

STATE OF MINNESOTA

# Journal of the Senate

EIGHTIETH LEGISLATURE

TWENTY-FIFTH DAY

St. Paul, Minnesota, Thursday, March 20, 1997

The Senate met at 8:00 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. Diane Thibadeaux.

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

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

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received and referred to the committees indicated.

February 19, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

### BOARD OF THE ARTS

Ellis F. Bullock, 4435 Harbor Ln. N., Plymouth, Hennepin County, effective February 24, 1997, for a term expiring on the first Monday in January, 2001.

Robert E. Powless, 4911 Wyoming St., Duluth, St. Louis County, effective February 24, 1997, for a term expiring on the first Monday in January, 2001.

Caroline M. Baillon, 2567 Itasca Ave., St. Mary's Point, Washington County, effective February 24, 1997, for a term expiring on the first Monday in January, 2001.

(Referred to the Committee on Governmental Operations and Veterans.)

March 6, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

John Hoyt, 4812 Dunberry Ln., Edina, Hennepin County, effective March 10, 1997, for a term expiring on the first Monday in January, 2001.

Kenneth Johnson, 1831 E. 8th St., Duluth, St. Louis County, effective March 10, 1997, for a term expiring on the first Monday in January, 2001.

(Referred to the Committee on Children, Families and Learning.)

Warmest regards,  
Arne H. Carlson, Governor

March 18, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 315.

Warmest regards,  
Arne H. Carlson, Governor

March 18, 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 Acts of the 1997 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1997	Date Filed 1997
315		10	9:20 a.m. March 18	March 18
	441	11	9:23 a.m. March 18	March 18

Sincerely,  
Joan Anderson Growe  
Secretary of State

March 19, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 129.

Warmest regards,  
Arne H. Carlson, Governor

March 19, 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 Acts of the 1997 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1997	Date Filed 1997
	100	12	10:45 a.m. March 19	March 19
129		13	10:45 a.m. March 19	March 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. 129.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 17, 1997

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 463.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1997

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 454, 457, 662, 958, 1088 and 1093.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1997

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 454:** A bill for an act relating to motor vehicles; allowing issuance and display of single license plate for collector vehicles and vehicles that meet collector vehicle requirements but are used for general transportation purposes; amending Minnesota Statutes 1996, sections 168.10, subdivisions 1a, 1b, 1c, and 1d; and 169.79.

Referred to the Committee on Transportation.

**H.F. No. 457:** A bill for an act relating to transportation; authorizing advance payment when required by federal government for transportation project; providing for payment for costs of certain culverts when abutting landowner is a road authority; removing and transferring jurisdiction of certain highways; requiring owners of certain bridges to inventory and regularly inspect their bridges; clarifying inspection requirement for toll and other bridges; providing for contingent appropriation to commissioner of transportation under certain circumstances; changing and repealing statutes regulating railroads to conform to federal law and federal preemption of certain regulated practices; transferring remaining duties and powers relating to regulating railroads from transportation regulation board to commissioner of transportation; modifying contractor bond requirements for transportation projects costing less than \$75,000 or relating to the installation of certain capital equipment; extending procurement pilot project for department of transportation; authorizing conveyance of certain tax-forfeited and acquired land that borders public water or natural wetlands in Hennepin county; making technical changes; amending Minnesota Statutes 1996, sections 160.18, subdivision 1; 161.115, subdivisions 38 and 87; 165.03; 174A.06; 218.031, subdivision 2; 218.041, subdivisions 4 and 6; 219.074, subdivision 2; 219.384, subdivision 2; 219.98; and 574.26, subdivision 1a; Laws 1995, chapter 248, article 13, section 4, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 16B; and 174; repealing Minnesota Statutes 1996, sections 161.115, subdivision 57; 218.021; 218.025; 218.031, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10; 218.041, subdivisions 1, 2, 7, and 8; 219.383, subdivisions 1 and 2; 219.558; 219.559; 219.56; and 219.97, subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 484, now on General Orders.

**H.F. No. 662:** A bill for an act relating to the board of government innovation and cooperation; permitting the apportionment of a local government unit between two or more contiguous units; permitting the establishment of interim governing bodies to act on behalf of new local government units before the effective date of the combination establishing the new units; authorizing the pro rata allocation of board aid to cooperating and combining units; increasing eligibility for planning aid; amending Minnesota Statutes 1996, sections 465.81, subdivisions 1 and 3; 465.82, subdivisions 1, 2, and by adding a subdivision; 465.84; 465.85; 465.87, subdivisions 1a, 2, and 3; and 465.88.

Referred to the Committee on Local and Metropolitan Government.

**H.F. No. 958:** 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.

**H.F. No. 1088:** A bill for an act relating to elections; allowing towns to rotate names of candidates on town ballots; amending Minnesota Statutes 1996, section 205.17, subdivision 1.

Referred to the Committee on Election Laws.

**H.F. No. 1093:** A bill for an act relating to elections; authorizing the electors of a metropolitan town to move the town election from March to November; amending Minnesota Statutes 1996, section 205.075, subdivision 2.

Referred to the Committee on Election Laws.

### REPORTS OF COMMITTEES

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

#### **Ms. Flynn from the Committee on Transportation, to which was re-referred**

**S.F. No. 562:** A bill for an act relating to metropolitan government; metropolitan area transit; providing for the financing of metropolitan area transit and paratransit capital expenditures; modifying the requirements for employer sales of discount bus passes; deleting obsolete and duplicative language; authorizing a demonstration program for alternative allocations of regional transit subsidies and changes in eligibility for transit tax-feathering; repealing obsolete rules; amending Minnesota Statutes 1996, sections 473.39, by adding a subdivision; 473.408, subdivision 7; and 473.446, subdivision 1a; repealing Minnesota Rules, parts 8840.0100; 8840.0200; 8840.0300; 8840.0400; 8840.0500; 8840.0600; 8840.0700; 8840.0800; 8840.0900; 8840.1000; 8840.1100; 8840.1200; and 8840.1300.

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 473.39, is amended by adding a subdivision to read:

Subd. 1d. [OBLIGATIONS; 1998-2000.] In addition to the authority in subdivisions 1a, 1b, and 1c, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$46,000,000, which may be used for capital expenditures as prescribed in the council's transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations.

Sec. 2. Minnesota Statutes 1996, section 473.408, subdivision 7, is amended to read:

~~Subd. 7. [EMPLOYEE PLAN DISCOUNT PASSES.] The council may offer monthly passes for regular route bus service for sale to employers at a special discount subject to the provisions of this subdivision. An employer may be eligible to purchase passes at a special discount if the employer agrees to establish a payroll deduction plan as a means for its employees to purchase the passes at a price at or below the amount charged by the council. The special discount on passes sold pursuant to this subdivision shall be determined by the council.~~

Sec. 3. Minnesota Statutes 1996, section 473.446, subdivision 1a, is amended to read:

Subd. 1a. [TAXATION WITHIN TRANSIT AREA.] For the purposes of sections 473.405 to 473.449, and the metropolitan transit system, the metropolitan council shall levy upon all taxable property within the metropolitan transit area but outside of the metropolitan transit taxing district, defined in subdivision 2, a transit tax, which shall be equal to ten percent of the sum of the levies provided in subdivision 1, clauses (a) to (c). The proceeds of this tax shall be used only for paratransit services or ride sharing programs designed to serve persons located within the transit area but outside of the transit taxing district.

~~The regional transit board shall annually determine which cities and towns qualify for the 0.510 or 0.765 tax capacity rate reduction and certify this list to the county auditor on or before September 15. No changes shall be made to the list after September 15 of the same levy year.~~

Sec. 4. [DEMONSTRATION PROGRAM.]

Notwithstanding the definitions of "full-peak and limited off-peak service" and "limited peak period service" in Minnesota Statutes, section 473.446, subdivision 1, until December 31, 2001, for purposes of tax-feathering, "limited peak period service" includes paratransit service available 50 or fewer hours per week, and "full-peak and limited off-peak service" includes paratransit service available 100 or fewer hours per week but more than 50 hours per week. Until December 31, 2001, cities and towns in the metropolitan transit taxing district that have paratransit service available more than 100 hours per week do not qualify for the 0.510 percent or 0.765 percent tax capacity rate reduction in Minnesota Statutes, section 473.446, subdivision 1. For purposes of this subdivision, "paratransit" is defined in Minnesota Statutes, section 174.22. For taxes payable in 1998 through 2001, the state tax-feathering payment paid each year to the metropolitan council and to the municipalities levying under Minnesota Statutes, section 473.388, subdivision 7, by the commissioner of revenue pursuant to Minnesota Statutes, section 473.446, subdivision 1, must not be less than the 1997 state tax-feathering payment paid by the commissioner of revenue.

Sec. 5. [REPEALER.]

Minnesota Statutes 1996, section 473.384, subdivision 6, is repealed.

Sec. 6. [APPLICATION AND EFFECTIVE DATE.]

Sections 1 to 4 are effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan government; metropolitan area transit; providing for the financing of metropolitan area transit and paratransit capital expenditures; authorizing employer sales of discount bus passes; deleting obsolete and duplicative language; authorizing a demonstration program for changes in eligibility for transit tax-feathering; amending Minnesota Statutes 1996, sections 473.39, by adding a subdivision; 473.408, subdivision 7; and 473.446, subdivision 1a; repealing Minnesota Statutes 1996, section 473.384, subdivision 6."

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

**Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 740:** A bill for an act relating to utilities; expanding the telephone assistance program to provide assistance to low-income families with children; amending Minnesota Statutes 1996, section 237.70, subdivisions 4a and 6.

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

Page 2, line 10, delete "20" and insert "12"

Page 2, after line 15, insert:

"Sec. 3. Minnesota Statutes 1996, section 237.70, subdivision 7, is amended to read:

Subd. 7. [ADMINISTRATION.] The telephone assistance plan must be administered jointly by the commission, the department of human services, and the telephone companies in accordance with the following guidelines:

(a) The commission and the department of human services shall develop an application form that must be completed by the subscriber for the purpose of certifying eligibility for telephone assistance plan credits to the department of human services. The application must contain the applicant's social security number. Applicants who refuse to provide a social security number will be denied telephone assistance plan credits. The application form must include provisions for the

applicant to show the name of the applicant's telephone company. The application must also advise the applicant to submit the required proof of age or disability, and income and must provide examples of acceptable proof. The application must state that failure to submit proof with the application will result in the applicant being found ineligible. Each telephone company shall annually mail a notice of the availability of the telephone assistance plan to each residential subscriber in a regular billing and shall mail the application form to customers when requested.

The notice must state the following:

YOU MAY BE ELIGIBLE FOR ASSISTANCE IN PAYING YOUR TELEPHONE BILL IF YOU ARE SOMEONE IN YOUR HOUSEHOLD IS 65 YEARS OF AGE OR OLDER, 18 YEARS OF AGE OR UNDER, OR ARE DISABLED, AND IF YOU MEET CERTAIN HOUSEHOLD INCOME LIMITS. FOR MORE INFORMATION OR AN APPLICATION FORM PLEASE CONTACT .....

(b) The department of human services shall determine the eligibility for telephone assistance plan credits at least annually according to the criteria contained in subdivision 4a.

(c) An application may be made by the subscriber, the subscriber's spouse, or a person authorized by the subscriber to act on the subscriber's behalf. On completing the application certifying that the statutory criteria for eligibility are satisfied, the applicant must return the application to an office of the department of human services specially designated to process telephone assistance plan applications. On receiving a completed application from an applicant, the department of human services shall determine the applicant's eligibility or ineligibility within 120 days. If the department fails to do so, it shall within three working days provide written notice to the applicant's telephone company that the company shall provide telephone assistance plan credits against monthly charges in the earliest possible month following receipt of the written notice. The applicant must receive telephone assistance plan credits until the earliest possible month following the company's receipt of notice from the department that the applicant is ineligible.

If the department of human services determines that an applicant is not eligible to receive telephone assistance plan credits, it shall notify the applicant within ten working days of that determination.

Within ten working days of determining that an applicant is eligible to receive telephone assistance plan credits, the department of human services shall provide written notification to the telephone company that serves the applicant. The notice must include the applicant's name, address, and telephone number.

Each telephone company shall provide telephone assistance plan credits against monthly charges in the earliest possible month following receipt of notice from the department of human services.

By December 31 of each year, the department of human services shall redetermine eligibility of each person receiving telephone assistance plan credits, as required in paragraph (b). The department of human services shall submit an annual report to the legislature and the commission by January 15 of each year showing that the department has determined the eligibility for telephone assistance plan credits of each person receiving the credits or explaining why the determination has not been made and showing how and when the determination will be completed.

If the department of human services determines that a current recipient of telephone assistance plan credits is not eligible to receive the credits, it shall notify, in writing, the recipient within ten working days and the telephone company serving the recipient within 20 working days of the determination. The notice must include the recipient's name, address, and telephone number.

Each telephone company shall remove telephone assistance plan credits against monthly charges in the earliest possible month following receipt of notice from the department of human services.

Each telephone company that disconnects a subscriber receiving the telephone assistance plan

credit shall report the disconnection to the department of human services. The reports must be submitted monthly, identifying the subscribers disconnected. Telephone companies that do not disconnect a subscriber receiving the telephone assistance plan credit are not required to report.

If the telephone assistance plan credit is not itemized on the subscriber's monthly charges bill for local telephone service, the telephone company must notify the subscriber of the approval for the telephone assistance plan credit.

(d) The commission shall serve as the coordinator of the telephone assistance plan and be reimbursed for its administrative expenses from the surcharge revenue pool. As the coordinator, the commission shall:

(1) establish a uniform statewide surcharge in accordance with subdivision 6;

(2) establish a uniform statewide level of telephone assistance plan credit that each telephone company shall extend to each eligible household in its service area;

(3) require each telephone company to account to the commission on a periodic basis for surcharge revenues collected by the company, expenses incurred by the company, not to include expenses of collecting surcharges, and credits extended by the company under the telephone assistance plan;

(4) require each telephone company to remit surcharge revenues to the department of administration for deposit in the fund; and

(5) remit to each telephone company from the surcharge revenue pool the amount necessary to compensate the company for expenses, not including expenses of collecting the surcharges, and telephone assistance plan credits. When it appears that the revenue generated by the maximum surcharge permitted under subdivision 6 will be inadequate to fund any particular established level of telephone assistance plan credits, the commission shall reduce the credits to a level that can be adequately funded by the maximum surcharge. Similarly, the commission may increase the level of the telephone assistance plan credit that is available or reduce the surcharge to a level and for a period of time that will prevent an unreasonable overcollection of surcharge revenues.

(e) Each telephone company shall maintain adequate records of surcharge revenues, expenses, and credits related to the telephone assistance plan and shall, as part of its annual report or separately, provide the commission and the department of public service with a financial report of its experience under the telephone assistance plan for the previous year. That report must also be adequate to satisfy the reporting requirements of the federal matching plan.

(f) The department of public service shall investigate complaints against telephone companies with regard to the telephone assistance plan and shall report the results of its investigation to the commission.

#### Sec. 4. [COMMUNITY VOICE MAIL; PILOT PROGRAMS.]

(a) The commissioner of the department of human services shall develop and implement, by July 1, 1997, two pilot programs to provide voice mail services for individuals meeting the income criteria in Minnesota Statutes, section 237.70, subdivision 4a. One pilot program must be in the twin cities metropolitan area and the other must be in greater Minnesota outside of the metropolitan area. The commissioner shall contract with one or more community-based voice mail providers for these services, and shall report to the legislature by December 31, 1998, regarding the demand for these services, the impact of the availability of voice mail on the individuals receiving voice mail services, and recommendations regarding the continued provision of the services.

(b) The public utilities commission shall provide up to \$2 per month per active voice mail account from the telephone assistance fund established in Minnesota Statutes, section 237.701, up to a total of \$50,000 for these pilot programs, and shall consider this additional use of the fund in establishing the uniform statewide surcharge for the telephone assistance plan.



Sec. 5. [EFFECTIVE DATE.]

Section 4 is effective the day following final enactment."

Amend the title as follows:

Page 1, line 5, delete "and 6" and insert ", 6, and 7"

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

**Ms. Ranum from the Committee on Judiciary, to which was referred**

**S.F. No. 877:** A bill for an act relating to civil actions; clarifying admissibility of evidence regarding seat belts and child passenger restraint systems in certain actions; amending Minnesota Statutes 1996, section 169.685, subdivision 4.

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

Page 1, lines 20 and 21, delete "against a dealer, manufacturer, distributor, seller, or other person"

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

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 1020:** A bill for an act relating to crime prevention; creating a grant program to prevent violence through the development of plays, workshops, and educational resources; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 119A.

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

**S.F. No. 133:** A bill for an act relating to crime prevention; clarifying that a victim's impact statement may not be rebutted by a defendant; providing a community representative the right to submit an impact statement; requiring that notice of a defendant's pending appeal be given to crime victims; making various changes to the crime victim emergency assistance grant statute; extending the sunset date of the Minnesota crime victim and witness advisory council and expanding its duties; adding "criminal vehicular homicide and injury" to the definition of "crime of violence" in the gun control laws; appropriating money; amending Minnesota Statutes 1996, sections 611A.038; 611A.675; 611A.71, subdivisions 5 and 7; and 624.712, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

Page 2, delete lines 10 to 13 and insert:

"(c) If the court permits the defendant or anyone speaking on the defendant's behalf to present a statement to the court, the court shall limit the response to factual issues which are relevant to sentencing."

Page 2, line 16, before "ATTORNEY" insert "PROSECUTING" and delete "GENERAL"

Page 2, lines 20 and 32, before "attorney" insert "prosecuting" and delete "general"

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. 535:** A bill for an act relating to the metropolitan council; providing for service redesign and employee compensation for exceeding redesign plan goals; establishing a pilot project for greater efficiency in the provision of metropolitan council services; proposing coding for new law in Minnesota Statutes, chapter 473.

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

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

**S.F. No. 1116:** A bill for an act relating to Hennepin county; allowing use of certain county facilities for commercial wireless service providers and allowing the lease of sites for public safety communication equipment; amending Minnesota Statutes 1996, section 383B.255, subdivision 1, and by adding a subdivision.

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

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

**S.F. No. 723:** A bill for an act relating to economic development; regulating regional development commissions; amending Minnesota Statutes 1996, sections 462.381; 462.383; 462.384, subdivision 5; 462.385; 462.386, subdivision 1; 462.387; 462.388; 462.389, subdivisions 1, 3, and 4; 462.39, subdivisions 2 and 3; 462.391, subdivision 5, and by adding subdivisions; 462.393; 462.394; 462.396; and 462.398; repealing Minnesota Statutes 1996, sections 462.384, subdivision 7; 462.385, subdivision 2; 462.389, subdivision 5; 462.391, subdivisions 1, 2, 3, 4, 6, 7, 8, and 9; and 462.392.

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

Page 15, line 11, strike "director" and insert "governor"

Page 15, line 35, strike "director" and insert "governor or designee"

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

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

**S.F. No. 389:** A bill for an act relating to the environment; modifying requirements relating to individual sewage treatment systems; giving the commissioner of the pollution control agency certain interim authority; amending Minnesota Statutes 1996, section 115.55, subdivisions 1, 2, 3, 5, 6, and 7.

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

Page 2, line 32, delete "and cities"

Page 2, line 35, before the period, insert ", unless all towns and cities in the county have adopted such ordinances"

Page 3, line 1, after "charter" insert "cities," and delete "or" and before the period, insert ", or towns that have adopted ordinances that comply with this section, and are as strict as the applicable county ordinances except for those ordinances enacted as variances pursuant to subdivision 3, paragraph (a), clause (10)"

Page 9, after line 16, insert:

"(e) Local standards adopted under paragraph (a) or (b) must not conflict with any requirements under other state laws or rules or local ordinances, including, but not limited to, requirements for:

- (1) systems in shoreland areas regulated under sections 103F.201 to 103F.221;
- (2) well construction and location regulated under chapter 103I; and
- (3) systems used in connection with food, beverage, and lodging establishments regulated under chapter 157.

The local standards must include references to applicable requirements under other state laws or rules or local ordinances."

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

**S.F. No. 933:** A bill for an act relating to education; establishing a grant program to increase graduation rates and decrease juvenile crime; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. [126.79] [LEARN AND EARN GRADUATION ACHIEVEMENT PROGRAM.]

Subdivision 1. [GRANT PROGRAM ESTABLISHED.] A learn and earn graduation achievement grant program is established under the administration of the commissioner of children, families, and learning. The purpose of the program is to aid local communities in their efforts to decrease youth crime by improving the secondary educational success and increasing the post-secondary educational opportunities of low-income high school students who reside in and attend schools in communities that have a high level of poverty and juvenile crime. The commissioner shall make grants under this section to applicants to establish local learn and earn programs that are school-centered and that use a community-based approach that provides eligible youth in grades 9 through 12 with individually tailored opportunities for academic enrichment, community service, and personal development that lead to a high school diploma and post-secondary education.

Subd. 2. [PROGRAM OUTCOME MEASURES.] The goals of the learn and earn graduation achievement program are to:

- (1) increase school attendance;
- (2) decrease school suspensions and dropouts;
- (3) increase youth academic achievement, measured by graduation rates and post-secondary enrollment; and
- (4) decrease juvenile crime.

Subd. 3. [LOCAL PROGRAMS; APPLICATION PROCEDURE; GRANT AWARDS.] The commissioner shall make grants to eligible applicants to establish local learn and earn programs. Each program shall operate for at least a four-year period. A local program shall select its participants from among eligible students who are entering or are in the ninth grade at the inception of the program. A program may not refill a program slot with another student if a student drops out of the program. Students selected to participate in the program shall be considered part of the program class and students who drop out may return to the program at any time prior to graduation.

The commissioner shall establish the application procedure for awarding grants under this section. The commissioner shall begin awarding grants by September 1, 1997.

Subd. 4. [GRANT ELIGIBILITY.] An applicant for a grant must be a public secondary school, a nonprofit community-based agency cooperating with a secondary school, or a provider of a

publicly funded alternative education program. Grant applicants must meet all of the following criteria:

(1) at least 20 percent of the students at the participating school or program are eligible to receive a free school lunch;

(2) the area in which the participating school or program serves has a high juvenile crime rate and has experienced a significant increase in juvenile crime over the past three school years;

(3) the applicant has a designated program coordinator who will coordinate school and community resources to provide students with sufficient support and continuity to realize program goals; and

(4) the applicant has established an advisory committee that includes representatives of the students and families served by the program and community organizations serving youth and families. The applicant may use an existing advisory committee that includes this representation.

At least 80 percent of a local learn and earn program's participating students at the inception of the program must reside in households with incomes at or below the federal poverty level adjusted for family size.

The commissioner shall give priority to funding local learn and earn programs that serve those communities that have the highest juvenile crime rates and the largest concentrations of economically disadvantaged youth.

Subd. 5. [STUDENT ELIGIBILITY.] A student is eligible to participate in a local learn and earn program if the student:

(1) is enrolled in the participating school;

(2) is entering or is in the ninth grade at the inception of the program; and

(3) resides in a household whose income is at or below the federal poverty level adjusted for family size, has been recommended for the program by a teacher or other community member, has requested to participate, or whose participation has been requested by a family member, according to a procedure to be developed by the applicant.

Subd. 6. [PROGRAM COMPONENTS.] Each learn and earn graduation achievement program must provide the opportunity for participating students to complete:

(1) 250 hours each year, not including regular required classroom hours, in basic education competency skills;

(2) 250 hours each year of community service; and

(3) 250 hours each year of cultural enrichment and personal development, including but not limited to adult mentoring; participating in community cultural events; developing life skills for use in the home, workplace, and community; and learning to set goals, manage time, and make appropriate behavior choices for varying social situations.

Subd. 7. [PROGRAM INCENTIVES.] (a) Each participating student shall receive a monetary stipend for each hour spent in a program component activity, plus a bonus upon completion of each component during each year of the program.

(b) An amount equal to each student's earned stipends and bonuses must be deposited for the student in a post-secondary opportunities interest-bearing account, established by the grant recipient through the higher education services office. A student may, upon graduation from high school, use the funds accumulated for the student toward the costs of attending a Minnesota post-secondary institution or participating in a Minnesota post-secondary program.

The commissioner shall establish a procedure for providing the monetary stipends and bonuses to students. The commissioner may delegate this authority to grantees.

Subd. 8. [PROGRAM COORDINATOR.] The local learn and earn program coordinator must maintain contact with all participating students and their families; work with the school to link students with the resources needed to improve their educational skills; arrange for community service and cultural enrichment opportunities for students; maintain records regarding student completion of program component hours; and perform other administrative duties as necessary. A program coordinator must, to the extent possible, agree to remain with the program for four years to provide continuity of adult contact to the participating students.

Subd. 9. [EVALUATION AND REPORTS.] The commissioner shall evaluate the short-term and long-term benefits participating students receive from the learn and earn graduation achievement program, based on the outcome measures specified in subdivision 2, and any other criteria established by the commissioner as part of the grant application process. The commissioner shall report to the governor and the chairs of the senate and house committees having jurisdiction over education and crime prevention by December 15, 2000, regarding continuation of the learn and earn graduation achievement program for participating schools and expansion of the program to additional schools.

Sec. 2. [APPROPRIATION.]

\$...... is appropriated for the fiscal year ending June 30, 1998, and \$...... for the fiscal year ending June 30, 1999, from the general fund to the commissioner of children, families, and learning to provide grants for the learn and earn graduation achievement program. This appropriation is available until June 30, 2001.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to education; establishing a grant program to increase graduation rates and decrease juvenile crime; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 126."

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

**Ms. Ranum from the Committee on Judiciary, to which was re-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 1, line 24, before "Data" insert "(a) Data on investigations and disciplinary actions by the commissioner of health are classified under section 149A.04, subdivision 5.

(b)"

Page 1, line 25, reinstate the stricken "section"

Page 1, line 26, delete "chapter 149A" and insert "149A.97, subdivision 11"

Page 19, line 10, delete "INFORMATION" and insert "DATA"

Page 19, line 11, delete "Information" and insert "Data"

Page 19, line 12, delete "is" and insert "are"

Page 19, line 14, delete "information regarding" and insert "data on" and delete "is"

Page 19, line 15, delete "classified" and insert "are civil investigative data" and delete "and"

Page 19, line 16, delete everything after "(2)" and insert "data on individuals are licensing data under"

Page 19, line 17, before the period, insert "; and

(3) data on individuals who submit complaints to the commissioner regarding activities or practices regulated under this chapter are confidential data on individuals while an investigation is active and private data on individuals when an investigation becomes inactive"

Page 47, line 28, delete "INFORMATION" and insert "DATA" and delete "Information"

Page 47, delete line 29

Page 47, line 30, delete "pursuant to" and before the period, insert ", applies to data submitted to the commissioner under this section"

Page 97, line 16, delete "INFORMATION" and insert "DATA" and delete "Unless the data is summary"

Page 97, delete lines 17 to 21 and insert "Data on individuals collected and maintained under subdivision 7 are private data on individuals as defined in section 13.02, subdivision 12. Section 13.10 applies to data on decedents collected under subdivision 7."

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

### **Ms. Ranum from the Committee on Judiciary, to which was re-referred**

**S.F. No. 97:** A bill for an act relating to health; providing for the isolation and detention of persons with active tuberculosis who pose an endangerment to the public health; establishing standards and procedures for isolation and detention; requiring reporting by licensed health professionals; proposing coding for new law in Minnesota Statutes, chapter 144.

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 144.445, subdivision 1, is amended to read:

Subdivision 1. [SCREENING OF INMATES.] All persons detained or confined for ~~seven~~ 14 consecutive days or more in facilities operated, licensed, or inspected by the department of corrections shall be screened for tuberculosis with either a Mantoux test or a chest roentgenogram (X-ray) as consistent with screening and follow-up practices recommended by the United States Public Health Service or the department of health, as determined by the commissioner of health. Administration of the Mantoux test or chest roentgenogram (X-ray) must take place on or before the ~~seventh~~ 14th day of detention or confinement.

