

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

THIRTY-SECOND DAY

St. Paul, Minnesota, Wednesday, March 24, 1999

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

Senator Moe, R.D. 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. David McCauley.

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

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

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 communication was received and referred to the committee indicated.

March 3, 1999

The Honorable Allan H. Spear
President of the Senate

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

COMMISSIONER OF THE MINNESOTA DEPARTMENT OF PUBLIC SERVICE

Steven Minn, 1922 West 49th Street, Minneapolis, Minnesota 55409-2226, in the county of Hennepin, effective March 9, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

Sincerely,
Jesse Ventura, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 132, 1258, 1565, 1968, 270, 614, 1126, 1216, 645, 1556, 1660 and 484.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 22, 1999

FIRST READING OF HOUSE BILLS

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

H.F. No. 132: A bill for an act relating to lawful gambling; exempting certain bingo games from regulation; amending Minnesota Statutes 1998, section 349.166, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

H.F. No. 1258: A bill for an act relating to family law; reviving the summary dissolution process; repealing Laws 1991, chapter 271, section 9, as amended.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 487, now on the Consent Calendar.

H.F. No. 1565: A bill for an act relating to the military; expanding eligibility for certain state service; amending Minnesota Statutes 1998, sections 190.08, subdivision 3; 192.19; and 193.29, subdivisions 1, 2, and 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1677, now on the Consent Calendar.

H.F. No. 1968: A bill for an act relating to insurance; making changes in Medicare supplemental insurance required by federal law; amending Minnesota Statutes 1998, sections 62A.31, subdivisions 1, 3, and by adding a subdivision; and 62A.43, subdivision 4.

Referred to the Committee on Commerce.

H.F. No. 270: A bill for an act relating to insurance; prohibiting a maximum lifetime benefit limit on certain policies of the Minnesota comprehensive health insurance plan; amending Minnesota Statutes 1998, section 62E.12.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 470.

H.F. No. 614: A bill for an act relating to health; expanding the reserve corridor for community integrated service networks; modifying the definition of review organization; amending Minnesota Statutes 1998, sections 62N.28, subdivision 5; and 145.61, subdivision 5.

Referred to the Committee on Health and Family Security.

H.F. No. 1126: A bill for an act relating to human services; licensed family day care; modifying child age classification definitions; amending Minnesota Statutes 1998, section 245A.02, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 862, now on the Consent Calendar.

H.F. No. 1216: A bill for an act relating to occupations and professions; modifying practical examination requirements for chiropractors licensed in other states; amending Minnesota Statutes 1998, section 148.06, subdivision 1.

Referred to the Committee on Health and Family Security.

H.F. No. 645: A bill for an act relating to the environment; conforming state requirements for water supply and wastewater treatment operator certification to federal requirements; removing the expiration date of an advisory council; removing obsolete references; amending Minnesota Statutes 1998, sections 115.71, subdivisions 9a and 10; and 115.741, subdivisions 1, 2, and 3.

Referred to the Committee on Health and Family Security.

H.F. No. 1556: A bill for an act relating to state government; extending the civil service pilot project in the housing finance agency; amending Laws 1993, chapter 301, section 1, subdivision 4; and Laws 1995, chapter 248, article 12, section 2.

Referred to the Committee on Governmental Operations and Veterans.

H.F. No. 1660: A bill for an act relating to health occupations; exempting persons employed by a nonprofit organization performing duties that are incidental to research from the unlawful practice of medicine; amending Minnesota Statutes 1998, section 147.09.

Referred to the Committee on Health and Family Security.

H.F. No. 484: A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article IV to provide for initiative and referendum; providing procedures for initiative and referendum; providing penalties; amending Minnesota Statutes 1998, sections 204C.19, subdivision 2; 204C.27; 204C.33; 204D.11, by adding a subdivision; 204D.15; 204D.16; and 204D.165; proposing coding for new law in Minnesota Statutes, chapter 3B.

Referred to the Committee on Election Laws.

REPORTS OF COMMITTEES

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

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

S.F. No. 801: A bill for an act relating to state government; providing a process for community ownership of the Minnesota Twins; proposing coding for new law as Minnesota Statutes, chapter 4B.

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

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

S.F. No. 1884: A bill for an act relating to conservation easements; authorizing local bonding to acquire conservation easements; amending Minnesota Statutes 1998, sections 373.40, subdivision 1; 375.18, subdivision 12; and 475.52, subdivisions 1, 3, and 4.

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

Page 3, line 9, after "limits" insert a comma

Page 3, line 23, after "equipment" insert a comma

Page 3, line 35, after "fighting" insert a comma

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

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

S.F. No. 1741: A bill for an act relating to the metropolitan council; providing for the transfer of employees between the council and other political subdivisions of the state; amending Minnesota Statutes 1998, section 473.129, by adding a subdivision.

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

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

S.F. No. 604: A bill for an act relating to municipal contracting; requiring municipalities to request the state designer selection board to select primary designers for certain projects; amending Minnesota Statutes 1998, sections 16B.33, subdivision 1; and 471.345, by adding a subdivision.

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

Page 2, line 14, delete "one-third of the estimated" and insert "\$1,000,000 to cover the"

Page 2, line 15, delete "shall" and insert "may"

Page 2, line 16, delete "design" and insert "designer"

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

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

S.F. No. 234: A bill for an act relating to the metropolitan radio board; extending the sunset date for the board; amending Laws 1995, chapter 195, article 1, section 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. Minnesota Statutes 1998, section 473.893, subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] The board consists of 17 members. Fifteen members shall be local officials and shall include:

(1) one county commissioner appointed by each respective county board from each of the seven metropolitan counties;

(2) an elected official from each of the cities of Minneapolis, St. Paul, and Bloomington appointed by each respective city governing body;

(3) two elected officials from other metropolitan cities appointed by the governor, who shall consider recommendations made by the Association of Metropolitan Municipalities when making these appointments;

(4) an elected official from a county or a city within a county in Minnesota that is ~~contiguous to~~ outside the metropolitan area appointed by the governor, who shall consider recommendations made by the League of Minnesota Cities when making this appointment;

(5) a sheriff appointed by the governor, who shall consider recommendations made by the metropolitan sheriffs association when making this appointment; and

(6) a police chief appointed by the governor, who shall consider recommendations made by the Minnesota police chiefs association when making this appointment.

The 16th member shall be a member of the metropolitan council appointed by the council. The 17th member shall be the director of electronic communications of the Minnesota department of transportation. As provided in section 473.894, subdivision 20, the chair of the technical operations committee serves as an ex officio member of the board.

The members shall be appointed within 30 days of the effective date of Laws 1995, chapter 195. Upon the effective date of Laws 1995, chapter 195, the metropolitan council shall inform the entities listed in this subdivision of the appointments required by this subdivision and shall provide whatever assistance is necessary to facilitate the appointment process and establish the radio board.

Board members have no set term and remain on the board until a successor is appointed as provided by this subdivision. However, with respect to those board members who, under this subdivision, must be elected officials, a successor must be appointed as provided by this subdivision no later than the date that a member is no longer an elected official, unless the member dies while in office, in which case a successor must be named as soon as practicable.

Sec. 2. Minnesota Statutes 1998, section 473.897, subdivision 1, is amended to read:

Subdivision 1. [BUDGET PREPARATION; REVIEW AND APPROVAL.] The board shall prepare a proposed budget by August 1 of each year. The budget shall include operating revenues and expenditures for operation, administration, and maintenance. In addition, the budget must show for each fiscal year of the state biennium:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year, all in such detail and form as the council may prescribe; and

(3) the estimated source and use of pass-through funds; and

(4) the cents per month from the 911 emergency telephone service account needed to generate revenues for costs eligible for regionwide public safety communication system funding from the 911 emergency telephone service account.

As early as practicable before August 15 of each year, the board shall hold a public hearing on a draft of the proposed budget. Along with the draft, the board shall publish a report on user charges. The report must include an estimated analysis of the changes in user charges, rates, and fees that will be required by the board's budget. Not less than 14 days before the hearing, the board shall publish notice of the hearing in a newspaper having general circulation in the metropolitan area, stating the date, time, and place of hearing, and the place where the proposed budget and report on user charges may be examined by any interested person.

Following the hearing, the board shall publish a report of the hearing that summarizes the comments received and board's response. The council shall approve or disapprove the entire budget by October 1 of each year. The council may disapprove only if the budget does not have adequate reserves to meet debt service. If the council disapproves the budget in accordance with this subdivision, the board shall, by November 1, resubmit to the council for approval, a budget which meets the requirements for council approval as provided in this subdivision. The council shall approve or disapprove the entire resubmitted budget by December 1.

Before December 15 of each year, the board shall, by resolution, adopt a final budget. The board shall file its final budget with the council on or before December 20 of each year. The council shall file the budgets with the secretary of the senate and the clerk of the house of representatives not later than January 1 of each year. Before adoption, the board must submit any budget amendment which would affect debt service reserves to the council for review. The council has 15 days to approve or disapprove the amendment. The council shall disapprove the budget amendment only if the budget does not have adequate reserves to meet debt service.

Except in an emergency, for which procedures must be established by the board, the board and its officers, agents, and employees may not spend money for any purpose, other than debt service, without an appropriation by the board, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or other revenues pledged to pay the obligation and interest on it whether or not specifically included in any annual budget. After obtaining the approval of the council, the board may amend the budget at any time by transferring any appropriation from one purpose to another, except appropriations of the proceeds of bonds issued for a specific purpose. The council shall disapprove only if the amended budget does not have adequate reserves to meet debt service.

Sec. 3. Minnesota Statutes 1998, section 473.901, subdivision 2, is amended to read:

Subd. 2. [ANNUAL BUDGET OF RADIO BOARD.] The metropolitan council shall transmit the annual budget of the radio board to the commissioner of administration no later than December 15 of each year. The commissioner of administration shall include ~~eligible costs for the~~ regionwide public safety communication system in its request for legislative appropriations from the 911 emergency telephone service fee account an amount estimated as the revenues generated from the cents per month determination made by the radio board under section 473.897, subdivision 1, clause (4). ~~All eligible costs approved by the radio board shall be included in the commissioner of administration's appropriation request.~~

Sec. 4. Laws 1995, chapter 195, article 1, section 18, is amended to read:

Sec. 18. [SUNSET.]

The metropolitan radio board is abolished effective July 1, ~~1999~~ 2004. Effective July 1, ~~1999~~ 2004, the board's duties and responsibilities are transferred to the metropolitan council or an appropriate state agency, as provided by law, based on the reports submitted by the metropolitan council under section 7, subdivision 3, of this article. The designated agency is the successor to all the property, interests, obligations, and rules of the metropolitan radio board.

Sec. 5. [APPLICATION.]

Sections 1, 2, 3, and 4 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to the metropolitan radio board; modifying certain provisions and extending the sunset date for the board; amending Minnesota Statutes 1998, sections 473.893, subdivision 2; 473.897, subdivision 1; and 473.901, subdivision 2; Laws 1995, chapter 195, article 1, section 18."

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

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

S.F. No. 1792: A bill for an act relating to utilities; modifying requirements for renewable energy development funding; specifying that certain required expenditures are recoverable; amending Minnesota Statutes 1998, sections 116C.779; and 216B.1645.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 116C.779, is amended to read:

116C.779 [FUNDING FOR RENEWABLE DEVELOPMENT.]

(a) The public utility that operates the Prairie Island nuclear generating plant must transfer to a renewable development account \$500,000 each year for each dry cask containing spent fuel that is located at the independent spent fuel storage installation at Prairie Island after January 1, 1999. The fund transfer must be made if waste is stored in a cask for any part of a year. Funds in the account ~~can only~~ may be expended only for development of renewable energy sources. Preference must be given to development of renewable energy source projects located within the state.

(b) Expenditures from the account may only be made after approval by order of the public utilities commission upon a petition by the public utility.

Sec. 2. Minnesota Statutes 1998, section 216B.1645, is amended to read:

216B.1645 [POWER PURCHASE CONTRACT OR INVESTMENT.]

Upon the petition of a public utility, the public utilities commission shall approve or disapprove power purchase contracts ~~or~~, investments, or expenditures entered into or made by the utility to satisfy the wind and biomass mandates contained in sections 216B.2423 and 216B.2424, or to develop renewable energy sources from the account required in section 116C.779. The expenses incurred by the utility over the duration of the approved contract or useful life of the investment and expenditures made pursuant to section 116C.779 shall be recoverable from the ratepayers of the utility, to the extent they are not offset by utility revenues attributable to the contracts ~~or~~, investments, or expenditures. Upon petition by a public utility, the commission shall approve or approve as modified a rate schedule providing for the automatic adjustment of charges to recover the expenses or costs approved by the commission. Nothing in this section shall be construed to determine the manner or extent to which revenues derived from other generation facilities of the utility may be considered in determining the recovery of the approved cost or expenses associated with the mandated contracts ~~or~~, investments, or expenditures in the event there is retail competition for electric energy.

Sec. 3. Minnesota Statutes 1998, section 216B.2423, is amended by adding a subdivision to read:

Subd. 2a. [SITE PREFERENCE.] The public utilities commission shall ensure that a utility subject to the requirements of subdivision 1, clause (2), shall implement that clause with a preference for wind energy conversion systems within the state. This preference shall not prevent the utility from constructing or contracting to construct wind energy conversion systems outside the state, if the public utilities commission determines that selection of a facility within the state conflicts with the requirements of section 216B.03.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to utilities; modifying requirements for renewable energy development funding; specifying that certain required expenditures are recoverable; providing a siting preference for certain wind energy facilities; amending Minnesota Statutes 1998, sections 116C.779; 216B.1645; and 216B.2423, by adding a subdivision."

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

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

S.F. No. 1647: A bill for an act relating to telecommunications; restricting regulation of the Internet, interactive computer services, digital broadband services, and high-speed data and Internet access services; making technical changes; amending Minnesota Statutes 1998, sections 237.01, by adding subdivisions; 237.02; 237.626; 238.02, subdivision 8, and by adding subdivisions; and 238.08, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 237.01, is amended by adding a subdivision to read:

Subd. 2a. [DIGITAL DATA TRANSMISSION SERVICE.] "Digital data transmission service" means any digital, two-way interactive, packet-switched transmission service that employs Internet protocols or provides transmission functionality capable of transmission at 64 kilobits per second or faster and includes telecommunications, enhanced, or information services that use digital subscriber loop technology, asynchronous transfer mode, or packet, frame, cell, or similar technology for transmissions. "Digital data transmission service" does not include voice-grade services, including the specific price-regulated services described in section 237.761, subdivision 3, and signaling system 7 services, that use the public, switched telecommunications network circuit switching to connect customers.

Sec. 2. Minnesota Statutes 1998, section 237.01, is amended by adding a subdivision to read:

Subd. 3a. [INTERACTIVE COMPUTER SERVICE.] "Interactive computer service" means an information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service that provides access to the Internet and systems operated or services offered by libraries or educational institutions.

Sec. 3. Minnesota Statutes 1998, section 237.01, is amended by adding a subdivision to read:

Subd. 3b. [INTERNET.] "Internet" means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, that comprise the interconnected worldwide network of networks that employ transmission control protocol or Internet protocol, or any predecessor or successor protocols or technologies, to communicate information of all kinds by wire or wireless transmission.

Sec. 4. Minnesota Statutes 1998, section 237.02, is amended to read:

237.02 [GENERAL AUTHORITY OF DEPARTMENT AND COMMISSION; DEFINITIONS; INTERNET.]

Subdivision 1. [AUTHORITY.] The department of public service and the public utilities commission, now existing under the laws of this state, are hereby vested with the same jurisdiction and supervisory power over telephone companies doing business in this state as it now has over railroad and express companies.

Subd. 2. [DEFINITIONS.] The definitions set forth in section 216A.02 shall apply also to this chapter.

Subd. 3. [INTERNET SERVICE.] Neither the commission nor the department shall regulate or attempt to regulate the Internet, interactive computer services, or digital data transmission services under this chapter or chapter 216A or 216B. This subdivision does not affect the authority of the commission to regulate any other telecommunications service pursuant to this chapter or federal law. This subdivision does not affect any duty or obligation of a telephone company or a

telecommunications carrier imposed upon such carrier by section 251, paragraph (a), (b), or (c) of the Federal Telecommunications Act of 1996, Minnesota Statutes, section 237.09, subdivision 2, or under state law with respect to interconnection, colocation, resale, or network unbundling with other companies or carriers. This subdivision does not release a telephone company from any of its obligations under an investment plan or digital broadband service settlement approved by the public utilities commission prior to May 1, 1999.

