

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

EIGHTY-THIRD DAY

St. Paul, Minnesota, Monday, March 6, 2000

The Senate met at 10:00 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, Rev. Richard Keene Smith.

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 3260. The motion prevailed.

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

S.F. No. 3018: A bill for an act relating to children; providing for designation of standby and alternate custodians of children; proposing coding for new law as Minnesota Statutes, chapter 257B; repealing Minnesota Statutes 1998, sections 257A.01; 257A.02; 257A.03; 257A.04; 257A.05; 257A.06; 257A.07; 257A.08; 257A.09; and 257A.10.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1998, section 171.07, subdivision 11, is amended to read:

Subd. 11. ~~[DESIGNATED CAREGIVER STANDBY OR TEMPORARY CUSTODIAN.]~~ (a) Upon the written request of the applicant ~~on a form developed by the department, which contains the information specified in paragraph (b);~~ and upon payment of an additional fee of \$3.50, the department shall issue a driver's license or Minnesota identification card bearing a symbol or other appropriate identifier indicating that the license holder has appointed an individual to serve as a designated caregiver standby or temporary custodian under chapter ~~257A~~ 257B.

(b) ~~The form shall provide as follows:~~

~~"...(Name of parent(s))... appoints ...(name of designated caregiver)... to provide care for ...(name of child or children)... when requested by the parent(s) or when the parent(s) is unable to care for the child (children) and unable to request the designated caregiver's assistance.~~

~~The designated caregiver will care for the child (children) named in this form for (choose one of the following):~~

~~(indicate a specified period of time that is less than one year); or~~

~~(indicate that care is to be provided for one year).~~

~~The designated caregiver has the powers and duties to make decisions and meet the child's (children's) needs in the areas checked or specified below:~~

~~education~~

~~health care~~

~~religion~~

~~day care~~

~~recreation~~

~~other~~

~~.....~~

~~.....~~

~~.....~~

~~The designated caregiver (choose one of the following):~~

~~is ...~~

~~is not ...~~

~~authorized to make decisions about financial issues and control financial resources provided for the child (children) by the parent.~~

~~This designated caregiver agreement is effective for four years following the date it is signed by the parent(s), designated caregiver, and any alternate designated caregiver. However, the agreement may be canceled by a parent, a designated caregiver, or an alternate designated caregiver at any time before that date, upon notice to the other parties to the agreement. All parents who have court-ordered visitation rights to the child must consent to the agreement.~~

~~(Signature(s) of parent(s) with legal custody and Minnesota driver's license(s) or Minnesota identification card number(s))~~

~~(Designated caregiver signature, Minnesota driver's license or Minnesota identification card number, address, and telephone number)~~

~~(Alternate designated caregiver signature, Minnesota driver's license or Minnesota identification card number, address, and telephone number)~~

~~(Date~~

~~(Notarization)"/> The request must be accompanied by a copy of the designation executed under section 257B.04.~~

(c) The department shall maintain a computerized records system of all persons listed as ~~designated caregivers~~ standby or temporary custodians by driver's license and identification card applicants. This data shall be released to appropriate law enforcement agencies under section 13.69. Upon a parent's request and payment of a fee of \$3.50, the department shall revise its list of ~~designated caregivers and alternates~~ standby or temporary custodians to reflect a change in the appointment of a ~~designated caregiver~~.

(d) At the request of the license or card holder, the department shall cancel the ~~designated caregiver~~ standby or temporary custodian indication without additional charge. However, this paragraph does not prohibit a fee that may be applicable for a duplicate or replacement license or card, renewal of a license, or other service applicable to a driver's license or identification card.

(e) Notwithstanding sections 13.08, subdivision 1, and 13.69, the department and department employees are conclusively presumed to be acting in good faith when employees rely on statements made, in person or by telephone, by persons purporting to be law enforcement and subsequently release information described in paragraph (b). When acting in good faith, the department and department personnel are immune from civil liability and not subject to suit for damages resulting from the release of this information.

(f) The department and its employees:

(1) ~~have no duty to inquire or otherwise determine whether a form designation submitted under this subdivision contains the signatures of all parents who have legal custody of a child or whether all parents who have court-ordered visitation rights to the child have consented to the agreement is legally valid and enforceable; and~~

(2) ~~are immune from all civil liability and not subject to suit for damages resulting from a claim that any parent with legal custody of a child has not signed the form or that a parent who has court-ordered visitation rights to the child did not consent to the agreement the designation was not legally valid and enforceable.~~

(g) Of the fees received by the department under this subdivision:

(1) Up to \$111,000 received in fiscal year 1997 and up to \$61,000 received in subsequent fiscal years must be deposited in the general fund.

(2) All other fees must be deposited in the trunk highway fund."

Page 6, after line 28, insert:

"Subd. 5. [STANDBY OR TEMPORARY CUSTODIAN INDICATION ON DRIVER'S LICENSE.] A designator who wishes to have a standby or temporary custodian indication placed on the designator's driver's license may do so as provided in section 171.07, subdivision 11."

Page 10, after line 27, insert:

"Sec. 11. Minnesota Statutes 1998, section 524.5-505, is amended to read:

524.5-505 [DELEGATION OF POWERS BY PARENT OR GUARDIAN.]

A parent or a guardian of a minor or incapacitated person, by a properly executed power of attorney, may delegate to another person, for a period not exceeding six months, any powers regarding care, custody, or property of the minor or ward, except the power to consent to marriage or adoption of a minor ward. A parent of a minor child may also delegate those powers ~~for a~~

~~period not exceeding one year by a designated caregiver agreement under chapter 257A by designating a standby or temporary custodian under chapter 257B."~~

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 1998, sections 171.07, subdivision 11; and 524.5-505;"

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 re-referred

S.F. No. 2918: A bill for an act relating to crime prevention; creating the Minnesota capitol police department and merging the capitol complex security division into it; creating a capitol complex security oversight committee; increasing the complement of state troopers assigned to provide security to the governor; appropriating money; amending Minnesota Statutes 1999 Supplement, section 626.84, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 299N; repealing Minnesota Statutes 1998, sections 299E.01; 299E.02; and 626.88, subdivision 3.

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

Pages 1 to 3, delete sections 1 and 2

Page 3, line 5, delete "299N.03" and insert "299E.03"

Page 3, line 20, delete "and"

Page 3, line 21, after "(10)" insert "the director of the state historical society;

(11) the president of a statewide association representing government relations professionals;
and

(12)"

Pages 4 to 6, delete sections 4 and 5

Page 6, line 7, delete "GOVERNOR" and insert "CAPITOL COMPLEX"

Page 6, line 9, delete "to the governor"

Page 6, line 13, delete the colon

Page 6, delete lines 14 to 17

Page 6, line 18, delete everything before "\$......"

Page 6, line 19, delete "6" and insert "2"

Page 6, delete section 8

Page 6, line 24, delete "to 8" and insert "and 2"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to crime prevention; establishing a capitol complex security oversight committee; increasing the complement of state troopers assigned to provide security in the capitol complex; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299E."

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

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

S.F. No. 2653: A bill for an act relating to state government; requiring state agencies to provide grant information on the Internet; requiring the commissioner of administration to develop a uniform Internet application for grants; amending Minnesota Statutes 1998, section 16B.467; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Page 1, line 13, delete "the" and insert "any"

Page 1, line 23, delete everything after "agencies"

Page 1, line 24, delete everything before the period and insert "when feasible"

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 re-referred

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

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

Page 2, line 21, after the period, insert "The task force expires June 30, 2003."

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

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

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

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

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

S.F. No. 2767: A bill for an act relating to health; requiring prompt payment by health plan companies and third-party administrators of clean claims for health care services; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 2, after line 18, insert:

"(e) The commissioner may not assess a financial administrative penalty against a health plan company for violation of this subdivision."

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

Senators Piper, Pogemiller and Stumpf from the Committee on Children, Families and Learning, to which was referred

S.F. No. 3118: A bill for an act relating to education; appropriating money to the board of trustees of the Minnesota state colleges and universities for tuition waivers for employees of certain health care and human services providers.

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

Page 1, line 8, delete "\$100,000" and insert "\$250,000"

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

Senators Piper, Pogemiller and Stumpf from the Committee on Children, Families and Learning, to which was referred

S.F. No. 3141: A bill for an act relating to children and families; creating a state prevention council; appropriating money for home visiting programs; proposing coding for new law as Minnesota Statutes, chapter 119C.

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

Page 3, after line 14, insert:

"\$49,500 is appropriated from the general fund to the commissioner of children, families, and learning for fiscal year 2001 for purposes of section 2, subdivision 9. The appropriation is available until expended."

Page 3, line 16, before the period, insert "for fiscal year 2001"

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

S.F. No. 3357: A bill for an act relating to emergency preparedness; appropriating money to Lake, Cook, and St. Louis counties for emergency communications equipment and training to respond to a major wildfire.

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

Page 1, line 8, delete "\$1,164,000" and insert "\$1,459,000"

Page 1, line 13, delete "\$134,000" and insert "\$227,000" and delete "\$350,000" and insert "\$430,000"

Page 1, line 14, delete "\$680,000" and insert "\$802,000"

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

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

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.

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. 2951: A bill for an act relating to municipalities; clarifying the use of alternative dispute resolution in certain proceedings; requiring a report to the legislature; exempting the office of strategic and long-range planning from adopting rules until a certain date; providing instructions to the revisor of statutes; amending Minnesota Statutes 1999 Supplement, section 414.12; repealing Minnesota Statutes 1998, section 414.10.

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

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

S.F. No. 1048: A bill for an act relating to utilities; creating advisory selection process for public utility commissioners; regulating ex parte communications with commissioners; amending Minnesota Statutes 1998, sections 216A.03, subdivisions 1 and 1a; and 216A.037; proposing coding for new law in Minnesota Statutes, chapter 216A.

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. 2974: A bill for an act relating to criminal justice information systems technology; changing the membership of the criminal and juvenile justice information policy group; creating a data group to assist the policy group; authorizing the purchase and distribution of criminal justice technology infrastructure improvements; requiring reports; appropriating money; amending Minnesota Statutes 1998, section 299C.65, subdivision 1, and by adding subdivisions; Minnesota Statutes 1999 Supplement, section 299C.65, subdivision 2.

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. 2326: A bill for an act relating to state government; designating the monarch as the state butterfly; proposing coding for new law in Minnesota Statutes, chapter 1.

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. 3260: A bill for an act relating to agriculture; amending certain requirements for licensed aquatic farms; amending Minnesota Statutes 1998, sections 17.4984, subdivisions 2, 6, and 7; 17.4985, subdivision 2; 17.4987; 17.4988, subdivision 2; 17.4992, subdivision 3; 97C.505, subdivision 6; and 97C.521.

