

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

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NINETEENTH DAY

St. Paul, Minnesota, Monday, February 22, 1999

The Senate met at 10:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Steve Kidder.

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

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

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

The President declared a quorum present.

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

## MEMBERS EXCUSED

Senators Janezich, Junge and Murphy were excused from the Session of today.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE BUREAU OF MEDIATION SERVICES

Lance Teachworth, 1587 Beechwood Avenue, St. Paul, Minnesota 55116, in the county of Ramsey, effective January 11, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE  
MINNESOTA DEPARTMENT OF ECONOMIC SECURITY

Earl Wilson, 13130 Garnet Avenue, Apple Valley, Minnesota 55124, in the county of Dakota, effective January 28, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE MINNESOTA DEPARTMENT OF FINANCE

Pam Wheelock, 1843 Highland Parkway, St. Paul, Minnesota 55116, in the county of Ramsey, effective February 10, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE MINNESOTA DEPARTMENT OF HUMAN RIGHTS

Janeen Rosas, 4544 Upton Avenue South, Minneapolis, Minnesota 55410, in the county of Hennepin, effective January 4, 1999, for a four-year term expiring on Monday, January 6, 2003.

(Referred to the Committee on Judiciary.)

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE MINNESOTA  
DEPARTMENT OF LABOR AND INDUSTRY

Gretchen B. Maglich, 16500 Grays Bay Boulevard, Minnetonka, Minnesota 55391, in the county of Hennepin, effective January 19, 1999, for a four-year term expiring on Monday, January 6, 2003.

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

February 5, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

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

COMMISSIONER OF THE MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES

Allen Garber, 11200 Creekview Lane, Champlin, Minnesota 55316, in the county of Hennepin, effective February 15, 1999, for a four-year term expiring on Monday, January 6, 2003.

(Referred to the Committee on Environment and Natural Resources.)

Sincerely,  
Jesse Ventura, Governor

February 18, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Senator Spear:

The Subcommittee on Committees of the Committee on Rules and Administration met on February 16, 1999, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 1998

134: Minnesota-Wisconsin Boundary Area Commission Advisory Committee - Senators Krentz, Laidig, Morse, Murphy and Price for a two-year term expiring on January 30, 2001.

3.85: Legislative Commission on Pensions and Retirement - Senators Betzold; Johnson, D.E.; Morse; Pogemiller; Stumpf and Terwilliger for a two-year term expiring on January 15, 2001.

3.922: Indian Affairs Council - Senator Lourey (replacing Ranum) to serve at the pleasure of the appointing authority.

3.9222: Legislative Commission on the Economic Status of Women - Senator Foley (replacing Johnson, J.B.) to serve until the expiration of his legislative term.

16B.42: Intergovernmental Information Systems Advisory Council - Senator Kelley, S.P. (replacing Wiener) for a term expiring on June 30, 1999.

44A.01: World Trade Center Board of Directors - Senators Moe, R.D.; Oliver and Wiener (replacing Beckman) for a two-year term expiring on February 16, 2001.

127A.81: Education Commission of the States - Senator Pogemiller to serve a two-year term expiring on February 16, 2001.

135A.21: Midwestern Higher Education Commission - Senator Stumpf to serve a two-year term expiring on February 16, 2001.

138A.01: Labor Interpretive Center Board of Directors - Senator Novak (Ex Officio), Julie Bleyhl and Elizabeth Pegues for a four-year term expiring on the first Monday in January, 2003.

465.796: Government Innovation and Cooperation Board - Senators Hottinger, Metzen and Terwilliger to serve at the pleasure of the appointing authority.

Joint Subcommittee on Claims - Senators Higgins; Kelly, R.C. and Kleis to serve at the pleasure of the appointing authority.

The Subcommittee on Committees of the Committee on Rules and Administration also made the following recommendations to the Legislative Coordinating Commission:

3.855: Legislative Coordinating Commission Subcommittee on Employee Relations - Senators Flynn; Kelley, S.P.; Kiscaden; Scheid and Stevens.

Legislative Coordinating Commission Subcommittee on Geographic Information Systems (GIS) - Senators Pogemiller and Kleis.

Legislative Coordinating Commission Subcommittee on Rules - Senators Betzold and Pariseau.

Legislative Coordinating Commission Legislative Reference Library Subcommittee - Senators Frederickson and Stumpf.

Legislative Coordinating Commission Revisor of Statutes Subcommittee - Senators Belanger and Kelly, R.C.

Legislative Coordinating Commission Working Group on Business Taxation - Senators Belanger and Hottinger.

Legislative Coordinating Commission Working Group on Taxation of Telecommunications Services - Senators Kelley, S.P.; Anderson; Knutson; Marty; Murphy and Runbeck.

Respectfully,  
Roger D. Moe, Chair  
Subcommittee on Committees

February 18, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear Senator Spear:

As Majority Leader of the Senate, I have made the following appointments:

Pursuant to Minnesota Statutes 1998

3.303: Legislative Coordinating Commission - Senators Hottinger and Junge to serve until a successor is named during a regular session.

3.97: Legislative Audit Commission - Senator Johnson, D.H., the designee of the President of the Senate, for a two-year term expiring on the first day of session in 2001.

