

STATE OF MINNESOTA

Journal of the Senate

SEVENTY-NINTH LEGISLATURE

SEVENTY-NINTH DAY

St. Paul, Minnesota, Thursday, February 15, 1996

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Leslie G. Svendsen.

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

Anderson	Frederickson	Krentz	Morse	Riveness
Beckman	Hanson	Kroening	Murphy	Robertson
Belanger	Hottinger	Laidig	Neuville	Runbeck
Berg	Janezich	Langseth	Novak	Sams
Berglin	Johnson, D.E.	Larson	Oliver	Samuelson
Betzold	Johnson, D.J.	Lesewski	Olson	Scheevel
Chandler	Johnson, J.B.	Lessard	Ourada	Solon
Cohen	Johnston	Limmer	Pappas	Spear
Day	Kelly	Marty	Pariseau	Stevens
Dille	Kiscaden	Merriam	Piper	Stumpf
Finn	Kleis	Metzen	Pogemiller	Terwilliger
Fischbach	Knutson	Moe, R.D.	Ranum	Vickerman
Flynn	Kramer	Mondale	Reichgott Junge	Wiener

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

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

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

H.F. No. 2044 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
2044	2516

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2044 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2044 and insert the language after the enacting clause of S.F. No. 2516, the first engrossment; further, delete the title of H.F. No. 2044 and insert the title of S.F. No. 2516, the first engrossment.

And when so amended H.F. No. 2044 will be identical to S.F. No. 2516, and further recommends that H.F. No. 2044 be given its second reading and substituted for S.F. No. 2516, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2163 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2163	2053				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2163 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2163 and insert the language after the enacting clause of S.F. No. 2053, the first engrossment; further, delete the title of H.F. No. 2163 and insert the title of S.F. No. 2053, the first engrossment.

And when so amended H.F. No. 2163 will be identical to S.F. No. 2053, and further recommends that H.F. No. 2163 be given its second reading and substituted for S.F. No. 2053, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2207 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				2207	2013

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2207 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2207 and insert the language after the enacting clause of S.F. No. 2013, the first engrossment; further, delete the title of H.F. No. 2207 and insert the title of S.F. No. 2013, the first engrossment.

And when so amended H.F. No. 2207 will be identical to S.F. No. 2013, and further recommends that H.F. No. 2207 be given its second reading and substituted for S.F. No. 2013, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2509 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2509	2098				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2509 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2509 and insert the language after the enacting clause of S.F. No. 2098, the first engrossment; further, delete the title of H.F. No. 2509 and insert the title of S.F. No. 2098, the first engrossment.

And when so amended H.F. No. 2509 will be identical to S.F. No. 2098, and further recommends that H.F. No. 2509 be given its second reading and substituted for S.F. No. 2098, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2630 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2630	2312				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2630 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2630 and insert the language after the enacting clause of S.F. No. 2312, the first engrossment; further, delete the title of H.F. No. 2630 and insert the title of S.F. No. 2312, the first engrossment.

And when so amended H.F. No. 2630 will be identical to S.F. No. 2312, and further recommends that H.F. No. 2630 be given its second reading and substituted for S.F. No. 2312, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2778 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2778	2672				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2778 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2778 and insert the language after

the enacting clause of S.F. No. 2672, the first engrossment; further, delete the title of H.F. No. 2778 and insert the title of S.F. No. 2672, the first engrossment.

And when so amended H.F. No. 2778 will be identical to S.F. No. 2672, and further recommends that H.F. No. 2778 be given its second reading and substituted for S.F. No. 2672, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2783 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2783	2532				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 2044, 2163, 2207, 2509, 2630, 2778 and 2783 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Betzold moved that the name of Mr. Kleis be added as a co-author to S.F. No. 489. The motion prevailed.

Mr. Laidig moved that the name of Mr. Morse be added as a co-author to S.F. No. 1900. The motion prevailed.

Mr. Morse moved that the name of Mr. Price be added as a co-author to S.F. No. 2172. The motion prevailed.

Mr. Laidig moved that the name of Mr. Merriam be added as a co-author to S.F. No. 2376. The motion prevailed.

Mr. Belanger moved that the name of Ms. Olson be added as a co-author to S.F. No. 2455. The motion prevailed.

Ms. Anderson moved that the name of Mr. Marty be added as a co-author to S.F. No. 2709. The motion prevailed.

Mr. Ourada moved that S.F. No. 228 be withdrawn from the Committee on Family Services and returned to its author.

Messrs. Finn; Moe, R.D. and Lessard introduced--

Senate Resolution No. 98: A Senate resolution congratulating the Bug-O-Nay-Ge-Shig Middle School at Cass Lake, Minnesota, on being named a Blue Ribbon school by the United States Department of Education.

Referred to the Committee on Rules and Administration.

Mr. Kramer introduced--

Senate Resolution No. 99: A Senate resolution congratulating Steve Cohen on winning the 1995 International Coach of the Year Award.

Referred to the Committee on Rules and Administration.

Messrs. Kramer, Limmer and Betzold introduced--

Senate Resolution No. 100: A Senate resolution congratulating Champlin Park High School marching band.

Referred to the Committee on Rules and Administration.

Mr. Samuelson moved that S.F. No. 2564, No. 4 on the Consent Calendar, be stricken and placed on General Orders. The motion prevailed.

Ms. Piper moved that H.F. No. 2013 be withdrawn from the Committee on Health Care and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 2249. The motion prevailed.

Ms. Anderson moved that H.F. No. 2783, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Moe, R.D. moved that S.F. No. 2691 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Metropolitan and Local Government. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Samuelson in the chair.

After some time spent therein, the committee arose, and Mr. Samuelson reported that the committee had considered the following:

S.F. Nos. 1789 and 2130, which the committee recommends to pass.

S.F. No. 2111, which the committee recommends to pass with the following amendment offered by Mr. Stumpf:

Page 1, after line 13, insert:

"Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S.F. No. 1941, which the committee recommends to pass with the following amendment offered by Mr. Dille:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 115.55, subdivision 5, is amended to read:

Subd. 5. [INSPECTION.] (a) Except as provided in paragraph (b) (e), after December 31, 1995,

a local unit of government may not issue a building permit or variance ~~for new construction or replacement of a system, as defined by agency rule, or for the addition of a bedroom or bathroom~~ on property served by a system unless the system is in compliance with the applicable requirements, as evidenced by a certificate of compliance issued by a licensed inspector or site evaluator or designer.

(b) ~~In areas that are not subject to ordinances adopted under subdivision 2,~~ A compliance inspection under this subdivision is required ~~only~~ only for all new construction or replacement of a system, as defined by agency rule.

(c) If a system inspected under this subdivision is not in compliance with the applicable requirements, the inspector or site evaluator or designer must issue a notice of noncompliance to the property owner and ~~must~~ may provide a copy of the notice to the local unit of government ~~to which application for the building permit or variance was made~~ if required.

(d) If the inspector or site evaluator or designer finds that the system presents an imminent threat to public health or safety, the inspector or site evaluator or designer must include a statement to this effect in the notice and must provide a copy of the notice to the local unit of government. The property owner must upgrade, replace, or discontinue use of the system within ten months of receipt of the notice.

(e) Systems installed between May 27, 1989, and January 23, 1996, are subject to the inspection requirements of paragraphs (a) to (c). Unless paragraph (d) applies, these systems have five years from the date of the bedroom building permit to comply with applicable requirements.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S.F. No. 842, which the committee recommends to pass with the following amendment offered by Mr. Betzold:

Page 13, delete section 16

Pages 21 and 22, delete section 21

Page 22, line 15, delete "7" and insert "6"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1996, which the committee recommends to pass, after the following motions:

Ms. Kiscaden moved to amend S.F. No. 1996 as follows:

Page 4, line 18, after "of" insert "up to"

Mr. Kelly moved to amend the Kiscaden amendment to S.F. No. 1996 as follows:

Page 1, line 2, delete "up to" and insert "at least \$250 and no more than"

The question was taken on the adoption of the Kelly amendment to the Kiscaden amendment.

The roll was called, and there were yeas 12 and nays 47, as follows:

Those who voted in the affirmative were:

Belanger
Berg
Chandler

Kleis
Kroening
Lessard

Merriam
Metzen

Robertson
Scheevel

Solon
Spear

Those who voted in the negative were:

Anderson	Hanson	Krentz	Neuville	Sams
Beckman	Hottinger	Laidig	Oliver	Samuelson
Berglin	Janezich	Langseth	Olson	Stevens
Betzold	Johnson, D.E.	Lesewski	Ourada	Stumpf
Day	Johnson, D.J.	Limmer	Pappas	Terwilliger
Dille	Johnson, J.B.	Marty	Pariseau	Vickerman
Finn	Johnston	Moe, R.D.	Piper	Wiener
Fischbach	Kiscaden	Mondale	Ranum	
Flynn	Knutson	Morse	Reichgott Junge	
Frederickson	Kramer	Murphy	Runbeck	

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

The question recurred on the Kiscaden amendment. The motion prevailed. So the amendment was adopted.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Orders of Business of Reports of Committees and Second Reading of Senate Bills. The motion prevailed.

REPORTS OF COMMITTEES

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

Mr. Price from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 2813: A bill for an act relating to commerce; regulating heavy and utility equipment manufacturers and dealers; modifying the definition of truck parts; amending Minnesota Statutes 1994, section 325E.068, subdivision 7.

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

Mr. Price from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 221: A bill for an act relating to insurance; health plans; requiring coverage for treatment of Lyme disease; amending Minnesota Statutes 1994, section 62A.136; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 1995 Supplement, section 62A.136, is amended to read:

62A.136 [DENTAL AND VISION PLAN COVERAGE.]

The following provisions do not apply to health plans providing dental or vision coverage only: sections 62A.041; 62A.047; 62A.149; 62A.151; 62A.152; 62A.154; 62A.155; 62A.21, subdivision 2b; 62A.26; 62A.265, 62A.28; and 62A.30."

Page 1, line 17, after "for" insert "diagnosed"

Page 1, line 18, delete everything after "disease" and insert a period

Page 1, delete line 19

Page 1, after line 24, insert:

"Sec. 3. [LYME DISEASE STUDY.]

The commissioner of health shall study the diagnosis and treatment of Lyme disease, including any legislation enacted or studies performed in other states. The commissioner shall select and convene an informal advisory work group that includes consumers who live in areas of the state in which Lyme disease is prevalent. The commissioner shall submit a written report and recommendations to the legislature no later than January 15, 1997, in conformance with Minnesota Statutes, section 3.195."

Page 2, line 1, delete "1995" and insert "1996"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing for a study by the commissioner of health;"

Page 1, line 4, delete "1994" and insert "1995 Supplement"

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

Mr. Price from the Committee on Commerce and Consumer Protection, to which was re-referred

S.F. No. 2023: A bill for an act relating to health; regulating coverage; requiring a health plan company to offer at least one point-of-service product in each market in which it operates; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Delete everything after the enacting clause and insert:

"Section 1. [62Q.50] [POINT-OF-SERVICE OPTION.]

Subdivision 1. [DEFINITION.] For purposes for this section, "point-of-service option" means a health plan under which the health plan company will reimburse an appropriately licensed or registered provider for providing covered services to an enrollee, without regard to whether the provider belongs to a particular network and without regard to whether the enrollee was referred to the provider by another provider.

Subd. 2. [REQUIRED POINT-OF-SERVICE OPTION.] Each health plan company operating in the small group or large group market shall offer at least one point-of-service option in each such market in which it operates.

Subd. 3. [RATE APPROVAL.] The premium rates and cost sharing requirements for each option must be submitted to the commissioner of health or the commissioner of commerce as required by law. A health plan that includes lower enrollee cost sharing for services provided by network providers than for services provided by out-of-network providers, or lower enrollee cost sharing for services provided with prior authorization or second opinion than for services provided without prior authorization or second opinion, qualifies as a point-of-service option.

Subd. 4. [EXEMPTION.] This section does not apply to a health plan company with fewer than 50,000 enrollees, or to a health plan company for which at least 50 percent of enrollees are

covered under the medical assistance, general assistance medical care, or MinnesotaCare programs.

Sec. 2. [EFFECTIVE DATE; APPLICATION.]

Section 1 is effective August 1, 1996, and applies to health plans issued or renewed to provide coverage for Minnesota residents on or after that date."

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

Ms. Flynn from the Committee on Transportation and Public Transit, to which was referred

S.F. No. 2684: A bill for an act relating to drivers' licenses; providing conditions for validity of state contracts; requiring refund of license fee if a qualified applicant does not receive a license, duplicate license, permit, or identification card within six weeks of application; providing for issuance of license without regard to whether the fee has been refunded; requiring legislative audit commission to study driver's license and identification card program; amending Minnesota Statutes 1994, sections 16B.06, subdivision 2; 171.06, by adding a subdivision; and 171.07, subdivisions 1 and 3.

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

Page 2, line 35, delete "1995" and insert "1996"

Page 4, line 18, delete "1996" and insert "1997"

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

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

S.F. No. 1861: A bill for an act relating to the environment; modifying provisions relating to the management of waste; amending Minnesota Statutes 1994, sections 115A.03, by adding a subdivision; 115A.93, subdivision 3; 115A.9301, by adding a subdivision; and 115A.965, subdivision 3; Minnesota Statutes 1995 Supplement, sections 115A.072, subdivision 1; 115A.965, subdivision 1; and 115A.981, subdivision 3; repealing Minnesota Statutes 1994, section 115A.913, subdivision 5.

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

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1994, section 115A.03, subdivision 21, is amended to read:

Subd. 21. [MIXED MUNICIPAL SOLID WASTE.] (a) "Mixed municipal solid waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, ~~but~~ except as provided in paragraph (b).

(b) Mixed municipal solid waste does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams, but does include source-separated compostable materials.

Sec. 2. Minnesota Statutes 1994, section 115A.03, is amended by adding a subdivision to read:

Subd. 26a. [RESOURCE CONSERVATION.] "Resource conservation" means the reduction in the use of water, energy, and raw materials.

