying provisions prohibiting hunter, trapper, and angler harassment; amending Minnesota Statutes 1996, section 97A.037, subdivision 1.

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

Page 1, line 11, strike "the taking of" and insert "another person from taking or preparing to take"

Page 1, line 12, strike "may" and insert "must" and strike "another" and insert "that"

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

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

S.F. No. 137: A bill for an act relating to natural resources; modifying the provisions of the youth corps advisory committee; authorizing the commissioner to make certain contracts and grants; amending Minnesota Statutes 1996, section 84.0887, subdivision 4, and by adding a subdivision.

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

Page 1, line 19, delete "carry" and insert "assist in carrying"

Page 1, after line 20, insert:

"Sec. 3. Minnesota Statutes 1996, section 84.99, is amended to read:

84.99 [WORK CREWS; ALLOCATION OF FUNDS.]

The commissioner of natural resources is authorized to provide ~~work crews~~ Minnesota conservation corps crew services to the 14 forested counties that operate land departments under chapter 282. ~~Any money appropriated for these crews must be used for forestry-related programs using participants of the Minnesota conservation corps.~~ Crews shall work on natural resources projects including, but not limited to, forestry projects.

~~The money must be apportioned to the counties in the proportion that each county's managed commercial forest land is to the managed commercial forest land in all 14 counties. If a county does not use all of its share, the commissioner shall reallocate the balance to those of the 14 counties whose Minnesota conservation corps program was not fully supported by the first~~

allocation for either year. The reallocation must be based on the proportion that commercial forest lands in each county to receive the reallocated money is to the managed commercial forest land in all of the counties receiving a reallocation.

All participating counties will be eligible to receive a minimum of four weeks of three-person crew service. In determining the allocation of additional crew services, the commissioner will apportion the remaining crew time to participating counties in the proportion of the managed commercial forest land in each participating county to the total managed commercial forest land in all participating counties. Participating counties shall submit a two-year work plan to the commissioner in the first year of the biennium. The plan must describe proposed natural resources projects having demonstrable results and long-term benefits. Eligible counties shall notify the commissioner of their intention to participate by April 1 of each odd-numbered year. Crew time not fully utilized by a participating county in the first year of the biennium will be available to that participating county in the second year of the biennium.

Sec. 4. [EFFECTIVE DATE.]

This act is effective July 1, 1997."

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "making conservation corps crew services available for natural resources projects; changing the method of allocation of conservation corps crew services;" and delete "section" and insert "sections"

Page 1, line 6, before the period, insert "; and 84.99"

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

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

S.F. No. 424: A bill for an act relating to Ramsey county; providing for certification of eligibility for a position under county rules; amending Minnesota Statutes 1996, section 383A.291, by adding a subdivision; repealing Minnesota Statutes 1996, section 383A.291, subdivisions 1, 2, 3, and 4.

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

Mr. Marty from the Committee on Election Laws, to which was referred

S.F. No. 80: A bill for an act relating to elections; providing for presidential primaries by mail; amending Minnesota Statutes 1996, sections 204B.45, subdivision 3, and by adding a subdivision; 207A.01; 207A.02, subdivision 1a; 207A.03; 207A.04, subdivision 3; 207A.06, subdivision 2; 207A.08; and 207A.09; proposing coding for new law in Minnesota Statutes, chapter 207A; repealing Minnesota Statutes 1996, section 207A.07.

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

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

S.F. No. 326: A bill for an act relating to agriculture; appropriating money for wheat and barley scab research.

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

Mr. Marty from the Committee on Election Laws, to which was referred

S.F. No. 78: A bill for an act relating to elections; changing certain absentee ballot provisions; amending Minnesota Statutes 1996, sections 203B.02, subdivision 1; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.07, subdivision 2; and 203B.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 203B.

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

Page 2, line 35, delete ", date of birth,"

Page 3, after line 5, insert:

"Sec. 4. Minnesota Statutes 1996, section 203B.06, subdivision 3, is amended to read:

Subd. 3. [DELIVERY OF BALLOTS.] If an application for absentee ballots is accepted at a time when absentee ballots are not yet available for distribution, the county auditor, or municipal clerk accepting the application shall file it and as soon as absentee ballots are available for distribution shall mail them to the address specified in the application. If an application for absentee ballots is accepted when absentee ballots are available for distribution, the county auditor or municipal clerk accepting the application shall promptly:

(a) mail the ballots to the voter whose signature appears on the application if the application is submitted by mail; ~~or~~

(b) deliver the absentee ballots directly to the voter if the application is submitted in person; or

(c) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been designated to bring the ballots to a voter who is a patient in a hospital or health care facility, as provided in section 203B.11, subdivision 4.

If an application does not indicate the election for which absentee ballots are sought, the county auditor or municipal clerk shall mail or deliver only the ballots for the next election occurring after receipt of the application. Only one set of ballots may be mailed or delivered to an applicant for any election, except as provided in section 203B.13, subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that has been spoiled or lost in transit.

~~This subdivision does not apply to applications for absentee ballots received pursuant to sections 203B.04, subdivision 2, and 203B.11."~~

Page 3, line 13, delete the first comma and insert "and" and delete ", and date of birth"

Page 3, after line 35, insert:

"Sec. 6. [203B.082] [USE OF FACSIMILE BALLOTS.]

Subdivision 1. [ELIGIBILITY.] An eligible voter who either becomes a patient in a hospital or health care facility during the seven days immediately before an election or is residing outside the United States may vote by an electronically transmitted facsimile ballot as provided in this section.

Subd. 2. [APPLICATION.] Upon receipt of a properly completed application, the county auditor may send the voter the appropriate ballots and a ballot transmission form using an electronic facsimile device. The ballot transmission form must provide space for the voter's name, address, signature, date of birth, date on which the ballots were transmitted by the voter, and a statement acknowledging that the voter's ballots will not be secret. The secretary of state shall prepare samples of the data transmission form for use by the county auditor.

Subd. 3. [RETURN.] The voter may return the voted ballots to the county auditor using an electronic facsimile device. If an electronic facsimile device is used, the voter must also complete and return the ballot transmission form. Upon receipt of an electronically transmitted ballot, the county auditor shall immediately compare the information provided on the absentee ballot application with the information provided on the ballot transmission form. No record of the votes

cast by the voter may be made. After the information on the ballot transmission form has been verified, the ballots must be sealed in a ballot secrecy envelope. The ballot transmission form must be attached to the ballot secrecy envelope and placed with the other absentee ballots for the precinct in which the voter resides. The county auditor shall certify that the ballots were properly enclosed in the ballot secrecy envelope, that no record of the votes cast on the ballots was made, and that the auditor will not disclose for whom the voter has voted.

Subd. 4. [REJECTION.] If the county auditor cannot verify that the ballots were transmitted by the same person who submitted the absentee ballot application, the ballots must be rejected and no votes on the ballots may be counted.

Sec. 7. Minnesota Statutes 1996, section 203B.11, is amended by adding a subdivision to read:

Subd. 4. [AGENT DELIVERY OF BALLOTS.] During the four days preceding an election and until 4:00 p.m. on election day, an eligible voter who is a patient of a hospital or health care facility may designate an agent to deliver the ballots to the voter from the county auditor or municipal clerk. The voted ballots must be returned to the county auditor or municipal clerk no later than 5:00 p.m. on election day. The voter must complete an affidavit requesting the auditor or clerk to provide the agent with the ballots in a sealed transmittal envelope. The affidavit must include a statement from the voter stating that the ballots were delivered to the voter by the agent in the sealed transmittal envelope. An agent may deliver ballots to no more than three persons in any election. The secretary of state shall provide samples of the affidavit and transmission envelope for use by the county auditors."

Page 4, line 14, delete the first comma and insert "and" and delete ", and date of birth"

Page 5, line 3, delete everything after the period

Page 5, delete lines 4 and 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the second semicolon, insert "203B.06, subdivision 3;" and after the third semicolon, insert "203B.11, by adding a subdivision;"

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

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

H.F. No. 282: A bill for an act relating to the metropolitan council; providing for appointment, discharge, and discipline of metropolitan transit police peace officers; amending Minnesota Statutes 1996, sections 473.125; 473.407, subdivision 4; and 626.84, subdivision 1.

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

Page 2, line 34, delete "A"

Page 2, delete lines 35 and 36

Page 3, line 15, strike "and"

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

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

S.F. No. 415: A bill for an act relating to local government; appropriating money to the city of Granite Falls for Minnesota river bank restoration.

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

Page 1, line 7, delete "\$....." and insert "\$70,000"

Page 1, line 8, after "to" insert "the commissioner of natural resources for a grant to"

Amend the title as follows:

Page 1, line 3, after "the" insert "commissioner of natural resources for a grant to the"

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

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

S.F. No. 36: A bill for an act relating to hospital districts; authorizing hospital districts to operate assisted living facilities; amending Minnesota Statutes 1996, section 447.33, subdivision 1.

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 1996, section 447.33, is amended to read:

447.33 [POWERS.]

Subdivision 1. [BROAD POWERS OF DISTRICT.] Each hospital district created or reorganized under sections 447.31 to 447.37 has the powers necessary and convenient to acquire, improve, and run the hospital ~~and~~, nursing home facilities, and facilities described in section 447.45, subdivision 2, as the hospital board finds expedient. The list of powers in this section does not restrict the power of the board. It may take any action reasonably necessary or convenient to further the purpose for which the district exists which is not otherwise prohibited by law.