Sec. 2. Minnesota Statutes 1996, section 144.445, subdivision 3, is amended to read:

Subd. 3. [EXCEPTIONS.] Subdivisions 1 and 2 do not apply to:

(1) a person who is detained or confined in a juvenile temporary holdover facility, provided that the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active

tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis;

(2) a person who is detained or confined in a facility operated, licensed, or inspected by the department of corrections where the facility holds a written record of a negative Mantoux test performed on the person (i) within three months prior to intake into the facility; or (ii) within 12 months prior to intake into the facility if the person has remained under the continuing jurisdiction of a correctional facility since the negative Mantoux test, provided that the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis;

(3) a person who is detained or confined in a facility operated, licensed, or inspected by the department of corrections where the facility has a written record of (i) a history of adequately treated active tuberculosis; (ii) compliance with currently prescribed tuberculosis therapy or preventive therapy; or (iii) completion of a course of preventive therapy, provided the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) to rule out active tuberculosis;

(4) a person who is detained or confined in a facility operated, licensed, or inspected by the department of corrections where the facility holds a written record of a negative chest roentgenogram (X-ray) (i) within six months; or (ii) within 12 months prior to intake in the facility if the person has remained under the continuing jurisdiction of a correctional facility since the negative chest roentgenogram (X-ray), provided that the person has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a new chest roentgenogram (X-ray) to rule out active tuberculosis;

(5) an employee with a record of either a past positive Mantoux test reaction or active tuberculosis who is currently completing or has a documented history of completing a course of tuberculosis therapy or preventive therapy, provided the employee has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis;

(6) an employee with either a record of a past positive Mantoux test reaction or a positive or significant Mantoux test reaction in preemployment screening who does not complete a course of preventive therapy may be exempt from annual Mantoux testing or other screening. ~~This determination shall be made by the commissioner of health based on currently accepted public health standards and the person's health status if the employee has a documented negative chest roentgenogram (X-ray) performed at any time since the initial positive Mantoux test, provided the employee has no symptoms suggestive of tuberculosis, evidence of a new exposure to active tuberculosis, or other health condition that may require a chest roentgenogram (X-ray) be performed to rule out active tuberculosis; and~~

(7) the commissioner may exempt additional employees or persons detained or confined in facilities operated, licensed, or inspected by the department of corrections based on currently accepted public health standards or the person's health status.

Sec. 3. [144.4801] [TITLE.]

Sections 144.4801 to 144.4813 may be cited as the "Tuberculosis Health Threat Act."

Sec. 4. [144.4802] [AUTHORITY.]

Subdivision 1. [AUTHORITY TO COMMIT.] Under the powers and duties assigned to the commissioner in this chapter and chapter 145, the commissioner may proceed under sections 144.4801 to 144.4813 whenever the commissioner has probable cause to believe that a person who has active tuberculosis or is clinically suspected of having active tuberculosis is an endangerment to the public health.

Subd. 2. [PREEMPTION.] Sections 144.4801 to 144.4813 preempt and supersede sections

144.4171 to 144.4186, 144.443, and 144.444 with regard to a tuberculosis health threat. Nothing in sections 144.4801 to 144.4813 restricts the commissioner's authority to seek injunctive relief pursuant to section 145.075, or any other relief under other statutes or at common law.

Sec. 5. [144.4803] [DEFINITIONS.]

Subdivision 1. [ACTIVE TUBERCULOSIS.] "Active tuberculosis" includes infectious and noninfectious tuberculosis and means:

(1) a condition evidenced by a positive culture for mycobacterium tuberculosis taken from a pulmonary or laryngeal source;

(2) a condition evidenced by a positive culture for mycobacterium tuberculosis taken from an extrapulmonary source when there is clinical evidence such as a positive skin test for tuberculosis infection, coughing, sputum production, fever, or other symptoms compatible with pulmonary tuberculosis; or

(3) a condition in which clinical specimens are not available for culture, but there is radiographic evidence of tuberculosis such as an abnormal chest X-ray, and clinical evidence such as a positive skin test for tuberculosis infection, coughing, sputum production, fever, or other symptoms compatible with pulmonary tuberculosis, that lead a physician to reasonably diagnose active tuberculosis according to currently accepted standards of medical practice and to initiate treatment for tuberculosis.

Subd. 2. [BOARD OF HEALTH.] "Board of health" means an administrative authority established under section 145A.03.

Subd. 3. [CARRIER.] "Carrier" means a person who has active tuberculosis or is clinically suspected of having active tuberculosis.

Subd. 4. [CLINICALLY SUSPECTED OF HAVING ACTIVE TUBERCULOSIS.] "Clinically suspected of having active tuberculosis" means presenting a reasonable possibility of having active tuberculosis based upon epidemiologic, clinical, or radiographic evidence, laboratory test results, or other reliable evidence as determined by a physician using currently accepted standards of medical practice.

Subd. 5. [COMMISSIONER.] "Commissioner" means the commissioner of health.

Subd. 6. [CONTAGION PRECAUTIONS FOR TUBERCULOSIS.] "Contagion precautions for tuberculosis" means those measures under currently accepted standards of medical practice that prevent a carrier from exposing others to tuberculosis.

Subd. 7. [DEPARTMENT.] "Department" means the department of health.

Subd. 8. [DIRECTLY OBSERVED THERAPY.] "Directly observed therapy" means a method for ensuring compliance with medication directions in which a licensed health professional or designee observes a person ingesting prescribed medications or administers the prescribed medication to the person.

Subd. 9. [DISEASE PREVENTION OFFICER.] "Disease prevention officer" means a designated agent of the commissioner, or a designated agent of a board of health that has express delegated authority from the commissioner to proceed under sections 144.4801 to 144.4813.

Subd. 10. [ENDANGERMENT TO THE PUBLIC HEALTH.] "Endangerment to the public health" means a carrier who may transmit tuberculosis to another person or persons because the carrier has engaged or is engaging in any of the following conduct:

(1) refuses or fails to submit to a diagnostic tuberculosis examination that is ordered by a physician and is reasonable according to currently accepted standards of medical practice;

(2) refuses or fails to initiate or complete treatment for tuberculosis that is prescribed by a physician and is reasonable according to currently accepted standards of medical practice;



(3) refuses or fails to keep appointments for treatment of tuberculosis;

(4) refuses or fails to provide the commissioner, upon request, with evidence showing the completion of a course of treatment for tuberculosis that is prescribed by a physician and is reasonable according to currently accepted standards of medical practice;

(5) refuses or fails to initiate or complete a course of directly observed therapy that is prescribed by a physician and is reasonable according to currently accepted standards of medical practice;

(6) misses at least 20 percent of scheduled appointments for directly observed therapy, or misses at least two consecutive appointments for directly observed therapy;

(7) refuses or fails to follow contagion precautions for tuberculosis after being instructed on the precautions by a licensed health professional or by the commissioner;

(8) based on evidence of the carrier's past or present behavior, may not complete a course of treatment for tuberculosis that is reasonable according to currently accepted standards of medical practice; or

(9) may expose other persons to tuberculosis based on epidemiological, medical, or other reliable evidence.

Subd. 11. [EPIDEMIOLOGICAL DATA OR EPIDEMIOLOGICAL EVIDENCE.] "Epidemiological data" or "epidemiological evidence" means data or evidence relating to the occurrence, distribution, clinical characteristics, and control of disease within a group of people or within a specified population.

Subd. 12. [HEALTH ORDER.] "Health order" means an order issued by the commissioner or a board of health with express delegated authority from the commissioner.

Subd. 13. [INFECTIOUS TUBERCULOSIS.] "Infectious tuberculosis" means the stage of tuberculosis where mycobacterial organisms are capable of being expelled into the air by a person, as determined by laboratory, epidemiological, or clinical findings.

Subd. 14. [ISOLATION.] "Isolation" means placing a carrier who has infectious tuberculosis in:

(1) a hospital or other treatment facility;

(2) the carrier's residence or current location; or

(3) any other place approved by the commissioner, provided that the place of isolation prevents or limits the transmission of the infectious tuberculosis agent to others during the period of infectiousness.

Subd. 15. [LICENSED HEALTH PROFESSIONAL.] "Licensed health professional" means a person licensed by one of the health-related licensing boards listed in section 214.01, subdivision 2.

Subd. 16. [PEACE OFFICER.] "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board of peace officer standards and training, is charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state, and has the full power of arrest. "Peace officer" includes an officer of the Minnesota state patrol.

Subd. 17. [PHYSICIAN.] "Physician" means a person who is licensed by the board of medical practice under chapter 147 to practice medicine.

Subd. 18. [RESPONDENT.] "Respondent" means a person or group of persons to whom the commissioner has issued a health order, excluding the carrier.

Subd. 19. [TREATMENT FACILITY.] "Treatment facility" means a hospital or other treatment provider that is qualified to provide care, treatment, and appropriate contagion precautions for tuberculosis.

Sec. 6. [144.4804] [REPORTING RELATING TO TUBERCULOSIS.]

Subdivision 1. [MANDATORY REPORTING.] A licensed health professional must report to the commissioner or a disease prevention officer within 24 hours of obtaining knowledge of a reportable person as specified in subdivision 3, unless the licensed health professional is aware that the facts causing the person to be a reportable person have previously been reported. Within 72 hours of making a report, excluding Saturdays, Sundays, and legal holidays, the licensed health professional shall submit to the commissioner or to the disease prevention officer a certified copy of the reportable person's medical records relating to the carrier's tuberculosis and status as an endangerment to the public. A reporting facility may designate an infection control practitioner to make reports and to send certified medical records relating to the carrier's tuberculosis and status as an endangerment to the public health under this subdivision.

Subd. 2. [VOLUNTARY REPORTING.] A person other than a licensed health professional may report to the commissioner or a disease prevention officer if the person has knowledge of a reportable person as specified in subdivision 3, or has probable cause to believe that a person should be reported under subdivision 3.

Subd. 3. [REPORTABLE PERSONS.] A licensed health professional must report to the commissioner or a disease prevention officer if the licensed health professional has knowledge of:

- (1) a person who has been diagnosed with active tuberculosis;
- (2) a person who is clinically suspected of having active tuberculosis;
- (3) a person who refuses or fails to submit to a diagnostic tuberculosis examination when the person is clinically suspected of having tuberculosis;
- (4) a carrier who has refused or failed to initiate or complete treatment for tuberculosis, including refusal or failure to take medication for tuberculosis or keep appointments for directly observed therapy or other treatment of tuberculosis; or
- (5) a person who refuses or fails to follow contagion precautions for tuberculosis after being instructed on the precautions by a licensed health professional or by the commissioner.

Subd. 4. [REPORTING INFORMATION.] The report by a licensed health professional under subdivision 1 or by a person under subdivision 2 must contain the following information, to the extent known:

- (1) the reportable person's name, birth date, address or last known location, and telephone number;
- (2) the date and specific circumstances that cause the person to be a reportable person;
- (3) the reporting person's name, title, address, and telephone number; and
- (4) any other information relevant to the reportable person's case of tuberculosis.

Subd. 5. [IMMUNITY FOR REPORTING.] A licensed health professional who is required to report under subdivision 1 or a person who voluntarily reports in good faith under subdivision 2 is immune from liability in a civil, administrative, disciplinary, or criminal action for reporting under this section.

Subd. 6. [FALSIFIED REPORTS.] A person who knowingly or recklessly makes a false report under this section is liable in a civil suit for actual damages suffered by the person or persons reported and for punitive damages.

Subd. 7. [WAIVER OF PRIVILEGE.] A person who is the subject of a report under

subdivision 1 is deemed to have waived any privilege created in section 595.02, subdivision 1, paragraphs (d), (e), (g), (i), (j), and (k), with respect to any information provided under this section.

Sec. 7. [144.4805] [ISSUANCE OF HEALTH ORDER; RIGHTS OF CARRIER AND RESPONDENT.]

Subdivision 1. [AUTHORITY.] Only the commissioner, or a board of health with express delegated authority from the commissioner, may issue a health order under this section.

Subd. 2. [GROUNDS FOR HEALTH ORDER.] Whenever the commissioner has probable cause to believe that a carrier is an endangerment to the public health, the commissioner may issue a health order that the commissioner deems necessary to protect the public health. The commissioner may petition the court for enforcement of the health order. In a court proceeding for enforcement of the health order, the commissioner shall demonstrate the particularized circumstances constituting the necessity for the health order. The health order may be issued to any person, including to a carrier, physician, licensed health professional, or treatment facility. The health order may be in the form of a subpoena by the commissioner for certified medical records relating to the carrier's tuberculosis and status as an endangerment to the public health.

Subd. 3. [CONTENTS OF HEALTH ORDER.] A health order must include:

- (1) a citation to this section as the legal authority under which the order is issued;
- (2) a summary of evidence upon which the person is alleged to be a carrier;
- (3) a description of the alleged conduct of the carrier that makes the carrier an endangerment to the public health;
- (4) a description of less restrictive alternatives that the commissioner considered and rejected, together with the reasons for the rejection, or a description of less restrictive alternatives that the commissioner used and that were unsuccessful;
- (5) the preventive measure ordered; and
- (6) a notice advising the carrier or respondent that:
  - (i) a hearing will be held if the carrier or respondent petitions the court for a hearing, or if the commissioner determines that the carrier has not complied with the health order;
  - (ii) the carrier or respondent has the right to appear at the hearing;
  - (iii) the carrier or respondent has the right to present and cross-examine witnesses at the hearing;
  - (iv) the carrier has the right to court-appointed counsel in a proceeding under sections 144.4801 to 144.4813; and
  - (v) the carrier or respondent has the right to the assistance of an interpreter in a proceeding under sections 144.4801 to 144.4813.

Subd. 4. [RIGHT TO COUNSEL.] (a) The carrier or respondent has the right to counsel in any proceeding under sections 144.4801 to 144.4813. The court shall promptly appoint counsel for a carrier if the carrier does not have counsel:

- (1) at the time the court issues an order under section 144.4807, subdivision 7, authorizing the continued detention of the carrier;
- (2) at the time the court issues an order under section 144.4808, subdivision 2, authorizing the carrier to be apprehended and held; or
- (3) in all other cases, at the time either party files a notice for a preliminary hearing under section 144.4810, subdivision 2.

The court shall appoint counsel for the carrier . The cost of court-appointed counsel shall be paid by the court.

(b) Upon being notified of the name and address of counsel for the carrier, the commissioner shall promptly forward to the carrier and the carrier's counsel the following:

(1) a copy of the health order;

(2) a certified copy of relevant portions of the carrier's medical records; and

(3) the name and address of the licensed health professional, including the carrier's attending physician or nurse, or the public health physician or nurse whom the commissioner intends to have testify at the preliminary hearing, and a summary of the witness' testimony, including a copy of the witness' affidavit, if any.

Subd. 5. [DUTY TO COMMUNICATE.] The commissioner's counsel and the carrier's counsel shall make every effort to communicate prior to any hearing and to stipulate as to undisputed facts, witnesses, and exhibits.

Subd. 6. [RIGHT TO INTERPRETER.] The carrier or respondent has the right to the assistance of an interpreter in a proceeding under sections 144.4801 to 144.4813.

Subd. 7. [SERVICE OF ORDER.] A health order may be served by a disease prevention officer or peace officer.

Sec. 8. [144.4806] [PREVENTIVE MEASURES UNDER HEALTH ORDER.]

A health order may include, but need not be limited to, an order:

(1) requiring the carrier's attending physician or treatment facility to isolate and detain the carrier for treatment or for a diagnostic examination for tuberculosis, pursuant to section 144.4807, subdivision 1, if the carrier is an endangerment to the public health and is in a treatment facility;

(2) requiring a carrier who is an endangerment to the public health to submit to diagnostic examination for tuberculosis and to remain in the treatment facility until the commissioner receives the results of the examination;

(3) requiring a carrier who is an endangerment to the public health to remain in or present at a treatment facility until the carrier has completed a course of treatment for tuberculosis that is prescribed by a physician and is reasonable according to currently accepted standards of medical practice;

(4) requiring a carrier who is an endangerment to the public health to complete a course of treatment for tuberculosis that is prescribed by a physician and is reasonable according to currently accepted standards of medical practice and, if necessary, to follow contagion precautions for tuberculosis;

(5) requiring a carrier who is an endangerment to the public health to follow a course of directly observed therapy that is prescribed by a physician and is reasonable according to currently accepted standards of medical practice;

(6) excluding a carrier who is an endangerment to the public health from the carrier's place of work or school, or from other premises if the commissioner determines that exclusion is necessary because contagion precautions for tuberculosis cannot be maintained in a manner adequate to protect others from being exposed to tuberculosis;

(7) requiring a licensed health professional or treatment facility to provide to the commissioner certified copies of all medical and epidemiological data relevant to the carrier's tuberculosis and status as an endangerment to the public health;

(8) requiring the diagnostic examination for tuberculosis of other persons in the carrier's household, workplace, or school, or other persons in close contact with the carrier if the

commissioner has probable cause to believe that the persons may have active tuberculosis or may have been exposed to tuberculosis based on epidemiological, medical, or other reliable evidence; or

(9) requiring a carrier or other persons to follow contagion precautions for tuberculosis.

Sec. 9. [144.4807] [NOTICE OF OBLIGATION TO ISOLATE OR EXAMINE.]

Subdivision 1. [OBLIGATION TO ISOLATE.] If the carrier is in a treatment facility, the commissioner or a carrier's attending physician, after obtaining approval from the commissioner, may issue a notice of obligation to isolate to a treatment facility if the commissioner or attending physician has probable cause to believe that a carrier is an endangerment to the public health.

Subd. 2. [OBLIGATION TO EXAMINE.] If the carrier is clinically suspected of having active tuberculosis, the commissioner may issue a notice of obligation to examine to the carrier's attending physician to conduct a diagnostic examination for tuberculosis on the carrier.

Subd. 3. [PRECAUTIONS TO AVOID EXPOSURE.] Upon receiving a notice of obligation to isolate or notice of obligation to examine, a treatment facility shall immediately take all reasonable precautions to prevent the carrier from exposing other persons to tuberculosis, including the use of guards or locks, if appropriate.

Subd. 4. [SERVICE OF HEALTH ORDER ON CARRIER.] When issuing a notice of obligation to isolate or examine to the carrier's physician or a treatment facility, the commissioner shall simultaneously serve a health order on the carrier ordering the carrier to remain in the treatment facility for treatment or examination.

Subd. 5. [DURATION OF DETENTION.] No carrier may be detained under subdivision 1 or 2 longer than 72 hours, excluding Saturdays, Sundays, and legal holidays, unless the court issues an order authorizing continued detention of the carrier pursuant to subdivision 7. A carrier may not be released prior to the expiration of the 72-hour hold without the express consent of the commissioner.

Subd. 6. [APPLICATION FOR EXTENSION OF 72-HOUR HOLD.] The commissioner may seek an order extending the hold under subdivision 5 by filing an ex parte application with the probate division of the district court of the county in which the carrier resides. The application may be filed orally by telephone or by facsimile, provided that a written application is filed within 72 hours, excluding Saturdays, Sundays, and legal holidays.

Subd. 7. [COURT ORDER EXTENDING 72-HOUR HOLD.] The court may extend the hold under subdivision 5 by up to six days, excluding Saturdays, Sundays, and legal holidays, if the court finds that there is probable cause to believe that the carrier is an endangerment to the public health. The court may find probable cause to detain, examine, and isolate the carrier based upon a written statement by facsimile or upon an oral statement by telephone from the carrier's attending physician or nurse, a public health physician or nurse, other licensed health professional, or disease prevention officer, stating the grounds and facts that demonstrate that the carrier is an endangerment to the public health, provided that an affidavit from such witness is filed with the court within 72 hours, excluding Saturdays, Sundays, and legal holidays. The order may be issued orally by telephone, or by facsimile, provided that a written order is issued within 72 hours, excluding Saturdays, Sundays, and legal holidays. The oral and written order shall contain a notice of the carrier's rights contained in section 144.4805, subdivision 3, clause (6). A carrier may not be released prior to the hold extended under this subdivision without the express consent of the commissioner.

Subd. 8. [APPOINTMENT OF COUNSEL.] If the carrier does not have counsel at the time the court issues an order to extend the hold under subdivision 7, the court shall promptly appoint counsel for the carrier.

Subd. 9. [IMMUNITY.] A disease prevention officer, peace officer, physician, licensed health professional, or treatment facility that acts in good faith under this section is immune from liability in any civil, administrative, disciplinary, or criminal action for acting under this section.

Sec. 10. [144.4808] [APPREHEND AND HOLD ORDER.]

Subdivision 1. [APPLICATION FOR APPREHEND AND HOLD ORDER.] The commissioner may make an ex parte application for an order to apprehend and hold a carrier who is not in a treatment facility if the commissioner has probable cause to believe that a carrier is:

- (1) an endangerment to the public health; and
- (2) either in imminent danger of exposing another person or persons to tuberculosis, or may flee or become unlocatable.

The commissioner shall file the application in the probate division of the district court of the county in which the carrier resides. The application may be filed orally by telephone or by facsimile, provided that a written application is filed within 72 hours, excluding Saturdays, Sundays, and legal holidays.

Subd. 2. [COURT ORDER TO APPREHEND AND HOLD.] The court may find probable cause to apprehend and hold the carrier based upon a written statement by facsimile or oral statement by telephone from the carrier's attending physician or nurse, a public health physician or nurse, other licensed health professional, or disease prevention officer, stating the grounds and facts that demonstrate that the carrier is an endangerment to the public health, provided that an affidavit from such witness is filed with the court within 72 hours, excluding Saturdays, Sundays, and legal holidays. The court may issue an order to a peace officer or to a disease prevention officer, or both to:

- (1) apprehend and transport the carrier to a designated treatment facility, and detain the carrier until the carrier is admitted to the treatment facility; or
- (2) apprehend and isolate the carrier.

The order may be issued orally by telephone, or by facsimile, provided that a written order is issued within 72 hours, excluding Saturdays, Sundays, and legal holidays. The oral and written order shall contain a notice of the carrier's rights contained in section 144.4805, subdivision 3, clause (6).

Subd. 3. [DURATION OF DETENTION.] A carrier may be detained under this subdivision up to six days, excluding Saturdays, Sundays, and legal holidays. A carrier may not be released prior to the expiration of the hold authorized under this section without the express consent of the commissioner.

Subd. 4. [APPREHENSION OF CARRIER.] If the carrier flees or forcibly resists the peace officer or disease prevention officer, the officer may use all necessary and lawful means to apprehend, hold, transport, or isolate the carrier. This subdivision is authority for the officer to carry out the duties specified in this section. The commissioner shall provide any information and equipment necessary to protect the officer from becoming exposed to tuberculosis.

Subd. 5. [APPOINTMENT OF COUNSEL.] If the carrier does not have counsel at the time the court issues an apprehend and hold order under subdivision 2, the court shall promptly appoint counsel for the carrier.

Subd. 6. [IMMUNITY.] A disease prevention officer, peace officer, physician, licensed health professional, or treatment facility that acts in good faith under this section is immune from liability in any civil, administrative, disciplinary, or criminal action for acting under this section.

Sec. 11. [144.4809] [PRELIMINARY HEARING.]

Subdivision 1. [GROUNDS FOR HEARING.] A party may petition the court for an order for enforcement of or relief from a health order or judicial order.

Subd. 2. [PETITION FOR PRELIMINARY HEARING.] The petitioning party shall serve on the commissioner and file in the probate division of the district court of the county in which the

carrier or respondent resides a petition and notice of preliminary hearing. The court shall hold a preliminary hearing no later than 15 days from the date of the filing and service of the petition for a preliminary hearing . If a carrier detained under section 144.4807 or 144.4808 files a petition for a preliminary hearing, the hearing must be held no later than five days from the date of the filing and service of the petition, excluding Saturdays, Sundays, and legal holidays.

Subd. 3. [COMMISSIONER'S NOTICE OF HEARING.] If the commissioner petitions the court to enforce the health order, the notice of the preliminary hearing must contain the following information:

- (1) the date, time, and place of the hearing;
- (2) the right of the carrier to be represented by court-appointed counsel during any proceeding under sections 144.4801 to 144.4813;
- (3) the right of the carrier or respondent to the assistance of an interpreter in any proceeding under sections 144.4801 to 144.4813;
- (4) the right of the carrier or respondent to appear at the hearing;
- (5) the right of the carrier or respondent to present and cross-examine witnesses;
- (6) a statement of any disputed facts, or a statement of the nature of any other disputed matter; and
- (7) the name and address of any witness that the petitioning party intends to call to testify at the hearing, and a brief summary of the witness' testimony.

Subd. 4. [CARRIER'S OR RESPONDENT'S NOTICE OF HEARING.] If the carrier or respondent petitions the court for relief from the health order or court order, the notice of preliminary hearing must contain the information in subdivision 3, clauses (1), (6), and (7).

Subd. 5. [DUTY TO COMMUNICATE.] (a) At least five days before the date of the preliminary hearing, excluding Saturdays, Sundays, and legal holidays, the nonpetitioning party shall respond to the petition for hearing by filing and serving on the petitioning party:

- (1) a statement of any disputed facts, or a statement of the nature of any other disputed matter; and
- (2) the name and address of any witness that the nonpetitioning party intends to call to testify at the hearing, and a brief summary of the witness' testimony.

If the carrier seeks release from an emergency hold ordered under section 144.4807, subdivision 7, or under section 144.4808, subdivision 2, the commissioner shall file and serve on the carrier's counsel the items in clauses (1) and (2) at least 48 hours prior to the preliminary hearing, excluding Saturdays, Sundays, and legal holidays.

(b) At the hearing, the parties shall identify the efforts they made to resolve the matter prior to the preliminary hearing.

Subd. 6. [HEARING ROOM IN TREATMENT FACILITY.] If the carrier is infectious, the treatment facility in which the carrier is sought to be detained or to which the carrier is sought to be removed shall make reasonable accommodations to provide a room where the hearing may be held that minimizes the risk of exposing persons attending the hearing to tuberculosis. If a room is not available at the treatment facility, the court may designate another location for the hearing.

Subd. 7. [STANDARD OF PROOF.] The commissioner must prove by a preponderance of the evidence that the carrier is an endangerment to the public health.

Subd. 8. [RULES OF EVIDENCE.] The court shall admit all reliable relevant evidence. Medical and epidemiological data must be admitted if it conforms with section 145.31, chapter 600, Minnesota Rules of Evidence, rule 803(6), or other statutes or rules that permit reliable

evidence to be admitted in civil cases. The court may rely on medical and epidemiological data, including hearsay, if it finds that physicians and other licensed health professionals rely on the data in the regular course of providing health care and treatment.

Subd. 9. [SUFFICIENCY OF EVIDENCE.] It is a sufficient basis for the court to order continued confinement of the carrier or other preventive measures requested by the commissioner if reliable testimony is provided solely by the carrier's attending physician or nurse, a public health physician or nurse, other licensed health professional, or disease prevention officer.

Subd. 10. [FAILURE TO APPEAR AT HEARING.] If the carrier or respondent fails to appear at the hearing without prior court approval, the hearing may proceed without the carrier or respondent and the court may make its determination on the basis of all reliable evidence submitted at the hearing.

Sec. 12. [144.4810] [FINAL HEARING.]

Subdivision 1. [GROUNDS FOR HEARING.] After the preliminary hearing, the commissioner, carrier, or respondent may petition the court for relief from or enforcement of the court order issued pursuant to the preliminary hearing. The commissioner may petition the court for additional preventive measures if the carrier or respondent has not complied with the court order issued pursuant to the preliminary hearing. The petitioning party shall serve and file a petition and notice of hearing with the probate division of the district court. The court shall hold the final hearing no later than 15 days from the date of the filing and service of the petition for a final hearing.

Subd. 2. [NOTICE OF HEARING.] The notice of the final hearing must contain the same information as for the preliminary hearing in section 144.4809, subdivision 3 or 4.

Subd. 3. [DUTY TO COMMUNICATE.] The parties have a duty to communicate and exchange information as provided in section 144.4809, subdivision 5.

