

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

SEVENTY-FIFTH DAY

St. Paul, Minnesota, Monday, February 21, 2000

The Senate met at 11:30 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Imam Matthew L. Ramadan.

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

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Senators Hottinger; Langseth; Moe, R.D.; Neuville; Pappas and Runbeck were excused from the Session of today.

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed with the Secretary of the Senate: Department of Economic Security, Minnesota Inventory of Employment and Training Programs, 2000; Trade and Economic Development, Comprehensive Marketing Plan for the State, 2000; Metropolitan Council, Participation in the Livable Communities Act, Local Housing Incentives Account, Regional Report, 2000; Department of Human Services, Distribution of Nursing Home Beds in Minnesota, 1999; Department of Administration, Technology Policy Bureau, Establishing

Information Sales Systems that Utilize Licensing and Royalty Agreements, 2000; Department of Administration, Technology Policy Bureau, Eliminating Redundant Storage of Data, 2000; Department of Labor and Industry, Workers' Compensation System, Collection and Assessment of Fines and Penalties, 1999; Department of Human Services, Information Technology, FY 1999, 2000; Metropolitan Council, Regional Transit Master Plan, Transit 2020; Department of Transportation, Legislative Study of State Bridge Grant Funding for Local Bridges, 2000; Department of Public Safety, Law Enforcement Legislative Buy Fund, 2000; Department of Economic Security, Youthbuild Program Overview, 1999; Department of Employee Relations, Local Government Pay Equity Compliance Report, 2000; Office of the State Auditor, Revenues, Expenditures and Debt of the Towns in Minnesota, 1997; Board of Pardons, Annual Report, 1999; Departments of Commerce and Health, Report and Recommendations for Regulation of Health Risk-Bearing Entities, 2000; Department of Health, Use of Federal Title V Maternal and Child Health Block Grant Funds in Minnesota, 2000; Department of Human Services, Medical Care Surcharge Fund, Quarterly Report, December, 1999; Office of the Legislative Auditor, Minnesota State Retirement System, Fiscal Year ended June 30, 1999; Office of the Legislative Auditor, State Board of Investment, Fiscal Year ended June 30, 1999; Department of Human Services, Cost of Increasing the Income Standard and Provider Rates, 2000; Department of Corrections, Efforts to Recruit a Workforce for the Minnesota Correctional Facility-Rush City, 2000; Department of Corrections, Sex Offender Supervision, 2000; Metropolitan Council, Taxicab Services in the Twin Cities Area, Regional Report, 2000; Department of Labor and Industry, Labor Education Advancement Program (LEAP) Performance, 2000; Department of Administration, State Travel Office, Feasibility Study, 2000; Department of Corrections, Intensive Juvenile Monitoring Pilot Project, 2000; Department of Corrections, Performance Report: Recidivism in Minnesota, 1999; Metropolitan Council, Transportation Revolving Fund, 2000; Department of Trade and Economic Development, Review of Minnesota Business Regulations, 2000; Department of Human Services, Rate Setting and Risk Adjustment, 2000; Department of Human Services, Exploring Options: Child Support Arrears Forgiveness and Passthrough of Payments to Custodial Families, 2000; Minnesota Developmental Achievement Center Association and Minnesota Habilitation Coalition, Day Training and Habilitation Rate Restructure Task Force, 2000; Office of Governor Jesse Ventura, Minnesota: World Competitor, Governor's Workforce Development Plan, 2000; Agricultural Chemical Response Compensation Board and the Commissioner of Agriculture, Annual Summary Report, 2000; Department of Public Safety, Driver and Vehicle Services Division, Sale of Advertising in Department Publications, 2000; University of Minnesota, Efforts to Improve Opportunities for Women Athletes Consistent with Title IX, 2000.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2720.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 17, 2000

FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H.F. No. 2720: A bill for an act relating to education; prohibiting districts from implementing the profile of learning; providing for the return of student written responses to the state's basic skills test for written composition; prohibiting future use of the January 26, 2000, written test prompt.

Referred to the Committee on Children, Families and Learning.

REPORTS OF COMMITTEES

Senator Junge moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S.F. No. 3031: A bill for an act relating to agriculture; changing the corporate and partnership farming law; amending Minnesota Statutes 1998, section 500.24, subdivisions 4 and 5; Minnesota Statutes 1999 Supplement, section 500.24, subdivisions 2 and 3.

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

Page 10, line 9, after the stricken language, insert "or qualified for tax-exempt status under federal tax law"

Page 11, line 3, before "No" insert "(a)"

Page 11, delete line 15 and insert "and (x), and (z), has a conservation plan prepared for the"

Page 11, line 17, before "A" insert:

"(b)"

Page 11, line 19, before "and" insert "(x),"

Page 11, line 20, delete "(y)" and insert "(z)"

Page 11, lines 28 and 33, after "exemption" insert "under this paragraph"

Page 11, line 34, before "committees" insert "policy"

Page 13, line 12, after "corporation" insert ", trust,"

Page 13, line 31, after the second comma, insert "trust,"

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

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

S.F. No. 3102: A bill for an act relating to ethics in government; requiring electronic filing of certain reports to the campaign finance and public disclosure board and publication of reports on the board's web site; amending Minnesota Statutes 1999 Supplement, sections 10A.02, subdivision 11a; 10A.04, subdivision 1; 10A.05; 10A.09, subdivision 3; and 10A.20, by adding a subdivision.

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

Page 2, line 23, delete everything after "cross-tabulations" and insert a period

Page 2, delete lines 24 to 26

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

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

S.F. No. 2877: A bill for an act relating to natural resources; adding to the Iron Range off-highway vehicle state recreation area; extending the availability of a previous appropriation.

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

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

S.F. No. 1126: A bill for an act relating to civil actions; clarifying the economic loss doctrine; providing for a comprehensive statute governing economic loss; proposing coding for new law in Minnesota Statutes, chapter 604; repealing Minnesota Statutes 1998, section 604.10.

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

Delete everything after the enacting clause and insert:

"Section 1. [604.101] [ECONOMIC LOSS DOCTRINE.]

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

(b) "Buyer" means a person who buys or leases or contracts to buy or lease the goods that are alleged to be defective or the subject of a misrepresentation.

(c) "Goods" means tangible personal property, regardless of whether that property is incorporated into or becomes a component of some different property.

(d) "Period of restoration" means the time a reasonable person would find reasonably necessary to repair, replace, rebuild, or restore other tangible property and real property harmed by the defect in the goods to a quality level reasonably equivalent to the quality level that existed before the defect caused the harm, but excluding in all circumstances:

(1) time necessary to repair, replace, rebuild, or restore the goods themselves;

(2) delays or other impediments resulting from a difficulty in obtaining financing; and

(3) delays or other impediments resulting from zoning or environmental requirements imposed by law that did not apply to the use of the harmed property immediately before the harm occurred.

(e) "Product defect tort claim" means a common law tort claim for damages caused by a defect in the goods but does not include statutory claims. A defect in the goods includes a failure to adequately instruct or warn.

(f) "Seller" means a person who sells or leases or contracts to sell or lease the goods that are alleged to be defective or the subject of a misrepresentation.

(g) If a good is a component of a manufactured good, harm caused by the component good to the manufactured good is not harm to tangible personal property other than the component good.

Subd. 2. [SCOPE.] This section does not apply to claims for injury to the person. This section applies to any claim by a buyer against a seller for harm caused by a defect in the goods sold or leased, or for a misrepresentation relating to the goods sold or leased:

(1) regardless of whether the seller and the buyer were in privity regarding the sale or lease of the goods; and

(2) regardless of whether article 2 or article 2A of the Uniform Commercial Code under chapter 336 governed the sale or lease that caused the seller to be a seller and buyer to be a buyer.

Subd. 3. [LIMITS ON PRODUCT DEFECT TORT CLAIMS.] A buyer may not bring a product defect tort claim against a seller for compensatory damages unless a defect in the goods sold or leased caused harm to the buyer's tangible personal property other than the goods or to the buyer's real property. In any claim brought under this subdivision, the buyer may recover only for:

(1) loss of, damage to, or diminution in value of the other tangible personal property or real property, including, where appropriate, reasonable costs of repair, replacement, rebuilding, and restoration;

(2) business interruption losses, excluding loss of good will and harm to business reputation, that actually occur during the period of restoration; and

(3) additional family, personal, or household expenses that are actually incurred during the period of restoration.

Subd. 4. [LIMITS ON COMMON LAW MISREPRESENTATION CLAIMS.] A buyer may not bring a common law misrepresentation claim against a seller relating to the goods sold or leased unless the misrepresentation was made intentionally or recklessly.

Subd. 5. [RELATION TO COMMON LAW.] The economic loss doctrine applies to claims only as stated in this section. This section does not alter the elements of a product defect tort claim or a common law claim for misrepresentation.

Subd. 6. [APPLICATION; EFFECT ON EXISTING STATUTE.] This section governs claims by a buyer against a seller if the sale or lease that caused the seller to be a seller and the sale or lease that caused the buyer to be a buyer both occurred on or after August 1, 2000. Section 604.10 does not apply to a claim governed by this section.

Sec. 2. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall change the statutory reference in the footnote to Minnesota Statutes, section 336.2-721, to include section 604.101 as well as section 604.10.

Sec. 3. [EFFECTIVE DATE.]

This act is effective August 1, 2000."

Delete the title and insert:

"A bill for an act relating to civil actions; clarifying the economic loss doctrine; providing for a comprehensive statute governing economic loss; proposing coding for new law in Minnesota Statutes, chapter 604."

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. 2397: A bill for an act relating to occupational health and safety; establishing standards for employer activities to reduce occupational exposure to bloodborne pathogens through sharps injuries; proposing coding for new law in Minnesota Statutes, chapter 182.

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

Delete everything after the enacting clause and insert:

"Section 1. [182.6555] [REDUCING OCCUPATIONAL EXPOSURES TO BLOODBORNE PATHOGENS THROUGH SHARPS INJURIES.]

(a) Employers must comply with Code of Federal Regulations, title 29, section 1910.1030, to eliminate or minimize employee exposure to bloodborne pathogens through sharps injuries.

(b) Written exposure control plans prepared by employers must be reviewed at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposures and to reflect new or revised employee positions with occupational exposure. The requirement to review and update the plan means that the plan must reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens. The exposure control plan must document consideration and implementation of appropriate commercially available and effective engineering controls designed to eliminate or minimize exposure.

(c) A safety committee established under section 182.676 must establish a subcommittee that

will be responsible for the recommendation of effective engineering controls. One-half of the members of this subcommittee must be employee representatives of job classifications that would use or may reasonably anticipate encountering any device in the category being evaluated in the performance of the employee's duties. Employers not required to establish a safety committee under section 182.676 must involve their employees in the evaluation of effective engineering controls.

(d) This section may not prohibit the use of a prefilled syringe that is approved by the federal Food and Drug Administration. This paragraph expires May 1, 2003.

(e) Employers must establish internal procedures to document the route of exposure and the circumstances under which an exposure incident occurred. This information should include:

- (1) engineering controls in use at the time;
- (2) work practices followed;
- (3) a description of the device in use;
- (4) protective equipment or clothing that was used at the time of the exposure incident;
- (5) location;
- (6) procedure being performed when the incident occurred;
- (7) the employee's training; and
- (8) the injured employee's opinion about whether any other engineering, administrative, or work practice control could have prevented the injury and the basis for that opinion.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective 60 days following final enactment."

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. 2291: A bill for an act relating to local government; allowing the city of Shorewood to provide for election of council members from wards.

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

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

S.F. No. 500: A bill for an act relating to elections; changing certain campaign finance provisions; amending Minnesota Statutes 1998, sections 10A.065, subdivision 1; 10A.25, subdivision 2; and 10A.27, subdivision 10.

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 1999 Supplement, section 10A.25, subdivision 2, is amended to read:

Subd. 2. [AMOUNTS.] (a) In a year in which an election is held for an office sought by a candidate, the principal campaign committee of the candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate that result in aggregate expenditures in excess of the following:

- (1) for governor and lieutenant governor, running together, \$1,626,691;
- (2) for attorney general, \$271,116 \$353,200;
- (3) for secretary of state and state auditor, separately, \$135,559 \$176,600;
- (4) for state senator, \$40,669;
- (5) for state representative, \$20,335.

(b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement for the office of lieutenant governor at the convention of a political party may make campaign expenditures and approved expenditures of five percent of that amount to seek endorsement.