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

Page 2, delete lines 12 to 17 and insert:

"(e) Waters containing game fish of significant public value may be denied licensing unless the game fish of significant public value are, ~~at the commissioner's option,~~ sold to the licensee, or removed for other state use by the department of natural resources; or disposed of as provided in writing by the commissioner the licensee."

Page 4, line 35, delete "irreparable"

Page 5, line 4, delete "irreparable"

Page 5, delete section 6

Page 6, delete section 8

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "17.4988,"

Page 1, line 6, delete "subdivision 2;" and delete "97C.505,"

Page 1, line 7, delete "subdivision 6;"

And when so amended the bill do pass. Senator Krentz questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 1716: A bill for an act relating to consumer protection; regulating the use and dissemination of personally identifiable information on consumers by interactive services providers; prohibiting certain false or misleading commercial electronic mail messages; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 325F; proposing coding for new law as Minnesota Statutes, chapter 13D.

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

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

S.F. No. 3000: A bill for an act relating to consumer protection; providing consumers' right to privacy, confidentiality, and secrecy of their financial records; requiring consumer authorization for exchange or disclosure of their financial records; providing civil remedies and penalties; proposing coding for new law as Minnesota Statutes, chapter 13E.

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

Page 2, line 33, delete "customer's" and insert "consumer's"

Page 3, after line 3, insert:

"Sec. 6. [EFFECTIVE DATE.]

Sections 1 to 5 are effective June 30, 2001."

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

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

S.F. No. 3307: A bill for an act relating to transportation; providing for claims by person

incurring injury to person or property while operating recreational vehicle on trunk highway right-of-way; amending Minnesota Statutes 1998, section 3.736, subdivision 3.

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. 3158: A bill for an act relating to courts; clarifying when fine and fee transfers occur and what proceeds apply.

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 273.1398, subdivision 4a, is amended to read:

Subd. 4a. [AID OFFSET FOR COURT COSTS.] (a) By July 15, 1999, the supreme court shall determine and certify to the commissioner of revenue for each county, other than counties located in the eighth judicial district, the county's share of the costs assumed under Laws 1999, chapter 216, article 7, during the fiscal year beginning July 1, 2000, less an amount equal to the county's share of transferred fines collected by the district courts in the county during calendar year 1998.

(b) Payments to a county under subdivision 2 or section 273.166 for calendar year 2000 must be permanently reduced by an amount equal to 75 percent of the net cost to the state for assumption of district court costs as certified in paragraph (a).

(c) Payments to a county under subdivision 2 or section 273.166 for calendar year 2001 must be permanently reduced by an amount equal to 25 percent of the net cost to the state for assumption of district court costs as certified in paragraph (a).

(d) Payments to a county under subdivision 2 for calendar year 2001 are permanently increased by an amount equal to 7.5 percent of the county's share of transferred fines collected by the district courts in the county during calendar year 1998, as determined under paragraph (a).

Sec. 2. Minnesota Statutes 1999 Supplement, section 275.71, subdivision 2, is amended to read:

Subd. 2. [LEVY LIMIT BASE.] (a) The levy limit base for a local governmental unit for taxes levied in 1997 shall be equal to the sum of:

(1) the amount the local governmental unit levied in 1996, less any amount levied for debt, as reported to the department of revenue under section 275.62, subdivision 1, clause (1), and less any tax levied in 1996 against market value as provided for in section 275.61;

(2) the amount of aids the local governmental unit was certified to receive in calendar year 1997 under sections 477A.011 to 477A.03 before any reductions for state tax increment financing aid under section 273.1399, subdivision 5;

(3) the amount of homestead and agricultural credit aid the local governmental unit was certified to receive under section 273.1398 in calendar year 1997 before any reductions for tax increment financing aid under section 273.1399, subdivision 5;

(4) the amount of local performance aid the local governmental unit was certified to receive in calendar year 1997 under section 477A.05; and

(5) the amount of any payments certified to the local government unit in 1997 under sections 298.28 and 298.282.

If a governmental unit was not required to report under section 275.62 for taxes levied in 1997, the commissioner shall request information on levies used for debt from the local governmental unit and adjust its levy limit base accordingly.

(b) The levy limit base for a local governmental unit for taxes levied in 1998 is equal to its adjusted levy limit base in the previous year, subject to any adjustments under section 275.72 and multiplied by the increase that would have occurred under subdivision 3, clause (3), if that clause had been in effect for taxes levied in 1997.

(c) The levy limit base for a city with a population greater than 2,500 for taxes levied in 1999 is limited to its adjusted levy limit base in the previous year, subject to adjustments under section 275.72.

(d) The levy limit base for a county for taxes levied in 1999 is limited to the difference between (1) its adjusted levy limit base in the previous year subject to adjustments under section 275.72, and (2) one-half of the county's share of the net cost to the state for assumption of district court costs, as reported by the supreme court to the commissioner of revenue under section 273.1398, subdivision 4a, paragraph (a).

(e) The levy limit base for a county for taxes levied in 2000 is limited to the following amount:

(1) its adjusted levy limit base in the previous year, subject to adjustments under section 275.72, minus

(2) one-half of the county's share of the net cost to the state for assumption of district court costs, as reported by the supreme court to the commissioner of revenue under section 273.1398, subdivision 4a, paragraph (a), plus

(3) the increase in its homestead and agricultural credit aid under section 273.1398, subdivision 4a, paragraph (d).

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective beginning with aids payable in 2001. Section 2 is effective for taxes levied in 2000, payable in 2001, provided that the levy limits under Minnesota Statutes, sections 275.71 to 275.74, are still in effect."

Delete the title and insert:

"A bill for an act relating to state aids; adjusting aid amounts related to the state assumption of district court costs; amending Minnesota Statutes 1999 Supplement, sections 273.1398, subdivision 4a; and 275.71, subdivision 2."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3018, 2653, 3346, 2655, 2767, 3412, 2951, 1048, 2974, 2326, 1716, 3000 and 3307 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Price moved that the name of Senator Murphy be added as a co-author to S.F. No. 2706. The motion prevailed.

Senator Lourey moved that the name of Senator Solon be added as a co-author to S.F. No. 2758. The motion prevailed.

Senator Lessard moved that the name of Senator Stevens be added as a co-author to S.F. No. 3173. The motion prevailed.

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

Senator Lourey moved that the name of Senator Janezich be added as a co-author to S.F. No. 3447. The motion prevailed.

Senator Novak moved that his name be stricken as chief-author shown as a co-author and the name of Senator Marty be shown as chief author to S.F. No. 3585. The motion prevailed.

Senator Cohen moved that S.F. No. 3053 be withdrawn from the Committee on Transportation and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

CALENDAR

S.F. No. 11: A bill for an act relating to domestic abuse; providing for a six-year statute of limitations for causes of action based on domestic abuse; amending Minnesota Statutes 1998, section 541.05, subdivision 1; Minnesota Statutes 1999 Supplement, section 541.07.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2408: A bill for an act relating to crime victims; extending the time for receipt of reparations; amending Minnesota Statutes 1998, section 611A.54.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2815: A bill for an act relating to crime; providing for the distribution of certain fine proceeds in Hennepin county; repealing an expiration date; amending Minnesota Statutes 1998, section 488A.03, subdivision 11; repealing Laws 1998, chapter 367, article 8, section 25.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Johnson, D.H.

So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2569: A bill for an act relating to insurance; authorizing insurance coverage for vicarious liability for punitive and exemplary damages; regulating the terms of certain fraternal benefit society board members; amending Minnesota Statutes 1998, sections 60A.06, by adding a subdivision; and 64B.03.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

CONSENT CALENDAR

H.F. No. 2535: A bill for an act relating to local government; allowing the city of Shorewood to provide for election of council members from wards.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Foley	Janezich	Kelley, S.P.
Belanger	Day	Frederickson	Johnson, D.E.	Kelly, R.C.
Berg	Dille	Hanson	Johnson, D.H.	Kierlin
Berglin	Fischbach	Higgins	Johnson, D.J.	Kinkel
Betzold	Flynn	Hottinger	Junge	Kleis

Knutson	Lourey	Ourada	Robling	Stevens
Krentz	Marty	Pappas	Runbeck	Stumpf
Laidig	Metzen	Pariseau	Sams	Terwilliger
Langseth	Moe, R.D.	Piper	Samuelson	Vickerman
Larson	Murphy	Pogemiller	Scheevel	Wiener
Lesewski	Neuville	Price	Scheid	Wiger
Lessard	Oliver	Ranum	Solon	Ziegler
Limmer	Olson	Ring	Spear	

So the bill passed and its title was agreed to.

S.F. No. 3554: A bill for an act relating to reemployment compensation; modifying nonprofit organization provisions; amending Minnesota Statutes 1999 Supplement, section 268.053, subdivision 1, and by adding a subdivision.

Senator Scheevel moved that S.F. No. 3554, on the Consent Calendar, be stricken and placed on General Orders. The motion prevailed.

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

Pursuant to Rule 9, there being three objectors, S.F. No. 2813 was stricken from the Consent Calendar and placed on General Orders.

S.F. No. 3257: A bill for an act relating to state employment; modifying legislative employment provisions; amending Minnesota Statutes 1998, sections 3.07; 3.09; 3.095; 352.01, subdivision 2a; and 352D.02, subdivisions 1 and 1c; Minnesota Statutes 1999 Supplement, sections 3.096; and 43A.24, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and Senator Johnson, D.E. reported that the committee had considered the following:

S.F. Nos. 2407, 3097 and H.F. Nos. 3338 and 979, which the committee recommends to pass.