Subd. 2. [SPECIFIC POWERS.] Specifically, every district, acting through its hospital board, may:

(1) employ nursing, administrative, and other personnel, legal counsel, engineers, architects, accountants, and other qualified persons, who may be paid for their services by monthly salaries, hourly wages, and pension benefits, or by any fees agreed on;

(2) have reports, plans, studies, and recommendations prepared;

(3) lease, purchase, and contract for the purchase of real and personal property by option, contract for deed, conditional sales contract, or otherwise, and acquire real or personal property by gift;

(4) lease or construct, equip, furnish, and maintain necessary buildings and grounds;

(5) adopt, by resolution, rules for the operation and administration of the hospital and nursing home facilities under its control, and for the admission of patients;

(6) impose by resolution, and collect, charges for services and facilities provided and made available by it;

(7) levy taxes as prescribed in section 447.34;

(8) borrow money and issue bonds as prescribed in sections 447.345 and 447.35;

(9) buy liability insurance for the district or its officers and employees or both, for torts committed within the scope of their official duties, whether governmental or proprietary, and against damage to or destruction of any of its facilities, equipment, or other property;

(10) sell or lease its facilities or equipment as it finds expedient; ~~and~~

(11) have its accounts, books, vouchers, and funds audited by competent public accountants; and

(12) enter into agreements with a city or county with respect to the facilities described in section 447.45, subdivision 2, owned or operated by the city or county.

Sec. 2. Minnesota Statutes 1996, section 447.34, subdivision 1, is amended to read:

Subdivision 1. [EXPENSES PAID FROM REVENUE, TAXES, AND APPROPRIATIONS; TAX LIMITS.] Expenses of acquiring, improving, and running the hospital ~~and~~, nursing home facilities, and facilities described in section 447.45, subdivision 2, operated by a hospital district, amounts payable with respect to facilities of the type described in section 447.45, subdivision 2, under an agreement between the hospital district and a city or county, expenses incurred under section 447.331, subdivision 1, and expenses of organization and administration of the district and of planning and financing the facilities, must be paid from the revenues derived from them, and to the extent necessary, from ad valorem taxes levied by the hospital board on all taxable property within the district, and, to the extent determined from time to time by the board of county commissioners of any county containing territory of the district, from appropriations made by the county board in accordance with section 376.08. Money appropriated by the board of county commissioners to acquire or improve facilities of the hospital district may be transferred in the discretion of the hospital board to a sinking fund for bonds issued for that purpose. The hospital board may agree to repay to the county any sums appropriated by the board of county commissioners for this purpose, out of the net revenues to be derived from operation of its facilities, and subject to the terms agreed on.

Sec. 3. Minnesota Statutes 1996, section 447.45, subdivision 2, is amended to read:

Subd. 2. [POWERS OVER SPECIAL FACILITIES.] With respect to facilities for the care, treatment, and training of persons with mental retardation or related conditions, and facilities attached or related to a nursing home providing supportive services to elderly persons who are not yet in need of nursing home care, including congregate housing, adult day care and respite care services, a county ~~or~~, city, or hospital district may exercise the powers in sections 447.45 to 447.50 as if these facilities were hospital or nursing home facilities within the meaning of sections 447.45 to 447.50. "County or city" includes cities of the first class and counties containing them. "Related conditions" is defined in section 252.27, subdivision 1a."

Delete the title and insert:

"A bill for an act relating to hospital districts, authorizing hospital districts to provide support services to certain persons not in need of nursing home care; amending Minnesota Statutes 1996, sections 447.33; 447.34, subdivision 1; and 447.45, subdivision 2."

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

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

S.F. No. 472: A bill for an act relating to taxation; recodifying sales taxes on cigarettes and tobacco products; providing criminal and civil penalties; appropriating money; amending Minnesota Statutes 1996, sections 16A.26; 16A.661, subdivision 3; 16A.6701, subdivision 1; 116P.13, subdivision 1; 325D.32, subdivision 4; and 325D.415; proposing coding for new law as Minnesota Statutes, chapter 297F; repealing Minnesota Statutes 1996, sections 297.01; 297.02; 297.03; 297.031; 297.032; 297.04; 297.041; 297.05; 297.06; 297.07; 297.075; 297.08; 297.09; 297.10; 297.11; 297.12; 297.13; 297.21; 297.22; 297.23; 297.24; 297.25; 297.26; 297.31; 297.32; 297.321; 297.33; 297.335; 297.34; 297.35; 297.36; 297.37; 297.38; 297.385; 297.39; 297.40; 297.41; 297.42; 297.43; and 297.44.

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

Pages 10 to 13, delete section 7 and insert:

"Sec. 7. [297F.07] [SALES TO INDIAN TRIBES.]

Subdivision 1. [WHOLESALEERS.] A wholesaler may set aside the part of the wholesaler's cigarette and tobacco product stock necessary to make sales to the established governing body of an Indian tribe recognized by the United States Department of Interior without paying the tax required by this chapter. The amount of unstamped or untaxed stock that wholesalers may deliver to an Indian reservation is limited to amounts necessary to meet the personal consumption needs of qualified purchasers. The unstamped stock must be kept separate and apart from stamped stock. When shipping or delivering unstamped or untaxed stock to an Indian tribal organization, the wholesaler shall make a true duplicate invoice. The invoice must show the complete details of the sale or delivery. The wholesaler shall send the duplicate to the commissioner not later than the 18th day of the following calendar month. If the wholesaler fails to comply with this section, the commissioner shall revoke the permission granted to the wholesaler to keep a stock of unstamped goods.

Subd. 2. [RETAILERS.] Retailers who are Indian tribal organizations may keep unstamped or untaxed stock intended for sale to qualified purchasers.

Subd. 3. [QUALIFIED PURCHASERS.] A qualified purchaser of unstamped or untaxed stock means only an enrolled member of the Indian tribe which is offering the stock for sale.

Subd. 4. [SALES TO NONQUALIFIED BUYERS.] A retailer who sells or otherwise disposes of unstamped or untaxed stock other than to a qualified purchaser shall collect from the buyer or transferee the tax imposed by section 297F.05, and remit the tax to the department of revenue at the same time and manner as required by section 297F.09. If the retailer fails to collect the tax from the buyer or transferee, or fails to remit the tax, the retailer is personally responsible for the tax and the commissioner may seize any product destined to be delivered to the retailer. The product so seized shall be considered contraband and be subject to the procedures outlined in section 297F.21, subdivision 3. The proceeds of the sale of the stock may be applied to any tax liability owed by the retailer after deducting all costs and expenses.

This section does not relieve the buyer or possessor of unstamped or untaxed stock from personal liability for the tax."

Page 37, line 5, before "200" insert "more than" and delete "or more,"

Page 37, lines 9, 21, and 35, delete "20,000" and insert "20,001"

Page 37, line 12, after "transports" insert "more than"

Page 37, line 13, delete the first "or more"

Page 37, line 17, after "sell" insert "more than" and delete "or more,"

Page 37, line 24, after "sell" insert "more than" and delete "or more"

Page 37, line 31, after "seller" insert "more than" and delete "or more,"

Page 38, line 3, after "seller" insert "more than" and delete the first "or more"

Page 44, line 29, delete "EXEMPTION FROM" and insert "INAPPLICABILITY OF"

Page 44, delete line 30 and insert "ACT.] An appeal under this section is not a contested case governed by chapter 14."

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

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

S.F. No. 378: A bill for an act relating to taxation; recodifying taxes on liquor; providing civil and criminal penalties; appropriating money; amending Minnesota Statutes 1996, sections 16A.26; 340A.301, subdivision 8; 340A.302, subdivision 1; 340A.414, subdivision 7; 340A.417; and 340A.7035; proposing coding for new law as Minnesota Statutes, chapter 297G; repealing Minnesota Statutes 1996, sections 297C.01; 297C.02; 297C.03; 297C.04; 297C.045; 297C.05; 297C.06; 297C.07; 297C.08; 297C.09; 297C.10; 297C.11; 297C.12; 297C.13; 297C.14; 297C.16; and 297C.17.

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

Pages 9 to 12, delete section 8 and insert:

"Sec. 8. [297G.08] [SALES TO INDIAN TRIBES.]

Subdivision 1. [WHOLESALERS.] A wholesaler may set aside the part of the wholesaler's stock necessary to make sales to the established governing body of an Indian tribe recognized by the United States Department of the Interior, without paying the tax required by this chapter. The amount of untaxed stock that wholesalers may deliver to an Indian reservation is limited to amounts necessary to meet the personal consumption needs of qualified purchasers. When shipping or delivering untaxed stock to an Indian tribal organization, the wholesaler shall make a true duplicate invoice. The invoice must show the complete details of the sale or delivery. The wholesaler shall send the duplicate to the commissioner not later than the 18th day of the following calendar month. If a wholesaler fails to comply with the requirements of this section, the commissioner shall revoke the permission granted to the wholesaler to keep a stock of untaxed goods.

Subd. 2. [RETAILERS.] Retailers who are Indian tribal organizations may keep untaxed stock intended for sale to qualified purchasers.

Subd. 3. [QUALIFIED PURCHASERS.] A qualified purchaser of untaxed liquor means only an enrolled member of the Indian tribe that is offering the liquor for sale.

Subd. 4. [SALES TO NONQUALIFIED BUYERS.] A retailer who sells or otherwise disposes of untaxed liquor other than to a qualified purchaser shall collect from the buyer or transferee the tax imposed by this chapter and remit the tax to the department of revenue at the same time and manner as required by this chapter. If the retailer fails to collect the tax from the buyer or transferee, or fails to remit the tax, the retailer is personally responsible for the tax and the commissioner may seize any liquor destined to be delivered to the retailer. The procedures outlined in section 297G.20 apply to the seized liquor. The proceeds of the sale of the liquor may be applied to any tax liability owed by the retailer after deducting all costs and expenses.