Sec. 3. Minnesota Statutes 1994, section 115A.03, is amended by adding a subdivision to read:

Subd. 32c. [SOURCE-SEPARATED COMPOSTABLE MATERIALS.] "Source-separated compostable materials" means mixed municipal solid waste that:

(1) is separated at the source by waste generators for the purpose of preparing it for use as compost;

(2) is collected separately from other mixed municipal solid wastes;

(3) is comprised of food wastes, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable because the director has determined that no other person is willing to accept the paper for recycling; and

(4) is delivered to a facility to undergo controlled microbial degradation to yield a humus-like product meeting the agency's class I or class II, or equivalent, compost standards and where process residues do not exceed 15 percent by weight of the total material delivered to the facility."

Page 1, line 14, delete "32c" and insert "32d"

Pages 1 and 2, delete section 2 and insert:

"Sec. 5. [115A.0716] [ENVIRONMENTAL ASSISTANCE GRANT AND LOAN PROGRAM.]

Subdivision 1. [GRANTS.] (a) The director may make grants to any person for the purpose of researching, developing, and implementing projects or practices related to collection, processing, recycling, reuse, resource recovery, source reduction, and prevention of waste, hazardous substances, toxic pollutants, and problem materials; the development or implementation of pollution prevention projects or practices; the collection, recovery, processing, purchasing, or market development of recyclable materials or compost; resource conservation; and for environmental education.

(b) In making grants, the office may give priority to projects or practices that have broad application in the state and are consistent with the policies established under sections 115A.02 and 115D.02.

(c) The director shall adopt rules to administer the grant program.

(d) For the purposes of this section:

(1) "pollution prevention" has the meaning given it in section 115D.03;

(2) "toxic pollutant" has the meaning given it in section 115D.03; and

(3) "hazardous substance" has the meaning given it in section 115D.03.

Subd. 2. [LOANS.] (a) The director may make loans, or participate in loans, for capital costs or improvements related to any of the activities listed in subdivision 1.

(b) The director may work with financial institutions or other financial assistance providers in participating in loans under this section. The director may contract with financial institutions or other financial assistance providers for loan processing and/or administration.

(c) The director may also make grants, as authorized in subdivision 1, to enable persons to receive loans from financial institutions or to reduce interest payments for those loans.

(d) In making loans, the office may give priority to projects or practices that have broad application in the state and are consistent with the policies established under sections 115A.02 and 115D.02.

(e) The director shall adopt rules to administer the loan program.

Sec. 6. Minnesota Statutes 1995 Supplement, section 115A.072, subdivision 1, is amended to read:

Subdivision 1. [~~WASTE ENVIRONMENTAL EDUCATION COALITION ADVISORY BOARD.~~] (a) ~~The director shall provide for the development and implementation of a program of general public environmental education on waste management in cooperation and coordination with the pollution control agency, department of children, families, and learning, department of agriculture, environmental quality board, environmental education board, educational institutions, other public agencies with responsibility for waste management or public education, and three other persons who represent private industry and who have knowledge of or expertise in recycling and solid waste management issues. The objectives of the program are to: develop increased public awareness of and interest in environmentally sound waste management methods; encourage better informed decisions on waste management issues by business, industry, local governments, and the public; and disseminate practical information about ways in which households and other institutions and organizations can improve the management of waste programs that are designed to meet the goals listed in section 126A.01.~~

~~(b) The director shall appoint an environmental education advisory task force, to be called the waste education coalition, of up to 18 members to board shall advise the director in carrying out the director's responsibilities under this section and whose membership represents the agencies and entities listed in this subdivision. The board consists of 20 members as follows:~~

~~(1) a representative of the pollution control agency, appointed by the commissioner of the agency;~~

~~(2) a representative of the department of children, families, and learning, appointed by the commissioner of children, families, and learning;~~

~~(3) a representative of the department of agriculture, appointed by the commissioner of agriculture;~~

~~(4) a representative of the department of health, appointed by the commissioner of health;~~

~~(5) a representative of the department of natural resources, appointed by the commissioner of natural resources;~~

~~(6) a representative of the board of water and soil resources, appointed by that board;~~

~~(7) a representative of the environmental quality board, appointed by that board;~~

~~(8) a representative of the board of teaching, appointed by that board;~~

~~(9) a representative of the University of Minnesota extension service, appointed by the director of the service;~~

~~(10) a citizen member from each congressional district, of which two must be licensed teachers currently teaching in the K-12 system, appointed by the director; and~~

~~(11) three at-large citizen members, appointed by the director.~~

~~The citizen members shall serve two-year terms. Compensation of board members is governed by section 15.059, subdivision 6. The task force expires on June 30, 1997 2003.~~

Sec. 7. Minnesota Statutes 1995 Supplement, section 115A.411, subdivision 2, is amended to read:

Subd. 2. [CONTENTS.] (a) The report must also include:

(1) a summary of the current status of solid waste management, including the amount of solid waste generated, the manner in which it is collected, processed, and disposed, the extent of separation, recycling, reuse, and recovery of solid waste, and the facilities available or under development to manage the waste;

(2) an evaluation of the extent and effectiveness of implementation and an assessment of progress in accomplishing state policies, goals, and objectives, including those listed in paragraph (b);

(3) identification of issues requiring further research, study, and action, the appropriate scope of the research, study, or action, the state agency or political subdivision that should implement the research, study, or action, and a schedule for completion of the activity; and

(4) recommendations for establishing or modifying state solid waste management policies, authorities, and programs;

(5) an assessment of the economic status and outlook of the state's solid waste management sector, including the degree to which, and manner in which, costs for solid waste management activities, including environmental and public health protection, are financed by fees or other charges that are visible to and paid by the generator of the waste; and

(6) statewide and facility-by-facility:

(i) estimates of the total potential costs and liabilities associated with solid waste disposal facilities for closure and postclosure care, response costs under chapter 115B, and any other potential costs, liabilities, or financial responsibilities; and

(ii) requirements for proof of financial responsibility under section 116.07, subdivision 4h, and how each facility is meeting those requirements.

(b) Beginning in 1997, and every sixth year thereafter, the report shall be expanded to include the metropolitan area solid waste policy plan required in section 473.149, subdivision 1, and strategies for the office to advance the goals of this chapter, to manage waste as a resource, to further reduce the need for expenditures on resource recovery and disposal facilities, and to further reduce long-term environmental and financial liabilities. The expanded report must include strategies for:

(1) achieving the maximum feasible reduction in waste generation;

(2) encouraging manufacturers to design products that eliminate or reduce the adverse environmental impacts of resource extraction, manufacturing, use, and waste processing and disposal;

(3) educating businesses, public entities, and other consumers about the need to consider the potential environmental and financial impacts of purchasing products that may create a liability or that may be expensive to recycle or manage as waste, due to the presence of toxic or hazardous components;

(4) eliminating or reducing toxic or hazardous components in compost from municipal solid waste composting facilities, in ash from municipal solid waste incinerators, and in leachate and air emissions from municipal solid waste landfills, in order to reduce the potential liability of waste generators, facility owners and operators, and taxpayers;

(5) encouraging the source separation of materials to the extent practicable, so that the materials are most appropriately managed and to ensure that resources that can be reused or recycled are not disposed of or destroyed; and

(6) maximizing the efficiency of the waste management system by managing waste and recyclables close to the point of generation, taking into account the characteristics of the resources to be recovered from the waste and the type and capacity of local facilities.

Sec. 8. Minnesota Statutes 1994, section 115A.50, is amended to read:

115A.50 [ELIGIBLE RECIPIENTS.]

Eligible recipients for assistance under the program shall be limited to cities, counties, solid waste management districts established pursuant to sections 115A.62 to 115A.72, and sanitary

districts. Eligible recipients may apply for assistance under sections 115A.0716 and 115A.52 and 115A.53 on behalf of other persons.

Sec. 9. Minnesota Statutes 1995 Supplement, section 115A.554, is amended to read:

115A.554 [AUTHORITY OF SANITARY DISTRICTS.]

A sanitary district has the authorities and duties of counties within the district's boundary for purposes of sections 115A.0716; 115A.46, subdivision 4; 115A.48; 115A.551; 115A.552; 115A.553; 115A.919; 115A.929; 115A.93; 115A.96, subdivision 6; 115A.961; ~~115A.991~~; 116.072; 375.18, subdivision 14; 400.08, except subdivision 4, paragraph (b); 400.16; and 400.161.

Sec. 10. Minnesota Statutes 1994, section 115A.916, is amended to read:

115A.916 [MOTOR AND VEHICLE FLUIDS AND FILTERS; PROHIBITIONS.]

(a) A person may not knowingly place motor oil, brake fluid, power steering fluid, transmission fluid, motor oil filters, or motor vehicle antifreeze:

(1) in solid waste or in a solid waste management facility other than a recycling facility or a household hazardous waste collection facility;

(2) in or on the land, unless approved by the agency; or

(3) in or on the waters of the state or in a stormwater or wastewater collection or treatment system.

(b) For the purposes of this section, "antifreeze" does not include small amounts of antifreeze contained in water used to flush the cooling system of a vehicle after the antifreeze has been drained and does not include deicer that has been used on the exterior of a vehicle.

(c) This section does not apply to antifreeze placed in a wastewater collection system that includes a publicly or privately owned treatment works that is permitted by the agency until December 31, 1996.

(d) Notwithstanding paragraph (a), motor oil filters and portions of motor oil filters may be processed at a permitted mixed municipal solid waste resource recovery facility that directly burns the waste if:

(1) the facility is subject to an industrial waste management plan that addresses management of motor oil filters and the owner or operator of the facility can demonstrate to the satisfaction of the commissioner that the facility is in compliance with that plan;

(2) the facility recovers ferrous metal after incineration for recycling as part of its operation; and

(3) the motor oil filters are collected separately from mixed municipal solid waste and are not combined with it except for the purpose of incinerating the waste.

Sec. 11. Minnesota Statutes 1994, section 115A.919, is amended by adding a subdivision to read:

Subd. 2a. [JOINT POWERS AGREEMENT.] If a facility is owned by a joint powers board, total fees in excess of \$..... per cubic yard or equivalent may not be imposed or revenue expended under subdivision 1 or 2 without the approval of the board.

Sec. 12. Minnesota Statutes 1994, section 115A.923, subdivision 1a, is amended to read:

Subd. 1a. [PAYMENT OF THE GREATER MINNESOTA LANDFILL CLEANUP FEE.] The operator of a disposal facility in greater Minnesota shall remit the fees collected under subdivision 1 to the county or sanitary district where the facility is located, except that the operator of a facility that is owned by a statutory or home rule city shall remit the fees to the city that owns

the facility and the operator of a facility that is owned by a joint powers board shall remit the fees to the board. The county, city, joint powers board, or sanitary district may use the revenue from the fees only for the purposes specified in section 115A.919."

Pages 7 and 8, delete section 7 and insert:

"Sec. 17. Minnesota Statutes 1995 Supplement, section 115A.981, subdivision 3, is amended to read:

Subd. 3. ~~[REPORT ANALYSIS.]~~ (a) The commissioner shall ~~report to the legislative commission on waste management by July 1 of each odd-numbered year on coordinate efforts to determine the economic status and outlook of the state's solid waste management sector including an estimate of the extent to which prices for solid waste management paid by consumers reflect costs related to environmental and public health protection, including a discussion of how prices are publicly and privately subsidized and how identified costs of waste management are not reflected in the prices. The information from the reports required in subdivision 2 shall be used to develop the reports required in sections 115A.411 and 473.149.~~

(b) ~~In preparing the report, the commissioner shall:~~

~~(1) consult with the director; local government units; solid waste collectors, transporters, and processors; owners and operators of solid waste facilities; and other interested persons;~~

~~(2) consider and analyze information received under subdivision 2 and information available under section 115A.929; and~~

~~(3) analyze information gathered and comments received relating to the most recent solid waste management policy report prepared under section 115A.411.~~

~~The commissioner shall also recommend any legislation necessary to ensure adequate and reliable information needed for preparation of the report.~~

(c) ~~The report must also include:~~

~~(1) statewide and facility by facility estimates of the total potential costs and liabilities associated with solid waste disposal facilities for closure and postclosure care, response costs under chapter 115B, and any other potential costs, liabilities, or financial responsibilities;~~

~~(2) statewide and facility by facility requirements for proof of financial responsibility under section 116.07, subdivision 4h, and how each facility is meeting those requirements.~~

Sec. 18. Minnesota Statutes 1994, section 115D.09, is amended to read:

115D.09 [CONFIDENTIALITY.]

Information and techniques developed under section 115D.04, the reduction information and techniques under section ~~115D.05~~ 115A.0716, and the progress reports required under section 115D.08 are public data under chapter 13. The plans required under section 115D.07 are nonpublic data under chapter 13.