S.F. No. 2348, which the committee recommends to pass with the following amendment offered by Senator Murphy:

Page 1, after line 6, insert:

"WHEREAS, United States satellite and spy plane photos show names and rescue codes of missing servicemen spelled out on the ground in Vietnam and Laos; and

WHEREAS, such rescue codes are constructed exactly as the missing men were taught should they ever be captured; and

WHEREAS, the executive branch of the United States government has declined to follow the unanimous recommendation of the Senate Select POW/MIA committee to make a by-name request of the government of Vietnam regarding the fate of an individual associated with a June 5, 1992, symbol at a Vietnamese prison; and

WHEREAS, the executive branch has steadfastly refused a unanimous recommendation from the same committee to create an imagery review task force to look for other symbols from prisoners; and

WHEREAS, intelligence indicates a group of live American prisoners held in North Korea; and

WHEREAS, intelligence reports indicate the presence of American POWs held in North Korea, China, Russia, and Vietnam; and

WHEREAS, the United States government has rebuffed overtures from Vietnam and North Korea regarding the release of live American POWs; NOW, THEREFORE,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 53 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Janezich	Langseth	Olson	Samuelson
Belanger	Johnson, D.E.	Lesewski	Ourada	Scheevel
Berg	Johnson, D.H.	Lessard	Pappas	Scheid
Cohen	Junge	Limmer	Pariseau	Stevens
Day	Kelly, R.C.	Lourey	Piper	Stumpf
Dille	Kierlin	Marty	Pogemiller	Terwilliger
Fischbach	Kinkel	Metzen	Ring	Vickerman
Foley	Kiscaden	Murphy	Robertson	Wiger
Frederickson	Kleis	Neuville	Robling	Ziegler
Hanson	Knutson	Novak	Runbeck	
Higgins	Krentz	Oliver	Sams	

Those who voted in the negative were:

Betzold	Hottinger	Moe, R.D.	Ranum	Spear
Flynn	Laidig	Price		

The motion prevailed. So the amendment was adopted.

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

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

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 3427. The motion prevailed.

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

S.F. No. 3156: A bill for an act relating to health; providing patient protections; requiring coverage for medical clinical trials; amending Minnesota Statutes 1998, sections 62D.17, subdivision 1; 62J.38; 62Q.56; and 62Q.58; Minnesota Statutes 1999 Supplement, section 45.027, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 5, line 16, before the period, insert "and the enrollee meets one of the following conditions:

(1) has a life-threatening physical condition or mental condition;

(2) has a physical or mental disability, a chronic health care condition in an acute phase of the condition, or mental retardation or other related condition;

(3) has entered the second trimester of pregnancy prior to the time of enrollment;

(4) is receiving culturally appropriate services and the health plan company does not have a provider in its preferred provider network with special expertise in the delivery of these culturally appropriate services within the time and distance requirements of section 62D.124, subdivision 1;
or

(5) does not speak English and the health plan company does not have a provider or interpreter in its preferred provider network that speaks the language spoken by the enrollee within the time and distance requirements of section 62D.124, subdivision 1"

Page 5, line 19, before the period, insert "or 180 days, whichever is shorter except in the case of a terminally ill hospice eligible enrollee"

Page 5, line 35, before "if" insert "for up to 180 days"

Page 6, line 1, delete "following conditions:" and insert "conditions described in subdivision 1, paragraph (b)."

Page 6, delete lines 2 to 18

Page 7, lines 1 and 2, delete "in direct marketing materials and"

Page 7, delete lines 22 to 27 and insert:

"(1) has a life-threatening physical condition or mental condition;

(2) has a physical or mental disability, a chronic health care condition in an acute phase of the condition, or mental retardation or other related conditions; or"

Page 8, lines 5 and 6, reinstate the stricken language

Page 8, line 13, delete the new language

Page 9, line 4, delete everything after "means" and insert "the cost of routine patient care for items and services furnished in connection with participation in a clinical trial."

Page 9, delete lines 5 and 6

Page 9, line 7, delete "trial."

Page 9, line 13, delete "or"

Page 9, line 15, before the period, insert "; or

(5) costs of a health care service provided by a provider outside the health plan company's provider network available to the enrollee"

Page 9, line 18, delete everything after "trial" and insert "for the treatment of a"

Page 9, line 20, delete "studies on" and insert "of"

Page 9, line 22, delete "phase I,"

Page 9, line 34, after the semicolon, insert "or"

Page 10, line 1, delete "or"

Page 10, delete lines 2 and 3

Page 10, delete lines 9 to 12

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

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

S.F. No. 2686: A bill for an act relating to health; establishing requirements for the sale of funeral goods and services and preneed funeral arrangements; modifying the enforcement authority of the commissioner of health; prohibiting certain solicitations of sales by funeral providers; requiring certain disclosures by funeral providers; prohibiting certain deceptive acts and practices for funeral providers; establishing requirements for preneed funeral agreements; amending Minnesota Statutes 1998, sections 149A.02, subdivision 23, and by adding subdivisions; 149A.08, subdivision 1; 149A.70, by adding subdivisions; 149A.71, subdivisions 2 and 4; 149A.73, subdivision 3; and 149A.97, subdivision 6, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 149A.

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 149A.02, is amended by adding a subdivision to read:

Subd. 3a. [BURIAL SITE GOODS AND SERVICES.] "Burial site goods and services" means all goods and services provided at a burial site that are associated with the final disposition of a dead human body.

Sec. 2. Minnesota Statutes 1998, section 149A.02, subdivision 22, is amended to read:

Subd. 22. [FUNERAL PROVIDER.] "Funeral provider" means any person that sells or offers to sell funeral goods or funeral services to the public. "Funeral provider" does not include monument builders who sell monuments at retail to the public but do not sell any other funeral good or service.

Sec. 3. Minnesota Statutes 1998, section 149A.02, subdivision 23, is amended to read:

Subd. 23. [FUNERAL SERVICES.] "Funeral services" means any services which may be used to: (1) care for and prepare dead human bodies for burial, cremation, or other final disposition; and or (2) arrange, supervise, or conduct the funeral ceremony or the final disposition of dead human bodies.

Sec. 4. Minnesota Statutes 1998, section 149A.02, is amended by adding a subdivision to read:

Subd. 33a. [PRENEED CONSUMER.] "Preneed consumer" means an individual who arranges for funeral goods or services prior to the death of that individual or another individual, and who funds those goods or services through prepayment to a funeral provider or through purchase of an insurance policy.

Sec. 5. Minnesota Statutes 1998, section 149A.08, subdivision 1, is amended to read:

Subdivision 1. [AUTHORIZATION.] In addition to any other remedy provided by law, the commissioner may issue a cease and desist order to:

(1) stop a person from violating or threatening to violate any law, rule, order, stipulation agreement, settlement, compliance agreement, license, or permit which the commissioner is empowered to regulate, enforce, or issue; or

(2) prohibit a funeral provider from engaging in the sale of preneed funeral goods or funeral services if the funeral provider has been found in violation of any provision of this chapter.

Sec. 6. Minnesota Statutes 1998, section 149A.08, is amended by adding a subdivision to read:

Subd. 2a. [SALE OF PRENEED GOODS OR SERVICES; CONTENTS OF ORDER, HEARING, WHEN EFFECTIVE.] (a) This subdivision applies to cease and desist orders issued pursuant to subdivision 1, clause (2).

(b) In addition to the requirements of subdivision 2, a cease and desist order must also specify that the hearing to which the funeral provider has a right occurs, if requested, before the order goes into effect and that a timely request for a hearing automatically stays the cease and desist order.

(c) A request for a hearing must be in writing, must be delivered to the commissioner by certified mail within 20 calendar days after the funeral provider receives the order, and must specifically state the reasons for seeking review of the order. If the funeral provider fails to request a hearing in writing within 20 calendar days of receipt of the order, the cease and desist order becomes the final order of the commissioner. If a funeral provider makes a timely request for a hearing, the cease and desist order is automatically stayed pending the outcome of the hearing. The commissioner must initiate a hearing within 30 calendar days from the date of receiving the written request for hearing. The hearing shall be conducted pursuant to sections 14.57 to 14.62. No earlier than ten calendar days but within 30 calendar days of receiving the presiding administrative law judge's report, the commissioner shall issue a final order modifying, vacating, or making permanent the cease and desist order as the facts require.

Sec. 7. Minnesota Statutes 1998, section 149A.08, subdivision 3, is amended to read:

Subd. 3. [REQUEST FOR HEARING; HEARING; AND FINAL ORDER.] This subdivision applies to cease and desist orders issued pursuant to subdivision 1, clause (1). A request for hearing must be in writing, delivered to the commissioner by certified mail within 20 calendar days after the receipt of the cease and desist order, and specifically state the reasons for seeking review of the order. The commissioner must initiate a hearing within 30 calendar days from the date of receipt of the written request for hearing. The hearing shall be conducted pursuant to sections 14.57 to 14.62. No earlier than ten calendar days but within 30 calendar days of receipt of the presiding administrative law judge's report, the commissioner shall issue a final order modifying, vacating, or making permanent the cease and desist order as the facts require. If, within 20 calendar days of receipt of the cease and desist order, the subject of the order fails to request a hearing in writing, the cease and desist order becomes the final order of the commissioner.

Sec. 8. Minnesota Statutes 1998, section 149A.08, subdivision 4, is amended to read:

Subd. 4. [REQUEST FOR STAY.] This subdivision applies to cease and desist orders issued pursuant to subdivision 1, clause (1). When a request for a stay accompanies a timely hearing request, the commissioner may, in the commissioner's discretion, grant the stay. If the commissioner does not grant a requested stay, the commissioner shall refer the request to the office of administrative hearings within three working days from the receipt of the request. Within ten calendar days after receiving the request from the commissioner, an administrative law judge shall issue a recommendation to grant or deny the stay. The commissioner shall grant or deny the stay within five calendar days of receiving the administrative law judge's recommendation.

Sec. 9. Minnesota Statutes 1998, section 149A.50, subdivision 1, is amended to read:

Subdivision 1. [LICENSE REQUIRED.] (a) Except as provided in paragraph (b) and section 149A.01, subdivision 3, no person shall maintain, manage, or operate a place or premise devoted

to or used in the holding, care, or preparation of a dead human body for final disposition, or any place used as the office or place of business for the provision of funeral services, without possessing a valid license to operate a funeral establishment issued by the commissioner of health.

(b) Any place or premises that is used for the provision of funeral services and is not used in the holding, care, or preparation of a dead human body for final disposition, is not required to be licensed as a funeral establishment. Any place or premises that is used in the holding, care, or preparation of a dead human body for final disposition must be licensed as a funeral establishment.

Sec. 10. Minnesota Statutes 1998, section 149A.70, is amended by adding a subdivision to read:

Subd. 5a. [SOLICITATIONS PROHIBITED IN CERTAIN SITUATIONS.] No funeral provider may directly or indirectly:

(1) call upon an individual at a grave site, in a hospital, nursing home, hospice, or similar institution or facility, or at a visitation, wake, or reviewal for the purpose of soliciting the sale of funeral goods or funeral services or for the purpose of making arrangements for a funeral or the final disposition of a dead human body, without a specific request for solicitation from that individual;

(2) solicit the sale of funeral goods or services from an individual whose impending death is readily apparent, without a specific request for solicitation from that individual; or

(3) engage in telephone solicitation of an individual who has the right to control the final disposition of a dead human body within ten days after the death of the individual whose body is being disposed, without a specific request for solicitation from that individual.