Subd. 4. [RESTRAINT OF TRADE REGULATION.] In addition to any other basis for the application of sections 325D.01 to 325D.16, services exempt from regulation by the commission or department under subdivision 3 are subject to regulation under sections 325D.01 to 325D.072 as if they were goods sold by a retailer and under sections 325D.09 to 325D.16 as if they were the sale of merchandise at retail.

Subd. 5. [RIGHT-OF-WAY.] Nothing in this section limits the authority of the commission or department granted under sections 237.162 and 237.163 to regulate the right-of-way.

Sec. 5. Minnesota Statutes 1998, section 237.626, is amended to read:

237.626 [PROMOTION ACTIVITIES.]

Subdivision 1. [GENERAL TERMS.] A telephone company subject to rate of return regulation may promote the use of its services by offering a waiver of part or all of a recurring or a nonrecurring charge, a redemption coupon, or a premium with the purchase of a service according to this subdivision. Section 237.09 does not apply to promotions under this section, but the customer group to which the promotion is available must be based on reasonable distinctions among customers. No single promotion may be effective for longer than 90 days at a time. The service being promoted must have a price that is above the incremental cost of the service, including amortized cost of the promotion. A promotion may take effect the day after the notice is filed with the commission. The notice must identify customers to whom the promotion is available and include cost information demonstrating that the revenue from the service covers incremental cost, including cost of the promotion. A telephone company that offers a promotion under this section shall file a report on the promotion with the commission and the department within 90 days of the conclusion of the promotion.

Subd. 2. [FOR WHOM; WHEN; OBJECTION.] A telephone company operating under an alternative regulation plan or otherwise not subject to rate of return regulation or a telecommunications carrier may promote the use of its services in any reasonable manner. A promotion may take effect the day after the notice is filed with the commission. The notice must identify to customers to whom the promotion is available and the time period the promotion will be available and will automatically be deemed approved by the commission unless the commission on its own motion, the department, or another person files a written objection to the promotion within ten days.

Subd. 3. [EXCEPTIONS.] Subdivisions 1 and 2 do not apply to promotional offerings or packages that include services not regulated under chapter 237. Revenues from regulated services may not be used to subsidize unregulated services.

Sec. 6. Minnesota Statutes 1998, section 238.02, subdivision 8, is amended to read:

Subd. 8. [MUNICIPALITY.] "Municipality" shall mean any means an organized town, statutory or home rule charter city, or county with respect to the unorganized territory within its boundaries.

Sec. 7. Minnesota Statutes 1998, section 238.02, is amended by adding a subdivision to read:

Subd. 21. [INTERNET.] "Internet" means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, that comprise the interconnected worldwide network of networks that employ transmission control protocol or Internet protocol, or any predecessor or successor protocols or technologies, to communicate information of all kinds by wire or wireless transmission.

Sec. 8. Minnesota Statutes 1998, section 238.02, is amended by adding a subdivision to read:

Subd. 22. [INTERACTIVE COMPUTER SERVICE.] "Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service that provides access to the Internet and systems operated or services offered by libraries or educational institutions.

Sec. 9. Minnesota Statutes 1998, section 238.02, is amended by adding a subdivision to read:

Subd. 23. [HIGH SPEED DATA SERVICES.] "High speed data services" means any digital, two-way interactive, packet-switched service provided over a cable system that uses Internet protocols.

Sec. 10. Minnesota Statutes 1998, section 238.08, is amended by adding a subdivision to read:

Subd. 6. [INTERNET SERVICES.] (a) Every municipality shall refrain from exercising or attempting to exercise regulatory authority over the Internet, interactive computer services, or high speed data and Internet access services offered to subscribers over a cable communications system. This paragraph does not exempt a franchisee from provisions in a franchise ordinance agreed to prior to March 31, 1999, that impose express requirements specifically related to Internet, interactive computer services, or high speed data service.

(b) Notwithstanding paragraph (a), for as long as high speed data and Internet access services are considered cable services under federal law, a municipality may include in a franchise a provision that fees charged by a cable operator to its subscribers for high speed data and Internet access services may be subject to franchise fees. Upon a binding legislative, administrative, or final judicial determination that high speed data and Internet access services are not cable services under federal law, the obligation of a cable operator to pay franchise fees on those services ceases.

(c) Nothing in this subdivision limits the authority granted to a municipality under sections 237.162 and 237.163 to regulate the right-of-way.

Sec. 11. [SUNSET.]

Sections 4 and 10 expire June 30, 2001."

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

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

S.F. No. 1471: A bill for an act relating to landlords and tenants; requiring certain limitations on tenant screening fees; proposing coding for new law in Minnesota Statutes, chapter 504.

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

Page 1, line 20, delete everything after the period

Page 1, delete lines 21 to 25

Page 2, delete lines 1 to 4

Page 2, line 5, delete "4" and insert "3"

Page 2, line 7, after "report" insert "or tenant screening report"

Page 2, line 8, delete everything after "return"

Page 2, line 9, delete "mail,"

Page 2, line 10, delete "within two" and insert a period

Page 2, delete line 11 and insert "The screening fee may be returned by mail, may be destroyed on the prospective tenant's request if it was paid with a check, or may be made available for the tenant to retrieve."

Page 2, line 12, delete "5" and insert "4"

Page 2, line 14, delete the second "on" and insert "orally"

Page 2, delete lines 15 to 17

Page 2, line 18, delete everything before "the name"

Page 2, line 21, delete "6" and insert "5"

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

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

S.F. No. 673: A bill for an act relating to health plans; regulating contract stacking; providing a remedy; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

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

S.F. No. 1615: A bill for an act relating to human services; establishing a task force to develop a new day training and habilitation payment rate structure with technical assistance from the commissioner of human services.

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

Page 2, line 16, after the period, insert "The task force sunsets on January 15, 2000."

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

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

S.F. No. 1334: A bill for an act relating to insurance; extending the age limit for health coverage for cleft lip and cleft palate to conform to the current required age limit for dependent coverage; amending Minnesota Statutes 1998, sections 62A.042; and 62C.14, subdivision 14.

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

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

S.F. No. 1218: A bill for an act relating to reemployment insurance; making technical changes; modifying procedures; complying with federal requirements; modifying definitions; amending Minnesota Statutes 1998, sections 268.035, subdivisions 3, 4, 5, 6, 8, 12, 14, 15, 18, 20, 24, 30, 32, and by adding a subdivision; 268.042, subdivision 3; 268.045; 268.047, subdivisions 1, 2, 3, and 4; 268.048; 268.051, subdivisions 1, 2, 3, 4, 5, and 8; 268.052; 268.053; 268.057, subdivisions 4 and 10; 268.058; 268.0625; 268.064; 268.065; 268.067; 268.068; 268.069; 268.07; 268.085; 268.095; 268.101; 268.103, by adding a subdivision; 268.105; 268.115; 268.125, subdivisions 1, 4, and 5; 268.135; 268.145; 268.155; 268.18; 268.182; 268.186; 268.188; 268.192, subdivision 2; 268.194; 268.196; 268.198; 268.21; 268.23; and 268.30, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1998, sections 268.021; and

268.057, subdivisions 8 and 9; Minnesota Rules, parts 3305.0100; 3305.0200; 3305.0300; 3305.0400; 3305.0400; 3305.0500; 3305.0600; 3305.0700; 3305.0800; 3305.0900; 3305.1100; 3310.1500; 3310.1600; 3310.1700; 3310.1800; 3310.1900; 3310.2000; 3310.2100; 3310.2200; 3310.5100; and 3310.5800.

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

Page 25, line 7, strike "which" and insert "that"

Page 38, line 23, reinstate the stricken "person" and delete "individual"

Page 39, line 10, reinstate the stricken "person" and delete "individual"

Page 55, line 36, after the first "sum" insert "pension"

Page 91, delete lines 29 to 36

Page 92, delete lines 1 to 5

Page 107, delete lines 11 to 13

Page 107, line 14, strike "6" and insert "5"

Page 109, line 8, strike "department" and insert "fund"

Page 127, line 8, delete "subdivision 7, is" and insert "subdivisions 7 and 8, are"

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

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

S.F. No. 854: A bill for an act relating to land use; precluding the termination of lawful land uses by amortization; amending Minnesota Statutes 1998, sections 394.21, by adding a subdivision; and 462.357, by adding a subdivision.

Reports the same back with the recommendation that the report from the Committee on Local and Metropolitan Government, shown in the Journal for March 11, 1999, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

Senator Spear from the Committee on Crime Prevention, to which was re-referred

S.F. No. 983: A bill for an act relating to professions; modifying provisions relating to psychologists' licensing; amending Minnesota Statutes 1998, sections 148.89, subdivisions 2a, 4, 5, and by adding a subdivision; 148.915; 148.925, subdivision 7; 148.941, subdivisions 2 and 6; and 148.96, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Page 7, line 5, delete the new language and reinstate the stricken language

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

Senator Spear from the Committee on Crime Prevention, to which was re-referred

S.F. No. 1527: A bill for an act relating to school boards; a person convicted of a sex offense who is required to be registered under the predatory offender law is not eligible to be a candidate for the office of school board member; amending Minnesota Statutes 1998, sections 123B.09, by adding a subdivision; and 205A.06, by adding a subdivision.

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

Page 1, lines 16 and 27, delete "Whether registration is required" and insert "Ineligibility"

Page 1, line 19, after "requirements" insert ", if any, that were"

Page 2, line 3, after "requirements" insert ", if any, that were"

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

Senator Spear from the Committee on Crime Prevention, to which was re-referred

S.F. No. 748: A bill for an act relating to education; providing for approval of education programs; appropriating money; amending Minnesota Statutes 1998, sections 241.021, subdivision 1; and 245A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 125A.

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

Page 2, line 25, after "facility" insert "for the detention or confinement of juvenile offenders"

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

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

S.F. No. 1619: A bill for an act relating to lawful gambling; expanding the use of pull-tab dispensing machines; making technical changes; modifying progressive bingo prizes; specifying maximum tipboard prizes; amending Minnesota Statutes 1998, sections 349.151, subdivision 4b; 349.165, subdivisions 1 and 3; and 349.211, subdivision 2, and by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 349.151, subdivision 4b, is amended to read:

Subd. 4b. [PULL-TAB SALES FROM DISPENSING DEVICES.] (a) The board may by rule authorize but not require the use of pull-tab dispensing devices.

(b) Rules adopted under paragraph (a):

(1) must limit the number of pull-tab dispensing devices on any permitted premises to three;

(2) must limit the use of pull-tab dispensing devices to a permitted premises which is (i) a licensed premises for on-sales of intoxicating liquor or 3.2 percent malt beverages; or (ii) a licensed bingo hall that allows gambling only by persons 18 years or older; and

(3) must prohibit the use of pull-tab dispensing devices at any licensed premises where pull-tabs are sold other than through a pull-tab dispensing device by an employee of the organization who is also the lessor or an employee of the lessor.

(c) Notwithstanding rules adopted under paragraph (b), pull-tab dispensing devices may be used in a licensed premise for off-sales of intoxicating liquor, except that retail establishments that were grandfathered under section 340A.405, subdivision 1, are prohibited from having dispensing devices.

(d) The director may charge a manufacturer a fee of up to \$5,000 per pull-tab dispensing device to cover the costs of services provided by an independent testing laboratory to perform testing and analysis of pull-tab dispensing devices. The director shall deposit in a separate account in the state

treasury all money the director receives as reimbursement for the costs of services provided by independent testing laboratories that have entered into contracts with the state to perform testing and analysis of pull-tab dispensing devices. Money in the account is appropriated to the director to pay the costs of services under those contracts.

Sec. 2. Minnesota Statutes 1998, section 349.1711, is amended by adding a subdivision to read:

Subd. 4. [TIPBOARD RULES.] The board may by rule permit tipboard games with multiple seals. The board may also adopt rules for cumulative or carryover tipboard prizes.

Sec. 3. [349.173] [CONDUCT OF RAFFLES.]

Raffle tickets at a minimum must list the three most expensive prizes to be awarded. If additional prizes will be awarded that are not contained on the raffle ticket, the raffle ticket must contain the statement "A complete list of additional prizes is available upon request."

Sec. 4. Minnesota Statutes 1998, section 349.211, subdivision 2, is amended to read:

Subd. 2. [PROGRESSIVE BINGO GAMES.] A prize of up to \$2,000 may be awarded for a progressive bingo game, including a cover-all game. The prize for a progressive bingo game may start at \$300 and be increased by up to \$100 for each occasion during which the progressive bingo game is played. A consolation prize of up to \$100 \$200 for a progressive bingo game may be awarded in each occasion during which the progressive bingo game is played and the accumulated prize is not won. The total amount awarded in progressive bingo game prizes in any calendar year may not exceed \$36,000.

Sec. 5. Minnesota Statutes 1998, section 349.211, is amended by adding a subdivision to read:

Subd. 2c. [TIPBOARD PRIZES.] The maximum prize which may be awarded for a tipboard ticket is \$500, not including any cumulative or carryover prizes. Cumulative or carryover prizes in tipboard games shall not exceed \$2,500.

Sec. 6. [EFFECTIVE DATE.]

Sections 1, 2, 3, and 4 are effective the day following final enactment. Section 5 is effective the day following final approval of the rules established in section 2."

Delete the title and insert:

"A bill for an act relating to lawful gambling; expanding the use of pull-tab dispensing machines; making technical changes; modifying progressive bingo prizes; specifying maximum tipboard prizes; amending Minnesota Statutes 1998, sections 349.151, subdivision 4b; 349.1711, by adding a subdivision; and 349.211, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 349."

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

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

S.F. No. 2010: A bill for an act relating to taxation; providing income tax credits for expenditures for certain job training programs and for post-secondary education; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Page 1, after line 7, insert:

"ARTICLE 1

MINNESOTA WORKFORCE DEVELOPMENT FUND

Section 1. [116L.07] [DEFINITIONS.]

Subdivision 1. [SCOPE.] For the purpose of sections 116L.07 and 116L.08, the terms defined in this section have the meanings given them.

Subd. 2. [BOARD.] "Board" means the job skills partnership board.

Subd. 3. [FUND.] "Fund" means the Minnesota workforce development fund created in section 116L.08.

Sec. 2. [116L.08] [MINNESOTA WORKFORCE DEVELOPMENT FUND.]

Subdivision 1. [CREATED.] The Minnesota workforce development fund is created under the administration of the board.

The board may make grants or loans from the fund using the guidelines and subject to the limits prescribed by section 116L.04, subdivision 1, and the match requirement of section 116L.02. The grants and loans may be made for training individuals that include dislocated workers, farmers who experience economic circumstances similar to dislocated workers, health care workers, displaced homemakers, welfare-to-work candidates, and the unemployed.

Subd. 2. [FUND.] The Minnesota workforce development account is created as a separate dedicated account in the general fund in the treasury. Earnings, including interest, earned on funds in the account must be credited to the account. The account consists of money transferred to or appropriated to the account. Funds in the account may only be used by the board for the purposes of this section upon an appropriation from the fund for that purpose.

Sec. 3. Minnesota Statutes 1998, section 268.022, is amended to read:

268.022 [WORKFORCE INVESTMENT FUND.]

Subdivision 1. [DETERMINATION AND COLLECTION OF SPECIAL ASSESSMENT.] (a) In addition to all other taxes, assessments, and payment obligations under chapter 268, each employer, except an employer making payments in lieu of taxes is liable for a special assessment levied at the rate of one-tenth of one percent per year on all taxable wages, as defined in section 268.04, subdivision 25b. The assessment shall become due and be paid by each employer to the department on the same schedule and in the same manner as other taxes.

(b) The special assessment levied under this section shall not affect the computation of any other taxes, assessments, or payment obligations due under this chapter.

(c) Notwithstanding any provision to the contrary, if on June 30 of any year the unobligated balance of the special assessment fund under this section is greater than \$30,000,000, the special assessment for the following year only shall be levied at a rate of 1/20th of one percent on all taxable wages.

Subd. 2. [DISBURSEMENT OF SPECIAL ASSESSMENT FUNDS.] (a) The money collected under this section shall be deposited in the state treasury and credited to a dedicated fund to provide for the employment and training programs established under sections 268.975 to 268.98; including vocational guidance, training, placement, and job development the Minnesota workforce development account created by section 116L.08.