(c) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(d) The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory now includes a population that is more than one-third of the population in the territory of the new office.

Sec. 2. Minnesota Statutes 1999 Supplement, section 10A.27, subdivision 10, is amended to read:

Subd. 10. [LIMITED PERSONAL CONTRIBUTIONS.] A candidate who accepts a public subsidy may not contribute to the candidate's own campaign during a year more than ten times the candidate's election year contribution limit under subdivision 1. A candidate whose name was on the primary or general election ballot but who was not elected may contribute, in the year following the candidate's defeat, up to 20 times the candidate's election year contribution limit under subdivision 1, to pay all or part of the debts of the committee. A candidate who terminates the candidate's principal campaign committee may contribute to the committee an amount necessary to pay all or part of the debts of the committee.

Sec. 3. Minnesota Statutes 1999 Supplement, section 10A.273, subdivision 1, is amended to read:

Subdivision 1. [CONTRIBUTIONS DURING LEGISLATIVE SESSION.] (a) A candidate for the legislature or for constitutional office, the candidate's principal campaign committee, or a political committee or party unit established by all or a part of the party organization within a house of the legislature, must not solicit or accept a contribution from a registered lobbyist, political committee, or political fund, or from a party unit established by the party organization within a house of the legislature, during a regular session of the legislature.

(b) A lobbyist, political committee, or political fund must not make a contribution whose solicitation or acceptance is prohibited by this section.

(c) A candidate's principal campaign committee may make contributions to a party unit established by all or a part of the party organization within a house of the legislature during a regular session of the legislature.

(d) For a candidate for governor or lieutenant governor, the prohibition in this subdivision extends to the 14 days immediately following the adjournment of the legislature in either year of the biennium.

Sec. 4. [REVISOR INSTRUCTION.]

The revisor of statutes shall code the new expenditure limits in section 1 for the attorney general, secretary of state, and state auditor, along with the most recent election year limits for the other offices listed in that section, in Minnesota Statutes. The campaign finance and public disclosure board shall adjust the limits published in the statutes for subsequent general election years as if they had been in effect for the most recent general election year for each office.

Sec. 5. [EFFECTIVE DATE.]

This act is effective the day following final enactment.

Delete the title and insert:

"A bill for an act relating to elections; changing certain campaign finance provisions; amending Minnesota Statutes 1999 Supplement, sections 10A.25, subdivision 2; 10A.27, subdivision 10; and 10A.273, subdivision 1."

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

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

S.F. No. 3002: A bill for an act relating to natural resources; adding to and deleting from state parks; amending Minnesota Statutes 1998, section 85.012, subdivision 32a.

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

Page 6, after line 15, insert:

"Sec. 4. [RENAMING VISITORS' CENTER; LAKE BRONSON STATE PARK.]

The visitors' center at Lake Bronson state park is renamed the Victor Johnson visitors' center.

Sec. 5. [EFFECTIVE DATE.]

Section 4 is effective the day following final enactment.

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "renaming the visitors' center at Lake Bronson state park;"

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

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

S.F. No. 2683: A bill for an act relating to game and fish; exempting archery bows used for bowfishing from casing requirement; amending Minnesota Statutes 1998, section 97B.051; proposing coding for new law in Minnesota Statutes, chapter 97C.

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

Page 1, line 10, delete "97C.376" and insert "97B.055, subdivision 2"

Page 1, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1998, section 97B.055, subdivision 2, is amended to read:

Subd. 2. [RESTRICTIONS RELATED TO MOTOR VEHICLES.] A person may not take a wild animal with a firearm or by archery from a motor vehicle except as permitted in this section. ~~An archer in a permitted bow fishing tournament~~ A person may transport the a bow uncased while in an electric motor-powered boat and may take rough fish while in the boat.

Sec. 3. Minnesota Statutes 1998, section 97B.106, is amended to read:

97B.106 [CROSSBOW PERMITS FOR HUNTING AND FISHING.]

Subdivision 1. [QUALIFICATIONS FOR CROSSBOW PERMITS.] (a) The commissioner

may issue a special permit, without a fee, to take big game, small game, or ~~turkey rough fish~~ with a crossbow to a person that is unable to hunt or take rough fish by archery because of a permanent or temporary physical disability.

(b) To qualify a ~~person~~ for a ~~special crossbow~~ permit under this section, a temporary disability must render the person unable to hunt or fish by archery for a minimum of two years after application for the permit is made. The permanent or temporary disability, must be established by medical evidence, and the inability to hunt or fish by archery for the required period of time must be verified in writing by a licensed physician or chiropractor or certified physical therapist.

(c) The person must obtain the appropriate license.

Subd. 2. [CROSSBOW EQUIPMENT AND REQUIREMENTS.] The (a) A crossbow used for hunting under the provisions of this section must:

- (1) be fired from the shoulder;
- (2) deliver at least 42 foot-pounds of energy at a distance of ten feet;
- (3) have a stock at least 30 inches long;
- (4) have a working safety; and
- (5) be used with arrows or bolts at least ten inches long ~~with a broadhead.~~

(b) An arrow or bolt used to take big game or turkey under the provisions of this section must meet the legal arrowhead requirements in section 97B.211, subdivision 2.

(c) An arrow or bolt used to take rough fish with a crossbow under the provisions of this section must be tethered or controlled by an attached line.

Sec. 4. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Amend the title as follows:

Page 1, line 3, delete "bowfishing" and insert "bow fishing" and after the semicolon, insert "authorizing disability permits for taking rough fish and hunting small game with a crossbow;"

Page 1, line 4, delete "section" and insert "sections" and delete "proposing" and insert "97B.055, subdivision 2; and 97B.106."

Page 1, delete line 5

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. 2516: A bill for an act relating to Anoka county; clarifying the effect of certain requirements on an appointed department head; amending Laws 1989, chapter 243, section 2.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1998, section 386.30, is amended to read:

386.30 [DEEDS RECORDED WITHIN 30 DAYS.]

Each county recorder shall, within 30 days after any instrument entitled to record is left for that purpose, actually record the same in the manner provided by law and return the same in person or

by mail to the person who left such instrument for record, if the person's residence is known, or to such other person and at such address as the recorder may be directed to deliver the same. Persistent failure to so record and return instruments entitled to record, upon demand therefor and payment of recording fees, shall constitute nonfeasance in office and be sufficient ground for removal therefrom. In a county in which the office of county recorder has been combined with another county office, the 30-day time period begins when the tax certifications required by chapters 272 and 287 are made, but the total period to complete the time period after receipt of the instrument by the office must not exceed 60 days.

Sec. 2. Minnesota Statutes 1998, section 507.093, is amended to read:

507.093 [STANDARDS FOR DOCUMENTS TO BE RECORDED OR FILED.]

(a) The following standards are imposed on documents to be recorded with the county recorder or filed with the registrar of titles:

(1) The document shall consist of one or more individual sheets measuring no larger than 8.5 inches by 14 inches.

(2) The form of the document shall be printed, typewritten, or computer generated in black ink and the form of the document shall not be smaller than 8-point type.

(3) The document shall be on white paper of not less than 20-pound weight with no background color, images, or writing and shall have a clear border of approximately one-half inch on the top, bottom, and each side.

(4) The first page of the document shall contain a blank space at the top measuring three inches, as measured from the top of the page. The right half to be used by the county recorder for recording information or registrar of titles for filing information and the left half to be used by the county auditor or treasurer for certification.

(5) The title of the document shall be prominently displayed at the top of the first page below the blank space referred to in clause (4).

(6) No additional sheet shall be attached or affixed to a page that covers up any information or printed part of the form.

(7) A document presented for recording or filing must be sufficiently legible to reproduce a readable copy using the county recorder's or registrar of title's current method of reproduction.

(b) The recording or filing fee for a document that does not conform to the standards in paragraph (a) shall be increased as provided in sections 357.18, subdivision 5; 508.82; and 508A.82.

(c) The recorder or registrar shall refund the recording or filing fee to the applicant if the real estate documents are not filed or registered within 30 days after receipt, or as otherwise provided by section 386.30.

Page 2, line 2, before the period, insert ", but the total period to complete the time requirements after receipt of the instrument by the appointed department head must not exceed 60 days"

Page 2, line 4, delete "1" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "Anoka county" and insert "local government; clarifying the time requirements for processing instruments presented to certain county offices"

Page 1, line 3, before the semicolon, insert "in Anoka county"

Page 1, line 4, after "amending" insert "Minnesota Statutes 1998, sections 386.30; and 507.093;"

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. 2688: A bill for an act relating to organization and operation of state government; changing metropolitan airports commission to Minnesota airports commission.

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

Amend the title as follows:

Page 1, line 2, delete "organization and operation of state" and insert "metropolitan agencies"

Page 1, line 3, delete "government" and after "changing" insert "the name of the"

Page 1, line 4, before the period, insert "; providing instructions to the revisor of statutes"

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. 2668: A bill for an act relating to governmental operations; appropriating money for regional planning.

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

Page 1, line 11, delete "A region"

Page 1, delete lines 12 and 13

Page 1, line 14, delete everything before "The"

Page 1, line 24, after "service" insert "and senior nutrition"

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

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

S.F. No. 2663: A bill for an act relating to taxation; property; providing that the commissioner of revenue assess wind energy conversion systems; amending Minnesota Statutes 1998, section 273.37, subdivision 3.

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

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

S.F. No. 3199: A bill for an act relating to human services; modifying provisions in long-term care; amending Minnesota Statutes 1998, sections 256B.411, subdivision 2; and 256B.431, subdivisions 1, 3a, 10, 11, 16, 18, 21, 22, and 25; Minnesota Statutes 1999 Supplement, sections 256B.0913, subdivision 5; 256B.431, subdivisions 17 and 26; and 256B.434, subdivisions 3 and 4; repealing Minnesota Statutes 1998, sections 256B.03, subdivision 2; 256B.431, subdivisions 2, 2a,

2f, 2h, 2m, 2p, 2q, 3, 3b, 3d, 3h, 3j, 4, 5, 7, 8, 9, 9a, 12, and 24; 256B.48, subdivision 9; 256B.50, subdivision 3; and 256B.74, subdivision 3.

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

Pages 12 and 13, delete section 6

Page 38, line 14, delete "16" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "11,"

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. 2748: A bill for an act relating to health; modifying ambulance service and EMT requirements; amending Minnesota Statutes 1999 Supplement, sections 144E.101, subdivision 9; 144E.28, subdivisions 5 and 7; 144E.285, subdivisions 1 and 4; 144E.29; 144E.305, subdivisions 1 and 2; and 144E.50, subdivision 6; repealing Minnesota Rules, parts 4690.0100, subpart 28; 4690.3500; 4690.7900, subpart 2; and 4735.5100.

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

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

S.F. No. 3210: A bill for an act relating to agriculture; prohibiting tampering with anhydrous ammonia; imposing penalties; amending Minnesota Statutes 1998, sections 18C.005, by adding subdivisions; 18C.201, by adding a subdivision; 18D.325, by adding a subdivision; and 18D.331, by adding a subdivision.

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

Page 1, line 22, after "by" insert "law or by"

Page 2, line 17, delete everything after "in"

Page 2, line 18, delete "1513," and insert "rules"

Page 2, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 1998, section 18C.201, is amended by adding a subdivision to read:

Subd. 7. [NO CAUSE OF ACTION.] (a) Except as provided in paragraph (b), a person tampering with anhydrous ammonia containers or equipment under subdivision 6 shall have no cause of action for damages arising out of the tampering against (1) the owner or lawful custodian of the container or equipment; (2) a person responsible for the installation or maintenance of the container or equipment; or (3) a person lawfully selling or offering for sale the anhydrous ammonia.

(b) Paragraph (a) does not apply to a cause of action against a person who unlawfully obtained the anhydrous ammonia or anhydrous ammonia container or who possesses the anhydrous ammonia or anhydrous ammonia container for any unlawful purpose."