116J.693: Advantage Minnesota, Inc. Board of Directors - Senator Johnson, D.H., the designee of the Majority Leader, to serve at the pleasure of the appointing authority.

175.007: Advisory Council on Workers' Compensation - Senator Novak (replacing Hottinger) for a term expiring on June 30, 2001.

240A.02: Minnesota Amateur Sports Commission - Senator Krentz for a two-year term expiring on February 16, 2001.

Information Technology Ad Hoc Committee - Senators Beckman; Frederickson; Johnson, J.B.;

Kelley, S.P. (Chair); Kiscaden; Knutson; Novak; Olson; Pogemiller; Price; Ranum; Robertson and Stumpf for a two-year term expiring on February 16, 2001.

Respectfully,  
Roger D. Moe,  
Senate Majority Leader

### CERTIFICATION

February 18, 1999

To the Governor  
State of Minnesota

To the Senate  
State of Minnesota

To the House of Representatives  
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Thursday, February 18, 1999, have elected as members of the Board of Regents of the University of Minnesota the following members each to hold office for the term specified for each to begin upon election by the Joint Convention:

Dallas Bohnsack, Second Congressional District, Six Years

William E. Hogan II, Third Congressional District, Six Years

Anthony R. Baraga, Eighth Congressional District, Six Years

William R. Peterson, At-Large, Six Years

Allan H. Spear  
President of the Senate

Steve Sviggum  
Speaker of the House  
of Representative

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 413.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 18, 1999

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 413:** A bill for an act relating to professions; modifying certain licensing and registration requirements for physicians, acupuncturists, and athletic trainers; amending Minnesota Statutes 1998, sections 147.02, subdivision 1; 147.03, subdivision 1; 147.037, subdivision 1;

147B.02, subdivisions 4 and 9; 147B.05, subdivision 2; 148.7808, subdivisions 4 and 5; and 148.7815, subdivisions 1 and 2.

Referred to the Committee on Health and Family Security.

### REPORTS OF COMMITTEES

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

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

**S.F. No. 465:** A bill for an act relating to counties; permitting county recorders to require minimum deposits in certain cases; amending Minnesota Statutes 1998, section 386.78.

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

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

**S.F. No. 9:** A bill for an act relating to civil service; providing for the abolition of the Spring Lake Park police civil service commission.

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 1998, section 419.16, is amended to read:

419.16 [~~DISCONTINUANCE~~ ABOLITION OF COMMISSION.]

Any A police civil service commission hereafter created pursuant to the provisions of under this chapter may be ~~discontinued and~~ abolished as follows: (1) by the voters in accordance with section 419.17; or (2) by a unanimous vote of the city council. Abolition by the voters shall be initiated by a petition signed by at least 25 percent of the number of legal voters voting at the last general municipal election shall be filed with the governing body of such the city and shall request requesting that the following question be submitted to the voters: "Shall the police civil service commission be abolished?"

Sec. 2. Minnesota Statutes 1998, section 419.17, is amended to read:

419.17 [~~DISCONTINUANCE~~ ABOLITION SUBMITTED TO VOTERS.]

When ~~such~~ a petition is filed under section 419.16, the governing body of ~~such~~ the city shall cause the question to be submitted to the voters at the first following general municipal election. The commission ~~shall be deemed to be~~ is abolished if two-thirds of the votes cast in the election ~~be~~ are in favor of ~~such~~ the abolishment, and the status of the police department and all of ~~the its~~ employees thereof shall thereafter ~~be deemed to be~~ the same as if the commission had not been created."

Page 1, delete lines 11 and 12 and insert:

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "the Spring Lake Park" and insert "a"

Page 1, line 4, before the period, insert "by a unanimous vote of the city council; amending Minnesota Statutes 1998, sections 419.16 and 419.17"

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

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

**S.F. No. 792:** A bill for an act relating to agriculture; compensating crop owners for crop damage or destruction by deer; appropriating money; amending Minnesota Statutes 1998, section 3.7371, subdivisions 1, 2, 3, and 5.

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

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

**S.F. No. 122:** A bill for an act relating to agriculture; classifying industrial hemp as an agricultural crop subject to regulation and registration by the commissioner of agriculture; requiring growers of industrial hemp to be registered by the commissioner; imposing a criminal penalty; proposing coding for new law in Minnesota Statutes, chapter 18.

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

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

**S.F. No. 685:** A bill for an act relating to telecommunications; deregulating coin-operated or public pay telephones under state law; authorizing the public utilities commission to assess administrative penalties for anticompetitive activities by telecommunication providers; proposing coding for new law in Minnesota Statutes, chapter 237.

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

Delete everything after the enacting clause and insert:

"Section 1. [237.036] [COIN-OPERATED OR PUBLIC PAY TELEPHONES.]

(a) Neither commission approval or a commission certificate is required to:

(1) site a coin-operated or public pay telephone in the state; or

(2) implement changes in service, services offered, rates, or location regarding a coin-operated or public pay telephone. A certificate under section 237.16 is required to own or operate a coin-operated or public pay telephone in the state.

(b) This section does not change the authority of other state or local government entities to regulate aspects of coin-operated or public pay telephone ownership, location, or operation; however, an entity may not regulate aspects of these services that it did not regulate prior to the effective date of this section. The commission shall retain the authority delegated to it under federal and state law to protect the public interest with regard to coin-operated or public pay telephones.