(b) All money in the dedicated fund is appropriated to the commissioner who must act as the fiscal agent for the money and must disburse the money for the purposes of this section, not allowing the money to be used for any other obligation of the state. All money in the dedicated fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for the other dedicated funds in the state treasury, except that all interest or net income resulting from the investment or deposit of money in the fund shall accrue to the fund for the purposes of the fund.

(c) No more than five percent of the dedicated funds collected in each fiscal year may be used by the department of economic security for its administrative costs.

~~(d) (c) Reimbursement for costs related to collection of the special assessment shall be in an amount negotiated between the commissioner and the United States Department of Labor.~~

~~(e) The dedicated funds, less amounts under paragraphs (c) and (d) shall be allocated as follows:~~

~~(1) 40 percent to be allocated annually to substate grantees for provision of expeditious response activities under section 268.9771 and worker adjustment services under section 268.9781; and~~

~~(2) 60 percent to be allocated to activities and programs authorized under sections 268.975 to 268.98.~~

~~(f) Any funds not allocated, obligated, or expended in a fiscal year shall be available for allocation, obligation, and expenditure in the following fiscal year.~~

Sec. 4. [WORKFORCE DEVELOPMENT ANALYSIS.]

The office of strategic and long-range planning must identify workforce training programs administered by state agencies and by January 15, 2000, present a plan to the governor and to the legislature that consolidates those programs and provides for an economic development focus to that consolidated program.

Sec. 5. [FUND TRANSFER.]

The unobligated balance in the workforce investment dedicated fund administered under Minnesota Statutes, section 268.022, subdivision 2, as of July 1, 1999, is transferred to the Minnesota workforce development account created by Minnesota Statutes, section 116L.08.

Sec. 6. [REPEALER.]

Minnesota Statutes 1998, sections 268.975; 268.976; 268.9771; 268.978; 268.9781; 268.9782; 268.9783; 268.979; and 268.98, are repealed.

ARTICLE 2

JOB TRAINING PROGRAM CREDIT"

Page 2, delete lines 19 to 29 and insert:

"(b) The program must be certified by the job skills partnership board as meeting the requirements of this subdivision. Employers must apply to the board on a form designated by the board in order to receive the credit. The board may require the information the board considers appropriate to determine whether the proposed training or retraining meets the requirements of paragraph (a). The form must include the estimated costs of the employer for providing employee training and retraining. The costs eligible for the credit may not exceed the estimated costs."

Page 2, line 31, delete "commissioner of economic security" and insert "board"

Page 3, line 1, delete "commissioner of economic security's" and insert "board's"

Page 3, lines 3, 9, and 17, delete "commissioner of economic security" and insert "board"

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "creating the Minnesota workforce development fund;"

Page 1, line 4, after the second semicolon, insert "amending Minnesota Statutes 1998, section 268.022;"

Page 1, delete line 6 and insert "chapters 116L; and 290; repealing Minnesota Statutes 1998, sections 268.975; 268.976; 268.9771; 268.978; 268.9781; 268.9782; 268.9783; 268.979; and 268.98."

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

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

S.F. No. 486: A bill for an act relating to firefighters; authorizing certain background investigations; requiring disclosures of certain employment information; providing civil and criminal penalties; providing employers immunity for certain disclosures; amending Minnesota Statutes 1998, section 604A.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Page 2, line 6, delete "ex parte"

Page 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1998, section 604A.31, subdivision 3, is amended to read:

Subd. 3. [BACKGROUND CHECKS.] (a) Certain persons who issue certificates in conjunction with gun permit background checks are immune from liability as provided in section 624.713, subdivision 1.

(b) Employers who provide information in conjunction with background investigations of applicants for fire protection service positions or employment with a law enforcement agency are immune from civil liability as provided in section 299F.036, subdivision 4, or 626.87, subdivision 4.

Sec. 3. [CITY OF ROCHESTER; PROBATIONARY PERIOD FOR NEW FIREFIGHTERS UNDER CIVIL SERVICE COMMISSION.]

Notwithstanding Minnesota Statutes, section 420.08, to the contrary, in the city of Rochester no newly appointed firefighter, after satisfactory completion of basic firefighter I and II training courses and state certification, and after a period of no longer than 12 months continuous employment thereafter, shall be removed or discharged except for cause upon written charges and after an opportunity to be heard in defense of charges as provided in Minnesota Statutes, chapter 420."

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "modifying probationary period rules for city of Rochester firefighters;"

Page 1, line 7, delete "by adding a subdivision" and insert "subdivision 3"

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

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

S.F. No. 1848: A bill for an act relating to workers' compensation; modifying third party liability provisions; requiring attorneys to file statements of attorney fees; modifying special compensation fund procedures; providing alternative cost allocation accounts; amending Minnesota Statutes 1998, sections 176.011, subdivision 3; 176.061, subdivisions 3, 5, 7, 10, and by adding a subdivision; 176.081, subdivision 1; 176.101, subdivisions 1, 2a, and 8; 176.102, subdivision 11; 176.111, by adding a subdivision; 176.129, subdivisions 2, 3, and 4; 176.231, subdivision 2; and 176.611, subdivision 2a.

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

Page 14, line 6, delete "wants" and insert "requests"

Page 16, after line 16, insert:

"Sec. 12. Minnesota Statutes 1998, section 176.111, subdivision 18, is amended to read:

Subd. 18. [BURIAL EXPENSE.] In all cases where death results to an employee from a personal injury arising out of and in the course of employment, the employer shall pay the reasonable expense of burial, not exceeding in amount ~~\$7,500~~ \$15,000. In case any dispute arises as to the reasonable value of the services rendered in connection with the burial, its reasonable value shall be determined and approved by the commissioner, a compensation judge, or workers' compensation court of appeals, in cases upon appeal, before payment, after reasonable notice to interested parties as is required by the commissioner. If the deceased leaves no dependents, no compensation is payable, except as provided by this chapter."

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

Page 19, line 15, delete "12" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "increasing the benefit for burial expenses;"

Page 1, line 10, before "by" insert "subdivision 18, and"

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

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

S.F. No. 1268: A bill for an act relating to health; requiring prompt payments by health maintenance organizations and nonprofit health service plan corporations of certain claims made by home care providers; requiring claim errors to be reported within a certain time; establishing penalties; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Delete everything after the enacting clause and insert:

"Section 1. [62D.108] [PROMPT PAYMENTS TO HOME CARE PROVIDERS.]

Subdivision 1. [APPLICABILITY.] This section applies to health maintenance organizations regulated under this chapter.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given them:

(1) "clean claim" means an original paper or electronic claim with correct data elements, prepared in accordance with the health maintenance organization's published specifications for claims preparation, that does not require an attachment or text information to pay or deny the claim;

(2) "home care provider" has the meaning given in section 144A.43, subdivision 4; and

(3) "valid home care provider claim" means a clean claim submitted directly to the health maintenance organization by an eligible home care provider for home care services provided to an eligible enrollee.

Subd. 3. [CLAIMS PAYMENTS TO HOME CARE PROVIDERS.] Health maintenance organizations must pay or deny a valid home care provider claim for home care services within 30 days of receiving the claim. A health maintenance organization that has notified a home care provider of an incorrect, defective, or improper claim shall pay or deny the claim within 30 days

of receipt of all additional necessary information. If additional information is required to complete the processing of the claim, other than information from the home care provider, the health maintenance organization shall disclose to the home care provider as to the nature of the additional information consistent with state and federal law, necessary to process the claim. Where evidence of suspected fraud is present, the requirement to disclose additional information need not be specific.

Subd. 4. [PAYMENT OF INTEREST ON LATE PAYMENTS.] (a) If a health maintenance organization fails to pay or deny a valid home care provider claim within 30 days as specified in subdivision 3 or 30 days from the receipt of all additional necessary information as provided in subdivision 3, the health maintenance organization must pay interest to the home care provider on the claim with interest accruing from the 30th day. If a negotiated contract or agreement between a home care provider and a health maintenance organization requires an audit by the health maintenance organization before acceptance and payment of the claim, interest payments do not apply until 30 days after the timely completion of the audit by the health maintenance organization. Before any interest payment is made, the home care provider must bill the health maintenance organization for the interest.

(b) The rate of interest paid by a health maintenance organization under this subdivision shall be 1.5 percent per month or any part of the month.

(c) A home care provider who prevails in a civil action to collect interest payments from a health maintenance organization shall be awarded the costs and disbursements, including attorney fees, incurred in bringing the action.

(d) The minimum monthly interest payment that a health maintenance organization must pay to a home care provider for the unpaid balance for any single overdue claim equal to or exceeding \$100 is \$10. For unpaid balances of less than \$100, the health maintenance organization must pay the actual interest payment due to the home care provider.

(e) A health maintenance organization is not required to make an interest payment on a claim for which payment has been delayed for purposes of reviewing potentially fraudulent or abusive billing practices.

Subd. 5. [CLAIMS ERRORS.] For purposes of payments made to home care providers receiving reimbursement from a health maintenance organization, a health maintenance organization that receives a claim that is incorrect, defective, or otherwise improper must notify the home care provider of any errors within 30 days of discovery of the error.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1999, and applies to claims made under health maintenance organization contracts with home care providers entered into or renewed on or after that date."

Amend the title as follows:

Page 1, line 8, delete "62Q" and insert "62D"

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

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

S.F. No. 1016: A bill for an act relating to human services; authorizing certain hospitals and clinics to bill a county of residence for services provided to a resident of that county; amending Minnesota Statutes 1998, section 256.969, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Page 1, line 11, after "a" insert "medical assistance"

Page 1, line 20, delete "the patient was indigent" and insert a colon

Page 1, delete line 21 and insert:

"(i) the patient is not eligible for any public health care program or it cannot be determined whether the person is eligible for any public health care program;

(ii) the person is uninsured or it cannot be determined if the person is uninsured; and

(iii) the person has insufficient resources to pay the cost of services delivered by the hospital."

Page 1, line 25, delete "medical assistance" and insert "a public health care program"

Page 1, delete line 26

Page 2, delete line 1 and insert "hospital shall refund any amount received from the county and shall bill the program for which eligibility has been established. Annually, each eligible hospital shall sum the amount collected from each county. If this sum is less than \$10,000, the hospital shall refund this sum to the county."

Page 2, line 14, delete everything after "that" and insert a colon

Page 2, delete line 15 and insert:

"(i) the patient is not eligible for any public health care program or it cannot be determined whether the person is eligible for any public health care program;

(ii) the person is uninsured or it cannot be determined if the person is uninsured; and

(iii) the person has insufficient resources to pay the cost of services delivered by the clinic."

Page 2, line 19, delete "medical assistance" and insert "a public health care program" and delete "state"

Page 2, delete line 20

Page 2, delete line 21 and insert "clinic shall refund any amount received from the county and shall bill the program for which eligibility has been established. Annually, each eligible clinic shall sum the amount collected from each county. If this sum is less than \$10,000, the clinic shall refund this sum to the county."

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

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

H.F. No. 463: A bill for an act relating to health; providing for review of ambulance services and first responders; amending Minnesota Statutes 1998, section 145.61, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 144E.

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

Page 1, line 18, delete "ambulance run forms,"

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

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

S.F. No. 1047: A bill for an act relating to creditors' remedies; providing that Roth IRAs will be treated identically to other retirement accounts; amending Minnesota Statutes 1998, section 550.37, subdivision 24.

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

Page 1, line 15, strike the colon

Page 1, lines 16 to 21, delete the new language and strike the old language

Page 1, line 22, strike "(2)" and insert a comma

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

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

S.F. No. 172: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 6; lowering the eligibility age for certain elective offices.

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

Page 1, line 18, delete "1999" and insert "2000"

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

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

H.F. No. 174 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.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
174	156				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 174 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 174 and insert the language after the enacting clause of S.F. No. 156, the first engrossment; further, delete the title of H.F. No. 174 and insert the title of S.F. No. 156, the first engrossment.

And when so amended H.F. No. 174 will be identical to S.F. No. 156, and further recommends that H.F. No. 174 be given its second reading and substituted for S.F. No. 156, 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.

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

H.F. No. 50 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.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				50	77

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 50 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 50 and insert the language after the enacting clause of S.F. No. 77, the first engrossment; further, delete the title of H.F. No. 50 and insert the title of S.F. No. 77, the first engrossment.

And when so amended H.F. No. 50 will be identical to S.F. No. 77, and further recommends that H.F. No. 50 be given its second reading and substituted for S.F. No. 77, 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.

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

H.F. No. 640 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.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				640	488

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 640 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 640 and insert the language after the enacting clause of S.F. No. 488, the second engrossment; further, delete the title of H.F. No. 640 and insert the title of S.F. No. 488, the second engrossment.

And when so amended H.F. No. 640 will be identical to S.F. No. 488, and further recommends that H.F. No. 640 be given its second reading and substituted for S.F. No. 488, 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.

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

H.F. No. 1037: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1998, sections 2.724, subdivision 1; 10A.01, subdivision 18; 11A.16, subdivision 6; 12.21, subdivision 3; 12.33, subdivision 4; 15.059, subdivision 5a; 16B.171; 16B.335, subdivision 4; 16B.465, subdivision 1; 16C.05, subdivision 2; 17.114, subdivisions 3 and 4; 17.117, subdivision 15; 17.452, subdivision 1; 17.498; 18B.045, subdivision 1; 18E.06; 19.52, subdivision 2; 48A.12, subdivision 1; 58.02, subdivision 22; 62E.15, subdivision 2; 79A.06, subdivision 5; 103A.43; 103B.321, subdivision 1; 103B.351; 103B.581, subdivision 2; 103F.461; 103G.221, subdivision 1; 103H.175, subdivision 3; 103H.275; 115A.175, subdivision 2; 115A.33; 115B.20, subdivisions 1 and 6; 115C.021, subdivision 1; 116.182, subdivision 3a; 116J.70, subdivision 2a; 117.47; 119A.03, subdivision 2; 119A.26, subdivision 2; 119A.45; 119A.46, subdivision 4; 119A.51, subdivision 1; 119B.05, subdivision 1; 123B.57, subdivision 6; 124D.17, subdivision 7; 126C.21, subdivision 4; 126C.48, subdivision 8; 136F.47; 156.11; 168.022, subdivision 4; 169.1217, subdivision 7a; 169.129, subdivision 2; 171.061, subdivision 1; 171.07, subdivision 10; 174.06, subdivision 1; 179.12; 181.58; 205A.01, subdivision 2; 219.074, subdivision 2; 219.39; 221.034, subdivision 5; 221.036, subdivisions 1 and 3; 239.761, subdivisions 13 and 14; 245.462, subdivision 7; 245.466, subdivision 4; 245.4871, subdivision 9; 245.4875, subdivision 4; 245.825, subdivision 1b; 256B.0625, subdivision 32; 256B.0911, subdivision 7; 256B.0928; 256J.45, subdivision 2; 257.45; 257.74, subdivision 2; 268.9165; 287.09; 307.08, subdivisions 2, 8, 9, and 10; 340A.3021, subdivision 2; 446A.01; 446A.04, subdivision 7; 462A.21, subdivision 19; 480.054; 480.09, subdivision 1; 481.02, subdivision 2; 500.245, subdivision 1; 518.5511, subdivision 1; 518.6111, subdivision 5; and 609.26, by adding a subdivision; Laws 1994, chapter 560, article 2, section 15; repealing Minnesota Statutes 1998, sections 3.873; 16B.88, subdivision 5; 62J.47; 79.51, subdivision 4; 115A.159; 119A.28,

subdivision 4; 119A.31, subdivision 3; 119A.54; 124D.17, subdivision 8; 144.121, subdivision 7; 144.664, subdivision 4; 197.236, subdivisions 1 and 2; 218.011, subdivision 7; 245.825, subdivision 1a; 256.995, subdivision 7; 256B.434, subdivision 13; 323.02, subdivisions 10 and 11; 383.01; 383.02; 383.03; 383.04; 383.05; 383.06; 383.07; 383.08; 383.09; 383.10; 383.11; 383.12; 509.01; 509.02; 509.03; 509.04; 509.05; 509.06; and 526.20; Laws 1996, chapter 426, sections 1 and 2; Laws 1998, chapters 388, section 16; 404, section 49; and 407, article 2, section 97; and Laws 1998, First Special Session chapter 1, article 3, section 15.