Subd. 4. [HEARING ROOM IN TREATMENT FACILITY.] The hearing room for the final hearing is governed by section 144.4809, subdivision 6.

Subd. 5. [STANDARD OF PROOF.] The commissioner must prove by clear and convincing evidence that the carrier is an endangerment to the public health.

Subd. 6. [RULES OF EVIDENCE.] The rules of evidence are governed by section 144.4809, subdivision 8.

Subd. 7. [SUFFICIENCY OF EVIDENCE.] The sufficiency of evidence is governed by section 144.4809, subdivision 9.

Subd. 8. [FAILURE TO APPEAR AT HEARING.] The failure of the carrier or respondent to appear at the hearing is governed by section 144.4809, subdivision 10.

Subd. 9. [RIGHT OF APPEAL.] The commissioner, carrier, or respondent may appeal the decision of the district court. The court of appeals shall hear the appeal within 60 days after filing and service of the notice of appeal.

Subd. 10. [RIGHT OF COMMISSIONER TO ISSUE SUBSEQUENT ORDER.] Notwithstanding any ruling by the district court, the commissioner may issue a subsequent health order if the commissioner has probable cause to believe that a health order is necessary based on additional facts not known or present at the time of the district court hearing.

Sec. 13. [144.4811] [PERIODIC REVIEW AND RELEASE FROM DETENTION.]

Subdivision 1. [PERIODIC REVIEW.] If the carrier has been detained in a treatment facility or has been isolated pursuant to a court order, the commissioner shall submit a report to the court, the carrier, and the carrier's counsel within 90 days of the date of the court-ordered detention and every 90 days thereafter, until the carrier is released. The report must state the treatment the carrier



receives, whether the carrier is cured or noninfectious, and whether the carrier will continue to be detained. If the carrier contests the commissioner's determination for continued detention, the carrier may request a hearing. The hearing on continued detention is governed by the provisions for a final hearing under section 144.4810, excluding subdivision 5 of that section. The court shall order continued detention of the carrier if it finds that such detention is reasonable. This subdivision does not apply to consent orders or other confinement that has been voluntarily agreed upon by the parties.

Subd. 2. [CARRIER'S PETITION FOR RELEASE.] If the carrier is detained in a treatment facility or isolated pursuant to a court order, the carrier may make a good faith request for release from confinement prior to the 90-day review under subdivision 1 by filing a petition and notice of hearing with the court that ordered the confinement and by serving the petition and notice on the commissioner. The hearing on continued confinement is governed by the provisions for a final hearing under section 144.4810, excluding subdivision 5 of that section. The court shall order continued detention of the carrier if it finds that such detention is reasonable.

Subd. 3. [RELEASE FROM DETENTION BASED ON ORDER TO COMPEL EXAMINATION.] A carrier who has been detained in a treatment facility under a court order to compel the carrier to submit to a diagnostic tuberculosis examination shall be released only after:

- (1) the commissioner determines that the carrier does not have active tuberculosis; or
- (2) the commissioner determines that the carrier is not an endangerment to the public health.

Subd. 4. [RELEASE FROM DETENTION BASED ON ENDANGERMENT.] A carrier who is detained in a treatment facility or isolated under a court order because the carrier is an endangerment to the public health shall be released only after:

- (1) the commissioner determines that the carrier is cured; or
- (2) the commissioner determines that the carrier is no longer an endangerment to the public health.

Sec. 14. [144.4812] [COSTS OF CARE.]

The costs incurred by the treatment facility and other providers of services to diagnose or treat the carrier for tuberculosis must be borne by the carrier, the carrier's health plan, or public programs. During the period of insurance coverage, a health plan may direct the implementation of the care required by the health order or court order and shall pay at the contracted rate of payment, which shall be considered payment in full. Inpatient hospital services required by the health order or court order and covered by medical assistance or general assistance medical care are not billable to any other governmental entity. If the carrier cannot pay for treatment, and the carrier does not have public or private health insurance coverage, the carrier shall apply for financial assistance with the aid of the county. For persons not otherwise eligible for public assistance, the commissioner of human services shall determine what, if any, costs the carrier shall pay. The commissioner of human services shall make payments at the general assistance medical care rate, which will be considered payment in full.

Sec. 15. [144.4813] [DATA PRIVACY.]

Subdivision 1. [NONPUBLIC DATA.] Data on individuals contained in the health order are health data under section 13.38. Other data on individuals collected by the commissioner as part of an investigation of a carrier under sections 144.4801 to 144.4813 are investigative data under section 13.39.

Subd. 2. [PROTECTIVE ORDER.] After a judicial action is commenced, a party may seek a protective order to protect the disclosure of portions of the court record identifying individuals or entities.

Subd. 3. [RECORDS RETENTION.] A records retention schedule for records developed under sections 144.4801 to 144.4813 must be established pursuant to section 138.17, subdivision 7."

Delete the title and insert:

"A bill for an act relating to health; providing for the isolation and detention of persons with active tuberculosis who pose an endangerment to the public health; establishing standards and procedures for isolation and detention; requiring reporting by licensed health professionals; modifying tuberculosis screening requirements; amending Minnesota Statutes 1996, section 144.445, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 144."

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. Novak from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 18:** A bill for an act relating to employment; increasing the minimum wage; amending Minnesota Statutes 1996, section 177.24, subdivision 1.

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

Page 2, after line 4, insert:

"(d) An employer may credit, apply, or utilize gratuities received by an employee employed at a restaurant or food service establishment toward payment of the minimum wage set by this section or federal law at a rate of up to 50 cents per hour before September 1, 1997, and up to 90 cents per hour thereafter for an employee; provided, that, the employer pays for the cost of health care coverage for the employee. The coverage must at least provide the level of benefits required of a number three plan under section 62E.06 or of the small employer benefit plans described under section 62L.05."

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

**Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred**

**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.

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

Delete everything after the enacting clause and insert:

"Section 1. [504.215] [TENANT'S RIGHT TO SEEK POLICE AND EMERGENCY ASSISTANCE.]

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

(b) "Landlord" means the owner as defined in section 566.18, subdivision 3, the owner's agent, or a person acting under the owner's direction and control.

(c) "Tenant" has the meaning given in section 566.18, subdivision 2.

Subd. 2. [EMERGENCY CALLS PERMITTED.] (a) A landlord may not:

(1) bar or limit a tenant's right to call for police or emergency assistance; or

(2) impose a penalty on a tenant for calling for police or emergency assistance.

(b) A tenant may not waive and a landlord may not require the tenant to waive the tenant's right to call for police or emergency assistance.

Subd. 3. [LOCAL PREEMPTION.] This section preempts any inconsistent local ordinance or rule including, without limitation, any ordinance or rule that:

(1) requires an eviction after a specified number of calls by a tenant for police or emergency assistance; or

(2) provides that calls by a tenant for police or emergency assistance may be used to penalize or charge a fee to a landlord.

Subd. 4. [TENANT RESPONSIBILITY.] This section shall not be construed to condone or permit any breach of a lease or of law by a tenant including, but not limited to, disturbing the peace and quiet of other tenants, damage to property, and disorderly conduct.

Subd. 5. [TENANT REMEDIES.] A tenant may bring a civil action for a violation of this section and recover from the landlord treble damages or \$500, whichever is greater, and reasonable attorney's fees.

Subd. 6. [ATTORNEY GENERAL AUTHORITY.] The attorney general has authority under section 8.31 to investigate and prosecute violations of this section.

## Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment and applies to all leases entered into, modified, or renewed on or after that date. A provision in a current lease in conflict with section 1 is unenforceable on and after that effective date."

Delete the title and insert:

"A bill for an act relating to landlord and tenant; prohibiting landlords from penalizing tenants solely for seeking police or emergency assistance; superseding inconsistent local regulation; authorizing the attorney general to investigate and prosecute violations; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 504."

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

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

**S.F. No. 1146:** A bill for an act relating to the city of Duluth; authorizing the creation of a nonprofit corporation and the transfer of all of the assets and liabilities of the Miller-Dwan Medical Center to the nonprofit corporation; requiring that the nonprofit corporation satisfy the state law requirement relating to charitable trusts.

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

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

**S.F. No. 309:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Mille Lacs county.

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

Delete everything after the enacting clause and insert:

"Section 1. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATERS; BLUE EARTH COUNTY.]

Subdivision 1. [CONVEYANCE.] (a) Notwithstanding Minnesota Statutes, chapter 282 and section 92.45, Blue Earth county may convey to the city of Mankato for no consideration the tax-forfeited land bordering on public waters that is described in subdivision 2.

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city stops using the land for public recreational purposes.

(c) The county has determined that it is in the public's best interest to convey the parcel to the city of Mankato for use in connection with the North Minnesota River Trail.

Subd. 2. [DESCRIPTION.] The parcel of land that may be conveyed is located in Blue Earth county and is described as:

That part of Government Lot 4 in Section 7, Township 108, North Range 26 West, Blue Earth County, Minnesota, being bounded by the following described lines:

On the North by the south line of a plat entitled Mankato City and its westerly extension; On the South by the north line of a plat entitled City of Mankato; On the East by the westerly right-of-way line of the abandoned Union Pacific Railroad Company; and On the West by the Minnesota River.

Containing 2.84 acres, more or less.

**Sec. 2. [SALE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR INCLUDING WETLANDS; CASS COUNTY.]**

Subdivision 1. [SALE REQUIREMENTS.] (a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, Cass county may sell the tax-forfeited lands bordering public water or natural wetlands that are described in subdivision 2, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general.

Subd. 2. [DESCRIPTIONS.] The parcels of land that may be conveyed are described in paragraphs (a) and (b).

(a) The lands described in clauses (1) and (2) must be sold under the alternate sale provisions in Minnesota Statutes, section 282.01, subdivision 7a:

(1) that part of Lot 13 Lying South of the North line of 139-26, Sabin's Northburn Acres, Crooked Lake Township (PIN 12-371-0130); and

(2) Government Lot 1, Section 7-137-29, Wilson Township (PIN 50-007-2201).

(b) The lands described in clauses (1) to (4) must be sold as provided in subdivision 1:

(1) Outlot C, First Addition to Village of East Gull Lake Section 17-134-29 (PIN 87-369-0141);

(2) Lot 3 Wedgewoods, Section 13-141-28, Kego Township (PIN 19-379-0030);

(3) Lots 4 & 5, Block 12, Forbes Addition to Pine River, Section 31-138-29 (PIN 94-349-1260); and

(4) Lot 6, Block 2, Riverside, Section 6-137-29, Wilson Township (PIN 50-358-0230).

(c) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 3. [SALE OF TAX-FORFEITED LAND; CROW WING COUNTY.]**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Crow Wing county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land that may be conveyed is located in Crow Wing county and is described as:

(1) Central Addition No. 2 to Crosby, Lot 1, Block 3;

(2) East 100 feet of West 1000 feet of Government Lot 4, Section 6, Township 136 North, Range 26 West; and

(3) Seventeenth Addition to Breezy Point Estates to the City of Breezy Point, Lot 98.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 4. [SALE OF TAX-FORFEITED LAND; BECKER COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Becker county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Becker county and is described as:

(1) That part of Government Lot 5 of Section 14, Township 138 North, Range 43 West, described as follows:

Commencing at a cast iron monument which designates the northwest corner of said Government Lot 5; thence South 04 degrees 17 minutes 38 seconds East 1786.20 feet on an assumed bearing along the west line of said Section 14 to the point of beginning; thence continuing South 04 degrees 17 minutes 38 seconds East 220.00 feet along the west line of said Section 14; thence South 68 degrees 32 minutes 38 seconds East 100 feet, more or less, to the water's edge of Big Cormorant Lake; thence northerly along the water's edge of said Big Cormorant Lake to the intersection with a line which bears South 68 degrees 32 minutes 38 seconds East from the point of beginning; thence North 68 degrees 32 minutes 38 seconds West 25 feet, more or less, to an iron monument; thence continuing North 68 degrees 32 minutes 38 seconds West 61.91 feet to an iron monument; thence continuing North 68 degrees 32 minutes 38 seconds West 86.02 feet to an iron monument; thence continuing North 68 degrees 32 minutes 38 seconds West 8.78 feet to the point of beginning;

(2) A Twelve Hundredths (0.12) acre lakeshore tract of land in Government Lot One of Section 34, Township 138 North, Range 43 West described as follows: Beginning at a point that bears South 50 degrees 7 minutes West 536.5 feet and South 62 degrees 36 minutes West 102 feet from the Northeast corner (Meander Corner #45) of the said Government Lot One; thence running South 62 degrees 36 minutes West 51.0 feet; thence North 37 degrees 58 minutes West 106.4 feet to an iron stake on the shore line of Lake Ida; thence North 62 degrees 36 minutes East 50.0 feet along the shore line of Lake Ida; thence South 38 degrees 30 minutes East 106.6 feet to the point of beginning and there terminating;

(3) Government Lot 5, Section 34, Township 139 North, Range 43 West;

(4) Lot 16 and Lot 17, Block 4, Bijou Heights, Section 29 and 30, Township 139 North, Range 43 West;

(5) That part of Government Lot 6 of Section 6, Township 138 North, Range 42 West described as follows: Commencing at an iron monument which designates the south quarter corner of said Section 6; thence South 88 degrees 37 minutes 43 seconds West 237.00 feet on an assumed bearing along the south line of said Section 6; thence North 01 degree 36 minutes 59 seconds West 145.37 feet parallel with the north-south quarter line of said Section 6 to the northerly right of way line of County State Aid Highway No. 6, said point is the point of beginning; thence continuing North 01 degree 36 minutes 59 seconds West parallel with said north-south quarter line to the intersection with the southerly line of Outlot C or its easterly extension, said Outlot C is a part of the plat of SUMMER ISLAND which is on file and of record in the office of the Recorder of said

county; thence westerly 580 feet, more or less, along the easterly extension of the southerly line and along the southerly line of said Outlot C to the southwesterly corner of said Outlot C; thence southerly along the easterly line of said Outlot C; thence southerly along the easterly line of a Dedicated Public Road according to said SUMMER ISLAND to the northerly right of way line of said County State Aid Highway No. 6, thence easterly 580 feet more or less, along the northerly right of way line of said County State Aid Highway No. 6 to the point of beginning;

(6) All of the Northwest 1/4 of the Southeast 1/4 lying East of Creek, Section 26, Township 138 North, Range 42 West;

(7) Lot 11, Black Hawk Mountain Beach, Section 6, Township 138 North, Range 42 West;

(8) Lot 26, Block 1, Lakeland Estates, Section 4, Township 138 North, Range 42 West; and

(9) Lot 4 and 5, Palin Beach, Section 30, Township 138 North, Range 42 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 5. [SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.]**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Aitkin county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be conveyed is located in Aitkin county and is described as:

(1) Lots 4 and 5, Block 1, Plat of Blackrock Woods, City of Aitkin; and

(2) Undivided 1/35 interest in Lot 5, Plat of Bakke's Woodland Beach, Township 44 North, Range 25 West, Section 29.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 6. [SALE OF TAX-FORFEITED LAND; MILLE LACS COUNTY.]**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Mille Lacs county may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land must be sold under the alternate sale procedures in Minnesota Statutes, section 282.01, subdivision 7a, and is located in Mille Lacs county, consists of about .29 acres, and is described as:

Government Lot No. 2, Section 2, Township 42 North, Range 27 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 7. [SALE OF STATE LANDS TO WILD RICE LESSEES.]**

(a) Notwithstanding Minnesota Statutes, sections 84A.56, 89.021, 89.27, and 92.45, and the public sale provisions of Minnesota Statutes, sections 94.10, 282.14, and 282.221, the commissioner of natural resources may sell by private sale to the wild rice lessees under leases authorized in Minnesota Statutes, section 92.501, the acquired, consolidated conservation and Volstead area lands described in paragraph (b) under the remaining sale provisions in Minnesota Statutes, sections 94.10 and 282.14 to 282.226. The affected counties must approve these sales for consolidated conservation and Volstead area lands.

(b) The land that may be sold is described as:

(1) The Southeast Quarter of Section 10; that part of the West Half of the Southwest Quarter of Section 11 lying westerly of the west bank of the Tamarac River; the Southeast Quarter of the Northwest Quarter and that part of the Northeast Quarter lying westerly of the west bank of the Tamarac River of Section 15; the Northwest Quarter of the Northwest Quarter and the West 160 feet of the Northeast Quarter of the Northwest Quarter of Section 16, Township 154 North, Range 30 West, Beltrami county, Minnesota;

(2) The Northwest Quarter of the Southwest Quarter, Section 11, Township 152 North, Range 32 West, Beltrami county, Minnesota;

(3) The North Half of the Southwest Quarter, the North Half of the Southwest Quarter of the Southwest Quarter, and the North Half of the Northwest Quarter of the Southeast Quarter of Section 14, Township 152 North, Range 32 West; the Northeast Quarter of the Southwest Quarter of Section 19, Township 155 North, Range 31 West; and Government Lot 1, the East 330 feet of Government Lot 2, and the North 330 feet of Government Lot 6, Section 25, Township 155 North, Range 32 West, Beltrami county, Minnesota;

(4) The South 330 feet of Government Lot 4 and the south 330 feet of the Southeast Quarter of the Southwest Quarter of Section 18; Government Lots 1, 2, 3 and 4, the East Half of the Northwest Quarter, the East Half of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter, the West 200 feet of the Southeast Quarter of the Southeast Quarter; and the West 900 feet of the South 700 feet of the Northwest Quarter of the Southeast Quarter of Section 19; and the North Half of the Northeast Quarter of Section 30, Township 154 North, Range 29 West, Koochiching county, Minnesota;

(5) The Northwest Quarter of the Northeast Quarter and the North 330 feet of the Southwest Quarter of the Northeast Quarter of Section 22, Township 150 North, Range 39 West, Polk county, Minnesota;

(6) The Southeast Quarter of the Northwest Quarter; that part of the Southwest Quarter of the Northwest Quarter lying east of County Road No. 24; that part of the Northwest Quarter of the Northwest Quarter lying south of the south bank of State Ditch No. 63 and east of County Road No. 24; and that part of the North Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter lying south of the south bank of State Ditch No. 63; all in Section 27, Township 48 North, Range 27 West, Aitkin county, Minnesota;

(7) The Northeast Quarter of Section 35, Township 48 North, Range 27 West, Aitkin county, Minnesota;

(8) The Northwest Quarter of the Northeast Quarter of Section 8, Township 48 North, Range 26 West, Aitkin county, Minnesota;

(9) The West Half of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, and the South 660 feet of the Northeast Quarter of the Northeast Quarter of Section 10; and the West 330 feet of the Southwest Quarter of the Northwest Quarter of Section 11; Township 154 North, Range 30 West, Beltrami county, Minnesota;

(10) The South 660 feet of the Northwest Quarter of the Northwest Quarter, the South 660 feet of the West 660 feet of the Northeast Quarter of the Northwest Quarter, the North 660 feet of the West 660 feet of the Southeast Quarter of the Northwest Quarter, and the South Half of the Northeast Quarter of the Southwest Quarter of Section 21, Township 154 North, Range 30 West, Beltrami county, Minnesota; and

(11) The Northeast Quarter of the Northwest Quarter, Section 11, Township 153 North, Range 31 West, Beltrami county, Minnesota.

(c) The conveyances shall be in a form approved by the attorney general. In determining the value of the described lands, no improvements paid for by the lessee shall be added to the value of the land.

Sec. 8. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to state lands; authorizing the conveyance of tax-forfeited land bordering on public waters to the city of Mankato for no consideration; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Cass county; authorizing public sale of certain tax-forfeited land that borders public water in Crow Wing county; authorizing public sale of certain tax-forfeited land that borders public water in Becker county; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county; authorizing sale of certain tax-forfeited land that borders public water in Mille Lacs county; authorizing private sale of certain state lands to wild rice lessees."

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

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

**S.F. No. 1181:** A bill for an act relating to agriculture; classifying industrial hemp as an agricultural product subject to regulation and licensing by the commissioner of agriculture; requiring growers of industrial hemp to obtain a license from the commissioner; transferring regulatory authority over industrial hemp from the board of pharmacy to the commissioner of agriculture; proposing coding for new law in Minnesota Statutes, chapter 18.

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

Delete everything after the enacting clause and insert:

"Section 1. [18.324] [REGULATION OF THE PRODUCTION OF INDUSTRIAL HEMP.]

Subdivision 1. [LEGISLATIVE FINDINGS AND PURPOSE.] The legislature finds that the development and use of industrial hemp is in the best interests of the state economy and agriculture and that the production of industrial hemp can be regulated so as not to interfere with the strict control of controlled substances in this state. The purpose of this section is to promote the economy, agriculture, public safety, health and welfare by permitting the development of an industrial hemp industry while maintaining strict control of marijuana.

Subd. 2. [DEFINITIONS.] (a) As used in this section, the following terms have the meanings given in this subdivision.

(b) "Commercial uses" means noninjurious adaptations of industrial hemp to manufacture rope, sacks, and other sisal hemp products, batts, yarn, paper, composite materials, thread, cordage, merchandise, cloth, and other noninjurious products made from fiber, sterilized seed, or inner hurds.

(c) "Commissioner" means the commissioner of agriculture.

(d) "Industrial hemp" means C. sativa L.

Subd. 3. [INDUSTRIAL HEMP AS AN AGRICULTURAL CROP PERMITTED.] Notwithstanding chapter 152, the growing and maintenance of industrial hemp is permitted in this state by persons registered under subdivision 4 for commercial uses only. Hemp produced by a person registered under subdivision 4 is not a noxious weed under section 18.77, subdivision 8.

Subd. 4. [REGISTRATION.] Any person desiring to grow industrial hemp for noninjurious commercial uses shall register with the commissioner on a form prescribed by the commissioner. The registration must describe the commercial uses for which the industrial hemp will be grown and the land where it will be grown. The commissioner may grant the applicant a registration to grow industrial hemp for the commercial uses described in the registration form, and the growing of industrial hemp by the registrant pursuant to the terms of the registration shall be lawful.



Subd. 5. [NOTIFICATION REQUIRED.] A person registered under subdivision 4 shall notify the commissioner annually of the sale and distribution of industrial hemp grown under the terms of the registration and shall provide the commissioner with the names of the persons to whom the industrial hemp is sold or distributed.

Subd. 6. [PENALTY.] Any person who grows industrial hemp in violation of this section is subject to the applicable criminal penalties provided in chapter 152."

Delete the title and insert:

"A bill for an act relating to agriculture; classifying industrial hemp as an agricultural product subject to regulation and registration by the commissioner of agriculture; requiring growers of industrial hemp to register with the commissioner; proposing coding for new law in Minnesota Statutes, chapter 18."

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

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 364:** A bill for an act relating to public safety; authorizing release of investigative data relating to crimes perpetrated by a juvenile to the victim; providing that persons convicted of terroristic threats have the burden of proof to establish that custody or visitation is in the best interests of a child; requiring notification of a victim when sentence modification occurs; extending the crime victim and witness advisory council expiration date; amending Minnesota Statutes 1996, sections 260.161, subdivision 3; 518.179, subdivision 2; 611A.039, subdivision 1; and 611A.71, subdivision 7.

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

Page 4, line 14, delete "or the"

Page 4, delete line 15

Page 4, line 16, delete everything before the period and after the period, insert "The name of the perpetrator or other information from which the perpetrator may be identified may not be included in the released data."

Page 5, line 9, delete "or"

Page 5, line 10, before the period, insert "; or

(16) felony harassment or stalking violations under section 609.749"

Page 5, delete sections 3 and 4 and insert:

"Sec. 3. [611A.0395] [RIGHT TO NOTICE OF SENTENCE MODIFICATION.]

In a criminal case in which there is an identifiable crime victim, when a court is considering modifying the sentence for a felony or a crime of violence or an attempted crime of violence, the court or its designee shall make a reasonable and good faith effort to notify the victim of the crime. If the victim is incapacitated or deceased, notice must be given to the victim's family. If the victim is a minor, notice must be given to the victim's parent or guardian. The notice must include:

(1) the date and approximate time of the review;

(2) the location where the review will occur;

(3) the name and telephone number of a person that can be contacted for additional information; and

(4) a statement that the victim and victim's family may present information to the court concerning the sentence modification.

As used in this section, "crime of violence" has the meaning given in section 624.712, subdivision 5, and also includes gross misdemeanor violations of section 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and 609.749."

Amend the title as follows:

Page 1, line 5, after "threats" insert "or felony stalking or harassment violations"

Page 1, lines 9 and 10, delete "extending the crime victim and witness advisory council expiration date;"

Page 1, line 11, after the semicolon, insert "and"

Page 1, lines 12 and 13, delete "611A.039, subdivision 1; and 611A.71, subdivision 7" and insert "proposing coding for new law in Minnesota Statutes, chapter 611A"

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

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

**S.F. No. 100:** A bill for an act relating to state government; establishing Minnesota office of technology; creating North Star information access account; authorizing rulemaking; appropriating money; amending Minnesota Statutes 1996, section 13.99, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 237A.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. [237A.01] [OFFICE OF TECHNOLOGY.]

Subdivision 1. [PURPOSE.] The Minnesota office of technology is an agency in the executive branch managed by an executive director appointed by the governor in accordance with section 237A.02, subdivision 1. The office shall provide leadership and direction for information and communications technology policy in Minnesota. The office shall attempt to establish Minnesota as a national and global leader in electronic commerce, including trade, distance learning, telemedicine, and government services, and to ensure that Minnesota's citizens and businesses receive the benefits of the emerging competitive market for advanced information and communications products and services as well as reasonable consumer protection. The office shall attempt to coordinate public and private efforts to advance the development of a statewide information and communications technology infrastructure.

Subd. 2. [DISCRETIONARY POWERS.] The office may:

(1) within its authorized spending authority, enter into contracts for goods or services with public or private organizations and charge fees for services it provides;

(2) apply for, receive, and expend money from public agencies;

(3) apply for, accept, and disburse grants and other aids from the federal government and other public or private sources;

(4) enter into contracts with agencies of the federal government, local governmental units, the University of Minnesota and other educational institutions, and private persons and other nongovernmental organizations as necessary to perform its statutory duties;

(5) appoint committees and task forces to assist the office in carrying out its duties;

(6) sponsor and conduct conferences and studies, collect and disseminate information, and issue reports relating to information and communications technology issues;

(7) participate in the activities of standards bodies and other appropriate conferences related to information and communications technology issues;

(8) review the technology infrastructure of regions of the state and cooperate with and make recommendations to the governor, legislature, state agencies, local governments, local technology development agencies, the federal government, private businesses, and individuals for the realization of information and communications technology infrastructure development potential;

(9) sponsor, support, and facilitate innovative and collaborative economic and community development and government services projects, including technology initiatives related to culture and the arts, with public and private organizations; and

(10) review and recommend alternative sourcing strategies for state information and communication systems.

Subd. 3. [DUTIES.] The office shall:

(1) coordinate the efficient and effective use of available federal, state, local, and private resources to develop statewide information and communications technology and its infrastructure;

(2) review state agency and intergovernmental information and communications systems development efforts involving state or intergovernmental funding, provide information to the legislature in accordance with section 16A.11 regarding projects reviewed, and recommend projects for inclusion in the information technology budget under section 16A.11;

(3) encourage cooperation and collaboration among state and local governments in developing intergovernmental communication and information systems, and define the structure and responsibilities of the information policy council;

(4) continue the development of North Star, the state's official comprehensive on-line service and information initiative;

(5) promote and collaborate with the state's agencies in the state's transition to an effectively competitive telecommunications market;

(6) promote and coordinate education and lifelong learning initiatives to assist Minnesotans to develop technical literacy and obtain access to ongoing learning resources;

(7) promote and coordinate public information access and network initiatives to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

(8) promote and coordinate electronic commerce initiatives to ensure that Minnesota businesses and citizens can successfully compete in the global economy;

(9) promote and coordinate the regular and periodic reinvestment in the core information and communications technology infrastructure so state and local government agencies can effectively and efficiently serve their customers;

(10) facilitate the cooperative development of standards for information systems, electronic data practices and privacy, and electronic commerce among international, national, state, and local public and private organizations; and

(11) work with others to avoid unnecessary duplication of existing services or activities provided by other public and private organizations while building on the existing governmental, educational, business, health care, and economic development infrastructures.