This section does not relieve the buyer or possessor of untaxed liquor from personal liability for the tax."

Page 27, line 13, delete "BY INDIVIDUALS"

Page 27, lines 15 and 31, after "possesses" insert "more than" and delete "or more"

Page 27, line 16, after the first "or" insert "more than" and delete the second "or"

Page 27, line 17, delete "more"

Page 27, after line 28, insert:

"(d) As used in this subdivision and subdivision 5, a person means an individual age 21 or older."

Page 27, line 29, delete "BY INDIVIDUALS"

Page 27, line 32, after "or" insert "more than"

Page 27, line 33, delete "or more"

Page 34, line 12, delete "EXEMPTION FROM" and insert "INAPPLICABILITY OF"

Page 34, delete line 13 and insert "ACT.] An appeal under this section is not a contested case governed by chapter 14."

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 398: A bill for an act relating to insurance; requiring health plan companies to provide direct access to obstetric and gynecologic services; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

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

S.F. No. 198: A bill for an act relating to health; modifying school immunization and health record provisions; amending Minnesota Statutes 1996, sections 123.70, subdivisions 5, 7, and 10; and 144.29.

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

Page 1, line 10, delete "or is homeless"

Page 1, line 12, after "allow" insert "the person"

Page 2, line 2, delete "or child care facility"

Page 2, lines 29 and 34, delete "(g)" and insert "(e)"

Page 2, line 35, strike ", 8, 9, and" and insert "through"

Page 2, line 36, after "term" insert "and for each year thereafter"

Page 3, line 3, delete the new language and strike the old language

Page 3, strike lines 4 to 7

Page 3, line 8, delete the new language and strike the old language

Page 3, strike lines 9 to 12

Page 3, line 13, strike "(f)" and insert "(d)"

Page 3, line 18, delete "(g)" and insert "(e)"

Page 3, line 20, delete "within the past five years"

Page 3, line 22, delete "enrollment in grade 12" and insert "ten years have elapsed from the person's most recent dose of tetanus and diphtheria toxoid"

Page 3, line 35, reinstate the stricken "such" and delete "all" and strike "health matters"

Page 3, line 36, strike from ", and" through page 4, line 2, to "child" and insert "student health data as defined in section 13.32, subdivision 2, paragraph (a), and shall be classified as private data as defined in section 13.32, subdivision 3"

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

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

S.F. No. 190: A bill for an act relating to human services; extending certain advisory committees; amending Minnesota Statutes 1996, sections 15.059, by adding a subdivision; 245.697, subdivision 1; 254A.035, subdivision 2; and 254A.04.

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

Page 1, line 21, delete "and"

Page 1, line 23, delete the period and insert ";

(6) the maternal and child health advisory task force established under section 145.881;

(7) the state community health advisory committee established under section 145A.10, subdivision 10; and

(8) the Minnesota commission serving deaf and hard-of-hearing people established under section 256C.28, subdivisions 1 to 6.

Sec. 2. Minnesota Statutes 1996, section 145.881, subdivision 1, is amended to read:

Subdivision 1. [COMPOSITION OF TASK FORCE.] The commissioner shall establish and appoint a maternal and child health advisory task force consisting of 15 members who will provide equal representation from:

- (1) professionals with expertise in maternal and child health services;
- (2) representatives of community health boards as defined in section 145A.02, subdivision 5; and
- (3) consumer representatives interested in the health of mothers and children.

~~No members shall be employees of the state department of health. Task force members shall be appointed and removed as provided in section 15.059, subdivisions 2 and 4. The maternal and child health advisory task force shall terminate on the date provided by section 15.059, subdivision 5, and members shall receive compensation as provided in Section 15.059, subdivision 6 governs the maternal and child health advisory task force.~~

Sec. 3. Minnesota Statutes 1996, section 145A.10, subdivision 10, is amended to read:

Subd. 10. [STATE AND LOCAL ADVISORY COMMITTEES.] (a) A state community health advisory committee is established to advise, consult with, and make recommendations to the commissioner on the development, maintenance, funding, and evaluation of community health services. Section 15.059, subdivision 5 7, applies to this committee. Each community health board may appoint a member to serve on the committee. The committee must meet at least quarterly, and special meetings may be called by the committee chair or a majority of the members. Members or their alternates may receive a per diem and must be reimbursed for travel and other necessary expenses while engaged in their official duties.

(b) The city councils or county boards that have established or are members of a community health board must appoint a community health advisory committee to advise, consult with, and make recommendations to the community health board on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee must consist of at least five members and must be generally representative of the population and health care providers of the community health service area. The committee must meet at least three times a year and at the call of the chair or a majority of the members. Members may receive a per diem and reimbursement for travel and other necessary expenses while engaged in their official duties.

(c) State and local advisory committees must adopt bylaws or operating procedures that specify the length of terms of membership, procedures for assuring that no more than half of these terms expire during the same year, and other matters relating to the conduct of committee business.

Bylaws or operating procedures may allow one alternate to be appointed for each member of a state or local advisory committee. Alternates may be given full or partial powers and duties of members."

Page 2, line 30, delete "subcommittees" and insert "subcommittee on children's mental health"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "exempting certain advisory councils and committees from expiration;"

Page 1, line 4, after the semicolon, insert "145.881, subdivision 1; 145A.10, subdivision 10;"

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

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

S.F. No. 101: A bill for an act relating to human services; adding an exclusion to elderly housing with services establishment; downsizing the number of IMD beds; modifying the appeal process for nursing facilities; changing procedure for permanent placement of a child and provisions for reimbursement for family foster care; removing the time limitation on family general assistance; amending Minnesota Statutes 1996, sections 144D.01, subdivision 4; 245.466, by adding a subdivision; 256B.059, subdivisions 1, 2, 5, and by adding a subdivision; 256B.17, subdivision 7; 256B.431, subdivision 18; 256B.50, subdivisions 1, 1b, 1c, and 1f; 256D.01, subdivision 1a; 257.071, subdivision 2; 260.191, subdivision 3b; 260.192; 260.242, subdivision 2; and 382.18; repealing Minnesota Statutes 1996, sections 256B.17, subdivisions 1, 2, 3, 4, 5, 6, and 8; and 256B.50, subdivisions 1d, 1g, 1h, and 2.

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

Page 8, line 33, after "telephone" insert ", in writing,"

Page 8, lines 35 and 36, delete "if a conference is requested"

Page 9, line 1, after "requests" insert "for conferences"

Page 9, line 14, after the period, insert "The commissioner shall refer any contested case demand to the office of the attorney general."

Page 9, line 30, before the period, insert "upon a request from the provider filed separately from the notice of appeal"

Page 10, delete section 12 and insert:

"Sec. 12. Minnesota Statutes 1996, section 256B.50, subdivision 1e, is amended to read:

Subd. 1e. [ATTORNEY'S FEES AND COSTS.] (a) Notwithstanding section 15.472, paragraph (a), for an issue appealed under subdivision 1, the prevailing party in a contested case proceeding or, if appealed, in subsequent judicial review, must be awarded reasonable attorney's fees and costs incurred in litigating the appeal, if the prevailing party shows that the position of the opposing party was not substantially justified. The procedures for awarding fees and costs set forth in section 15.474 must be followed in determining the prevailing party's fees and costs except as otherwise provided in this subdivision. For purposes of this subdivision, "costs" means subpoena fees and mileage, transcript costs, court reporter fees, witness fees, postage and delivery costs, photocopying and printing costs, amounts charged the commissioner by the office of administrative hearings, and direct administrative costs of the department; and "substantially justified" means that a position had a reasonable basis in law and fact, based on the totality of the circumstances prior to and during the contested case proceeding and subsequent review.

(b) When an award is made to the department under this subdivision, attorney fees must be calculated at the cost to the department. When an award is made to a provider under this subdivision, attorney fees must be calculated at the rate charged to the provider except that attorney fees awarded must be the lesser of the attorney's normal hourly fee or \$100 per hour.

(c) In contested case proceedings involving more than one issue, the administrative law judge shall determine what portion of each party's attorney fees and costs is related to the issue or issues on which it prevailed and for which it is entitled to an award. In making that determination, the administrative law judge shall consider the amount of time spent on each issue, the precedential value of the issue, the complexity of the issue, and other factors deemed appropriate by the administrative law judge.

(d) When the department prevails on an issue involving more than one provider, the administrative law judge shall allocate the total amount of any award for attorney fees and costs among the providers. In determining the allocation, the administrative law judge shall consider each provider's monetary interest in the issue and other factors deemed appropriate by the administrative law judge.

(e) Attorney fees and costs awarded to the department for proceedings under this subdivision must not be reported or treated as allowable costs on the provider's cost report.

(f) Fees and costs awarded to a provider for proceedings under this subdivision must be reimbursed to them by reporting the amount of fees and costs awarded as allowable costs on the provider's cost report for the reporting year in which they were awarded. Fees and costs reported pursuant to this subdivision must be included in the general and administrative cost category but are not subject to either the general and administrative or other operating cost limits categorical or overall cost limitations.

(g) If the provider fails to pay the awarded attorney fees and costs within 120 days of the final decision on the award of attorney fees and costs, the department may collect the amount due through any method available to it for the collection of medical assistance overpayments to providers. Interest charges must be assessed on balances outstanding after 120 days of the final decision on the award of attorney fees and costs. The annual interest rate charged must be the rate charged by the commissioner of revenue for late payment of taxes that is in effect on the 121st day after the final decision on the award of attorney fees and costs.