Sec. 19. Minnesota Statutes 1995 Supplement, section 116.07, subdivision 10, is amended to read:

Subd. 10. [SOLID WASTE GENERATOR ASSESSMENTS.] (a) For the purposes of this subdivision:

(1) "assessed waste" means mixed municipal solid waste as defined in section 115A.03, subdivision 21, infectious waste as defined in section 116.76, subdivision 12, pathological waste as defined in section 116.76, subdivision 14, industrial waste as defined in section 115A.03, subdivision 13a, and construction debris as defined in section 115A.03, subdivision 7; provided that all types of assessed waste listed in this clause do not include:

(i) materials that are separated for recycling by the generator and that are collected separately from other waste and delivered to a waste facility for the purpose of recycling and recycled;

(ii) materials that are separated for recycling by the generator, collected and delivered to a waste facility that recycles at least 85 percent of its waste, and are collected with mixed municipal solid waste that is segregated in leakproof bags, provided that the mixed municipal solid waste does not exceed five percent of the total weight of the materials delivered to the facility and is ultimately delivered to a facility designated under sections 115A.80 to 115A.893; and

~~it also does not include (iii) waste generated outside of Minnesota;~~

(2) "noncompacted cubic yard" means a loose cubic yard of assessed waste;

(3) "nonresidential customer" means:

(i) an owner or operator of a business, including a home operated business, industry, church, nursing home, nonprofit organization, school, or any other commercial or institutional enterprise;

(ii) an owner of a building or site containing multiple residences, including a townhome or manufactured home park, where no resident has separate trash pickup, and no resident is separately assessed for such service; and

(iii) any other generator of assessed waste that is not a residential customer as defined in clause (6);

(4) "periodic waste collection" means each time a waste container is emptied by the person that collects the assessed waste;

(5) "person that collects assessed waste" means each person that is required to pay sales tax on solid waste collection services under section 297A.45, or would pay sales tax under that section if the assessed waste was mixed municipal solid waste; and

(6) "residential customer" means:

(i) a detached single family residence that generates only household mixed municipal solid waste; and

(ii) a person residing in a building or at a site containing multiple residences, including a townhome or a manufactured home park, where each resident either (A) is separately assessed for waste collection or (B) has separate waste collection for each resident, even if the resident pays to the owner or an association a monthly maintenance fee which includes the expense of waste collection, and the owner or association pays the waste collector for waste collection in one lump sum.

(b) A person that collects assessed waste shall collect and remit to the commissioner of revenue a solid waste generator assessment from each of the person's customers as provided in paragraphs (c) and (d). A waste management facility that accepts assessed waste shall collect and remit to the commissioner of revenue the solid waste assessment as provided in paragraph (e).

(c) Except as provided in paragraph (f), the amount of the assessment for each residential customer is \$2 per year. Each person that collects assessed waste shall collect the assessment annually from each residential customer that is receiving mixed municipal solid waste collection service on July 1 of each year and shall remit the amount actually collected along with the person's first remittance of the sales tax on solid waste collection services, described in section 297A.45, made after October 1 of each year. For buildings or sites that contain multiple residences that are not separately billed for collection services, the person who collects assessed waste shall collect the assessment for all the residences from the person who is billed for the collection service. Any amount of the assessment that is received by the person that collects assessed waste after October 1 of each year must be remitted along with the person's next remittance of sales tax after receipt of the assessment.

(d)(1) Except as provided in clause (2), the amount of the assessment for each nonresidential customer is 60 cents per noncompacted cubic yard of periodic waste collection capacity purchased by the customer, based on the size of the container for the assessed waste. For a residential customer that generates assessed waste that is not mixed municipal solid waste, the amount of the

assessment is 60 cents per noncompacted cubic yard of collection capacity purchased for the waste that is not mixed municipal solid waste, based on the size of the container for the waste. If the capacity purchased is for compacted cubic yards of mixed municipal solid waste, the noncompacted capacity purchased is based on the compaction ratio of 3:1. The commissioner of revenue, after consultation with the commissioner of the pollution control agency, shall determine, and may publish by notice, compaction rates for other types of waste where they exist and conversion schedules for waste that is managed by measurements other than cubic yards. Each person that collects assessed waste shall collect the assessment from each nonresidential customer as part of each statement for payment of waste collection charges and shall remit the amount actually collected along with the next remittance of sales tax after receipt of the assessment.

(2) The assessment for nonresidential customers for the mixed municipal solid waste that is collected with source-separated recyclable materials as described in paragraph (a), clause (1), item (ii), is three-tenths of a cent per gallon. The customer must pay by purchasing specific collection bags or stickers that include the cost of the collection service and assessment.

(e) A person who transports assessed waste generated by that person or by another person without compensation shall pay an assessment of 60 cents per noncompacted cubic yard or the equivalent to the operator of the waste management facility to which the waste is delivered. The operator shall remit the assessments actually collected under this paragraph to the commissioner of revenue. This subdivision does not apply to a person who transports industrial waste generated by that person to a facility owned and operated by that person.

(f) The amount of the assessment for each residential customer that is subject to a mixed municipal solid waste collection service for which the customer pays, based on the volume of waste collected, by purchasing specific collection bags or stickers from the waste collector, municipality, or other vendor is either:

(1) determined by a method developed by the waste collector or municipality and approved by the commissioner of revenue, which yields the equivalent of approximately a \$2 annual assessment per household; or

(2) three cents per each 35 gallon unit or less. If the per unit fee method under this clause is used, it is the responsibility of the waste collector or the municipality who is selling the bags or stickers to remit the amount of the assessment to the department of revenue, according to a payment schedule provided by the commissioner of revenue. The collection service and assessment under this clause shall be included in the price of the bag or sticker.

(g) The commissioner of revenue shall redesign sales tax forms for persons that collect assessed waste to accommodate payment of the assessment. The amounts remitted under this subdivision must be deposited in the state treasury and credited to the solid waste fund established in section 115B.42.

(h) For persons that collect assessed waste and operators of waste management facilities who are required to collect the solid waste generator assessments under this subdivision, and persons who are required to remit the assessment under paragraph (f), and who do not collect and remit the sales tax on solid waste collection services under section 297A.45, the commissioner of revenue shall determine when and in what manner the persons and operators must remit the assessment amounts actually collected.

(i) For the purposes of this subdivision, the requirement to "collect" the solid waste generator assessment under paragraph (b) means that the person to whom the requirement applies shall:

(i) include the amount of the assessment in the appropriate statement of charges for waste collection services and in any action to enforce payment on delinquent accounts;

(ii) accurately account for assessments received;

(iii) indicate to generators that payment of the assessment by the waste generator is required by law and inform generators, using information supplied by the commissioner of the agency, of the purposes for which revenue from the assessment will be spent; and

(iv) cooperate fully with the commissioner of revenue to identify generators of assessed waste who fail to remit payment of the assessment.

(j) The audit, penalty, enforcement, and administrative provisions applicable to taxes imposed under chapter 297A apply to the assessments imposed under this subdivision.

(k) If less than \$25,000,000 is projected to be available for new encumbrances in any fiscal year after fiscal year 1996 from all existing dedicated revenue sources for landfill cleanup and reimbursement costs under sections 115B.39 to 115B.46, by April 1 before the next fiscal year in which the shortfall is projected the commissioner of the agency shall certify to the commissioner of revenue the amount of the shortfall. To provide for the shortfall, the commissioner of revenue shall increase the assessment under paragraphs (d) and (e) by an amount sufficient to generate revenue equal to the amount of the shortfall effective the following July 1 and shall provide notice of the increased assessment by May 1 following certification to persons who are required to collect and remit the solid waste generator assessments under this subdivision.

Sec. 20. Minnesota Statutes 1995 Supplement, section 297A.45, subdivision 2, is amended to read:

Subd. 2. [APPLICATION.] The taxes imposed by sections 297A.02 and 297A.021 apply to all public and private mixed municipal solid waste management services.

Notwithstanding section 297A.25, subdivision 11, a political subdivision that purchases waste management services on behalf of its citizens shall pay the taxes.

If a political subdivision provides a waste management service to its residents at a cost in excess of the total direct charge to the residents for the service, the political subdivision shall pay the taxes based on its cost of providing the service in excess of the direct charges.

A person who transports mixed municipal solid waste generated by that person or by another person without compensation shall pay the taxes at the waste facility based on the disposal charge or tipping fee.

A person who segregates mixed municipal waste from recyclable materials as described in subdivision 3, paragraph (a), clause (2), shall pay the taxes by purchasing specific collection bags or stickers. The collection service and taxes must be included in the cost of the bag or sticker.

Sec. 21. Minnesota Statutes 1995 Supplement, section 297A.45, subdivision 3, is amended to read:

Subd. 3. [EXEMPTIONS.] (a) ~~The cost of a service or the portion of a service to collect and manage recyclable materials separated from mixed municipal solid waste by the waste generator is exempt from the taxes imposed in sections 297A.02 and 297A.021 if:~~

(1) the recyclable materials are separated from mixed municipal solid waste by the waste generator; or

(2) the recyclable materials are separated from mixed municipal solid waste by the generator, collected and delivered to a waste facility that recycles at least 85 percent of its waste, and are collected with mixed municipal solid waste that is segregated in leakproof bags, provided that the mixed municipal solid waste does not exceed five percent of the total weight of the materials delivered to the facility and is ultimately delivered to a facility designated under sections 115A.80 to 115A.893.

(b) The amount of a surcharge or fee imposed under section 115A.919, 115A.921, 115A.923, or 473.843 is exempt from the taxes imposed in sections 297A.02 and 297A.021.

(c) Waste from a recycling facility that separates or processes recyclable materials and that reduces the volume of the waste by at least 85 percent is exempt from the taxes imposed in sections 297A.02 and 297A.021. To qualify for the exemption under this paragraph, the waste exempted must be managed separately from other solid waste.

(d) The following costs are exempt from the taxes imposed in sections 297A.02 and 297A.021:

- (1) costs of providing educational materials and other information to residents;
- (2) costs of managing solid waste other than mixed municipal solid waste, including household hazardous waste; and
- (3) costs of court litigation and associated damages.

(e) The cost of a waste management service is exempt from the taxes imposed in sections 297A.02 and 297A.021 to the extent that the cost was previously subject to the tax.

(f) Until December 31, 2002, the costs of managing source-separated compostable materials and other mixed municipal solid waste are exempt from the taxes imposed in sections 297A.02 and 297A.021 if the waste is delivered to a resource recovery facility exempted as described in this paragraph. Beginning in 1997, to initially qualify for an exemption, a facility must apply for a new or amended permit to the agency by October 1. The first time a facility applies to the agency for an exemption, it must certify in its application that it will comply with the criteria in clauses (1) to (5) and the agency must grant the exemption. Thereafter, the facility must annually apply to renew its exemption. The agency shall grant the exemption if it finds that based on an evaluation of the composition of incoming waste and residuals and the quality and use of the product:

- (1) generators segregate materials at the source;
- (2) the segregation is performed in a manner appropriate to the technology specific to the facility that:
 - (i) maximizes the quality of the product;
 - (ii) minimizes the toxicity and quantity of residuals; and
 - (iii) provides an opportunity for significant improvement in the environmental efficiency of the operation;
- (3) the operator of the facility educates generators, in coordination with each county using the facility, about segregating the waste to maximize the quality of the waste stream for the technology specific to the facility;
- (4) process residuals do not exceed 15 percent of the weight of the total material delivered to the facility; and
- (5) the final product is accepted for use.

Sec. 22. [SOLID WASTE MANAGEMENT POLICY REPORT; 2001.]

The report required to be submitted by the director of the office of environmental assistance in 2001 under Minnesota Statutes, section 115A.411, must include an evaluation of the impact of the exemption under Minnesota Statutes, section 297A.45, subdivision 3, paragraph (f), on the economic viability of the participating facilities, their ability to reach the goals in Minnesota Statutes, section 297A.45, subdivision 3, paragraph (f), and on revenues under Minnesota Statutes, section 297A.45. The director shall recommend whether the exemption should continue.

Sec. 23. [1997 REPORT.]

The report submitted in 1997 under Minnesota Statutes, section 115A.411, must include an analysis of actual and potential liability incurred, and the economic effects on waste management, due to the United States Supreme Court's decision on designation laws and associated changes in waste flows and waste assurance mechanisms.

Sec. 24. [REVISOR INSTRUCTION.]

The revisor of statutes shall change provisions in Minnesota Statutes that require reports to be submitted to the legislative commission on waste management so that the reports are required to

be submitted to the environment and natural resources committees of the senate and house of representatives."

Page 8, line 19, before "Minnesota" insert "(a)"

Page 8, after line 20, insert:

"(b) Minnesota Statutes 1994, sections 115A.072, subdivision 3; 115A.154; 115A.156; 115A.48, subdivisions 2 and 5; 115A.53; 115A.9162; and 115A.991; and Minnesota Statutes 1995 Supplement, sections 115A.0715; 115A.55, subdivision 3; and 115D.05, are repealed.

Sec. 26. [EFFECTIVE DATE.]

Sections 11 and 12 are effective January 1, 1996.

Sections 19 to 21 are effective June 1, 1996.

Sections 8, 9, 18, and 25, paragraph (b), are effective on the effective date of rules adopted under section 5."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to the environment; modifying provisions relating to the management of waste and solid waste assessments and taxes; amending Minnesota Statutes 1994, sections 115A.03, subdivision 21, and by adding subdivisions; 115A.50; 115A.916; 115A.919, subdivision 2a; 115A.923, subdivision 1a; 115A.93, subdivision 3; 115A.9301, by adding a subdivision; 115A.965, subdivision 3; and 115D.09; Minnesota Statutes 1995 Supplement, sections 115A.072, subdivision 1; 115A.411, subdivision 2; 115A.554; 115A.965, subdivision 1; 115A.981, subdivision 3; 116.07, subdivision 10; and 297A.45, subdivisions 2 and 3; repealing Minnesota Statutes 1994, sections 115A.072, subdivision 3; 115A.154; 115A.156; 115A.48, subdivisions 2 and 5; 115A.53; 115A.913, subdivision 5; 115A.9162; 115A.991; and 115A.913, subdivision 5; Minnesota Statutes 1995 Supplement, sections 115A.0715; 115A.55, subdivision 3; and 115D.05."

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

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

S.F. No. 2544: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in Wadena county.

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

Page 2, after line 4, insert:

"Sec. 2. [CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER; ANOKA COUNTY.]

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

(b) The county has determined that the county's land management interests would best be served if the lands were sold to the cities in which they are located.

(c) The conveyances must be in a form approved by the attorney general and must provide that the lands revert to the state if they are not used for open space purposes.

(d) No landscape changes, stormwater discharge, or watercourse alterations that affect the

hydrology and vegetative characteristics of the lands are allowed beyond those conditions that exist at the time of the transfer or sale in order that the wetland characteristics and resulting wildlife habitats are maintained in perpetuity.