This subdivision does not apply to communications between an individual and a funeral provider who is related to the individual by blood, adoption, or marriage.

Sec. 11. Minnesota Statutes 1998, section 149A.70, is amended by adding a subdivision to read:

Subd. 8. [DISCLOSURE OF OWNERSHIP AND SALE.] (a) All funeral establishments and funeral providers must clearly state by whom they are owned in all advertisements, excluding permanent signs that are on the property of the funeral establishment or funeral provider, and on all business literature, correspondence, and contracts. Within 15 days of a change in ownership of a funeral establishment or funeral provider, the funeral establishment or funeral provider shall notify all preneed consumers by first class mail of the change in ownership. The notification shall advise the preneed consumers of their right to transfer all preneed trust funds to a new funeral provider and shall advise all preneed consumers who have revocable preneed trusts of their right to terminate the trust and receive a refund of all principal paid into the trust, plus interest accrued.

(b) For purposes of this subdivision:

(1) "change in ownership" means:

(i) the sale or transfer of all or substantially all of the assets of a funeral establishment or funeral provider;

(ii) the sale or transfer of a controlling interest of a funeral establishment or funeral provider; or

(iii) the termination of the business of a funeral establishment or funeral provider where there is no transfer of assets or stock; and

(2) "controlling interest" means:

(i) an interest in a partnership of greater than 50 percent; or

(ii) greater than 50 percent of the issued and outstanding shares of a stock of a corporation.

Sec. 12. Minnesota Statutes 1998, section 149A.71, subdivision 2, is amended to read:

Subd. 2. [PREVENTIVE REQUIREMENTS.] (a) To prevent unfair or deceptive acts or practices, the requirements of this subdivision must be met.

(b) Funeral providers must tell persons who ask by telephone about the funeral provider's offerings or prices any accurate information from the price lists described in paragraphs (c) to (e) and any other readily available information that reasonably answers the questions asked.

(c) Funeral providers must make available for viewing to people who inquire in person about the offerings or prices of funeral goods or funeral services, separate printed or typewritten price lists. Each funeral provider must have a separate price list for each of the following types of goods and services that are sold or offered for sale:

(1) caskets;

(2) alternative containers;

(3) outer burial containers; and

(4) cremation containers and cremated remains containers; and

(5) cemetery-specific goods and services, including all goods and services associated with interment and burial site goods and services.

(d) Each separate price list must contain the name of the funeral provider's place of business and a caption describing the list as a price list for one of the types of funeral goods or funeral services described in paragraph (c), clauses (1) to (4) (5). The funeral provider must offer the list upon beginning discussion of, but in any event before showing, the specific funeral goods or services and must provide a photocopy of the price list, for retention, if so asked by the consumer. The list must contain, at least, the retail prices of all the specific funeral goods and services offered which do not require special ordering, enough information to identify each, and the effective date for the price list. In lieu of a written price list, other formats, such as notebooks, brochures, or charts may be used if they contain the same information as would the printed or typewritten list, and display it in a clear and conspicuous manner. However, funeral providers are not required to make a specific price list available if the funeral providers place the information required by this paragraph on the general price list described in paragraph (e).

(e) Funeral providers must give a printed or typewritten price list, for retention, to persons who inquire in person about the funeral goods or funeral services or prices offered by the funeral provider. The funeral provider must give the list upon beginning discussion of either the prices of or the overall type of funeral service or disposition or specific funeral goods or funeral services offered by the provider. This requirement applies whether the discussion takes place in the funeral establishment or elsewhere. However, when the deceased is removed for transportation to the funeral establishment, an in-person request for authorization to embalm does not, by itself, trigger the requirement to offer the general price list. If the provider, in making an in-person request for authorization to embalm, discloses that embalming is not required by law except in certain special cases, the provider is not required to offer the general price list. Any other discussion during that time about prices or the selection of funeral goods or funeral services triggers the requirement to give the consumer a general price list. The general price list must contain the following information:

(1) the name, address, and telephone number of the funeral provider's place of business;

(2) a caption describing the list as a "general price list";

(3) the effective date for the price list;

(4) the retail prices, in any order, expressed either as a flat fee or as the prices per hour, mile, or other unit of computation, and other information described as follows:

(i) forwarding of remains to another funeral establishment, together with a list of the services provided for any quoted price;

(ii) receiving remains from another funeral establishment, together with a list of the services provided for any quoted price;

(iii) separate prices for each cremation offered by the funeral provider, with the price including an alternative or cremation container, any crematory charges, and a description of the services and container included in the price, where applicable, and the price of cremation where the purchaser provides the container;

(iv) separate prices for each immediate burial offered by the funeral provider, including a casket or alternative container, and a description of the services and container included in that price, and the price of immediate burial where the purchaser provides the casket or alternative container;

(v) transfer of remains to the funeral establishment;

(vi) embalming;

(vii) other preparation of the body;

(viii) use of facilities, equipment, or staff for viewing;

(ix) use of facilities, equipment, or staff for funeral ceremony;

(x) use of facilities, equipment, or staff for memorial service;

(xi) use of equipment or staff for graveside service;

(xii) hearse or funeral coach; and

(xiii) limousine; and

(xiv) separate prices for all cemetery-specific goods and services, including all goods and services associated with interment and burial site goods and services and excluding markers and headstones;

(5) the price range for the caskets offered by the funeral provider, together with the statement "A complete price list will be provided at the funeral establishment or casket sale location." or the prices of individual caskets, as disclosed in the manner described in paragraphs (c) and (d);

(6) the price range for the alternative containers offered by the funeral provider, together with the statement "A complete price list will be provided at the funeral establishment or alternative container sale location." or the prices of individual alternative containers, as disclosed in the manner described in paragraphs (c) and (d);

(7) the price range for the outer burial containers offered by the funeral provider, together with the statement "A complete price list will be provided at the funeral establishment or outer burial container sale location." or the prices of individual outer burial containers, as disclosed in the manner described in paragraphs (c) and (d);

(8) the price range for the cremation containers and cremated remains containers offered by the funeral provider, together with the statement "A complete price list will be provided at the funeral establishment or cremation container sale location." or the prices of individual cremation containers and cremated remains containers, as disclosed in the manner described in paragraphs (c) and (d);

(9) the price for the basic services of funeral director provider and staff, together with a list of the principal basic services provided for any quoted price and, if the charge cannot be declined by the purchaser, the statement "This fee for our basic services will be added to the total cost of the funeral arrangements you select. (This fee is already included in our charges for direct cremations,

immediate burials, and forwarding or receiving remains.)" If the charge cannot be declined by the purchaser, the quoted price shall include all charges for the recovery of unallocated funeral provider overhead, and funeral providers may include in the required disclosure the phrase "and overhead" after the word "services." This services fee is the only funeral provider fee for services, facilities, or unallocated overhead permitted by this subdivision to be nondeclinable, unless otherwise required by law;

(10) if the price for basic services, as described in clause (9), is not applicable, the statement "Please note that a fee for the use of our basic services is included in the price of our caskets. Our services include (specify services provided)." The fee shall include all charges for the recovery of unallocated funeral provider overhead, and funeral providers may include in the required disclosure the phrase "and overhead" after the word "services." The statement must be placed on the general price list, together with the casket price range or the prices of individual caskets. This services fee is the only funeral provider fee for services, facilities, or unallocated overhead permitted by this subdivision to be nondeclinable, unless otherwise required by law; and

(11) the price range for the markers and headstones offered by the funeral provider, together with the statement "A complete price list will be provided at the funeral establishment or marker or headstone sale location." or the prices of individual markers and headstones, as disclosed in the manner described in paragraphs (c) and (d).

(f) Funeral providers must give an itemized written statement, for retention, to each consumer who arranges a funeral or other disposition of human remains at the conclusion of the discussion of the arrangements. The itemized written statement must be signed by the consumer selecting the goods and services and. If the statement is provided at a funeral establishment, the statement must be signed by the licensed funeral director or mortician planning the arrangements. If the statement is provided by any other funeral provider, the statement must be signed by an authorized agent of the funeral provider. The statement must list the funeral goods and funeral services selected by that consumer and the prices to be paid for each item, specifically itemized cash advance items (these prices must be given to the extent then known or reasonably ascertainable if the prices are not known or reasonably ascertainable, a good faith estimate shall be given and a written statement of the actual charges shall be provided before the final bill is paid), and the total cost of goods and services selected. The information required by this paragraph may be included on any contract, statement, or other document which the funeral provider would otherwise provide at the conclusion of discussion of arrangements.

(g) Funeral providers must give any other price information, in any other format, in addition to that required by paragraphs (c) to (e) so long as the written statement required by paragraph (f) is given when required.

(h) Upon receiving actual notice of the death of an individual with whom a funeral provider has entered a preneed funeral agreement, the funeral provider must provide a copy of all preneed funeral agreement documents to the person who controls final disposition of the human remains or to the designee of the person controlling disposition. The person controlling disposition shall be provided with these documents at the time of the person's first contact with the funeral provider, if the first contact occurs in person at a funeral establishment, crematory, or other place of business of the funeral provider. If the contact occurs by other means or at another location, the documents must be provided within 24 hours of the first contact.

Sec. 13. Minnesota Statutes 1998, section 149A.71, subdivision 4, is amended to read:

Subd. 4. [CASKET, ALTERNATE CONTAINER, AND CREMATION CONTAINER SALES; RECORDS; REQUIRED DISCLOSURES.] Any funeral provider who sells or offers to sell a casket, alternate container, or cremation container to the public must maintain a record of each sale that includes the name of the purchaser, the purchaser's mailing address, the name of the decedent, the date of the decedent's death, and the place of death. These records shall be open to inspection by the commissioner and reported to the commissioner. Any funeral provider selling a casket, alternate container, or cremation container to the public, and not having charge of the final disposition of the dead human body, shall enclose within the casket, alternate container, or cremation container information provided by the commissioner that includes a blank certificate of

death, and a copy of the statutes and rules controlling the removal, preparation, transportation, arrangements for disposition, and final disposition of a dead human body. This section subdivision does not apply to morticians, funeral directors, funeral establishments, crematories, or wholesale distributors of caskets, alternate containers, or cremation containers.