(h) Amounts collected by the commissioner pursuant to this subdivision must be deemed to be recoveries pursuant to section 256.01, subdivision 2, clause 15.

(i) This subdivision applies to all contested case proceedings set on for hearing by the commissioner on or after April 29, 1988, regardless of the date the appeal was filed."

Amend the title as follows:

Page 1, line 14, delete "1f" and insert "1e"

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 465: A bill for an act relating to insurance; regulating the sale of certain qualified long-term care insurance policies; amending Minnesota Statutes 1996, sections 61A.072, subdivisions 1 and 4; 62A.011, subdivision 3; 62A.31, subdivision 6; 62A.48, by adding a subdivision; 62A.50, by adding a subdivision; and 62L.02, subdivision 15; proposing coding for new law as Minnesota Statutes, chapter 62S.

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

Page 2, after line 7, insert:

"Subd. 6. [BATHING.] "Bathing" means washing oneself by sponge bath; or in either a tub or shower, including the task of getting into or out of the tub or shower."

Page 2, line 8, delete "6" and insert "7"

Page 2, line 11, delete "7" and insert "8"

Page 2, after line 23, insert:

"Subd. 9. [COGNITIVE IMPAIRMENT.] "Cognitive impairment" means a deficiency in a person's short or long-term memory, orientation as a person, place and time, deductive or abstract reasoning, or judgment as it relates to safety awareness."

Page 2, line 24, delete "8" and insert "10"

Page 2, after line 25, insert:

"Subd. 11. [CONTINENCE.] "Contenance" means the ability to maintain control of bowel and bladder function, or when unable to maintain control of bowel or bladder function, the ability to perform associated personal hygiene, including caring for catheter or colostomy bag."

Subd. 12. [DRESSING.] "Dressing" means putting on and taking off all items of clothing and any necessary braces, fasteners, or artificial limbs."

Subd. 13. [EATING.] "Eating" means feeding oneself by getting food into the body from a receptacle, such as a plate, cup, or table, or by a feeding tube or intravenously."

Subd. 14. [FUNCTIONAL CAPACITY.] "Functional capacity" means requiring the substantial assistance of another person to perform the prescribed activities of daily living."

Page 2, line 26, delete "9" and insert "15"

Page 3, line 35, delete "10" and insert "16"

Page 4, line 6, delete "11" and insert "17"

Page 4, line 11, delete "12" and insert "18"

Page 5, line 7, delete "13" and insert "19"

Page 5, line 13, delete "14" and insert "20"

Page 5, line 18, delete "15" and insert "21"

Page 5, line 21, delete "16" and insert "22"

Page 5, line 26, delete "17" and insert "23"

Page 5, line 32, delete "18" and insert "24"

Page 5, line 36, delete "19" and insert "25"

Page 6, after line 6, insert:

"Subd. 26. [TOILETING.] "Toileting" means getting to and from the toilet, getting on and off the toilet, and performing associated personal hygiene."

Subd. 27. [TRANSFERRING.] "Transferring" means moving into or out of a bed, chair, or wheelchair."

Page 7, line 4, after the period, insert "Notwithstanding this subdivision,"

Page 7, line 11, after the period, insert "Assessments of activities of daily living and cognitive impairment must be performed by a licensed or certified professional, such as a physician, nurse, or social worker."

Page 7, after line 11, insert:

"Subd. 6. [APPEALS PROCESS.] A qualified long-term care insurance policy must include a clear description of the process for appealing and resolving benefit determinations."

Page 7, line 16, delete "9" and insert "15"

Page 8, lines 3 and 13, delete "9" and insert "15"

Page 9, line 35, delete "9" and insert "15"

Page 14, after line 2, insert:

"Subd. 4. [OUTLINE OF COVERAGE.] The outline of coverage must include the inflation protection information required under section 62S.23, subdivision 3, and the notice to buyer requirements specified under section 62S.29, subdivision 1, clause (3)."

Page 27, line 30, delete "9" and insert "15"

Page 29, line 10, delete "9" and insert "15"

Page 29, after line 21, insert:

"Subd. 2. [ADDITIONAL APPLICATION REQUIREMENTS.] An application for a long-term care insurance policy or certificate must meet the requirements specified under section 62S.21."

Page 29, line 22, delete "2" and insert "3"

Page 31, line 23, delete "3" and insert "4"

Page 33, line 5, delete "4" and insert "5"

Page 33, line 13, delete "5" and insert "6"

Page 35, line 16, after "commissioner" insert ", to the extent it may be required under state law"

Page 39, line 27, delete "19" and insert "25"

Page 42, line 33, delete "18" and insert "24"

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

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

S.F. No. 199: A bill for an act relating to health; providing comprehensive regulation of mortuary science; providing for the disposition of dead bodies; establishing enforcement mechanisms; providing civil penalties; amending Minnesota Statutes 1996, sections 13.99, subdivision 52a; 52.04, subdivision 1; 116J.70, subdivision 2a; 145.423, subdivision 3; 169.71, subdivision 4; and 524.1-201; proposing coding for new law as Minnesota Statutes, chapter 149A; repealing Minnesota Statutes 1996, sections 145.14; 145.15; 145.16; 145.162; 145.163; 145.24; 149.01; 149.02; 149.03; 149.04; 149.05; 149.06; 149.08; 149.09; 149.10; 149.11; 149.12; 149.13; 149.14; and 149.15; Minnesota Rules, parts 4610.0400; 4610.0410; 4610.0700; 4610.0800; 4610.0900; 4610.1000; 4610.1100; 4610.1200; 4610.1300; 4610.1500; 4610.1550; 4610.1600; 4610.1700; 4610.1800; 4610.1900; 4610.2000; 4610.2200; 4610.2300; 4610.2400; 4610.2500; 4610.2600; and 4610.2700.

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

Page 11, after line 16, insert:

"(f) Notwithstanding this subdivision, nothing in this section shall be construed to prohibit an

institution or entity from establishing, implementing, or enforcing a policy that permits only persons licensed by the commissioner to remove or cause to be removed a dead body or body part from the institution or entity."

Page 19, line 8, delete "active investigations" and insert "persons other than individuals"

Page 19, line 9, delete "as investigative data" and delete the comma

Page 19, line 10, delete "subdivision 2" and after the semicolon, insert "and"

Page 19, line 11, delete "inactive investigations" and insert "an individual"

Page 19, line 12, delete "as licensing data" and delete ", subdivision 2," and insert a period

Page 19, delete lines 13 to 29

Page 67, lines 6 and 7, delete "149A.82, subdivision 1," and insert "525.9213"

Pages 68 and 69, delete section 36

Page 82, line 4, delete "149A.82, subdivision 1" and insert "525.9213"

Page 94, line 33, before the period, insert "and must be limited to an amount equivalent to the allowable supplemental security income asset exclusion used for determining eligibility for public assistance at the time the trust is created" and delete "Except"

Page 94, delete lines 34 to 36

Page 95, delete lines 1 to 3

Page 97, delete lines 10 to 26 and insert:

"Subd. 8. [INVESTIGATIONS BY STATE AUDITOR.] Upon notification from the county auditor or the commissioner of health of indications of violations of this chapter, or upon reliable written verification by any person, the state auditor shall make an independent determination of whether a violation of the provisions in this chapter is occurring or is about to occur. If the state auditor finds such evidence, the state auditor shall conduct any examinations of accounts and records of the entity that the state auditor considers the public interest to demand and shall inform the appropriate agency of any finding of misconduct. The state auditor may require the entity being examined to send all books, accounts, and vouchers pertaining to the receipt, disbursement, and custody of funds to the office of the state auditor for examination. The person, firm, partnership, association, or corporation examined under this section by the state auditor shall reimburse the state auditor for expenses incurred in conducting the examination within 30 days after the state auditor submits its expenses. Interest at the rate established in section 549.09 shall accrue on the outstanding balance starting on the 31st day after the state auditor's office submits its request for expenses."

Page 105, line 14, delete "149A.30" and" and insert "149A.30,"

Page 105, line 15, before the period, insert "," and in part 4610.2800, the revisor shall change the citation "4610.0200 to 4610.0600" to "4610.0420 to 4610.0650"

Renumber the sections in sequence

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

Mr. Cohen from the Committee on State Government Finance, to which was referred

H.F. No. 631: A bill for an act relating to public administration; clarifying the terms and conditions of a state appropriation; amending Laws 1994, chapter 643, section 2, subdivision 12.

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

Mr. Cohen from the Committee on State Government Finance, to which was referred

S.F. No. 447: A bill for an act relating to state finance; modifying provisions relating to submission of departmental earnings reports, advancement of cash flow resources, and use of litigation and settlement money; renewing certain rulemaking exemptions; amending Minnesota Statutes 1996, sections 16A.10, subdivision 2; 16A.1285, subdivision 3; 16A.129, subdivision 3; and 16A.15, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 1996, section 16A.11, subdivision 1, is amended to read:

Subdivision 1. [WHEN.] The governor shall submit a four-part budget to the legislature. Parts one and two, the budget message and detailed operating budget, must be submitted by the fourth Tuesday in January in each odd-numbered year. Part three, the detailed recommendations as to capital expenditure, must be submitted as follows: agency capital budget requests by ~~June 15~~ July 1 of each odd-numbered year; ~~preliminary governor's recommendations by September 1 of each odd-numbered year;~~ and final governor's recommendations by February 1 of each even-numbered year. Part four, the detailed recommendations as to information technology expenditure, must be submitted at the same time the governor submits the budget message to the legislature.