Sec. 2. [237A.02] [OFFICE OF TECHNOLOGY STRUCTURE AND PERSONNEL.]

Subdivision 1. [OFFICE MANAGEMENT AND STRUCTURE.] The executive director shall

serve as the chief information officer and technology advisor to the governor. The salary of the executive director may not exceed 85 percent of the governor's salary. The executive director may employ a deputy director, assistant directors, and other employees the executive director may consider necessary. The staff of the office must include individuals knowledgeable in information and communications technology. The executive director may define the duties and designate the titles of the employees in accordance with chapter 43A.

Subd. 2. [INTERGOVERNMENTAL PARTICIPATION.] The executive director or the director's designee shall serve as a member of the Minnesota education telecommunications council, the geographic information systems council, the library planning task force, and their respective successor organizations, and as a member of Minnesota Technology, Inc., the Minnesota health data institute, and the Minnesota world trade center corporation.

Sec. 3. [237A.03] [NORTH STAR INFORMATION ACCESS ACCOUNT.]

The North Star information access account is in the special revenue fund. Money in the account is appropriated to the office to be used to continue the development of the North Star project as provided in this chapter. The account consists of:

- (1) grants received from nonstate entities;
- (2) fees and charges collected by the office;
- (3) gifts, donations, and bequests made to the office; and
- (4) other funds credited to the account by law.

Sec. 4. [237A.04] [ADMINISTRATION OF STATE INFORMATION AND COMMUNICATIONS SYSTEMS.]

Subdivision 1. [DEFINITIONS.] For the purposes of sections 237A.04 to 237A.06 the following terms have the meanings given them.

(a) "Information and communications technology activity" means the development or acquisition of information and communications technology devices and systems.

(b) "Data processing device or system" means equipment or computer programs, including computer hardware, firmware, software, and communication protocol, used in connection with the processing of information through electronic data processing means, and includes data communication devices used in connection with computer facilities for the transmission of data.

(c) "State agency" includes state colleges and universities and the Minnesota higher education services office.

Subd. 2. [EXECUTIVE DIRECTOR'S RESPONSIBILITY.] The executive director shall coordinate the state's information and communications technology systems to serve the needs of the state government. The executive director shall:

(1) coordinate the design of a master plan for information and communications technology systems in the state and its political subdivisions and shall report on the plan to the governor and legislature at the beginning of each regular session;

(2) coordinate all information and communications technology plans and contracts and oversee the state's information and communications systems;

(3) establish standards for information and communications systems that encourage competition and support open systems environments and that are compatible with national and international standards; and

(4) maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government.

Subd. 3. [EVALUATION PROCEDURE.] The executive director shall establish and, as necessary, update and modify procedures to evaluate information and communications activities proposed by state agencies. The evaluation procedure must assess the necessity, design and plan for development, ability to meet user requirements, feasibility, and flexibility of the proposed data processing device or system, its relationship to other state data processing devices or systems, and its costs and benefits when considered by itself and when compared with other options.

Subd. 4. [REPORT TO LEGISLATURE.] The executive director shall submit to the legislature, in the annual information technology budget required by section 16A.11, a concise narrative explanation of the activity and a request for any additional appropriation necessary to complete the activity.

Subd. 5. [SYSTEM DEVELOPMENT METHODOLOGY.] The executive director shall establish and, as necessary, update and modify methodologies for the development of information and communications systems appropriate to the specific needs of individual state agencies. The development methodology shall be used to define the design, programming, and implementation of systems. The development methodologies must also enable and require a data processing system to be defined in terms of its computer programs, input requirements, output formats, administrative procedures, and processing frequencies.

Subd. 6. [DATA SECURITY SYSTEMS.] In consultation with the attorney general and appropriate agency heads, the executive director shall develop data security policies, guidelines, and standards, and the commissioner of administration shall install and administer state data security systems on the state's centralized computer facility consistent with these policies, guidelines, standards, and state law to assure the integrity of computer-based and other data and to assure confidentiality of the data, consistent with the public's right to know as defined in chapter 13. Each department or agency head is responsible for the security of the department's or agency's data.

Subd. 7. [JOINT ACTIONS.] The executive director may join with the federal government, other states, local governments, and organizations representing those groups either jointly or severally in the development and implementation of systems analysis, information services, and computerization projects.

Subd. 8. [ELECTRONIC PERMITTING AND LICENSING.] The executive director, in consultation with affected parties, shall coordinate the development of a system through which state permits or licenses normally issued immediately upon payment of a fee may be issued through electronic access to the appropriate state agencies.

Sec. 5. [237A.05] [INFORMATION AND COMMUNICATIONS TECHNOLOGY POLICY.]

Subdivision 1. [DEVELOPMENT.] The office shall coordinate with state agencies in the development and establishment of policies and standards for state agencies to follow in developing and purchasing information and communications systems and training appropriate persons in their use. The office shall develop, promote, and coordinate state technology, architecture, standards and guidelines, information needs analysis techniques, contracts for the purchase of equipment and services, and training of state agency personnel on these issues.

Subd. 2. [RESPONSIBILITIES.] (a) In addition to other activities prescribed by law, the office shall carry out the duties set out in this subdivision.

(b) The office must develop and establish a state information architecture to ensure that further state agency development and purchase of information and communications systems, equipment, and services is designed to assure that individual agency information systems complement and do not needlessly duplicate or conflict with the systems of other agencies. When state agencies have need for the same or similar computer data, the executive director, in coordination with the affected agencies, shall ensure that the most efficient and cost-effective method of producing and storing data for or sharing data between those agencies is used. The development of this information architecture must include the establishment of standards and guidelines to be followed by state agencies.

(c) The office shall assist state agencies in the planning and management of information systems so that an individual information system reflects and supports the state agency's mission and the state's requirements and functions.

(d) The office must review agency requests for legislative appropriations for the development or purchase of information systems equipment or software.

(e) The office shall review major purchases of information systems equipment to:

(1) ensure that the equipment follows the standards and guidelines of the state information architecture;

(2) ensure that the equipment is consistent with the information management principles adopted by the information policy council;

(3) evaluate whether the agency's proposed purchase reflects a cost-effective policy regarding volume purchasing; and

(4) ensure that the equipment is consistent with other systems in other state agencies so that data can be shared among agencies, unless the office determines that the agency purchasing the equipment has special needs justifying the inconsistency.

(f) The office shall review the operation of information systems by state agencies and provide advice and assistance to assure that these systems are operated efficiently and continually meet the standards and guidelines established by the office. The standards and guidelines must emphasize uniformity that encourages information interchange, open systems environments, and portability of information whenever practicable and consistent with an agency's authority and chapter 13. The office, in consultation with the intergovernmental information systems advisory council and the legislative reference library, shall recommend specific standards and guidelines for each state agency within a time period fixed by the office in regard to the following:

(1) establishment of methodologies and systems directed at reducing and ultimately eliminating redundant storage of data;

(2) establishment of data retention schedules, disaster recovery plans and systems, security systems, and procedural safeguards concerning privacy of data; and

(3) establishment of information sales systems that utilize licensing and royalty agreements to the greatest extent possible, together with procedures for agency denial of requests for licenses or royalty agreements by commercial users or resellers of the information. Section 3.751 does not apply to those licensing and royalty agreements, and the agreements must include provisions that section 3.751 does not apply and that the state is immune from liability under the agreement.

(g) The office shall conduct a comprehensive review at least every three years of the information systems investments that have been made by state agencies and higher education institutions. The review must include recommendations on any information systems applications that could be provided in a more cost-beneficial manner by an outside source. The office must report the results of its review to the legislature and the governor.

(h) The office shall report to the legislature by January 15 of each year on progress in implementing paragraph (f), clauses (1) to (3).

Sec. 6. [237A.06] [GOVERNMENT INFORMATION ACCESS.]

Subdivision 1. [DUTIES.] The office of technology, in consultation with the intergovernmental information systems advisory council, shall:

(1) coordinate statewide efforts by units of state and local government to plan for and develop a system for providing access to government information;

(2) make recommendations to facilitate coordination and assistance of demonstration projects;

(3) advise units of state and local government on provision of government data to citizens and businesses; and

(4) explore ways and means to improve citizen and business access to public data, including implementation of technological improvements.

Subd. 2. [APPROVAL OF STATE AGENCY INITIATIVES.] A state agency shall coordinate with the office when implementing a new initiative for providing electronic access to state government information.

Subd. 3. [CAPITAL INVESTMENT.] No state agency may propose or implement a capital investment plan for a state office building unless:

(1) the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and

(2) the plan or statement has been reviewed by the office.

Sec. 7. [237A.07] [DATA.]

The following data received, compiled, or created by the office are classified as nonpublic data under chapter 13:

(1) financial data, statistics, and similar confidential or proprietary information of persons or businesses furnished to the office, including credit reports, financial statements, statements of net worth, income tax returns, either personal or corporate, and any other business and personal financial records; or

(2) security information, trade secret information, or labor relations information, as defined in section 13.37, subdivision 1, disclosed to the office or employees of the office.

## ARTICLE 2

Section 1. Minnesota Statutes 1996, section 16B.46, is amended to read:

16B.46 [TELECOMMUNICATION INFORMATION AND TELECOMMUNICATIONS SYSTEMS; POWERS.]

The commissioner shall ~~supervise and control~~ consult with the Minnesota office of technology in the operation of all centralized state information and telecommunication systems facilities including any transmission, emission, or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, optical, or other electromagnetic systems the MNet and intertechnologies facilities. Nothing in this section modifies, amends, or abridges any powers and duties presently vested in or imposed upon the commissioner of transportation or the commissioner of public safety relating to telecommunications facilities or the commissioner of transportation relating only to radio air navigation facilities or other air navigation facilities.

Sec. 2. Minnesota Statutes 1996, section 16B.465, subdivision 1, is amended to read:

Subdivision 1. [CREATION.] The statewide MNet leases private telecommunications access routing system provides resources to provide voice, data, video, and other telecommunications transmission services to state agencies; educational institutions, including public schools as defined in section 120.05, nonpublic, church or religious organization schools which provide instruction in compliance with sections 120.101 to 120.102, and private colleges; public corporations; and state political subdivisions. It is not a telephone company for purposes of chapter 237. It shall not resell or sublease any services or facilities to nonpublic entities ~~except it may serve private schools and colleges~~, but it may aggregate demand for public-private cooperatives. The commissioner has the responsibility for ~~planning, development, and operations of a statewide telecommunications access routing system operating MNet~~ in order to provide cost-effective telecommunications transmission services to system MNet users.

Sec. 3. Minnesota Statutes 1996, section 16B.465, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] The commissioner, after consultation with the ~~council~~ Minnesota office of technology, shall:

(1) ~~provide~~ lease voice, data, video, and other telecommunications transmission services ~~to for~~ the state and to political subdivisions through an account in the intertechnologies revolving fund;

(2) manage vendor relationships, network function, and capacity planning in order to be responsive to the needs of the system users;

(3) set rates and fees for services;

(4) approve contracts relating to the system;

(5) in consultation with the Minnesota office of technology, develop the system plan, including plans for the phasing of its implementation and maintenance of the initial system, and the annual program and fiscal plans for the system; and

(6) in consultation with the Minnesota office of technology, develop a plan for interconnection of the network with private colleges and public and private schools in the state.

Sec. 4. Minnesota Statutes 1996, section 16B.465, subdivision 4, is amended to read:

Subd. 4. [PROGRAM PARTICIPATION.] (a) The commissioner may ~~require~~ request the participation of state agencies, the state board of education, and the board of trustees of the Minnesota state colleges and universities and may request the participation of the board of regents of the University of Minnesota, in the planning and implementation of the network to provide interconnective technologies. The commissioner shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to participating agencies and educational institutions sufficient to cover the operating, maintenance, and administrative costs of the system.

(b) A direct appropriation made to an educational institution for usage costs associated with the STARS MNet network must only be used by the educational institution for payment of usage costs of the network as billed by the commissioner of administration.

Sec. 5. Minnesota Statutes 1996, section 16B.465, subdivision 6, is amended to read:

Subd. 6. [REVOLVING FUND.] Money appropriated for the ~~statewide telecommunications access routing system~~ MNet and fees for telecommunications services must be deposited in an account in the intertechnologies revolving fund. Money in the account is appropriated annually to the commissioner to operate telecommunications services.

Sec. 6. [REPEALER.]

Minnesota Statutes 1996, sections 15.95; 15.96; 16B.40; 16B.41; and 16B.43, are repealed.

Sec. 7. [TRANSFERS.]

In accordance with Minnesota Statutes 1996, sections 15.039 and 43A.045, the budget and positions of the information policy office, with incumbents, excluding the public information policy analysis division, are transferred to the office of technology, effective July 1, 1997.

Sec. 8. [INSTRUCTION TO REVISOR.]

The revisor is instructed to change all statutory references to the information policy office and the government information access council to the office of technology.

Sec. 9. [EFFECTIVE DATE.]

Articles 1 and 2 are effective July 1, 1997."



Delete the title and insert:

"A bill for an act relating to state government; establishing the Minnesota office of technology; creating North Star information access account; appropriating money; amending Minnesota Statutes 1996, sections 16B.46; and 16B.465, subdivisions 1, 3, 4, and 6; proposing coding for new law as Minnesota Statutes, chapter 237A; repealing Minnesota Statutes 1996, sections 15.95; 15.96; 16B.40; 16B.41; and 16B.43."

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

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

**S.F. No. 1:** A bill for an act relating to human services; replacing the aid to families with dependent children program with the Minnesota family investment program-statewide; amending Minnesota Statutes 1996, sections 13.46, subdivisions 1 and 2; 84.98, subdivision 3; 124.17, subdivisions 1d and 1e; 124.175; 124A.02, subdivision 16; 124A.22, subdivision 3; 136A.125, subdivision 2; 196.27; 237.70, subdivision 4a; 254B.02, subdivision 1; 256.01, subdivisions 2 and 4a; 256.017, subdivisions 1 and 4; 256.019; 256.031, subdivision 5, and by adding subdivisions; 256.033, subdivisions 1 and 1a; 256.046, subdivision 1; 256.736, subdivision 3a; 256.74, subdivision 1; 256.82, subdivision 2; 256.935, subdivision 1; 256.9354, by adding a subdivision; 256.98, subdivision 8; 256.981; 256.983, subdivisions 1 and 4; 256.9850; 256.9861, subdivision 5; 256B.055, subdivisions 3, 5, and by adding subdivisions; 256B.056, subdivisions 1a, 3, and 4; 256B.057, subdivisions 1, 1b, and 2b; 256B.06, subdivision 4; 256B.062; 256D.01, subdivisions 1, 1a, and 1e; 256D.02, subdivisions 6 and 12a; 256D.03, subdivision 3; 256D.05, subdivisions 1, 2, 5, 7, and 8; 256D.051, subdivisions 1a, 2a, 3a, and by adding a subdivision; 256D.055; 256D.06, subdivisions 2 and 5; 256D.08, subdivisions 1 and 2; 256D.09, by adding a subdivision; 256D.435, subdivision 3; 256D.44, subdivision 5; 256E.03, subdivision 2; 256E.06, subdivisions 1 and 3; 256E.07, subdivision 1; 256E.08, subdivision 3; 256F.04, subdivisions 1 and 2; 256F.05, subdivisions 2, 3, 4, 5, and 8; 256F.06, subdivisions 1 and 2; 256G.01, subdivision 4; 256G.02, subdivision 6; 257.3573, subdivision 2; 259.67, subdivision 4; 260.38; 268.0111, subdivisions 5 and 7; 268.0122, subdivision 3; 268.552, subdivision 5; 268.6751, subdivision 1; 268.676, subdivision 1; 268.86, subdivision 2; 268.871, subdivision 1; 268.90, subdivision 2; 268.916; 268.95, subdivision 4; 393.07, subdivision 6; and 477A.0122, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256B; and 256D; proposing coding for new law as Minnesota Statutes, chapters 256J; and 256K; repealing Minnesota Statutes 1996, sections 256.12, subdivisions 9, 10, 14, 15, 20, 21, 22, and 23; 256.72; 256.73; 256.7341; 256.7351; 256.7352; 256.7353; 256.7354; 256.7355; 256.7356; 256.7357; 256.7358; 256.7359; 256.736, subdivision 19; 256.7365; 256.7366; 256.7381; 256.7382; 256.7383; 256.7384; 256.7385; 256.7386; 256.7387; 256.7388; 256.74, subdivisions 1, 1a, 1b, 2, and 6; 256.745; 256.75; 256.76; 256.78; 256.80; 256.81; 256.82; 256.84; 256.85; 256.86; 256.863; 256.871; 256.8711; 256.879; 256D.02, subdivision 5; 256D.05, subdivisions 3 and 3a; 256D.0511; 256D.065; and 256F.05, subdivisions 5 and 7.

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

Page 2, line 34, delete "October" and insert "December"

Page 8, line 19, after "section" insert "256J.40, or if not applicable, section"

Page 15, line 24, delete "37" and insert "35"

Page 19, line 8, delete "MFIP" and insert "MFIP-S"

Page 20, line 23, delete "HARDSHIP EXCEPTION" and insert "EXCEPTIONS" and before "A" insert "(a)"

Page 20, after line 29, insert:

"(b) Migrant workers as defined in section 256J.08 are exempt from the 30-day residency requirement, provided the migrant worker worked in this state within the last 24 months."

Page 28, line 18, delete "automobiles, trucks, or vans" and insert "vehicles"

Page 28, line 19, before "Apply" insert "The county agency shall"

Page 28, line 22, before "determine" insert "the county agency shall" and delete the comma and insert "and"

Page 28, line 23, before "Count" insert "The county agency shall"

Page 34, line 32, delete "37" and insert "35"

Page 35, line 5, delete "37" and insert "35"

Page 37, delete lines 21 to 24

Page 37, line 26, after the second "table" insert "beginning July 1, 1999,"

Page 38, after line 7, insert:

"Subd. 5a. [TEMPORARY TRANSITIONAL STANDARD.] The following table represents the MFIP-S transitional standard table beginning December 1, 1997, to June 30, 1999, when all members of the assistance unit are eligible for both food and cash assistance.

<u>Number of People</u>	<u>Standard</u>
<u>1</u>	<u>\$353</u>
<u>2</u>	<u>\$612</u>
<u>3</u>	<u>\$767</u>
<u>4</u>	<u>\$908</u>
<u>5</u>	<u>\$1,030</u>
<u>6</u>	<u>\$1,171</u>
<u>7</u>	<u>\$1,279</u>
<u>8</u>	<u>\$1,410</u>
<u>9</u>	<u>\$1,538</u>
<u>10</u>	<u>\$1,661</u>
<u>over 10</u>	<u>\$121 "</u>

Page 40, after line 10, insert:

"Subd. 4. [INELIGIBILITY FOR FOOD PORTION OF MFIP-S ASSISTANCE GRANT.] The MFIP-S assistance grant must be reduced in an amount equal to the food portion of the MFIP-S assistance grant for those MFIP-S recipients who are caregivers who are not natural or adoptive parents and are not required to participate in work activities under this chapter."

Page 43, line 18, delete "or in person"

Page 45, line 11, delete "aliens" and insert "noncitizens"

Page 48, after line 17, insert:

"Sec. 19. [256J.311] [LOCAL SERVICE UNIT PLAN.]

Each local or county service unit shall prepare and submit a plan as specified in section 268.88."

Page 63, line 4, delete "housing" and insert "rental"

Page 63, line 5, delete "by" and insert "through"

Page 63, line 6, delete ", or by state or local housing authorities,"

Page 67, delete lines 2 to 7

Page 68, line 35, delete "OFFENSES" and insert "OFFENDERS"

Page 73, line 23, delete "on or after the date"

Page 73, line 24, delete "MFIP-S was implemented"

Page 73, line 28, before the period, insert ", when the minor and the head of household live together"

Page 74, line 14, before "Any" insert "(a)"

Page 74, line 16, delete "if the assistance unit would"

Page 74, delete line 17

Page 74, line 18, delete everything before the period and insert "during a month in which the parental caregiver falls under one of the categories in section 256J.56, clauses (1) to (4) or (7). The exemption applies for the period of time the caregiver belongs to one of the categories specified in this subdivision"

Page 74, after line 18, insert:

"(b) Any cash assistance received by a caregiver who is complying with the requirements of sections 256J.14 and 256J.54, if applicable, does not count towards the 60-month limit on assistance.

Subd. 6. [WORKING FAMILIES.] For any month in which section 256J.43 does not apply and in which the assistance payment to a family is based on the caregiver's receipt of earned income from unsubsidized employment for the required number of average hours per week as specified in this subdivision, that month does not count toward the assistance unit's 60-month lifetime limit under this section. The exception to the 60-month lifetime limit is available for up to 18 months. However, for a caregiver who is participating in an approved education or training program under section 256J.53 in addition to working the required hours under this section, the caregiver is exempt from the 60-month lifetime limit for up to 24 months.

In a two-parent family, one parent must work at least 35 hours per week, and the other parent must work at least 20 hours per week. In a single-parent family, the caregiver must work at least 30 hours per week, unless the caregiver has a child under the age of one year, then the caregiver must work at least 20 hours per week.

Page 76, line 27, after "percent" insert "of the applicable transitional standard"

Page 77, line 15, after the first "the" insert "cash portion of the"

Page 77, line 16, after "the" insert "cash and food portion of the"

Page 77, line 23, after the first "the" insert "cash portion of the"

Page 77, line 25, after "the" insert "cash and food portion of the"

Page 77, line 33, before "MFIP-S" insert "cash portion of the"

Page 77, line 34, after "the" insert "cash and food portion of the"

Page 78, line 8, after "percent" insert "of the applicable transitional standard"

Page 78, line 10, before "reduced" insert "cash portion of the" and after "the" insert "cash and food portion of the"

Page 78, line 21, delete "DAY" and insert "CHILD"

Page 79, line 10, after "cause" insert "under section 256J.57"

Page 79, line 31, after "MFIP-S" insert "transitional"

Page 80, line 14, delete "maximum monthly amount" and insert "transitional standard"

Page 80, line 25, after "to" insert "a pregnant woman or"

Page 81, line 14, after "cause" insert "under section 256J.57"

Page 81, line 15, after "in" insert "this state or"

Page 82, line 4, delete "(5)" and insert "(6)"

Page 82, line 21, after "property" insert ";

(5) to be eligible for assistance for the costs under clause (4)"

Page 82, line 22, delete the period and insert a comma

Page 82, line 26, delete "(5)" and insert "(6)" and delete "(4)" and insert "(5)"

Page 85, line 25, after "to" insert "unsubsidized"

Page 87, line 34, before the semicolon, insert "or an adult diploma program"

Page 88, lines 10 and 19, delete "October" and insert "December"

Page 88, line 16, delete everything after "256J.56"

Page 88, line 17, delete "cash assistance"

Page 88, line 20, delete "September" and insert "November"

Page 88, line 28, after "employment" insert "service"

Page 89, line 24, delete everything after "applicant"

Page 89, line 25, delete "services" and delete "to the employment and" and insert a period

Page 89, delete lines 26 to 30

Page 89, after line 34, insert:

"(3) the exemption from the 60-month lifetime limit under section 256J.42, subdivision 6, for working in unsubsidized employment;"

Page 89, line 35, delete "(3)" and insert "(4)"

Page 90, line 1, delete "(4)" and insert "(5)"

Page 90, line 3, delete "(5)" and insert "(6)"

Page 90, line 5, delete "(6)" and insert "(7)"

Page 90, line 7, delete "(7)" and insert "(8)"

Page 90, line 10, delete "(8)" and insert "(9)"

Page 90, line 13, delete "(9)" and insert "(10)"

Page 90, line 16, delete "(10)" and insert "(11)"

Page 91, line 4, delete "individual" and insert "job counselor"

Page 91, line 5, after "program" insert "if available or otherwise a regular English as a second language program"

Page 91, after line 12, insert:

"(c) If the participant has a specific employment goal which can best be met with additional education or training and is expected to result in higher wages than the participant could earn without the additional education or training, the participant, along with the counselor, may propose an employment plan under subdivision 5 that includes activities approved under the criteria of section 256J.53."

Page 92, line 4, delete "or"

Page 92, line 6, before the period, insert "; or

(3) are working at least 20 hours per week and have not received a secondary assessment, and the participant, job counselor, or county agency request a secondary assessment"

Page 92, line 11, before the period, insert "or an interest in and suitability for self-employment"

Page 93, after line 5, insert:

"Subd. 7. [REVISION OF EMPLOYMENT PLAN.] When the participant is dismissed or quits a job with good cause, the job counselor will meet with the participant to ascertain the reason for being dismissed or quitting employment, and amend the employment plan or job search support plan as necessary to address the problem. If the participant does not have an employment plan, the participant or the job counselor may request a secondary assessment at this time."

Page 93, line 17, delete "lasting between"

Page 93, line 18, delete "13 and 24 months"

Page 97, line 14, after "WITH" insert "JOB SEARCH OR"

Page 97, line 16, after "participant's" insert "job search support plan or"

Page 97, line 27, after "with" insert "a job search support plan or"

Page 98, line 31, delete "is professionally certified to make" and insert "makes"

Page 99, line 7, after "of" insert "a job search support plan or"

Page 101, after line 20, insert:

"Subd. 2. [COOPERATIVE SERVICE PROVISION FUNDING.] (a) County agencies in counties with a population of less than 20,000, according to the most recent publication of the Minnesota state demographer's population and household estimates report, that enter into or currently have contractual agreements with at least one other county to cooperatively offer program participants the choice of at least two employment and training service providers shall receive additional employment and training funds as specified in paragraph (b). To qualify, the cooperative agreements must be entered into by May 1 of the state fiscal year preceding the state fiscal year for which the allocation is being made.

(b) For any county eligible under paragraph (a), the commissioner shall allocate an amount equivalent to 25 percent of the county's previous year's employment and training expenditures for STRIDE, MFIP, MFIP-R, and MFIP-S.

(c) The sum of the amounts allocated in paragraph (b) shall be subtracted from the total amount available for MFIP-S employment and training. The remaining employment and training funds shall be allocated in the manner specified in subdivisions 3 and 4."

Page 101, line 21, delete "2" and insert "3" and delete "First,"

Page 102, line 1, delete "3" and insert "4"

Page 102, delete lines 5 to 14

page 102, line 15, delete "(2)" and insert "(1)"

Page 102, line 21, delete "(3)" and insert "(2)"

Page 102, line 28, delete "(4)" and insert "(3)"

Page 102, line 34, delete "4" and insert "5"

Page 103, line 1, delete "5" and insert "6"

Page 103, line 7, after "AFDC" insert "or MFIP"

Page 103, line 17, delete "6" and insert "7"

Page 103, line 35, delete "7" and insert "8"

Page 104, line 6, delete "8" and insert "9"

Page 104, line 10, delete "regardless" and insert "for up to six months following termination"

Page 106, line 36, after "participants" insert "with a county-approved employment plan"

Page 110, lines 14 and 18, delete "impairment" and insert "permanent partial disability"

Page 111, line 14, delete "impairment" and insert "permanent partial disability"

Page 118, line 35, delete "and"

Page 119, line 2, before the period, insert ";"

(6) the average length of time an individual receives public assistance, beginning with new MFIP-S applicants, and the rate of recidivism; and

(7) the cost per placement of an individual in unsubsidized employment"

Page 119, lines 3, 6, and 12, delete "department" and insert "commissioner"

Page 120, line 35, delete "who" and insert "that"

Page 120, line 36, delete "who"

Page 121, line 4, delete "reflects" and insert "reflect"

Page 122, after line 33, insert:

"Sec. 64. [APPLICABILITY.]

The provisions of sections 7; 8; 12, subdivision 3; 15; 28, subdivision 5; 31; 32; 33, subdivision 2; 57; and 59 apply to the AFDC program from July 1, 1997, to November 30, 1997, and are effective December 1, 1997, with respect to MFIP-S."