Page 2, line 30, delete everything after "and"

Page 2, line 31, delete everything before the period and insert "may be sentenced to

imprisonment for not more than five years, or to payment of a fine of not more than \$50,000, or both"

Amend the title as follows:

Page 1, line 3, before "imposing" insert "limiting the cause of action for a person tampering with anhydrous ammonia;"

Page 1, line 5, delete "a subdivision" and insert "subdivisions"

Page 1, line 6, delete everything before "and"

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

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

S.F. No. 3195: A bill for an act relating to agriculture; changing certain penalties for adulteration of dairy products; amending Minnesota Statutes 1999 Supplement, section 32.21, subdivision 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. 2980: A bill for an act relating to state government; creating the department of crime victims and violence prevention; creating the office of prevention of violence against women as an office within the department; consolidating crime victims and violence prevention programs within the department; appropriating money; amending Minnesota Statutes 1998, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 119A.13, subdivisions 2 and 3; 119A.17; 119A.22; 119A.23, subdivisions 2, 3, and 4; 124D.32, subdivisions 1 and 3; 145A.15, subdivisions 1 and 4; 268.29; 268.30, subdivision 1, and by adding a subdivision; 299A.331, subdivision 1; 299A.63, subdivisions 1, 2, and 3; 299C.065, subdivisions 1a, 2, 3a, and 4; 609.3241; 609.5315, by adding a subdivision; 609.605, subdivision 2; 609.7495, subdivision 1; 611A.01; 611A.02, subdivision 2; 611A.0311, subdivision 3; 611A.07, subdivision 1; 611A.25; 611A.32; 611A.34; 611A.35; 611A.36, subdivision 1; 611A.361; 611A.55; 611A.57, subdivision 3; 611A.675, subdivision 1; 611A.71; 611A.74, subdivision 1a; and 611A.76; Minnesota Statutes 1999 Supplement, sections 299A.292; 299A.293, subdivision 1; 299A.294, subdivision 3; 299A.295, subdivision 1; 299A.297; 299A.298; 299A.299, subdivisions 3 and 4; 299A.2994, subdivision 1; 609.531, subdivision 1; 611A.612; and 611A.77, subdivisions 1, 2, and 3; proposing coding for new law in Minnesota Statutes, chapter 611A; proposing coding for new law as Minnesota Statutes, chapter 611B; repealing Minnesota Statutes 1998, sections 119A.11, subdivision 6; 119A.20, subdivision 4; 611A.02, subdivision 1; 611A.21; 611A.22; 611A.221; 611A.31; 611A.33; 611A.345; 611A.41; 611A.43; and 611A.78.

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

Delete everything after the enacting clause and insert:

"Section 1. [LEGISLATIVE INTENT.]

The legislature recognizes the importance of and the continuing need to prevent the occurrence of incidents of domestic violence and sexual assault. The legislature further recognizes the importance of the involvement of victims, victim advocates, community members, government agencies, prosecutors, and courts in achieving these goals. It is the intent of the legislature to preserve and encourage this involvement while simultaneously providing for a more streamlined and efficient process.

Sec. 2. [611A.201] [DIRECTOR OF PREVENTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT.]

Subdivision 1. [APPOINTMENT OF DIRECTOR.] The executive director of the center for crime victim services shall appoint a person to serve as director of domestic violence and sexual assault prevention in the center. The director serves at the executive director's pleasure in the unclassified service. The executive director may appoint, supervise, discipline, and discharge employees to assist the director in carrying out the director's responsibilities under this section.

Subd. 2. [DIRECTOR'S RESPONSIBILITIES.] The director shall have the following duties:

- (1) advocate for the rights of victims of domestic violence and sexual assault;
- (2) increase public education and visibility about the prevention of domestic violence and sexual assault;
- (3) force accountability regarding domestic violence and sexual assault at all levels of the system, and hold public officials accountable when the system fails;
- (4) support prosecution and civil litigation efforts regarding domestic violence and sexual assault at the federal and state levels;
- (5) initiate policy changes regarding domestic violence and sexual assault at all levels of government;
- (6) coordinate existing resources and promote coordinated and immediate community responses to better serve victims of domestic violence and sexual assault;
- (7) build partnerships among law enforcement, prosecutors, defenders, and courts to reduce the occurrence of domestic violence and sexual assault;
- (8) encourage and support the efforts of health care providers, mental health experts, employers, educators, clergy members, and others, in raising awareness of and addressing how to prevent domestic violence and sexual assault;
- (9) coordinate and maximize the use of federal, state, and local resources available to prevent domestic violence and sexual assault and leverage more resources through grants and private funding; and
- (10) serve as a liaison between the executive director of the center for crime victim services and the commissioner of health with regard to the department of health's sexual violence prevention program funded by federal block grants, and oversee how this money is spent.

Subd. 3. [SERVICE AS CHAIR OF INTERAGENCY TASK FORCE.] The director shall serve as the chair of the interagency task force described in section 611A.202.

Subd. 4. [ANNUAL REPORT.] By January 15 of each year, the director shall report to the governor and the legislature on matters within the director's jurisdiction. In addition to other issues deemed relevant by the director, the report may include recommendations for changes in policies and laws relating to domestic violence and sexual assault prevention.

Subd. 5. [OTHER RESPONSIBILITIES.] In addition to those described in this section, the executive director of the center may assign other appropriate responsibilities to the director.

Sec. 3. [611A.202] [INTERAGENCY TASK FORCE ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT PREVENTION.]

Subdivision 1. [TASK FORCE MEMBERSHIP.] The interagency task force on domestic violence and sexual assault prevention consists of:

- (1) the director of domestic violence and sexual assault prevention;
- (2) the director of the department of public safety's office of drug policy and violence prevention;

(3) a representative of the department of children, families, and learning who is responsible for or knowledgeable about violence prevention issues within the department's jurisdiction; appointed by the commissioner of children, families, and learning;

(4) a representative of the department of corrections who is responsible for or knowledgeable about violence prevention and restorative justice issues within the department's jurisdiction; appointed by the commissioner of corrections;

(5) a representative of the department of health who is responsible for or knowledgeable about family and public health violence prevention issues within the department's jurisdiction; appointed by the commissioner of health;

(6) a representative of the department of human services who is responsible for or knowledgeable about violence prevention issues within the department's jurisdiction; appointed by the commissioner of human services;

(7) a representative of the department of economic security who is responsible for or knowledgeable about violence prevention issues within the department's jurisdiction; appointed by the commissioner of economic security;

(8) a county attorney knowledgeable in domestic violence and sexual assault issues; appointed by the Minnesota county attorney's association;

(9) a judge knowledgeable in domestic violence and sexual assault issues; appointed by the chief justice of the supreme court;

(10) a person knowledgeable in domestic violence and sexual assault issues; appointed by the league of Minnesota cities;

(11) a representative from the United States Attorney's office knowledgeable in domestic violence and sexual assault issues; appointed by the United States Attorney;

(12) the attorney general, or a designee;

(13) a representative from the Minnesota coalition for battered women; appointed by the coalition;

(14) a representative from the Minnesota coalition against sexual assault; appointed by the coalition;

(15) a representative from a battered women shelter; appointed by the commissioner of public safety;

(16) the executive director of the center for crime victim services, or a designee; and

(17) a peace officer knowledgeable in domestic violence and sexual assault issues; appointed by the commissioner of public safety.

Subd. 2. [CHAIR; STAFF.] The director of domestic violence and sexual assault prevention shall serve as the task force's chair and provide necessary staff to assist the task force.

Subd. 3. [OBJECTIVES.] The task force shall work to promote the objectives described in section 611A.201, subdivision 2, and prepare the strategic plan and evaluations described in subdivision 4.

Subd. 4. [STRATEGIC PLAN; EVALUATION.] (a) By January 15, 2001, the task force shall submit a strategic plan on domestic violence and sexual assault prevention to the governor and legislature. The plan must include:

(1) recommendations on how to reduce incidents of domestic violence and sexual assault;

(2) recommendations on how to coordinate existing resources at the federal, state, and local

levels to reduce incidents of domestic violence and sexual assault; including specific proposals on how these entities may cooperate better;

(3) recommendations for changes in policies and laws to reduce incidents of domestic violence and sexual assault;

(4) recommendations on the need for increased services and resources to reduce incidents of domestic violence and sexual assault; and

(5) other items deemed appropriate by the task force.

(b) By January 15, 2002, and each year thereafter, the task force shall evaluate the progress made in reducing domestic violence and sexual assaults during the preceding year. The evaluation must detail the response to the strategic plan described in paragraph (a), including the progress, if any, made towards implementing each of its recommendations. The evaluation must also assess the successes and failures of the director of domestic violence and sexual assault prevention in achieving the director's objectives.

Subd. 5. [SAFE COUNCIL.] To the degree feasible, the task force shall cooperate and coordinate its activities with the SAFE council.

Subd. 6. [EXPIRATION AND COMPENSATION.] Notwithstanding section 15.059, the task force does not expire. Task force members may receive expense reimbursements as provided in section 15.059. Task force members who are not state employees may receive compensation for serving as provided in section 15.059.

Sec. 4. Minnesota Statutes 1998, section 611A.25, is amended by adding a subdivision to read:

Subd. 4. [DUTIES.] In addition to other duties, the advisory council shall advise the director of domestic violence and sexual assault prevention in matters related to preventing occurrences of these types of violence.

Sec. 5. Minnesota Statutes 1998, section 611A.34, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] The advisory council shall:

(1) advise the commissioner on all planning, development, data collection, rulemaking, funding, and evaluation of programs and services for battered women that are funded under section 611A.32, other than matters of a purely administrative nature;

(2) advise the commissioner on the adoption of rules under chapter 14 governing the award of grants to ensure that funded programs are consistent with section 611A.32, subdivision 1;

(3) recommend to the commissioner the names of five applicants for the position of battered women's program director;

(4) advise the commissioner on the rules adopted under chapter 14 pursuant to section 611A.33;

(5) review applications received by the commissioner for grants under section 611A.32 and make recommendations on the awarding of grants; and

(6) advise the program director in the performance of duties in the administration and coordination of the programs funded under section 611A.32; and

(7) advise the director of domestic violence and sexual assault prevention in matters related to preventing these occurrences of these types of violence.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective July 1, 2000."

Delete the title and insert:

"A bill for an act relating to crime prevention; creating the position of director of domestic violence and sexual assault prevention and an interagency task force on domestic violence and sexual assault prevention; specifying the powers, duties, and organization of the director and task force; amending Minnesota Statutes 1998, sections 611A.25, by adding a subdivision; and 611A.34, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 611A."

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

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

S.F. No. 2421: A bill for an act relating to consumer protection; regulating certain telephone sales calls; providing remedies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Page 1, lines 18 and 19, delete "goods or services" and insert "merchandise"

Page 1, delete lines 20 to 25 and insert:

"Subd. 5. [CONSUMER MERCHANDISE.] "Consumer merchandise" shall mean merchandise that is normally used for personal, family, or household purposes. For purposes of this subdivision, "merchandise" shall have the meaning given in section 325F.68, subdivision 2."

Page 2, delete lines 1 and 2

Page 2, line 13, delete "goods or services" and insert "merchandise"

Page 2, line 23, delete "TELEPHONE" and insert "TELEPHONIC" and delete "Telephone" and insert "Telephonic"

Page 2, line 26, delete "goods or services" and insert "merchandise"

Page 2, line 27, delete "goods or services, or" and insert "merchandise,"

Page 2, line 29, delete "goods or services" and insert "merchandise"

Page 2, line 30, before the period, insert ", or soliciting a contribution for a political party as defined in section 200.02, subdivision 6, or a charitable organization as defined in section 309.50, subdivision 4"

Page 2, line 32, delete "natural" and delete ", firm, organization, partnership,"

Page 2, line 33, delete everything before "who" and after "who" insert "regularly"

Page 3, line 10, delete "or"

Page 3, line 11, delete "goods or services" and insert "consumer merchandise"

Page 3, delete line 16 and insert "consumer merchandise is not reasonably expected to exceed \$200;

(5) to an actual or prospective seller or lessor of real property when the call is made in response to a yard sign or other form of advertisement placed by the seller or lessor; or

(6) by a non-profit membership organization to its own members."

Page 3, line 25, delete "consumer" and insert "subscriber"

Page 3, line 34, after the period, insert "The department shall provide the listing to trade associations acting on behalf of telephone solicitors free of charge."

Page 4, line 13, delete everything after the period

Page 4, delete lines 14 to 16

Page 4, line 32, delete the second "telephone" and insert "telephonic"

Page 5, line 5, delete "telephone" and insert "telephonic"

Page 5, line 23, after "commissioner" insert "of commerce" and delete the comma and insert a period

Page 5, delete lines 24 to 26

Page 5, delete lines 27 to 29 and insert:

"(b) A violation of sections 325G.53 to 325G.57 is a deceptive practice under section 325F.69, subdivision 1."