Sec. 3. Minnesota Statutes 1996, section 16A.11, subdivision 3c, is amended to read:

Subd. 3c. [PART FOUR; DETAILED INFORMATION TECHNOLOGY BUDGET.] The detailed information technology budget must include recommendations for information technology projects to be funded during the next biennium and planning estimates for an additional two biennia. ~~It must be submitted with projects ranked in order of importance among all projects as determined by the governor.~~

Page 3, line 9, delete "certain" and insert "nongeneral fund"

Page 4, lines 3 and 4, delete "agency's appointing authority" and insert "agency head"

Page 4, line 25, delete "Funds" and insert "The commissioner shall promptly notify the chairs of the house ways and means and senate finance committees that the money has been received. Up to \$250,000 of the money" and delete "these" and insert "a"

Page 4, line 26, delete "accounts are" and insert "account is"

Page 5, after line 1, insert:

"Sec. 9. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "16A.11, subdivisions 1 and 3c;"

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

Mr. Cohen from the Committee on State Government Finance, to which was re-referred

S.F. No. 436: A bill for an act relating to the environment; modifying the requirements for a program for environmental learning centers; changing the source of funds for certain projects; appropriating money; amending Laws 1994, chapter 643, section 23, subdivision 28, as amended; Laws 1996, chapter 407, section 8, subdivision 3; and Laws 1996, chapter 463, sections 7, subdivision 9; and 22, subdivision 8; repealing Laws 1996, chapter 463, section 7, subdivision 26.

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

Page 5, line 37, strike "to Winona county"

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

Mr. Cohen from the Committee on State Government Finance, to which was re-referred

S.F. No. 195: A bill for an act relating to game and fish; placing a surcharge on deer licenses for the 1997 deer season; providing for emergency deer feeding; establishing a \$5 deer license for contributors; providing for contributions for emergency deer feeding; appropriating money.

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

Page 1, line 9, delete "\$2.50" and insert "\$2"

Page 1, line 12, after "year" insert ", for statewide licenses and for licenses issued for zones 1, 2, and 4"

Page 2, line 12, delete "\$1,100,000" and insert "\$600,000"

Page 2, lines 14 and 15, delete "the state" and insert "zones 1, 2, and 4"

Page 2, after line 18, insert:

"Subd. 2. [ADMINISTRATIVE APPROPRIATION.] \$150,000 is appropriated from the game and fish fund to the commissioner to administer and evaluate the deer feeding programs in this act and to diminish the impact of these programs on ongoing wildlife management programs. This appropriation is available until June 30, 1998."

Page 2, line 19, delete "2" and insert "3"

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

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

S.F. No. 430: A bill for an act relating to health; establishing a birth defects information system; providing criminal penalties; appropriating money; amending Minnesota Statutes 1996, section 144.2215; proposing coding for new law in Minnesota Statutes, chapters 13; and 144.

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

Ms. Berglin from the Committee on Human Resources Finance, to which was re-referred

S.F. No. 179: A bill for an act relating to corrections; amending the appropriation to build a close-custody correctional facility of at least 800 beds; providing that the new facility shall be at custody level four; deleting certain construction bid requirements; authorizing construction of an access road; requiring trunk highway improvements; designating county state-aid highway; prohibiting certain designations; amending Minnesota Statutes 1996, section 162.02, by adding a subdivision; Laws 1996, chapter 463, section 16, subdivision 3.

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

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

S.F. No. 85: A bill for an act relating to claims; providing for payment of certain claims against the state; increasing a limit on settlements; adding claims to the Revenue Recapture Act; appropriating money; amending Minnesota Statutes 1996, sections 3.732, subdivision 2; and 270A.03, subdivision 7.

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

Page 2, delete section 2

Renumber the sections in sequence

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

SECOND READING OF SENATE BILLS

S.F. Nos. 128, 424, 80, 78, 398, 436, 195, 179 and 85 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 282 and 631 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Morse moved that the name of Mr. Novak be added as a co-author to S.F. No. 137. The motion prevailed.

Mr. Johnson, D.J. moved that his name be stricken as a co-author to S.F. No. 287. The motion prevailed.

Mr. Lessard moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 287. The motion prevailed.

Mr. Stumpf moved that the name of Mr. Johnson, D.E. be added as a co-author to S.F. No. 326. The motion prevailed.

Mr. Metzen moved that his name be stricken as a co-author to S.F. No. 563. The motion prevailed.

Ms. Wiener moved that her name be stricken as a co-author to S.F. No. 563. The motion prevailed.

Mr. Langseth moved that the name of Mr. Metzen be added as a co-author to S.F. No. 613. The motion prevailed.

Mr. Johnson, D.E. moved that the name of Ms. Lesewski be added as a co-author to S.F. No. 640. The motion prevailed.

Mr. Kelly, R.C. moved that the name of Mr. Wiger be added as a co-author to S.F. No. 660. The motion prevailed.

Mrs. Lourey moved that the name of Ms. Lesewski be added as a co-author to S.F. No. 697. The motion prevailed.

Mr. Solon moved that the name of Mr. Wiger be added as a co-author to S.F. No. 714. The motion prevailed.

Mr. Kelley, S.P. moved that the names of Mr. Novak and Ms. Johnson, J.B. be added as co-authors to S.F. No. 739. The motion prevailed.

Mr. Murphy moved that S.F. No. 47 be withdrawn from the Committee on Crime Prevention and returned to its author. The motion prevailed.

Mr. Belanger moved that S.F. No. 455 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Taxes. The motion prevailed.

Ms. Higgins moved that S.F. No. 690 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Children, Families and Learning. The motion prevailed.

Mrs. Robling introduced--

Senate Resolution No. 22: A Senate resolution congratulating Reed Nystrom of Prior Lake, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Messrs. Johnson, D.E. and Berg introduced--

Senate Resolution No. 23: A Senate resolution congratulating Paul London, publisher of the West Central Tribune, of Willmar, on his retirement.

Referred to the Committee on Rules and Administration.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of the Calendar.

CALENDAR

S.F. No. 38: A bill for an act relating to health; modifying provisions relating to recordkeeping by persons regulated by the board of medical practice; amending Minnesota Statutes 1996, section 147.091, subdivision 2; repealing Minnesota Rules, part 5600.0605, subpart 10.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 95: A bill for an act relating to health; modifying provisions related to health maintenance organizations; modifying lead inspection provisions; providing for the expiration of certain advisory and work groups; modifying vital statistics provisions; modifying asbestos abatement provisions; modifying provisions relating to traumatic brain injury and spinal cord injury notification and data; modifying licensing requirements for elderly housing with services;

modifying provisions for hearings related to permitting, licensing, registration, and certification; modifying revocation and suspension provisions for permits, licenses, registration, and certifications; modifying provisions for testing infants for inborn metabolic errors; modifying medical education and research costs trust fund provisions; requiring conformance with federal regulations; amending Minnesota Statutes 1996, sections 62D.02, subdivision 10; 62D.03, subdivisions 3 and 4; 62D.04, subdivision 3; 62D.042, subdivision 3; 62D.06, subdivision 1; 62D.07, subdivision 3; 62D.09, subdivisions 1, 3, and 8; 62D.102; 62D.11, subdivisions 1, 1b, and 3; 62D.12, by adding a subdivision; 62D.20, subdivision 2; 62J.15, by adding a subdivision; 62J.60, subdivision 3; 62J.69, subdivision 1; 62Q.03, subdivision 5a; 144.125; 144.215, subdivision 1; 144.218; 144.664, subdivision 3; 144.665; 144.672, subdivision 1; 144.9501, subdivision 29, and by adding a subdivision; 144.9504, subdivision 2; 144.9506, subdivisions 1 and 5; 144.99, subdivisions 9 and 10; 257.73; 326.71, subdivisions 4 and 6; 326.72, subdivision 2; 326.74; 326.76; 326.78, subdivision 1; and 326.785; repealing Minnesota Statutes 1996, sections 62D.03, subdivision 2; and 62D.11, subdivision 4; Laws 1988, chapter 495, section 1; Minnesota Rules, part 4600.3900.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 5 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 5: A bill for an act relating to crime; clarifying the elements of the harassment and stalking crime; amending Minnesota Statutes 1996, section 609.749, subdivisions 1, 2, 5, and by adding a subdivision.

Ms. Junge moved to amend H.F. No. 5, the unofficial engrossment, as follows:

Page 10, after line 21, insert:

"(c) When acts constituting a violation of this subdivision are committed in two or more counties, the accused may be prosecuted in any county in which one of the acts was committed for all acts constituting the pattern."

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 5, the unofficial engrossment, as follows:

Pages 8 and 9, delete section 6

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.

H.F. No. 5 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 274 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 274: A bill for an act relating to human services; modifying language for adoption assistance purchase of service reimbursement; amending Minnesota Statutes 1996, section 259.67, subdivision 7.

Ms. Robertson moved to amend S.F. No. 274 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [LIMIT VOID.]

(a) The \$4,000 reimbursement limit for adoption services, contained in Minnesota Rules, part 9560.0102, subpart 2, paragraph (c), is void.

(b) The commissioner of human services shall amend Minnesota Rules, part 9560.0102, subpart 2, to conform with paragraph (a) by repealing paragraph (c), and relettering other paragraphs and changing cross-references as necessary. This amendment must be done in the manner specified in Minnesota Statutes, section 14.388, under authority of clause (3) of that section.

(c) The commissioner of human services shall adopt rules to determine a reasonable and appropriate reimbursement limit. The commissioner may spend up to \$16,000 for each purchase of service agreement until other rules are adopted.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment. The repeal of the reimbursement limit applies to agreements entered into on or after that date."

Delete the title and insert:

"A bill for an act relating to human service; making void the cap on adoption assistance purchase of service reimbursement."