Subd. 2. [DESCRIPTIONS.] The lands that may be conveyed are located in Anoka county and are legally described as follows:

(1) City of Anoka (PIN No. 35-32-25-31-0003), all that part of the Northeast Quarter of the Southwest Quarter of Section 35, Township 32, Range 25, Anoka County, Minnesota lying southerly of the centerline of a creek, said centerline being described as follows:

Commencing at a point on the east line of Government Lot 2, Section 35, Township 32, Range 25 distant 120 feet north from the southeast corner of said Government Lot 2; thence northerly along the east line of said Government Lot 2, said line having a bearing of North and South, for a distance of 1083.00 feet to the centerline of creek; thence North 44 degrees 58 minutes 20 seconds West a distance of 97.29 feet; thence North 67 degrees 56 minutes 46 seconds West a distance of 138.64 feet; thence North 75 degrees 56 minutes 46 seconds West a distance of 216.92 feet; thence South 89 degrees 39 minutes 55 seconds West a distance of 180.17 feet; thence South 57 degrees 56 minutes 35 seconds West a distance of 416.78 feet; thence South 70 degrees 54 minutes 50 seconds West a distance of 283.00 feet, more or less, to its intersection with the northerly shore line of the Mississippi River extended southeasterly across said creek centerline and there terminating.

Also known as part of Lot 26, Auditor's Subdivision No. 96, Anoka County, Minnesota.

And all that part of said Lot 26, Auditor's Subdivision No. 96, Anoka County, Minnesota lying northerly of said centerline of creek, lying southerly of the south line of Lot 31, said Auditor's Subdivision No. 96, and lying easterly of the west line of said Lot 31 extended southerly to said centerline of creek.

(2) City of Anoka (PIN No. 35-32-25-31-0006), Lot 31, Auditor's Subdivision No. 96, Anoka County, Minnesota, according to the plat on file in the office of the Anoka County Recorder.

(3) City of Anoka (PIN No. 35-32-25-34-0001), all that part of Government Lot 2, Section 35, Township 32, Range 25, Anoka County, Minnesota lying southerly of a line hereinafter referred to as line "B," said line "B" being described as follows:

Beginning at the intersection of the southwesterly line of Lot 14, Auditor's Subdivision No. 96, Anoka County, Minnesota and a line parallel with and 150.00 feet northwesterly of the southeasterly line of said Lot 14; thence southwesterly along said parallel line and its southwesterly extension 500.00 feet; thence southwesterly deflecting to the right 45 degrees 00 minutes 00 seconds 900.00 feet, more or less, to the thread of the Mississippi River and said line "B" there terminating.

Except Lots 28 and 29, Auditor's Subdivision No. 96.

Also except the south 120.00 feet of said Government Lot 2.

Also except all that part of said Government Lot 2, described as follows:

Commencing at the northeast corner of Lot 7, Dickenson's Mississippi Estate, Anoka County, Minnesota, according to the plat on file in the office of the Anoka County Recorder, said corner being the point of beginning of a line hereinafter referred to as line "A"; thence South 67 degrees 00 minutes 00 seconds East along the southeasterly extension of the north line of said Lot 7 and along line "A" 75.00 feet; thence South 85 degrees 41 minutes 00 seconds East 195.00 feet; thence South 04 degrees 19 minutes 00 seconds East 310.00 feet to the point of beginning of the land to be described; thence South 33 degrees 07 minutes 00 seconds East 213.10 feet; thence South 44 degrees 42 minutes 00 seconds East 300.00 feet; thence South 51 degrees 15 minutes 00 seconds East 230.80 feet; thence South 37 degrees 53 minutes 00 seconds East 300.00 feet; thence South 44 degrees 55 minutes 00 seconds East 300.00 feet, more or less, to the north line of said south 210.00 feet of Government Lot 2, and said line "A" there terminating; thence easterly along said

north line to a point on a line parallel with and 66.00 feet easterly of said line "A," as measured at right angles to said line "A"; thence northwesterly along said parallel line to a point on said line "B" described above; thence southwesterly along said line "B" to a point on said line "A"; thence southerly along said line "A" to the point of beginning.

Also known as a part of Lot 27, Auditor's Subdivision No. 96.

(4) City of Anoka (PIN No. 35-32-25-43-0001), all that part of the Northwest Quarter of the Southeast Quarter and the South Half of the Southeast Quarter of Section 35, Township 32, Range 25, Anoka County, Minnesota lying southwesterly of the southwesterly right-of-way line of U.S. Highway No. 10. Also known as part of Lot 9, Auditor's Subdivision No. 28.

Except that part of the South Half of the Southeast Quarter of Section 35, Township 32, Range 25 described as follows:

Beginning at the point of intersection of the southwesterly line of U.S. Highway No. 10, as the same is now laid out and constructed, with the south line of the Southeast Quarter of the Southeast Quarter of said Section 35, which point is 1060.70 feet West from the southeast corner of said Section 35; thence westerly along said south line a distance of 342.60 feet; thence to the right, deflection angle 86 degrees, 24 minutes, for a distance of 323.70 feet, more or less, to the southwesterly line of said U.S. Highway No. 10; thence southeasterly, northeasterly and again southeasterly along the southwesterly line of said U.S. Highway No. 10 to the point of beginning.

Also known as part of Lot 9, Auditor's Subdivision No. 28.

(5) City of Lino Lakes (PIN No. 36-31-22-14-0004), all that part of Government Lot 2, Section 36, Township 31, Range 22, which lies northerly of the centerline of a cartway easement two rods wide, the centerline of said cartway easement is described as follows: Commencing at the northeast corner of Otter Lake Hills, thence North 89 degrees 08 minutes East along the north line of said Otter Lake Hills extended easterly, 1083.60 feet to the centerline of Bald Eagle Boulevard as traveled; thence South 24 degrees 28 minutes West, 418.80 feet; thence South 05 degrees 22 minutes East, 395.65 feet on said centerline for point of beginning of said cartway; thence South 84 degrees 38 minutes West, 63.00 feet; thence South 35 degrees 38 minutes West, 181.94 feet; thence South 60 degrees 38 minutes West, 280.00 feet; thence North 59 degrees 22 minutes West, 350.00 feet; thence North 41 degrees 07 minutes West, 354.52 feet to the east line of said Otter Lake Hills and there terminating.

And all that part of said Government Lot 2 which lies northerly of a line described as follows: Commencing at the northeast corner of said Otter Lake Hills, thence North 89 degrees 08 minutes East along the north line of said Otter Lake Hills extended easterly, 1083.60 feet to the centerline of Bald Eagle Boulevard as traveled; thence South 24 degrees 28 minutes West, 418.80 feet; thence South 05 degrees 22 minutes East, 395.65 feet on said centerline for point of beginning of line to be described; thence East and parallel with the north line of Government Lot 2 to the east section line of Section 36, Township 31, Range 22, and there terminating.

Excepting therefrom that part of the south 325.00 feet of the north 534.00 feet of said Government Lot 2 lying easterly of the westerly 675.00 feet thereof; subject to and together with that cartway easement hereinbefore described and to Bald Eagle Boulevard, and other easements and reservations of record, if any.

(6) City of Ramsey (PIN No. 25-32-25-34-0061), Outlot O, Flintwood Hills 2nd Addition, Anoka County, Minnesota, according to the plat on file in the office of the Anoka County Recorder.

(7) City of Ramsey (PIN No. 21-32-25-43-0034), the east 290.00 feet of the west 1168.00 feet of the south 330.00 feet of the north 1705.00 feet of the Southeast Quarter of Section 21, Township 32, Range 25, Anoka County, Minnesota.

And the south 165.00 feet of the north 1540.00 feet of the east 105.00 feet of the west 1273.00 feet of said Southeast Quarter. Subject to road easement over the north 33.00 feet thereof.

(8) City of Oak Grove (PIN No. 32-33-24-41-0001), all that part of the Northeast Quarter of the Southeast Quarter of Section 32, Township 33, Range 24, Anoka County, Minnesota lying southerly of the centerline of Cedar Creek and lying easterly of the following described line:

Commencing at the southeast corner of said Northeast Quarter of the Southeast Quarter; thence North 89 degrees 37 minutes 27 seconds West along the south line of said Northeast Quarter of the Southeast Quarter 299.44 feet to the point of beginning of said line; thence North 18 degrees 06 minutes 51 seconds West to said centerline of Cedar Creek and there terminating.

(9) City of Andover (PIN No. 29-32-24-42-0055), Outlot A, Brandon's Lakeview Estates, Anoka County, Minnesota, according to the plat on file in the office of the Anoka County Recorder.

Sec. 3. [CONVEYANCE OF TAX-FORFEITED LAND, FARIBAULT COUNTY.]

Subdivision 1. [CONVEYANCE.] (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Faribault county may sell the tax-forfeited land bordering public water that is described in subdivision 2 under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The county has determined that it is in the public's best interest to sell the parcels to the city of Minnesota Lake for street right-of-way and for residential development.

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

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

Lots 3 and 4, Nordaas Subdivision No. 3, Minnesota Lake, Faribault County, Minnesota.

Sec. 4. [ST. LOUIS COUNTY; PRIVATE SALE OF TAX-FORFEITED LAND.]

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, St. Louis county may sell the land in St. Louis county described in this section by private sale under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

Town of Floodwood: NE 1/4 of SE 1/4, Section 36, Township 51, Range 20. The sale is in the public interest.

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

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

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

(c) The lots that may be conveyed are located in Aitkin county and are described as:

(1) plat of Lakeshore Acres, lot 32, Section 23, Township 49, Range 23;

(2) plat of Black Rock Woods, lots 2 and 3, block 1, city of Aitkin;

(3) plat of Ripple View Development, lot 1, block 2, city of Aitkin; and

(4) plat of McClain's Addition to the city of Hill City, Outlot C, less part in Documents Nos. 182193 and 237129 and less part included in highway right-of-way.

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

Sec. 6. [SALE OF TAX-FORFEITED LAND; CROW WING COUNTY.]

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

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

(c) The land that may be sold is located in Crow Wing county and is described as: Lot one (1), Block three (3), central addition No. 2 to Crosby, RE: 111000030010009.

(d) The size of the lot is 40 feet by 105 feet, but the water frontage exceeds 50 feet due to a meandering creek.

(e) The county has determined the land should be returned to private ownership.

Sec. 7. [SALE OF TAX-FORFEITED LAND; HUBBARD COUNTY.]

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

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

(c) The land that may be conveyed is located in Hubbard county, consists of four lots plus interests in an outlot located on Tenth Crow Wing Lake, and is described as:

(1) Crowsnest Lot Eight (8), Block Two (2) and 1/38 Interest in Outlot A;

(2) Crowsnest Lot Fourteen (14), Block Three (3) and 1/38 Interest in Outlot A;

(3) Crowsnest Lot One (1), Block Three (3) and 1/38 Interest in Outlot A; and

(4) Crowsnest Lot Fifteen (15), Block Three (3) and 1/38 Interest in Outlot A.

(d) The county has determined that the lake has a developed public access, the lots are best suited for residential purposes, and the county's land management interests would best be served if the lands were returned to private ownership."

Page 2, line 6, delete "Section 1 is" and insert "Sections 1, 2, 3, 6, and 7 are"

Delete the title and insert:

"A bill for an act relating to state funds; authorizing the sale of certain tax-fortified lands in Aitkin, Anoka, Crow Wing, Faribault, Hubbard, St. Louis, and Wadena counties."

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

Mr. Merriam from the Committee on Finance, to which was re-referred

S.F. No. 2596: A bill for an act relating to game and fish; providing an appropriation for emergency deer feeding; appropriating money; amending Minnesota Statutes 1994, section 97A.075, subdivision 1.

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

Mr. Berg from the Committee on Gaming Regulation, to which was referred

S.F. No. 2351: A bill for an act relating to gambling; requiring certain public assistance to be diminished by amounts obtained by cashing checks or using electronic benefits transfer cards at gambling establishments; amending Minnesota Statutes 1994, section 256D.06, 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:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1994, section 53A.09, is amended to read:

53A.09 [POWERS; LIMITATIONS; PROHIBITIONS.]

Subdivision 1. [DEPOSITS; ESCROW ACCOUNTS.] A currency exchange may not accept money or currency for deposit, or act as bailee or agent for persons, firms, partnerships, associations, or corporations to hold money or currency in escrow for others for any purpose. However, a currency exchange may act as agent for the issuer of money orders or travelers' checks.

Subd. 2. [GAMBLING ESTABLISHMENTS.] A currency exchange located on the premises of a gambling establishment as defined in section 256.9831, subdivision 1, may not cash a warrant that bears a restrictive endorsement under section 256.9831, subdivision 3.

Sec. 2. [256.9831] [BENEFITS; GAMBLING ESTABLISHMENTS.]

Subdivision 1. [DEFINITION.] For purposes of this section "gambling establishment" means a bingo hall licensed under section 349.164, a racetrack licensed under section 240.06 or 240.09, a casino operated under a tribal-state compact under section 3.9221, or any other establishment that receives at least 50 percent of its gross revenue from the conduct of gambling.

Subd. 2. [FINANCIAL TRANSACTION CARDS.] The commissioner shall take all actions necessary to insure that no person may obtain benefits under sections 256.031 to 256.0361, 256.72 to 256.879, or chapter 256D through the use of a financial transaction card, as defined in section 609.821, subdivision 1, paragraph (a), at a terminal located in or attached to a gambling establishment.

Subd. 3. [WARRANTS.] The commissioner shall take all actions necessary to insure that warrants issued to pay benefits under sections 256.031 to 256.0361, 256.72 to 256.879, or chapter 256D bear a restrictive endorsement that prevents them from being cashed in a gambling establishment.

Sec. 3. Minnesota Statutes 1994, section 336.3-206, is amended to read:

336.3-206 [RESTRICTIVE ENDORSEMENT.]

(a) An endorsement limiting payment to a particular person or otherwise prohibiting further transfer or negotiation of the instrument is not effective to prevent further transfer or negotiation of the instrument.