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

Page 12, after line 33, insert:

"Sec. 15. Minnesota Statutes 1998, section 60L.08, subdivision 1, is amended to read:

Subdivision 1. [CLASS LIMITATIONS.] For the purposes of section 60L.11, the following limitations on classes of investments apply:

(a) For investments authorized under section 60L.07, clause (2), and investments authorized under section 60L.07, clause (7), that are of the types described in section 60L.07, clause (2), the following restrictions apply:

(1) the aggregate amount of medium and lower grade investments may not exceed 20 percent of the insurer's admitted assets;

(2) the aggregate amount of lower grade investments may not exceed ten percent of the insurer's admitted assets;

(3) the aggregate amount of investments rated 5 or 6 by the SVO may not exceed five percent of the insurer's admitted assets;

(4) the aggregate amount of investments rated 6 by the SVO may not exceed one percent of the insurer's admitted assets; or

(5) the aggregate amount of medium and lower grade investments that receive as cash income less than the equivalent yield for United States Treasury issues with a comparative average life, may not exceed one percent of the insurer's admitted assets.

(b) Investments authorized under section 60L.07, clause (3), may not exceed 45 percent of admitted assets in the case of life insurers and 25 percent of admitted assets in the case of insurers other than life insurers.

(c) Investments authorized under section 60L.07, clause (4), other than subsidiaries of the types authorized under section 60A.11, subdivision 18, paragraph (a), clause (4); 60D.16; or 61A.281, may not exceed 20 percent of admitted assets in the case of life insurers and 25 percent of admitted assets in the case of insurers other than life insurers.

(d) Investments authorized under section 60L.07, clause (5), may not exceed ten percent of admitted assets.

(e) Investments authorized under section 60L.07, clause (6), may not exceed 20 percent of admitted assets in the case of life insurers, and ten percent of admitted assets in the case of insurers other than life insurers.

(f) Investments authorized under section 60L.07, clause (7), may not exceed 20 percent of admitted assets.

(g) Investments authorized under section 60L.07, clause (8), may not exceed two percent of admitted assets.

(h) Investments authorized under section 60L.07, clause ~~(9)~~ (10), may not exceed two percent of admitted assets."

Page 42, after line 22, insert:

"Sec. 54. Minnesota Statutes 1998, section 245.462, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGER.] (a) "Case manager" means an individual employed by the county or other entity authorized by the county board to provide case management services specified in section 245.4711. A case manager must have a bachelor's degree in one of the behavioral sciences or related fields from an accredited college or university and have at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness, must be skilled in the process of identifying and assessing a wide range of client needs, and must be knowledgeable about local community resources and how to use those resources for the benefit of the client. The case manager shall meet in person with a mental health professional at least once each month to obtain clinical supervision of the case manager's activities. Case managers with a bachelor's degree but without 2,000 hours of supervised experience in the delivery of services to adults with mental illness must complete 40 hours of training approved by the commissioner of human services in case management skills and in the characteristics and needs of adults with serious and persistent mental illness and must receive clinical supervision regarding individual service delivery from a mental health professional at least once each week until the requirement of 2,000 hours of supervised experience is met. Clinical supervision must be documented in the client record.

Until June 30, 1999, an immigrant who does not have the qualifications specified in this subdivision may provide case management services to adult immigrants with serious and persistent mental illness who are members of the same ethnic group as the case manager if the person: (1) is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or a related field from an accredited college or university; (2) completes 40 hours of training as specified in this subdivision; and (3) receives clinical supervision at least once a week until the requirements of this subdivision are met.

(b) The commissioner may approve waivers submitted by counties to allow case managers without a bachelor's degree but with 6,000 hours of supervised experience in the delivery of services to adults with mental illness if the person:

(1) meets the qualifications for a mental health practitioner in subdivision ~~26~~ 17;

(2) has completed 40 hours of training approved by the commissioner in case management skills and in the characteristics and needs of adults with serious and persistent mental illness; and

(3) demonstrates that the 6,000 hours of supervised experience are in identifying functional needs of persons with mental illness, coordinating assessment information and making referrals to appropriate service providers, coordinating a variety of services to support and treat persons with mental illness, and monitoring to ensure appropriate provision of services. The county board is responsible to verify that all qualifications, including content of supervised experience, have been met."

Pages 43 and 44, delete section 57

Page 63, after line 20, insert:

"Sec. 80. Laws 1997, chapter 207, section 12, is amended to read:

Sec. 12. [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 the sales of the consolidated conservation and Volstead area lands described in paragraph (b).

(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. The purchaser of the land described in paragraph (b), clause (5), may not alter the

existing groundwater hydrology, and may alter the surface water hydrology from the current operation only with the approval of the commissioner."

Page 68, line 15, after the first semicolon, insert "and" and delete "; and 256B.434, subdivision 13"

Page 2 of the Memorandum of Explanation, after line 28, insert:

"Sec. 15. Explanation. This amendment corrects a cross-reference dealing with prudent investor criteria."

Page 6 of the Memorandum of Explanation, after line 26, insert:

"Sec. 54. Explanation. This amendment corrects a cross-reference to qualifications of mental health practitioners."

Pages 6 and 7 of the Memorandum of Explanation, delete section 57

Page 8 of the Memorandum of Explanation, after line 27, insert:

"Sec. 80. Explanation. This amendment corrects a legal description in a state land sale to wild rice lessees."

Reorder the sections in sequence

Reorder the sections of the Memorandum of Explanation in sequence

Amend the title as follows:

Page 1, line 15, after the first semicolon, insert "60L.08, subdivision 1;"

Page 1, line 33, delete the first "subdivision" and insert "subdivisions 4 and"

Page 1, line 36, delete "256B.0911, subdivision 7;"

Page 1, line 44, after the semicolon, insert "and Laws 1997, chapter 207, section 12;"

Page 2, lines 5 and 6, delete "256B.434, subdivision 13;"

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

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

S.F. No. 653: A bill for an act relating to the collection and dissemination of data; proposing classifications of data as private and nonpublic; proposing coding for new law in Minnesota Statutes 1998, chapter 13.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 13.03, subdivision 3, is amended to read:

Subd. 3. [REQUEST FOR ACCESS TO DATA.] (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.

(b) For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. "Inspection" does not include printing copies by the government entity unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in

electronic form on a remote access basis to the public by the government entity, "inspection" includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. Nothing in this section prohibits a government entity from charging a reasonable fee for remote access to data under a specific statutory grant of authority.

(c) The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

(d) When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

(e) If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

Sec. 2. Minnesota Statutes 1998, section 13.04, subdivision 2, is amended to read:

Subd. 2. [INFORMATION REQUIRED TO BE GIVEN INDIVIDUAL.] (a) An individual asked to supply private or confidential data concerning the individual shall be informed of:

~~(a)~~ (1) the purpose and intended use of the requested data within the collecting state agency, political subdivision, or statewide system;

~~(b)~~ (2) whether the individual may refuse or is legally required to supply the requested data;

~~(c)~~ (3) any known consequence arising from supplying or refusing to supply private or confidential data; and

~~(d)~~ (4) the identity of other persons or entities authorized by state or federal law to receive the data. This requirement shall not apply when an individual is asked to supply investigative data, pursuant to section 13.82, subdivision 5, to a law enforcement officer.

(b) When an individual is asked to supply educational data as defined in section 13.32, the requirement of paragraph (a) is met if, when a student first enrolls at a school and at the beginning of each academic year, the responsible authority provides to the individual a complete notice as provided in paragraph (a) that covers the possible data collection instances that may occur during the academic year.

Sec. 3. Minnesota Statutes 1998, section 13.04, subdivision 3, is amended to read:

Subd. 3. [ACCESS TO DATA BY INDIVIDUAL.] Upon request to a responsible authority, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any

charge and, if desired, shall be informed of the content and meaning of that data. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created. The responsible authority shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority may require the requesting person to pay the actual costs of making, certifying, and compiling the copies.

The responsible authority shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ~~five ten~~ days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible. ~~If unable to comply with the request within that time, the responsible authority shall so inform the individual, and may have an additional five days within which to comply with the request, excluding Saturdays, Sundays and legal holidays.~~

Sec. 4. Minnesota Statutes 1998, section 13.32, subdivision 2, is amended to read:

Subd. 2. [STUDENT HEALTH AND CENSUS DATA; DATA ON PARENTS.] (a) Health data concerning students, including but not limited to, data concerning immunizations, notations of special physical or mental problems and records of school nurses are educational data. Access by parents to student health data shall be pursuant to section 13.02, subdivision 8.

(b) Pupil census data, including emergency information, and family information, ~~and data concerning parents~~ are educational data.

(c) Data concerning parents are private data on individuals but may be treated as directory information if the same procedures that are used by a school district to designate student data as directory information under subdivision 5 are followed.

Sec. 5. Minnesota Statutes 1998, section 13.32, subdivision 3, is amended to read:

Subd. 3. [PRIVATE DATA; WHEN DISCLOSURE IS PERMITTED.] Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) Pursuant to section 13.05;

(b) Pursuant to a valid court order;

(c) Pursuant to a statute specifically authorizing access to the private data;

(d) To disclose information in health and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code of Federal Regulations, title 34, section 99.36 which are in effect on July 1, 1993;

(e) Pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, and 99.35 which are in effect on July 1, 1993;

(f) To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

(g) When disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, chapter 1092, in effect on July 1, 1993;

(h) To the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the extent and content of remedial instruction, including the results of assessment testing and academic performance at a post-secondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;

(i) To appropriate authorities as provided in United States Code, title 20, section 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released; provided that the authorities to whom the data are released submit a written request for the data that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file; or

(j) To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students; or

(k) When disclosure is required for institutions that participate in a program under the National Defense Authorization Act of 1995, Public Law Number 103-337, relating to access to campus and identifiable student information.

Sec. 6. [13.442] [BUILDING CODE VIOLATIONS.]

Code violation records pertaining to a particular parcel of real property and the buildings, improvements, and dwelling units located on it that are kept by any state, county, or city agency charged by the governing body of the appropriate political subdivision with the responsibility for enforcing a state, county, or city health, housing, building, fire prevention, or housing maintenance code are public data, except for data that are confidential data under section 13.44.

Sec. 7. Minnesota Statutes 1998, section 13.43, is amended by adding a subdivision to read:

Subd. 13. [DISSEMINATION OF DATA TO DEPARTMENT OF ECONOMIC SECURITY.] Private personnel data must be disclosed to the department of economic security for the purpose of administration of the reemployment insurance program under chapter 268.

Sec. 8. Minnesota Statutes 1998, section 13.47, is amended to read:

13.47 [EMPLOYMENT AND TRAINING DATA.]

Subdivision 1. [DEFINITION.] (a) "Employment and training data" means data on individuals collected, maintained, used, or disseminated because an individual applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state, or local resources, including those provided under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

(b) "Employment and training service provider" means an administrative entity certified, or seeking to be certified, by the commissioner of economic security to deliver employment and training services under section 268.0122, subdivision 3, or an organization that contracts with a certified administrative entity or the department of economic security to deliver employment and training services.

(c) "Provider of training services" means an organization or entity that provides training under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

Subd. 2. [CLASSIFICATION.] Employment and training data are private data on individuals.

Subd. 3. [DISSEMINATION.] Employment and training data may be disseminated by employment and training service providers:

(a) to other employment and training service providers to coordinate the employment and training services for the data subject or to determine eligibility or suitability for services from other programs;

(b) to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs, or for any employment or training program administered by those agencies; and

(c) to the commissioner of economic security.

Subd. 4. [DATA PREPARATION.] To produce data required to certify the eligibility of training service providers under section 268.0122, subdivision 3, clause (7), the Workforce Investment Act of 1998, United States Code, title 29, section 2801, or other studies required by law, the commissioner of economic security, in consultation with the governor's workforce development council, may:

(1) enter into a data exchange agreement with a training service provider whereby the commissioner of economic security shall furnish to the provider wage information under section 268.044 on individuals who have received training services from the provider. The provider shall use this wage information to prepare summary data determined necessary by the commissioner in consultation with the governor's workforce development council. The provider may use this wage information for conducting studies to improve instruction; or

(2) if there is no agreement under clause (1), require the training service provider to furnish employment and training data determined necessary by the commissioner in consultation with the governor's workforce development council.

Subd. 5. [SUMMARY DATA.] The commissioner of economic security shall provide the training service providers, as well as make available to the public, summary data on the performance of the training services.

Sec. 9. [13.491] [RIDESHARE DATA.]

The following data on participants, collected by the Minnesota department of transportation and the metropolitan council to administer rideshare programs, are classified as private under section 13.02, subdivision 12: residential address and telephone number; beginning and ending work hours; current mode of commuting to and from work; and type of rideshare service information requested.

Sec. 10. [13.772] [MINNESOTA POLLUTION CONTROL AGENCY DATA.]

Data that identify specific locations within the state where intensive and global survey site investigations are under way or are determined by the Minnesota pollution control agency as appropriate for studying the cause of malformations in frogs, are nonpublic data until the agency determines that it will not investigate or has completed its scientific investigation at the reported abnormal frog site.

Sec. 11. Minnesota Statutes 1998, section 15.17, subdivision 1, is amended to read:

Subdivision 1. [MUST BE KEPT.] All officers and agencies of the state, counties, cities, towns, school districts, municipal subdivisions or corporations, or other public authorities or political entities within the state, hereinafter "public officer," shall make and preserve all records necessary to a full and accurate knowledge of their official activities. Government records may be produced in the form of computerized records. All government records shall be made on a physical medium of a quality to insure permanent records. Every public officer is empowered to reproduce records if the records are not deemed to be of permanent or archival value by the commissioner of administration and the records disposition panel under section 138.17. The public officer is empowered to reproduce these records by any photographic, photostatic, microphotographic, optical disk imaging system, microfilming, or other reproduction method that clearly and accurately reproduces the records. If a record is deemed to be of permanent or archival value, any reproduction of the record must meet archival standards specified by the Minnesota historical society provided, however, that this section does not prohibit the use of nonerasable optical imaging systems for the preservation of archival records without the preservation of paper or microfilm copies. Each public officer may order that those photographs, photostats, microphotographs, microfilms, optical images, or other reproductions, be substituted for the originals of them. The public officer may direct the destruction or sale for salvage or other disposition of the originals from which they were made, in accordance with the disposition requirements of section 138.17. Photographs, photostats, microphotographs, microfilms, optical

images, or other reproductions are for all purposes deemed the original recording of the papers, books, documents, and records reproduced when so ordered by any public officer and are admissible as evidence in all courts and proceedings of every kind. A facsimile or exemplified or certified copy of a photograph, photostat, microphotograph, microfilm, optical image, or other reproduction, or an enlargement or reduction of it, has the same effect and weight as evidence as would a certified or exemplified copy of the original.

Sec. 12. Minnesota Statutes 1998, section 15.17, subdivision 2, is amended to read:

Subd. 2. [RESPONSIBILITY FOR RECORDS.] The chief administrative officer of each public agency shall be responsible for the preservation and care of the agency's government records, which shall include written or printed books, papers, letters, contracts, documents, maps, plans, computer-based data, and other records made or received pursuant to law or in connection with the transaction of public business. It shall be the duty of each agency, and of its chief administrative officer, to carefully protect and preserve government records from deterioration, mutilation, loss, or destruction. Records or record books may be repaired, renovated, or rebound when necessary to preserve them properly.

Sec. 13. Minnesota Statutes 1998, section 141.30, is amended to read:

141.30 [INSPECTION.]

(a) The office or a delegate may inspect the instructional books and records, classrooms, dormitories, tools, equipment and classes of any school or applicant for license at any reasonable time. The office may require the submission of a certified public audit, or if there is no such audit available the office or a delegate may inspect the financial books and records of the school. In no event shall such financial information be used by the office to regulate or set the tuition or fees charged by the school.

~~(b) No agent or employee of the state of Minnesota shall divulge to any person other than a member of the office, or duly constituted law enforcement official, any data obtained from an inspection of the financial records of a school, except in connection with a legal or administrative proceeding commenced to enforce a requirement of law. Data obtained from an inspection of the financial records of a school are nonpublic data as defined in section 13.02, subdivision 9. Data obtained from inspections may be disclosed: to other members of the office; to law enforcement officials; or in connection with a legal or administrative proceeding commenced to enforce a requirement of law.~~

Sec. 14. Minnesota Statutes 1998, section 144.335, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For the purposes of this section, the following terms have the meanings given them:

(a) "Patient" means a natural person who has received health care services from a provider for treatment or examination of a medical, psychiatric, or mental condition, the surviving spouse, adult children, and parents of a deceased patient, or a person the patient appoints in writing as a representative, including a health care agent acting pursuant to chapter 145C, unless the authority of the agent has been limited by the principal in the principal's health care directive. Except for minors who have received health care services pursuant to sections 144.341 to 144.347, in the case of a minor, patient includes a parent or guardian, or a person acting as a parent or guardian in the absence of a parent or guardian.