Page 5, line 30, delete everything before "In"

Pages 5 and 6, delete section 6

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "telephone" and insert "telephonic"

Page 1, line 4, delete "appropriating money;"

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

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

S.F. No. 2569: A bill for an act relating to insurance; authorizing insurance coverage for vicarious liability for punitive and exemplary damages; amending Minnesota Statutes 1999 Supplement, section 60A.06, subdivision 1.

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

Pages 1 to 4, delete section 1 and insert:

"Section 1. Minnesota Statutes 1998, section 60A.06, is amended by adding a subdivision to read:

Subd. 4. [VICARIOUS LIABILITY; PUNITIVE DAMAGES.] Any insurance corporation or association may insure against vicarious liability for punitive and exemplary damages within any of the kinds of business pertaining to the issuance of liability insurance that the insurance corporation or association is authorized to transact under subdivision 1 or 2.

Sec. 2. Minnesota Statutes 1998, section 64B.03, is amended to read:

64B.03 [REPRESENTATIVE FORM OF GOVERNMENT.]

(a) A society has a representative form of government when it has a supreme governing body constituted in one of the following ways:

(1) The supreme governing body is an assembly composed of delegates elected directly by the members or at intermediate assemblies or conventions of members or their representatives, together with other delegates as may be prescribed in the society's laws. A society may provide for election of delegates by mail. The elected delegates shall constitute a majority in number and shall not have less than two-thirds of the votes and not less than the number of votes required to

amend the society's laws. The assembly shall be elected and shall meet at least once every four years and shall elect a board of directors to conduct the business of the society between meetings of the assembly. Vacancies on the board of directors between elections may be filled in the manner prescribed by the society's laws.

(2) The supreme governing body is a board composed of persons elected by the members, either directly or by their representatives in intermediate assemblies, and any other persons prescribed in the society's laws. A society may provide for election of the board by mail. Each term of a board member may not exceed four years, except that the commissioner has the discretion to approve completion of a term of office exceeding four years where the board member completing the term was elected pursuant to clause (1). Vacancies on the board between elections may be filled in the manner prescribed by the society's laws. Those persons elected to the board shall constitute a majority in number and not less than the number of votes required to amend the society's laws. A person filling the unexpired term of an elected board member shall be considered to be an elected member. The board shall meet at least quarterly to conduct the business of the society.

(b) A society has a representative form of government when the officers of the society are elected either by the supreme governing body or by the board of directors.

(c) A society has a representative form of government when only benefit members are eligible for election to the supreme governing body and the board of directors.

(d) A society has a representative form of government when each voting member shall have one vote and no vote may be cast by proxy."

Page 4, line 32, delete "Section 1 is" and insert "Sections 1 and 2 are"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "regulating the terms of certain fraternal benefit society board members;" and delete "1999 Supplement," and insert "1998, sections 60A.06, by adding a subdivision; and 64B.03."

Page 1, delete line 5

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. 2652: A bill for an act relating to utilities; modifying electric power generating plant exemption from the Minnesota Power Plant Siting Act; amending Minnesota Statutes 1998, section 116C.57, subdivision 5a.

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.57, subdivision 5a, is amended to read:

Subd. 5a. [EXEMPTION OF CERTAIN SITES.] (a) A utility or person may apply to the board in a form and manner prescribed by the board to exempt from the requirements of sections 116C.51 to 116C.69 the construction at a proposed site:

(1) of a proposed electric power generating plant with a capacity between 50 and 80 megawatts ~~from the requirements of sections 116C.51 to 116C.69;~~ or

(2) involving the retrofitting or repowering of an existing nuclear or primarily coal-fired power

plant to primarily a gas-powered power plant or similar clean fuel. Within 15 days of the board's receipt of an exemption application, the utility or person shall:

(1) publish a notice and description of the exemption application in a legal newspaper of general circulation in the county of the proposed site;

(2) send a copy of the exemption application by certified mail to the chief executive of counties, home rule charter and statutory cities, and organized towns within ten miles of the proposed site; and

(3) mail to each owner whose property is part of or contiguous to the proposed site a notice and description of the exemption application, together with an understandable description of the procedures the owner must follow should the owner desire to object.

(b) For the purpose of giving mailed notice under this subdivision, owners are the persons or entities shown on the tax records of the county auditor or, in a county where tax statements are mailed by the county treasurer, on the records of the county treasurer, but other appropriate records may be used to identify owners. Except for owners of tax-exempt property or property taxed on a gross earnings basis, a property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived the mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the owner's name on the records for that purpose. The failure to give mailed notice to a property owner or defects in the notice does not invalidate the proceedings, if a good faith effort is made to comply with this subdivision.

(c) If a person who owns real property that is part of or contiguous to the proposed site or an affected political subdivision files an objection with the board within 60 days after the board receives an exemption application, the board must either deny the exemption application or conduct a public hearing to determine if the proposed electric power generating plant at the proposed site will cause any significant human or environmental impact.

(d) The board shall require environmental review under chapter 116D to assist in making its determination regarding potential significant human and environmental impact.

(e) If the board determines that the proposed plant has an electric power production capacity less than 80 megawatts or is being retrofitted or repowered as described in paragraph (a), and the proposed site will not have a significant human and environmental impact, the board may exempt the construction of the proposed plant at the proposed site from the requirements of sections 116C.51 to 116C.69 with any appropriate conditions.

(f) If an exemption is granted, the utility or person must comply with applicable state rules, local zoning, building, and land use rules, regulations, and ordinances of any regional, county, local, and special purpose governments in which the facility is to be located.

(g) The board may, by rule, require a fee to pay costs incurred in processing exemptions. An estimated cost for processing the exemption application must be discussed with the applicant and be approved by the board when an application is received. The applicant must remit 50 percent of the approved cost within 14 days of acceptance of the application. The balance is due within 30 days after receipt of an invoice from the board. Costs in excess of those approved must be certified by the board and charged to the applicant. Certification is prima facie evidence that the costs are reasonable and necessary. All money received pursuant to this subdivision must be deposited in a special account. Money in the account is appropriated to the board to pay expenses incurred in processing the application and in the event the expenses are less than the fee paid, to refund the excess to the applicant.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

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. 2271: A bill for an act relating to telecommunications; establishing depreciation range system for telephone companies; amending Minnesota Statutes 1998, sections 237.075, subdivision 6; 237.22; and 237.773, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000.

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 237.22, is amended to read:

237.22 [DEPRECIATION; AMORTIZATION.]

(a) For purposes of a proceeding to determine or investigate any wholesale or retail rate, or to set any universal service support level, the commission shall may fix proper and adequate rates and methods of depreciation and amortization with respect to a telephone company company's property and every telephone company shall conform its depreciation accounts for property used in whole or in part to provide noncompetitive services to the rates and methods fixed by the commission.

(b) All telephone companies shall retain data in sufficient detail for the purpose of determining depreciation accruals and reserves by depreciable telephone plant account. Depreciable plant accounts are those specified by the Federal Communications Commission for the class to which a telephone company belongs. All telephone companies shall maintain, and have available for inspection by the commission upon request, adequate accounts and records related to depreciation practices as defined herein.

Sec. 2. [REPEALER.]

(a) Minnesota Statutes 1998, section 237.773, subdivision 5, is repealed.

(b) Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000, are repealed.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following enactment."

Delete the title and insert:

"A bill for an act relating to telecommunications; modifying telephone company property depreciation provisions; amending Minnesota Statutes 1998, section 237.22; repealing Minnesota Statutes 1998, section 237.773, subdivision 5; Minnesota Rules, parts 7810.7000; 7810.7100; 7810.7200; 7810.7300; 7810.7400; 7810.7500; 7810.7600; 7810.7700; 7810.7800; 7810.7900; and 7810.8000."

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. 2779: A bill for an act relating to utilities; regulating an electric cooperative's election to be regulated; amending Minnesota Statutes 1998, section 216B.026, subdivisions 1 and 4.

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 216B.026, subdivision 1, is amended to read:

Subdivision 1. [ELECTION.] A cooperative electric association may elect to become subject to rate regulation by the commission pursuant to sections 216B.03 to 216B.23. The election shall be approved by a majority of members or stockholders voting by mail ballot initiated by petition of not less than five percent of the members or stockholders of the association, as determined by membership figures submitted by the association to the rural electric administration for the month in which the petition was submitted. For a cooperative electric association that is the product of a merger or consolidation of three or more associations between December 30, 1996, and January 1, 2001, the number of members or stockholders necessary to initiate the petition shall be no less than one percent of the members or stockholders of the association.

Sec. 2. Minnesota Statutes 1998, section 216B.026, subdivision 4, is amended to read:

Subd. 4. [ELECTION PROCEDURE; EFFECT.] If the department determines that the petition meets the five percent requirement of subdivision 1, a balloting of members on the question of regulation of electric rates by the commission shall be supervised by the department. The ballot to be used for the election shall be approved by the board of directors of the association and the department. In the event of a dispute on balloting procedures, the dispute shall be resolved through informal proceedings before the commission after notice to all parties. The association shall mail ballots to the association's members who shall return the ballots to the department. The department shall keep the ballots sealed until a date agreed upon by the department and the board of directors. On this date, representatives of the department and the association shall count the ballots. If a majority of the association's members or spouses who vote, elect to become subject to rate regulation by the commission, the election shall be effective 30 days after certified copies of the resolutions approving the election are filed with the commission. These provisions also apply to associations that wish to be deregulated. Any cooperative that is regulated by the commission, pursuant to sections 216B.03 to 216B.23 may follow the procedures set forth above. Any association subject to regulation of rates by the commission shall be exempt from the provisions of sections 216B.48, 216B.49, 216B.50, and 216B.51.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment.

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

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

S.F. No. 2987: A bill for an act relating to cooperatives; amending provisions on the financing and distribution of income for cooperatives; amending Minnesota Statutes 1998, section 308A.705, subdivision 3; Minnesota Statutes 1999 Supplement, section 80A.15, subdivision 2; repealing Minnesota Statutes 1998, sections 308A.031; and 308A.161.

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

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

S.F. No. 2385: A bill for an act relating to public employment; exempting certain public hospital employees from the compensation limit; amending Minnesota Statutes 1998, section 43A.17, subdivision 9.

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

Page 2, line 20, delete "executive directors" and insert "administrators"

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. 2795: A bill for an act relating to state government; regulating investments; eliminating the annual disclosure of expense reimbursements; modifying investment options for the medical education endowment fund and the tobacco use prevention and local public health endowment fund; amending Minnesota Statutes 1998, section 11A.24, subdivisions 5 and 6; Minnesota Statutes 1999 Supplement, sections 62J.694, subdivisions 1 and 2; and 144.395, subdivisions 1 and 2; repealing Minnesota Statutes 1998, section 11A.241.

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

Page 1, line 20, delete "a governmental agency" and insert "an agency of the United States or Canadian national government"

Page 2, lines 12 and 26, delete "corporations" and insert "companies"

Page 3, line 20, strike ", are" and insert "is"

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. 2547: A bill for an act relating to the capitol area; requiring the capitol area architectural and planning board to select a site in the capitol area for installation of the memorial to Minnesota firefighters that is now installed at Minneapolis-St. Paul International Airport.

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

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

S.F. No. 624: A bill for an act relating to public safety; establishing the board of firefighter training and education; establishing a firefighter training reimbursement program; authorizing rulemaking; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 299N.

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

Delete everything after the enacting clause and insert:

"Section 1. [299N.01] [DEFINITIONS.]

Subdivision 1. [SCOPE.] The terms used in this chapter have the meanings given them in this section.

Subd. 2. [FIRE DEPARTMENT.] "Fire department" means a regularly organized fire department, fire protection district, or fire company, as defined in the Uniform Fire Code adopted under section 299F.011, regularly charged with the responsibility of providing fire protection to the state or a local government and includes a private nonprofit fire department directly serving a local government. It does not include industrial fire brigades.

Subd. 3. [FIREFIGHTER.] "Firefighter" means a volunteer, paid on-call, part-time, or career firefighter serving a general population within the boundaries of the state.

Sec. 2. [299N.02] [BOARD OF FIREFIGHTER TRAINING AND EDUCATION.]