(b) An endorsement stating a condition to the right of the endorsee to receive payment does not affect the right of the endorsee to enforce the instrument. A person paying the instrument or taking it for value or collection may disregard the condition, and the rights and liabilities of that person are not affected by whether the condition has been fulfilled.

(c) If an instrument bears an endorsement (i) described in section 336.4-201(b), or (ii) in blank or to a particular bank using the words "for deposit," "for collection," or other words indicating a purpose of having the instrument collected by a bank for the endorser or for a particular account, the following rules apply:

(1) A person, other than a bank, who purchases the instrument when so endorsed converts the instrument unless the amount paid for the instrument is received by the endorser or applied consistently with the endorsement.

(2) A depositary bank that purchases the instrument or takes it for collection when so endorsed converts the instrument unless the amount paid by the bank with respect to the instrument is received by the endorser or applied consistently with the endorsement.

(3) A payor bank that is also the depositary bank or that takes the instrument for immediate

payment over the counter from a person other than a collecting bank converts the instrument unless the proceeds of the instrument are received by the endorser or applied consistently with the endorsement.

(4) Except as otherwise provided in paragraph (3), a payor bank or intermediary bank may disregard the endorsement and is not liable if the proceeds of the instrument are not received by the endorser or applied consistently with the endorsement.

(d) Except for an endorsement covered by subsection (c), if an instrument bears an endorsement using words to the effect that payment is to be made to the endorsee as agent, trustee, or other fiduciary for the benefit of the endorser or another person, the following rules apply:

(1) Unless there is notice of breach of fiduciary duty as provided in section 336.3-307, a person who purchases the instrument from the endorsee or takes the instrument from the endorsee for collection or payment may pay the proceeds of payment or the value given for the instrument to the endorsee without regard to whether the endorsee violates a fiduciary duty to the endorser.

(2) A subsequent transferee of the instrument or person who pays the instrument is neither given notice nor otherwise affected by the restriction in the endorsement unless the transferee or payor knows that the fiduciary dealt with the instrument or its proceeds in breach of fiduciary duty.

(e) The presence on an instrument of an endorsement to which this section applies does not prevent a purchaser of the instrument from becoming a holder in due course of the instrument unless the purchaser is a converter under subsection (c) or has notice or knowledge of breach of fiduciary duty as stated in subsection (d).

(f) In an action to enforce the obligation of a party to pay the instrument, the obligor has a defense if payment would violate an endorsement to which this section applies and the payment is not permitted by this section.

(g) Nothing in this section prohibits or limits the effectiveness of a restrictive endorsement made under section 256.9831, subdivision 3."

Delete the title and insert:

"A bill for an act relating to gambling; requiring the commissioner of human services to take all actions necessary to prevent the obtaining of certain public assistance benefits through electronic benefits withdrawal or warrant cashing at a gambling establishment; prohibiting currency exchanges from cashing public assistance warrants that bear certain restrictive endorsements; amending Minnesota Statutes 1994, sections 53A.09; and 336.3-206; proposing coding for new law in Minnesota Statutes, chapter 256."

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

Mr. Berg from the Committee on Gaming Regulation, to which was referred

S.F. No. 2818: A bill for an act relating to gambling; establishing a commission to conduct discussions with Indian tribal governments on gambling issues; prescribing membership of the commission; requiring a report.

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

Page 1, line 13, after "senate" insert "and the chairs of the senate gaming regulation committee and the house of representatives governmental operations and gambling committee"

Page 2, line 24, delete "GOVERNOR" and insert "MEMBERS"

Page 2, line 25, delete "governor or attorney general" and insert "commission members"

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

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

S.F. No. 1882: A bill for an act relating to human services; amending Minnesota Statutes 1994, sections 256C.23; 256C.24, as amended; 256C.25, subdivision 1; 256C.26; and 256C.28, as amended; proposing coding for new law in Minnesota Statutes, chapter 256C; repealing Minnesota Statutes 1994, sections 256C.22; and 256C.27.

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

Page 2, line 1, after "deaf" insert ", deaf-blind,"

Page 2, line 15, after "deaf" insert ", deaf-blind,"

Page 2, line 21, after the period, insert "The commissioner of human services shall coordinate the work of the interagency management team and receive legislative appropriations for the division."

Page 3, line 27, strike "the" and insert "a"

Page 4, line 33, after "deaf" insert "or deaf-blind"

Page 5, line 3, strike "ex officio" and insert "nonvoting"

Page 5, line 35, after "deaf" insert ", deaf-blind,"

Page 6, line 9, after "deaf" insert "or deaf-blind"

Page 6, lines 10 and 11, after "deaf" insert ", deaf-blind,"

Page 6, line 32, after "deaf" insert ", deaf-blind,"

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

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

S.F. No. 891: A bill for an act relating to occupations and professions; establishing the board of licensed professional counseling; requiring professional counselors to be licensed; requiring rulemaking; providing penalties; appropriating money; amending Minnesota Statutes 1994, sections 116J.70, subdivision 2a; 148A.01, subdivision 5; 148B.60, subdivision 3; 214.01, subdivision 2; 214.04, subdivision 3; and 609.341, subdivision 17; proposing coding for new law in Minnesota Statutes, chapter 148B.

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

Pages 1 to 4, delete section 1 and insert:

"Section 1. Minnesota Statutes 1995 Supplement, section 116J.70, subdivision 2a, is amended to read:

Subd. 2a. [LICENSE; EXCEPTIONS.] "Business license" or "license" does not include the following:

(1) any occupational license or registration issued by a licensing board listed in section 214.01 or any occupational registration issued by the commissioner of health pursuant to section 214.13;

(2) any license issued by a county, home rule charter city, statutory city, township, or other political subdivision;

(3) any license required to practice the following occupation regulated by the following sections:

- (a) abstracters regulated pursuant to chapter 386;
- (b) accountants regulated pursuant to chapter 326;
- (c) adjusters regulated pursuant to chapter 72B;
- (d) architects regulated pursuant to chapter 326;
- (e) assessors regulated pursuant to chapter 270;
- (f) athletic trainers regulated pursuant to chapter 148;
- (g) attorneys regulated pursuant to chapter 481;
- (h) auctioneers regulated pursuant to chapter 330;
- (i) barbers regulated pursuant to chapter 154;
- (j) beauticians regulated pursuant to chapter 155A;
- (k) boiler operators regulated pursuant to chapter 183;
- (l) chiropractors regulated pursuant to chapter 148;
- (m) collection agencies regulated pursuant to chapter 332;
- (n) cosmetologists regulated pursuant to chapter 155A;
- (o) dentists, registered dental assistants, and dental hygienists regulated pursuant to chapter 150A;
- (p) detectives regulated pursuant to chapter 326;
- (q) electricians regulated pursuant to chapter 326;
- (r) embalmers regulated pursuant to chapter 149;
- (s) engineers regulated pursuant to chapter 326;
- (t) insurance brokers and salespersons regulated pursuant to chapter 60A;
- (u) certified interior designers regulated pursuant to chapter 326;
- (v) midwives regulated pursuant to chapter 148;
- (w) morticians regulated pursuant to chapter 149;
- (x) nursing home administrators regulated pursuant to chapter 144A;
- (y) optometrists regulated pursuant to chapter 148;
- (z) osteopathic physicians regulated pursuant to chapter 147;
- (aa) pharmacists regulated pursuant to chapter 151;
- (bb) physical therapists regulated pursuant to chapter 148;
- (cc) physician assistants regulated pursuant to chapter 147A;
- (dd) physicians and surgeons regulated pursuant to chapter 147;
- (ee) plumbers regulated pursuant to chapter 326;
- (ff) podiatrists regulated pursuant to chapter 153;
- (gg) practical nurses regulated pursuant to chapter 148;

- (hh) professional fund raisers regulated pursuant to chapter 309;
- (ii) psychologists regulated pursuant to chapter 148;
- (jj) real estate brokers, salespersons, and others regulated pursuant to chapters 82 and 83;
- (kk) registered nurses regulated pursuant to chapter 148;
- (ll) securities brokers, dealers, agents, and investment advisers regulated pursuant to chapter 80A;
- (mm) steamfitters regulated pursuant to chapter 326;
- (nn) teachers and supervisory and support personnel regulated pursuant to chapter 125;
- (oo) veterinarians regulated pursuant to chapter 156;
- (pp) water conditioning contractors and installers regulated pursuant to chapter 326;
- (qq) water well contractors regulated pursuant to chapter 103I;
- (rr) water and waste treatment operators regulated pursuant to chapter 115;
- (ss) motor carriers regulated pursuant to chapter 221;
- (tt) professional corporations regulated pursuant to chapter 319A;
- (uu) real estate appraisers regulated pursuant to chapter 82B;
- (vv) residential building contractors, residential remodelers, residential roofers, manufactured home installers, and specialty contractors regulated pursuant to chapter 326;
- (ww) professional counselors regulated pursuant to chapter 148B;
- (4) any driver's license required pursuant to chapter 171;
- (5) any aircraft license required pursuant to chapter 360;
- (6) any watercraft license required pursuant to chapter 86B;
- (7) any license, permit, registration, certification, or other approval pertaining to a regulatory or management program related to the protection, conservation, or use of or interference with the resources of land, air, or water, which is required to be obtained from a state agency or instrumentality; and
- (8) any pollution control rule or standard established by the pollution control agency or any health rule or standard established by the commissioner of health or any licensing rule or standard established by the commissioner of human services."

Page 4, line 16, delete "3 to 15" and insert "148B.50 to 148B.593"

Page 4, line 26, delete "created in" and insert "established by"

Page 5, line 1, delete "aptitudes," and delete "personal"

Page 5, line 2, delete "social concerns,"

Page 5, line 3, delete "appraisal activities" and insert "professional assessment"

Page 5, line 5, delete "aptitudes," and delete "abilities,"

Page 5, line 6, after the first comma, insert "and" and delete everything after "interests"

Page 5, line 7, delete "and behavioral disorders,"

Page 5, line 27, delete "is created."

Page 5, line 28, delete "The board"

Page 5, line 29, after "licensed" insert "or eligible for licensure"

Page 5, line 33, delete "mental health counseling," and delete "group"

Page 5, line 34, delete the first "counseling,"

Page 5, line 36, delete everything after the period

Page 6, delete line 1

Page 6, line 2, delete everything before "The"

Page 6, lines 7 and 14, delete "3 to 15" and insert "148B.50 to 148B.593"

Page 6, delete lines 10 and 11

Page 6, line 12, delete "2" and insert "1"

Page 6, line 15, delete "3" and insert "2"

Page 6, line 18, delete "4" and insert "3"

Page 6, line 20, delete "5" and insert "4"

Page 6, line 23, delete "6" and insert "5"

Page 6, line 26, delete "7" and insert "6"

Page 6, line 28, delete "8" and insert "7"

Page 6, line 31, delete "9" and insert "8"

Page 6, line 35, delete "10" and insert "9"

Page 7, line 1, delete "and"

Page 7, line 2, delete "11" and insert "10"

Page 7, line 3, before the period, insert "; and

(11) be sensitive to and not discriminate based on the religious or moral values of the licensee or applicant in conducting all board actions relating to licensees or applicants"

Page 7, line 14, delete "after July 1, 1999," and delete "45" and insert "48"

Page 7, line 15, delete "2,000" and insert "4,000"

Page 7, after line 27, insert:

"In admitting a student into a master's degree program for completion of the educational requirements of this subdivision, and in evaluating the performance of the student, the institution of higher education shall be sensitive to and not discriminate based on the religious or moral values of the student.

Subd. 1a. [MINIMUM HOUR EFFECTIVE DATE.] The minimum semester hour requirement imposed by subdivision 1, clause (2), is not effective until July 1, 1999. This subdivision expires July 1, 1999."

Page 8, line 21, delete "3" and insert "148B.50"

Page 8, line 22, delete "15" and insert "148B.593"

Page 8, line 24, delete "1995" and insert "1996"

Page 8, line 30, after the period, insert "This section expires July 1, 1999."

Page 8, line 36, delete "3 to 15" and insert "148B.50 to 148B.593"

Page 10, line 5, delete "14" and insert "148B.592"

Page 10, lines 11, 16, 30, and 31, delete "3 to 15" and insert "148B.50 to 148B.593"

Page 11, lines 1, 11, 17, 26, and 32, delete "3 to 15" and insert "148B.50 to 148B.593"

Page 11, after line 35, insert:

"Subd. 8. [EMPLOYMENT COUNSELORS.] Nothing in sections 148B.50 to 148B.593 limits the activities, services, and descriptions of persons providing employment or vocational counseling services."

Page 12, line 1, delete "3 to 15 shall" and insert "148B.50 to 148B.593 may"

Page 12, lines 7 and 10, delete "3 to 15" and insert "148B.50 to 148B.593"

Pages 12 to 15, delete sections 16 to 18 and insert:

"Sec. 16. Minnesota Statutes 1995 Supplement, section 148B.60, subdivision 3, is amended to read:

Subd. 3. [UNLICENSED MENTAL HEALTH PRACTITIONER OR PRACTITIONER.] "Unlicensed mental health practitioner" or "practitioner" means a person who provides or purports to provide, for remuneration, mental health services as defined in subdivision 4. It does not include persons licensed by the board of medical practice under chapter 147 or registered by the board of medical practice under chapter 147A; the board of nursing under sections 148.171 to 148.285; the board of psychology under sections 148.88 to 148.98; the board of social work under sections 148B.18 to 148B.28; the board of marriage and family therapy under sections 148B.29 to 148B.39; the board of professional counseling under sections 148B.50 to 148B.593; or another licensing board if the person is practicing within the scope of the license; or members of the clergy who are providing pastoral services in the context of performing and fulfilling the salaried duties and obligations required of a member of the clergy by a religious congregation. For the purposes of complaint investigation or disciplinary action relating to an individual practitioner, the term includes:

(1) persons employed by a program licensed by the commissioner of human services who are acting as mental health practitioners within the scope of their employment;

(2) persons employed by a program licensed by the commissioner of human services who are providing chemical dependency counseling services; persons who are providing chemical dependency counseling services in private practice; and

(3) clergy who are providing mental health services that are equivalent to those defined in subdivision 4.