Sec. 14. Minnesota Statutes 1998, section 149A.73, subdivision 3, is amended to read:

Subd. 3. [OTHER REQUIRED PURCHASES OF FUNERAL GOODS OR FUNERAL SERVICES; DECEPTIVE ACTS OR PRACTICES.] (a) In selling or offering to sell funeral goods or funeral services to the public, it is a deceptive act or practice for a funeral provider to condition the furnishing of any funeral good or funeral service to a consumer arranging a funeral upon the purchase of any other funeral good or funeral service, except as may be otherwise required by law or to charge any fee as a condition to furnishing any funeral goods or funeral services to a consumer arranging a funeral, other than the fees for services of funeral director and staff, other funeral services and funeral goods selected by the purchaser, and other funeral goods or services required to be purchased, as explained on the itemized statement in accordance with section 149A.72, subdivision 10.

(b) In selling or offering to sell funeral goods or funeral services to the public, it is a deceptive act or practice for a funeral provider to charge an increased price for the handling, placing, or setting of a funeral good based upon the fact that the good was not purchased from that funeral provider.

Sec. 15. Minnesota Statutes 1998, section 149A.73, is amended by adding a subdivision to read:

Subd. 5. [RENTAL OF FUNERAL GOODS.] It is a deceptive act or practice for a funeral provider to require as a condition of providing any funeral good that the funeral good be purchased by a consumer when rental of the funeral good is practicable.

Sec. 16. [149A.745] [FUNERAL INDUSTRY PRACTICES; PROHIBITION ON PREINTERMENT OF OUTER BURIAL CONTAINERS.]

A funeral provider is prohibited from interring a lined and sealed outer burial container until the death of the beneficiary.

Sec. 17. Minnesota Statutes 1998, section 149A.97, is amended by adding a subdivision to read:

Subd. 3a. [REQUIREMENTS FOR PRENEED FUNERAL AGREEMENTS.] It is unlawful for any person residing or doing business in this state to enter a preneed funeral agreement unless the agreement:

(1) is written in clear, understandable language and printed in a type that is easy to read in size and style;

(2) contains a complete, itemized description of the funeral goods and funeral services selected or purchased, including, when appropriate, manufacturer's name, model numbers, style numbers, and description of the type of material used in construction;

(3) discloses clearly and conspicuously whether the prices of the goods and services selected are guaranteed;

(4) discloses that funding options for a preneed funeral agreement consist of either prepayment to the funeral provider or the purchase of an insurance policy;

(5) discloses whether the funds received from the purchaser are required to be placed in a trust and, if the funds are required to be placed in a trust, provides the following information:

(i) lists the location of the trust account, including the name, address, and telephone number of the institution where the money will be held and any identifying account numbers, the amount of money to be trusted, and the names of the trustees; and

(ii) advises the purchaser as to the disposition of the interest from the trust and as to responsibility for taxes owed on the interest;

(6) contains the names, addresses, and telephone numbers of the Minnesota department of health as the regulatory agency for preneed trust accounts and the Minnesota attorney general's office as the regulatory agency that handles consumer complaints;

(7) discloses clearly and conspicuously that any person who makes payment under a preneed funeral agreement may cancel the agreement subject to the procedures for cancellation specified in subdivision 6a;

(8) contains the following statement, in bold-faced type and a minimum size of ten points:

"Within fifteen calendar days after receipt of any money required to be held in trust, all such money must be deposited in a banking institution, savings association, or credit union, organized under state or federal laws, the accounts of which are insured by an instrumentality of the federal government. The person for whose benefit the money was paid according to this agreement shall be known as the beneficiary; the person or persons who paid the money shall be known as the purchaser; and the funeral provider shall be known as the depositor. The money must be carried in a separate account with the names of the depositor and the purchaser as trustees for the beneficiary.

The preneed arrangement trust shall be considered an asset of the purchaser until the death of the beneficiary. At the death of the beneficiary, the money in the trust shall be considered an asset of the beneficiary's estate, to the extent that the value of the trust exceeds the actual value for the goods and services provided at-need. This does not alter any asset exclusion requirements that exist under federal law. The depositor as trustee must disclose in writing the location of the trust account, including the name and address of the institution where the money is being held and any identifying account numbers, to the beneficiary when the money is deposited and when there are any subsequent changes to the location of the trust account.";

(9) for agreements with revocable trusts, contains the following statement, in bold-faced type and a minimum size of ten points:

"REVOCABLE TRUST:

The preneed arrangement trust being created by the purchaser is revocable. These trust funds, including all principal and accrued interest, are the purchaser's assets. The purchaser may withdraw the principal and accrued interest at any time prior to the death of the beneficiary. At the death of the beneficiary, the funds shall be distributed in their entirety, principal plus accrued interest, with no fees retained by the trustees as administrative fees. The funds shall be distributed for the payment of the at-need funeral goods or services selected, with any excess funds distributed to the beneficiary's estate. At any time before or at the time of the beneficiary's death, the purchaser may transfer the preneed arrangements and related trust funds for use in the payment of funeral goods and services. The purchaser may not be charged any fee in connection with the transfer of a preneed arrangement and trust funds.";

(10) for agreements with irrevocable trusts, contains the following statement, in bold-faced type and a minimum size of ten points:

"IRREVOCABLE TRUST:

A trust created to hold preneed arrangement funds is revocable in its entirety unless specifically limited by the purchaser. The purchaser has chosen to create an irrevocable trust in the amount of \$ (insert the dollar amount of the purchaser's irrevocable trust). The revocable portion of this trust fund is limited to that amount that exceeds the allowable supplemental security income asset exclusion used for determining eligibility for public assistance at the time the trust is created. The principal and accrued interest may not be withdrawn from the trust prior to the beneficiary's death, except to the extent that the trust funds exceed the irrevocable trust limitation. At the time of the beneficiary's death, the funds shall be distributed in their entirety, principal plus accrued interest, with no fees retained by the trustees as administrative fees. The funds shall be distributed for the

payment of the at-need funeral goods or services selected, with any excess funds distributed to the beneficiary's estate. At any time prior to or at the time of the beneficiary's death, the purchaser may transfer the preneed arrangements and trust funds for use in the payment of funeral goods and services. The purchaser may not be charged any fee in connection with the transfer of a preneed arrangement and trust funds.";

(11) provides that if the particular funeral goods or funeral services specified in the agreement are unavailable at the time of delivery, the funeral provider must furnish goods and services similar in style and at least equal in quality to the material and workmanship of the goods or services specified and that the representative of the beneficiary has the right to choose the goods or services to be substituted; and

(12) contains an itemization of the sale of grave lots, spaces, lawn crypts, niches, or mausoleum crypts separate from all other funeral goods and services selected.

Sec. 18. Minnesota Statutes 1998, section 149A.97, is amended by adding a subdivision to read:

Subd. 4a. [FINANCE CHARGES ON PRENEED ARRANGEMENTS PROHIBITED.] Funeral providers are prohibited from assessing finance charges on preneed arrangements.

Sec. 19. Minnesota Statutes 1998, section 149A.97, subdivision 6, is amended to read:

Subd. 6. [DISBURSEMENT OF TRUST FUNDS.] The funds held in trust, including principal and accrued interest, may be distributed prior to the death of the beneficiary upon demand by the purchaser as specified in subdivision 6a, to the extent that the trust is designated revocable. At the death of the beneficiary and with satisfactory proof of death provided to the institution holding the trust funds, the funds, including principal and accrued interest, may be distributed by either the depositor as trustee or the purchaser as trustee, subject to section 149A.80. The funds shall be distributed in their entirety, with no fees to be retained by the trustees as administrative fees. The funds shall be distributed for the payment of the actual at-need value of the funeral goods and/or services selected with any excess funds distributed to the estate of the decedent.

Sec. 20. Minnesota Statutes 1998, section 149A.97, is amended by adding a subdivision to read:

Subd. 6a. [CANCELLATION OF AGREEMENT FOR PRENEED ARRANGEMENTS.] (a) If a purchaser cancels an agreement for an irrevocable trust for preneed arrangements at any time before midnight of the third business day after the date of the agreement, the purchaser shall receive a refund of all consideration paid according to the agreement. The refund must be distributed to the purchaser within 15 business days following receipt by the funeral provider of the cancellation notice from the purchaser.

(b) If the purchaser cancels an agreement for a revocable trust for preneed arrangements at any time after the date of the agreement, all funds held in a revocable trust, including all principal and accrued interest, must be distributed to the purchaser within 15 business days following receipt by the funeral provider of the cancellation notice.

(c) Cancellation is evidenced by the purchaser giving written notice of cancellation to the funeral provider at the address provided in the agreement. Notice of cancellation, if given by mail, is effective upon deposit in a mailbox, properly addressed to the funeral provider and postage prepaid. Notice of cancellation need not take any specific form and is sufficient if it indicates, by any form of written expression, the intention of the purchaser not to be bound by the agreement."

Delete the title and insert:

"A bill for an act relating to health; establishing requirements for the sale of funeral goods and services and preneed funeral arrangements; modifying the enforcement authority of the commissioner of health; modifying licensing requirements for funeral establishments; prohibiting certain solicitations of sales by funeral providers; requiring certain disclosures by funeral providers; prohibiting certain deceptive acts and practices for funeral providers; establishing

requirements for preneed funeral agreements; amending Minnesota Statutes 1998, sections 149A.02, subdivisions 22, 23, and by adding subdivisions; 149A.08, subdivisions 1, 3, 4, and by adding a subdivision; 149A.50, subdivision 1; 149A.70, by adding subdivisions; 149A.71, subdivisions 2 and 4; 149A.73, subdivision 3, and by adding a subdivision; and 149A.97, subdivision 6, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 149A."

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. 3119: A bill for an act relating to courts; authorizing court reporters in certain judicial districts to organize under the Public Employment Labor Relations Act; amending Minnesota Statutes 1999 Supplement, sections 179A.03, subdivision 14; and 179A.101, subdivisions 1 and 2.

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

Page 4, line 2, delete the new language

Page 4, line 25, after "(e)" insert "The court employees court reporter unit consists of court reporters not otherwise excluded who are employed by a judicial district under section 480.181, subdivision 1, paragraph (a).

(f) Notwithstanding any provision of chapter 179A or any other law to the contrary, judges may appoint and remove court reporters at their pleasure.

(g)"

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 re-referred

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.

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

Page 2, line 23, delete the colon

Page 2, delete lines 24 to 26

Page 2, line 27, delete everything before "provide,"

Page 2, lines 30 and 33, delete "clause (1) or (2)" and insert "this subdivision"

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 re-referred

S.F. No. 3173: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; dedicating the sales tax receipts equal to a sales tax of one-eighth of one percent on taxable sales for natural resource purposes; creating a game and fish enhancement account and a review committee for the account; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Page 2, lines 7 and 15, delete "game" and insert "wildlife"

Page 2, line 21, delete "GAME" and insert "WILDLIFE"

Page 2, lines 23 and 26, delete "game" and insert "wildlife"

Page 3, line 3, after "(b)" insert "Legislative members appointed under paragraph (a), clauses (1) and (2), serve as nonvoting members."