The motion prevailed. So the amendment was adopted.

S.F. No. 274 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 0, as follows:

Those who voted in the affirmative were:

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

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Hottinger introduced--

S.F. No. 744: A bill for an act relating to taxation; property tax; modifying the proposed property tax notices; requiring additional information on the truth in taxation newspaper advertisements; amending Minnesota Statutes 1996, sections 275.065, subdivisions 1, 3, 5a, and by adding a subdivision; and 276.04, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

Mr. Hottinger introduced--

S.F. No. 745: A bill for an act relating to taxation; property tax; allowing certain towns and cities to transfer their local board of review duties and responsibilities to the county; amending Minnesota Statutes 1996, sections 271.01, subdivision 5; 273.121; 274.01; and 274.13, by adding subdivisions.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Hottinger and Frederickson introduced--

S.F. No. 746: A bill for an act relating to crime; making it an assault in the fourth degree for certain mentally ill and dangerous or sexually dangerous or sexual psychopathic persons to assault department of human service employees; amending Minnesota Statutes 1996, section 609.2231, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Messrs. Knutson, Cohen, Betzold, Mses. Kiscaden and Piper introduced--

S.F. No. 747: A bill for an act relating to children; child protection; providing a uniform process for children in need of protection or services petitions; providing certain notice in voluntary placements; providing for access to certain data on children; providing open hearings and court records in child protection matters; modifying the reasonable efforts requirement when a child has been placed outside the home; clarifying and modifying time requirements for permanency planning; providing earlier notice to relatives of permanency planning for a child; modifying grounds for termination of parental rights; providing a putative father registry; providing for individualized placement decisions for each child; providing administrative review of child abuse determinations; amending Minnesota Statutes 1996, sections 256.045, subdivisions 3, 3b, 4, 5, and 8; 256E.03, subdivision 2; 257.071, subdivisions 1a, 3, 7, and by adding subdivisions; 257.072, subdivisions 1, 2, 3, 4, 7, and 9; 259.21, by adding a subdivision; 259.29; 259.41; 259.49, subdivision 1; 259.57, subdivision 2; 259.67, subdivision 2; 259.77; 260.012; 260.015, subdivisions 2a and 29; 260.131, subdivisions 1 and 2; 260.155, subdivisions 1, 1a, 2, 3, 4, and 8; 260.161, subdivision 2, and by adding a subdivision; 260.165, subdivision 3; 260.181, subdivision 3; 260.191, subdivisions 1a, 3a, 3b, and 4; 260.192; 260.221, subdivisions 1, 5, and by adding a subdivision; and 260.241, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 257; and 259; repealing Minnesota Statutes 1996, sections 259.33; and 259.51.

Referred to the Committee on Judiciary.

Mr. Janezich, Ms. Hanson and Mr. Johnson, D.J. introduced--

S.F. No. 748: A bill for an act relating to local government; providing that St. Louis county may attach certain unorganized territory to the town of White without a petition of residents.

Referred to the Committee on Local and Metropolitan Government.

Ms. Ranum, Mr. Knutson, Ms. Krentz, Messrs. Johnson, D.H. and Janezich introduced--

S.F. No. 749: A bill for an act relating to education; making early reading instruction part of the required curriculum for teacher candidates; providing challenge grants to eligible school districts for early intervention reading instruction; providing challenge grants to train teachers to teach early intervention reading and writing skills; appropriating money; amending Minnesota Statutes 1996, section 125.185, subdivision 4.

Referred to the Committee on Children, Families and Learning.

Messrs. Murphy, Samuelson, Ms. Flynn, Mr. Vickerman and Ms. Hanson introduced--

S.F. No. 750: A bill for an act relating to medical assistance; authorizing a pilot project to downsize two intermediate care facilities in Wabasha county; authorizing alternative services.

Referred to the Committee on Health and Family Security.

Ms. Higgins, Messrs. Janezich, Ten Eyck, Mrs. Robling and Mr. Sams introduced--

S.F. No. 751: A bill for an act relating to housing; eliminating the funding limit on Youthbuild grants; permitting the agency to use part of the appropriation for administrative costs; appropriating money; amending Minnesota Statutes 1996, section 268.362, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Messrs. Hottinger, Betzold, Knutson, Mses. Runbeck and Wiener introduced--

S.F. No. 752: A bill for an act relating to civil actions; providing immunity for certain background reference checks; proposing coding for new law in Minnesota Statutes, chapter 604A.

Referred to the Committee on Judiciary.

Mr. Sams introduced--

S.F. No. 753: A bill for an act relating to health; eliminating the pool operator training requirement; repealing Minnesota Rules, part 4717.0650, subpart 5.

Referred to the Committee on Health and Family Security.

Mr. Betzold, Ms. Hanson, Mr. Foley, Ms. Krentz and Runbeck introduced--

S.F. No. 754: A bill for an act relating to human services; creating an exception for a separate annual audit of a county operated day training and habilitation program; amending Minnesota Statutes 1996, section 252.46, subdivision 10.

Referred to the Committee on Health and Family Security.

Ms. Flynn, Messrs. Betzold and Kelly, R.C. introduced--

S.F. No. 755: A bill for an act relating to meetings of governmental bodies; authorizing meetings by electronic means if certain criteria are met; amending Minnesota Statutes 1996, sections 3.055, by adding a subdivision; and 471.705, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

Messrs. Johnson, D.H.; Ten Eyck; Spear; Ms. Johnson, J.B. and Wiener introduced--

S.F. No. 756: A bill for an act relating to domestic abuse; prohibiting landlords from including lease provisions that penalize tenants for seeking police or emergency assistance for domestic abuse; superseding inconsistent local regulation; authorizing the attorney general to investigate and prosecute violations; providing civil penalties; amending Minnesota Statutes 1996, section 8.31, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 504.

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

Mes. Pappas, Ranum, Junge, Messrs. Knutson and Langseth introduced--

S.F. No. 757: A bill for an act relating to education; modifying eligibility for first-grade preparedness; appropriating money for the first-grade preparedness program; amending Minnesota Statutes 1996, section 124.2613, subdivision 3; repealing Minnesota Statutes 1996, section 124.2613, subdivision 8.

Referred to the Committee on Children, Families and Learning.

Messrs. Kleis, Belanger, Larson, Ourada and Mrs. Fischbach introduced--

S.F. No. 758: A bill for an act relating to the legislature; providing that testimony be made under oath or affirmation; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Messrs. Kelly, R.C. and Solon introduced--

S.F. No. 759: A bill for an act relating to insurance; prohibiting a surcharge for an automobile

accident in which the insured is a passenger in a bus, taxi, or commuter van; amending Minnesota Statutes 1996, section 65B.133, by adding a subdivision.

Referred to the Committee on Commerce.

Mses. Kiscaden and Robertson introduced--

S.F. No. 760: A bill for an act relating to human services; changing elderly and disabled health care; establishing a nursing facility conversion demonstration project; changing provisions for regional treatment centers; creating a demonstration project for the disabled; amending Minnesota Statutes 1996, sections 62E.14, by adding a subdivision; 144.0721, subdivision 3; 245.652, subdivisions 1, 2, and 4; 246.0135; 246.02, subdivision 2; 252.025, subdivisions 1, 4, and by adding a subdivision; 252.32, subdivisions 1a, 3, 3a, 3c, and 5; 254.04; 254B.02, subdivision 3; 254B.03, subdivision 1; 256.476, subdivisions 2, 3, 4, and 5; 256B.0625, subdivision 15; 256B.0911, subdivision 7; 256B.0913, subdivisions 5 and 15; 256B.0915, subdivision 3, and by adding a subdivision; 256B.421, subdivision 1; 256B.431, subdivision 25, and by adding a subdivision; 256B.434, subdivisions 3 and 4; 256B.49, subdivision 1; 256B.69, subdivision 4, and by adding subdivisions; 256D.03, subdivision 3b; 256I.04, subdivision 2a; 256I.05, subdivision 1a; 469.155, subdivision 4; and Laws 1995, chapter 207, article 8, section 41, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 256B; repealing Minnesota Statutes 1996, sections 252.32, subdivision 4; 256B.501, subdivision 5c; and 469.154, subdivision 6.

Referred to the Committee on Health and Family Security.

Ms. Junge, Mr. Johnson, D.E.; Mrs. Scheid, Messrs. Laidig and Beckman introduced--

S.F. No. 761: A bill for an act relating to crime prevention; expanding the crimes of criminal sexual conduct in the third and fourth degrees to forbid certain acts involving school employees and students; amending Minnesota Statutes 1996, sections 609.341, subdivision 11; 609.344, subdivision 1; and 609.345, subdivision 1.

Referred to the Committee on Crime Prevention.

Messrs. Solon, Metzen, Ms. Wiener, Messrs. Larson and Day introduced--

S.F. No. 762: A bill for an act relating to insurance; modifying and recodifying certain required provisions of disability policies; amending Minnesota Statutes 1996, section 62A.04, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

Messrs. Sams; Johnson, D.J.; Johnson, D.E. and Mrs. Scheid introduced--

S.F. No. 763: A bill for an act relating to taxation; providing property tax classification reform; providing for state aids to local government; proposing a separate property tax refund for farm homesteads; increasing the maximum property tax refund amounts; providing for property tax deferral for senior citizens; appropriating money; amending Minnesota Statutes 1996, sections 124A.23, subdivision 1; 270B.12, by adding a subdivision; 273.13, subdivisions 23, 24, 25, and by adding a subdivision; 273.1398, subdivisions 1a and 8; 275.065, subdivision 3; 276.04, subdivision 2; 290A.03, subdivisions 6, 13, and by adding a subdivision; 290A.04, subdivisions 1, 2, 2a, 6, and by adding a subdivision; 477A.011, subdivision 34, and by adding subdivisions; 477A.013, subdivisions 1, 8, and 9; 477A.03, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 290B; repealing Minnesota Statutes 1996, sections 273.13, subdivision 32; and 477A.011, subdivisions 35, 36, and 37; Laws 1995, chapter 264, article 4, as amended.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Janezich, Murphy, Mses. Higgins, Lesewski and Robertson introduced--

S.F. No. 764: A bill for an act relating to economic development; providing funding for centers for independent living; appropriating money.