(c) Owners and operators of coin-operated or public pay telephones are exempt from sections 237.06, 237.07, 237.075, 237.09, 237.23, and 237.39 and the annual reporting requirement of section 237.11.

(d) The commission shall require owners of coin-operated or public pay telephones to provide free access to 911 and E-911 emergency services and to the telecommunications relay service for the communication impaired. Owners of coin-operated or public pay telephones must post or offer via a toll-free number:

(1) customer service and complaint information, including the name, address, and telephone number of the owner of the coin-operated or public pay telephone and the operator service handling calls from the coin-operated or public pay telephone; the identities of the local exchange carrier handling local calls and the telecommunications carriers handling long-distance calls; instructions for accessing other local exchange or interexchange carriers; a toll-free number of the appropriate telephone company for the resolution of complaints; and the toll-free number of the public utilities commission; and

(2) pricing information regarding rates, charges, terms, and conditions of local and long-distance calls.

Sec. 2. [237.462] [COMPETITIVE ENFORCEMENT; ADMINISTRATIVE PENALTIES TO PROMOTE AND PROTECT LOCAL TELEPHONE COMPETITION.]

Subdivision 1. [AUTHORITY TO ISSUE PENALTY ORDERS.] After a proceeding under section 237.081, the commission may issue an order administratively assessing monetary penalties for knowing and intentional violations of sections 237.09, 237.121, and 237.16, any rules adopted under those sections, any standards, limitations, or conditions established in a commission order pursuant to those sections, and any substantive violation of an approved interconnection agreement. The penalty order must be issued as provided in this section.

Subd. 2. [AMOUNT OF PENALTY; CONSIDERATIONS.] (a) The commission may issue an order assessing a penalty of between \$100 and \$5,000 per day for each violation.

(b) In determining the amount of a penalty, the commission shall consider:

(1) the willfulness of the violation;

(2) the gravity of the violation, including the harm to customers or competitors;

(3) the history of past violations, including the gravity of past violations and the time lapsed since the last violation;

(4) the number of violations;

(5) the economic benefit gained by the person committing the violation;

(6) any corrective action taken or planned by the person committing the violation; and

(7) other factors as determined by the commission, if the commission specifically identifies the additional factors in the commission's order.

Subd. 3. [BURDEN OF PROOF.] The commission may not assess a penalty under this section unless the record in the proceeding establishes by a preponderance of the evidence that the penalty is justified based on the factors identified in subdivision 2.

Subd. 4. [CONTENTS OF ORDER.] An order assessing an administrative penalty under this section shall include:

(1) a concise statement of the facts alleged to constitute a violation;

(2) a reference to the section of the statute, rule, or order that has been violated;

(3) a statement of the amount of the administrative penalty to be imposed and the factors upon which the penalty is based; and

(4) a statement of the person's right to review of the order.



Subd. 5. [PENALTY STAYED.] A penalty imposed under this section shall not be payable sooner than 31 days after the commission issues its final order assessing the penalty. The person subject to the penalty may appeal the commission's penalty order under sections 14.63 to 14.68. If the person does appeal the commission's penalty order, the penalty shall not be payable until either the Minnesota court of appeals issues a decision sustaining the commission's penalty order or the person withdraws the appeal.

Subd. 6. [EXPEDITED PROCEEDING.] The commission may initiate an expedited proceeding under section 237.61, in lieu of a contested case under chapter 14, to develop an evidentiary record in any proceeding covered by this section that involves contested issues of material fact. An expedited proceeding under this subdivision shall be governed by the following procedural rules:

(1) the parties shall have the discovery rights provided in Minnesota Rules, parts 1400.6700 to 1400.7000;

(2) the parties shall have the right to cross-examine witnesses as provided in section 14.60, subdivision 3;

(3) the admissibility of evidence and development of record for decision shall be governed by section 14.60 and Minnesota Rules, part 1400.7300;

(4) if practicable, three commissioners shall preside at a hearing under this subdivision; and

(5) the commission may, by standing order, apply other procedures or standards included in the rules of the office of administrative hearings, as necessary to ensure the fair and expeditious resolution of disputes under this section.

Subd. 7. [TEMPORARY RELIEF.] After providing opportunity for notice and comment, the commission may order the person accused of violating section 237.09, 237.121, or 237.16 any rules adopted under those sections, any standards, limitations, or conditions established in a commission order pursuant to those sections, or any substantive violation of an approved interconnection agreement to cease the conduct which allegedly violates those provisions, pending completion of any evidentiary hearings under this section, provided that the commission finds the temporary cessation of such conduct is necessary to protect the public's interest in fair and reasonable competition.

Subd. 8. [ENFORCEMENT.] The attorney general, on behalf of the state, may proceed to enforce and collect penalties that are due and payable under this section in any manner provided to the attorney general by other law.

Subd. 9. [CUMULATIVE REMEDIES.] The attorney general may not seek civil penalties under section 237.461 for the same violations for which the commission has issued an order imposing administrative monetary penalties under this section. The imposition of administrative penalties in accordance with this section is in addition to all other remedies available under statutory or common law. The payment of a penalty does not preclude the use of other enforcement provisions, under which penalties are not assessed, in connection with the violation or violations for which the penalty was assessed.