(b) "Provider" means (1) any person who furnishes health care services and is regulated to furnish the services pursuant to chapter 147, 147A, 147B, 147C, 148, 148B, 148C, 150A, 151, 153, or 153A, or Minnesota Rules, chapter 4666; (2) a home care provider licensed under section 144A.46; (3) a health care facility licensed pursuant to this chapter or chapter 144A; (4) a physician assistant registered under chapter 147A; and (5) an unlicensed mental health practitioner regulated pursuant to sections 148B.60 to 148B.71.

(c) "Individually identifiable form" means a form in which the patient is or can be identified as the subject of the health records.

Sec. 15. Minnesota Statutes 1998, section 181.932, subdivision 2, is amended to read:

Subd. 2. [DISCLOSURE OF IDENTITY.] ~~No public official or law enforcement official shall disclose, or cause to disclose, The identity of any employee making a report or providing information under subdivision 1 without the employee's consent unless the investigator determines that disclosure is necessary for prosecution.,~~ clause (a) or (d), is private data on individuals as defined in section 13.02. The identity of an employee providing information under subdivision 1, clause (b), is private data on individuals if:

(1) the employee would not have provided the information without an assurance that the employee's identity would remain private, because of a concern that the employer would commit an action prohibited under subdivision 1 or that the employee would be subject to some other form of retaliation; or

(2) the state agency, statewide system, or political subdivision reasonably believes that the employee would not have provided the data because of that concern.

If the disclosure is necessary for prosecution, the identity of the employee may be disclosed but the employee shall be informed prior to the disclosure.

Sec. 16. Minnesota Statutes 1998, section 270B.03, subdivision 1, is amended to read:

Subdivision 1. [WHO MAY INSPECT.] Returns and return information must, on ~~written request in a form or manner prescribed by the commissioner,~~ be made open to inspection by or disclosure to the data subject. For purposes of this chapter, the following are the data subject:

(1) in the case of an individual return, that individual;

(2) in the case of an income tax return filed jointly, either of the individuals with respect to whom the return is filed;

(3) in the case of a partnership return, any person who was a member of the partnership during any part of the period covered by the return;

(4) in the case of the return of a corporation or its subsidiary:

(i) any person designated by resolution of the board of directors or other similar governing body;

(ii) any officer or employee of the corporation upon written request signed by any officer and attested to by the secretary or another officer;

(iii) any bona fide shareholder of record owning one percent or more of the outstanding stock of the corporation;

(iv) if the corporation is a corporation that has made an election under section 1362 of the Internal Revenue Code of 1986, as amended through December 31, 1988, any person who was a shareholder during any part of the period covered by the return during which an election was in effect; or

(v) if the corporation has been dissolved, any person authorized by state law to act for the corporation or any person who would have been authorized if the corporation had not been dissolved;

(5) in the case of an estate return:

(i) the personal representative or trustee of the estate; and

(ii) any beneficiary of the estate as shown on the federal estate tax return;

(6) in the case of a trust return:

(i) the trustee or trustees, jointly or separately; and

(ii) any beneficiary of the trust as shown in the trust instrument;

(7) if liability has been assessed to a transferee under section 289A.31, subdivision 3, the transferee is the data subject with regard to the returns and return information relating to the assessed liability;

(8) in the case of an Indian tribal government or an Indian tribal government-owned entity,

(i) the chair of the tribal government, or

(ii) any person authorized by the tribal government; and

(9) in the case of a successor as defined in section 270.102, subdivision 1, paragraph (b), the successor is the data subject and information may be disclosed as provided by section 270.102, subdivision 4.

Sec. 17. Minnesota Statutes 1998, section 270B.03, subdivision 5, is amended to read:

Subd. 5. [ATTORNEY IN FACT.] Any return or return information to which this section applies is, ~~upon written request~~, open to inspection by or disclosure to the attorney in fact duly authorized in a writing signed by the data subject or to the person or persons designated by the data subject in a written request for or consent to the disclosure in a form or manner prescribed by the commissioner.

Sec. 18. Minnesota Statutes 1998, section 270B.14, is amended by adding a subdivision to read:

Subd. 17. [DISCLOSURE TO DEPARTMENT OF COMMERCE.] The commissioner may disclose to the commissioner of commerce information required to administer the Uniform Disposition of Unclaimed Property Act in sections 345.31 to 345.60, including the social security numbers of the taxpayers whose refunds are on the report of abandoned property submitted by the commissioner to the commissioner of commerce under section 345.41. Except for data published under section 345.42, the information received that is private or nonpublic data retains its classification, and can be used by the commissioner of commerce only for the purpose of verifying that the persons claiming the refunds are the owners.

Sec. 19. Minnesota Statutes 1998, section 273.124, subdivision 13, is amended to read:

Subd. 13. [HOMESTEAD APPLICATION.] (a) A person who meets the homestead requirements under subdivision 1 must file a homestead application with the county assessor to initially obtain homestead classification.

(b) On or before January 2, 1993, each county assessor shall mail a homestead application to the owner of each parcel of property within the county which was classified as homestead for the 1992 assessment year. The format and contents of a uniform homestead application shall be prescribed by the commissioner of revenue. The commissioner shall consult with the chairs of the house and senate tax committees on the contents of the homestead application form. The application must clearly inform the taxpayer that this application must be signed by all owners who occupy the property or by the qualifying relative and returned to the county assessor in order for the property to continue receiving homestead treatment. The envelope containing the homestead application shall clearly identify its contents and alert the taxpayer of its necessary immediate response.

(c) Every property owner applying for homestead classification must furnish to the county assessor the social security number of each occupant who is listed as an owner of the property on the deed of record, the name and address of each owner who does not occupy the property, and the name and social security number of each owner's spouse who occupies the property. The application must be signed by each owner who occupies the property and by each owner's spouse who occupies the property, or, in the case of property that qualifies as a homestead under subdivision 1, paragraph (c), by the qualifying relative.

If a property owner occupies a homestead, the property owner's spouse may not claim another

property as a homestead unless the property owner and the property owner's spouse file with the assessor an affidavit or other proof required by the assessor stating that the property qualifies as a homestead under subdivision 1, paragraph (e).

Owners or spouses occupying residences owned by their spouses and previously occupied with the other spouse, either of whom fail to include the other spouse's name and social security number on the homestead application or provide the affidavits or other proof requested, will be deemed to have elected to receive only partial homestead treatment of their residence. The remainder of the residence will be classified as nonhomestead residential. When an owner or spouse's name and social security number appear on homestead applications for two separate residences and only one application is signed, the owner or spouse will be deemed to have elected to homestead the residence for which the application was signed.

The social security numbers or affidavits or other proofs of the property owners and spouses are private data on individuals as defined by section 13.02, subdivision 12, but, notwithstanding that section, the private data may be disclosed to the commissioner of revenue, or, for purposes of proceeding under the Revenue Recapture Act to recover personal property taxes owing, to the county treasurer.

(d) If residential real estate is occupied and used for purposes of a homestead by a relative of the owner and qualifies for a homestead under subdivision 1, paragraph (c), in order for the property to receive homestead status, a homestead application must be filed with the assessor. The social security number of each relative occupying the property and the social security number of each owner who is related to an occupant of the property shall be required on the homestead application filed under this subdivision. If a different relative of the owner subsequently occupies the property, the owner of the property must notify the assessor within 30 days of the change in occupancy. The social security number of a relative occupying the property is private data on individuals as defined by section 13.02, subdivision 12, but may be disclosed to the commissioner of revenue.

(e) The homestead application shall also notify the property owners that the application filed under this section will not be mailed annually and that if the property is granted homestead status for the 1993 assessment, or any assessment year thereafter, that same property shall remain classified as homestead until the property is sold or transferred to another person, or the owners, the spouse of the owner, or the relatives no longer use the property as their homestead. Upon the sale or transfer of the homestead property, a certificate of value must be timely filed with the county auditor as provided under section 272.115. Failure to notify the assessor within 30 days that the property has been sold, transferred, or that the owner, the spouse of the owner, or the relative is no longer occupying the property as a homestead, shall result in the penalty provided under this subdivision and the property will lose its current homestead status.

(f) If the homestead application is not returned within 30 days, the county will send a second application to the present owners of record. The notice of proposed property taxes prepared under section 275.065, subdivision 3, shall reflect the property's classification. Beginning with assessment year 1993 for all properties, if a homestead application has not been filed with the county by December 15, the assessor shall classify the property as nonhomestead for the current assessment year for taxes payable in the following year, provided that the owner may be entitled to receive the homestead classification by proper application under section 375.192.

(g) At the request of the commissioner, each county must give the commissioner a list that includes the name and social security number of each property owner and the property owner's spouse occupying the property, or relative of a property owner, applying for homestead classification under this subdivision. The commissioner shall use the information provided on the lists as appropriate under the law, including for the detection of improper claims by owners, or relatives of owners, under chapter 290A.

(h) If the commissioner finds that a property owner may be claiming a fraudulent homestead, the commissioner shall notify the appropriate counties. Within 90 days of the notification, the county assessor shall investigate to determine if the homestead classification was properly claimed. If the property owner does not qualify, the county assessor shall notify the county auditor

who will determine the amount of homestead benefits that had been improperly allowed. For the purpose of this section, "homestead benefits" means the tax reduction resulting from the classification as a homestead under section 273.13, the taconite homestead credit under section 273.135, and the supplemental homestead credit under section 273.1391.

The county auditor shall send a notice to the person who owned the affected property at the time the homestead application related to the improper homestead was filed, demanding reimbursement of the homestead benefits plus a penalty equal to 100 percent of the homestead benefits. The person notified may appeal the county's determination by serving copies of a petition for review with county officials as provided in section 278.01 and filing proof of service as provided in section 278.01 with the Minnesota tax court within 60 days of the date of the notice from the county. Procedurally, the appeal is governed by the provisions in chapter 271 which apply to the appeal of a property tax assessment or levy, but without requiring any prepayment of the amount in controversy. If the amount of homestead benefits and penalty is not paid within 60 days, and if no appeal has been filed, the county auditor shall certify the amount of taxes and penalty to the county treasurer. The county treasurer will add interest to the unpaid homestead benefits and penalty amounts at the rate provided in section 279.03 for real property taxes becoming delinquent in the calendar year during which the amount remains unpaid. Interest may be assessed for the period beginning 60 days after demand for payment was made.

If the person notified is the current owner of the property, the treasurer may add the total amount of benefits, penalty, interest, and costs to the ad valorem taxes otherwise payable on the property by including the amounts on the property tax statements under section 276.04, subdivision 3. The amounts added under this paragraph to the ad valorem taxes shall include interest accrued through December 31 of the year preceding the taxes payable year for which the amounts are first added. These amounts, when added to the property tax statement, become subject to all the laws for the enforcement of real or personal property taxes for that year, and for any subsequent year.

If the person notified is not the current owner of the property, the treasurer may collect the amounts due under the Revenue Recapture Act in chapter 270A, or use any of the powers granted in sections 277.20 and 277.21 without exclusion, to enforce payment of the benefits, penalty, interest, and costs, as if those amounts were delinquent tax obligations of the person who owned the property at the time the application related to the improperly allowed homestead was filed. The treasurer may relieve a prior owner of personal liability for the benefits, penalty, interest, and costs, and instead extend those amounts on the tax lists against the property as provided in this paragraph to the extent that the current owner agrees in writing. On all demands, billings, property tax statements, and related correspondence, the county must list and state separately the amounts of homestead benefits, penalty, interest and costs being demanded, billed or assessed.

(i) Any amount of homestead benefits recovered by the county from the property owner shall be distributed to the county, city or town, and school district where the property is located in the same proportion that each taxing district's levy was to the total of the three taxing districts' levy for the current year. Any amount recovered attributable to taconite homestead credit shall be transmitted to the St. Louis county auditor to be deposited in the taconite property tax relief account. Any amount recovered that is attributable to supplemental homestead credit is to be transmitted to the commissioner of revenue for deposit in the general fund of the state treasury. The total amount of penalty collected must be deposited in the county general fund.

(j) If a property owner has applied for more than one homestead and the county assessors cannot determine which property should be classified as homestead, the county assessors will refer the information to the commissioner. The commissioner shall make the determination and notify the counties within 60 days.

(k) In addition to lists of homestead properties, the commissioner may ask the counties to furnish lists of all properties and the record owners. Social security numbers and federal identification numbers maintained by a county or city assessor for property tax administration purposes, that may appear on the lists, may be used by the county auditor or treasurer of the same county for the purpose of assisting the commissioner in the preparation of microdata samples under section 270.0681.

Sec. 20. [REPEALER.]

Minnesota Statutes 1998, sections 13.72, subdivision 2; 504.23; and 504A.595, are repealed.

Sec. 21. [EFFECTIVE DATE.]

Sections 16, 17, and 18 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to government data practices; clarifying electronic access to data; modifying notice requirements for students and employees; classifying data; clarifying the status of data on parents held by educational entities; authorizing access to medical records by adult children of a deceased patient; eliminating inconsistent language; authorizing dissemination of personnel data; authorizing sharing of certain data for tax administration purposes; changing deadlines for providing data; clarifying and modifying access to data on employees reporting violations of law; making certain rideshare program data on individuals private; amending Minnesota Statutes 1998, sections 13.03, subdivision 3; 13.04, subdivisions 2 and 3; 13.32, subdivisions 2 and 3; 13.43, by adding a subdivision; 13.47; 15.17, subdivisions 1 and 2; 141.30; 144.335, subdivision 1; 181.932, subdivision 2; 270B.03, subdivisions 1 and 5; 270B.14, by adding a subdivision; and 273.124, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1998, sections 13.72, subdivision 2; 504.23; and 504A.595."

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

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

S.F. No. 711: A bill for an act relating to public administration; authorizing the Minnesota state retirement system, the public employees retirement association, and the teachers retirement association to purchase or construct an administrative building; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1998, sections 353.03, subdivision 4; and 354.06, subdivision 7.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 353.03, subdivision 4, is amended to read:

Subd. 4. [OFFICES.] The commissioner of administration shall may make provision for suitable office space in the state capitol or other state office buildings, or at such other location in St. Paul as is determined by the commissioner for the use of the board of trustees and its executive director. The commissioner shall give the board at least four months notice for any proposed removal from their present location. Any and all rental charges shall be paid by the trustees from the public employees retirement fund.

Sec. 2. Minnesota Statutes 1998, section 354.06, subdivision 7, is amended to read:

Subd. 7. [OFFICES.] A suitable office shall may be provided by the state through the proper officer for the use of the board and its executive director.

Sec. 3. [356.89] [PUBLIC PENSION FACILITIES.]

Subdivision 1. [BUILDING; RELATED FACILITIES.] The board of directors of the Minnesota state retirement system, the board of trustees of the public employees retirement association, and the board of trustees of the teachers retirement association are authorized to expend or otherwise pledge pension funds or the proceeds of revenue bonds as provided in subdivision 3 for the common ownership, operation, and improvement of a building and related facilities for the administration of their public pension systems. This authority includes the

authority to purchase or lease land and facilities and the authority to design, construct, furnish, improve, and equip a building and related parking facilities to accommodate employees and visitors. The boards' planning, selection, design, and building of facilities are not subject to approval by the capitol area architectural and planning board under section 15.50, subdivision 2, paragraph (c), competitive design planning under section 15.50, subdivision 2, paragraph (e), and the capital improvements provisions of sections 16B.30 to 16B.33. The competitive acquisition process set forth in chapter 16C does not apply provided the process set forth in subdivision 2 is followed.

Subd. 2. [CONTRACTING PROCEDURES.] (a) The boards may enter into a contract for facilities with a contractor to furnish the architectural, engineering, and related services as well as the labor, materials, supplies, equipment, and related construction services on the basis of a request for qualifications and competitive responses received through a request for proposals process which must include the items listed in paragraphs (b) to (i).