Page 3, line 21, before the period, insert "by January 2 of each year"

Page 3, line 22, delete everything after "(b)"

Page 3, delete line 23

Page 3, line 24, delete "subdivision 1,"

Page 3, line 25, delete everything after "progress" and insert "report based on the review committee's recommendations to the appropriate legislative committees."

Page 3, delete lines 26 to 28

Amend the title as follows:

Page 1, line 6, delete "game" and insert "wildlife"

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

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

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.

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

Delete everything after the enacting clause and insert:

"Section 1. [ENERGY ASSISTANCE PROGRAM.]

(a) The commissioner of economic security shall establish policies and procedures to address the findings in the department of administration's evaluation of Minnesota's energy assistance program published in December 1999.

(b) The commissioner of economic security shall develop:

(1) outcome measures, in accordance with federal recommendations, by which to evaluate subgrantee performance and the program as a whole;

(2) methods to identify the eligible population for the energy assistance program;

(3) procedures to improve program consistency across the state. This shall address program start and end dates, eligibility determination, eligibility verification, and application and payment processing times; and

(4) improved internal management practices. This includes program oversight, evaluation and auditing of the service delivery agencies, computer software system, and overall management.

Sec. 2. [REPORT.]

The commissioner of economic security shall submit a report to the legislature detailing the costs and benefits of operating the energy assistance program. The report must include proposals for utilization of technology to provide the most cost-efficient service delivery. The report shall be submitted to the senate jobs, energy and community development committee, and the house jobs and economic development policy committee by January 30, 2001.

Sec. 3. [TRANSFER OF ENERGY ASSISTANCE AND WEATHERIZATION RESPONSIBILITIES.]

Energy assistance and weatherization responsibilities under Minnesota Statutes, sections 119A.40, 119A.41, 119A.42, and 119A.425, are transferred from the department of children, families, and learning to the department of economic security.

Sec. 4. [INSTRUCTION TO REVISOR.]

The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

<u>column A</u>	<u>column B</u>
<u>119A.40</u>	<u>268.985</u>
<u>119A.41</u>	<u>268.986</u>
<u>119A.42</u>	<u>268.987</u>
<u>119A.425</u>	<u>268.989</u>

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 4 are effective the day following final enactment."

Delete the title and insert:

"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."

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Senator Piper questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S.F. No. 2956: A bill for an act relating to transportation; adopting Midwest Interstate Passenger Rail Compact; amending Minnesota Statutes 1998, section 218.011, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 218.

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

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

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

Page 6, line 12, before the period, insert "if the lead agency denies the request or fails to act upon the request, or if the vulnerable adult or interested person contests a reconsidered disposition"

Page 6, line 16, before the period, insert "or of a reconsidered disposition"

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. 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.

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

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

S.F. No. 3161: A bill for an act relating to health; modifying provisions for health care purchasing alliances; amending Minnesota Statutes 1998, sections 62T.03; 62T.05; 62T.06, subdivisions 1 and 2; and 62T.11; Minnesota Statutes 1999 Supplement, section 62T.04; proposing coding for new law in Minnesota Statutes, chapter 62T; repealing Minnesota Statutes 1998, section 62T.13.

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

Delete everything after the enacting clause and insert:

"Section 1. [62T.025] [EMPLOYER-MEMBER CONTRIBUTION.]

If an employer-member of a purchasing alliance can demonstrate that the member has not offered employee health coverage for a year or more, the member may contribute 25 percent or more of the cost of employee coverage for up to 36 months. This provision only applies to rural purchasing alliances organized under this chapter and operating prior to May 1, 2000. The affected purchasing alliances may develop membership criteria which disallow an employer contribution below 50 percent.

Sec. 2. Minnesota Statutes 1998, section 62T.03, is amended to read:

62T.03 [APPLICATION OF OTHER LAWS.]

Subdivision 1. [STATE LAW.] An accountable provider network is subject to all requirements applicable to a health plan company licensed in the state, except as otherwise noted in this chapter. An accountable provider network and a health care purchasing alliance must comply with all requirements of chapter 62L, except for modifications and waivers permitted under this chapter. A contracting arrangement between a health care purchasing alliance and an accountable provider network for provision of health care benefits must provide consumer protection functions comparable to those currently required of a health plan company licensed under section 62N.25, and other statutes referenced in that section, except for modifications and waivers permitted under this chapter.

Subd. 2. [FEDERAL LAW.] A self-insured employer may participate as an affiliate member of a purchasing alliance without participation affecting the employer's standing under the federal Employee Retirement Income Security Act (ERISA) of 1974. An affiliate member is one that may purchase administrative services with the purchasing alliance and may participate in activities

undertaken to educate and promote health improvement of the purchasing alliance enrollees or community residents.

Sec. 3. Minnesota Statutes 1999 Supplement, section 62T.04, is amended to read:

62T.04 [COMPLAINT SYSTEM.]

Accountable provider networks must establish and maintain an enrollee complaint system as required under sections 62Q.68 to 62Q.72 or as required by a contract with a purchasing alliance. The contract must be approved by the commissioner. The accountable provider network may contract with the health care purchasing alliance or a vendor for operation of this system. The commissioner may not waive any enrollee rights relating to external review.

Sec. 4. Minnesota Statutes 1998, section 62T.05, is amended to read:

62T.05 [BENEFITS.]

An accountable provider network may offer and sell any benefits permitted to be offered and sold by health plan companies under Minnesota law. An accountable provider network may, after consultation with the purchasing alliance, offer only one benefit plan to employer-members of the alliance.

Sec. 5. Minnesota Statutes 1998, section 62T.06, subdivision 1, is amended to read:

Subdivision 1. [AUTHORIZATION.] The commissioner may grant waivers from the requirements of law for the contracting arrangement between a health care purchasing alliance and an accountable provider network in the areas listed in subdivisions 2 to 4. The commissioner may not waive the following state consumer protection and quality assurance laws:

(1) laws requiring that enrollees be informed of any restrictions, requirements, or limitations on coverage, services, or access to specialists and other providers;

(2) laws allowing consumers to complain to or appeal to a state regulatory agency if denied benefits or services;

(3) laws prohibiting gag clauses and other restrictions on communication between a patient and their physician or provider;

(4) laws allowing consumers to obtain information on provider financial incentives, which may affect treatment;

(5) laws requiring the submission of information needed to monitor quality of care and enrollee rights, except the submission may be done in a manner approved by the commissioner under subdivision 4;

(6) laws protecting enrollee privacy and confidentiality of records;

(7) minimum standards for adequate provider network capacity and geographic access to services;

(8) laws assuring continuity of care when a patient must change providers;

(9) laws governing coverage of emergency services;

(10) laws prohibiting excessive or unreasonable administrative fees or expenses; and

(11) other laws or rules that are directly related to quality of care, consumer protection, and due process rights.

Sec. 6. Minnesota Statutes 1998, section 62T.06, subdivision 2, is amended to read:

Subd. 2. [SOLVENCY PROTECTION.] (a) The commissioner may waive the requirements of sections 62N.27 to 62N.32, and may substitute capital and surplus requirements that are reduced

from the levels required of other risk-bearing entities in order to reflect its reduced risk exposure. If risk is being underwritten, the underwriter cannot have more than 25 percent of the representation on the governing board of the accountable provider network. The reduced requirements must include at least the following levels of capital and surplus: (i) a deposit of \$500,000 plus and (ii) the greater of an estimated 15 percent of gross premium revenues or twice the net retained annual risk up to \$750,000 on a single enrollee. Net retained annual risk may be, for example, the lowest annual deductible under a provider stop-loss insurance policy that covers all costs above the deductible. Assets supporting the deposit must meet the standards for deposits referenced in section 62N.32 or be guaranteed by an entity that is approved and can be monitored by the commissioner. Assets supporting the capital must meet the investment guidelines referenced in section 62N.27. Members of a purchasing alliance may assist in meeting the solvency requirements through a subordinated solvency contribution under a contract approved by the commissioner. For the purposes of this subdivision, "subordinated solvency contribution" means a contribution to the accountable provider network by a purchasing alliance member that is evidenced by a promissory note or other instrument that allows for repayment of the contribution in the manner provided in a contract approved by the commissioner.

(b) An accountable provider network may propose a method of reporting income, expenses, claims payments, and other financial information in a manner which adequately demonstrates ongoing compliance with the standards for capital, surplus, and claims reserves agreed to under this waiver.

(c) An accountable provider network may demonstrate ability to continue to deliver the contracted health care services to the purchasing alliance through arrangements which ensure that, subject to 60 days' notice of intent to discontinue the contracting arrangement, provider participants will continue to meet their obligation to provide health care services to enrollees for a period of 60 days.

Sec. 7. Minnesota Statutes 1998, section 62T.11, is amended to read:

62T.11 [DUTIES OF COMMISSIONER.]

(a) By July 1, 1997, the commissioner shall make available application forms for licensure as an accountable provider network. The accountable provider network may begin doing business after application has been approved.

(b) Upon receipt of an application for a certificate of authority, the commissioner shall grant or deny licensure and waivers requested within 90 days of receipt of a complete application if all requirements are substantially met. For a period of ~~one year~~ six years after the effective date of Laws 1997, chapter 225, the commissioner may approve up to five applications, none of which may be from health plan companies. If no written response has been received within 90 days, the application is approved. When the commissioner denies an application or waiver request, the commissioner shall notify the applicant in writing specifically stating the grounds for the denial and specific suggestions for how to remedy the denial. The commissioner will entertain reconsiderations. Within 90 days after the denial, the applicant may file a written request for an administrative hearing and review of the commissioner's determination. The hearing is subject to judicial review as provided by chapter 14.

(c) All monitoring, enforcement, and rulemaking powers available under chapter 62N are granted to the commissioner to assure continued compliance with provisions of this chapter. The commissioner shall honor the intent of this section to foster community-focused, affordable health coverage for small employers and their employees.

(d) The commissioner may contract with other entities as necessary to carry out the responsibilities in this chapter.

Sec. 8. [REPEALER.]

Minnesota Statutes 1998, section 62T.13, is repealed."

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. 2937: A bill for an act relating to Minneapolis-St. Paul International Airport; providing for the impact of expansion of the Minneapolis-St. Paul International Airport; authorizing airport mitigation planning, the establishment of airport impact zones, and tax increment financing districts in the cities of Bloomington, Burnsville, Eagan, Mendota Heights, Minneapolis, Richfield, and St. Paul; creating an airport impact mitigation fund in the state treasury; authorizing certain related activities by the department of trade and economic development; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. [FINDINGS.]