Subd. 10. [APPLICATION.] This section applies to any telecommunications provider, telephone company, or telecommunications carrier offering local telephone service within the service territory of a telephone company with 50,000 subscribers or more.

Sec. 3. Minnesota Statutes 1998, section 237.5799, is amended to read:

237.5799 [EXPIRATION OF COMPETITIVE SERVICE LAWS.]

Sections 237.58, 237.59, 237.60, subdivisions 1, 2, and 5, 237.61, 237.62, and 237.625, 237.63, 237.64, 237.65, and 237.68 expire on August 1, 1999.

Sec. 4. [SUNSET.]

Section 2 and Minnesota Statutes 1998, sections 237.63, 237.64, 237.65, and 237.68 expire as of December 31, 2004.

Sec. 5. [EFFECTIVE DATE.]

This act is effective the day following final enactment but section 2 does not apply to dockets pending on the effective date."

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "amending Minnesota Statutes 1998, section 237.5799;"

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

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

**S.F. No. 321:** A bill for an act relating to the city of Brooklyn Park; establishing a housing improvement area.

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

Delete everything after the enacting clause and insert:

"Section 1. [428A.22] [HOUSING IMPROVEMENT AREAS; DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] As used in sections 428A.22 to 428A.31, the terms defined in this section have the meanings given them.

Subd. 2. [AUTHORITY.] "Authority" means an economic development authority created pursuant to section 469.091.

Subd. 3. [CITY.] "City" means a statutory or home rule charter city.

Subd. 4. [ENABLING ORDINANCE.] "Enabling ordinance" means the ordinance adopted by the city council establishing the housing improvement area.

Subd. 5. [HOUSING IMPROVEMENTS.] "Housing improvements" has the meaning given in the city's enabling ordinance. Housing improvements may include improvements to common elements of a condominium.

Subd. 6. [HOUSING IMPROVEMENT AREA.] "Housing improvement area" means a defined area within the city where housing improvements are made or constructed and the costs of the improvements are paid in whole or in part from fees imposed within the area.

Subd. 7. [HOUSING UNIT.] "Housing unit" means real property and improvements thereon consisting of a one-dwelling unit, or an apartment as described in chapter 515, 515A, or 515B, that is occupied by a person or family for use as a residence.

Subd. 8. [IMPLEMENTING ENTITY.] "Implementing entity" means the city or authority designated in the enabling ordinance as responsible for implementing and administering the housing improvement area.

Sec. 2. [428A.23] [PETITION REQUIRED.]

No action may be taken under sections 428A.24 and 428A.25 unless owners of 25 percent or more of the housing units that would be subject to fees in the proposed housing improvement area file a petition requesting a public hearing on the proposed action with the city clerk. No action may be taken under section 428A.25 to impose a fee unless owners of 25 percent or more of the housing units subject to the proposed fee file a petition requesting a public hearing on the proposed fee with the city clerk or other appropriate official.

Sec. 3. [428A.24] [ESTABLISHMENT OF HOUSING IMPROVEMENT AREA.]

Subdivision 1. [ORDINANCE.] The governing body of the city may adopt an ordinance establishing one or more housing improvement areas to be administered by the authority. The ordinance must specifically describe the portion of the city to be included in the area, the basis for the imposition of the fees, and the number of years the fee will be in effect. In addition, the ordinance must include findings that without the housing improvement area, the proposed improvements could not be made by the condominium associations or housing unit owners, and the designation is needed to maintain and preserve the housing units within the housing improvement area. The ordinance shall designate the implementing entity. The ordinance may not be adopted until a public hearing has been held regarding the ordinance. The ordinance may be amended by the governing body of the city, provided the governing body complies with the public hearing notice provisions of subdivision 2. Within 30 days after adoption of the ordinance under this subdivision, the governing body shall send a copy of the ordinance to the commissioner of revenue.

Subd. 2. [PUBLIC HEARING.] The notice of public hearing must include the time and place of hearing, a map showing the boundaries of the proposed area, and a statement that all persons owning housing units in the proposed area that would be subject to a fee for housing improvements will be given an opportunity to be heard at the hearing. Notice of the hearing must be given by publication in the official newspaper of the city. The public hearing must be held at least seven days after the publication. Not less than ten days before the hearing, notice must also be mailed to the owner of each housing unit within the proposed area. For the purpose of giving mailed notice, owners are those shown on the records of the county auditor. Other records may be used to supply the necessary information. At the public hearing a person owning property in the proposed housing improvement area may testify on any issues relevant to the proposed area. The hearing may be adjourned from time to time. The ordinance establishing the area may be adopted at any time within six months after the date of the conclusion of the hearing by a vote of the majority of the governing body of the city.

Subd. 3. [PROPOSED HOUSING IMPROVEMENTS.] At the public hearing held under subdivision 2, the proposed implementing entity shall provide a preliminary listing of the housing improvements to be made in the area. The listing shall identify those improvements, if any, that are proposed to be made to all or a portion of the common elements of a condominium. The listing shall also identify those housing units that have completed the proposed housing improvements and are proposed to be exempted from a portion of the fee. In preparing the list the proposed implementing entity shall consult with the residents of the area and the condominium associations.