(b) Prior to issuing a request for qualifications and a request for proposals, the boards, with the assistance of the department of administration, shall prepare performance criteria and specifications which shall include:

(1) a general floor plan or layout indicating the general dimensions of the public building and space requirements;

(2) design criteria for the exterior and site area;

(3) performance specifications for all building systems and components to assure quality and cost efficiencies;

(4) conceptual floor plans for systems space;

(5) preferred types of interior finishes, styles of windows, lighting and outlets, doors and features such as built-in counters and telephone wiring;

(6) mechanical and electrical requirements;

(7) special interior features required; and

(8) completion schedule.

(c) The boards shall first solicit statements of qualifications from eligible contractors and select more than one qualified contractor based upon experience, technical competence, past performance, capability to perform, and other appropriate facts. Contractors selected under this process shall be, employ, or have as a partner, member, coventurer, or subcontractor, persons licensed and registered under chapter 326 to provide the services required to design and complete the project. The boards do not have to select any of the respondents if none reasonably fulfill the criteria set forth within.

(d) The contractors selected shall be asked to respond to a request for proposals. Responses must include site plans, design concept, elevation, statement of material to be used, floor layouts, a detailed development budget, and a total cost to complete the project. The proposal must indicate that the contractor obtained at least two proposals from subcontractors for each item of work and must set forth how the subcontractors were selected. The boards shall evaluate the proposals based upon design, cost, quality, aesthetics, and the best overall value to the state pension funds. The board need not select any of the proposals submitted and reserves the right to reject any and all proposals, and may terminate the process or revise the request for proposals and solicit new proposals if the boards determine that the best interests of the pension funds would be better served by doing so. Proposals submitted shall constitute nonpublic data until the contract is awarded.

(e) The contract selected must comply with sections 574.26 to 574.261. Prior to the execution of a final contract, the contractor selected shall certify a firm construction price and completion date.

(f) The boards may consider building sites in the city of St. Paul and surrounding suburbs.

(g) Any land, building, or facility leased, constructed, or acquired and any leasehold interest acquired under this section shall be held in common ownership in the name of the three retirement systems as tenants in common. Each retirement system fund shall consider its interest as a fixed asset of its pension fund in accordance with governmental accounting standards.

(h) The boards may lease to another governmental subdivision any portion of the funds' building and lands which is not required for their direct use upon such terms and conditions as they deem to be in the best interest of the pension funds. Any income accruing from such rentals shall be separately accounted for and utilized to offset ongoing administrative expenses and any excess shall be carried forward for future administrative expenses. The boards are also authorized to enter into lease agreements for the establishment of satellite offices should the boards find such offices to be necessary in order to assure their members reasonable access to their services. The boards also have the authority to request the commissioner of administration to lease any portion of their building not required for their direct use pursuant to the commissioner's authorities under section 16B.24.

(i) The boards shall formulate and adopt a written working agreement which shall set forth the nature of each retirement system's ownership interest, the duties and obligations of each system towards the construction, operation, and maintenance costs of their facilities, and the identification of one retirement fund to serve as manager for operating and maintenance purposes. The boards may contract with independent third parties for maintenance-related activities, services, and supplies, and may utilize the services of the department of administration where economically feasible to do so. In the event the boards cannot agree or resolve a dispute which relates to operations or maintenance of the facilities, they may request the commissioner of administration to appoint a representative from the department's real estate management division to serve as arbitrator of the dispute with authority to issue a written resolution of the dispute.

Subd. 3. [REVENUE BONDS AUTHORIZED.] The boards, or any of them, may issue revenue bonds in the principal amount necessary, in the opinion of the boards, to achieve the purposes described in subdivisions 1 and 2; to pay issuance costs and interest costs; and to establish necessary reserves to secure the bonds. The boards may issue bonds for the purpose of refunding bonds issued under this subdivision.

Subd. 4. [PROCEDURE.] The bonds authorized in subdivision 3 must be sold, issued, and secured in the manner provided in chapter 475 for bonds payable solely from revenues, and the boards have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The bonds may be sold at any price and at public or private sale as determined by the boards. The bonds may be sold in one or more series. Different series may be backed by different revenue sources. No election is required.

Subd. 5. [NONLIABILITY OF STATE.] The state of Minnesota is not liable on bonds of the boards and the bonds are not a general or moral obligation of the state.

Subd. 6. [NONLIABILITY OF INDIVIDUALS.] Neither the members of the boards nor any person executing the bonds on behalf of the boards shall be personally liable on the bonds or subject to any personal liability or accountability by reason of executing them."

Amend the title as follows:

Page 1, line 6, after "building;" insert "authorizing the issuance of certain revenue bonds; amending Minnesota Statutes 1998, sections 353.03, subdivision 4; and 354.06, subdivision 7;"

Page 1, line 7, delete "; repealing" and insert a period

Page 1, delete lines 8 and 9

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

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

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

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

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

H.F. No. 735: A bill for an act relating to crime; expanding the scope of the crime of adulteration to include adulterations capable of causing death or bodily harm; increasing penalties for certain acts of adulteration; amending Minnesota Statutes 1998, section 609.687, subdivisions 2 and 3.

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

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

S.F. No. 1087: A bill for an act relating to crime prevention; authorizing local correctional agencies rather than courts to impose local correctional fees for offenders under the supervision and control of the local agency; amending Minnesota Statutes 1998, sections 244.18, subdivisions 3, 4, and 5; and 609.102, subdivision 2; repealing Minnesota Statutes 1998, section 609.102, subdivisions 3 and 4.

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

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

S.F. No. 866: A bill for an act relating to crime prevention; amending the theft law to specifically apply to certain situations involving the rental of personal property or equipment; amending Minnesota Statutes 1998, section 609.52, subdivisions 1 and 2.

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

Page 6, lines 11 and 15, after "to" insert "wrongfully"

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

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

S.F. No. 1639: A bill for an act relating to offender rehabilitation; exempting the licensing of certain taxicab drivers from the requirements of chapter 364; amending Minnesota Statutes 1998, section 364.09.

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

Page 1, line 21, delete "such" and insert "the" and delete "convicted" and insert "discharged from sentence for a conviction"

Page 1, line 22, delete "for such license" and delete "crime" and insert "violation of any of the following"

Page 1, delete lines 23 to 25

Page 2, delete lines 1 to 4

Page 2, line 5, delete "169" and insert:

"(1) sections 609.185 to 609.21, 609.221 to 609.223, or 609.342 to 609.3451;

(2) any provision of chapter 152 that is punishable by a maximum sentence of 15 years or more; or

(3) a violation of chapter 169 involving driving under the influence, leaving the scene of an accident, or reckless or careless driving"

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

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

S.F. No. 1002: A bill for an act relating to crime prevention; specifying that a conviction for neglect or endangerment of a child is not a bar for a conviction of another offense committed as part of the same conduct and authorizing consecutive sentences in these situations; making it a crime to sell certain substances knowing that the substance is intended to be used to produce a controlled substance; imposing criminal penalties for placing a booby trap in locations where controlled substances are manufactured; requiring law enforcement agencies to report the discovery of illegal methamphetamine laboratories to the bureau of criminal apprehension; providing for increased penalties for the theft of certain substances used in the manufacture of methamphetamine; appropriating money for the hiring of additional bureau of criminal apprehension agents and scientists to combat methamphetamine and for the cleanup of methamphetamine laboratories; imposing criminal penalties; amending Minnesota Statutes 1998, sections 609.035, subdivisions 1, 3, 4, and by adding a subdivision; 609.378, by adding a subdivision; and 609.52, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 152; 609; and 626.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 609.035, subdivision 1, is amended to read:

Subdivision 1. [PUNISHED FOR ONE OFFENSE.] Except as provided in subdivisions 2, 3, and 4, and 5, and in sections 609.251, 609.585, 609.21, subdivisions 3 and 4, 609.2691, 609.486, 609.494, and 609.856, if a person's conduct constitutes more than one offense under the laws of this state, the person may be punished for only one of the offenses and a conviction or acquittal of any one of them is a bar to prosecution for any other of them. All the offenses, if prosecuted, shall be included in one prosecution which shall be stated in separate counts.

Sec. 2. Minnesota Statutes 1998, section 609.035, subdivision 3, is amended to read:

Subd. 3. [EXCEPTION; FIREARMS OFFENSES.] Notwithstanding ~~section 609.04 subdivision 1~~, a prosecution for or conviction of a violation of section 609.165 or 624.713, ~~subdivision 1~~, clause (b), is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct.

Sec. 3. Minnesota Statutes 1998, section 609.035, subdivision 4, is amended to read:

Subd. 4. [EXCEPTION; ARSON OFFENSES.] Notwithstanding ~~section 609.04 subdivision 1~~, a prosecution for or conviction of a violation of sections 609.561 to 609.563 or 609.5641 is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct when the defendant is shown to have violated sections 609.561 to 609.563 or 609.5641 for the purpose of concealing any other crime.

For purposes of the sentencing guidelines, a violation of sections 609.561 to 609.563 or 609.5641 is a crime against the person.

Sec. 4. Minnesota Statutes 1998, section 609.035, is amended by adding a subdivision to read:

Subd. 5. [EXCEPTION; NEGLIGENCE OR ENDANGERMENT OF A CHILD.] Notwithstanding

subdivision 1, a prosecution for or conviction of a violation of section 609.378 is not a bar to conviction of or punishment for any other crime committed by the defendant as part of the same conduct.

Sec. 5. Minnesota Statutes 1998, section 609.378, is amended by adding a subdivision to read:

Subd. 3. [CONSECUTIVE SENTENCES AUTHORIZED.] Notwithstanding any provision of the sentencing guidelines, the court may provide that a sentence imposed for a violation of this section shall run consecutively to any sentence imposed for another crime committed as part of the same conduct. A consecutive sentence imposed under this subdivision is not a departure from the sentencing guidelines.

Sec. 6. Minnesota Statutes 1998, section 609.52, subdivision 3, is amended to read:

Subd. 3. [SENTENCE.] Whoever commits theft may be sentenced as follows:

(1) to imprisonment for not more than 20 years or to payment of a fine of not more than \$100,000, or both, if the property is a firearm, or the value of the property or services stolen is more than \$35,000 and the conviction is for a violation of subdivision 2, clause (3), (4), (15), or (16); or

(2) to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the value of the property or services stolen exceeds \$2,500, or if the property stolen was an article representing a trade secret, an explosive or incendiary device, or a controlled substance listed in schedule I or II pursuant to section 152.02 with the exception of marijuana; or

(3) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if:

(a) the value of the property or services stolen is more than \$500 but not more than \$2,500; or

(b) the property stolen was a controlled substance listed in schedule III, IV, or V pursuant to section 152.02; or

(c) the value of the property or services stolen is more than \$200 but not more than \$500 and the person has been convicted within the preceding five years for an offense under this section, section 256.98; 268.182; 609.24; 609.245; 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state, the United States, or a foreign jurisdiction, in conformity with any of those sections, and the person received a felony or gross misdemeanor sentence for the offense, or a sentence that was stayed under section 609.135 if the offense to which a plea was entered would allow imposition of a felony or gross misdemeanor sentence; or

(d) the value of the property or services stolen is not more than \$500, and any of the following circumstances exist:

(i) the property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(ii) the property is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(iii) the property is taken from a burning, abandoned, or vacant building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(iv) the property consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(v) the property stolen is a motor vehicle; or

(vi) the property stolen is anhydrous ammonia; or

(4) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the property or services stolen is more than \$200 but not more than \$500; or

(5) in all other cases where the value of the property or services stolen is \$200 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3), (4), and (13), the value of the money or property or services received by the defendant in violation of any one or more of the above provisions within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

Sec. 7. [609.6655] [BOOBY TRAPS PROHIBITED.]

Subdivision 1. [DEFINITION.] As used in this section, "booby trap" means a concealed or camouflaged device designed to cause bodily harm or death when triggered by an action of an unsuspecting person making contact with the device. "Booby trap" includes, but is not limited to, firearms, ammunition, or explosive devices attached to trip wires or other triggering mechanisms, sharpened stakes, nails, spikes, electrical devices, lines or wires with hooks attached, and devices for the production of toxic fumes or gases.

Subd. 2. [CRIME DEFINED.] A person who assembles, maintains, places, or causes to be placed a booby trap in a location where a controlled substance is being manufactured, distributed, or dispensed, with the intent to kill or injure a person who approaches the location, is guilty of a felony and may be sentenced as provided in subdivision 3.

Subd. 3. [PENALTY.] (a) If the violation does not constitute first degree murder and results in the death of a human being other than the perpetrator or the perpetrator's accomplice, the person may be sentenced to imprisonment for not more than 40 years or to payment of a fine of not more than \$50,000, or both.

(b) If the violation results in great bodily harm to a human being other than the perpetrator or the perpetrator's accomplice, the person may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$30,000, or both.

(c) If the violation results in substantial bodily harm to a human being other than the perpetrator or the perpetrator's accomplice, the person may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(d) In all other cases, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective August 1, 1999, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; specifying that a conviction for neglect or endangerment of a child is not a bar for a conviction of another offense committed as part of the same conduct and authorizing consecutive sentences in these situations; imposing criminal penalties for placing a booby trap in locations where controlled substances are manufactured; providing for increased penalties for the theft of anhydrous ammonia; imposing criminal penalties; amending Minnesota Statutes 1998, sections 609.035, subdivisions 1, 3, 4, and by adding a subdivision; 609.378, by adding a subdivision; and 609.52, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 609."

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

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

S.F. No. 319: A bill for an act relating to retirement; Minneapolis employees retirement fund; authorizing billing for certain negative account balances; clarifying death-while-active survivor refund amounts; clarifying death-while-active survivor refund eligibility; correcting fund reference for escalation of disability and long-service survivor annuity escalation; providing annuity escalation on short-service death-while-active survivor benefits; amending Minnesota Statutes 1998, sections 422A.06, subdivisions 3 and 6; 422A.101, subdivision 4; 422A.18, subdivision 2; 422A.22, subdivisions 4 and 5; and 422A.23; repealing Minnesota Statutes 1998, section 422A.16, subdivision 3a.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

LUVERNE PUBLIC HOSPITAL PRIVATIZATION

Section 1. [LUVERNE COMMUNITY HOSPITAL EMPLOYEE PRIVATIZATION PENSION BENEFIT ACCOMMODATION; PURPOSE.]

The purpose of this act is to assure, to the extent possible, that persons employed at the Luverne community hospital will be entitled to receive future retirement benefits under the general employees retirement plan of the public employees retirement association that are commensurate with the prior contributions made by them or on their behalf upon the privatization of the Luverne community hospital.

Sec. 2. [DEFINITIONS.]

Subdivision 1. [GENERALLY.] As used in this act, unless the context clearly indicates otherwise, each of the terms in the following subdivisions has the meaning indicated.

Subd. 2. [ALLOWABLE SERVICE.] "Allowable service" has the meaning provided in Minnesota Statutes 1998, section 353.01, subdivision 16.

Subd. 3. [EFFECTIVE DATE.] "Effective date" means the date that the operation of the Luverne community hospital is assumed by another employer or the date that the Luverne community hospital is purchased by another employer and, in either event, active membership in the public employees retirement association consequently terminates.

Subd. 4. [TERMINATED HOSPITAL EMPLOYEE.] "Terminated hospital employee" means a person who:

- (1) was employed on the day before the effective date by the Luverne community hospital;
- (2) terminated employment with the Luverne community hospital on the day before the effective date; and
- (3) was a participant in the general employees retirement plan of the public employees retirement association at the time of termination of employment with the Luverne community hospital.

Subd. 5. [YEARS OF ALLOWABLE SERVICE.] "Years of allowable service" means the total number of years of allowable service to the credit of a terminated hospital employee under Minnesota Statutes 1998, section 353.01, subdivision 18.

Sec. 3. [VESTING RULE FOR CERTAIN EMPLOYEES.]

Notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, a terminated hospital employee is eligible to receive a retirement annuity under Minnesota Statutes 1998, section 353.29, without regard to the requirement of three years of allowable service credit.

Sec. 4. [AUGMENTATION INTEREST RATE FOR TERMINATED HOSPITAL EMPLOYEES.]

The deferred annuity of a terminated hospital employee is subject to augmentation in accordance with Minnesota Statutes 1998, section 353.71, subdivision 2, except that the rate of interest for this purpose is 5.5 percent compounded annually until January 1 following the year in which such person attains age 55. From that date to the effective date of retirement, the rate is 7.5 percent. These increased augmentation rates are no longer applicable for any time after the terminated hospital employee becomes covered again by a retirement fund enumerated in Minnesota Statutes, section 356.30, subdivision 3. These increased deferred annuity augmentation rates do not apply to a terminated transferred hospital employee who begins receipt of a retirement annuity while employed by the employer which assumed operations of the Luverne community hospital or purchased the Luverne community hospital.