The legislature finds that:

(1) the legislature has directed the metropolitan airports commission to develop a plan to mitigate aircraft noise associated with the operation of the Minneapolis-St. Paul International Airport;

(2) the metropolitan airports commission has developed a noise mitigation plan in conjunction with communities adjacent to the airport and is in the process of updating its FAR Part 150 noise mitigation program for submission to and approval by the Federal Aviation Administration;

(3) the legislature also established the governor's airport community stabilization funding task force that recommended further mitigation funding to address federal, state, and local participation in mitigation of noise and other impacts associated with expansion of the Minneapolis-St. Paul International Airport at its present location;

(4) the task force concluded that:

(i) the metropolitan airports commission has committed significant resources toward mitigating the negative impacts associated with airport expansion, but the FAR Part 150 noise program is insufficient to address all impacts;

(ii) the metropolitan airports commission is neither capable of, nor should it be required to, finance mitigation of all airport impacts;

(iii) the decision to keep and expand the airport at its current location was a state decision, and as such, the state should be a financial partner in mitigation projects resulting from the expansion of the airport; and

(iv) no single funding source is adequate for the range and scope of proposed mitigation activities; and

(5) appropriate measures to mitigate adverse impacts include, but are not limited to, insulation, redevelopment and housing replacement activities, and property value assurance and expenditures for all such measures are for a public purpose.

Sec. 2. [DEFINITIONS.]

Subdivision 1. [APPLICATION.] For the purposes of this act, the terms defined in this section have the meanings given them.

Subd. 2. [AIRPORT IMPACT DISTRICT.] "Airport impact district" means an airport impact tax increment financing district described in section 4.

Subd. 3. [AIRPORT IMPACT ZONE.] "Airport impact zone" means a contiguous or noncontiguous geographic area designated by a city and approved by the council as part of a mitigation plan under section 3.

Subd. 4. [AIRPORT SALES.] "Airport sales" means sales that are taxable under Minnesota Statutes, chapter 297A, and occur on property owned by the metropolitan airports commission at the Minneapolis-St. Paul International Airport, including, without limitation, parking, vehicle rental, food and beverage, vending, merchandise, and pay telephones. Airport sales do not include sales of goods or taxable services purchased by the metropolitan airports commission or by persons or entities conducting a private trade or business on property owned by the metropolitan airports commission at the Minneapolis-St. Paul International Airport.

Subd. 5. [CITY.] "City" means the cities of Bloomington, Burnsville, Eagan, Mendota Heights, Minneapolis, Richfield, and St. Paul or any of them.

Subd. 6. [COUNCIL.] "Council" means the metropolitan council.

Subd. 7. [GOVERNING BODY.] "Governing body" means the city council of a city.

Subd. 8. [HOUSING REPLACEMENT ACTIVITIES.] "Housing replacement activities" means rehabilitation, acquisition, relocation assistance, relocation of existing dwelling units, and construction of new dwelling units, for the purpose of replacing dwelling units eliminated by airport mitigation activities.

Subd. 9. [IMPACT REPORT.] "Impact report" means a written report identifying airport impacts adopted by a city under section 3.

Subd. 10. [MITIGATION FUND.] "Mitigation fund" means the airport impact mitigation fund established under section 5.

Subd. 11. [MITIGATION PLAN.] "Mitigation plan" means a plan for airport impact mitigation developed by a city and approved by the council under section 3.

Subd. 12. [OBLIGATION.] "Obligation" has the meaning given it in Minnesota Statutes, section 475.51, subdivision 3. The term includes obligations issued to refund prior obligations issued under this act.

Subd. 13. [SCHOOL DISTRICT.] "School district" means a school district whose jurisdiction includes all or any portion of a city.

Sec. 3. [AIRPORT IMPACT MITIGATION PLANNING.]

Subdivision 1. [IMPACT REPORT.] A city may study and identify airport impacts and the scope of those impacts on the city. At the conclusion of an impact study, a city must adopt a report of the impacts on the city. In studying airport impacts and preparing a report, a city must take into account airport noise impacts and additional environmental, transportation, and economic impacts associated with expansion of the Minneapolis-St. Paul International Airport. A city must also consider and incorporate the overhead noise guidelines established by the Federal Aviation Administration and recommendations of the Low Frequency Noise Policy Committee concerning noise impacts.

Subd. 2. [MITIGATION PLAN.] (a) After adopting an airport impact report, a city must develop an airport mitigation plan for an airport impact zone in the city. In developing the mitigation plan, a city must seek to determine the most effective measures for mitigating the impacts identified in the impact report. A city may consider any measures for mitigating airport impacts, including, but not limited to, noise insulation of residential and commercial buildings, land use conversion, development of housing to replace units lost through mitigation activities, and property value assurance programs. The mitigation plan must include:

(1) designated boundaries of the airport impact zone;

(2) a description of recommended impact mitigation measures;

(3) if the plan includes establishment of one or more airport impact tax increment financing districts, the proposed boundaries of each district consistent with the terms of section 4;

(4) if the plan includes conversion of residential land use, a description of proposed housing replacement activities;

(5) estimates of costs of the recommended mitigation measures and possible financing sources;

(6) an analysis of the feasibility of property tax abatement under Minnesota Statutes, sections 469.1813 to 469.1815, as a financing source; and

(7) the estimated amount of obligations, if any, to be issued under this act, including a description of the proposed security for the obligations and whether the city requests credit enhancement by the council as provided in section 6, subdivision 2.

(b) Before initial approval of a mitigation plan, a city must conduct a public hearing after publishing at least ten days before the hearing a notice in a newspaper of general circulation in the city. The hearing notice must state that the mitigation plan and the mitigation report are available for review in the administrative offices of the city. After initial approval of the mitigation plan by the governing body, the city must submit the mitigation plan and the mitigation report to the council for approval, and must also submit copies to the metropolitan airports commission for review and comment. Not more than 60 days after receipt of the city's submission, the council must approve, disapprove, or otherwise comment on the mitigation plan. Failure by the council to approve or comment within 60 days is considered approval of the mitigation plan. An action described in a mitigation plan must not be financed by the mitigation fund or an airport impact district until the mitigation plan has been approved by the council and then approved by the governing body.

(c) Before approving any mitigation plan, the council must establish criteria for evaluating proposed airport impact zones, airport impact districts, and mitigation measures. The council must consult with the cities and the metropolitan airports commission in developing the criteria. The council must approve final criteria by December 31, 2000. Any mitigation plan approved under this act must be consistent with the criteria established under this paragraph.

(d) A mitigation plan may be changed after the notice, hearing, and approvals required for approval of the original plan. The change is required only to:

(1) increase the total estimated cost of mitigation activities;

(2) increase the total estimated amount of obligations to be issued;

(3) secure any obligations by the pledge described in section 6, subdivision 2, if the pledge was not included in the original plan;

(4) expand the boundaries of an airport impact zone;

(5) create or expand the boundaries of an airport impact district; or

(6) add mitigation activities beyond the scope of activities described in the original plan.

(e) Expenditures to implement a mitigation plan are not considered a business subsidy under Minnesota Statutes, sections 116J.993 to 116J.995.

Sec. 4. [AIRPORT IMPACT TAX INCREMENT FINANCING DISTRICTS.]

Subdivision 1. [AUTHORIZATION.] A city may establish one or more airport impact tax increment financing districts within an airport impact zone. At least 75 percent of the area of an airport impact district must be located within the 60 DNL contour surrounding the Minneapolis-St. Paul International Airport. The boundaries of each district must be described in a mitigation plan.

Subd. 2. [SPECIAL RULES.] (a) An airport impact district is considered a redevelopment district within the meaning of, and is subject to, Minnesota Statutes, sections 469.174 to 469.179, except as otherwise provided in this subdivision. For the purposes of Minnesota Statutes, section 469.174, subdivision 8, "project" means an airport impact zone described in section 3.

(b) For the purposes of Minnesota Statutes, section 469.174, subdivision 10, the governing body must find that parcels consisting of 70 percent of the area of the district are occupied by buildings, streets, utilities, or other improvements, and more than 50 percent of the buildings, not including outbuildings, currently or upon completion of airport expansion are reasonably expected to experience airport impacts identified in the mitigation plan to a degree requiring land use conversion to accommodate uses compatible with the airport. This finding may be made at the time of approval of the mitigation plan.

(c) For the purposes of Minnesota Statutes, section 469.1763, subdivision 2, the in-district percentage is 75 percent, except that any expenditures within the boundaries of any other airport impact tax increment financing district in the city are considered activities within the district whenever made notwithstanding anything to the contrary in Minnesota Statutes, section 469.1763, subdivision 3, and the 25 percent pooling percentage may be used only to pay for administrative expenses and housing replacement activities.

(d) For the purposes of Minnesota Statutes, section 469.176, subdivision 4j, the cost of correcting conditions that allow designation of the airport impact district includes the cost of a mitigation measure described in an approved mitigation plan.

(e) Minnesota Statutes, sections 273.1399 and 469.1782, subdivision 1, do not apply to the district if the city elects either or both of the following:

(1) the exemption under Minnesota Statutes, section 273.1399, subdivision 6, paragraph (d); or

(2) at least 15 percent of the revenue generated from tax increments from the airport impact district in any year is deposited in the housing replacement account of the city and spent for housing replacement activities described in the mitigation plan.

(f) Housing replacement activities may be located in the city within or outside the airport impact district.

(g) Minnesota Statutes, chapter 473F, does not apply to property within an airport impact district beginning in the first year in which tax increment is paid to the city and continuing until decertification of the district. Tax increment from the district is calculated according to Minnesota Statutes, section 469.177, subdivision 3, clause (a), without regard to the fiscal disparities provisions of Minnesota Statutes, chapter 473F.

Sec. 5. [AIRPORT IMPACT MITIGATION FUND.]

Subdivision 1. [FUND CREATED; SOURCES.] The airport impact mitigation fund is established in the state treasury. The mitigation fund is administered by the council for the purposes described in this section.

Subd. 2. [INCREMENTAL AIRPORT SALES TAX.] Notwithstanding anything to the contrary in Minnesota Statutes, section 297A.44, to the extent revenues derived from sales taxes imposed under Minnesota Statutes, chapter 297A, on airport sales exceed \$12,000,000 in any fiscal year, the excess revenues are appropriated annually to the mitigation fund beginning in the fiscal year ending 2001 and ending in the fiscal year ending 2025.