Sec. 17. Minnesota Statutes 1995 Supplement, section 214.01, subdivision 2, is amended to read:

Subd. 2. [HEALTH-RELATED LICENSING BOARD.] "Health-related licensing board" means the board of examiners of nursing home administrators established pursuant to section 144A.19, the board of medical practice created pursuant to section 147.01, the board of nursing created pursuant to section 148.181, the board of chiropractic examiners established pursuant to section 148.02, the board of optometry established pursuant to section 148.52, the board of psychology established pursuant to section 148.90, the social work licensing board pursuant to section 148B.19, the board of marriage and family therapy pursuant to section 148B.30, the office of mental health practice established pursuant to section 148B.61, the board of licensed professional counseling established by section 148B.51; the chemical dependency counseling

licensing advisory council established pursuant to section 148C.02, the board of dietetics and nutrition practice established under section 148.622, the board of dentistry established pursuant to section 150A.02, the board of pharmacy established pursuant to section 151.02, the board of podiatric medicine established pursuant to section 153.02, and the board of veterinary medicine, established pursuant to section 156.01.

Sec. 18. Minnesota Statutes 1995 Supplement, section 214.04, subdivision 3, is amended to read:

Subd. 3. [OFFICERS; STAFF.] The executive director of each health-related board and the executive secretary of each non-health-related board shall be the chief administrative officer for the board but shall not be a member of the board. The executive director or executive secretary shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive directors, executive secretaries, and other employees of the following boards shall be hired by the board, and the executive directors or executive secretaries shall be in the unclassified civil service, except as provided in this subdivision:

- (1) dentistry;
- (2) medical practice;
- (3) nursing;
- (4) pharmacy;
- (5) accountancy;
- (6) architecture, engineering, land surveying, landscape architecture, geoscience, and interior design;
- (7) barber examiners;
- (8) cosmetology;
- (9) electricity;
- (10) teaching;
- (11) peace officer standards and training;
- (12) social work;
- (13) marriage and family therapy; ~~and~~
- (14) dietetics and nutrition practice; and
- (15) professional counseling.

The executive directors or executive secretaries serving the boards are hired by those boards and are in the unclassified civil service, except for part-time executive directors or executive secretaries, who are not required to be in the unclassified service. Boards not requiring full-time executive directors or executive secretaries may employ them on a part-time basis. To the extent practicable, the sharing of part-time executive directors or executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive directors or executive secretaries of the boards and employees of the attorney general, are classified civil service employees of the department servicing the board. To the extent practicable, the commissioner shall ensure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations."

Page 15, after line 17, insert:

"Sec. 20. [INITIAL BOARD.]

Notwithstanding Minnesota Statutes, sections 148B.51, members of the first board appointed under that section need not be licensed, but must meet all qualifications, other than payment of fees, to be eligible for licensure under Minnesota Statutes, sections 148B.50 to 148B.593."

Page 15, line 19, delete "general" and insert "state government special revenue"

Page 15, line 23, delete "20" and insert "19 and 21"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "116J.70, subdivision 2a;"

Page 1, line 8, delete everything after the first semicolon

Page 1, line 9, delete everything before "and" and after "17;" insert "amending Minnesota Statutes 1995 Supplement, sections 116J.70, subdivision 2a; 148B.60, subdivision 3; 214.01, subdivision 2; and 214.04, subdivision 3;"

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

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

S.F. No. 2056: A bill for an act relating to economic development; changing classification of the director of tourism; modifying provisions relating to business finance programs and the competitiveness task force; abolishing the main street program and the rural development board; transferring authority for certain programs; amending Minnesota Statutes 1994, sections 16B.06, subdivision 2; 116J.01, subdivision 5; 116J.581, subdivisions 2 and 4; and 116J.980, subdivision 1; Minnesota Statutes 1995 Supplement, sections 116J.58, subdivision 1; 116J.581, subdivision 1; and 116J.655; repealing Minnesota Statutes 1994, sections 116J.981; 116N.01; 116N.02, subdivisions 2, 3, 4, 5, and 6; 116N.03, subdivision 1; 116N.04; and 116N.07; Minnesota Statutes 1995 Supplement, sections 116N.02, subdivision 1; and 116N.03, subdivision 2; Minnesota Rules, part 4370.0010, subpart 3.

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 1994, section 16B.06, subdivision 2, is amended to read:

Subd. 2. [VALIDITY OF STATE CONTRACTS.] (a) A state contract or lease is not valid and the state is not bound by it until:

(1) it has first been executed by the head of the agency or a delegate which is a party to the contract;

(2) it has been approved by the commissioner or a delegate, under this section;

(3) it has been approved by the attorney general or a delegate as to form and execution; and

(4) the account system shows an allotment or encumbrance balance for the full amount of the contract liability.

(b) Paragraph (a), clause (2), does not apply to contracts between state agencies or, contracts awarding grants, or contracts making loans by the department of trade and economic development.

(c) The head of the agency may delegate the execution of specific contracts or specific types of contracts to a designated subordinate within the agency if the delegation has been approved by the

commissioner of administration and filed with the secretary of state. The fully executed copy of every contract or lease must be kept on file at the contracting agency.

Sec. 2. Minnesota Statutes 1994, section 116J.01, subdivision 5, is amended to read:

Subd. 5. [DEPARTMENTAL ORGANIZATION.] (a) The commissioner shall organize the department as provided in section 15.06.

(b) The commissioner may establish divisions and offices within the department. The commissioner may employ three deputy commissioners in the unclassified service. One deputy must direct the Minnesota trade office and must be experienced and knowledgeable in matters of international trade. ~~One deputy must be the director of the office of tourism. A director of tourism shall be appointed by the governor. The director shall be under the supervision of the commissioner.~~

(c) The commissioner shall:

(1) employ assistants and other officers, employees, and agents that the commissioner considers necessary to discharge the functions of the commissioner's office;

(2) define the duties of the officers, employees, and agents, and delegate to them any of the commissioner's powers, duties, and responsibilities, subject to the commissioner's control and under conditions prescribed by the commissioner.

Sec. 3. Minnesota Statutes 1995 Supplement, section 116J.58, subdivision 1, is amended to read:

Subdivision 1. [ENUMERATION.] The commissioner shall:

(1) investigate, study, and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Minnesota business, industry, and commerce, within and outside the state;

(2) locate markets for manufacturers and processors and aid merchants in locating and contacting markets;

(3) investigate and study conditions affecting Minnesota business, industry, and commerce and collect and disseminate information, and engage in technical studies, scientific investigations, and statistical research and educational activities necessary or useful for the proper execution of the powers and duties of the commissioner in promoting and developing Minnesota business, industry, and commerce, both within and outside the state;

(4) plan and develop an effective business information service both for the direct assistance of business and industry of the state and for the encouragement of business and industry outside the state to use economic facilities within the state;

(5) compile, collect, and develop periodically, or otherwise make available, information relating to current business conditions;

(6) conduct or encourage research designed to further new and more extensive uses of the natural and other resources of the state and designed to develop new products and industrial processes;

(7) study trends and developments in the industries of the state and analyze the reasons underlying the trends; study costs and other factors affecting successful operation of businesses within the state; and make recommendations regarding circumstances promoting or hampering business and industrial development;

(8) serve as a clearing house for business and industrial problems of the state; and advise small business enterprises regarding improved methods of accounting and bookkeeping;

(9) cooperate with interstate commissions engaged in formulating and promoting the adoption of interstate compacts and agreements helpful to business, industry, and commerce;

(10) cooperate with other state departments, and with boards, commissions, and other state agencies, in the preparation and coordination of plans and policies for the development of the state and for the use and conservation of its resources insofar as the use, conservation, and development may be appropriately directed or influenced by a state agency;

(11) assemble and coordinate information relative to the status, scope, cost, and employment possibilities and the availability of materials, equipment, and labor in connection with public works projects, state, county, and municipal; recommend limitations on the public works; gather current progress information with reference to public and private works projects of the state and its political subdivisions with reference to conditions of employment; inquire into and report to the governor, when requested by the governor, with respect to any program of public state improvements and the financing thereof; and request and obtain information from other state departments or agencies as may be needed properly to report thereon;

(12) study changes in population and current trends and prepare plans and suggest policies for the development and conservation of the resources of the state;

(13) confer and cooperate with the executive, legislative, or planning authorities of the United States and neighboring states and provinces and of the counties and municipalities of such neighboring states, for the purpose of bringing about a coordination between the development of such neighboring provinces, states, counties, and municipalities and the development of this state;

(14) generally, gather, compile, and make available statistical information relating to business, trade, commerce, industry, transportation, communication, natural resources, and other like subjects in this state, with authority to call upon other departments of the state for statistical data and results obtained by them and to arrange and compile that statistical information in a manner that seems wise;

(15) prepare an annual report to the legislature estimating and, to the extent possible, describing the number of Minnesota companies which have left the state or moved to surrounding states or other countries. The report should include an estimate of the number of jobs lost by these moves, an estimate of the total employment payroll, average hourly wage of those jobs lost and those created in the new location, and to the extent possible, the reasons for each company moving out of state, if known;

(16) publish documents and annually convene regional meetings to inform businesses, local government units, assistance providers, and other interested persons of changes in state and federal law related to economic development;

(17) annually convene conferences of providers of economic development related financial and technical assistance for the purposes of exchanging information on economic development assistance, coordinating economic development activities, and formulating economic development strategies;

(18) provide business with information on the economic benefits of energy conservation and on the availability of energy conservation assistance; and

(19) prepare, as part of biennial budget process ~~with an annual interim summary for the legislature~~, performance measures for each business loan or grant program within the jurisdiction of the commissioner. Measures would include source of funds for each program, numbers of jobs proposed or promised at the time of application and the number of jobs created, estimated number of jobs retained, the average salary and benefits for the jobs resulting from the program, and the number of projects approved.

Sec. 4. Minnesota Statutes 1995 Supplement, section 116J.581, subdivision 1, is amended to read:

Subdivision 1. [CREATION.] There is created a ~~permanent~~ task force on the state's economic future and competitiveness. The task force is composed of the governor (ex officio); the commissioners of the departments of economic security, trade and economic development, commerce, and labor and industry; the chancellor of the board of trustees of the Minnesota state

colleges and universities; the president of the largest statewide Minnesota organized labor organization as measured by the number of its members in affiliated labor organizations; the deans of the business schools at the University of Minnesota and St. Thomas University and the Hubert H. Humphrey Institute of Public Affairs; the science and technology advisor to the governor; six representatives from private sector businesses appointed by the governor, two from companies with more than 1,000 employees, two from companies with 101 to 1,000 employees, and two from companies with less than 100 employees; two members representing environmental interests; and designees of the majority leader of the senate and the minority leader of the house of representatives. The chair of the task force shall be elected by the members from the private sector members. Terms of private sector members shall be for a minimum of three years and a maximum of five years.

Sec. 5. Minnesota Statutes 1994, section 116J.581, subdivision 2, is amended to read:

Subd. 2. [DUTIES.] The task force shall:

(1) monitor implementation of the state's economic blueprint, particularly as it pertains to the long-range competitiveness of Minnesota's companies, published by the department of trade and economic development in November 1992;

(2) issue long-range policy recommendations for the state to achieve its long-range economic goals;

(3) hold periodic forums and symposiums as appropriate, involving renowned experts in areas pertaining to economic development and job creation;

(4) meet on call of the chair to receive reports and to provide ongoing counsel and advice to the legislature and the commissioner of trade and economic development;

(5) make recommendations as to modification or numeric changes in the economic blueprint to maintain its relevance and significance;

(6) ensure that goals, proposals, and recommendations should be quantified to the extent possible;

(7) utilize modern modeling tools to determine the long-range competitive impact of past, present, and proposed legislative action; and

(8) scrutinize all legislation that can impact the state's economic future or the competitiveness of Minnesota enterprise.

Sec. 6. Minnesota Statutes 1994, section 116J.581, subdivision 4, is amended to read:

Subd. 4. [~~CONTINUATION~~ SUNSET OF TASK FORCE.] The task force shall ~~not expire but shall continue until terminated by a law specifically terminating it on January 1, 1999.~~

Sec. 7. Minnesota Statutes 1995 Supplement, section 116J.655, is amended to read:

116J.655 [YOUTH ENTREPRENEURSHIP EDUCATION PROGRAM.]

~~The commissioner of trade and economic development~~ shall establish a youth entrepreneurship education program to improve the academic and entrepreneurial skills of students and aid in their transition from school to business creation. The program shall strengthen local economies by creating jobs that enable citizens to remain in their communities and to foster cooperation among educators, economic development professionals, business leaders, and representatives of labor. Assistance under this section shall be available to new or existing student-operated or school-operated businesses that have an educational purpose, and provide service or products for customers or clients who do not attend or work at the sponsoring school. The commissioner may require an equal local match for assistance under this section up to the maximum grant amount of \$20,000.

Sec. 8. Minnesota Statutes 1994, section 116J.980, subdivision 1, is amended to read:

Subdivision 1. [DUTIES.] The department of trade and economic development shall:

(1) be responsible for administering all state community development and assistance programs, including the economic recovery account, the outdoor recreation grant program, the rural development board programs, the Minnesota public facilities authority loan and grant programs, and the enterprise zone program;

(2) be responsible for state administration of federally funded community development and assistance programs, including the small cities development grant program and land and water conservation program;

(3) provide technical assistance to rural communities for community development in cooperation with regional development commissions;

(4) coordinate the development and review of state rural development policies; and

(5) ~~provide staff and consultant services to the rural development board; and~~

(6) be responsible for coordinating community assistance and development programs in cooperation with regional development commissions.