Page 123, delete line 9 and insert:

"(a) Sections 2, 60, 61, and 64 are effective July 1, 1997.

(b) The remaining provisions of this article are effective December 1, 1997."

Pages 138 to 145, delete section 1

Page 145, line 20, delete "October" and insert "December"

Page 145, line 22, after the period, insert "Section 256.74, subdivision 1, paragraph (2), clause (4), as constructed on June 30, 1997, shall apply to families in the comparison group."

Page 150, lines 16 and 31, delete "October" and insert "December"

Page 151, lines 21, 23, and 31, delete "October" and insert "December"

Page 154, line 30, delete "October" and insert "December"

Page 155, lines 21 to 23, delete the new language and reinstate the stricken language

Page 155, line 24, delete the new language and after the period, insert "This section expires the day before section 256B.055, subdivision 3a, is effective."

Page 155, lines 27 and 34, delete "October" and insert "December"

Page 155, line 28, delete everything before the comma and insert "when MFIP-S is effective"

Page 165, lines 8 to 17, delete the new language and reinstate the stricken language

Page 165, line 31, after the period, insert "This section expires the day before section 256B.0635 is effective."

Page 165, line 34, delete "October" and insert "December"

Page 166, line 26, delete "October" and insert "December"

Page 170, line 34, reinstate the stricken language

Page 170, line 35, before the period, insert "as described in section 256D.05, subdivision 1, clause (9)"

Page 172, after line 20, insert:

"(e) For purposes of providing per diem payments to facilities under section 256.01, subdivision 2, clause (16), the 30-day residency requirement in paragraph (a) does not apply."

Page 172, line 24, delete "OFFENSES" AND INSERT "OFFENSE"

Page 177, lines 23 to 25, delete the new language

Page 177, lines 26 to 28, reinstate the stricken language

Page 177, line 33, delete the new language and reinstate the stricken language

Page 178, lines 5, 8, 23, and 28, delete the new language and reinstate the stricken language

Page 179, line 15, delete "(10)" and insert "(11)"

Page 179, line 18, delete "(11)" and insert "(12)"

Page 179, line 20, delete "(12)" and insert "(13)"

Page 180, line 10, delete "(13)" and insert "(14)"

Page 180, line 11, after the semicolon, insert "or"

Page 180, delete lines 12 to 16

Page 180, strike lines 19 to 21

Page 180, line 22, strike "(c)" and insert "(b)"

Page 180, line 29, strike "(d)" and insert "(c)"

Page 181, line 8, strike "funded"

Page 182, line 18, after "to" insert "256D.03, subdivision 2, and 256D.04 to"

Page 182, line 22, delete "and recipients"

Page 186, line 12, delete "October" and insert "December"

Page 191, line 18, after "for" insert "emergency assistance under" and delete "or" and insert "and"

Page 194, line 18, before "If" insert "[VENDOR PAYMENTS FOR DISABLED DRUG ADDICTS AND ALCOHOLICS.]"

Page 203, line 9, before "All" insert "In state fiscal year 2000,"

Page 204, line 35, delete the first "and" and before the second comma, insert "; and 256G.05, subdivision 2"

Page 205, line 4, delete "62" and insert "61"

Page 227, line 8, after "assistance" insert "program,"

Page 227, line 9, strike "family general assistance program," and delete "or"

Pages 229 and 230, delete section 25

Page 235, line 10, strike "family general assistance;"

Page 244, line 27, delete "48" and insert "47" and delete "October" and insert "December"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, delete "256.9850;"

Page 2, line 8, delete the first "and" and before the period, insert "; and 256G.05, subdivision 2"

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. 1115:** A bill for an act relating to the environment; repealing the hazardous products labeling law; repealing Minnesota Statutes 1996, section 115A.9523.

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

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

**H.F. No. 281** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
281	147				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 601** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:



**GENERAL ORDERS****CONSENT CALENDAR****CALENDAR**H.F. No.  
601S.F. No.  
869

H.F. No.

S.F. No.

H.F. No.

S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 601 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 601 and insert the language after the enacting clause of S.F. No. 869, the first engrossment; further, delete the title of H.F. No. 601 and insert the title of S.F. No. 869, the first engrossment.

And when so amended H.F. No. 601 will be identical to S.F. No. 869, and further recommends that H.F. No. 601 be given its second reading and substituted for S.F. No. 869, and that the Senate File be indefinitely postponed.

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

Mr. Moe, R.D. moved that the report from the Committee on Commerce, reported in the Journal for March 10, 1997, and the report from the Committee on Local and Metropolitan Government on H.F. No. 117 be adopted, and that H.F. No. 117 be given a second reading and placed on General Orders. The motion prevailed.

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

**H.F. No. 117:** A bill for an act relating to commerce; requiring local units of government to license the retail sale of tobacco; providing for mandatory penalties against license holders for sales to minors; amending Minnesota Statutes 1996, section 461.12; proposing coding for new law in Minnesota Statutes, chapter 461.

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

Amend the report from the Committee on Commerce, adopted by the Senate March 10, 1997, as follows:

Page 4, delete line 21 and insert:

"Sec. 5. [461.18] [EFFECT ON LOCAL ORDINANCE; NOTICE.]"

Page 4, line 23, after the period, insert "A governing body shall give notice of its intention to consider adoption or substantial amendment of any local ordinance required under section 2 or permitted under this section. The governing body shall take reasonable steps to send notice by mail at least 30 days prior to the meeting to the last known address of each licensee or person required to hold a license under section 1. The notice shall state the time, place, and date of the meeting and the subject matter of the proposed ordinance."

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 740, 877, 535, 1116, 199, 18, 1146, 309, 1181, 1 and 1115 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 281, 601 and 117 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Metzen moved that his name be stricken as a co-author to S.F. No. 316. The motion prevailed.

Mrs. Scheid moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 574. The motion prevailed.

Mr. Kelley, S.P. moved that the name of Mr. Novak be added as a co-author to S.F. No. 740. The motion prevailed.

Mr. Kelley, S.P. moved that the name of Mr. Sams be added as a co-author to S.F. No. 741. The motion prevailed.

Mr. Dille moved that his name be stricken as chief author, shown as a co-author and the name of Mr. Beckman be added as chief author to S.F. No. 773. The motion prevailed.

Mr. Janezich moved that the name of Mr. Murphy be added as a co-author to S.F. No. 954. The motion prevailed.

Mrs. Scheid moved that her name be stricken as a co-author to S.F. No. 1201. The motion prevailed.

Mr. Kelly, R.C. moved that the names of Mr. Frederickson, Ms. Johnson, J.B.; Messrs. Laidig and Marty be added as co-authors to S.F. No. 1304. The motion prevailed.

Mr. Novak moved that the name of Mr. Ourada be added as a co-author to S.F. No. 1333. The motion prevailed.

Ms. Junge moved that the name of Mr. Wiger be added as a co-author to S.F. No. 1388. The motion prevailed.

Ms. Kiscaden moved that the name of Mr. Wiger be added as a co-author to S.F. No. 1434. The motion prevailed.

Mr. Frederickson moved that the names of Messrs. Beckman and Johnson, D.H. be added as co-authors to S.F. No. 1450. The motion prevailed.

Ms. Junge moved that the name of Mr. Wiger be added as a co-author to S.F. No. 1456. The motion prevailed.

Mr. Johnson, D.H. moved that the name of Mr. Ourada be added as a co-author to S.F. No. 1462. The motion prevailed.

Ms. Junge moved that the names of Mr. Spear and Ms. Kiscaden be added as co-authors to S.F. No. 1477. The motion prevailed.

Ms. Krentz moved that S.F. No. 1132 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Ms. Junge moved that S.F. No. 1456 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Mr. Samuelson moved that the name of Ms. Berglin be added as a co-author to S.F. No. 1. The motion prevailed.

**Mr. Johnson, D.E. introduced--**

**Senate Resolution No. 27:** A Senate resolution congratulating the New London-Spicer High School girls basketball team on winning the 1997 State High School Class AA Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

**RECESS**

Mr. Moe, R.D. moved that the Senate do now recess until 9:00 a.m. The motion prevailed.

The hour of 9:00 a.m. having arrived, the President called the Senate to order.

**CALL OF THE SENATE**

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

**MOTIONS AND RESOLUTIONS - CONTINUED****SUSPENSION OF RULES**

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1 and that the rules of the Senate be so far suspended as to give S.F. No. 1, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

**S.F. No. 1:** A bill for an act relating to human services; replacing the aid to families with dependent children program with the Minnesota family investment program-statewide; amending Minnesota Statutes 1996, sections 13.46, subdivisions 1 and 2; 84.98, subdivision 3; 124.17, subdivisions 1d and 1e; 124.175; 124A.02, subdivision 16; 124A.22, subdivision 3; 136A.125, subdivision 2; 196.27; 237.70, subdivision 4a; 254B.02, subdivision 1; 256.01, subdivisions 2 and 4a; 256.017, subdivisions 1 and 4; 256.019; 256.031, subdivision 5, and by adding subdivisions; 256.033, subdivisions 1 and 1a; 256.046, subdivision 1; 256.736, subdivision 3a; 256.74, subdivision 1; 256.82, subdivision 2; 256.935, subdivision 1; 256.9354, by adding a subdivision; 256.98, subdivision 8; 256.981; 256.983, subdivisions 1 and 4; 256.9861, subdivision 5; 256B.055, subdivisions 3, 5, and by adding subdivisions; 256B.056, subdivisions 1a, 3, and 4; 256B.057, subdivisions 1, 1b, and 2b; 256B.06, subdivision 4; 256B.062; 256D.01, subdivisions 1, 1a, and 1e; 256D.02, subdivisions 6 and 12a; 256D.03, subdivision 3; 256D.05, subdivisions 1, 2, 5, 7, and 8; 256D.051, subdivisions 1a, 2a, 3a, and by adding a subdivision; 256D.055; 256D.06, subdivisions 2 and 5; 256D.08, subdivisions 1 and 2; 256D.09, by adding a subdivision; 256D.435, subdivision 3; 256D.44, subdivision 5; 256E.03, subdivision 2; 256E.06, subdivisions 1 and 3; 256E.07, subdivision 1; 256E.08, subdivision 3; 256F.04, subdivisions 1 and 2; 256F.05, subdivisions 2, 3, 4, 5, and 8; 256F.06, subdivisions 1 and 2; 256G.01, subdivision 4; 256G.02, subdivision 6; 257.3573, subdivision 2; 259.67, subdivision 4; 260.38; 268.0111, subdivisions 5 and 7; 268.0122, subdivision 3; 268.552, subdivision 5; 268.6751, subdivision 1; 268.676, subdivision 1; 268.86, subdivision 2; 268.871, subdivision 1; 268.90, subdivision 2; 268.916; 268.95, subdivision 4; 393.07, subdivision 6; and 477A.0122, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256B; and 256D; proposing coding for new law as Minnesota Statutes, chapters 256J; and 256K; repealing Minnesota Statutes 1996, sections 256.12, subdivisions 9, 10, 14, 15, 20, 21, 22, and 23; 256.72; 256.73; 256.7341; 256.7351; 256.7352; 256.7353; 256.7354; 256.7355; 256.7356; 256.7357; 256.7358; 256.7359; 256.736, subdivision 19; 256.7365; 256.7366; 256.7381; 256.7382; 256.7383; 256.7384; 256.7385; 256.7386; 256.7387; 256.7388; 256.74, subdivisions 1, 1a, 1b, 2, and 6; 256.745; 256.75; 256.76; 256.78;

256.80; 256.81; 256.82; 256.84; 256.85; 256.86; 256.863; 256.871; 256.8711; 256.879; 256D.02, subdivision 5; 256D.05, subdivisions 3 and 3a; 256D.0511; 256D.065; 256F.05, subdivisions 5 and 7; and 256G.05, subdivision 2.

Ms. Robertson moved to amend S.F. No. 1 as follows:

Page 125, after line 22, insert:

"Sec. 65. [ADMINISTRATIVE RULES.]

The commissioner of human services may adopt rules to implement Minnesota Statutes, sections 256J.01 to 256J.09. Because of the need for flexible and swift means of implementing this program statewide, the rules adopted by the commissioner to implement this program are exempted from Minnesota Statutes, chapter 14, until February 28, 1999. The commissioner shall prepare legislation for submission to the legislature in 1998 incorporating the substance of any rules adopted under this section and repealing those rules."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Hottinger moved to amend S.F. No. 1 as follows:

Page 4, line 25, after the first comma, insert "program participants,"

The motion prevailed. So the amendment was adopted.

Mr. Frederickson moved to amend S.F. No. 1 as follows:

Page 20, line 23, delete "(a)"

Page 20, delete lines 30 to 32

Page 89, line 19, delete "or an adult diploma program"

Page 92, line 22, delete "if available or"

Page 92, line 23, delete everything before "in"

Page 92, delete lines 31 to 36

Page 93, delete line 1

Page 93, line 29, after the semicolon, insert "or"

Page 93, line 31, delete "; or" and insert a period

Page 93, delete lines 32 to 34

Page 94, line 3, delete everything after "employment"

Page 94, line 4, delete everything before the period

Page 94, delete lines 35 and 36

Page 95, delete lines 1 to 6

Mr. Frederickson then moved to amend the Frederickson amendment to S.F. No. 1 as follows:

Page 1, delete lines 2 and 3

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

Ms. Berglin requested division of the Frederickson amendment, as amended, as follows:

First portion:

Page 89, line 19, delete "or an adult diploma program"

Page 92, line 22, delete "if available or"

Page 92, line 23, delete everything before "in"

Page 92, delete lines 31 to 36

Page 93, delete line 1

Page 94, line 3, delete everything after "employment"

Page 94, line 4, delete everything before the period

Page 94, delete lines 35 and 36

Page 95, delete lines 1 to 6

Second portion:

Page 93, line 29, after the semicolon, insert "or"

Page 93, line 31, delete "; or" and insert a period

Page 93, delete lines 32 to 34

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

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

Mr. Stevens moved to amend S.F. No. 1 as follows:

Page 20, line 23, delete "shall" and insert "may"

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

Mr. Spear moved to amend S.F. No. 1 as follows:

Page 92, line 22, after "program" insert "if available or otherwise a regular English as a second language program"

The motion prevailed. So the amendment was adopted.

S.F. No. 1 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Johnson, D.H.	Krentz	Metzen
Beckman	Flynn	Johnson, D.J.	Laidig	Moe, R.D.
Belanger	Foley	Johnson, J.B.	Langseth	Morse
Berg	Frederickson	Junge	Larson	Murphy
Berglin	Hanson	Kelley, S.P.	Lesewski	Neuville
Betzold	Higgins	Kelly, R.C.	Lessard	Novak
Cohen	Hottinger	Kiscaden	Limmer	Oliver
Day	Janezich	Kleis	Lourey	Olson
Dille	Johnson, D.E.	Knutson	Marty	Ourada

Pappas  
Pariseau  
Piper  
Pogemiller  
Price

Ranum  
Robertson  
Robling  
Runbeck  
Sams

Samuelson  
Scheevel  
Scheid  
Solon  
Spear

Stevens  
Stumpf  
Ten Eyck  
Terwilliger  
Vickerman

Wiener  
Wiger

So the bill, as amended, was 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. 268 a Special Order to be heard immediately.

### SPECIAL ORDER

**H.F. No. 268:** A bill for an act relating to corrections; modifying multiple occupancy requirements applicable to state prisons; amending the appropriation to build a close-custody correctional facility of at least 800 beds; providing that the new facility shall be at level four; deleting certain construction bid requirements; amending Minnesota Statutes 1996, section 243.53, subdivision 1; Laws 1996, chapter 463, section 16, subdivision 3; repealing Minnesota Statutes 1996, section 243.53, subdivision 2.

Mr. Kelly, R.C. moved to amend H.F. No. 268, as amended pursuant to Rule 49, adopted by the Senate March 6, 1997, as follows:

(The text of the amended House File is identical to S.F. No. 179.)

Page 3, after line 23, insert:

"Sec. 4. [OPERATION OF NEW PRISON.]

The commissioner of administration shall issue a request for proposals and select a vendor to operate the custody level four correctional facility as provided in section 6.

Sec. 5. [LEGISLATIVE WORKING GROUP.]

Subdivision 1. [ESTABLISHED.] A legislative working group shall cooperate with the commissioner of administration in developing a request for proposals to operate the custody level four correctional facility. The working group shall develop an advisory request for proposals as provided in this section and present it to the commissioner by July 15, 1998.

Subd. 2. [MEMBERSHIP.] (a) The working group consists of the chairs of the senate crime prevention committee, the senate crime prevention and judiciary budget division, the house judiciary committee, the house judiciary finance committee, and eight other legislators appointed under paragraph (b). The group may elect a chair from among its members.

(b) The senate subcommittee on committees shall appoint one majority and three minority members of the senate, and the speaker of the house of representatives shall appoint one majority and three minority members of the house to serve on the working group.

Subd. 3. [ADVISORY REQUEST FOR PROPOSALS.] In developing the advisory request for proposals, the working group shall consult with professionals with demonstrated experience in corrections and may solicit advice from any source, including independent consultants. The advisory request for proposals may address any issues deemed relevant by the working group, including, but not limited to, the specific terms of the contract with the vendor, safety, and adequacy of employee compensation. The advisory request for proposals must allow for bids from vendors across the country, including the department of corrections.

Sec. 6. [ISSUANCE OF REQUEST FOR PROPOSALS; SELECTION OF VENDOR.]

The commissioner of administration, in consultation with the working group, shall develop a request for proposals to operate the custody level four correctional facility and issue the request by August 1, 1998. The request must remain open until October 1, 1998. Upon receipt and evaluation of the responses to the request for proposals, and before selecting a vendor to operate the facility, the commissioner of administration shall consult with the working group. By February 15, 1999, the commissioner shall select a vendor to operate the facility."

Page 3, line 24, delete "4" and insert "7"

Page 3, line 25, delete "Section 2 is" and insert "Sections 2 and 4 to 6 are"

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Mr. Neuville moved to amend H.F. No. 268, as amended pursuant to Rule 49, adopted by the Senate March 6, 1997, as follows:

(The text of the amended House File is identical to S.F. No. 179.)

Page 3, after line 23, insert:

"Sec. 4. [CONTRACT BIDS FOR CUSTODY LEVEL FOUR CORRECTIONAL FACILITY.]

The commissioner of administration may begin advertising for contract bids for the construction of the custody level four correctional facility. However, the construction may not begin until after July 15, 1997. By July 15, 1997, the commissioner may award contracts as provided in section 5, subdivision 4.

Sec. 5. [REQUEST FOR PROPOSALS TO CONSTRUCT CORRECTIONAL FACILITY.]

Subdivision 1. [ISSUANCE OF REQUEST FOR PROPOSALS.] By May 15, 1997, the commissioner of administration shall issue a request for proposals for a private vendor to construct a close custody correctional facility at the site selected by the department of corrections at Rush City.

Subd. 2. [REQUIREMENTS FOR REQUEST FOR PROPOSALS.] The request for proposals must require that:

- (1) the facility house at least 1,000 inmates;
- (2) the facility be designed to allow at least one-third of its capacity to be single-celled;
- (3) the facility have sufficient space for industry, education, and other programs;
- (4) the facility comply with applicable American Corrections Association standards;
- (5) the facility comply with all applicable building codes;
- (6) the facility be designed to provide adequate security for close custody inmates;

(7) the vendor provide the commissioner with the proposed blueprints and specifications for the design of the facility; and

(8) to the greatest extent possible, the vendor use in-state building contractors and construction workers.

Subd. 3. [CRITERIA FOR BID ACCEPTANCE.] The commissioner shall award the contract to the lowest responsible bid that meets the criteria described in subdivision 2 and that will result in the construction of a facility that sufficiently serves the correctional philosophy of the state. In addition, the commissioner may not accept a bid that is more than \$70,000,000.

Subd. 4. [DECISION.] By July 15, 1997, the commissioner shall either award the contract to a private vendor that meets the requirements listed in subdivisions 2 and 3 or award contracts to construct the facility as originally designed."

Page 3, line 24, delete "4" and insert "6"

Page 3, line 25, delete "Section 2 is" and insert "Sections 2, 4, and 5 are"

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

Beckman	Johnson, D.E.	Larson	Olson	Scheevel
Belanger	Johnson, D.J.	Lesewski	Ourada	Stevens
Berg	Kiscaden	Limmer	Pariseau	Terwilliger
Day	Kleis	Metzen	Robertson	Vickerman
Dille	Knutson	Neuville	Robling	
Fischbach	Langseth	Oliver	Runbeck	

Those who voted in the negative were:

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

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

H.F. No. 268 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 58 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Foley	Higgins	Lourey	Pogemiller	Samuelson
Hanson	Janezich	Pappas		

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Reports of Committees.



**REPORTS OF COMMITTEES**

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

**Ms. Ranum from the Committee on Judiciary, to which was re-referred**

**S.F. No. 819:** A bill for an act relating to insurance; creating a statewide health care consumer assistance program; modifying the complaint process for health plan companies; requiring disclosure of health care provider financial incentives; appropriating money; amending Minnesota Statutes 1996, sections 62Q.105; 62Q.106; and 62Q.30; proposing coding for new law in Minnesota Statutes, chapters 62J; and 62Q; repealing Minnesota Statutes 1996, section 62Q.11.

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

Page 5, line 35, after "Employees" insert "of the health care consumer assistance program"

Page 6, line 1, delete everything after "program"

Page 6, line 2, delete everything before the period and insert ", are not liable for actions taken within the scope of their authority if the actions are taken in good faith and do not constitute willful or reckless misconduct"

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

**S.F. No. 1272:** A bill for an act relating to public safety; establishing a committee to plan training programs for firefighters; appropriating money.

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

Page 1, line 24, after the semicolon, insert "and"

Page 2, line 1, delete the semicolon

Page 2, delete lines 2 to 13

Page 2, line 14, delete everything before the period

Page 2, line 15, delete "voting"

Page 2, line 23, delete everything after the period

Page 2, delete lines 24 and 25

Page 3, lines 13 and 14, delete "at least three, but no more than five,"

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

**Ms. Ranum from the Committee on Judiciary, to which was re-referred**

**S.F. No. 234:** A bill for an act relating to human services; adding provisions for licensing programs; imposing and modifying civil penalties; amending Minnesota Statutes 1996, sections 14.387; 144.057, subdivision 1; 144A.46, subdivision 5; 245A.02, subdivisions 15, 16, and 17; 245A.04, subdivisions 3, 3a, 3b, 3c, 4, 5, 6, 7, and by adding a subdivision; 245A.06, subdivisions 1, 3, 4, 5, 5a, 6, and 7; 245A.07, subdivisions 1 and 3; 245A.08, subdivisions 1 and 2; 245A.09,

subdivision 7; 245A.11, subdivision 2; 245A.16, subdivision 2; 256E.115; and 364.09; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Statutes 1996, sections 245A.091; 245A.20; 245A.21; and 252.53; Laws 1996, chapter 408, article 10, section 13; Minnesota Rules, parts 9503.0170, subpart 7; 9525.0215; 9525.0225; 9525.0235; 9525.0243; 9525.0245; 9525.0255; 9525.0265; 9525.0275; 9525.0285; 9525.0295; 9525.0305; 9525.0315; 9525.0325; 9525.0335; 9525.0345; 9525.0355; 9525.0500; 9525.0510; 9525.0520; 9525.0530; 9525.0540; 9525.0550; 9525.0560; 9525.0570; 9525.0580; 9525.0590; 9525.0600; 9525.0610; 9525.0620; 9525.0630; 9525.0640; 9525.0650; 9525.0660; 9525.1240, subpart 1, item E, subitem (6); 9525.1500; 9525.1510; 9525.1520; 9525.1530; 9525.1540; 9525.1550; 9525.1560; 9525.1570; 9525.1590; 9525.1610; 9525.1620; 9525.1630; 9525.1640; 9525.1650; 9525.1660; 9525.1670; 9525.1680; 9525.1690; 9525.2000; 9525.2010; 9525.2020; 9525.2025; 9525.2030; 9525.2040; 9525.2050; 9525.2060; 9525.2070; 9525.2080; 9525.2090; 9525.2100; 9525.2110; 9525.2120; 9525.2130; 9525.2140; 9543.3070; 9555.8000; 9555.8100; 9555.8200; 9555.8300; 9555.8400; and 9555.8500.

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

Page 46, line 35, delete "written" and insert "recorded"

Page 61, line 14, after the first comma, insert "or provisions governing data practices or information rights of consumers,"

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. Solon from the Committee on Commerce, to which was re-referred**

**S.F. No. 920:** A bill for an act relating to health; regulating health plans; providing for certain disclosures; amending Minnesota Statutes 1996, sections 62J.04, subdivisions 1, 1a, and 3; 62J.041; and 62J.042, subdivisions 2, 3, and 4.

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

Pages 12 to 15, delete sections 5 to 7 and insert:

"Sec. 5. [REPEALER.]

Minnesota Statutes 1996, section 62J.042, is repealed."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "and"

Page 1, line 5, delete "and 62J.042, subdivisions 2, 3, and 4" and insert "repealing Minnesota Statutes 1996, section 62J.042"

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 re-referred**

**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 for contact and communication agreements in adoption; 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; appropriating money; amending Minnesota Statutes 1996, sections 256E.03, subdivision 2; 257.071, subdivisions 3, 4, and by adding

subdivisions; 257.072, subdivision 1; 259.41; 259.59, by adding a subdivision; 259.67, subdivision 2; 260.012; 260.015, subdivisions 2a and 29; 260.131, subdivisions 1 and 2; 260.155, subdivisions 1a, 2, 3, 4, and 8; 260.161, by adding a subdivision; 260.165, subdivision 3; 260.191, subdivisions 3a, 3b, and 4; 260.192; 260.221, subdivisions 1 and 5; and 260.241, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapters 257; and 259; repealing Minnesota Statutes 1996, section 259.33.

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

Page 35, delete section 36

Re-number 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. Solon from the Committee on Commerce, to which was referred**

**S.F. No. 1208:** A bill for an act relating to health insurance; limiting the growth limits; limiting loss ratios; repealing the health care commission; modifying the regional coordinating boards; modifying the health technology advisory committee; expanding the eligibility of the MinnesotaCare program; modifying the enforcement mechanisms for the provider tax pass-through; modifying mandatory Medicare assignment; amending Minnesota Statutes 1996, sections 62A.021, subdivision 1; 62A.61; 62A.65, subdivision 3; 62J.04, subdivisions 1 and 9; 62J.041; 62J.07, subdivisions 1 and 3; 62J.09, subdivision 1; 62J.15, subdivision 1; 62J.152, subdivisions 1, 2, 4, and 5; 62J.17, subdivision 6a; 62J.22; 62J.25; 62J.2914, subdivision 1; 62J.2915; 62J.2916, subdivision 1; 62J.2917, subdivision 2; 62J.2921, subdivision 2; 62J.451, subdivision 6b; 62L.02, subdivision 26; 62L.08, subdivision 8; 62N.25, subdivision 5; 62Q.03, subdivision 5a; 62Q.33, subdivision 2; 256.9354, subdivision 5; 256.9355, by adding a subdivision; and 295.582; repealing Minnesota Statutes 1996, sections 62J.03, subdivision 3; 62J.042; 62J.05; 62J.051; 62J.06; 62J.09, subdivision 3a; 62N.02, subdivision 3; 62Q.165, subdivision 3; 62Q.23; 62Q.25; 62Q.29; and 62Q.41; Laws 1993, chapter 247, article 4, section 8; Laws 1994, chapter 625, article 5, section 5, subdivision 1, as amended; Laws 1995, chapter 96, section 2; and Laws 1995, First Special Session chapter 3, article 13, section 2.

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

Pages 1 to 4, delete section 1

Pages 5 to 16, delete sections 3 to 6

Pages 31 to 33, delete sections 24 and 25

Page 39, lines 19 and 20, delete "62J.03, subdivision 3; 62J.042;" and insert "62J.04, subdivisions 4 and 7;"

Page 39, line 21, delete "62Q.23;"

Page 39, after line 28, insert:

"Sec. 26. [EFFECTIVE DATE.]