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

Mrs. Lourey, Messrs. Johnson, D.J.; Stumpf; Lessard and Solon introduced--

S.F. No. 765: A bill for an act relating to education; expanding the uses of interactive television revenue for school districts that have completed construction of interactive television systems; amending Minnesota Statutes 1996, section 124.91, subdivision 5.

Referred to the Committee on Children, Families and Learning.

Messrs. Dille, Sams, Morse, Ms. Lesewski and Mrs. Lourey introduced--

S.F. No. 766: A bill for an act relating to agriculture; providing an appropriation for farm safety outreach; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Dille, Sams, Mses. Kiscaden, Piper and Mrs. Lourey introduced--

S.F. No. 767: A bill for an act relating to human services; appropriating money for children's mental health services.

Referred to the Committee on Health and Family Security.

Messrs. Vickerman; Johnson, D.E.; Ms. Runbeck, Mr. Langseth and Ms. Johnson, J.B. introduced--

S.F. No. 768: A bill for an act relating to emergency snow removal; providing for private assistance and assumption of liability associated with the assistance; amending Minnesota Statutes 1996, section 160.21, subdivision 4.

Referred to the Committee on Transportation.

Ms. Junge, Messrs. Betzold; Kelley, S.P. and Kleis introduced--

S.F. No. 769: A bill for an act relating to crime; increasing penalties for fleeing a peace officer in a motor vehicle; amending Minnesota Statutes 1996, section 609.487, subdivision 3.

Referred to the Committee on Crime Prevention.

Ms. Junge, Mr. Neville, Mses. Ranum, Higgins and Anderson introduced--

S.F. No. 770: A bill for an act relating to crime prevention; creating a pilot tattoo removal grant program administered by the commissioner of corrections; appropriating money.

Referred to the Committee on Crime Prevention.

Mr. Wiger introduced--

S.F. No. 771: A bill for an act relating to employment; regulating employee invention agreements; amending Minnesota Statutes 1996, section 181.78, by adding a subdivision.

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

Messrs. Kelly, R.C.; Spear and Johnson, D.H. introduced--

S.F. No. 772: A bill for an act relating to corrections; clarifying and extending the jurisdiction of the ombudsman; prohibiting ombudsman's staff from being compelled to testify in any proceeding; amending Minnesota Statutes 1996, sections 241.42, subdivision 2, and by adding a subdivision; and 241.44, subdivision 1.

Referred to the Committee on Crime Prevention.

Mr. Dille introduced--

S.F. No. 773: A bill for an act relating to the environment; authorizing establishment of a statewide individual sewage treatment system cost-share program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103C.

Referred to the Committee on Environment and Natural Resources.

Mr. Lessard, Ms. Olson, Messrs. Samuelson, Stevens and Sams introduced--

S.F. No. 774: A bill for an act relating to human rights; specifying certain duties of the commissioner; specifying privacy of certain data; providing for reimbursement of certain costs and attorney's fees; requiring certain press releases; amending Minnesota Statutes 1996, sections 363.05, subdivision 1; 363.061, subdivision 2; 363.071, subdivision 7; and 363.14, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 363.

Referred to the Committee on Judiciary.

Mr. Lessard introduced--

S.F. No. 775: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

Referred to the Committee on Environment and Natural Resources.

Ms. Anderson, Mr. Beckman, Ms. Berglin, Messrs. Samuelson and Ourada introduced--

S.F. No. 776: A bill for an act relating to employment; providing funding for the Minnesota employment center for deaf and hard-of-hearing people; appropriating money.

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

Messrs. Stumpf, Sams, Spear and Mrs. Pariseau introduced--

S.F. No. 777: A bill for an act relating to crime; increasing penalties for committing an assault while unlawfully releasing an animal; expanding the scope of the stalking and harassment crime to include the unlawful interference with activities of an entity that sells or provides services for animals or animal products; amending Minnesota Statutes 1996, sections 609.552; and 609.749, subdivisions 2 and 5.

Referred to the Committee on Crime Prevention.

Mrs. Lourey introduced--

S.F. No. 778: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

Referred to the Committee on Environment and Natural Resources.

Ms. Piper, Messrs. Foley, Knutson, Ms. Ranum and Mr. Ten Eyck introduced--

S.F. No. 779: A bill for an act relating to crime; including government entities as victims for the purpose of restitution orders; providing criminal penalties; amending Minnesota Statutes 1996, sections 609.10; 609.125; and 611A.01.

Referred to the Committee on Crime Prevention.

Ms. Johnson, J.B.; Mr. Morse, Ms. Krentz, Messrs. Frederickson and Laidig introduced--

S.F. No. 780: A bill for an act relating to the environment; modifying requirements for mercury testing in incinerator emissions; amending Minnesota Statutes 1996, section 116.85, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Mmes. Scheid and Lourey introduced--

S.F. No. 781: A bill for an act relating to traffic regulations; requiring every school bus to have a bus monitor, a seat belt for each passenger seat, and a video camera; requiring the commissioner of public safety to prescribe standards for school bus seat belts; amending Minnesota Statutes 1996, section 169.447, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation.

Mr. Stevens introduced--

S.F. No. 782: A bill for an act relating to education; permitting independent school district No. 473, Isle, to begin the 1997-1998 school year before Labor Day.

Referred to the Committee on Children, Families and Learning.

Messrs. Kelly, R.C.; Johnson, D.E.; Mses. Pappas, Ranum and Mr. Johnson, D.H. introduced--

S.F. No. 783: A bill for an act relating to crime prevention; requiring that all new chiefs of police of municipal police departments in cities of the first, second, and third classes and directors of statewide law enforcement agencies appointed on or after January 1, 1998, hold a bachelor's degree; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Crime Prevention.

Mr. Kelly, R.C. introduced--

S.F. No. 784: A bill for an act relating to crime; expanding certain crimes to include committing the crimes on railroad property or property in transit by a common carrier; providing criminal penalties; amending Minnesota Statutes 1996, sections 609.52, subdivision 3; 609.582, subdivisions 2, 3, 4, and by adding a subdivision; 609.595, subdivision 1; and 609.605, subdivision 1, and by adding subdivisions.

Referred to the Committee on Crime Prevention.

Mr. Day introduced--

S.F. No. 785: A bill for an act relating to elections; eliminating precinct caucuses; amending Minnesota Statutes 1996, section 202A.192; repealing Minnesota Statutes 1996, sections 202A.14; 202A.15; 202A.155; 202A.156; 202A.16; 202A.18; 202A.19; and 202A.20.

Referred to the Committee on Election Laws.

Ms. Krentz, Messrs. Metzen, Betzold and Samuelson introduced--

S.F. No. 786: A bill for an act relating to housing; providing for changes in rights of parties to mobile home park rentals; amending Minnesota Statutes 1996, sections 327C.07, subdivision 2; and 327C.09, subdivision 4.

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

Messrs. Johnson, D.J.; Stumpf; Frederickson and Ourada introduced--

S.F. No. 787: A bill for an act relating to natural resources; increasing snowmobile registration fees; increasing unrefunded gasoline tax revenues attributable to snowmobiles; providing an appropriation for snowmobile grants-in-aid; appropriating money; amending Minnesota Statutes 1996, sections 84.82, subdivision 3; and 296.16, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Mr. Betzold introduced--

S.F. No. 788: A bill for an act relating to education; modifying authority of the Minnesota state high school league; amending Minnesota Statutes 1996, section 128C.01, subdivisions 1 and 2; repealing Minnesota Statutes 1996, sections 128C.01, subdivision 3; and 128C.02, subdivisions 1 and 4.

Referred to the Committee on Children, Families and Learning.

Ms. Flynn introduced--

S.F. No. 789: A bill for an act proposing an amendment to the Minnesota Constitution, article VI, sections 7 and 8; providing for appointment of judges by the governor from candidates submitted by the judicial selection commission; providing for retention elections of judges; amending Minnesota Statutes 1996, sections 2.722, subdivision 4; 204B.06, subdivision 4; 204B.08, subdivision 3; 204B.34, subdivision 3; 204D.14, subdivision 2; 480A.02, subdivisions 3 and 5; and 480B.01, subdivisions 1, 10, and 11; repealing Minnesota Statutes 1996, sections 204B.06, subdivision 6; and 204B.36, subdivisions 4 and 5.

Referred to the Committee on Judiciary.

Messrs. Samuelson, Foley, Mrs. Fischbach, Mses. Berglin and Kiscaden introduced--

S.F. No. 790: A bill for an act relating to human services; allowing use of personal care attendant services for respite care and allowing sharing of personal care attendants; amending Minnesota Statutes 1996, section 256B.0627, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Mrs. Pariseau introduced--

S.F. No. 791: A bill for an act relating to health; exempting dental providers from the MinnesotaCare provider tax; amending Minnesota Statutes 1996, section 295.50, subdivision 4.

Referred to the Committee on Health and Family Security.