Sec. 9. Minnesota Statutes 1995 Supplement, section 116N.03, subdivision 2, is amended to read:

Subd. 2. [GIFTS; GRANTS.] ~~The board commissioner~~ may apply for, accept, and disburse gifts, grants, loans, or other property from the United States, the state, private foundations, or any other source. ~~It;~~ may enter into an agreement required for the gifts, grants, or loans; and may hold, use, and dispose of its assets in accordance with the terms of the gift, grant, loan, or agreement. Money received by the ~~board commissioner~~ under this subdivision must be deposited in a separate account in the state treasury and ~~invested~~ by the state board of investment. The amount deposited, including investment earnings, is appropriated to the ~~board commissioner~~ to carry out its duties under this section.

Sec. 10. Minnesota Statutes 1995 Supplement, section 116N.06, is amended to read:

116N.06 [RURAL INVESTMENT GUIDE.]

~~The board, after appropriate study and public hearings as necessary, commissioner shall adopt a comprehensive state rural investment guide consisting of policy statements, objectives, standards, and program criteria to guide state agencies in establishing and implementing programs relating to rural development. The guide must recognize the community and economic needs, the food and agricultural policy, and the resources of rural Minnesota, and provide a plan to coordinate and allocate public and private resources to the rural areas of the state. The board commissioner shall submit the guide to the appropriate committees of the legislature. The guide shall be prepared every fourth year.~~

Sec. 11. [INSTRUCTION TO REVISOR.]

The revisor shall:

(1) recodify Minnesota Statutes 1994, section 116J.655, as Minnesota Statutes, section 121.72;

(2) recodify Minnesota Statutes, sections 116N.01, subdivisions 1, 3, 4, 5, 6, 7, and 8; 116N.02, subdivision 6; 116N.03, subdivision 1; 116N.06; and 116N.08, in Minnesota Statutes, chapter 116J, making conforming changes as necessary, correct references to those sections in Minnesota Statutes and Minnesota Rules, and change "board" where it means the rural development board to "commissioner" in those sections;

(3) change "rural development board" and "board" where it means the rural development board to "commissioner" in Minnesota Rules, chapter 4370.

Sec. 12. [REPEALER.]

Minnesota Statutes 1994, sections 116J.981; 116N.01, subdivision 2; 116N.02, subdivisions 2, 3, 4, and 5; 116N.04; and 116N.07; Minnesota Statutes 1995 Supplement, section 116N.02, subdivision 1; and Minnesota Rules, part 4370.0010, subpart 3, are repealed."

Delete the title and insert:

"A bill for an act relating to economic development; changing classification of the director of tourism; modifying provisions relating to business finance programs and the competitiveness task force; abolishing the main street program and the rural development board; transferring authority for certain programs; amending Minnesota Statutes 1994, sections 16B.06, subdivision 2; 116J.01, subdivision 5; 116J.581, subdivisions 2 and 4; and 116J.980, subdivision 1; Minnesota Statutes 1995 Supplement, sections 116J.58, subdivision 1; 116J.581, subdivision 1; 116J.655; 116N.03, subdivision 2; and 116N.06; repealing Minnesota Statutes 1994, sections 116J.981; 116N.01, subdivision 2; 116N.02, subdivisions 2, 3, 4, and 5; 116N.04; and 116N.07; Minnesota Statutes 1995 Supplement, section 116N.02, subdivision 1; Minnesota Rules, part 4370.0010, subpart 3."

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

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

S.F. No. 2397: A bill for an act relating to employment; modifying provisions regarding minimum wages; increasing penalties; modifying employer liability provisions; imposing a penalty; changing inclusions in earnings statement; amending Minnesota Statutes 1994, sections 177.27, subdivisions 2, 4, and by adding subdivisions; 177.30; and 181.032; proposing coding for new law in Minnesota Statutes, chapter 181; repealing Minnesota Statutes 1994, sections 177.27, subdivision 6; 177.33; and 181.17.

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 1994, section 177.27, subdivision 2, is amended to read:

Subd. 2. [SUBMISSION OF RECORDS; PENALTY.] The commissioner may require the employer of employees working in the state to submit to the commissioner photocopies, certified copies, or, if necessary, the originals of employment records which the commissioner deems necessary or appropriate. The records which may be required include full and correct statements in writing, including sworn statements by the employer, containing information relating to wages, hours, names, addresses, and any other information pertaining to the employer's employees and the conditions of their employment as the commissioner deems necessary or appropriate.

The commissioner may require the records to be submitted by certified mail delivery or, if necessary, by personal delivery by the employer or a representative of the employer, as authorized by the employer in writing.

The commissioner may fine the employer up to \$200 ~~\$1,000~~ for each failure to submit or deliver records as required by this section. This penalty is in addition to any penalties provided under section 177.32, subdivision 1. In determining the amount of a civil penalty under this subdivision, the appropriateness of such penalty to the size of the employer's business and the gravity of the violation shall be considered.

Sec. 2. Minnesota Statutes 1994, section 177.27, subdivision 4, is amended to read:

Subd. 4. [COMPLIANCE ORDERS.] The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.35, 181.032, 181.101, 181.13, 181.14, 181.145, and 181.79, or with any rule promulgated under section 177.28. The department shall serve the order upon the employer or the employer's authorized representative in person or by certified mail at the employer's place of business. An employer who wishes to contest the order must file written notice of objection to the order with the commissioner within ~~ten~~ 15 calendar days after being

served with the order. A public hearing contested case proceeding must then be held in accordance with sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner.

Sec. 3. Minnesota Statutes 1994, section 177.27, is amended by adding a subdivision to read:

Subd. 7. [EMPLOYER LIABILITY.] If an employer is found by the commissioner to have violated a section identified in subdivision 4, or any rule promulgated under section 177.28, the commissioner shall order the employer to cease and desist from engaging in the violative practice and to take such affirmative steps that in the judgment of the commissioner will effectuate the purposes of the section or rule violated. The commissioner shall order the employer to pay to the aggrieved parties back pay, gratuities, and compensatory damages, less any amount actually paid to the employee by the employer, and for an additional equal amount as liquidated damages. Any employer who is found by the commissioner to have repeatedly or willfully violated a section or sections identified in subdivision 4 shall be subject to a civil penalty of up to \$1,000 for each violation for each employee. In determining the amount of a civil penalty under this subdivision, the appropriateness of such penalty to the size of the employer's business and the gravity of the violation shall be considered. In addition, the commissioner may order the employer to reimburse the department and the attorney general for all appropriate litigation and hearing costs expended in preparation for and in conducting the contested case proceeding, unless payment of costs would impose extreme financial hardship on the employer. If the employer is able to establish extreme financial hardship, then the commissioner may order the employer to pay a percentage of the total costs that will not cause extreme financial hardship. Costs include but are not limited to the costs of services rendered by the attorney general, private attorneys if engaged by the department, administrative law judges, court reporters, and expert witnesses as well as the cost of transcripts and other necessary supplies and materials. Interest shall accrue on, and be added to, the unpaid balance of a commissioner's order from the date the order is signed by the commissioner until it is paid, at an annual rate provided in section 549.09, subdivision 1, paragraph (c). The commissioner may establish escrow accounts for purposes of distributing damages.

Sec. 4. Minnesota Statutes 1994, section 177.27, is amended by adding a subdivision to read:

Subd. 8. [COURT ACTIONS; SUITS BROUGHT BY PRIVATE PARTIES.] An employee may bring a civil action seeking redress for a violation or violations of sections 177.21 to 177.35 directly to district court. An employer who pays an employee less than the wages and overtime compensation to which the employee is entitled under sections 177.21 to 177.35 is liable to the employee for the full amount of the wages, gratuities, and overtime compensation, less any amount the employer is able to establish was actually paid to the employee and for an additional equal amount as liquidated damages. In addition, the employee may seek damages and other appropriate relief provided by subdivision 7 and otherwise provided by law. An agreement between the employee and the employer to work for less than the applicable wage is not a defense to the action.

Sec. 5. Minnesota Statutes 1994, section 177.27, is amended by adding a subdivision to read:

Subd. 9. [DISTRICT COURT JURISDICTION.] Any action brought under subdivision 8 may be filed in the district court of the county wherein a violation or violations of sections 177.21 to 177.35 are alleged to have been committed, where the respondent resides or has a principal place of business, or any other court of competent jurisdiction. The action may be brought by one or more employees.

Sec. 6. Minnesota Statutes 1994, section 177.27, is amended by adding a subdivision to read:

Subd. 10. [ATTORNEY'S FEES AND COSTS.] In any action brought pursuant to subdivision 8, the court shall order an employer who is found to have committed a violation or violations of sections 177.21 to 177.35 to pay to the employee or employees reasonable costs, disbursements, witness fees, and attorney fees.

Sec. 7. Minnesota Statutes 1994, section 177.30, is amended to read:

177.30 [KEEPING RECORDS; PENALTY.]

Every employer subject to sections 177.21 to 177.35 must make and keep a record of:

- (1) the name, address, and occupation of each employee;
- (2) the rate of pay, and the amount paid each pay period to each employee;
- (3) the hours worked each day and each workweek by the employee; and
- (4) other information the commissioner finds necessary and appropriate to enforce sections 177.21 to 177.35. The records must be kept for three years in or near the premises where an employee works.

The commissioner may fine an employer up to ~~\$200~~ \$1,000 for each failure to maintain records as required by this section. This penalty is in addition to any penalties provided under section 177.32, subdivision 1. In determining the amount of a civil penalty under this subdivision, the appropriateness of such penalty to the size of the employer's business and the gravity of the violation shall be considered.

Sec. 8. Minnesota Statutes 1994, section 181.032, is amended to read:

181.032 [REQUIRED STATEMENT OF EARNINGS BY EMPLOYER.]

At the end of each pay period, the employer shall give each employee an earnings statement in writing covering that pay period. The earnings statement may be in any form determined by the employer but must include:

- (a) the name of the employee;
- (b) the hourly rate of pay (if applicable);
- (c) the total number of hours worked by the employee unless exempt from chapter 177;
- (d) the total amount of gross pay earned by the employee during that period;
- (e) a list of deductions made from the employee's pay;
- (f) the net amount of pay after all deductions are made; and
- (g) the date on which the pay period ends; and
- (h) the legal name of the employer and the operating name of the employer if different from the legal name.

An employer, who for the purpose of depriving an employee of wages to which the employee is entitled and in order to mislead the employee, furnishes to the employee a statement that the employer knows to be false is guilty of a misdemeanor.

Sec. 9. [181.171] [COURT ACTIONS; PRIVATE PARTY CIVIL ACTIONS.]

Subdivision 1. [CIVIL ACTION; DAMAGES.] A person may bring a civil action seeking redress for violations of sections 181.02, 181.03, 181.031, 181.032, 181.08, 181.09, 181.10, 181.101, 181.11, 181.12, 181.13, 181.14, 181.145, and 181.15 directly to district court. An employer who is found to have violated the above sections is liable to the aggrieved party for the civil penalties or damages provided for in the section violated. An employer who is found to have violated the above sections shall also be liable for compensatory damages and other appropriate relief including but not limited to injunctive relief.

Subd. 2. [DISTRICT COURT JURISDICTION.] An action brought under subdivision 1 may be filed in the district court of the county wherein a violation is alleged to have been committed, where the respondent resides or has a principal place of business, or any other court of competent jurisdiction.

Subd. 3. [ATTORNEY'S FEES AND COSTS.] In an action brought under subdivision 1, the court shall order an employer who is found to have committed a violation to pay to the aggrieved party reasonable costs, disbursements, witness fees, and attorney fees.

Sec. 10. [REPEALER.]

Minnesota Statutes 1994, sections 177.27, subdivision 6; 177.33; and 181.17, are repealed."

Delete the title and insert:

"A bill for an act relating to employment; modifying provisions regarding minimum wages; increasing penalties; modifying employer liability provisions; imposing a penalty; changing inclusions in earnings statement; amending Minnesota Statutes 1994, sections 177.27, subdivisions 2, 4, and by adding subdivisions; 177.30; and 181.032; proposing coding for new law in Minnesota Statutes, chapter 181; repealing Minnesota Statutes 1994, sections 177.27, subdivision 6; 177.33; and 181.17."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2813, 2544, 2596, 2351 and 1882 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Ourada moved that his name be stricken as a co-author to S.F. No. 118. The motion prevailed.

Mr. Vickerman moved that his name be stricken as a co-author to S.F. No. 2779. The motion prevailed.

Ms. Piper moved that S.F. No. 2351, on General Orders, be stricken and re-referred to the Committee on Family Services. The motion prevailed.

Ms. Berglin moved that S.F. No. 2094 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Health Care. The motion prevailed.

CALENDAR

S.F. No. 1919: A bill for an act relating to reemployment insurance; making technical and administrative changes; amending Minnesota Statutes 1994, sections 268.04, subdivisions 2, 4, and by adding a subdivision; 268.06, subdivisions 5 and 24; 268.07; 268.072, subdivisions 2, 3, and 5; 268.073, subdivisions 3, 4, and 7; 268.074, subdivision 4; 268.08, as amended; 268.09, subdivision 2; 268.12, by adding a subdivision; 268.16, subdivision 4; 268.164, subdivisions 1 and 2; and 268.23; Minnesota Statutes 1995 Supplement, sections 268.041; 268.06, subdivision 20; 268.09, subdivision 1; 268.105, by adding a subdivision; 268.161, subdivision 9; and 268.18, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1994, sections 268.04, subdivisions 18 and 24; 268.10, subdivision 1; and 268.231; Minnesota Statutes 1995 Supplement, section 268.10, subdivision 2; Laws 1994, chapter 503, section 5.