Sec. 5. [AUTHORIZATION FOR ADDITIONAL ALLOWABLE SERVICE FOR CERTAIN EARLY RETIREMENT PURPOSES.]

For the purpose of determining eligibility for early retirement benefits provided under Minnesota Statutes 1998, section 353.30, subdivision 1a, only and notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, the years of allowable service for a terminated hospital employee who transfers employment on the effective date and does not apply for a refund of contributions under Minnesota Statutes 1998, section 353.34, subdivision 1, or any similar provision in future Minnesota Statutes, includes service with the successor employer to the Luverne community hospital following the effective date. The successor employer shall provide any reports that the executive director of the public employees retirement association may reasonably request to permit the calculation of retirement benefits.

To be eligible for early retirement benefits under this section, the individual must separate from service with the successor employer to the Luverne community hospital. The terminated eligible individual, or an individual authorized to act on behalf of that individual, may apply for an annuity following the application procedures under Minnesota Statutes, section 353.29, subdivision 4.

Sec. 6. [APPLICATION OF REEMPLOYED ANNUITANT EARNINGS LIMITATIONS.]

The reemployed annuitant earnings limitations of Minnesota Statutes, section 353.37, apply to any service by a terminated hospital employee as an employee of the successor employer to the Luverne community hospital.

Sec. 7. [EFFECT ON REFUND.]

Notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, terminated hospital employees may receive a refund of employee accumulated contributions plus interest at the rate of six percent per year compounded annually in accordance with Minnesota Statutes 1998, section 353.34, subdivision 2, at any time after the transfer of employment to the successor employer to the Luverne community hospital. If a terminated hospital employee has received a refund from a pension plan enumerated in Minnesota Statutes, section 356.30, subdivision 3, the person may not repay that refund unless the person again becomes a member of one of those enumerated plans and complies with Minnesota Statutes, section 356.30, subdivision 2.

Sec. 8. [COUNSELING SERVICES.]

The administrator of the Luverne community hospital and the executive director of the public employees retirement association shall provide terminated hospital employees with counseling on their benefits available under the general employee retirement plan of the public employee retirement association.

Sec. 9. [REPEALER.]

Laws 1998, chapter 390, article 1, section 1, is repealed.

Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective on the day following final enactment.

ARTICLE 2

WACONIA RIDGEVIEW MEDICAL CENTER PRIVATIZATION

Section 1. [RIDGEVIEW MEDICAL CENTER EMPLOYEE PRIVATIZATION PENSION BENEFIT ACCOMMODATION; PURPOSE.]

The purpose of this act is to ensure, to the extent possible, that persons employed at the Ridgeview medical center, Waconia, will be entitled to receive future retirement benefits under the general employees retirement plan of the public employees retirement association that are commensurate with the prior contributions made by them or on their behalf upon the privatization of the Ridgeview medical center.

Sec. 2. [DEFINITIONS.]

Subdivision 1. [GENERALLY.] As used in this act, unless the context clearly indicates otherwise, each of the terms in the following subdivisions has the meaning indicated.

Subd. 2. [ALLOWABLE SERVICE.] "Allowable service" has the meaning provided in Minnesota Statutes 1998, section 353.01, subdivision 16.

Subd. 3. [EFFECTIVE DATE.] "Effective date" means the date that the operation of the Ridgeview medical center is assumed by another employer or the date that the Ridgeview medical center is purchased by another employer and, in either event, active membership in the public employees retirement association consequently terminates.

Subd. 4. [TERMINATED HOSPITAL EMPLOYEE.] "Terminated hospital employee" means a person who:

- (1) was employed on the day before the effective date by the Ridgeview medical center;
- (2) terminated employment with the Ridgeview medical center on the day before the effective date; and
- (3) was a participant in the general employees retirement plan of the public employees retirement association at the time of termination of employment with the Ridgeview medical center.

Subd. 5. [YEARS OF ALLOWABLE SERVICE.] "Years of allowable service" means the total number of years of allowable service to the credit of a terminated hospital employee under Minnesota Statutes 1998, section 353.01, subdivision 18.

Sec. 3. [VESTING RULE FOR CERTAIN EMPLOYEES.]

Notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, a terminated hospital employee is eligible to receive a retirement annuity under Minnesota Statutes 1998, section 353.29, without regard to the requirement of three years of allowable service credit.

Sec. 4. [AUGMENTATION INTEREST RATE FOR TERMINATED HOSPITAL EMPLOYEES.]

The deferred annuity of a terminated hospital employee is subject to augmentation in accordance with Minnesota Statutes 1998, section 353.71, subdivision 2, except that the rate of interest for this purpose is 5.5 percent compounded annually until January 1 following the year in which such person attains age 55. From that date to the effective date of retirement, the rate is 7.5 percent. These increased augmentation rates are no longer applicable for any time after the terminated hospital employee becomes covered again by a retirement fund enumerated in Minnesota Statutes, section 356.30, subdivision 3. These increased deferred annuity augmentation rates do not apply to a terminated transferred hospital employee who begins receipt of a retirement

annuity while employed by the employer which assumed operations of the Ridgeview medical center or purchased the Ridgeview medical center.

Sec. 5. [AUTHORIZATION FOR ADDITIONAL ALLOWABLE SERVICE FOR CERTAIN EARLY RETIREMENT PURPOSES.]

For the purpose of determining eligibility for early retirement benefits provided under Minnesota Statutes 1998, section 353.30, subdivision 1a, only and notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, the years of allowable service for a terminated hospital employee who transfers employment on the effective date and does not apply for a refund of contributions under Minnesota Statutes 1998, section 353.34, subdivision 1, or any similar provision in future Minnesota Statutes, includes service with the successor employer to the Ridgeview medical center following the effective date. The successor employer shall provide any reports that the executive director of the public employees retirement association may reasonably request to permit the calculation of retirement benefits.

To be eligible for early retirement benefits under this section, the individual must separate from service with the successor employer to the Ridgeview medical center. The terminated eligible individual, or an individual authorized to act on behalf of that individual, may apply for an annuity following the application procedures under Minnesota Statutes, section 353.29, subdivision 4.

Sec. 6. [APPLICATION OF REEMPLOYED ANNUITANT EARNINGS LIMITATIONS.]

The reemployed annuitant earnings limitations of Minnesota Statutes, section 353.37, apply to any service by a terminated hospital employee as an employee of the successor employer to the Ridgeview medical center.

Sec. 7. [EFFECT ON REFUND.]

Notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, terminated hospital employees may receive a refund of employee accumulated contributions plus interest at the rate of six percent per year compounded annually in accordance with Minnesota Statutes 1998, section 353.34, subdivision 2, at any time after the transfer of employment to the successor employer to the Ridgeview medical center. If a terminated hospital employee has received a refund from a pension plan enumerated in Minnesota Statutes, section 356.30, subdivision 3, the person may not repay that refund unless the person again becomes a member of one of those enumerated plans and complies with Minnesota Statutes, section 356.30, subdivision 2.

Sec. 8. [COUNSELING SERVICES.]

The administrator of the Ridgeview medical center and the executive director of the public employees retirement association shall provide terminated hospital employees with counseling on their benefits available under the general employee retirement plan of the public employee retirement association.

Sec. 9. [EFFECTIVE DATE.]

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

ARTICLE 3

LOCAL POLICE AND PAID FIRE RELIEF ASSOCIATION BENEFIT MODIFICATIONS

Section 1. Laws 1977, chapter 61, section 6, as amended by Laws 1981, chapter 68, section 39, and Laws 1998, chapter 390, article 7, section 3, is amended to read:

Sec. 6. [EVELETH RETIRED POLICE AND FIRE TRUST FUND; FINANCIAL REQUIREMENTS OF THE TRUST FUND.]

(a) The city of Eveleth shall provide by annual levy amount sufficient to pay an amount which when added to the investment income of the trust fund is sufficient to pay the benefits provided under the trust fund for the succeeding year as certified by the board of trustees of the trust fund.

(b) If the city of Eveleth fails to contribute the amount required in paragraph (a) in a given year, no postretirement adjustment granted under Laws 1995, chapter 262, article 10, section 1, or Laws 1997, chapter 241, article 2, section 19 is payable in the following year.

Sec. 2. [EVELETH RETIRED POLICE AND FIRE TRUST FUND; AD HOC POSTRETIREMENT ADJUSTMENT.]

In addition to the current pensions and other retirement benefits payable, the pensions and retirement benefits payable to retired police officers and firefighters and their surviving spouses by the Eveleth police and fire trust fund are increased by \$100 a month. Increases are retroactive to January 1, 1999.

Sec. 3. [FAIRMONT POLICE RELIEF ASSOCIATION; ADDITIONAL ANNUAL POSTRETIREMENT ADJUSTMENT.]

(a) Every recipient of a pension or benefit from the Fairmont police relief association on June 30, annually, is entitled to receive a postretirement adjustment as provided in this section in addition to any pension or benefit increase by virtue of an increase in the salary of active patrol officers in the city of Fairmont on the following July 1.

(b) If the value of current assets of the relief association is equal to at least 102 percent of the actuarial accrued liability of the Fairmont police relief association as of December 31 in the prior calendar year as calculated under Minnesota Statutes, sections 356.215 and 356.216, one percent of the value of current assets of the relief association is available for the payment of the postretirement adjustment.

(c) The amount of the postretirement adjustment must be calculated by the board of trustees of the relief association. The postretirement adjustment amount is payable monthly. The total amount of all service pensions, disability pensions, and survivor benefits, without inclusion of any postretirement adjustment paid previously under this section must be calculated and the percentage amount of each recipient's annual pension or benefit of the total amount, expressed as four digits beyond the decimal point, must be determined. The monthly postretirement adjustment payable to each pension or benefit recipient is 1/12 of the dollar amount determined by applying each recipient's determined percentage of the total amount of pensions and benefits to the total dollar amount available for payment as a postretirement adjustment.

(d) The postretirement adjustment amount paid in any year under this section does not compound and must not be added to the pension base for the calculation of a subsequent postretirement adjustment. If a pension or benefit recipient dies before the 12 monthly postretirement adjustments under this section have been paid, the remaining monthly postretirement adjustment payments cancel and nothing in this section authorizes the payment of the postretirement adjustment to an estate or to a person who did not qualify for a postretirement adjustment in the person's own right.

(e) The secretary of the relief association will report the total amount of benefits paid under this section to the executive director of the legislative commission on pensions and retirement, the city clerk, and the state auditor.

(f) Payment of the postretirement adjustment amount provided under this section may be made only if the average time-weighted total rate of return for the total portfolio for the most recent five-year period exceeds by at least two percent the actual average percent increase in the current monthly salary of a first class patrol officer in the most recent prior five fiscal years.

Sec. 4. [FAIRMONT POLICE RELIEF ASSOCIATION; RETROACTIVITY OF SURVIVING SPOUSE BENEFIT INCREASE.]

The surviving spouse benefit amount under Laws 1963, chapter 423, is payable to all surviving spouses receiving benefits as of the date of the approval of this act.

Sec. 5. [FAIRMONT POLICE RELIEF ASSOCIATION; BYLAWS AMENDMENTS REQUIRED.]

Sections 3 and 4 must be implemented by the appropriate amendments to the bylaws of the Fairmont police relief association.

Sec. 6. [ST. CLOUD POLICE CONSOLIDATION ACCOUNT; SPECIAL ONE-TIME POSTRETIREMENT ADJUSTMENT.]

(a) Notwithstanding any provision of general or special law to the contrary, all service pensioners, disability pensioners, and survivor benefit recipients of the St. Cloud police consolidation account who had begun the receipt of pensions or benefits before December 31, 1997, the effective date of the St. Cloud police consolidation process under Minnesota Statutes, chapter 353A, that began in April 1997, are entitled to receive the pension or benefit increase granted under Laws 1997, chapter 233, article 1, section 72.

(b) The special one-time postretirement adjustment under paragraph (a) is effective retroactive to January 1, 1998. The first payment of pensions and benefits next following the effective date of this section must include any back payments of the retroactive postretirement adjustment.

(c) Nothing in this section authorizes the payment of a special postretirement adjustment to an estate.

Sec. 7. [EFFECTIVE DATE.]

(a) Sections 1 and 2 are effective on approval by the Eveleth city council and compliance with Minnesota Statutes, section 645.021.

(b) Sections 3, 4, and 5 are effective on the day following approval by the Fairmont city council and compliance with Minnesota Statutes, section 645.021.

(c) Section 6 is effective on the day following approval by the St. Cloud city council and compliance with Minnesota Statutes, section 645.021.

ARTICLE 4

KANDIYOHI COUNTY AND LITCHFIELD CITY

VOLUNTEER RESCUE SQUAD RELIEF

ASSOCIATION AUTHORIZATION

Section 1. Minnesota Statutes 1998, section 356A.01, subdivision 7, is amended to read:

Subd. 7. [COVERED GOVERNMENTAL ENTITY.] "Covered governmental entity" means a governmental subdivision or other governmental entity that employs persons who are plan participants in a covered pension plan and who are eligible for that participation because of their employment. "Covered governmental entity" also means a governmental subdivision or other governmental entity that establishes a relief association under chapter 425B.

Sec. 2. Minnesota Statutes 1998, section 356A.01, subdivision 8, is amended to read:

Subd. 8. [COVERED PENSION PLAN.] "Covered pension plan" means a pension plan or fund listed in section 356.20, subdivision 2, or 356.30, subdivision 3, or the special fund of any relief association established under chapter 425B.

Sec. 3. [425B.01] [DEFINITIONS.]

Subdivision 1. [TERMS DEFINED.] As used in this chapter, the terms defined in this section have the meanings given.

Subd. 2. [RESCUE SQUAD.] "Rescue squad" includes a municipal or county rescue squad and independent nonprofit rescue squad corporation that performs emergency management services (EMS). Rescue squad does not include any rescue squad that is affiliated with a fire department or ambulance service and whose members are eligible for membership in that fire department's or ambulance's relief association or comparable pension plan.

Subd. 3. [MUNICIPALITY.] "Municipality" means the city of Litchfield in Meeker county.

Subd. 4. [COUNTY.] "County" means Kandiyohi county.

Sec. 4. [425B.02] [VOLUNTEER RESCUE SQUAD RELIEF ASSOCIATION; AUTHORIZATION.]

Notwithstanding any provision of section 356.24 or 356.25 to the contrary, the governing body of a municipality or county is authorized to establish a rescue squad relief association as provided in this chapter.

Sec. 5. [425B.03] [RELIEF ASSOCIATION SELF-GOVERNING.]

Subdivision 1. [INCORPORATION.] (a) The relief association must be incorporated under chapter 317A.

(b) The incorporators of the relief association are the members of the governing body of the municipality or county.

Subd. 2. [BOARD OF TRUSTEES; COMPOSITION.] (a) The relief association must be governed by a board of trustees.

(b) The relief association board of trustees consists of nine persons. Six members of the board of trustees must be elected by and from the membership of the relief association. The remaining members of the board of trustees must be appointed by the governing body of the municipality or county.

(c) The relief association must have three officers, which are a president, secretary, and treasurer. The officers must be elected by and from the membership of the relief association.

(d) Initially, the term of office of the elected members of the board of trustees is one year for board members designated "A" and "B," two years for board members designated "C" and "D," and three years for board members designated "E" and "F." Thereafter, the term of office of all elected members of the board of trustees is three years. The term of office of ex-officio members of the board of trustees is the term of office of the person that gave rise to board membership. The term of office of an officer of the relief association is two years or the balance of the board member's term of office as a board member, whichever is shorter.

(e) The board of trustees must administer the affairs of the relief association consistent with this chapter and the applicable provisions of chapters 317A and 356A.

Subd. 3. [SPECIAL AND GENERAL FUNDS.] (a) The relief association shall establish and maintain a special fund and may establish and maintain a general fund.

(b) The special fund must be credited with all money received by the relief association from the municipality or county or any money received from any other source for the purpose of providing retirement benefits for rescue squad members, any moneys or property that is donated, given, granted, or devised by any person for the benefit of the rescue squad relief association special fund, and any investment income earned on the invested assets of the relief association.