Mmes. Pariseau, Scheid, Fischbach, Mses. Lesewski and Hanson introduced--

S.F. No. 792: A bill for an act relating to firearms; providing that permits to carry a firearm

must be issued to responsible, competent adults; amending Minnesota Statutes 1996, section 624.714, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 624; repealing Minnesota Statutes 1996, section 624.714, subdivisions 2, 3, 4, 5, 6, 7, 8, and 10.

Referred to the Committee on Crime Prevention.

Messrs. Janezich, Knutson, Langseth, Mrs. Scheid and Mr. Pogemiller introduced--

S.F. No. 793: A bill for an act relating to education; establishing a targeted breakfast program; providing a one-time technology grant to analyze the nutritional components of school meals; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mrs. Scheid, Messrs. Knutson, Langseth, Ms. Robertson and Mr. Pogemiller introduced--

S.F. No. 794: A bill for an act relating to education; appropriating money to fund the school lunch program.

Referred to the Committee on Children, Families and Learning.

Messrs. Moe, R.D.; Ten Eyck; Kleis; Langseth and Johnson, D.J. introduced--

S.F. No. 795: A bill for an act relating to education; providing for a Minnesota undergraduate college and university scholarship trust fund and program; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mr. Laidig introduced--

S.F. No. 796: A bill for an act relating to water; including ex officio agency members as voting members of the board of water and soil resources; amending Minnesota Statutes 1996, section 103B.101, subdivisions 1, 2, and 5; repealing Minnesota Statutes 1996, section 103B.101, subdivisions 3 and 8.

Referred to the Committee on Environment and Natural Resources.

Mrs. Lourey, Messrs. Solon, Janezich, Marty and Mrs. Robling introduced--

S.F. No. 797: A bill for an act relating to collaboratives; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mr. Johnson, D.H.; Ms. Ranum, Messrs. Morse, Stumpf and Terwilliger introduced--

S.F. No. 798: A bill for an act relating to retirement; Richfield fire department relief association; providing for various benefit increases upon the consolidation of the relief association with the public employees retirement association; amending Minnesota Statutes 1996, sections 353B.07, subdivision 3; 353B.08, subdivision 6; and 353B.11, subdivisions 3, 4, and 5; and Laws 1967, chapter 798, sections 2 and 4.

Referred to the Committee on Governmental Operations and Veterans.

Mr. Johnson, D.E. introduced--

S.F. No. 799: A bill for an act relating to human services; changing nursing facility reimbursement rate; amending Minnesota Statutes 1996, section 256B.431, subdivision 25.

Referred to the Committee on Health and Family Security.

Mr. Samuelson introduced--

S.F. No. 800: A bill for an act relating to regulating home medical equipment services; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 144A.

Referred to the Committee on Health and Family Security.

Mr. Beckman, Mses. Junge, Lesewski, Messrs. Novak and Knutson introduced--

S.F. No. 801: A bill for an act relating to children; providing for grants to youth intervention programs; appropriating money.

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

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

S.F. No. 802: A bill for an act relating to the environment; repealing the transfer station grant program; amending Minnesota Statutes 1996, section 115A.54, subdivision 2a.

Referred to the Committee on Environment and Natural Resources.

Messrs. Metzen; Kelley, S.P.; Solon; Laidig and Ms. Hanson introduced--

S.F. No. 803: A bill for an act relating to economic development; modifying requirements of the contamination cleanup grant program; providing for redevelopment and job creation grants; appropriating money; amending Minnesota Statutes 1996, sections 116J.553, subdivision 2; and 116J.554, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Messrs. Murphy, Solon, Mses. Flynn, Pappas and Mr. Johnson, D.E. introduced--

S.F. No. 804: A bill for an act relating to port development; exempting certain port development projects from certain review procedures; changing eligibility criteria for port development assistance projects; appropriating money to the commissioner of transportation for state port development assistance; amending Minnesota Statutes 1996, sections 16B.335, subdivision 1; and 457A.04, subdivision 2.

Referred to the Committee on Transportation.

Messrs. Johnson, D.J.; Belanger; Hottinger; Mrs. Scheid and Ms. Pappas introduced--

S.F. No. 805: A bill for an act relating to taxation; reducing the property tax class rates on certain apartments; amending Minnesota Statutes 1996, section 273.13, subdivision 25.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Kleis, Sams, Solon and Stevens introduced--

S.F. No. 806: A bill for an act relating to health; modifying provisions of the hospital construction moratorium; amending Minnesota Statutes 1996, section 144.551, subdivision 1.

Referred to the Committee on Health and Family Security.

Mr. Janezich, Ms. Flynn, Mrs. Pariseau, Messrs. Metzen and Spear introduced--

S.F. No. 807: A bill for an act relating to gambling; allowing a class B licensee of a class A racetrack conducting horse racing to conduct card club activities; amending Minnesota Statutes 1996, sections 240.01, by adding subdivisions; 240.03; and 240.23; proposing coding for new law in Minnesota Statutes, chapter 240.

Referred to the Committee on Local and Metropolitan Government.

Mses. Junge, Berglin, Messrs. Limmer; Kelly, R.C. and Neuville introduced--

S.F. No. 808: A bill for an act relating to crime; providing criminal penalties for persons who knowingly harbor, conceal, or aid a probationer, parolee, or supervised releasee, intending that the person avoid or escape arrest under an order issued by the head of a state or local corrections agency; amending Minnesota Statutes 1996, section 609.495, subdivision 1.

Referred to the Committee on Crime Prevention.

Mr. Ourada introduced--

S.F. No. 809: A bill for an act relating to the city of Buffalo; authorizing the extension of the duration of a tax increment financing district; providing for use of the tax increments.

Referred to the Committee on Local and Metropolitan Government.

Mr. Stevens introduced--

S.F. No. 810: A bill for an act relating to local government; limiting a certain exclusion from net debt to certain transactions; amending Minnesota Statutes 1996, section 465.71.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Johnson, D.E.; Oliver and Larson introduced--

S.F. No. 811: A bill for an act relating to education; establishing a citizen's regent candidate advisory council; removing the requirement for a student on the University of Minnesota board of regents; appropriating money; amending Minnesota Statutes 1996, section 137.0245; repealing Minnesota Statutes 1996, section 137.023.

Referred to the Committee on Children, Families and Learning.

Mr. Kelly, R.C. introduced--

S.F. No. 812: A bill for an act relating to public safety; clarifying certain provisions in the law governing community notification of the release of sex offenders; amending Minnesota Statutes 1996, section 244.052, subdivisions 4, 5, and 6.

Referred to the Committee on Crime Prevention.

Ms. Ranum, Messrs. Betzold, Knutson, Mses. Berglin and Wiener introduced--

S.F. No. 813: A bill for an act relating to children; modifying the definition of family under the MinnesotaCare program; providing for transfer of custody of a child to a relative by a consent decree; authorizing communication or contact agreements between adoptive parents and birth parents; providing for a relative conference and relative care agreement following a report of child abuse or neglect; creating a pilot project; appropriating money; amending Minnesota Statutes 1996, sections 119B.01, subdivision 10; 256.9366, subdivision 3; 257.02; 259.59 by adding a subdivision; 260.191, subdivision 3b; 260.241, subdivision 1; and 518.158; proposing coding for new law in Minnesota Statutes, chapters 257; 259; and 626.

Referred to the Committee on Judiciary.

Ms. Wiener and Mrs. Scheid introduced--

S.F. No. 814: A bill for an act relating to liquor; modifying requirements for brand registration; amending Minnesota Statutes 1996, section 340A.311.

Referred to the Committee on Commerce.

Messrs. Ten Eyck, Sams, Morse and Larson introduced--

S.F. No. 815: A bill for an act relating to natural resources; appropriating money to upgrade the Heartland trail.

Referred to the Committee on Environment and Natural Resources.

Mr. Dille introduced--

S.F. No. 816: A bill for an act relating to animals; allowing veterinarians to dock horses; repealing requirements for the care of equine animals; repealing restrictions on clipped animals; changing dog house specifications; amending Minnesota Statutes 1996, sections 343.25; and 343.40, subdivision 2; repealing Minnesota Statutes 1996, sections 343.26; and 346.38.

Referred to the Committee on Agriculture and Rural Development.

Mr. Dille introduced--

S.F. No. 817: A bill for an act relating to agriculture; changing grain buyers' license fees; amending Minnesota Statutes 1996, section 223.17, subdivision 3.

Referred to the Committee on Agriculture and Rural Development.

Mses. Pappas, Anderson, Mr. Johnson, D.J.; Ms. Runbeck and Mr. Novak introduced--

S.F. No. 818: A bill for an act relating to taxation; modifying the taxation of property used for low-income rental housing; appropriating money; amending Minnesota Statutes 1996, sections 273.124, by adding a subdivision; 273.13, subdivision 25; 290A.03, subdivision 11; and 469.040, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 273; and 462A; repealing Minnesota Statutes 1996, sections 273.1317; and 273.1318.

Referred to the Committee on Local and Metropolitan Government.

Mr. Morse, Ms. Berglin and Mr. Metzen introduced--

S.F. No. 819: A bill for an act relating to insurance; creating a statewide health care consumer assistance program; prohibiting contracts that restrict communication between providers and their patients; requiring disclosure of health care provider financial incentives; requiring health plan companies to provide continuity of care and access to specialty care for certain enrollees; prohibiting certain exclusive arrangements; appropriating money; amending Minnesota Statutes 1996, section 181.932, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62J; and 62Q; repealing Minnesota Statutes 1996, sections 62Q.105, subdivisions 2, 3, 4, and 8; and 62Q.11.

Referred to the Committee on Commerce.

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Novak moved that S.F. No. 441 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:30 a.m., Thursday, February 27, 1997. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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