Subd. 4. [BENEFIT; OBJECTION.] Before the ordinance is adopted or at the hearing at which it is to be adopted, the owner of a housing unit in the proposed housing improvement area may file a written objection with the city clerk asserting that the owner's property should not be included in the area or should not be subjected to a fee and objecting to the inclusion of the housing unit in the area, for the reason that the property would not benefit from the improvements.

The governing body shall make a determination of the objection within 60 days of its filing. Pending its determination, the governing body may delay adoption of the ordinance or it may adopt the ordinance with a reservation that the landowner's property may be excluded from the housing improvement area or fee when the determination is made.

Subd. 5. [APPEAL TO DISTRICT COURT.] Within 30 days after the determination of the objection, any person aggrieved, who is not precluded by failure to object before or at the hearing, or whose failure to object is due to a reasonable cause, may appeal to the district court by serving a notice upon the mayor or city clerk. The notice shall be filed with the court administrator of the district court within ten days after its service. The city clerk shall furnish the appellant a certified copy of the findings and determination of the governing body. The court may affirm the action objected to or, if the appellant's objections have merit, modify or cancel it. If the appellant does not prevail upon the appeal, the costs incurred are taxed to the appellant by the court and judgment entered for them. All objections are deemed waived unless presented on appeal.

Sec. 4. [428A.25] [IMPROVEMENT FEES AUTHORITY; NOTICE AND HEARING.]

Subdivision 1. [AUTHORITY.] Fees may be imposed by the implementing entity on the housing units within the housing improvement area at a rate, term, or amount sufficient to produce revenue required to provide housing improvements in the area to reimburse the implementing entity for advances made to pay for the housing improvements or to pay principal of interest on, and premiums, if any, bonds issued by the implementing entity pursuant to section 428A.27. The fee can be imposed on the basis of the tax capacity of the housing unit, or the total amount of square footage of the housing unit, or a method determined by the council and specified in the resolution. Before the imposition of the fees, a hearing must be held and notice must be published in the official newspaper at least seven days before the hearing and shall be mailed at least seven days before the hearing to any housing unit owner subject to a fee. For purposes of this section, the notice must also include:

- (1) a statement that all interested persons will be given an opportunity to be heard at the hearing regarding a proposed housing improvement fee;
- (2) the estimated cost of improvements including administrative costs to be paid for in whole or in part by the fee imposed under the ordinance;
- (3) the amount to be charged against the particular property;
- (4) the right of the property owner to prepay the entire fee;
- (5) the number of years the fee will be in effect; and
- (6) a statement that the petition requirements of section 428A.23 have either been met or do not apply to the proposed fee.

Within six months of the public hearing, the implementing entity may adopt a resolution imposing a fee within the area not exceeding the amount expressed in the notice issued under this section.

Prior to adoption of the resolution approving the fee, the condominium associations located in the housing improvement area shall submit to the implementing entity a financial plan prepared by an independent third party, acceptable to the implementing entity and associations, that provides for the associations to finance maintenance and operation of the common elements in the condominium and a long-range plan to conduct and finance capital improvements.

Subd. 2. [LEVY LIMIT.] Fees imposed under this section are not included in the calculation of levies or limits on levies imposed under any law or charter.

#### Sec. 5. [428A.26] [COLLECTION OF FEES.]

The implementing entity may provide for the collection of the housing improvement fees according to the terms of section 428A.05.

#### Sec. 6. [428A.27] [BONDS.]

At any time after a contract for the construction of all or part of an improvement authorized under sections 428A.22 to 428A.31 has been entered into or the work has been ordered, the implementing entity may issue obligations in the amount it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement, including every item of cost from inception to completion and all fees and expenses incurred in connection with the improvement or the financing.

The obligations are payable primarily out of the proceeds of the fees imposed under section 428A.25, or from any other special assessments or revenues available to be pledged for their payment under charter or statutory authority, or from two or more of those sources. The governing body of the city or if the governing bodies of the city and authority are the same, the authority may, by resolution adopted prior to the sale of obligations, pledge the full faith, credit, and taxing power of the city to bonds issued by it to ensure payment of the principal and interest if the proceeds of the fees in the area are insufficient to pay the principal and interest. The obligations

must be issued in accordance with chapter 475, except that an election is not required, and the amount of the obligations are not included in determination of the net debt of the city under the provisions of any law or charter limiting debt.

Sec. 7. [428A.28] [ADVISORY BOARD.]

The implementing entity may create and appoint an advisory board for the housing improvement area in the city to advise the implementing entity in connection with the planning and construction of housing improvements. In appointing the board, the implementing entity shall consider for membership members of condominium associations located in the housing improvement area. The advisory board shall make recommendations to the implementing entity to provide improvements or impose fees within the housing improvement area. Before the adoption of a proposal by the implementing entity to provide improvements within the housing improvement area, the advisory board of the housing improvement area shall have an opportunity to review and comment upon the proposal.

Sec. 8. [428A.29] [VETO POWERS.]

Subdivision 1. [NOTICE OF RIGHT TO FILE OBJECTIONS.] The effective date of any ordinance or resolution adopted under sections 428A.24 and 428A.25 must be at least 45 days after it is adopted. Within five days after adoption of the ordinance or resolution, a summary of the ordinance or resolution shall be mailed to the owner of each housing unit included in the multiunit housing improvement area. The mailing shall include a notice that owners subject to a fee have a right to veto the ordinance or resolution by filing the required number of objections with the city clerk before the effective date of the ordinance or resolution and that a copy of the ordinance or resolution is on file with the city clerk for public inspection.