Subdivision 1. [MEMBERSHIP.] Notwithstanding any provision of chapter 15 to the contrary, the board of firefighter training and education consists of the following members:

(1) five members representing the Minnesota state fire department association, four of whom must be volunteer firefighters and one of whom may be a career firefighter, appointed by the governor;

(2) two members representing the Minnesota state fire chiefs association, one of whom must be a volunteer fire chief, appointed by the governor;

(3) two members representing the Minnesota professional firefighters association, appointed by the governor;

(4) two members representing Minnesota home rule charter and statutory cities, appointed by the governor;

(5) two members representing Minnesota towns, appointed by the governor;

(6) the commissioner of public safety or the commissioner's designee; and

(7) one public member not affiliated or associated with any member or interest represented in clauses (1) to (6), appointed by the governor.

The Minnesota state fire department association shall recommend five persons to be the members described in clause (1), the Minnesota state fire chiefs association shall recommend two persons to be the members described in clause (2), the Minnesota professional firefighters association shall recommend two persons to be the members described in clause (3), the league of Minnesota cities shall recommend two persons to be the members described in clause (4), and the Minnesota association of townships shall recommend two persons to be the members described in clause (5). In making the appointments the governor shall try to achieve representation from all geographic areas of the state.

Subd. 2. [TERMS; CHAIR; COMPENSATION.] Members of the board shall serve for terms of four years and annually elect a chair from among the members. Terms and filling of vacancies are subject to section 15.0575, subdivisions 3 to 5. Members serve without compensation.

Subd. 3. [POWERS AND DUTIES.] (a) The board shall:

(1) review fire service training needs and make recommendations on training to Minnesota fire service organizations;

(2) establish standards for educational programs for the fire service and develop procedures for continuing oversight of the programs; and

(3) establish qualifications for fire service training instructors in programs established under clause (2).

(b) The board may:

(1) contract for technical or professional services according to section 15.061;

(2) pay expenses necessary to carry out its duties;

(3) apply for, receive, and accept grants, gifts, devises, and endowments that any entity may make to the board for the purposes of this chapter and may use any money given to it consistent with the terms and conditions under which the money was received and for the purposes stated;

(4) make recommendations to the legislature to improve the quality of firefighter training;

(5) collect and provide data, subject to section 13.03;

(6) conduct studies and surveys and make reports; and

(7) conduct other activities necessary to carry out its duties.

Sec. 3. [INITIAL TERMS OF BOARD MEMBERS.]

Of the members of the board of firefighter training and education initially appointed by the governor, five members must be appointed for two-year terms, five appointed for three-year terms, and five appointed for four-year terms.

Sec. 4. [EXPIRES.]

Sections 1 to 3 expire effective December 31, 2003."

Delete the title and insert:

"A bill for an act relating to public safety; establishing the board of firefighter training and education; proposing coding for new law as Minnesota Statutes, chapter 299N."

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. 2815 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2815	2386				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2888 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.
		2888	2573		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2888 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2888 and insert the language after the enacting clause of S.F. No. 2573; further, delete the title of H.F. No. 2888 and insert the title of S.F. No. 2573.

And when so amended H.F. No. 2888 will be identical to S.F. No. 2573, and further recommends that H.F. No. 2888 be given its second reading and substituted for S.F. No. 2573, 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

S.F. No. 3028: A bill for an act relating to vulnerable adults; specifying rights for reconsideration and review of determinations regarding maltreatment; amending Minnesota Statutes 1998, section 626.557, subdivisions 9d and 12b.

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 1999 Supplement, section 13.99, is amended by adding a subdivision to read:

Subd. 74d. [VULNERABLE ADULT MALTREATMENT REVIEW PANEL.] Data of the vulnerable adult maltreatment review panel are classified under section 2.

Sec. 2. [256.021] [VULNERABLE ADULT MALTREATMENT REVIEW PANEL.]

Subdivision 1. [CREATION.] (a) The commissioner of human services shall establish a review panel for purposes of reviewing lead agency determinations regarding maltreatment of a vulnerable adult in response to requests received under section 626.557, subdivision 9d, paragraph (b). The panel shall hold quarterly meetings for purposes of conducting reviews under this section.

(b) The review panel consists of:

(1) the commissioners of health and human services or their designees;

(2) the ombudsperson for older Minnesotans and ombudsperson for mental health and mental retardation, or their designees; and

(3) a member of the board on aging, appointed by the board.

Subd. 2. [REVIEW PROCEDURE.] (a) If a vulnerable adult or an interested person acting on behalf of the vulnerable adult requests a review under this section, the panel shall review the request at its next quarterly meeting. If the next quarterly meeting is within ten days of the panel's receipt of the request for review, the review may be delayed until the next subsequent meeting. The panel shall review the request and the investigation memorandum and may review any other data on the investigation maintained by the lead agency that are pertinent and necessary to its review of the final disposition. If more than one person requests a review under this section with respect to the same final disposition, the review panel shall combine the requests into one review.

(b) Within 30 days of the review under this section, the panel shall notify the lead agency and the vulnerable adult or interested person who requested the review as to whether the panel agrees with the final disposition or whether the lead agency must reconsider the final disposition. If the panel determines that the lead agency must reconsider the final disposition, the panel must make specific investigative recommendations to the agency. Within 30 days the lead agency shall conduct a review and report back to the panel with its determination and the specific rationale for its final disposition.

Subd. 3. [REPORT.] By January 15 of each year, the panel shall submit a report to the committees of the legislature with jurisdiction over section 626.557 regarding the number of requests for review it receives under this section, the number of cases where the panel requires the lead agency to reconsider its final disposition, and the number of cases where the final disposition is changed, and any recommendations to improve the review or investigative process.

Subd. 4. [DATA.] Data of the review panel created as part of a review under this section are private data on individuals as defined in section 13.02.

Sec. 3. Minnesota Statutes 1998, section 626.557, subdivision 9c, is amended to read:

Subd. 9c. [LEAD AGENCY; NOTIFICATIONS, DISPOSITIONS, AND DETERMINATIONS.] (a) Upon request of the reporter, the lead agency shall notify the reporter that it has received the report, and provide information on the initial disposition of the report within five business days of receipt of the report, provided that the notification will not endanger the vulnerable adult or hamper the investigation.

(b) Upon conclusion of every investigation it conducts, the lead agency shall make a final disposition as defined in section 626.5572, subdivision 8.

(c) When determining whether the facility or individual is the responsible party for substantiated maltreatment, the lead agency shall consider at least the following mitigating factors:

(1) whether the actions of the facility or the individual caregivers were in accordance with, and followed the terms of, an erroneous physician order, prescription, resident care plan, or directive. This is not a mitigating factor when the facility or caregiver is responsible for the issuance of the erroneous order, prescription, plan, or directive or knows or should have known of the errors and took no reasonable measures to correct the defect before administering care;

(2) the comparative responsibility between the facility, other caregivers, and requirements placed upon the employee, including but not limited to, the facility's compliance with related regulatory standards and factors such as the adequacy of facility policies and procedures, the adequacy of facility training, the adequacy of an individual's participation in the training, the adequacy of caregiver supervision, the adequacy of facility staffing levels, and a consideration of the scope of the individual employee's authority; and

(3) whether the facility or individual followed professional standards in exercising professional judgment.

(d) The lead agency shall complete its final disposition within 60 calendar days. If the lead agency is unable to complete its final disposition within 60 calendar days, the lead agency shall notify the following persons provided that the notification will not endanger the vulnerable adult or hamper the investigation: (1) the vulnerable adult or the vulnerable adult's legal guardian, when known, if the lead agency knows them to be aware of the investigation and (2) the facility, where applicable. The notice shall contain the reason for the delay and the projected completion date. If the lead agency is unable to complete its final disposition by a subsequent projected completion date, the lead agency shall again notify the vulnerable adult or the vulnerable adult's legal guardian, when known if the lead agency knows them to be aware of the investigation, and the facility, where applicable, of the reason for the delay and the revised projected completion date provided that the notification will not endanger the vulnerable adult or hamper the investigation. A lead agency's inability to complete the final disposition within 60 calendar days or by any projected completion date does not invalidate the final disposition.

(e) Within ten calendar days of completing the final disposition, the lead agency shall provide a copy of the public investigation memorandum under subdivision 12b, paragraph (b), clause (1), when required to be completed under this section, to the following persons: (1) the vulnerable adult, or the vulnerable adult's legal guardian, if known unless the lead agency knows that the notification would endanger the well-being of the vulnerable adult; (2) the reporter, if the reporter requested notification when making the report, provided this notification would not endanger the well-being of the vulnerable adult; (3) the alleged perpetrator, if known; (4) the facility; and (5) the ombudsman for older Minnesotans, or the ombudsman for mental health and mental retardation, as appropriate.

(f) The lead agency shall notify the vulnerable adult who is the subject of the report or the vulnerable adult's legal guardian, if known, and any person or facility determined to have maltreated a vulnerable adult, of their appeal or review rights under this section or section 2.

(g) The lead agency shall routinely provide investigation memoranda for substantiated reports to the appropriate licensing boards. These reports must include the names of substantiated perpetrators. The lead agency may not provide investigative memoranda for inconclusive or false reports to the appropriate licensing boards unless the lead agency's investigation gives reason to believe that there may have been a violation of the applicable professional practice laws. If the investigation memorandum is provided to a licensing board, the subject of the investigation memorandum shall be notified and receive a summary of the investigative findings.

(h) In order to avoid duplication, licensing boards shall consider the findings of the lead agency in their investigations if they choose to investigate. This does not preclude licensing boards from considering other information.

(i) The lead agency must provide to the commissioner of human services its final dispositions,

including the names of all substantiated perpetrators. The commissioner of human services shall establish records to retain the names of substantiated perpetrators.

Sec. 4. Minnesota Statutes 1998, section 626.557, subdivision 9d, is amended to read:

Subd. 9d. [ADMINISTRATIVE RECONSIDERATION OF FINAL DISPOSITION; REVIEW PANEL.] (a) Any individual or facility which a lead agency determines has maltreated a vulnerable adult, or the vulnerable adult or ~~vulnerable adult's designee~~ an interested person acting on behalf of the vulnerable adult, regardless of the lead agency's determination, who contests the lead agency's final disposition of an allegation of maltreatment, may request the lead agency to reconsider its final disposition. The request for reconsideration must be submitted in writing to the lead agency within 15 calendar days after receipt of notice of final disposition or, if the request is made by an interested person who is not entitled to notice, within 15 days after receipt of the notice by the vulnerable adult or the vulnerable adult's legal guardian.

(b) If the lead agency denies the request or fails to act upon the request within 15 calendar days after receiving the request for reconsideration, the person or facility entitled to a fair hearing under section 256.045, may submit to the commissioner of human services a written request for a hearing under that statute. The vulnerable adult, or an interested person acting on behalf of the vulnerable adult, may request a review by the vulnerable adult maltreatment review panel under section 2. The lead agency shall notify persons who request reconsideration of their rights under this paragraph. The request must be submitted in writing to the review panel and a copy sent to the lead agency within 30 calendar days of receipt of notice of a denial of a request for reconsideration. The request must specifically identify the aspects of the agency determination with which the person is dissatisfied.

(c) If, as a result of the a reconsideration or review, the lead agency changes the final disposition, it shall notify the parties specified in subdivision 9c, paragraph (d).

(d) For purposes of this subdivision, "interested person acting on behalf of the vulnerable adult" means a person designated in writing by the vulnerable adult to act on behalf of the vulnerable adult, or a legal guardian or conservator or other legal representative, a proxy or health care agent appointed under chapter 145B or 145C, or an individual who is related to the vulnerable adult, as defined in section 245A.02, subdivision 13.

Sec. 5. Minnesota Statutes 1998, section 626.557, subdivision 12b, is amended to read:

Subd. 12b. [DATA MANAGEMENT.] (a) [COUNTY DATA.] In performing any of the duties of this section as a lead agency, the county social service agency shall maintain appropriate records. Data collected by the county social service agency under this section are welfare data under section 13.46. Notwithstanding section 13.46, subdivision 1, paragraph (a), data under this paragraph that are inactive investigative data on an individual who is a vendor of services are private data on individuals, as defined in section 13.02. The identity of the reporter may only be disclosed as provided in paragraph (c).

Data maintained by the common entry point are confidential data on individuals or protected nonpublic data as defined in section 13.02. Notwithstanding section 138.163, the common entry point shall destroy data three calendar years after date of receipt.

(b) [LEAD AGENCY DATA.] The commissioners of health and human services shall prepare an investigation memorandum for each report alleging maltreatment investigated under this section. During an investigation by the commissioner of health or the commissioner of human services, data collected under this section are confidential data on individuals or protected nonpublic data as defined in section 13.02. Upon completion of the investigation, the data are classified as provided in clauses (1) to (3) and paragraph (c).