Subd. 3. [GENERAL FUND APPROPRIATION.] \$2,000,000 is appropriated from the general fund to the mitigation fund. The appropriation is available until spent.

Subd. 4. [USE OF REVENUES.] Amounts in the mitigation fund may be spent only for the following purposes:

(1) to pay principal of, interest on, and redemption premium, if any, on obligations issued by a city under this act;

(2) to pay or reimburse a city for costs incurred to implement a mitigation plan, including, without limitation, costs of preparing the impact report and mitigation plan;

(3) to pay a school district to mitigate decreases in student population created by mitigation activities of a city under the city's mitigation plan; and

(4) by the department to pay the costs of administering the mitigation fund and related activities of the department under this act.

Subd. 5. [PAYMENT PROVISIONS.] (a) Before disbursing any amounts from the mitigation fund, the council must establish criteria for selecting activities identified in subdivision 4 to be financed from the fund. The council must consult with the cities, the school districts, and the metropolitan airports commission in developing the criteria. The council must approve final criteria by December 31, 2000. The criteria must identify priorities for funding taking into account:

(1) the severity of airport impacts among the cities and school districts;

(2) the type of mitigation measures required in order to address the impacts;

(3) the cost of impact mitigation activities identified in the mitigation plans;

(4) the amount of obligations to be issued under this act as identified in the mitigation plans; and

(5) the amount of other revenues available to pay the costs identified in subdivision 4.

(b) The council may establish procedures for administration of the mitigation fund as necessary, including, without limitation, a process for applications, disbursement, and reporting of expenditures.

Subd. 6. [TERMINATION OF MITIGATION FUND.] The mitigation fund ends on the earlier of:

(1) the date by which all cities and school districts have notified the council that all costs payable from the mitigation fund under this act have been paid; or

(2) the end of the fiscal year ending 2030. The balance of amounts in the mitigation fund on its termination are credited to the state general fund.

Sec. 6. [BONDS; SECURITY.]

Subdivision 1. [TERMS.] (a) A city may issue obligations secured by:

(1) tax increments;

(2) abatements;

(3) amounts disbursed from the airport mitigation fund;

(4) any other revenues available to the city under law; or

(5) any combination of revenue described in clauses (1) to (4).

(b) The proceeds of obligations must be used to pay or reimburse any costs to implement a mitigation plan, including, without limitation, costs of preparing the impact report and the mitigation plan. The governing body may provide by resolution that the obligations are additionally secured by the full faith and credit of the city. Notwithstanding any other law or charter provision, voter approval is not required and net debt limits do not apply to obligations issued under this section. Obligations secured in whole or in part with tax increments from an airport impact district must be issued according to Minnesota Statutes, section 469.178, and this act.

Subd. 2. [METROPOLITAN AREA CREDIT ENHANCEMENT PROGRAM.] (a) The council may establish an airport impact mitigation bond credit enhancement program as provided in this section. The council may pledge its full faith and credit and taxing powers to obligations issued under this act if:

(1) the city so requests and the council approves that pledge as part of the city's mitigation plan; and

(2) the council finds that revenues pledged for payment of the obligations will produce, as estimated at the time of the pledge, at least 125 percent of the principal and interest due on the obligations.

(b) The pledge must be made by resolution of the council. Voter approval of obligations secured by the pledge described in this subdivision is not required and net debt limits do not apply.

(c) Before pledging its full faith and credit, the council must, in consultation with the cities and the metropolitan airports commission, establish criteria for approving requests for credit enhancement under this section. The criteria must set forth priorities for credit enhancement that are consistent with the priorities established by the council for disbursement from the mitigation fund under section 5, and may contain limits on the total amount of obligations that may be credit enhanced under this subdivision.

(d) If there is a deficiency in revenues pledged to obligations credit enhanced under this subdivision, the council must levy a tax against all taxable property in the metropolitan area and advance the proceeds of the levy to the city for deposit in the debt service fund for the obligations. The city must reimburse the council for the advance to the extent the deficient revenues are later collected.

(e) Taxes levied by the council because of credit enhancement under this subdivision do not affect the amount or rate of taxes that may be levied by the council for other purposes and are not subject to limit as to rate or amount.

(f) The council and each city that participates in the credit enhancement program may enter into agreements they determine to be necessary to implement the credit enhancement program. The agreements may extend over any period, notwithstanding any law to the contrary.

Sec. 7. [EFFECTIVE DATE.]

Sections 1, 2, 3, 5, and 6 do not require local approval because Minnesota Statutes, section 645.023, subdivision 1, paragraph (a), applies. Sections 1, 2, 3, 5, and 6 are effective June 1, 2000. Section 4 is effective for each of the cities of Bloomington, Burnsville, Eagan, Mendota Heights, Minneapolis, Richfield, and St. Paul the day after the governing body of each city and its chief clerical officer, together with the governing body of each affected county and school district and its chief clerical officer, timely complete their compliance with Minnesota Statutes, sections 645.021, subdivisions 2 and 3, and 469.1782, subdivision 2."

Amend the title as follows:

Page 1, delete line 12 and insert "metropolitan council;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3156, 2686, 3119, 3386, 2956, 3028, 3428 and 3161 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Ourada moved that S.F. No. 1238 be withdrawn from the Committee on Children, Families and Learning and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Robling moved that S.F. No. 2686, on General Orders, be stricken and re-referred to the Committee on Health and Family Security. The motion prevailed.

Senator Scheid moved that S.F. No. 2655, on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Higgins and Flynn introduced--

S.F. No. 3727: A bill for an act relating to metropolitan government; establishing a task force to study legislative proposals relating to metropolitan government structure and to make recommendations by January 1, 2001.

Referred to the Committee on Local and Metropolitan Government.

Senator Pariseau introduced--

S.F. No. 3728: 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 Scheid introduced--

S.F. No. 3729: 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 Pogemiller introduced--

S.F. No. 3730: A bill for an act relating to public finance; exempting certain bonds from the definition of business subsidy; exempting certain airport obligations from the public sale requirement; providing for state payment of county debt obligations upon potential default; authorizing cities to issue bonds under a capital improvement plan; extending sunsets for self-executing special service district and housing improvement district laws; authorizing special assessments for communications facilities; modifying interest rate requirements; providing that the Uniform Commercial Code does not apply to government security interests; appropriating money; amending Minnesota Statutes 1998, sections 360.036, subdivision 2; 428A.101; 428A.21; 429.021, subdivision 1; and 475.78; Minnesota Statutes 1999 Supplement, sections 116J.993, subdivision 3; and 475.56; proposing coding for new law in Minnesota Statutes, chapters 373; and 426.

Referred to the Committee on Taxes.

Senators Knutson, Olson, Robling and Neuville introduced--

S.F. No. 3731: A bill for an act relating to education; permitting the board of teaching to preapprove community experts for eligibility to teach in schools; amending Minnesota Statutes 1998, section 122A.25, subdivision 3, and by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senators Knutson, Larson, Belanger and Pariseau introduced--

S.F. No. 3732: A bill for an act relating to taxation; sales and use; exempting sales of certain materials used in constructing youth hockey arenas; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Ourada introduced--

S.F. No. 3733: A bill for an act relating to taxation; authorizing the imposition of a sales and use tax and an excise tax and the issuance of bonds by the city of Buffalo to finance the acquisition and betterment of a health and education center.

Referred to the Committee on Taxes.

Senator Vickerman introduced--

S.F. No. 3734: A bill for an act relating to taxes; sales and use; exempting materials and equipment used to construct and equip an agricultural processing facility; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Krentz, Betzold and Hanson introduced--

S.F. No. 3735: A bill for an act relating to taxation; exempting sales of construction materials used to build city hall and police department facility in the city of Blaine; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Pappas introduced--

S.F. No. 3736: A bill for an act relating to tax increment financing; authorizing the city of St. Paul to create a housing district.

Referred to the Committee on Local and Metropolitan Government.

Senators Neuville and Knutson introduced--

S.F. No. 3737: A bill for an act relating to education; allowing teachers and other district agents to use reasonable force within the exercise of lawful authority to discipline a student; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Children, Families and Learning.

Senators Neuville, Larson and Dille introduced--

S.F. No. 3738: A bill for an act relating to commerce; requiring labeling of certain materials; providing remedies; proposing coding for new law as Minnesota Statutes, chapter 325L.

Referred to the Committee on Commerce.

Senator Terwilliger introduced--

S.F. No. 3739: A bill for an act relating to traffic regulations; directing the commissioner of transportation to conduct a pilot project on trunk highway No. 169 and Pioneer trail to collect photographic evidence and warn violators of violations of traffic signal laws; requiring report to the legislature.

Referred to the Committee on Transportation.

Senators Hanson, Pariseau, Langseth and Kierlin introduced--

S.F. No. 3740: A bill for an act relating to local government; requiring a municipality to issue building permits once a special permit has been issued and an environmental assessment worksheet has been completed; proposing coding for new law in Minnesota Statutes, chapter 462.

Referred to the Committee on Local and Metropolitan Government.

Senators Piper, Lesewski, Robling, Lourey and Foley introduced--

S.F. No. 3741: A bill for an act relating to child care licensing; child care centers; specifying the amount of annual inservice training required for child care center employees; amending Minnesota Statutes 1998, section 245A.14, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senator Stumpf introduced--

S.F. No. 3742: A bill for an act relating to taxation; allowing partial refund of fuel tax for commercial owners of recreational fishing launches; making technical and clarifying changes; amending Minnesota Statutes 1998, sections 296A.16, subdivision 2; and 297A.25, subdivision 7.

Referred to the Committee on Taxes.

Senators Johnson, D.J.; Belanger; Hottinger and Kelly, R.C. introduced--

S.F. No. 3743: A bill for an act relating to local government aids; increasing the appropriation for county criminal justice aid; amending Minnesota Statutes 1998, section 477A.0121, subdivision 4; Minnesota Statutes 1999 Supplement, section 477A.03, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

Senators Lourey, Foley, Samuelson and Marty introduced--

S.F. No. 3744: A bill for an act relating to health; requiring drug manufacturers to provide rebates for drugs purchased by the uninsured; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

Senator Dille introduced--

S.F. No. 3745: A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for a new laboratory facility for the department of agriculture.

Referred to the Committee on Agriculture and Rural Development.

MEMBERS EXCUSED

Senators Lessard and Novak were excused from the Session of today from 10:00 to 10:30 a.m. Senators Kiscaden and Robertson were excused from the Session of today from 10:00 to 11:00 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 11:45 a.m., Wednesday, March 8, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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