Subd. 2. [REQUIREMENTS FOR VETO.] If residents of 35 percent or more of the housing units in the area subject to the fee file an objection to the ordinance adopted by the city under section 428A.24 with the city clerk before the effective date of the ordinance, the ordinance does not become effective. If owners of 35 percent or more of the housing units' tax capacity subject to the fee under section 428A.25 file an objection with the city clerk before the effective date of the resolution, the resolution does not become effective.

Sec. 9. [428A.30] [ANNUAL REPORTS.]

Each condominium association located within the housing improvement area must, by August 15 annually, submit a copy of its audited financial statements to the implementing entity. The city may also, as part of the enabling ordinance, require the submission of other relevant information from the associations.

Sec. 10. [428A.31] [SPECIAL ASSESSMENTS.]

Within a housing improvement area, the governing body of the city may, in addition to the fee authorized in section 428A.25, special assess housing improvements to benefited property. The governing body of the city may by ordinance adopt regulations consistent with this section."

Delete the title and insert:

"A bill for an act relating to cities; authorizing housing improvement areas; proposing coding for new law in Minnesota Statutes, chapter 428A."

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

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

**S.F. No. 690:** A resolution requesting a ban on the importation of certain steel products.

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

Page 2, line 14, delete "all"

Page 2, line 19, after "of" insert "those"

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

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

**S.F. No. 593:** A bill for an act relating to capital improvements; correcting the name of a grant recipient to that of the project owner; amending Laws 1998, chapter 404, section 23, subdivision 17.

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

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

**S.F. No. 757:** A resolution memorializing Congress to enact legislation to prohibit federal recoument of the state tobacco settlement recoveries.

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

**Senator Cohen from the Committee on State Government Finance, to which was re-referred**

**S.F. No. 428:** A bill for an act relating to agriculture; extending the program for control of pseudorabies in swine; providing for the purchase and distribution of pseudorabies vaccine by the board of animal health; providing reimbursement for swine producers who purchased pseudorabies vaccine after January 1, 1999; providing financial management assistance to farmers; appropriating money.

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

Page 1, line 16, delete "when"

Page 1, line 17, delete "requested by the swine producer," and delete "provide" and insert "reimburse veterinarians for"

Page 1, line 18, delete "for" and insert "administered to"

Page 1, line 19, delete "a" and delete "premise" and insert "premises"

Page 1, delete lines 22 to 27

Page 2, delete lines 1 to 4

Page 2, line 5, delete "(d)" and insert "(c)"

Page 2, line 6, delete "swine producers" and insert "veterinarians" and delete "between" and insert "after"

Page 2, lines 7 and 8, delete "and the date the vaccine becomes available under paragraph (c)"

Page 2, line 10, delete "during"

Page 2, line 11, delete "this time period" and delete "the price" and insert "40 cents" and delete "the board pays"

Page 2, delete line 12 and insert ". An eligible veterinarian"

Page 2, line 14, delete "(e)" and insert "(d)"

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, lines 4 and 5, delete "purchase and distribution of pseudorabies vaccine by the board of animal health;"

Page 1, line 6, delete "swine producers" and insert "veterinarians"

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 465, 9, 122, 685, 690, 593, 757 and 428 were read the second time.

### MOTIONS AND RESOLUTIONS

Senator Metzen moved that the name of Senator Pariseau be added as a co-author to S.F. No. 18. The motion prevailed.

Senator Murphy moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 65. The motion prevailed.

Senator Scheevel moved that the names of Senators Johnson, J.B. and Morse be added as co-authors to S.F. No. 791. The motion prevailed.

Senator Scheevel moved that the names of Senators Johnson, J.B. and Morse be added as co-authors to S.F. No. 792. The motion prevailed.

Senator Kelly, R.C. moved that the names of Senators Wiger and Larson be added as co-authors to S.F. No. 797. The motion prevailed.

Senator Metzen moved that the name of Senator Wiger be added as a co-author to S.F. No. 811. The motion prevailed.

Senator Hottinger moved that S.F. No. 716 be withdrawn from the Committee on Governmental Operations and Veterans and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

#### Senator Olson introduced--

**Senate Resolution No. 37:** A Senate resolution commending Susan Kasper of Plymouth, Minnesota, for her outstanding record of volunteer service.

Referred to the Committee on Rules and Administration.

Senator Johnson, D.E. moved that S.F. No. 765 be withdrawn from the Committee on Transportation and returned to its author. The motion prevailed.

### CALENDAR

**S.F. No. 174:** A bill for an act relating to crime prevention; requiring certain persons committed as mentally ill and dangerous to the public to register as predatory sex offenders and to be subject to the community notification law; amending Minnesota Statutes 1998, sections 243.166, subdivisions 1, 2, and 6; and 244.052, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 76:** A bill for an act relating to crime prevention; eliminating requirement to hold DWI-related vehicle forfeiture proceeding at same time as implied consent hearing; amending Minnesota Statutes 1998, section 169.1217, subdivision 7a.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 255:** A bill for an act relating to crime; providing that interference with an emergency call is a crime; amending Minnesota Statutes 1998, section 609.78.