(1) The investigation memorandum must contain the following data, which are public:

- (i) the name of the facility investigated;
- (ii) a statement of the nature of the alleged maltreatment;

- (iii) pertinent information obtained from medical or other records reviewed;
- (iv) the identity of the investigator;
- (v) a summary of the investigation's findings;
- (vi) statement of whether the report was found to be substantiated, inconclusive, false, or that no determination will be made;
- (vii) a statement of any action taken by the facility;
- (viii) a statement of any action taken by the lead agency; and
- (ix) when a lead agency's determination has substantiated maltreatment, a statement of whether an individual, individuals, or a facility were responsible for the substantiated maltreatment, if known.

The investigation memorandum must be written in a manner which protects the identity of the reporter and of the vulnerable adult and may not contain the names or, to the extent possible, data on individuals or private data listed in clause (2).

(2) Data on individuals collected and maintained in the investigation memorandum are private data, including:

- (i) the name of the vulnerable adult;
- (ii) the identity of the individual alleged to be the perpetrator;
- (iii) the identity of the individual substantiated as the perpetrator; and
- (iv) the identity of all individuals interviewed as part of the investigation.

(3) Other data on individuals maintained as part of an investigation under this section are private data on individuals upon completion of the investigation.

(c) [IDENTITY OF REPORTER.] The subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by a court that the report was false and there is evidence that the report was made in bad faith. This subdivision does not alter disclosure responsibilities or obligations under the rules of criminal procedure, except that where the identity of the reporter is relevant to a criminal prosecution, the district court shall do an in-camera review prior to determining whether to order disclosure of the identity of the reporter.

(d) [DESTRUCTION OF DATA.] Notwithstanding section 138.163, data maintained under this section by the commissioners of health and human services must be destroyed under the following schedule:

- (1) data from reports determined to be false, two years after the finding was made;
- (2) data from reports determined to be inconclusive, four years after the finding was made;
- (3) data from reports determined to be substantiated, seven years after the finding was made; and
- (4) data from reports which were not investigated by a lead agency and for which there is no final disposition, two years from the date of the report.

(e) [SUMMARY OF REPORTS.] The commissioners of health and human services shall each annually prepare a summary of the number and type of reports of alleged maltreatment involving licensed facilities reported under this section.

(f) [RECORD RETENTION POLICY.] Each lead agency must have a record retention policy.

(g) [EXCHANGE OF INFORMATION.] Lead agencies, prosecuting authorities, and law enforcement agencies may exchange not public data, as defined in section 13.02, if the agency or authority requesting the data determines that the data are pertinent and necessary to the requesting agency in initiating, furthering, or completing an investigation under this section. Data collected under this section must be made available to prosecuting authorities and law enforcement officials, local county agencies, and licensing agencies investigating the alleged maltreatment under this section. The lead agency shall exchange not public data with the vulnerable adult maltreatment review panel established in section 2 if the data are pertinent and necessary for a review requested under that section. Upon completion of the review, not public data received by the review panel must be returned to the lead agency.

(h) [COMPLETION TIME.] Each lead agency shall keep records of the length of time it takes to complete its investigations.

(i) [NOTIFICATION OF OTHER AFFECTED PARTIES.] A lead agency may notify other affected parties and their authorized representative if the agency has reason to believe maltreatment has occurred and determines the information will safeguard the well-being of the affected parties or dispel widespread rumor or unrest in the affected facility.

(j) [FEDERAL REQUIREMENTS.] Under any notification provision of this section, where federal law specifically prohibits the disclosure of patient identifying information, a lead agency may not provide any notice unless the vulnerable adult has consented to disclosure in a manner which conforms to federal requirements."

Amend the title as follows:

Page 1, line 5, delete "9d and 12b" and insert "9c, 9d, and 12b; Minnesota Statutes 1999 Supplement, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3102, 2877, 1126, 2397, 2291, 500, 3002, 2683, 2516, 2688, 3199, 2748, 3195, 2569, 2652, 2271, 2779, 2987, 2385, 2795, 2547 and 624 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2815 and 2888 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Oliver moved that the names of Senators Samuelson and Runbeck be added as co-authors to S.F. No. 2462. The motion prevailed.

Senator Hottinger moved that his name be stricken as a co-author to S.F. No. 2497. The motion prevailed.

Senator Johnson, D.J. moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 2656. The motion prevailed.

Senator Lourey moved that the name of Senator Janezich be added as a co-author to S.F. No. 2970. The motion prevailed.

Senator Junge moved that the name of Senator Kleis be added as a co-author to S.F. No. 2980. The motion prevailed.

Senator Foley moved that his name be stricken as chief author and the name of Senator Betzold be added as chief author to S.F. No. 2992. The motion prevailed.

Senator Pogemiller moved that the name of Senator Higgins be added as a co-author to S.F. No. 3218. The motion prevailed.

Senator Wiener moved that the name of Senator Hanson be added as a co-author to S.F. No. 3258. The motion prevailed.

Senator Ourada moved that S.F. No. 2456 be withdrawn from the Committee on Local and Metropolitan Government, given a second reading and placed on General Orders. The motion prevailed.

S.F. No. 2456 was read the second time.

APPOINTMENTS

Senator Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2067: Senators Ranum, Krentz and Knutson.

Senator Junge moved that the foregoing appointments be approved. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Higgins introduced--

S.F. No. 3361: A bill for an act relating to the environment; modifying reporting requirements for solid waste and wastewater treatment facilities; extending exemption period for certain toxics in packaging; amending Minnesota Statutes 1998, sections 115.03, subdivision 1; and 115A.965, subdivision 3; repealing Minnesota Statutes 1998, sections 115A.981; and 297H.13, subdivision 6.

Referred to the Committee on Environment and Natural Resources.

Senator Wiger introduced--

S.F. No. 3362: A bill for an act relating to data practices; authorizing release and dissemination of juvenile criminal history data under certain circumstances; requiring court to determine juvenile and adult level of conviction information and provide this data to bureau of criminal apprehension; providing for a National Crime Prevention and Privacy Compact which organizes an electronic information sharing system among the federal government and the states to exchange criminal history records for background checks; amending Minnesota Statutes 1998, section 299C.13; Minnesota Statutes 1999 Supplement, sections 260B.171, subdivisions 2 and 5; and 299C.095, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Judiciary.

Senators Metzen, Pariseau, Day and Lessard introduced--

S.F. No. 3363: A bill for an act relating to gambling; card clubs; clarifying table number limitation; amending Minnesota Statutes 1999 Supplement, section 240.30, subdivision 8.

Referred to the Committee on Local and Metropolitan Government.

Senator Krentz introduced--

S.F. No. 3364: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 7; requiring certain legislative rules of proceedings.

Referred to the Committee on Rules and Administration.

Senator Flynn introduced--

S.F. No. 3365: A bill for an act relating to retirement; Minneapolis employees retirement fund; authorizing the purchase of service credit for a period of prior temporary employment.

Referred to the Committee on Governmental Operations and Veterans.

Senators Pappas, Ranum, Pogemiller, Knutson and Solon introduced--

S.F. No. 3366: A bill for an act relating to education finance; increasing state aid for special education services; increasing limited English proficiency revenue; modifying the salary of participants in the teacher residency program; funding nonpublic pupil and charter school pupil transportation; expanding full day kindergarten; clarifying the metropolitan magnet grant amounts; allocating health and safety costs of metropolitan magnet schools back to member districts; allowing school employees to participate in the state insurance program; making integration aid an open and standing appropriation; increasing the crime levy; authorizing a change in an annuity reduction; appropriating money; amending Minnesota Statutes 1998, sections 122A.68, subdivision 4; 123B.92, by adding a subdivision; 124D.88, by adding a subdivision; 126C.05, subdivision 17; 126C.20; 127A.48, subdivision 1; 128D.11, subdivision 3; and 354A.31, subdivision 3; Minnesota Statutes 1999 Supplement, sections 123B.92, subdivision 9; 124D.081, subdivision 3; 124D.453, subdivision 3; 124D.88, subdivision 3; 125A.76, subdivisions 1 and 2; 125A.79, subdivisions 1 and 2; 126C.05, subdivision 5; and 126C.44; Laws 1999, chapter 241, articles 3, section 3, subdivision 2; and 10, section 5, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 126C; repealing Minnesota Statutes 1999 Supplement, section 125A.79, subdivisions 5, 6, and 7; Laws 1999, chapter 241, article 3, section 5.

Referred to the Committee on Children, Families and Learning.

Senators Johnson, D.H.; Solon and Oliver introduced--

S.F. No. 3367: A bill for an act relating to consumer protection; requiring insurance companies to provide a written notice of adverse underwriting decisions made on the basis of credit information given to the insurer by a consumer reporting agency; amending Minnesota Statutes 1998, section 72A.499, subdivision 1.

Referred to the Committee on Commerce.

Senator Fischbach introduced--

S.F. No. 3368: A bill for an act relating to crime; providing criminal penalties for possession or sale of a small amount of marijuana; amending Minnesota Statutes 1998, section 152.027, subdivision 4.

Referred to the Committee on Crime Prevention.

Senators Ring, Wiger, Krentz, Hottinger and Frederickson introduced--

S.F. No. 3369: A bill for an act relating to the environment; providing for grants for special purpose districts with environmental responsibilities; authorizing pilot projects for the restructuring of the organization and operation of special purpose districts; authorizing grants from the board of government innovation and cooperation for the development and implementation of pilot projects.

Referred to the Committee on Environment and Natural Resources.

Senators Larson, Laidig, Kierlin, Lesewski and Ziegler introduced--

S.F. No. 3370: A bill for an act relating to taxation; individual income; providing a subtraction for personal and dependent exemptions; amending Minnesota Statutes 1999 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senator Day introduced--

S.F. No. 3371: A bill for an act relating to transportation; authorizing issuance of state trunk highway bonds and state transportation bonds; appropriating money for state trunk highway improvements; appropriating money for local bridge replacement, rehabilitation, and repair.

Referred to the Committee on Transportation.

Senators Robertson and Limmer introduced--

S.F. No. 3372: A bill for an act relating to taxation; individual income; allowing a long-term capital gain exclusion; amending Minnesota Statutes 1999 Supplement, sections 290.01, subdivision 19b; and 290.091, subdivisions 1, 2, and 6.

Referred to the Committee on Taxes.

Senators Pappas; Langseth; Johnson, D.E. and Scheid introduced--

S.F. No. 3373: A bill for an act relating to drivers' licenses; modifying driver education provision to allow for integrated classroom and behind-the-wheel training; amending Minnesota Statutes 1999 Supplement, section 171.05, subdivision 2.

Referred to the Committee on Transportation.

Senator Sams introduced--

S.F. No. 3374: A bill for an act relating to taxation; property; extending the time period for certain property to be exempted for economic development purposes; amending Minnesota Statutes 1999 Supplement, section 272.02, subdivision 39.

Referred to the Committee on Local and Metropolitan Government.

Senators Vickerman, Scheevel, Murphy, Pappas and Hottinger introduced--

S.F. No. 3375: A bill for an act relating to taxation; individual income and corporate franchise; allowing subtractions for the federal alcohol fuel credit; amending Minnesota Statutes 1998, section 290.01, subdivision 19d; Minnesota Statutes 1999 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senators Lourey, Hanson and Vickerman introduced--

S.F. No. 3376: A bill for an act relating to pollution permits; providing for a mediation process under certain circumstances; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 114C.

Referred to the Committee on Environment and Natural Resources.

Senator Wiger introduced--

S.F. No. 3377: A bill for an act relating to community education; appropriating money for the Eritrean community center of Minnesota.

Referred to the Committee on Children, Families and Learning.

Senators Lessard, Stumpf, Stevens and Pariseau introduced--

S.F. No. 3378: A bill for an act relating to game and fish; extending authorization to take two deer in certain counties; amending Laws 1993, chapter 273, section 1, as amended.

Referred to the Committee on Environment and Natural Resources.

Senators Ring, Lourey and Hanson introduced--

S.F. No. 3379: A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited lands that border public water in Isanti county.

Referred to the Committee on Environment and Natural Resources.