Section 12 [62J.25] is effective the day following final enactment."

Re-number the sections in sequence

Amend the title as follows:

Page 1, lines 2 and 3, delete "limiting the growth limits; limiting loss ratios;"

Page 1, delete lines 10 to 12 and insert "Minnesota Statutes 1996, sections 62A.61; 62J.07, subdivisions 1 and 3;"

Page 1, line 18, delete "62L.02, subdivision 26; 62L.08, subdivision 8;"

Page 1, lines 22 and 23, delete "62J.03, subdivision 3; 62J.042" and insert "62J.04, subdivisions 4 and 7"

Page 1, line 25, delete "62Q.23;"

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

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

**S.F. No. 203:** A bill for an act relating to adoption; creating a putative father registry; amending adoption notice and consent provisions relating to putative fathers; amending Minnesota Statutes 1996, sections 259.21, by adding a subdivision; 259.49, subdivision 1; and 260.221, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 259; repealing Minnesota Statutes 1996, section 259.51.

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 13.99, is amended by adding a subdivision to read:

Subd. 76b. [FATHERS' ADOPTION REGISTRY.] Data in the fathers' adoption registry are classified under section 259.52, subdivision 4.

Sec. 2. Minnesota Statutes 1996, section 257.352, subdivision 3, is amended to read:

Subd. 3. [~~PRIVATE CHILD-PLACING AGENCY NOTICE OF POTENTIAL PREADOPTIVE OR ADOPTIVE PLACEMENT.~~] ~~When a private child-placing agency determines that an Indian child is in a dependent or other condition that could lead to a preadoptive or adoptive placement, the agency shall send notice of the condition to the~~ In any voluntary adoptive or preadoptive placement proceeding in which a local social service agency, private child-placing agency, petitioner in the adoption, or any other party has reason to believe that a child who is the subject of an adoptive or preadoptive placement proceeding is or may be an "Indian child," as defined in section 257.351, subdivision 6, and United States Code, title 25, section 1903(4), the agency or person shall notify the Indian child's tribal social service agency within seven days of the determination by registered mail with return receipt requested of the pending proceeding and of the right of intervention under subdivision 3c. If the identity or location of the child's tribe cannot be determined, the notice must be given to the United States secretary of interior in like manner, who will have 15 days after receipt of the notice to provide the requisite notice to the tribe. No preadoptive or adoptive placement proceeding may be held until at least ten days after receipt of the notice by the tribe or secretary. Upon request, the tribe must be granted up to 20 additional days to prepare for the proceeding. The agency or notifying party shall include in the notice the identity of the birth parents and child absent written objection by the birth parents. The private child-placing agency shall inform the birth parents of the Indian child of any services available to the Indian child through the child's tribal social service agency, including child placement services, and shall additionally provide the birth parents of the Indian child with all information sent from the tribal social service agency in response to the notice.

Sec. 3. Minnesota Statutes 1996, section 257.352, is amended by adding a subdivision to read:

Subd. 3a. [UNKNOWN FATHER.] If the local social service agency, private child-placing agency, the court, petitioner, or any other party has reason to believe that a child who is the subject of an adoptive placement proceeding is or may be an Indian child but the father of the child is unknown and has not registered with the fathers' adoption registry pursuant to section 259.52, the agency or person shall provide to the tribe believed to be the Indian child's tribe information sufficient to enable the tribe to determine the child's eligibility for membership in the tribe,

including, but not limited to, the legal and maiden name of the birth mother, her date of birth, the names and dates of birth of her parents and grandparents, and, if available, information pertaining to the possible identity, tribal affiliation, or location of the birth father.

Sec. 4. Minnesota Statutes 1996, section 257.352, is amended by adding a subdivision to read:

Subd. 3b. [PROOF OF SERVICE OF NOTICE UPON TRIBE OR SECRETARY.] In cases where an agency or party to an adoptive placement knows or has reason to believe that a child is or may be an Indian child, proof of service upon the child's tribe or the secretary of interior must be filed with the adoption petition.

Sec. 5. Minnesota Statutes 1996, section 257.352, is amended by adding a subdivision to read:

Subd. 3c. [INDIAN TRIBE'S RIGHT OF INTERVENTION.] In any state court proceeding for the voluntary adoptive or preadoptive placement of an Indian child, the Indian child's tribe shall have a right to intervene at any point in the proceeding.

Sec. 6. Minnesota Statutes 1996, section 259.49, subdivision 1, is amended to read:

Subdivision 1. [TO WHOM GIVEN.] Except as provided in subdivision 3, and subject to section ~~259.51~~ 259.52, notice of the hearing upon a petition to adopt a child shall ~~shall~~ must be given to:

~~(1)~~ (a) the guardian, if any, of a child;

~~(2)~~ (b) the parent of a child if:

~~(a)~~ (1) the person's name appears on the child's birth certificate, as a parent, ~~or~~;

~~(b)~~ (2) the person has substantially supported the child, ~~or~~;

~~(c)~~ (3) the person either was married to the person designated on the birth certificate as the natural mother within the 325 days before the child's birth or married that person within the ten days after the child's birth, ~~or~~;

~~(d)~~ (4) the person is openly living with the child or the person designated on the birth certificate as the natural mother of the child, or both, ~~or~~;

~~(e)~~ (5) the person has been adjudicated the child's parent, ~~or~~;

~~(f)~~ (6) the person has filed an affidavit pursuant to section ~~259.51~~. a paternity action within 30 days after the child's birth and the action is still pending;

(7) the person and the mother of the child have signed a declaration of parentage under section 257.34 before August 1, 1995, which has not been revoked or a recognition of parentage under section 257.75, which has not been revoked or vacated; or

(8) the person:

(i) is not entitled to notice under clauses (1) to (7);

(ii) has registered with the fathers' adoption registry;

(iii) after receiving a fathers' adoption registry notice, has timely filed an intent to retain parental rights with entry of appearance form under section 259.52; and

(iv) within 30 days of receipt of the fathers' adoption registry notice has initiated a paternity action, unless, for good cause shown, he is unable to do so within the 30 days; a paternity action must be initiated by the father in district court; application to the public authority for paternity establishment services does not constitute initiation of an action; and

(c) the child's tribe pursuant to section 257.352, subdivision 3, if the child is an Indian child.

This Notice under this section need not be given to any ~~above-named~~ a person listed in this

subdivision whose parental rights have been terminated, whose notice of intention to retain parental rights filed pursuant to section 259.51 has been successfully challenged, who has consented to the adoption or who has waived notice of the hearing. The notice of the hearing may be waived by a parent, guardian, or other interested party by a writing executed before two competent witnesses and duly acknowledged. The waiver shall must be filed in the adoption proceedings at any time before the matter is heard.

Sec. 7. [259.52] [FATHERS' ADOPTION REGISTRY.]

Subdivision 1. [ESTABLISHMENT OF REGISTRY; PURPOSE; FEES.] (a) The commissioner of health shall establish a fathers' adoption registry for the purpose of determining the identity and location of a father interested in a minor child who is, or is expected to be, the subject of an adoption proceeding, in order to provide notice of the adoption proceeding to the father who is not otherwise entitled to notice under section 259.49, subdivision 1, paragraph (a) or (b), clauses (1) to (7). The commissioner may establish rules, informational material, and public service announcements necessary to implement this section. The commissioner shall set reasonable fees for the use of the registry; however, no fee may be charged the father for registering. Any limitation on a father's right to assert an interest in the child as provided in this section applies only in adoption proceedings and only to those fathers not entitled to notice and consent under sections 259.24 and 259.49, subdivision 1, paragraph (a) or (b), clauses (1) to (7). The commissioner has no independent obligation to gather or update the information to be maintained on the registry. It is the registrant's responsibility to update his personal information on the registry.

(b) The fathers' adoption registry must contain the following information:

(1) with respect to the father, the:

(i) name, including any other names by which the father may be known and that he may provide to the registry;

(ii) address at which he may be served with notice of a petition under this chapter, including any change of address;

(iii) social security number, if known;

(iv) date of birth; and

(v) if applicable, a certified copy of an order by a court of another state or territory of the United States adjudicating the father to be the father of this child;

(2) with respect to the mother of the child:

(i) name, including all other names known to the father by which the mother may be known;

(ii) if known to the father, her last address;

(iii) social security number, if known; and

(iv) date of birth;

(3) if known to the father, the name, gender, place of birth, and date of birth or anticipated date of birth of the child;

(4) the date that the commissioner received the father's registration; and

(5) other information the commissioner determines by rule to be necessary for the orderly administration of the registry.

Subd. 2. [REQUIREMENT TO SEARCH REGISTRY BEFORE ADOPTION PETITION CAN BE GRANTED; PROOF OF SEARCH.] No petition for adoption may be granted unless the agency supervising the adoptive placement, the genetic mother of the child, or, in the case of a

stepparent or relative adoption, the county agency responsible for the report required under section 259.53, subdivision 1, requests that the commissioner search the registry to determine whether a father is registered in relation to a child who is or may be the subject of an adoption petition. A search of the registry may be proven by the production of a certified copy of the registration form or by a certified statement of the commissioner that after a search no registration of a father in relation to a child who is or may be the subject of an adoption petition could be located. Certification that the fathers' adoption registry has been searched must be filed with the court prior to entry of any final order of adoption.

Subd. 3. [SEARCH OF REGISTRY FOR CHILD SUPPORT ENFORCEMENT PURPOSES.] A public authority responsible for child support enforcement that is attempting to establish a child support obligation may request that the commissioner search the registry to determine whether a father is registered in relation to a child who is or may be the subject of a child support obligation. A search of the registry may be proven by the production of a certified copy of the registration form or by a certified statement of the commissioner that after a search, no registration of a father in relation to the child could be located. No fee may be charged to the public authority for use of the registry.

Subd. 4. [CLASSIFICATION OF REGISTRY DATA.] Data in the fathers' adoption registry are private data on individuals, as defined in section 13.02, subdivision 2. Data in the registry may be released to:

(1) a person who is required to search the registry under subdivision 2, if the data relate to the child who is or may be the subject of the adoption petition; or

(2) a public authority as provided in subdivision 3.

A person who receives data under this subdivision may use the data only for purposes authorized under this section or other law.

Subd. 5. [CRIMINAL PENALTY FOR REGISTERING FALSE INFORMATION.] A person who knowingly or intentionally registers false information under this section is guilty of a misdemeanor.

Subd. 6. [WHO MAY REGISTER.] Any father may register with the fathers' adoption registry. However, any limitation on a father's right to assert an interest in the child as provided in this section applies only in adoption proceedings and only to those fathers not entitled to notice and consent under sections 259.24 and 259.49, subdivision 1, paragraph (a) or (b), clauses (1) to (7).

Subd. 7. [WHEN AND HOW TO REGISTER.] A father may register with the department of health before the birth of the child but must register no later than 30 days after the birth of the child. Registrations must be in writing and signed by the father.

Subd. 8. [FAILURE TO REGISTER.] Except for a father who is entitled to notice and consent under sections 259.24 and 259.49, subdivision 1, paragraph (a) or (b), clauses (1) to (7), a father who fails to timely register with the fathers' adoption registry under subdivision 7:

(1) is barred thereafter from bringing or maintaining an action to assert any interest in the child during the pending adoption proceeding concerning the child;

(2) is considered to have waived and surrendered any right to notice of any hearing in any judicial proceeding for adoption of the child, and consent of that person to the adoption of the child is not required; and

(3) is considered to have abandoned the child.

Failure to register under subdivision 7 is prima facie evidence of sufficient grounds to support termination of the father's parental rights under section 260.221, subdivision 1.

A father who has not timely registered under subdivision 7, is considered to have timely registered if he proves by clear and convincing evidence that:

- (i) it was not possible for him to register within the period of time specified in subdivision 7;
- (ii) his failure to register was through no fault of his own; and
- (iii) he registered within ten days after it became possible for him to file.

A lack of knowledge of the pregnancy or birth is not an acceptable reason for failure to register.

Subd. 9. [NOTICE AND SERVICE FOR THOSE ON FATHERS' ADOPTION REGISTRY WHO ARE NOT OTHERWISE ENTITLED TO NOTICE.] Any time after conception, an interested party, including persons intending to adopt a child, a child welfare agency with whom the mother has placed or has given written notice of her intention to place a child for adoption, the mother of a child, or any attorney representing an interested party, may file with the court administrator a written request that the fathers on the registry be served with a fathers' adoption registry notice, an intent to claim parental rights with entry of appearance form, and a denial of paternity with entry of appearance and consent to adoption form pursuant to subdivision 11. These documents may be served on a father in the same manner as a summons is served in other civil proceedings, or, in lieu of personal service, service may be made as follows:

(a) The person requesting notice shall pay to the court administrator a mailing fee of \$..... plus the cost of United States postage for certified or registered mail and furnish to the court administrator an original and one copy of the fathers' adoption registry notice, the intent to claim parental rights with entry of appearance form, and the denial of paternity with entry of appearance and consent to adoption form together with an affidavit setting forth the father's last known address. The original fathers' adoption registry notice, the intent to claim parental rights with entry of appearance form, and the denial of paternity with entry of appearance and consent to adoption form must be retained by the court administrator.

(b) The court administrator shall mail to the father, at the address appearing in the affidavit, the copy of the fathers' adoption registry notice, the intent to claim parental rights with entry of appearance form, and the denial of paternity with entry of appearance and consent to adoption form by certified mail, return receipt requested. The envelope and return receipt must bear the return address of the court administrator. The receipt for certified mail must state the name and address of the addressee and the date of mailing and must be attached to the original notice.

(c) The return receipt, when returned to the court administrator, must be attached to the original fathers' adoption registry notice, the intent to claim parental rights with entry of appearance form, and the denial of paternity with entry of appearance and consent to adoption form and constitutes proof of service.

(d) The court administrator shall note the fact of service in a permanent record.

Subd. 10. [RESPONSE TO FATHERS' ADOPTION REGISTRY NOTICE; LIMITATION OF RIGHTS FOR FAILURE TO RESPOND AND UPON FILING OF DISCLAIMER OF PATERNITY.] Within 30 days of receipt of the fathers' adoption registry notice, the intent to claim parental rights with entry of appearance form, and the denial of paternity with entry of appearance and consent to adoption form, the father must file a completed intent to claim parental rights with entry of appearance form with the court administrator stating that he intends to initiate a paternity action within 30 days of receipt of the fathers' adoption registry notice in order to preserve the right to maintain an interest in the child and receive notice during the pending adoption proceeding. Failure to initiate a paternity action within 30 days of receipt of the father's adoption registry notice does not act as a bar to receiving notice under section 259.49. If good cause is shown, the father must be allowed more time to initiate the paternity action. A father who files a completed denial of paternity with entry of appearance and consent to adoption form or who fails to timely file an intent to claim parental rights with entry of appearance form with the court:

(1) is barred from later bringing or maintaining an action to assert any interest in the child during the pending adoption proceeding concerning the child;

(2) is considered to have waived and surrendered an right to notice of a hearing in any judicial proceeding for adoption of the child, and consent of that person to the adoption of the child is not required; and



(3) is considered to have abandoned the child.

Failure to register is prima facie evidence of sufficient grounds to support termination of the father's parental rights.

Subd. 11. [FATHERS' ADOPTION REGISTRY NOTICE; INTENT TO CLAIM PARENTAL RIGHTS WITH ENTRY OF APPEARANCE FORM; DENIAL OF PATERNITY WITH ENTRY OF APPEARANCE AND CONSENT TO ADOPTION FORM.] (a) The father's adoption registry notice sent under subdivision 9 must be substantially as follows:

"IN THE MATTER OF NOTICE TO ....., REGISTERED FATHER.

You have signed the father's adoption registry indicating that you are the father of a child born on the ..... day of ....., ...., (or expected to be born on or about the ..... day of ....., ....).

The mother of the child is .....

The mother has indicated that she intends to place the child for adoption.

As the alleged father of the child by virtue of signing the father's adoption registry, you have certain legal rights with respect to the child, including the right to notice of the filing of proceedings instituted for the adoption of the child. If you wish to retain your rights with respect to the child, you must file with the court administrator, Court of ..... County, Minnesota, whose address is ....., Minnesota, within 30 days after the date of receipt of this notice, the enclosed intent to claim parental rights with entry of appearance form stating that you are, in fact, the father of the child and that you intend to retain your legal rights with respect to the child by initiating a paternity action within 30 days of receipt of the fathers' adoption registry notice.

If you do not file an intent to claim parental rights with entry of appearance form or a request for notice, then whatever legal rights you have with respect to the child, including the right to notice of any future proceedings for the adoption of the child, may be terminated without any further notice to you. When your legal rights with respect to the child are so terminated, you will not be entitled to notice of any proceeding instituted for the adoption of the child.

If you are not the father of the child, you may file with the court administrator the denial of paternity with entry of appearance and consent to adoption form enclosed herewith and you will receive no further notice with respect to the child."

(b) The intent to claim parental rights with entry of appearance form sent under subdivision 9 must be substantially as follows:

"INTENT TO CLAIM PARENTAL RIGHTS WITH ENTRY OF APPEARANCE

I, ....., state as follows:

(1) That I am .... years of age; and I reside at ..... in the County of ....., State of .....

(2) That I have been advised that ..... is the mother of a ..... male/female child named ..... born or expected to be born on or about ..... and that such mother has stated that I am the father of this child.

(3) I declare that I am the father of this child.

(4) I understand that the mother of this child wishes to consent to the adoption of this child. I do not consent to the adoption of this child, and I understand that I must return this intent to claim parental rights with entry of appearance form to the court administrator of ..... County, located at ....., within 30 days of receipt of this notice.

(5) I further understand that I am also obligated to initiate a paternity action under the Parentage Act (Minnesota Statutes, sections 257.51 to 257.74) within 30 days of my receiving the fathers' adoption registry notice, or, if the child is not yet born, within 30 days after the birth of the child, unless for good cause shown I am unable to do so. That proceeding is separate and distinct from the above mailing of intent to claim parental rights with entry of appearance form; in the paternity

action, I must state that I am, in fact, the father of said child for one or more of the reasons stated in Minnesota Statutes, section 257.55, subdivision 1, and that I intend to retain my legal rights with respect to said child, and request to be notified of any further proceedings with respect to custody or adoption of the child.

(6) I hereby enter my appearance in the above entitled cause.

OATH

I have been duly sworn and I say under oath that I have read and understand this intent to claim parental rights with entry of appearance form. The facts that it contains are true and correct to the best of my knowledge, and I understand that by signing this document I admit my paternity. I have signed this document as my free and voluntary act.

.....  
(Signature)

Dated this ..... day of ....., ....

Signed and Sworn Before Me This ..... day of ....., ....

.....  
(notary public)"

(c) The denial of paternity with entry of appearance and consent to adoption form sent under subdivision 9 must be substantially as follows:

"DENIAL OF PATERNITY WITH ENTRY OF APPEARANCE AND  
CONSENT TO ADOPTION

I, ....., state as follows:

(1) That I am ..... years of age; and I reside at ..... in the County of ....., State of .....

(2) That I have been advised that ..... is the mother of a ..... male/female child named ..... born or expected to be born on or about ..... and that I have registered with the fathers' adoption registry stating that I am the father of this child.

(3) I now deny that I am the father of this child. My denial at this time will not subject me to any criminal liability.

(4) I further understand that the mother of this child wishes to consent to the adoption of the child. I hereby consent to the adoption of this child, and waive any rights, remedies, and defenses that I may have now or in the future. This consent is being given in order to facilitate the adoption of the child and so that the court may terminate what rights I may have to the child. This consent is not in any manner an admission of paternity.

(5) I hereby enter my appearance in the above entitled cause and waive service of summons and other pleading.

OATH

I have been duly sworn and I say under oath that I have read and understood this denial of paternity with entry of appearance and consent to adoption. The facts it contains are true and correct to the best of my knowledge, and I understand that by signing this document I have not admitted paternity. I have signed this document as my free and voluntary act in order to facilitate the adoption of the child.

.....  
(Signature)

Dated this ..... day of ....., ....

Signed and Sworn Before Me This ..... day of ....., ....

.....  
(notary public)"

[The names of adoptive parents must not be included in the notice.]

Subd. 12. [RIGHT TO COUNSEL AT PUBLIC EXPENSE.] Upon proof of indigency, a father who has registered with the fathers' adoption registry, has received a fathers' adoption registry notice, and has timely filed an intent to claim paternal rights with entry of appearance form with the court administrator, must have counsel appointed at public expense.

Subd. 13. [APPLICABILITY OF INDIAN CHILD WELFARE ACT.] In an action involving an American Indian child, sections 259.21 to 259.22, and the Indian child welfare act, United States Code, title 25, sections 1901 to 1923, control to the extent that the provisions of this section are inconsistent with those laws. Nothing in this section defeats the right of an Indian father who has acknowledged or established his paternity pursuant to tribal law or custom to commence a paternity proceeding, except that no father may file a paternity proceeding after the entry of a final decree of adoption.

Sec. 8. Minnesota Statutes 1996, section 260.221, subdivision 1, is amended to read:

Subdivision 1. [VOLUNTARY AND INVOLUNTARY.] The juvenile court may upon petition, terminate all rights of a parent to a child ~~in the following cases:~~

(a) with the written consent of a parent who for good cause desires to terminate parental rights;  
or

(b) if it finds that one or more of the following conditions exist:

(1) That the parent has abandoned the child; or

Abandonment is presumed when:

~~(i) the parent has had no contact with the child on a regular basis and no demonstrated, consistent interest in the child's well-being for six months; and~~

~~(ii) the social service agency has made reasonable efforts to facilitate contact, unless the parent establishes that an extreme financial or physical hardship or treatment for mental disability or chemical dependency or other good cause prevented the parent from making contact with the child. This presumption does not apply to children whose custody has been determined under chapter 257 or 518. The court is not prohibited from finding abandonment in the absence of this presumption; or~~

(2) That the parent has substantially, continuously, or repeatedly refused or neglected to comply with the duties imposed upon that parent by the parent and child relationship, including but not limited to providing the child with necessary food, clothing, shelter, education, and other care and control necessary for the child's physical, mental, or emotional health and development, if the parent is physically and financially able, and reasonable efforts by the social service agency have failed to correct the conditions that formed the basis of the petition; or

(3) That a parent has been ordered to contribute to the support of the child or financially aid in the child's birth and has continuously failed to do so without good cause. This clause shall not be construed to state a grounds for termination of parental rights of a noncustodial parent if that parent has not been ordered to or cannot financially contribute to the support of the child or aid in the child's birth; or

(4) That a parent is palpably unfit to be a party to the parent and child relationship because of a consistent pattern of specific conduct before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental, or emotional needs of the child. It is presumed that a parent is palpably unfit to be a party to the parent and child relationship upon a showing that:

(i) the child was adjudicated in need of protection or services due to circumstances described in section 260.015, subdivision 2a, clause (1), (2), (3), (5), or (8); and

(ii) within the three-year period immediately prior to that adjudication, the parent's parental rights to one or more other children were involuntarily terminated under clause (1), (2), (4), or (7), or under clause (5) if the child was initially determined to be in need of protection or services due to circumstances described in section 260.015, subdivision 2a, clause (1), (2), (3), (5), or (8); or

(5) That following upon a determination of neglect or dependency, or of a child's need for protection or services, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the determination. It is presumed that reasonable efforts under this clause have failed upon a showing that:

(i) a child has resided out of the parental home under court order for more than one year following an adjudication of dependency, neglect, need for protection or services under section 260.015, subdivision 2a, clause (1), (2), (3), (6), (8), or (9), or neglected and in foster care, and an order for disposition under section 260.191, including adoption of the case plan required by section 257.071;

(ii) conditions leading to the determination will not be corrected within the reasonably foreseeable future. It is presumed that conditions leading to a child's out-of-home placement will not be corrected in the reasonably foreseeable future upon a showing that the parent or parents have not substantially complied with the court's orders and a reasonable case plan, and the conditions which led to the out-of-home placement have not been corrected; and

(iii) reasonable efforts have been made by the social service agency to rehabilitate the parent and reunite the family.

This clause does not prohibit the termination of parental rights prior to one year after a child has been placed out of the home.

It is also presumed that reasonable efforts have failed under this clause upon a showing that:

(i) the parent has been diagnosed as chemically dependent by a professional certified to make the diagnosis;

(ii) the parent has been required by a case plan to participate in a chemical dependency treatment program;

(iii) the treatment programs offered to the parent were culturally, linguistically, and clinically appropriate;

(iv) the parent has either failed two or more times to successfully complete a treatment program or has refused at two or more separate meetings with a caseworker to participate in a treatment program; and

(v) the parent continues to abuse chemicals.

Provided, that this presumption applies only to parents required by a case plan to participate in a chemical dependency treatment program on or after July 1, 1990; or

(6) That a child has experienced egregious harm in the parent's care which is of a nature, duration, or chronicity that indicates a lack of regard for the child's well-being, such that a reasonable person would believe it contrary to the best interest of the child or of any child to be in the parent's care; or

(7) That in the case of a child born to a mother who was not married to the child's father when the child was conceived nor when the child was born the person is not entitled to notice of an adoption hearing under section 259.49 and either the person has not filed a notice of intent to retain parental rights under section 259.51 or that the notice has been successfully challenged registered with the fathers' adoption registry under section 259.52; or

(8) That the child is neglected and in foster care.

In an action involving an American Indian child, sections 257.35 to 257.3579 and the Indian Child Welfare Act, United States Code, title 25, sections 1901 to 1923, control to the extent that the provisions of this section are inconsistent with those laws.

Sec. 9. Minnesota Statutes 1996, section 260.221, is amended by adding a subdivision to read:

Subd. 1a. [EVIDENCE OF ABANDONMENT.] For purposes of subdivision 1, clause (1):

(a) Abandonment is presumed when:

(1) the parent has had no contact with the child on a regular basis and not demonstrated, consistent interest in the child's well-being for six months; and

(2) the social service agency has made reasonable efforts to facilitate contact, unless the parent establishes that an extreme financial or physical hardship or treatment for mental disability or chemical dependency or other good cause prevented the parent from making contact with the child. This presumption does not apply to children whose custody has been determined under chapter 257 or 518. The court is not prohibited from finding abandonment in the absence of this presumption.

(b) The following are prima facie evidence of abandonment where adoption proceedings are pending and there has been a showing that the person was not entitled to notice of an adoption proceeding under section 259.49:

(1) failure to register with the fathers' adoption registry under section 259.52; or

(2) if the father registered with the fathers' adoption registry under section 259.52:

(i) filing a denial of paternity within 30 days of receipt of notice under section 259.52, subdivision 8;

(ii) failing to timely file an intent to claim parental rights with entry of appearance form within 30 days of receipt of notice under section 259.52, subdivision 10; or

(iii) timely filing an intent to claim parental rights with entry of appearance form within 30 days of receipt of notice under section 259.52, subdivision 10, but failing to initiate a paternity action within 30 days of receiving the fathers' adoption registry notice where there has been no showing of good cause for the delay.

Sec. 10. [REPEALER.]

Minnesota Statutes 1996, section 259.51, is repealed."

Delete the title and insert:

"A bill for an act relating to adoption; creating a fathers' adoption registry; amending adoption notice and consent provisions relating to fathers; amending Minnesota Statutes 1996, sections 13.99, by adding a subdivision; 257.352, subdivision 3, and by adding subdivisions; 259.49, subdivision 1; and 260.221, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 259; repealing Minnesota Statutes 1996, section 259.51."

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

**Ms. Ranum from the Committee on Judiciary, to which was re-referred**

**S.F. No. 457:** A bill for an act relating to professions; modifying provisions relating to the board of social work; providing civil penalties; amending Minnesota Statutes 1996, sections 13.99, subdivision 50; 148B.01, subdivisions 4 and 7; 148B.03; 148B.04, subdivisions 2, 3, and 4; 148B.06, subdivision 3; 148B.07; 148B.08, subdivision 2; 148B.18, subdivisions 4, 5, 11, and by

adding subdivisions; 148B.19, subdivisions 1, 2, and 4; 148B.20, subdivision 1, and by adding a subdivision; 148B.21, subdivisions 3, 4, 5, 6, and 7; 148B.215; 148B.22, by adding a subdivision; 148B.26, subdivision 1, and by adding a subdivision; 148B.27, subdivisions 1 and 2; and 148B.28, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 148B; repealing Minnesota Statutes 1996, sections 148B.01, subdivision 3; 148B.18, subdivisions 6 and 7; 148B.19, subdivision 3; and 148B.23.