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 0, as follows:

Those who voted in the affirmative were:

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



Piper	Robertson	Samuelson	Spear	Terwilliger
Pogemiller	Robling	Scheevel	Stevens	Vickerman
Price	Runbeck	Scheid	Stumpf	Wiener
Ranum	Sams	Solon	Ten Eyck	Wiger

So the bill passed and its title was agreed to.

**S.F. No. 99:** A bill for an act relating to crime; requiring offenders convicted for failure to appear after release to pay costs incurred by the prosecuting authority or governmental agency due to the failure to appear; amending Minnesota Statutes 1998, section 609.49, subdivisions 1, 2, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 117:** A bill for an act relating to crime; limiting the time period during which a defendant may challenge a restitution request; amending Minnesota Statutes 1998, section 611A.045, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 301:** A bill for an act relating to health; modifying the suggested health care directive form, amending Minnesota Statutes 1998, section 145C.16.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 97:** A bill for an act relating to agriculture; exempting hydroponic greenhouses from the corporate farm law; amending Minnesota Statutes 1998, section 500.24, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 424:** A bill for an act relating to agriculture; authorizing the commissioner of agriculture to allow the distribution of nonregistered pesticides for certain uses outside the state; amending Minnesota Statutes 1998, section 18B.26, 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 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Betzold

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. No. 194, which the committee recommends to pass.

H.F. No. 133, which the committee recommends to pass, after the following motion:

Senator Kelly R.C. moved to amend H.F. No. 133 as follows:

Page 1, after line 5, insert:

"Section 1. Laws 1994, chapter 570, section 1, is amended to read:

Section 1. [ST. PAUL; RESIDENCY FOR CITY EMPLOYEES.]

Notwithstanding Minnesota Statutes, section 415.16 or any other statute or home rule charter provision, the city of St. Paul may by ordinance require that a person for whom the appointing authority is the mayor, the city council, or the mayor and the council jointly be a resident of the city as a condition of employment by the city. The residency requirement may be applied by the city only to persons hired by the city after the effective date of the ordinance."

Page 1, line 6, delete "Section 1" and insert "Sec. 2"

Page 1, line 7, delete "AND ST. PAUL"

Page 1, line 8, delete "; and Laws 1994, chapter 570, are" and insert ", is"

Page 1, delete line 11 and insert:

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

Amend the title accordingly

Without objection, Senator Johnson, D.H. was excused from voting on all questions pertaining to H.F. No. 133.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 39, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Langseth	Pappas	Spear
Beckman	Higgins	Lourey	Piper	Wiener
Berglin	Hottinger	Marty	Pogemiller	
Cohen	Johnson, D.J.	Moe, R.D.	Ranum	
Dille	Kelly, R.C.	Morse	Solon	

Those who voted in the negative were:

Belanger	Foley	Kelley, S.P.	Larson	Novak
Berg	Frederickson	Kiscaden	Lesewski	Oliver
Betzold	Hanson	Knutson	Lessard	Olson
Day	Johnson, D.E.	Krentz	Limmer	Ourada
Fischbach	Johnson, J.B.	Laidig	Metzen	Pariseau

Price  
Robertson  
Robling

Runbeck  
Sams  
Samuelson

Scheevel  
Scheid  
Stevens

Stumpf  
Ten Eyck  
Terwilliger

Vickerman  
Wiger

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

Senator Berglin moved to amend H.F. No. 133 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Laws 1993, chapter 260, is amended to read:

Section 1. [CITY OF MINNEAPOLIS; RESIDENCY REQUIREMENTS.]

Notwithstanding Minnesota Statutes, section 415.16, or provision of other law, home rule charter, ordinance, resolution or rule to the contrary, the city of Minneapolis may require residency within the city's territorial limits as a condition of employment by the city. The residency requirement may apply only to persons hired after the date the requirement is imposed.

Sec. 2. [SPECIAL SCHOOL DISTRICT NO. 1; RESIDENCY REQUIREMENTS.]

Notwithstanding Minnesota Statutes, section 415.16, or provision of other law, home rule charter, ordinance, resolution or rule to the contrary, special school district No. 1 may require residency within the school district's territorial limits as a condition of employment by the school district. The residency requirement may apply only to persons hired after the date the requirement is imposed.

Sec. 3. [CITY LIBRARY BOARD; RESIDENCY REQUIREMENTS.]

Notwithstanding Minnesota Statutes, section 415.16, or provision of other law, home rule charter, ordinance, resolution or rule to the contrary, the library board of the city of Minneapolis may require residency within the territorial limits of the city of Minneapolis as a condition of employment by the board. The residency requirement may apply only to persons hired after the date the requirement is imposed.

Sec. 4. [CITY PARK AND RECREATION BOARD; RESIDENCY REQUIREMENTS.]

Notwithstanding Minnesota Statutes, section 415.16, or provision of other law, home rule charter, ordinance, resolution or rule to the contrary, the parks and recreation board of the city of Minneapolis may require residency within the territorial limits of the city of Minneapolis as a condition of employment by the board. The residency requirement may apply only to persons hired after the date the requirement is imposed.