Senators Belanger; Runbeck; Kleis; Johnson, D.J. and Terwilliger introduced--

S.F. No. 3380: A bill for an act relating to taxation; providing a sales tax rebate; reducing individual income tax rates; providing an exclusion for long-term capital gains; expanding income tax brackets for married taxpayers filing jointly; repealing the marriage penalty credit; changing the corporate franchise tax apportionment formula; reducing property tax class rates on commercial-industrial property and on certain apartments; increasing the educational homestead credit; eliminating June accelerated payments for sales, liquor, and cigarette and tobacco taxes; eliminating the sales tax payment and refund requirements for sales of exempt capital equipment; providing that certain sales of fruit and fruit products, vegetables, and milk and milk products are exempt from sales tax; including machinery used to produce certain plants and nursery stock in the definition of farm machinery for purposes of the sales and use tax; providing for funding of the costs of the Minnesota comprehensive health association; appropriating money; amending Minnesota Statutes 1998, sections 62E.11, by adding a subdivision; 297A.01, subdivisions 3 and 15; and 297F.09, subdivisions 1 and 2; Minnesota Statutes 1999 Supplement, sections 273.13, subdivisions 24 and 25; 273.1382, subdivision 1a; 289A.18, subdivision 4; 289A.20, subdivision 4; 289A.56, subdivision 4; 290.01, subdivision 19b; 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, and 6; 290.191, subdivisions 2 and 3; repealing Minnesota Statutes 1998, sections 289A.60, subdivision 15; 297F.09, subdivision 6; and 297G.09, subdivision 5; Minnesota Statutes 1999 Supplement, sections 290.0675; and 297A.15, subdivision 5.

Referred to the Committee on Taxes.

Senator Lesewski introduced--

S.F. No. 3381: A bill for an act relating to education finance; authorizing a grant to independent school district No. 404, Lake Benton; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Kelly, R.C.; Wiger; Novak; Pappas and Cohen introduced--

S.F. No. 3382: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and other public improvements of a capital nature; authorizing issuance of state bonds; appropriating money for gap financing to construct the west segment of Phalen Boulevard from I-35E to Payne Avenue of the Phalen corridor initiative in the city of St. Paul.

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

Senator Kinkel introduced--

S.F. No. 3383: A bill for an act relating to taxation; income taxes; providing a subtraction and credit for higher education expenses; amending Minnesota Statutes 1999 Supplement, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Children, Families and Learning.

Senator Kelly, R.C. introduced--

S.F. No. 3384: A bill for an act relating to public nuisances; providing for the award of costs and attorney fees to the prosecuting attorney; amending Minnesota Statutes 1998, section 617.82.

Referred to the Committee on Judiciary.

Senators Junge and Olson introduced--

S.F. No. 3385: A bill for an act relating to state government; education; authorizing the board of government innovation and cooperation to consider appeals of decisions affecting charter schools; amending the charter school approval process; amending Minnesota Statutes 1999 Supplement, sections 124D.10, subdivision 4; and 465.797, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senators Stumpf; Moe, R.D.; Flynn and Kiscaden introduced--

S.F. No. 3386: A bill for an act relating to higher education; creating a separate subdivision for the salary procedure for the chancellor of the Minnesota state colleges and universities; authorizing chancellors and presidents to receive additional compensation from certain foundations; amending Minnesota Statutes 1998, sections 15A.081, subdivision 7b, and by adding a subdivision; and 136F.40.

Referred to the Committee on Children, Families and Learning.

Senators Samuelson; Pogemiller; Moe, R.D.; Kiscaden and Robertson introduced--

S.F. No. 3387: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, unintended results, and technical errors in human services and prekindergarten-grade 12 education code; appropriating money; amending Minnesota Statutes 1998, sections 125A.21, subdivision 1; and 256B.501, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 124D.65, subdivision 4; 126C.052; 126C.10, subdivisions 2 and 23; 126C.12, subdivision 1; and 256B.77, subdivision 10; Laws 1999, chapters 241, articles 1, section 70; and 4, section 29; 245, articles 1, section 3, subdivision 2; and 4, section 121; repealing Laws 1999, chapter 241, article 10, section 5.

Referred to the Committee on Rules and Administration.

Senators Samuelson, Berglin, Lourey and Fischbach introduced--

S.F. No. 3388: A bill for an act relating to human services; making nontraditional career assistance and job training available to female MFIP recipients; establishing grants to encourage and provide supports for low-income women to enter nontraditional careers; appropriating money; amending Minnesota Statutes 1999 Supplement, sections 256J.02, subdivision 2; and 268.0122, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256J; and 256K.

Referred to the Committee on Health and Family Security.

Senators Janezich, Higgins, Novak, Wiener and Anderson introduced--

S.F. No. 3389: A bill for an act relating to housing; providing funding to the housing finance agency for a loan to Habitat for Humanity of Minnesota, Inc.; providing funding for rental housing for MFIP recipients; appropriating money.

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

Senators Kelley, S.P.; Belanger; Scheid; Murphy and Runbeck introduced--

S.F. No. 3390: A bill for an act relating to taxation; sales and use; exempting sales of investment coins and bullion; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Hanson, Janezich, Olson, Samuelson and Wiger introduced--

S.F. No. 3391: A bill for an act relating to education; balancing statewide accountability and district autonomy under the profile of learning; requiring the graduation rule to be developed independently of any national education goals; reducing the required number of content standards; including decision making and inquiry in all content standards; determining scoring criteria and recordkeeping practices; amending Minnesota Statutes 1998, section 120B.03; Minnesota Statutes 1999 Supplement, sections 120B.02; and 120B.30, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senators Piper; Moe, R.D.; Cohen; Junge and Johnson, D.E. introduced--

S.F. No. 3392: A bill for an act relating to capital improvements; authorizing bonds and appropriating money to build a bridge on the Blazing Star state trail.

Referred to the Committee on Environment and Natural Resources.

Senators Dille and Belanger introduced--

S.F. No. 3393: A bill for an act relating to property taxation; eliminating the requirement that the owner of agricultural property be a Minnesota resident to qualify for relative homestead treatment of the property; amending Minnesota Statutes 1999 Supplement, section 273.124, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Senators Hanson, Murphy, Robertson, Laidig and Novak introduced--

S.F. No. 3394: A bill for an act relating to electricity; repealing a rule definition of signaling circuit; repealing Minnesota Rules, part 3800.3500, subpart 12.

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

Senators Hanson, Janezich, Samuelson, Wiger and Vickerman introduced--

S.F. No. 3395: A bill for an act relating to retirement; mandating that certain notice be provided to employees who take leave of absence from the public employees retirement association; amending Minnesota Statutes 1998, section 353.27, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

Senators Terwilliger, Laidig and Samuelson introduced--

S.F. No. 3396: A bill for an act relating to telecommunications; requiring notice to neighboring landowners when tower or mounting structure erected; amending Minnesota Statutes 1998, section 237.45.

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

Senators Olson, Knutson, Robertson and Belanger introduced--

S.F. No. 3397: A bill for an act relating to education finance; dampening the annual changes in the sales ratio study; amending Minnesota Statutes 1998, section 127A.48, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senators Terwilliger, Samuelson, Belanger and Kiscaden introduced--

S.F. No. 3398: A bill for an act relating to tax; income; creating an organ donor checkoff for income tax returns or property tax refund claim form; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Runbeck, Robertson and Ourada introduced--

S.F. No. 3399: A bill for an act relating to elections, eliminating certain contribution limits; changing certain contribution reporting requirements; requiring on-line disclosure of certain reports; appropriating money; amending Minnesota Statutes 1999 Supplement, sections 10A.02, by adding a subdivision; 10A.20, subdivision 3; 10A.27, subdivisions 1 and 11; repealing Minnesota Statutes 1999 Supplement, section 10A.27, subdivision 10.

Referred to the Committee on Election Laws.

Senators Novak and Metzen introduced--

S.F. No. 3400: A bill for an act relating to taxation; providing a property tax exemption for private aircraft storage hangars on leased land; amending Minnesota Statutes 1998, sections 272.01, subdivision 2; and 273.19, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Senator Price introduced--

S.F. No. 3401: A bill for an act relating to state employment; prohibiting certain noncompetitive promotions; modifying the definition of confidential employee; amending Minnesota Statutes 1998, sections 43A.15, subdivision 5; and 179A.03, subdivision 4.

Referred to the Committee on Governmental Operations and Veterans.

Senators Sams, Stumpf, Vickerman, Dille and Hanson introduced--

S.F. No. 3402: A bill for an act relating to agriculture; making the farmer-lender mediation program permanent; expanding eligibility for ethanol producer payments; creating an agroforestry loan program; providing funding for farm relief; appropriating money; amending Minnesota Statutes 1998, section 41A.09, subdivisions 2a, 3a, and by adding subdivisions; Laws 1999, chapter 231, section 11, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1998, section 583.21; Laws 1986, chapter 398, article 1, section 18, as amended.

Referred to the Committee on Agriculture and Rural Development.

Senators Knutson and Kelly, R.C. introduced--

S.F. No. 3403: A bill for an act relating to data practices; authorizing release and dissemination of juvenile criminal history data under certain circumstances; requiring court to determine juvenile and adult level of conviction information and provide this data to bureau of criminal apprehension; providing for a National Crime Prevention and Privacy Compact which organizes an electronic information sharing system among the federal government and the states to exchange criminal history records for background checks; amending Minnesota Statutes 1998, section 299C.13; Minnesota Statutes 1999 Supplement, sections 260B.171, subdivisions 2 and 5; and 299C.095, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Judiciary.

Senators Ranum, Pariseau, Hottinger and Wiger introduced--

S.F. No. 3404: A bill for an act relating to real property; enacting a new chapter relating to plats, coordinates, maps, and surveys; providing penalties; proposing coding for new law as Minnesota Statutes, chapter 505A; repealing Minnesota Statutes 1998, sections 505.01; 505.02; 505.03; 505.04; 505.05; 505.06; 505.07; 505.08, subdivisions 1, 2, and 2a; 505.09; 505.10; 505.11; 505.12; 505.13; 505.14; 505.16; 505.165; 505.17; 505.173; 505.174; 505.175; 505.176; 505.177; 505.178; 505.179; 505.1791; 505.1792; 505.1793; 505.18; 505.19; 505.20; 505.21; 505.22; 505.23; 505.24; 505.25; 505.26; 505.28; 505.31; 505.32; and 505.33; Minnesota Statutes 1999 Supplement, section 505.08, subdivision 3.

Referred to the Committee on Judiciary.

Senator Ourada introduced--

S.F. No. 3405: A bill for an act relating to governmental operations; requiring legislative approval of certain contracts between an executive branch agency and an agency of the federal government or a nongovernmental organization; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on Governmental Operations and Veterans.

Senator Ourada introduced--

S.F. No. 3406: A bill for an act relating to health; prohibiting certain discriminatory charges by health care providers and health plan companies; proposing coding for new law in Minnesota Statutes, chapters 62J; and 62Q.

Referred to the Committee on Health and Family Security.

Senator Hottinger introduced--

S.F. No. 3407: A bill for an act relating to taxation; economic development abatements; allowing abatement agreements for parcels in tax increment financing districts; allowing extended time periods under certain circumstances; amending Minnesota Statutes 1998, section 469.1813, subdivision 4; Minnesota Statutes 1999 Supplement, section 469.1813, subdivision 6.

Referred to the Committee on Local and Metropolitan Government.

Senators Anderson and Pappas introduced--

S.F. No. 3408: A bill for an act relating to taxation; tax increment financing; allowing pooling of increment for certain housing developments; amending Minnesota Statutes 1998, section 469.1763, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

Senators Kelley, S.P.; Pappas; Novak; Murphy and Hottinger introduced--

S.F. No. 3409: A bill for an act relating to taxation; adjusting property tax refund amounts; amending Minnesota Statutes 1998, section 290A.04, subdivisions 2, 2a, and 4.

Referred to the Committee on Local and Metropolitan Government.

Senators Berglin and Samuelson introduced--

S.F. No. 3410: A bill for an act relating to child protection; repealing certain unfunded county mandates; amending Minnesota Statutes 1999 Supplement, section 626.556, subdivision 2.

Referred to the Committee on Judiciary.