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

Page 14, after line 17, insert:

"Sec. 27. Minnesota Statutes 1996, section 148B.21, is amended by adding a subdivision to read:

Subd. 6a. [BACKGROUND CHECKS.] The board shall request a criminal history background check from the superintendent of the bureau of criminal apprehension on all applicants for initial licensure. An application for a license under this section must be accompanied by:

(1) an executed criminal history consent form; and

(2) a money order or cashier's check payable to the bureau of criminal apprehension for the fee for conducting the criminal history background check."

Page 22, line 1, delete "proceeding" and insert "proceedings"

Page 24, line 28, delete "witness" and insert "witnesses"

Page 29, line 30, after "the" insert "appropriate"

Page 29, line 34, after "the" insert "same"

Page 31, line 33, delete everything after the period

Page 31, delete line 34

Page 32, line 4, delete everything after "agreements"

Page 32, line 5, delete "of the board"

Page 36, line 11, after "Statutes" insert "1996"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "and" and after "7" insert ", and by adding a subdivision"

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Hottinger moved that S.F. No. 843 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Mr. Morse moved that S.F. No. 921 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Ms. Johnson, J.B. moved that S.F. No. 1399 be withdrawn from the Committee on Local and Metropolitan Government and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Mr. Langseth moved that S.F. No. 1271 be withdrawn from the Committee on Commerce and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

**Ms. Berglin introduced--**

**S.F. No. 1482:** A bill for an act relating to health; establishing reimbursement rates for a nursing facility relocated under the moratorium exception process; amending Minnesota Statutes 1996, section 256B.431, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Messrs. Cohen and Knutson introduced--**

**S.F. No. 1483:** A bill for an act relating to civil actions; providing a limitation on actions based on errors or omissions in housing inspections; proposing coding for new law in Minnesota Statutes, chapter 541.

Referred to the Committee on Judiciary.

**Mr. Solon introduced--**

**S.F. No. 1484:** A bill for an act relating to health; providing for the limited practice of psychology; amending Minnesota Statutes 1996, section 148.90, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

**Mr. Ten Eyck introduced--**

**S.F. No. 1485:** A bill for an act relating to crime prevention; providing for an increased criminal penalty for possession or sale of small amounts of marijuana in a school zone, park zone, or public housing zone; imposing a criminal penalty; amending Minnesota Statutes 1996, section 152.027, subdivision 4, and by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Messrs. Morse, Betzold, Terwilliger, Stumpf and Pogemiller introduced--**

**S.F. No. 1486:** A bill for an act relating to retirement; actuarial reporting requirements; modifying the definition of the actuarial value of pension plan assets; amending Minnesota Statutes 1996, section 356.215, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Wiener, Messrs. Hottinger, Samuelson, Solon and Oliver introduced--**

**S.F. No. 1487:** A bill for an act relating to insurance; regulating health care policy rates; amending Minnesota Statutes 1996, section 62A.021, subdivision 1.

Referred to the Committee on Commerce.

**Messrs. Foley, Spear, Neuville and Knutson introduced--**

**S.F. No. 1488:** A bill for an act relating to community corrections; providing a single system for counties to deliver and finance local community justice services; requiring counties to develop a comprehensive plan for developing and administering these services as a condition of receiving the state subsidy for community justice services; repealing the county probation officer law and the Community Corrections Act; amending Minnesota Statutes 1996, sections 241.021, subdivision 1; 353.01, subdivision 16; 388.24, subdivision 2; 401.065, subdivision 2; and 402.03; proposing coding for new law as Minnesota Statutes, chapter 401A; repealing Minnesota Statutes 1996, sections 260.311; 401.01; 401.02; 401.03; 401.04; 401.05; 401.06; 401.07; 401.08; 401.09; 401.10; 401.11; 401.12; 401.13; 401.14; 401.15; and 401.16.

Referred to the Committee on Crime Prevention.

**Mr. Novak introduced--**

**S.F. No. 1489:** A bill for an act relating to the city of New Brighton; authorizing creation of certain tax increment districts in the city.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Krentz, Messrs. Morse and Laidig introduced--**

**S.F. No. 1490:** A bill for an act relating to natural resources; appropriating a road right-of-way for recreation in Washington county; appropriating money.

Referred to the Committee on Environment and Natural Resources.

**Mrs. Scheid and Ms. Robertson introduced--**

**S.F. No. 1491:** A bill for an act relating to insurance; transferring regulatory authority for health maintenance organizations to the commissioner of commerce; requiring the commissioner of health to advise and assist; amending Minnesota Statutes 1996, sections 60B.02; 60B.03, subdivision 2; 60B.15; 60B.20; 60G.01, subdivisions 2 and 4; 62D.01, subdivision 2; 62D.02, subdivision 3; 62D.03, subdivisions 1, 3, and 4; 62D.04, subdivisions 1, 2, 3, and by adding a subdivision; 62D.05, subdivision 6; 62D.06, subdivision 2; 62D.07, subdivisions 2, 3, and 10; 62D.08, subdivisions 1, 2, 3, 4, 5, and 6; 62D.09, subdivisions 1 and 8; 62D.10, subdivision 4; 62D.11, subdivisions 1b, 2, and 3; 62D.12, subdivisions 1, 2, and 9; 62D.121, subdivisions 3a and 7; 62D.14, subdivisions 1, 3, 4, 5, and 6; 62D.15, subdivisions 1 and 4; 62D.16, subdivisions 1 and 2; 62D.17, subdivisions 1, 3, 4, and 5; 62D.18, subdivisions 1 and 7; 62D.19; 62D.20, subdivision 1; 62D.21; 62D.211; 62D.22, subdivisions 4 and 10; 62D.24; 62D.30, subdivisions 1 and 3; repealing Minnesota Statutes 1996, sections 62D.03, subdivision 2; and 62D.18.

Referred to the Committee on Health and Family Security.

**Messrs. Solon, Cohen, Hottinger, Novak and Larson introduced--**

**S.F. No. 1492:** A bill for an act relating to alcoholic beverages; importation; prohibiting delivery of alcoholic beverages manufactured outside the state to any location in Minnesota except a wholesaler's warehouse; requiring such alcoholic beverages to be carried by motor carriers or wholesalers; requiring products to be labeled in conformity with federal labeling regulations; prohibiting certain solicitations of orders for alcoholic beverages to be delivered to any location other than a wholesaler's warehouse; creating a cause of action; repealing authorization for certain wine shipments into the state; proposing coding for new law in Minnesota Statutes, chapter 340A; repealing Minnesota Statutes 1996, section 340A.417.

Referred to the Committee on Commerce.

**Mses. Higgins, Pappas, Messrs. Spear and Marty introduced--**



**S.F. No. 1493:** A bill for an act relating to financial institutions; providing for reasonable account fees; amending Minnesota Statutes 1996, sections 9.031, subdivision 13; 47.76; 48.512, subdivision 7; 50.17, subdivision 11; 51A.21, subdivision 28; 118A.02, subdivision 1; 427.01; and 427.02; proposing coding for new law in Minnesota Statutes, chapters 427; and 469.

Referred to the Committee on Commerce.

**Mr. Samuelson introduced--**

**S.F. No. 1494:** A bill for an act relating to education; authorizing a grant for Mid-State Education District No. 6979; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Mr. Price introduced--**

**S.F. No. 1495:** A bill for an act relating to economic development; appropriating money for a study of the economic impact of certain improvement projects on Newport.

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

**Mses. Lesewski, Anderson, Messrs. Scheevel, Ourada and Frederickson introduced--**

**S.F. No. 1496:** A bill for an act relating to taxation; property; providing a reduced class rate of certain low-income housing which is new construction or rehabilitated; amending Minnesota Statutes 1996, section 273.13, subdivision 25; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Oliver introduced--**

**S.F. No. 1497:** A bill for an act relating to consumer protection; regulating new motorcycle warranties; imposing duties on manufacturers; amending Minnesota Statutes 1996, section 325F.665, subdivision 1.

Referred to the Committee on Commerce.

**Mr. Oliver introduced--**

**S.F. No. 1498:** A bill for an act relating to tax increment financing; authorizing the city of Chanhassen to establish a housing tax increment district; exempting the district from certain requirements.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Neville and Ourada introduced--**

**S.F. No. 1499:** A bill for an act relating to elections; requiring candidates who accept a public subsidy to answer certain questions asked by their opponents; amending Minnesota Statutes 1996, section 10A.322, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10A.

Referred to the Committee on Election Laws.

**Messrs. Scheevel, Morse, Dille, Frederickson and Vickerman introduced--**

**S.F. No. 1500:** A bill for an act relating to natural resources; appropriating money for expansion of the Blufflands trail system.

Referred to the Committee on Environment and Natural Resources.

**Ms. Krentz, Messrs. Janezich, Knutson, Wiger and Beckman introduced--**

**S.F. No. 1501:** A bill for an act relating to education; establishing gifted and talented grants; establishing content standards assessment grants; requiring designation of a gifted and talented resource person; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Messrs. Samuelson, Vickerman and Johnson, D.J. introduced--**

**S.F. No. 1502:** A bill for an act relating to health; prohibiting partial-birth abortions; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

**Messrs. Lessard and Janezich introduced--**

**S.F. No. 1503:** A bill for an act relating to libraries; permitting a public library to operate jointly with a school library in Nashwauk; establishing a library board; regulating its tax levies.

Referred to the Committee on Children, Families and Learning.

**Messrs. Lessard; Johnson, D.J.; Ten Eyck; Stevens and Samuelson introduced--**

**S.F. No. 1504:** A bill for an act relating to natural resources; extending permits for timber sales that expire in 1997.

Referred to the Committee on Environment and Natural Resources.

**Ms. Wiener, Messrs. Kelley, S.P.; Stumpf and Larson introduced--**

**S.F. No. 1505:** A bill for an act relating to higher education; appropriating money to the higher education services office to develop and establish a library information network.

Referred to the Committee on Children, Families and Learning.

**Ms. Hanson, Messrs. Foley and Novak introduced--**

**S.F. No. 1506:** A bill for an act relating to parks; funding the operation and maintenance of parks in the metropolitan area; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Hottinger introduced--**

**S.F. No. 1507:** A bill for an act relating to retirement; authorizing the purchase of service credit in the teachers retirement association; providing an exemption from certain payment deadlines for certain members of the teachers retirement association.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Hottinger introduced--**

**S.F. No. 1508:** A bill for an act relating to taxation; proposing an amendment to the Minnesota Constitution, article XIII, section 1; prohibiting financing of certain education costs with property taxes.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Larson; Solon; Langseth; Johnson, D.J. and Novak introduced--**

**S.F. No. 1509:** A bill for an act relating to appropriations; appropriating money for the state's share of the cost of the new Poe Lock at Sault Ste. Marie Narrows.

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

**Messrs. Johnson, D.E.; Knutson; Oliver; Larson and Ms. Runbeck introduced--**

**S.F. No. 1510:** A bill for an act relating to taxation; providing for property tax reform; changing class rates; providing education funding; providing truth in budgeting; providing levy constraints; appropriating money; amending Minnesota Statutes 1996, sections 273.13, subdivisions 22, 23, 24, 25, and 31; 273.1393; 275.065, subdivisions 1, 3, 5a, and 6, and by adding a subdivision; 275.07, by adding a subdivision; 276.04, subdivision 2; 477A.013, subdivision 9; and 477A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 273; and 275; repealing Minnesota Statutes 1996, sections 273.13, subdivision 32; 473.3915; and 477A.011, subdivision 37.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Cohen and Kelly, R.C. introduced--**

**S.F. No. 1511:** A bill for an act relating to crime prevention; requiring mandatory minimum sentences for gang-motivated or facilitated crimes; increasing penalties for soliciting juveniles to commit criminal acts; prohibiting adults from soliciting minors to commit crimes for the benefit of a gang; creating the crime of tampering with a juror; making changes related to the joinder of offenses and defendants in criminal trials; limiting the scope of the community crime reduction grant program; creating a gang prevention grant program; amending the definition of "violent crime" and "crime of violence"; providing criminal penalties; appropriating money; amending Minnesota Statutes 1996, sections 119A.31, subdivision 1; 609.035, subdivision 1; 609.152, subdivision 1; 609.494, subdivisions 1 and 2; 609.749, subdivision 3; 624.712, subdivision 5; and 631.035; proposing coding for new law in Minnesota Statutes, chapters 299A; 609; and 631; repealing Minnesota Statutes 1996, section 609.229.

Referred to the Committee on Crime Prevention.

**Mr. Neuville, Mses. Olson, Robertson, Mr. Scheevel and Ms. Kiscaden introduced--**

**S.F. No. 1512:** A bill for an act relating to education; extending the Post-secondary Enrollment Options Act to include nonpublic school students; amending Minnesota Statutes 1996, section 123.3514, subdivisions 3, 4, 4a, 4e, and 6c.

Referred to the Committee on Children, Families and Learning.

**Messrs. Hottinger; Neuville; Kelly, R.C.; Stumpf and Ms. Ranum introduced--**

**S.F. No. 1513:** A bill for an act relating to civil actions; modifying and expanding provisions for sanctions in civil actions; amending Minnesota Statutes 1996, sections 336.2A-108; 566.25; 570.041, subdivision 1; 571.932, subdivision 6; and 609.5314, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 549; repealing Minnesota Statutes 1996, section 549.21.

Referred to the Committee on Judiciary.

**Messrs. Johnson, D.H.; Ten Eyck; Mses. Hanson and Junge introduced--**

**S.F. No. 1514:** A bill for an act relating to crime; increasing sentences for persons who commit

felonies for the benefit of a criminal gang; repealing the statutory definition of criminal gang; amending Minnesota Statutes 1996, section 609.229, subdivision 3; repealing Minnesota Statutes 1996, section 609.229, subdivision 1.

Referred to the Committee on Crime Prevention.

**Messrs. Betzold, Stumpf, Terwilliger and Morse introduced--**

**S.F. No. 1515:** A bill for an act relating to retirement; providing for actuarial funding of the legislators retirement plan and the elective state officers retirement plan; amending Minnesota Statutes 1996, sections 3A.01, by adding a subdivision; 3A.03; 3A.04, subdivisions 3 and 4; 3A.11, subdivision 1; 352C.021, by adding a subdivision; 352C.031, subdivision 6; 352C.04, subdivision 3; 352C.051, subdivision 3; 352C.09; 352C.10; 490.121, subdivisions 5, 6, and 20; 490.122; 490.123; and 490.124, subdivisions 1, 6, and 12; proposing coding for new law in Minnesota Statutes, chapter 352C; repealing Minnesota Statutes 1996, sections 3A.02, subdivision 2; 3A.07; 3A.09; 352C.091, subdivisions 2 and 3; and 490.123, subdivision 1c.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Knutson and Betzold introduced--**

**S.F. No. 1516:** A bill for an act relating to privacy; authorizing the board of nursing to withhold access to residence addresses and telephone numbers; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Judiciary.

**Mr. Frederickson, Ms. Robertson, Messrs. Oliver, Larson and Ms. Olson introduced--**

**S.F. No. 1517:** A bill for an act relating to finance; providing for allocation of certain revenues to the budget reserve account; providing a refundable tax credit for the 1996 tax year; amending Minnesota Statutes 1996, sections 16A.152, subdivision 2; 124.195, subdivisions 7 and 10; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1996, section 121.904, subdivision 4d.

Referred to the Committee on Children, Families and Learning.

**Messrs. Hottinger; Johnson, D.J.; Sams; Stevens and Ms. Runbeck introduced--**

**S.F. No. 1518:** A bill for an act proposing an amendment to the Minnesota Constitution, article IV, sections 4 and 12; lengthening the term of office of representatives and senators; requiring staggered election of representatives and senators; reducing the number of the days the legislature can meet; changing the deadline for adjournment; reducing the size of the legislature; amending Minnesota Statutes 1996, section 2.021.

Referred to the Committee on Election Laws.

**Ms. Kiscaden, Messrs. Beckman, Novak, Scheevel and Ms. Runbeck introduced--**

**S.F. No. 1519:** A bill for an act relating to reemployment compensation; providing less frequent payment schedules for certain employers; providing for noncharging of benefits in certain situations; proposing coding for new law in Minnesota Statutes, chapter 268.

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

**Messrs. Kleis; Belanger; Ourada; Johnson, D.H. and Kelly, R.C. introduced--**

**S.F. No. 1520:** A bill for an act relating to traffic regulations; requiring driver to control the

vehicle when approaching authorized emergency vehicles stopped on the right-of-way; imposing surcharge for violation; amending Minnesota Statutes 1996, section 169.14, subdivision 3.

Referred to the Committee on Transportation.

**Ms. Junge, Mr. Janezich, Ms. Ranum, Messrs. Morse and Wiger introduced--**

**S.F. No. 1521:** A bill for an act relating to health; requiring the attorney general to investigate unfair drug price discrimination; giving the commissioner of administration authority to negotiate contract prices for prescription drugs; requiring the commissioner of administration to establish and administer a nongovernmental pharmaceutical contracting alliance; modifying prescription dispensing requirements; requiring a pharmacy to post a sign on generic substitution; appropriating money; amending Minnesota Statutes 1996, sections 8.31, subdivision 1; and 151.21, subdivisions 2, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on Health and Family Security.

**Messrs. Johnson, D.J.; Pogemiller; Ms. Pappas, Mr. Betzold and Ms. Johnson, J.B. introduced--**

**S.F. No. 1522:** A bill for an act relating to health; requiring the attorney general to investigate unfair drug price discrimination; giving the commissioner of administration authority to negotiate contract prices for prescription drugs; requiring the commissioner of administration to establish and administer a nongovernmental pharmaceutical contracting alliance; modifying prescription dispensing requirements; requiring a pharmacy to post a sign on generic substitution; appropriating money; amending Minnesota Statutes 1996, sections 8.31, subdivision 1; and 151.21, subdivisions 2, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on Health and Family Security.

**Ms. Runbeck and Mr. Oliver introduced--**

**S.F. No. 1523:** A bill for an act relating to taxation; allowing an income tax credit for gifts by individuals to institutions of higher education; amending Minnesota Statutes 1996, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

**Ms. Runbeck, Mr. Murphy, Mrs. Pariseau, Messrs. Sams and Knutson introduced--**

**S.F. No. 1524:** A bill for an act relating to taxation; individual income; allowing a personal and dependent credit for two taxable years; amending Minnesota Statutes 1996, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

**Messrs. Solon, Terwilliger, Ms. Berglin, Mrs. Lourey and Mr. Sams introduced--**

**S.F. No. 1525:** A bill for an act relating to health; appropriating money for health care consumer assistance grants.

Referred to the Committee on Health and Family Security.

**Mses. Runbeck, Anderson, Messrs. Day, Belanger and Novak introduced--**

**S.F. No. 1526:** A bill for an act relating to taxation; providing for homestead treatment to

certain residents owning residential real estate and occupying it for only a part of the year; amending Minnesota Statutes 1996, section 273.124, subdivisions 1 and 13.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Hottinger, Solon, Mses. Wiener and Runbeck introduced--**

**S.F. No. 1527:** A bill for an act relating to insurance; Minnesota Insurance Guaranty Act; conforming state law to provisions of the Post-Assessment Property and Liability Insurance Guaranty Association Model Act of the National Association of Insurance Commissioners; amending Minnesota Statutes 1996, sections 60C.02; 60C.03, subdivisions 6, 8, and by adding a subdivision; 60C.05, subdivision 1; 60C.07, subdivision 2; 60C.09; 60C.11, subdivision 5; 60C.13, subdivision 1; 60C.14, subdivision 2; 60C.15; 60C.19; and 60C.21, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 60C; repealing Minnesota Statutes 1996, section 60C.06, subdivision 6.

Referred to the Committee on Commerce.

**Ms. Berglin introduced--**

**S.F. No. 1528:** A bill for an act relating to human services; authorizing the commissioner of human services to develop a pilot project community-based mental health crisis center for women; appropriating money.

Referred to the Committee on Health and Family Security.

**Ms. Hanson introduced--**

**S.F. No. 1529:** A bill for an act relating to regulated professions; adding two members to the board of electricity; amending Minnesota Statutes 1996, section 326.241, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Kelly, R.C. and Ms. Berglin introduced--**

**S.F. No. 1530:** A bill for an act relating to community development; providing funding for opportunities industrialization centers; appropriating money; amending Minnesota Statutes 1996, section 268.63.

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

**Mr. Terwilliger introduced--**

**S.F. No. 1531:** A bill for an act relating to taxation; individual income; reducing the rate of tax on the first income bracket; amending Minnesota Statutes 1996, section 290.06, subdivisions 2c and 2d.

Referred to the Committee on Taxes.

**Mr. Cohen introduced--**

**S.F. No. 1532:** A bill for an act relating to highways; appropriating money for beautification and enhancement of marked trunk highway No. 5 in St. Paul.

Referred to the Committee on Transportation.

**Mr. Cohen introduced--**

**S.F. No. 1533:** A bill for an act relating to traffic regulations; prescribing the display period for "Walk" signal at certain pedestrian-control traffic signals; amending Minnesota Statutes 1996, section 169.06, subdivision 6.

Referred to the Committee on Transportation.

**Mr. Laidig introduced--**

**S.F. No. 1534:** A bill for an act relating to natural resources; appropriating money for the critical habitat private sector matching account.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Limmer, Neuville, Foley and Ms. Kiscaden introduced--**

**S.F. No. 1535:** A bill for an act relating to family law; requiring six-month and one-year court hearings to review child support, visitation, and joint custody compliance; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

**Mses. Robertson, Runbeck and Olson introduced--**

**S.F. No. 1536:** A bill for an act relating to taxation; property; modifying the proposed property tax notices; amending Minnesota Statutes 1996, sections 275.065, subdivisions 1, 3, and 6; and 276.04, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

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

**S.F. No. 1537:** A bill for an act relating to the military; authorizing the payment of salary differential for reserve forces on active duty in Haiti; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations and Veterans.

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

**S.F. No. 1538:** A bill for an act relating to health; appropriating money for the metro east program for health.

Referred to the Committee on Health and Family Security.

**Messrs. Samuelson and Solon introduced--**

**S.F. No. 1539:** A bill for an act relating to human services; establishing a grant for the deaf and hard-of-hearing and deaf-blind children in Minnesota; appropriating money.

Referred to the Committee on Health and Family Security.

**Messrs. Marty, Wiger and Foley introduced--**

**S.F. No. 1540:** A bill for an act relating to education; establishing a healthy community program; providing revenue; amending Minnesota Statutes 1996, section 121.88, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Children, Families and Learning.

**Messrs. Ten Eyck; Moe, R.D.; Stumpf; Kleis and Solon introduced--**

**S.F. No. 1541:** A bill for an act relating to education; delaying campus student association referendum on statewide affiliation for a certain period of time.

Referred to the Committee on Children, Families and Learning.

**Mr. Berg introduced--**

**S.F. No. 1542:** A bill for an act relating to real property; clarifying ownership of certain parcels of land in Chippewa county.

Referred to the Committee on Environment and Natural Resources.

**Mrs. Lourey, Messrs. Samuelson and Sams introduced--**

**S.F. No. 1543:** A bill for an act relating to human services; establishing a new rate for day training and habilitation services; amending Minnesota Statutes 1996, section 252.46, subdivision 1.

Referred to the Committee on Health and Family Security.

**Mses. Berglin and Robertson introduced--**

**S.F. No. 1544:** A bill for an act relating to crime; providing criminal penalties for adults who approach, contact, or speak to a minor who is not related to the actor, with intent to commit sexual conduct or a criminal or delinquent act; amending Minnesota Statutes 1996, sections 609.352, subdivisions 1 and 2; and 609.494, subdivision 1.

Referred to the Committee on Crime Prevention.

**Messrs. Morse, Pogemiller, Metzen, Stevens and Stumpf introduced--**

**S.F. No. 1545:** A bill for an act relating to retirement; revising selection requirements for section 403(b) of the Internal Revenue Code annuity service providers; making technical changes; amending Minnesota Statutes 1996, section 356.24, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Solon introduced--**

**S.F. No. 1546:** A bill for an act relating to elections; changing the time for filing for office and the date of the state primary; amending Minnesota Statutes 1996, sections 204B.09, subdivision 1; 204D.03, subdivision 1; and 205.13, subdivision 1a.

Referred to the Committee on Election Laws.

**Ms. Junge introduced--**

**S.F. No. 1547:** A bill for an act relating to insurance; no-fault auto; regulating medical examinations requested by reparation obligors; amending Minnesota Statutes 1996, sections 65B.56, subdivision 1; and 72A.201, subdivision 6.

Referred to the Committee on Commerce.

**Ms. Krentz and Mrs. Scheid introduced--**

**S.F. No. 1548:** A bill for an act relating to education; authorizing an additional levy for certain school districts operating a joint elementary facility.



Referred to the Committee on Children, Families and Learning.

**Mses. Krentz, Robertson and Mrs. Scheid introduced--**

**S.F. No. 1549:** A bill for an act relating to education; changing the date for taking office for members of the school board of Northeast Metropolitan intermediate school district No. 916; changing the date of the organizational meeting; amending Minnesota Statutes 1996, section 136D.72, subdivisions 2 and 3.

Referred to the Committee on Children, Families and Learning.

**Ms. Johnson, J.B. introduced--**

**S.F. No. 1550:** A bill for an act relating to the environment; appropriating money for the repayment of wastewater treatment loans made to the city of Cambridge for wastewater treatment attributable to the wild and scenic river designation of the Rum river.

Referred to the Committee on Environment and Natural Resources.

**Mr. Betzold introduced--**

**S.F. No. 1551:** A bill for an act relating to veterans; establishing a program to pay a monetary bonus to members of the national guard or the reserve components of the United States armed forces ordered to active duty after July 1, 1990; imposing a criminal penalty for false application; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Governmental Operations and Veterans.

**Mrs. Fischbach, Mr. Stevens and Ms. Lesewski introduced--**

**S.F. No. 1552:** A bill for an act relating to traffic regulations; authorizing school buses operating on certain routes to be equipped with tires having metal studs; amending Minnesota Statutes 1996, section 169.72, by adding a subdivision.

Referred to the Committee on Transportation.

**Messrs. Beckman, Janezich, Novak, Murphy and Ms. Higgins introduced--**

**S.F. No. 1553:** A bill for an act relating to taxation; providing an income tax credit for contributions by an employer for employee housing; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

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

**S.F. No. 1554:** A bill for an act relating to rulemaking; prohibiting the state high school league or its board from adopting or enforcing a rule or policy regulating nonschool competition by students in individual sports; proposing coding for new law in Minnesota Statutes, chapter 128C.

Referred to the Committee on Governmental Operations and Veterans.

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

**S.F. No. 1555:** A bill for an act relating to employment; establishing a position for a special language employee in the department of labor and industry.

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

**Messrs. Knutson, Kleis, Neuville and Ms. Krentz introduced--**

**S.F. No. 1556:** A bill for an act relating to crime; expanding the scope of fourth degree assault to include the infliction of any amount of bodily harm on a correctional facility employee; requiring state prison inmates who are convicted of fourth degree assault to serve the sentence for the assault consecutively to their current sentence; amending Minnesota Statutes 1996, section 609.2231, subdivision 3.

Referred to the Committee on Crime Prevention.

**Mr. Knutson introduced--**

**S.F. No. 1557:** A bill for an act relating to crime; clarifying the legislative intent concerning jail credit; presuming consecutive and not concurrent jail sentences; requiring specific findings to authorize concurrent jail sentences or jail credit; amending Minnesota Statutes 1996, sections 609.01, subdivision 1; 609.145, by adding a subdivision; and 609.15, subdivision 1.