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 54 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Johnson, D.E.	Langseth	Neuville	Runbeck
Beckman	Johnson, D.J.	Larson	Novak	Sams
Belanger	Johnson, J.B.	Lesewski	Oliver	Samuelson
Berg	Johnston	Lessard	Olson	Scheevel
Day	Kiscaden	Limmer	Ourada	Solon
Dille	Kleis	Marty	Pappas	Stevens
Fischbach	Knutson	Metzen	Pariseau	Stumpf
Frederickson	Kramer	Moe, R.D.	Piper	Terwilliger
Hanson	Krentz	Mondale	Ranum	Vickerman
Hottinger	Kroening	Morse	Reichgott Junge	Wiener
Janezich	Laidig	Murphy	Robertson	

Those who voted in the negative were:

Berglin	Chandler	Finn	Flynn	Merriam
Betzold				

So the bill passed and its title was agreed to.

H.F. No. 1926: A bill for an act relating to occupations; regulating the practice of dental hygiene; amending Minnesota Statutes 1994, sections 150A.05; 150A.06, subdivision 2; and 150A.10, subdivision 1.

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	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chandler	Johnson, J.B.	Lessard	Ourada	Spear
Cohen	Johnston	Limmer	Pappas	Stevens
Day	Kelly	Marty	Pariseau	Stumpf
Dille	Kiscaden	Merriam	Piper	Terwilliger
Finn	Kleis	Metzen	Pogemiller	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Reichgott Junge	

So the bill passed and its title was agreed to.

S.F. No. 1856: A bill for an act relating to insurance; Medicare supplement insurance; providing applicants with a brochure on long-term care insurance; amending Minnesota Statutes 1994, section 62A.31, subdivision 1q.

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	Dille	Johnson, D.J.	Kroening	Metzen
Beckman	Finn	Johnson, J.B.	Laidig	Moe, R.D.
Belanger	Fischbach	Johnston	Langseth	Mondale
Berg	Flynn	Kelly	Larson	Morse
Berglin	Frederickson	Kiscaden	Lesewski	Murphy
Betzold	Hanson	Kleis	Lessard	Neuville
Chandler	Hottinger	Knutson	Limmer	Novak
Cohen	Janezich	Kramer	Marty	Oliver
Day	Johnson, D.E.	Krentz	Merriam	Olson

Ourada	Pogemiller	Runbeck	Solon	Terwilliger
Pappas	Ranum	Sams	Spear	Vickerman
Pariseau	Reichgott Junge	Samuelson	Stevens	Wiener
Piper	Robertson	Scheevel	Stumpf	

So the bill passed and its title was agreed to.

S.F. No. 1699: A bill for an act relating to natural resources; modifying provisions for aquatic farms, and recreational vehicles; amending Minnesota Statutes 1994, sections 17.4982, subdivisions 8, 10, 17, 21, and by adding a subdivision; 17.4984, subdivisions 2 and 7; 17.4985, subdivisions 2, 3, and 4; 17.4986; 17.4988, subdivisions 2 and 4; 17.4991, subdivision 3; 17.4992, subdivisions 2 and 3; 17.4993, subdivision 1; and 97C.203; Minnesota Statutes 1995 Supplement, sections 84.788, subdivision 3; and 84.922, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chandler	Johnson, J.B.	Lessard	Ourada	Spear
Cohen	Johnston	Limmer	Pappas	Stevens
Day	Kelly	Marty	Pariseau	Stumpf
Dille	Kiscaden	Merriam	Piper	Terwilliger
Finn	Kleis	Metzen	Pogemiller	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Reichgott Junge	

So the bill passed and its title was agreed to.

H.F. No. 2355: A bill for an act relating to local government; authorizing a city, county, or town to require certain information in applying for or as a condition of granting approval of permits required under official controls; amending Minnesota Statutes 1994, section 462.353, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 366 and 394.

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	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chandler	Johnson, J.B.	Lessard	Ourada	Spear
Cohen	Johnston	Limmer	Pappas	Stevens
Day	Kelly	Marty	Pariseau	Stumpf
Dille	Kiscaden	Merriam	Piper	Terwilliger
Finn	Kleis	Metzen	Pogemiller	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Reichgott Junge	

So the bill passed and its title was agreed to.

S.F. No. 1622: A bill for an act relating to insurance; homeowner's; regulating proof of loss; proposing coding for new law in Minnesota Statutes, chapter 65A.

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 60 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Krentz	Morse	Reichgott Junge
Beckman	Hottinger	Kroening	Murphy	Robertson
Belanger	Janezich	Langseth	Neuville	Runbeck
Berg	Johnson, D.E.	Larson	Novak	Sams
Berglin	Johnson, D.J.	Lesewski	Oliver	Samuelson
Chandler	Johnson, J.B.	Lessard	Olson	Scheevel
Cohen	Johnston	Limmer	Ourada	Solon
Day	Kelly	Marty	Pappas	Spear
Dille	Kiscaden	Merriam	Pariseau	Stevens
Fischbach	Kleis	Metzen	Piper	Stumpf
Flynn	Knutson	Moe, R.D.	Pogemiller	Terwilliger
Frederickson	Kramer	Mondale	Ranum	Vickerman

Messrs. Betzold and Finn voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2267: A bill for an act relating to elections; prohibiting public employers other than the state from requiring employees to take leave of absence upon becoming a candidate for elective office; proposing coding for new law in Minnesota Statutes, chapter 179A.

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 54 and nays 10, as follows:

Those who voted in the affirmative were:

Beckman	Hanson	Kramer	Mondale	Reichgott Junge
Belanger	Hottinger	Krentz	Morse	Runbeck
Berglin	Janezich	Kroening	Murphy	Sams
Betzold	Johnson, D.E.	Laidig	Neuville	Samuelson
Chandler	Johnson, D.J.	Langseth	Novak	Solon
Cohen	Johnson, J.B.	Lesewski	Oliver	Spear
Dille	Johnston	Lessard	Ourada	Stumpf
Finn	Kelly	Limmer	Pappas	Terwilliger
Fischbach	Kiscaden	Marty	Piper	Vickerman
Flynn	Kleis	Metzen	Pogemiller	Wiener
Frederickson	Knutson	Moe, R.D.	Ranum	

Those who voted in the negative were:

Anderson	Day	Merriam	Pariseau	Scheevel
Berg	Larson	Olson	Robertson	Stevens

So the bill passed and its title was agreed to.

S.F. No. 2340: A bill for an act relating to crime prevention; defining the crime of motor vehicle operation resulting in bodily harm; prescribing penalties; amending Minnesota Statutes 1994, section 609.21, by adding a subdivision.

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	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chandler	Johnson, J.B.	Lessard	Ourada	Spear
Cohen	Johnston	Limmer	Pappas	Stevens
Day	Kelly	Marty	Pariseau	Stumpf
Dille	Kiscaden	Merriam	Piper	Terwilliger
Finn	Kleis	Metzen	Pogemiller	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Reichgott Junge	

So the bill passed and its title was agreed to.

CONSENT CALENDAR

H.F. No. 2634: A bill for an act relating to local government; providing for one additional chief deputy sheriff in the unclassified service in Hennepin county; amending Minnesota Statutes 1994, section 383B.32, 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 61 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kroening	Novak	Samuelson
Beckman	Hottinger	Langseth	Oliver	Scheevel
Belanger	Janezich	Lesewski	Olson	Solon
Berg	Johnson, D.E.	Lessard	Ourada	Spear
Betzold	Johnson, D.J.	Limmer	Pappas	Stevens
Chandler	Johnson, J.B.	Marty	Pariseau	Stumpf
Cohen	Johnston	Merriam	Piper	Terwilliger
Day	Kelly	Metzen	Pogemiller	Vickerman
Dille	Kiscaden	Moe, R.D.	Ranum	Wiener
Finn	Kleis	Mondale	Reichgott Junge	
Fischbach	Knutson	Morse	Robertson	
Flynn	Kramer	Murphy	Runbeck	
Frederickson	Krentz	Neuville	Sams	

Ms. Berglin, Messrs. Laidig and Larson voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 2114: A bill for an act relating to drivers' licenses; changing codes for two types of driver's license; amending Minnesota Statutes 1994, sections 171.02, subdivision 2; 171.04, subdivision 2; 171.05, subdivision 1; 171.06, subdivision 3; 171.07, subdivisions 1b, 2, and 3a; 171.165, subdivision 5; and 171.321, subdivision 1; Minnesota Statutes 1995 Supplement, sections 171.02, subdivision 2a; 171.06, subdivision 2; and 171.30, subdivision 3.

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	Betzold	Finn	Hottinger	Johnston
Beckman	Chandler	Fischbach	Janezich	Kelly
Belanger	Cohen	Flynn	Johnson, D.E.	Kiscaden
Berg	Day	Frederickson	Johnson, D.J.	Kleis
Berglin	Dille	Hanson	Johnson, J.B.	Knutson

Kramer	Limmer	Neuville	Pogemiller	Solon
Krentz	Marty	Novak	Ranum	Spear
Kroening	Merriam	Oliver	Reichgott Junge	Stevens
Laidig	Metzen	Olson	Robertson	Stumpf
Langseth	Moe, R.D.	Ourada	Runbeck	Terwilliger
Larson	Mondale	Pappas	Sams	Vickerman
Lesewski	Morse	Pariseau	Samuelson	Wiener
Lessard	Murphy	Piper	Scheevel	

So the bill passed and its title was agreed to.

H.F. No. 2652: A bill for an act relating to local government; granting the city of Minneapolis authority to negotiate certain trade and craft contracts for stagehands; amending Laws 1988, chapter 471, section 1, subdivisions 1, as amended, and 2, as amended; and section 2, as amended.

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	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chandler	Johnson, J.B.	Lessard	Ourada	Spear
Cohen	Johnston	Limmer	Pappas	Stevens
Day	Kelly	Marty	Pariseau	Stumpf
Dille	Kiscaden	Merriam	Piper	Terwilliger
Finn	Kleis	Metzen	Pogemiller	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Reichgott Junge	

So the bill passed and its title was agreed to.

S.F. No. 2118: A bill for an act relating to public safety; providing for other safe house programs similar to the McGruff program; amending Minnesota Statutes 1994, section 299A.28, subdivision 5, and by adding a subdivision.

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	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Scheevel
Betzold	Johnson, D.J.	Lesewski	Olson	Solon
Chandler	Johnson, J.B.	Lessard	Ourada	Spear
Cohen	Johnston	Limmer	Pappas	Stevens
Day	Kelly	Marty	Pariseau	Stumpf
Dille	Kiscaden	Merriam	Piper	Terwilliger
Finn	Kleis	Metzen	Pogemiller	Vickerman
Fischbach	Knutson	Moe, R.D.	Ranum	Wiener
Flynn	Kramer	Mondale	Reichgott Junge	

So the bill passed and its title was agreed to.

S.F. No. 2698: A bill for an act relating to agencies; providing for the right to extend a deadline with certain conditions; amending Minnesota Statutes 1995 Supplement, section 15.99, subdivision 3.

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 62 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Krentz	Morse	Robertson
Beckman	Hanson	Kroening	Murphy	Runbeck
Belanger	Hottinger	Laidig	Neuville	Sams
Berg	Janezich	Langseth	Novak	Samuelson
Berglin	Johnson, D.E.	Larson	Oliver	Solon
Betzold	Johnson, D.J.	Lesewski	Olson	Spear
Chandler	Johnson, J.B.	Lessard	Ourada	Stumpf
Cohen	Johnston	Limmer	Pappas	Terwilliger
Day	Kelly	Marty	Pariseau	Vickerman
Dille	Kiscaden	Merriam	Piper	Wiener
Finn	Kleis	Metzen	Pogemiller	
Fischbach	Knutson	Moe, R.D.	Ranum	
Flynn	Kramer	Mondale	Reichgott Junge	

Messrs. Scheevel and Stevens voted in the negative.

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Stumpf introduced--

S.F. No. 2829: A bill for an act relating to taxation; exempting sales of gravel crushing services to counties from the sales tax; amending Minnesota Statutes 1995 supplement, section 297A.25, subdivision 11.

Referred to the Committee on Taxes and Tax Laws.

Ms. Runbeck and Mr. Terwilliger introduced--

S.F. No. 2830: A bill for an act relating to taxation; property; providing for deferment of certain homestead taxes for persons of at least 65 years who meet certain income requirements; appropriating money; amending Minnesota Statutes 1995 Supplement, sections 275.065, subdivision 3; and 276.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes and Tax Laws.

Ms. Lesewski and Mr. Laidig introduced--

S.F. No. 2831: A bill for an act relating to local government; providing a statewide moratorium on detachment and annexation orders.

Referred to the Committee on Metropolitan and Local Government.

Ms. Lesewski introduced--

S.F. No. 2832: A bill for an act relating to parks and recreation; adding area to Split Rock Creek state park.

Referred to the Committee on Environment and Natural Resources.

Mr. Day introduced--

S.F. No. 2833: A bill for an act relating to the city of Owatonna; modifying certain tax increment financing requirements for a housing district.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Mondale, Morse and Ms. Johnson, J.B. introduced--

S.F. No. 2834: A bill for an act relating to highways; restricting size of bridges built over wild and scenic rivers; amending Minnesota Statutes 1994, section 165.02.

Referred to the Committee on Transportation and Public Transit.

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

MOTIONS AND RESOLUTIONS

Mr. Novak moved that S.F. No. 2056 be withdrawn from the Committee on Governmental Operations and Veterans, given a second reading and placed on General Orders. The motion prevailed.

S.F. No. 2056 was read the second time.

MEMBERS EXCUSED

Messrs. Chmielewski and Price were excused from the Session of today. Mr. Riveness was excused from the Session of today at 9:45 a.m. Messrs. Cohen and Pogemiller were excused from the Session of today from 8:00 to 9:45 a.m. Ms. Wiener was excused from the Session of today from 8:00 to 8:55 a.m. Mr. Novak was excused from the Session of today from 8:30 to 9:45 a.m. Ms. Reichgott Junge was excused from the Session of today from 8:00 to 9:20 a.m.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Friday, February 16, 1996. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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