Senators Pogemiller and Stumpf introduced--

S.F. No. 3411: A bill for an act relating to retirement; Minnesota state retirement system unclassified plan; public employees retirement association defined contribution plan; Minnesota state colleges and universities individual retirement account plan and supplemental retirement plan; state arts board, humanities commission, Minnesota historical society plan; revising excess contribution language in certain plans; clarifying fiduciary status, responsibilities, and liabilities; authorizing distributions prior to termination from supplemental retirement plan under a phased retirement program; extending vendor contracts; amending Minnesota Statutes 1998, sections 354B.23, subdivision 5a; 354C.12, subdivision 1a; 354C.165; 356A.01, subdivision 8; 356A.02; and 356A.06, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

Senators Novak, Solon, Terwilliger and Wiger introduced--

S.F. No. 3412: A bill for an act relating to insurance; removing certain state involvement with the state fund mutual insurance company; repealing Minnesota Statutes 1998, sections 79.371; 176A.01; 176A.02; 176A.03; 176A.04; 176A.05; 176A.06; 176A.07; 176A.08; 176A.09; 176A.10; 176A.11; and 176A.12.

Referred to the Committee on Governmental Operations and Veterans.

Senators Anderson and Higgins introduced--

S.F. No. 3413: A bill for an act relating to community development; providing funding for the Neighborhood Development Center, Inc.; appropriating money.

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

Senators Runbeck and Krentz introduced--

S.F. No. 3414: A bill for an act relating to education; modifying pupil units; amending Minnesota Statutes 1999 Supplement, section 126C.05, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senators Kinkel, Solon and Murphy introduced--

S.F. No. 3415: A bill for an act relating to human services; requiring the state to reimburse counties for detoxification services; amending Minnesota Statutes 1998, section 297A.02, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 254A.

Referred to the Committee on Health and Family Security.

Senators Kinkel and Moe, R.D. introduced--

S.F. No. 3416: A bill for an act relating to higher education; Minnesota state colleges and universities; extending the deadline to initiate construction of the American Indian history center and museum; appropriating money; amending Laws 1994, chapter 643, section 19, subdivision 9, as amended.

Referred to the Committee on Children, Families and Learning.

Senator Cohen introduced--

S.F. No. 3417: A bill for an act relating to taxation; property; changing eligibility criteria for the senior citizens property tax deferral; amending Minnesota Statutes 1998, section 290B.08, subdivision 1; Minnesota Statutes 1999 Supplement, section 290B.03, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Senator Betzold introduced--

S.F. No. 3418: A bill for an act relating to data practices; making conforming changes for the data practices recodification enacted under Laws 1999, chapter 227, section 22; amending Minnesota Statutes, section 13.01, by adding subdivisions.

Referred to the Committee on Judiciary.

Senator Lessard introduced--

S.F. No. 3419: A bill for an act relating to human services; adjusting the Itasca county base with regard to family preservation services.

Referred to the Committee on Health and Family Security.

Senators Solon; Janezich; Johnson, D.J. and Price introduced--

S.F. No. 3420: A bill for an act relating to capital improvements; appropriating money for the Duluth state office building; authorizing state bonds.

Referred to the Committee on Governmental Operations and Veterans.

Senators Stumpf, Lessard, Laidig and Krentz introduced--

S.F. No. 3421: A bill for an act relating to natural resources; appropriating money for forest resources council activities and the forest inventory assessment.

Referred to the Committee on Environment and Natural Resources.

Senator Janezich introduced--

S.F. No. 3422: A bill for an act relating to taxation; authorizing a joint recreation board tax in the territory of independent school district No. 2154, Eveleth-Gilbert.

Referred to the Committee on Local and Metropolitan Government.

Senators Spear; Kelley, S.P.; Cohen and Wiener introduced--

S.F. No. 3423: A bill for an act relating to insurance; establishing the Holocaust Victims

Insurance Relief Act; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce.

Senator Scheid introduced--

S.F. No. 3424: A bill for an act relating to education funding; providing property tax equity for school districts; appropriating money; amending Minnesota Statutes 1998, sections 123B.59, subdivision 6, and by adding a subdivision; 126C.17, subdivision 11; 126C.40, subdivision 1; Minnesota Statutes 1999 Supplement, sections 123B.53, subdivisions 4 and 5; 123B.54; 123B.57, subdivision 4; and 126C.17, subdivisions 5 and 6.

Referred to the Committee on Children, Families and Learning.

Senators Wiener and Metzen introduced--

S.F. No. 3425: A bill for an act relating to the city of Mendota Heights; permitting continuation of tax increment financing district No. 1.

Referred to the Committee on Local and Metropolitan Government.

Senators Hottinger and Lesewski introduced--

S.F. No. 3426: A bill for an act relating to education; prohibiting the state board of teaching from adopting certain rules before September 1, 2002.

Referred to the Committee on Children, Families and Learning.

Senators Johnson, D.H.; Lesewski and Robling introduced--

S.F. No. 3427: A bill for an act relating to state government; transferring certain powers and duties from the department of children, families, and learning to the department of economic security; providing requirements for the energy assistance program; requiring a report; instructing the revisor to renumber certain sections; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Senators Kelley, S.P.; Samuelson; Terwilliger and Hottinger introduced--

S.F. No. 3428: A bill for an act relating to professions; modifying supervisory and disciplinary requirements for psychologists; amending Minnesota Statutes 1998, sections 148.89, by adding subdivisions; and 148.925, subdivisions 1, 2, 3, 5, and 6; Minnesota Statutes 1999 Supplement, section 148.941, subdivision 2.

Referred to the Committee on Health and Family Security.

Senators Kelley, S.P.; Samuelson; Terwilliger and Hottinger introduced--

S.F. No. 3429: A bill for an act relating to professions; modifying variance from supervision requirements for psychologists; amending Minnesota Statutes 1999 Supplement, section 148.925, subdivision 7.

Referred to the Committee on Health and Family Security.

Senator Sams introduced--

S.F. No. 3430: A bill for an act relating to education; providing for a fund transfer for independent school district No. 2170, Staples-Motley.

Referred to the Committee on Children, Families and Learning.

Senators Scheevel, Piper, Belanger, Novak and Vickerman introduced--

S.F. No. 3431: A bill for an act relating to taxation; property; exempting certain electric generation peaking facilities; amending Minnesota Statutes 1999 Supplement, section 272.02, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

Senators Ourada, Kleis and Belanger introduced--

S.F. No. 3432: A bill for an act relating to sex offenders; regulating the placement of high-risk sex offenders after release from prison; amending Minnesota Statutes 1999 Supplement, section 244.052, subdivisions 3 and 4a.

Referred to the Committee on Crime Prevention.

Senators Larson and Scheevel introduced--

S.F. No. 3433: A bill for an act relating to education; repealing the January 15 contract deadline date and penalty; repealing Minnesota Statutes 1998, section 123B.05, subdivisions 2, 3, 4, and 5; Minnesota Statutes 1999 Supplement, section 123B.05, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senators Ziegler, Scheevel, Kierlin, Pariseau and Frederickson introduced--

S.F. No. 3434: A bill for an act relating to economic development; providing support for the development of workforce identification systems; appropriating money.

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

Senators Hottinger, Day and Sams introduced--

S.F. No. 3435: A bill for an act relating to transportation; creating a major transportation projects fund; specifying uses for the fund; providing for allocation of revenue from the motor vehicle sales tax; authorizing transfer from the general fund to the major transportation projects fund; amending Minnesota Statutes 1998, section 297B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

Senators Hottinger, Langseth, Day, Sams and Johnson, D.E. introduced--

S.F. No. 3436: A bill for an act relating to transportation; establishing a major transportation projects account in the trunk highway fund; authorizing issuance of \$500,000,000 in trunk highway bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

Senator Foley introduced--

S.F. No. 3437: A bill for an act relating to crime prevention; providing that predatory offender

registration law applies retroactively to certain offenders; making changes to the predatory offender registration law; amending Minnesota Statutes 1998, sections 243.166, subdivisions 3, 5, and 7; Minnesota Statutes 1999 Supplement, sections 243.166, subdivisions 1, 2, 4, and 6; repealing Minnesota Statutes 1998, sections 243.166, subdivision 8.

Referred to the Committee on Crime Prevention.

Senators Janezich and Solon introduced--

S.F. No. 3438: A bill for an act relating to education; establishing declining pupil unit aid for school; appropriating money; amending Minnesota Statutes 1998, sections 126C.05, by adding a subdivision; and 126C.10, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senators Janezich and Solon introduced--

S.F. No. 3439: A bill for an act relating to energy conservation; providing for replacement heating systems and related energy conservation measures in cities discontinuing district heating systems; proposing coding for new law in Minnesota Statutes, chapter 451.

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

Senators Lesewski, Dille, Ziegler and Scheevel introduced--

S.F. No. 3440: A bill for an act relating to property taxation; exempting agricultural property from the general education levy; amending Minnesota Statutes 1999 Supplement, section 273.1382, subdivision 1b.

Referred to the Committee on Local and Metropolitan Government.

Senators Sams, Hottinger and Scheid introduced--

S.F. No. 3441: A bill for an act relating to consumer protection; regulating auto glass repair and replacement; restricting certain rebates and incentives; requiring prompt payment; amending Minnesota Statutes 1998, section 72A.201, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senator Kinkel introduced--

S.F. No. 3442: A bill for an act relating to retirement; public employees retirement association; revising the workers' compensation offset applicable to disabilitants; making the change applicable to certain current disabilitants; amending Minnesota Statutes 1998, section 353.33, subdivisions 5 and 5b.

Referred to the Committee on Governmental Operations and Veterans.

Senators Sams, Hanson, Vickerman, Scheevel and Dille introduced--

S.F. No. 3443: A bill for an act relating to agriculture; amending feedlot permit provisions; providing specific requirements for feedlot permit rules; adding requirements for administrative penalty orders; amending Minnesota Statutes 1998, sections 116.06, by adding a subdivision; 116.07, subdivision 7c, and by adding a subdivision; and 116.0713; Minnesota Statutes 1999 Supplement, section 116.07, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 18B; and 18C.

Referred to the Committee on Agriculture and Rural Development.

Senators Novak; Belanger; Murphy; Johnson, D.J. and Hottinger introduced--

S.F. No. 3444: A bill for an act relating to taxation; reducing the class rate on manufactured home parks; providing state aid to compensate for the revenue loss; amending Minnesota Statutes 1999 Supplement, sections 273.13, subdivision 25; and 273.1398, subdivision 1a.

Referred to the Committee on Local and Metropolitan Government.

Senators Runbeck, Knutson, Scheid, Hanson and Scheevel introduced--

S.F. No. 3445: A bill for an act relating to education; providing for an alternative license for teachers who received training in other states; amending Minnesota Statutes 1999 Supplement, section 122A.23.

Referred to the Committee on Children, Families and Learning.

Senators Neuville, Knutson and Kiscaden introduced--

S.F. No. 3446: A bill for an act relating to state government; authorizing hiring private counsel for state agencies; amending Minnesota Statutes 1998, section 8.06; proposing coding for new law in Minnesota Statutes, chapter 8.

Referred to the Committee on Judiciary.

Senators Lourey and Ranum introduced--

S.F. No. 3447: A bill for an act relating to commerce; providing for a tax credit; requiring security measures for convenience stores; prescribing penalties; amending Minnesota Statutes 1998, section 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299G.

Referred to the Committee on Commerce.

Senators Lourey, Ring, Marty, Janezich and Higgins introduced--

S.F. No. 3448: A bill for an act relating to child care; providing funding for basic sliding fee child care assistance; transferring TANF funds to the department of children, families, and learning; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Runbeck and Olson introduced--

S.F. No. 3449: A bill for an act relating to education; clarifying a valid excuse for student absences from school; amending Minnesota Statutes 1998, section 260A.02, subdivision 3; Minnesota Statutes 1999 Supplement, section 260C.007, subdivision 19.

Referred to the Committee on Children, Families and Learning.

Senators Runbeck, Belanger and Ourada introduced--

S.F. No. 3450: A bill for an act relating to transportation; prohibiting expenditures of trunk highway funds for certain purposes relating to light rail transit; amending Minnesota Statutes 1998, section 174.35.

Referred to the Committee on Transportation.

Senator Neville introduced--

S.F. No. 3451: A bill for an act relating to retirement; authorizing the purchase of service credit for previously exempt service by certain members of the teachers retirement association.

Referred to the Committee on Governmental Operations and Veterans.

Senator Cohen introduced--

S.F. No. 3452: A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for planning and preliminary design for the redevelopment of the St. Paul RiverCentre's Roy Wilkins auditorium.

Referred to the Committee on Governmental Operations and Veterans.

Senator Metzen introduced--

S.F. No. 3453: A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the capitol grounds to honor combat wounded veterans.

Referred to the Committee on Governmental Operations and Veterans.

ADJOURNMENT

Senator Junge moved that the Senate do now adjourn until 8:30 a.m., Thursday, February 24, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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