(c) The treasurer of the relief association is the custodian of the assets of the special fund and must be the recipient, on behalf of the special fund, of all revenues payable to the special fund. The treasurer shall maintain adequate records documenting any transaction involving the assets or the revenues of the special fund. The record of the treasurer is public records and must be open for inspection by any member of the relief association, any officer or employee of the state of Minnesota or of the municipality or county, or any member of the public, at reasonable times and places.

(d) Disbursements from the special fund may be made only for one of the following purposes:

(1) for the payment of service pensions to retired members of the relief association;

- (2) for the payment of disability pensions to disabled members of the relief association;
- (3) for the payment of survivor benefits to the surviving spouse, surviving dependent children, or estate of a deceased member of the relief association; and
- (4) for the payment of administrative expenses of the relief association if the expenses are of the kind and type authorized by section 69.80.
- (e) All pension and benefit payments must be authorized by and paid in accordance with the applicable law, the articles of incorporation, and the bylaws of the relief association.
- (f) The assets of the special fund must be invested only in securities that comply with or are authorized by sections 356A.04 and 356A.06.
- (g) The general fund, if established, must be operated as provided in the articles of incorporation or bylaws of the relief association.

Sec. 6. [425B.04] [MEMBERSHIP; ELIGIBILITY.]

Subdivision 1. [MEMBERSHIP.] The municipality or county, by resolution, must specify the personnel providing rescue squad service who may be members of the relief association.

Subd. 2. [ELIGIBILITY.] The bylaws of the relief association must specify any additional eligibility requirements for persons specified under subdivision 1 for relief association membership.

Sec. 7. [425B.05] [BENEFITS.]

A relief association must either be a defined contribution plan or a flexible service plan, as established by the municipality or county.

Sec. 8. [425B.06] [DEFINED CONTRIBUTION PLAN OPTION.]

Subdivision 1. [INDIVIDUAL ACCOUNTS.] (a) The relief association must establish individual accounts within the special fund of the relief association for each relief association member.

(b) To each individual account, there must be credited an equal share of any contribution made by the governing body of the municipality or county, any gift, bequeath, devise or other transfer to the special fund, and any amount forfeited by a former member who terminates active service with the rescue squad before reaching the vesting requirements set forth in subdivision 2, paragraph (b), and who does not return within five years of the date of termination. Any investment income of the special fund must be credited to the individual accounts in proportion to the balances in those accounts.

(c) Amounts to be credited to individual accounts may be allocated only after the deduction of any reasonable and necessary administrative expenses payable.

Subd. 2. [SERVICE PENSION.] (a) The service pension amount is the balance in the members' individual account.

(b) The service pension is not payable until the member terminates active service with the rescue squad, has credit for at least five years of service as an active member of the rescue squad and five years as an active member of the relief association, and has attained the age of at least 50 years.

(c) The retiring member must apply for the service pension.

Subd. 3. [DISABILITY PENSION.] (a) The disability pension amount is the balance in the member's individual account.

(b) The disability pension is not payable until the member terminates active service with the

rescue squad by virtue of any injury or illness that renders the member incapable of performing rescue squad duties.

Subd. 4. [DEATH BENEFIT.] The death benefit amount is the balance in the deceased member's individual account.

Subd. 5. [PAYMENT.] All pensions and benefits under this section are payable in a single lump sum payment.

Sec. 9. [425B.07] [FLEXIBLE SERVICE PLAN OPTION.]

A municipality or county may develop and implement its own flexible service plan for payment of pensions to eligible members out of the special fund. The plan, as enacted by the municipality or county as an ordinance, in the discretion of the municipality or county, must include provisions for vesting requirements, contribution levels, payment amounts, disability pension provisions, death benefits, payment terms, the method of payment, including lump sum, monthly or annually, and such other terms as the municipality or county deems necessary.

Sec. 10. [425B.08] [FUNDING.]

(a) A municipality or county, annually, must include in its budget a contribution to the relief association.

(b) The contribution amount must be transmitted to the relief association treasurer annually on the payment date specified by the governing body of the municipality or county.

Sec. 11. [425B.09] [AUDIT.]

The rescue squad relief association must be audited annually by the state auditor.

Sec. 12. [425B.10] [SPECIAL BENEFITS FOR EXISTING MEMBERS.]

A municipality or county may, under such terms and conditions as it approves, provide pensions under either the defined contribution plan option or flexible service plan option to existing members of the rescue squad as of the date the relief association is incorporated through waivers of length of service vesting requirements. The terms and conditions must be included in the bylaws of the relief association at the time of incorporation.

Sec. 13. [425B.11] [INAPPLICABILITY OF CERTAIN PROVISIONS OF LAW.]

No member of the rescue squad relief association may participate in or be eligible to receive any benefit or award amount from the ambulance service personnel longevity award and incentive program established under sections 144E.40 to 144E.48 or from any volunteer firefighter relief association under chapter 424A by virtue of service rendered on behalf of the rescue squad.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 to 13 are effective on the day following final enactment."

Delete the title and insert:

"A bill for an act relating to retirement; various pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital and the Waconia Ridgeview medical center; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; authorizing the establishment of volunteer rescue squad relief associations by Kandiyohi county and the city of Litchfield; amending Minnesota Statutes 1998, section 356A.01, subdivisions 7 and 8; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law as Minnesota Statutes, chapter 425B; repealing Laws 1998, chapter 390, article 1, section 1."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 801, 1884, 604, 234, 1792, 1647, 1471, 673, 1615, 1334, 1218, 854, 983, 1527, 1619, 486, 1848, 1268, 1016, 1047, 172, 653, 1087, 866, 1639 and 1002 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 463, 174, 50, 640, 1037, 475 and 735 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Moe, R.D. moved that the name of Senator Beckman be stricken as chief author and the name of Senator Higgins be shown as chief author to S.F. No. 568. The motion prevailed.

Senator Pogemiller moved that the name of Senator Murphy be added as a co-author to S.F. No. 1424. The motion prevailed.

Senator Laidig moved that the names of Senators Krentz, Dille, Anderson and Lessard be added as co-authors to S.F. No. 1543. The motion prevailed.

Senator Frederickson moved that the name of Senator Johnson, J.B. be added as a co-author to S.F. No. 2047. The motion prevailed.

Senator Larson moved that the name of Senator Berg be added as a co-author to Senate Resolution No. 53. The motion prevailed.

Senators Kelley, S.P.; Robertson and Spear introduced--

Senate Resolution No. 55: A Senate resolution congratulating the Blake High School girls basketball team on winning the 1999 State High School Class 2A Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

Senators Larson and Berg introduced--

Senate Resolution No. 56: A Senate resolution congratulating the Brandon-Evansville Girls Basketball team on winning the 1999 State High School Class 1A Girls Basketball Tournament.

Referred to the Committee on Rules and Administration.

Senator Metzen introduced--

Senate Resolution No. 57: A Senate resolution congratulating the University of Minnesota Women's Swimming and Diving Team on capturing the 1999 Big Ten Championship.

Referred to the Committee on Rules and Administration.

Senator Lourey introduced--

Senate Resolution No. 58: A Senate resolution recognizing March 25, 1999, as Organ Donor Decision Day in Minnesota.

Referred to the Committee on Rules and Administration.

Senator Moe, R.D. moved that the name of Senator Beckman be stricken as chief author and the name of Senator Day be added as chief author to S.F. No. 784. The motion prevailed.

Senator Day moved that his name be stricken as a co-author to S.F. No. 1123. The motion prevailed.

Senator Pappas moved that S.F. No. 1428 be withdrawn from the Committee on Governmental Operations and Veterans and re-referred to the Committee on Environment and Natural Resources. The motion prevailed.

Senator Lourey moved that S.F. No. 172, on General Orders, be stricken and re-referred to the Committee on Rules and Administration. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Krentz introduced--

S.F. No. 2067: A bill for an act relating to appropriations; appropriating money for the DARE advisory council.

Referred to the Committee on Crime Prevention.

Senator Vickerman introduced--

S.F. No. 2068: A bill for an act relating to education; providing a grant to independent school district No. 417, Tracy; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Vickerman introduced--

S.F. No. 2069: A bill for an act relating to education; providing levy authority to independent school district No. 417, Tracy, to reduce its operating debt.

Referred to the Committee on Children, Families and Learning.

Senator Stevens introduced--

S.F. No. 2070: A bill for an act relating to education funding; authorizing special assessment costs to be included in debt service equalization revenue for certain school districts.

Referred to the Committee on Children, Families and Learning.

Senator Ranum introduced--

S.F. No. 2071: A bill for an act relating to juvenile justice; when an extended jurisdiction juvenile offender has stayed sentence executed for violation of stay no credit is granted for time in juvenile facility; amending Minnesota Statutes 1998, section 260.126, subdivision 5.

Referred to the Committee on Crime Prevention.

Senator Wiger introduced--

S.F. No. 2072: A bill for an act relating to traffic regulations; allowing additional recreational vehicle combinations to be operated with a permit; making technical, conforming changes;

amending Minnesota Statutes 1998, sections 169.01, subdivisions 10 and 78; and 169.81, subdivision 3c, and by adding a subdivision.

Referred to the Committee on Transportation.

Senators Neuville; Spear; Kelly, R.C.; Krentz and Foley introduced--

S.F. No. 2073: A bill for an act relating to corrections; creating a conditional release board with the authority to order the conditional release of certain older state prison inmates who have served a significant portion of their sentence and whose release does not pose a danger to the public or any individual; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Crime Prevention.

Senator Berglin introduced--

S.F. No. 2074: A bill for an act relating to human services; modifying an approved proposal providing an exception to the nursing home moratorium; amending Minnesota Statutes 1998, sections 144A.073, subdivision 5; and 256B.431, subdivision 26.

Referred to the Committee on Health and Family Security.

Senator Flynn introduced--

S.F. No. 2075: A bill for an act relating to tax increment financing; authorizing the establishment of urban density districts; amending Minnesota Statutes 1998, sections 273.1399, subdivision 6; 469.174, by adding a subdivision; 469.175, subdivision 3; 469.176, subdivision 1b, and by adding a subdivision; and 469.1763, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

Senator Metzen introduced--

S.F. No. 2076: A bill for an act relating to consumer protection; providing for the treatment of negative option offers; proposing coding for new law in Minnesota Statutes, chapter 325G.

Referred to the Committee on Commerce.

Senators Pogemiller, Krentz, Pappas and Robertson introduced--

S.F. No. 2077: A bill for an act relating to education; providing funding for a teacher licensure program to educate teachers of students with emotional and behavioral disorders; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Kleis, Neuville, Spear, Krentz and Knutson introduced--

S.F. No. 2078: A bill for an act relating to corrections; authorizing offenders conditionally released to perform community work service to file claims for injuries sustained during compensated service; repealing a requirement for a report on training funds; authorizing expenditure of funds for staff working in licensed juvenile facilities; authorizing deduction from an inmate's account of restitution ordered for damage to staff property and personal injuries to another; authorizing Minnesota correctional facility-Red Wing to retain money collected from detention holds and federal contracts; authorizing the commissioner to require any inmate to participate in rehabilitative programs and impose disciplinary sanctions for refusal to participate; exempting licensed contractor requirement for institution work crew program; clarifying that sentence for imprisonment is only for felonies; making certain criminal justice agency records

available to commissioner of corrections and probation officers; specifying criteria for commitment of juvenile male offenders at the Minnesota correctional facility-Red Wing; repealing the law authorizing the mutual agreement rehabilitative program; amending Minnesota Statutes 1998, sections 3.739, subdivision 1; 241.01, subdivision 5; 241.0221, subdivisions 1, 2, and 4; 241.26, subdivision 5; 242.32, subdivision 1; 243.23, subdivision 3; 244.03; 244.05, subdivision 1b; 326.84, subdivision 3; 609.105, subdivision 1; and 609.115, subdivision 3; Laws 1997, chapter 239, article 9, section 45; repealing Minnesota Statutes 1998, section 244.02.

Referred to the Committee on Crime Prevention.

Senators Stumpf and Stevens introduced--

S.F. No. 2079: A bill for an act relating to beaver damage; clarifying authorized beaver damage control program activities; appropriating money; amending Minnesota Statutes 1998, section 17.110, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

Senators Scheid; Murphy; Marty; Johnson, D.J. and Vickerman introduced--

S.F. No. 2080: A bill for an act relating to taxation; sales and use; exempting certain items from tax; amending Minnesota Statutes 1998, sections 16A.661, subdivision 3; 297A.01, subdivisions 3 and 8; 297A.25, subdivisions 3, 26, and by adding subdivisions; and 297A.44, subdivision 1; repealing Minnesota Statutes 1998, section 297A.25, subdivision 21.

Referred to the Committee on Taxes.

Senator Pappas introduced--

S.F. No. 2081: A bill for an act relating to adoption; modifying the relative custody assistance maximum to correspond to foster care assistance rates; modifying the adoption assistance maximum to correspond to foster care assistance rates; repealing obsolete references to AFDC; appropriating money; amending Minnesota Statutes 1998, sections 257.85, subdivisions 3 and 7; and 259.67, subdivision 2.

Referred to the Committee on Health and Family Security.

Senators Flynn, Belanger, Pappas and Johnson, D.J. introduced--

S.F. No. 2082: A bill for an act relating to taxation; property; making changes to tax forfeiture and delinquency procedures; amending Minnesota Statutes 1998, sections 92.51; 279.37, subdivisions 1, 1a, and 2; 281.23, subdivisions 2, 4, and 6; 282.01, subdivisions 1, 4, and 7; 282.04, subdivision 2; 282.08; 282.09; 282.241; 282.261, subdivision 4, and by adding a subdivision; 283.10; 375.192, subdivision 2; and 383C.482, subdivision 1; repealing Minnesota Statutes 1998, sections 92.22; 280.27; 281.13; 281.38; 284.01; 284.02; 284.03; 284.04; 284.05; and 284.06.

Referred to the Committee on Taxes.

Senators Hanson, Janezich, Pariseau and Olson introduced--

S.F. No. 2083: A bill for an act relating to education; requiring phonics to be taught in elementary school; providing for staff development; requiring phonics instruction for teacher licensure; amending Minnesota Statutes 1998, section 122A.18, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Children, Families and Learning.

Senator Hottinger introduced--

S.F. No. 2084: A bill for an act relating to education funding; creating district-sponsored choice magnet schools; authorizing district-sponsored choice magnet schools to qualify for start-up grants; amending Minnesota Statutes 1998, section 124D.11, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Children, Families and Learning.

Senators Hanson, Dille, Sams and Vickerman introduced--

S.F. No. 2085: A bill for an act relating to agriculture; changing the composition of the feedlot and manure management advisory committee; amending Minnesota Statutes 1998, section 17.136.

Referred to the Committee on Agriculture and Rural Development.

Senator Solon introduced--

S.F. No. 2086: A bill for an act relating to taxation; providing for treatment of certain property owned by utilities and leased for residential or recreational purposes; amending Minnesota Statutes 1998, sections 272.03, subdivision 6; 273.124, subdivision 7; and 273.13, subdivision 24.

Referred to the Committee on Local and Metropolitan Government.

Senator Pappas introduced--

S.F. No. 2087: A bill for an act relating to education; establishing the Minnesota academy of educators; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Moe, R.D. introduced--

S.F. No. 2088: A bill for an act relating to appropriations; appropriating money for a stormwater and sediment control project in Bagley.

Referred to the Committee on Environment and Natural Resources.

Senator Berg introduced--

S.F. No. 2089: A bill for an act relating to education funding; extending a special operating levy for independent school district No. 2853, Lac qui Parle Valley.

Referred to the Committee on Children, Families and Learning.

Senators Solon, Janezich, Metzen and Price introduced--

S.F. No. 2090: A bill for an act relating to the military; appropriating money for expanding the STARBASE educational program.

Referred to the Committee on Governmental Operations and Veterans.

Senator Stumpf introduced--

S.F. No. 2091: A bill for an act relating to natural resources; authorizing bonds and appropriating money to acquire land for wetlands or to restore wetlands to be used to replace wetlands drained or filled as a result of maintenance of existing public roads.

Referred to the Committee on Environment and Natural Resources.

Senators Langseth, Krentz, Robertson, Pappas and Hanson introduced--

S.F. No. 2092: A bill for an act relating to education; providing for the family connection program; establishing a demonstration site; appropriating money; amending Minnesota Statutes 1998, sections 124D.26; 124D.27; 124D.28; and 124D.29.

Referred to the Committee on Children, Families and Learning.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Thursday, March 25, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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