Referred to the Committee on Crime Prevention.

**Mr. Johnson, D.J. introduced--**

**S.F. No. 1558:** A bill for an act relating to Lake county; providing for the establishment of a redevelopment project area and redevelopment tax increment financing districts to finance certain costs of wastewater collection and treatment facilities.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Johnson, D.J. introduced--**

**S.F. No. 1559:** A bill for an act relating to Cook county; providing a total exemption for construction materials purchased for use in constructing improvements to a county jail and courthouse.

Referred to the Committee on Taxes.

**Mr. Price introduced--**

**S.F. No. 1560:** A bill for an act relating to state government; requiring the commissioner of employee relations to review certain proposed contracts involving services to state agencies; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Johnson, D.J. introduced--**

**S.F. No. 1561:** A bill for an act relating to Cook county; authorizing the use of the proceeds of the county sales tax for improvements to the hospital and care center; amending Laws 1993, chapter 375, article 9, section 45, subdivisions 2, 3, 4, and by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Berg introduced--**

**S.F. No. 1562:** A bill for an act relating to agriculture; rural economic development; providing a tax credit for investments in certain agricultural cooperatives; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Stumpf, Ms. Robertson, Messrs. Pogemiller, Langseth and Ms. Krentz introduced--**

**S.F. No. 1563:** A bill for an act relating to education; appropriating money for telecommunications access grants.

Referred to the Committee on Children, Families and Learning.

**Mr. Sams introduced--**

**S.F. No. 1564:** A bill for an act relating to agriculture; providing for family farm limited liability companies, authorized farm limited liability companies, family farm limited liability partnerships, and authorized farm limited liability partnerships; amending Minnesota Statutes 1996, section 500.24, subdivisions 2, 3, 3a, 3b, 4, 5, 6, and 7.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Sams, Samuelson, Ms. Piper, Mr. Dille and Ms. Berglin introduced--**

**S.F. No. 1565:** A bill for an act relating to health; appropriating money for the Greater Staples Hospital infant hearing screening program.

Referred to the Committee on Health and Family Security.

**Mrs. Scheid and Ms. Ranum introduced--**

**S.F. No. 1566:** A bill for an act relating to education; providing enhanced funding for integration purposes; creating an exemption for metropolitan magnet school programs; authorizing the sale of bonds; appropriating money; amending Minnesota Statutes 1996, section 124C.498, subdivisions 1 and 3; Laws 1994, chapter 647, article 7, section 18, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapter 124.

Referred to the Committee on Children, Families and Learning.

**Ms. Pappas introduced--**

**S.F. No. 1567:** A bill for an act relating to community programs; expanding the class of applicants for crime prevention grants; amending Minnesota Statutes 1996, section 119A.31, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Ms. Kiscaden, Messrs. Samuelson, Sams, Vickerman and Dille introduced--**

**S.F. No. 1568:** A bill for an act relating to health; establishing health care purchasing alliances; establishing direct provider contracting; permitting the commissioner of health to waive hospital and other supervised living facility licensing standards; amending Minnesota Statutes 1996, section 144.56, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapters 62T; and 62U.

Referred to the Committee on Health and Family Security.

**Mses. Anderson and Junge introduced--**

**S.F. No. 1569:** A bill for an act relating to corrections; appropriating money to the commissioner of corrections for battered women community advocacy programs.

Referred to the Committee on Crime Prevention.

**Messrs. Samuelson and Sams introduced--**

**S.F. No. 1570:** A bill for an act relating to education; supporting the establishment of an American Indian studies center; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Ms. Hanson, Mr. Janezich, Mrs. Robling and Mr. Johnson, D.E. introduced--**

**S.F. No. 1571:** A bill for an act relating to railroads; requiring a minimum number of persons on train crews; granting rulemaking authority; providing a civil penalty; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation.

**Messrs. Stumpf, Langseth, Terwilliger, Ms. Olson and Mr. Sams introduced--**

**S.F. No. 1572:** A bill for an act relating to education; modifying secondary vocational education aid guarantee; amending Minnesota Statutes 1996, section 124.573, subdivision 2f.

Referred to the Committee on Children, Families and Learning.

**Messrs. Stumpf, Beckman, Sams and Morse introduced--**

**S.F. No. 1573:** A bill for an act relating to economic development; establishing a rural small business loan program; appropriating money; amending Minnesota Statutes 1996, section 41B.03, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Agriculture and Rural Development.

**Ms. Johnson, J.B.; Messrs. Vickerman, Frederickson, Beckman and Stumpf introduced--**

**S.F. No. 1574:** A bill for an act relating to energy; establishing a pilot program allowing increased state participation in loans for farm wind energy conversion facilities; providing an incentive for certain wind energy facilities; regulating contracts used to satisfy a wind power mandate; amending Minnesota Statutes 1996, sections 216B.2423, by adding a subdivision; and 216C.41, subdivision 1.

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

**Mr. Foley, Mses. Piper, Anderson and Higgins introduced--**

**S.F. No. 1575:** A bill for an act relating to landlords and tenants; creating a duty for landlords to ensure reasonably safe conditions for tenants; amending Minnesota Statutes 1996, section 504.18, subdivision 1.

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

**Messrs. Metzen, Cohen and Johnson, D.J. introduced--**

**S.F. No. 1576:** A bill for an act relating to administration; changing provisions governing the use of professional and technical services; amending Minnesota Statutes 1996, section 16B.167.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Ten Eyck introduced--**

**S.F. No. 1577:** A bill for an act relating to veterans; appropriating money for a veterans memorial in Park Rapids.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Novak; Kelly, R.C.; Neuville; Johnson, D.E. and Spear introduced--**

**S.F. No. 1578:** A bill for an act relating to criminal justice; arson; providing for statewide arson training courses for law enforcement and fire service personnel and prosecutors; creating an arson strike force to provide investigative and prosecutorial assistance to local agencies; providing intervention measures concerning juvenile firesetters; allowing the state fire marshal to designate individuals with power to summon witnesses and compel the production of documents; clarifying the district court's authority to punish failure to testify or produce evidence; allowing conviction and sentencing for both an arson crime and the crime the arson attempted to conceal; requiring a presence investigation report to consider the impact of an arson offense on fire safety personnel; requiring development of an arson investigation training module; providing criminal penalties; appropriating money; amending Minnesota Statutes 1996, sections 299F.051; 299F.06, subdivisions 1 and 3; 609.035, subdivision 1, and by adding a subdivision; 609.115, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 299F; and 626; repealing Minnesota Statutes 1996, section 299F.07.

Referred to the Committee on Crime Prevention.

**Mr. Janezich introduced--**

**S.F. No. 1579:** A bill for an act relating to retirement; Minnesota state retirement system correctional employees retirement plan; clarifying the payment of the employee contribution differential for prior correctional service; amending Laws 1996, chapter 408, article 8, section 22, subdivision 2.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Frederickson introduced--**

**S.F. No. 1580:** A bill for an act relating to education; permitting transfer of authority to appoint trustees of Stevens Seminary from the McLeod county board of commissioners to the Glencoe-Silver Lake school board.

Referred to the Committee on Children, Families and Learning.

**Messrs. Limmer, Betzold, Foley and Mrs. Scheid introduced--**

**S.F. No. 1581:** A bill for an act relating to local government; appropriating money for curfew enforcement.

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

**Messrs. Samuelson, Foley, Sams, Mrs. Lourey and Mr. Morse introduced--**

**S.F. No. 1582:** A bill for an act relating to human services; proposing an amendment to the Minnesota Constitution, article XI, by adding a section; dedicating a percentage of lottery proceeds to establish a food subsidy program for certain low-income families.

Referred to the Committee on Health and Family Security.

**Messrs. Hottinger, Sams, Metzen, Ms. Runbeck and Mr. Stevens introduced--**

**S.F. No. 1583:** A bill for an act relating to state government; setting state policy for regulatory

rules and programs of agencies; regulating obsolete, unnecessary, or duplicative rules; amending Minnesota Statutes 1996, sections 14.05, subdivision 5; and 14.131; proposing coding for new law in Minnesota Statutes, chapter 14.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Junge introduced--**

**S.F. No. 1584:** A bill for an act relating to local government; providing for procedures between the county housing and redevelopment authority and certain municipalities and municipal authorities; amending Minnesota Statutes 1996, section 383B.77, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

**Ms. Robertson, Mr. Knutson, Ms. Olson, Messrs. Pogemiller and Wiger introduced--**

**S.F. No. 1585:** A bill for an act relating to education; appropriating money to fund the advanced placement and international baccalaureate programs.

Referred to the Committee on Children, Families and Learning.

**Mses. Junge, Ranum, Anderson and Mr. Ten Eyck introduced--**

**S.F. No. 1586:** A bill for an act relating to the department of corrections; providing for grants to sexual assault programs; appropriating money.

Referred to the Committee on Crime Prevention.

**Messrs. Morse, Pogemiller, Cohen, Frederickson and Laidig introduced--**

**S.F. No. 1587:** A bill for an act proposing an amendment to the Minnesota Constitution, article XI, sections 9 and 14; authorizing distributions from the permanent school fund and the environment and natural resources trust fund to be up to 5-1/2 percent per year.

Referred to the Committee on Environment and Natural Resources.

**Ms. Berglin introduced--**

**S.F. No. 1588:** A bill for an act relating to human services; requiring any surplus from an ICF/MR closure to go to employees.

Referred to the Committee on Health and Family Security.

**Messrs. Langseth, Stumpf and Moe, R.D. introduced--**

**S.F. No. 1589:** A bill for an act relating to the Red River watershed management board; changing the description of the area subject to special authority of watershed districts; amending Laws 1976, chapter 162, section 1, as amended.

Referred to the Committee on Environment and Natural Resources.

**Mr. Morse, Ms. Kiscaden, Mr. Murphy, Ms. Piper and Mr. Scheevel introduced--**

**S.F. No. 1590:** A bill for an act relating to natural resources; appropriating money for the administrative expenses of the southeast Minnesota water resources board.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Sams, Morse, Scheevel and Mrs. Lourey introduced--**

**S.F. No. 1591:** A bill for an act relating to agriculture; expanding the duties of the board of directors of the agricultural utilization research institute; allowing the board of directors the discretion to establish an advisory board; amending Minnesota Statutes 1996, section 116O.09, subdivisions 2 and 5.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Sams, Dille, Stumpf, Morse and Moe, R.D. introduced--**

**S.F. No. 1592:** A bill for an act relating to agriculture; establishing the Minnesota agriculture education leadership council; establishing agricultural education grant programs; creating the Minnesota center for agriculture education; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 41D; repealing Minnesota Statutes 1996, section 126.113.

Referred to the Committee on Agriculture and Rural Development.

**Mr. Moe, R.D., by request, introduced--**

**S.F. No. 1593:** A bill for an act relating to taxation; authorizing the city of Fosston to impose a sales and use tax.

Referred to the Committee on Taxes.

**Mrs. Lourey, Messrs. Janezich and Lessard introduced--**

**S.F. No. 1594:** A bill for an act relating to natural resources; appropriating money for the Minnesota rock, gem, and mineral interpretative center.

Referred to the Committee on Environment and Natural Resources.

**Mrs. Lourey introduced--**

**S.F. No. 1595:** A bill for an act relating to crime prevention; appropriating money to reimburse Carlton county for expenses related to a criminal prosecution.

Referred to the Committee on Judiciary.

**Messrs. Metzen and Solon introduced--**

**S.F. No. 1596:** A bill for an act relating to education; appropriating money to the board of trustees of the Minnesota state colleges and universities to reimburse Inver Hills community college for costs of constructing a new entrance to the campus.

Referred to the Committee on Children, Families and Learning.

**Mmes. Lourey, Fischbach and Ms. Piper introduced--**

**S.F. No. 1597:** A bill for an act relating to occupations; requiring plumbers to be licensed in all cities regardless of size; amending Minnesota Statutes 1996, section 326.40, subdivision 1; repealing Minnesota Statutes 1996, section 326.45.

Referred to the Committee on Commerce.

**Messrs. Vickerman, Price, Morse and Belanger introduced--**

**S.F. No. 1598:** A bill for an act relating to the environment; authorizing the delegation of

National Pollutant Discharge Elimination System permits; amending Minnesota Statutes 1996, sections 103D.335, subdivision 10; and 115.03, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

**Mr. Morse introduced--**

**S.F. No. 1599:** A bill for an act relating to state lands; authorizing the private sale of certain surplus state land in Houston county.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Morse, Scheevel, Murphy, Vickerman and Dille introduced--**

**S.F. No. 1600:** A bill for an act relating to game and fish; modifying requirements for free deer licenses for owners or tenants of agricultural land; requiring a pilot deer season in certain counties; amending Minnesota Statutes 1996, section 97A.441, subdivision 7.

Referred to the Committee on Environment and Natural Resources.

**Mr. Stumpf introduced--**

**S.F. No. 1601:** A bill for an act relating to appropriations; appropriating money to stabilize river banks in East Grand Forks.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Stumpf and Langseth introduced--**

**S.F. No. 1602:** A bill for an act relating to the environment; establishing a permit for alternative discharging sewage systems; providing for the establishment of water quality cooperatives to furnish water quality treatment and management services; exempting certain drainage wells from regulation as dewatering wells; making alternative sewage treatment systems eligible for state wastewater treatment financing; appropriating money; amending Minnesota Statutes 1996, sections 103I.005, subdivision 4a; 300.111, by adding a subdivision; 308A.101, by adding a subdivision; 308A.201, by adding a subdivision; 446A.02, subdivision 6; and 446A.072, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115.

Referred to the Committee on Environment and Natural Resources.

**Mr. Wiger, Mses. Pappas, Anderson, Messrs. Cohen and Kelly, R.C. introduced--**

**S.F. No. 1603:** A bill for an act relating to liquor; authorizing the issuance of intoxicating liquor licenses to the division of parks and recreation of the city of Saint Paul; amending Laws 1990, chapter 554, section 19.

Referred to the Committee on Commerce.

**Ms. Johnson, J.B. introduced--**

**S.F. No. 1604:** A bill for an act relating to education; expanding a year-round school/extended week or day pilot program; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Mr. Solon and Ms. Kiscaden introduced--**

**S.F. No. 1605:** A bill for an act relating to taxation; sales; exempting sales to hospitals; amending Minnesota Statutes 1996, section 297A.25, by adding a subdivision.



Referred to the Committee on Taxes.

**Ms. Anderson, Messrs. Ten Eyck; Johnson, D.E. and Mrs. Lourey introduced--**

**S.F. No. 1606:** A bill for an act relating to health; expanding the number of living-at-home/block nurse programs; modifying contract requirements for the living-at-home/block nurse program; appropriating money; amending Minnesota Statutes 1996, section 256B.0917, subdivisions 7 and 8.

Referred to the Committee on Health and Family Security.

**Ms. Junge introduced--**

**S.F. No. 1607:** A bill for an act relating to domestic abuse; expanding the definition of first degree murder in situations involving domestic abuse; providing enhanced penalties based upon a previous conviction for malicious punishment of a child and other laws; adding assault in the fifth degree and domestic assault to definition of "crimes of violence"; increasing the cash bail for individuals charged with malicious punishment of a child; providing criminal penalties; amending Minnesota Statutes 1996, sections 609.185; 609.224, subdivisions 2 and 4; 609.2242, subdivisions 2 and 4; 609.377; 624.712, subdivision 5; and 629.471, subdivision 3.

Referred to the Committee on Crime Prevention.

**Mrs. Robling, Messrs. Frederickson, Betzold and Ms. Olson introduced--**

**S.F. No. 1608:** A bill for an act relating to education; providing grants under the first-grade preparedness program; appropriating money.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 1609:** A bill for an act relating to local government; authorizing grants for reports on state mandates that increase costs of local government services and for a report on city fees; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

**Mr. Novak, Mses. Krentz and Hanson introduced--**

**S.F. No. 1610:** A bill for an act relating to economic development; appropriating money for the north metro I-35W corridor coalition.

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

**Mrs. Lourey introduced--**

**S.F. No. 1611:** A bill for an act relating to health plans; regulating certain provisions in managed care agreements between health plan companies and providers; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

**Mrs. Lourey introduced--**

**S.F. No. 1612:** A bill for an act relating to workers' compensation; modifying rehabilitation program requirements; amending Minnesota Statutes 1996, section 176.102, subdivision 4.

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

**Ms. Lesewski introduced--**

**S.F. No. 1613:** A bill for an act relating to health; encouraging breast-feeding; establishing a well-baby designation; exempting breast-feeding from indecent exposure; amending Minnesota Statutes 1996, section 617.23; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

**Ms. Lesewski and Mr. Kelly, R.C. introduced--**

**S.F. No. 1614:** A bill for an act relating to corrections; providing that private facilities licensed to provide long-term residential secure programming are not subject to the 100-bed statewide maximum; amending Minnesota Statutes 1996, section 242.32, subdivision 3.

Referred to the Committee on Crime Prevention.

**Mr. Marty, Mrs. Lourey, Ms. Piper, Messrs. Johnson, D.E. and Solon introduced--**

**S.F. No. 1615:** A bill for an act relating to health; moving the problem gambling program to the health department; funding the problem gambling program with profits from gambling; establishing program requirements; appropriating money; amending Minnesota Statutes 1996, sections 240.13, subdivision 2; 349.172, subdivision 5; 349A.06, subdivision 5; and 609.115, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 1996, section 245.98.

Referred to the Committee on Health and Family Security.

**Mr. Marty introduced--**

**S.F. No. 1616:** A bill for an act relating to commerce; regulating advertisements for cigarettes; restricting the placement of outdoor advertisements for cigarettes; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce.

**Mrs. Lourey, Mses. Johnson, J.B. and Robertson introduced--**

**S.F. No. 1617:** A bill for an act relating to health; clarifying payment procedures under medical assistance for wheelchair repairs and nonstandard wheelchairs; modifying medical assistance reimbursement for augmentative and alternative communication systems; establishing an augmentative and alternative communication system distribution service; amending Minnesota Statutes 1996, section 256B.0625, subdivision 31, and by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Mr. Hottinger introduced--**

**S.F. No. 1618:** A bill for an act relating to the environment; requiring new procedures for water quality standards review; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

**Mrs. Lourey and Ms. Berglin introduced--**

**S.F. No. 1619:** A bill for an act relating to health; providing a senior citizen prescription drug benefit under the MinnesotaCare program; appropriating money; amending Minnesota Statutes

1996, section 256.9354, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

**Mses. Higgins, Pappas, Mr. Kelly, R.C. and Ms. Flynn introduced--**

**S.F. No. 1620:** A bill for an act relating to community development; regulating economic development zone credits; appropriating money; amending Minnesota Statutes 1996, sections 469.305, subdivision 1; and 469.31.

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

**Mrs. Lourey introduced--**

**S.F. No. 1621:** A bill for an act relating to health; establishing a registry of fathers of children born to unmarried minor mothers; establishing an adolescent pregnancy prevention plan; modifying provisions for family planning special project grants; repealing ENABL program; appropriating money; amending Minnesota Statutes 1996, section 145.925, subdivision 9; proposing coding for new law in Minnesota Statutes, chapters 144; and 145; repealing Minnesota Statutes 1996, section 145.9256.

Referred to the Committee on Health and Family Security.

**Mr. Knutson, Mrs. Scheid and Ms. Hanson introduced--**

**S.F. No. 1622:** A bill for an act relating to courts; creating a civil action for discrimination against access to public accommodations because of insignia on clothing; providing a criminal penalty; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary.

**Mr. Beckman, Ms. Anderson and Mr. Johnson, D.H. introduced--**

**S.F. No. 1623:** A bill for an act relating to economic development; providing economic development funding to assist welfare-to-work recipients; appropriating money.

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

**Messrs. Beckman and Terwilliger introduced--**

**S.F. No. 1624:** A bill for an act relating to retirement; permitting certain persons to participate in a part-time teacher retirement program.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Beckman, Ms. Higgins and Mr. Janezich introduced--**

**S.F. No. 1625:** A bill for an act relating to children; appropriating money for the children's trust fund; changing terminology and program requirements; amending Minnesota Statutes 1996, sections 119A.10; 119A.11, subdivisions 2, 7, and 12; 119A.12, subdivision 1; 119A.13; 119A.14; 119A.15, subdivisions 1, 2, and by adding a subdivision; and 119A.17.

Referred to the Committee on Children, Families and Learning.

**Messrs. Beckman, Morse and Vickerman introduced--**

**S.F. No. 1626:** A bill for an act relating to agriculture; establishing a grant program for

livestock and dairy processing and marketing ventures; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Agriculture and Rural Development.

**Ms. Pappas, Messrs. Wiger and Kelly, R.C. introduced--**

**S.F. No. 1627:** A bill for an act relating to education; appropriating money for a community-based school program in independent school district No. 625, St. Paul.

Referred to the Committee on Children, Families and Learning.

**Mr. Pogemiller, by request, introduced--**

**S.F. No. 1628:** A bill for an act relating to the cities of Minneapolis and St. Paul; authorizing creation of certain tax increment districts; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Stumpf, Langseth, Scheevel, Pogemiller and Sams introduced--**

**S.F. No. 1629:** A bill for an act relating to education; appropriating money for agriculture in the classroom.

Referred to the Committee on Children, Families and Learning.

**Messrs. Frederickson, Morse and Stevens introduced--**

**S.F. No. 1630:** A bill for an act relating to agriculture; agricultural marketing and bargaining; requiring mediation and binding arbitration between agricultural processors and accredited agricultural producer associations; requiring checkoff fee collections by the processors; ensuring full payment for all acres contracted by processors; amending Minnesota Statutes 1996, sections 17.693, by adding a subdivision; 17.696, subdivision 1; 17.698; and 27.19, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1996, section 17.697.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Janezich, Morse, Lessard, Solon and Johnson, D.J. introduced--**

**S.F. No. 1631:** A bill for an act relating to minerals; creating a taconite processing new technology grant program; appropriating money.

Referred to the Committee on Environment and Natural Resources.

**Mr. Janezich introduced--**

**S.F. No. 1632:** A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

**Ms. Robertson introduced--**

**S.F. No. 1633:** A bill for an act relating to violence prevention; authorizing programs for providers in the sexual violence and prevention education fields; appropriating money.

Referred to the Committee on Crime Prevention.

**Messrs. Morse, Frederickson and Laidig introduced--**

**S.F. No. 1634:** A bill for an act relating to capital improvements; defining design and predesign; amending Minnesota Statutes 1996, section 16B.335, subdivision 3.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Scheevel, Ms. Lesewski, Messrs. Frederickson and Dille introduced--**

**S.F. No. 1635:** A bill for an act relating to agriculture; providing for payments to certain producers of ethanol, anhydrous alcohol, and wet alcohol; amending Minnesota Statutes 1996, section 41A.09, subdivision 3a.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Stumpf, Morse, Ms. Krentz and Mr. Dille introduced--**

**S.F. No. 1636:** A bill for an act relating to agriculture; providing a grant for a feasibility study on the use of agricultural straw and native prairie grasses in the production of wood pulp; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

**Ms. Olson, Messrs. Morse, Murphy and Price introduced--**

**S.F. No. 1637:** A bill for an act relating to taxation; changing the taxation of solid waste management services; repealing the SCORE tax and the solid waste generator assessment fee; replacing those taxes and fees with a single tax; amending Minnesota Statutes 1996, sections 270B.01, subdivision 8; 297A.01, subdivision 3; 297A.25, subdivisions 11 and 16; and 297A.44, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 297F; repealing Minnesota Statutes 1996, sections 116.07, subdivision 10; 297A.01, subdivision 21; and 297A.45.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Marty and Price introduced--**

**S.F. No. 1638:** A bill for an act relating to commerce; requiring licensing of motor vehicle brokers; permitting a new motor vehicle dealer to contract for the services of a motor vehicle broker and to pay a fee for those services; amending Minnesota Statutes 1996, section 168.27, subdivisions 1, 10, and by adding a subdivision.

Referred to the Committee on Commerce.

**Mr. Beckman, Ms. Robertson, Mr. Kelly, R.C. and Ms. Runbeck introduced--**

**S.F. No. 1639:** A bill for an act relating to economic policy and strategic planning; calling for a survey of past and present economic policy initiatives in Minnesota and possible directions for an economic policy council; appropriating money.

Referred to the Committee on Governmental Operations and Veterans.

**Ms. Kiscaden, Mrs. Lourey, Ms. Pappas, Messrs. Price and Oliver introduced--**

**S.F. No. 1640:** A bill for an act relating to taxation; increasing the rate of taxes on cigarettes and other tobacco products; imposing floor stocks taxes; appropriating money; amending Minnesota Statutes 1996, sections 297.02, subdivision 1; 297.03, subdivision 5; and 297.32, subdivisions 1 and 2.

Referred to the Committee on Taxes.

**Messrs. Marty, Morse, Mrs. Lourey, Mr. Samuelson and Ms. Piper introduced--**

**S.F. No. 1641:** A bill for an act relating to child nutrition; appropriating money.

Referred to the Committee on Health and Family Security.

**Mr. Kelley, S.P. introduced--**

**S.F. No. 1642:** A bill for an act relating to education; clarifying which schools the governor may close without affecting the schools' state aid; amending Minnesota Statutes 1996, sections 12.21, subdivision 3; and 120.05, subdivision 2.

Referred to the Committee on Children, Families and Learning.

**Messrs. Moe, R.D.; Johnson, D.E.; Ourada and Ms. Flynn introduced--**

**S.F. No. 1643:** A bill for an act relating to ethics in government; making advisory opinions public data; clarifying certain definitions and prohibitions; clarifying and authorizing exceptions to the ban on gifts; authorizing civil penalties; amending Minnesota Statutes 1996, sections 10A.01, subdivision 18; 10A.02, subdivision 12; 10A.071; 10A.29; and 471.895.

Referred to the Committee on Election Laws.

**Mr. Johnson, D.J.; Ms. Pappas, Messrs. Novak, Hottinger and Belanger introduced--**

**S.F. No. 1644:** A bill for an act relating to taxation; providing property tax reform; modifying class rates; indexing certain property tax classes; reforming the property tax treatment of low-income housing; increasing state's general education aid; modifying the property tax refund program; increasing homeowner property tax refunds; changing the proposed truth-in-taxation notices and property tax statements; imposing levy limits on counties and cities; appropriating money; amending Minnesota Statutes 1996, sections 124.239, subdivision 5, and by adding subdivisions; 124.2716, subdivision 3; 124.2727, subdivision 6b; 124.83, subdivision 4; 124.95, subdivisions 1 and 4; 124A.23, subdivision 1; 273.124, by adding a subdivision; 273.13, subdivisions 22, 24, 25, 31, and by adding a subdivision; 275.065, subdivisions 1, 3, 5a, and by adding a subdivision; 275.16; 276.04, subdivision 2; 290A.03, subdivisions 11 and 13; 290A.04, subdivisions 2 and 6; 290A.19; and 469.040, subdivision 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 124; 273; 275; and 462A; repealing Minnesota Statutes 1996, sections 124.91, subdivisions 2 and 7; 270B.12, subdivision 11; 273.13, subdivision 32; 273.1317; 273.1318; 273.1398, subdivision 4; 276.012; 290A.03, subdivisions 12a and 14; 290A.055; and 290A.26; Laws 1995, chapter 264, article 4, as amended.

Referred to the Committee on Local and Metropolitan Government.

**Messrs. Moe, R.D. and Johnson, D.E. introduced--**

**S.F. No. 1645:** A bill for an act relating to public safety; appropriating money for costs relating to the 1837 treaty.

Referred to the Committee on Human Resources Finance.

**Messrs. Murphy, Larson, Novak, Ms. Wiener and Mr. Ourada introduced--**

**S.F. No. 1646:** A bill for an act relating to nuclear waste; requiring the commissioner of public service to collect and hold in escrow funds for the disposal of high-level radioactive waste.

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

**MEMBERS EXCUSED**

Mr. Laidig was excused from the Session of today at 11:00 a.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Monday, March 24, 1997. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate





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