Sec. 5. [LOCAL APPROVAL.]

Section 1 takes effect the day after the governing body of the city of Minneapolis complies with Minnesota Statutes, section 645.021, subdivision 3.

Section 2 takes effect the day after the governing body of special school district No. 1 complies with Minnesota Statutes, section 645.021, subdivision 3.

Section 3 takes effect the day after the governing body of the library board of the city of Minneapolis complies with Minnesota Statutes, section 645.021, subdivision 3.

Section 4 takes effect the day after the governing body of the park and recreation board of the city of Minneapolis complies with Minnesota Statutes, section 645.021, subdivision 3.

Sec. 6. [REPEALER.]

Sections 1, 3, and 4, are repealed on January 1, 2000, unless the voters of the city of Minneapolis voting at the general election in November 1999 vote affirmatively on the question of whether the city of Minneapolis, the library board of the city of Minneapolis, and the park and recreation board of the city of Minneapolis, respectively, may require residency within the

territorial limits of the city as a condition of employment by the city, the library board, or the park and recreation board. A separate ballot question shall be proposed for each of the three political subdivisions, and if the voters of the city of Minneapolis vote affirmatively on the question applicable to any of the three political subdivisions, the section applicable to that political subdivision is not repealed.

Section 2 is repealed on January 1, 2000, unless the voters of special school district No. 1 voting in the general election in November 1999 vote affirmatively on the question of whether special school district No. 1 may require residency within the territorial limits of the school district as a condition of employment by the school district. If the voters of special school district No. 1 vote affirmatively on the question, section 2 is not repealed.

Sec. 2. Laws 1994, chapter 570, is amended to read:

Section 1. [ST. PAUL; RESIDENCY FOR CITY EMPLOYEES.]

Notwithstanding Minnesota Statutes, section 415.16 or any other statute or home rule charter provision, the city of St. Paul may by ordinance require that a person be a resident of the city as a condition of employment by the city. The residency requirement may be applied by the city only to persons hired by the city after the effective date of the ordinance.

Sec. 2. [EFFECTIVE DATE; LOCAL APPROVAL.]

Section 1 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of St. Paul.

Sec. 3. [REPEALER.]

Section 1 is repealed on January 1, 2000, unless the voters of the city of St. Paul vote affirmatively at the general election in November 1999 on the question of whether the city may require residency within the territorial limits of the city as a condition of employment by the city. If the voters of the city vote affirmatively on the question, section 1 is not repealed."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 41, as follows:

Those who voted in the affirmative were:

Anderson	Flynn	Kelly, R.C.	Moe, R.D.	Pogemiller
Beckman	Higgins	Kleis	Morse	Ranum
Berglin	Hottinger	Langseth	Pappas	Spear
Cohen	Johnson, D.J.	Lourey	Piper	Wiener

Those who voted in the negative were:

Belanger	Johnson, D.E.	Lessard	Price	Stumpf
Berg	Johnson, J.B.	Limmer	Robertson	Ten Eyck
Betzold	Kelley, S.P.	Marty	Robling	Terwilliger
Day	Kiscaden	Metzen	Sams	Vickerman
Dille	Knutson	Novak	Samuelson	Wiger
Fischbach	Krentz	Oliver	Scheevel	
Foley	Laidig	Olson	Scheid	
Frederickson	Larson	Ourada	Solon	
Hanson	Lesewski	Pariseau	Stevens	

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

The question was taken on the recommendation to pass H.F. No. 133.

The roll was called, and there were yeas 44 and nays 18, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Lesewski	Pariseau	Solon
Berg	Johnson, J.B.	Lessard	Price	Stevens
Betzold	Kelley, S.P.	Limmer	Robertson	Stumpf
Day	Kiscaden	Marty	Robling	Ten Eyck
Dille	Kleis	Metzen	Runbeck	Terwilliger
Fischbach	Knutson	Novak	Sams	Vickerman
Foley	Krentz	Oliver	Samuelson	Wiener
Frederickson	Laidig	Olson	Scheevel	Wiger
Hanson	Larson	Ourada	Scheid	

Those who voted in the negative were:

Anderson	Flynn	Kelly, R.C.	Morse	Ranum
Beckman	Higgins	Langseth	Pappas	Spear
Berglin	Hottinger	Lourey	Piper	
Cohen	Johnson, D.J.	Moe, R.D.	Pogemiller	

The motion prevailed. So H.F. No. 133 was recommended to pass.

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

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

### MOTIONS AND RESOLUTIONS

Senator Knutson moved that S.F. No. 275 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Children, Families and Learning. The motion prevailed.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

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

#### Senators Marty, Krentz and Price introduced--

**S.F. No. 885:** A bill for an act relating to taxation; providing an alternative property tax refund formula; amending Minnesota Statutes 1998, section 290A.04, subdivisions 1, 3, 4, and by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

#### Senator Price introduced--

**S.F. No. 886:** A bill for an act relating to game and fish; modifying requirements for transporting archery bows; amending Minnesota Statutes 1998, section 97B.051.

Referred to the Committee on Environment and Natural Resources.

#### Senators Cohen, Berglin and Spear introduced--

**S.F. No. 887:** A bill for an act relating to crime; providing additional penalty enhancements for certain crimes motivated by bias; amending Minnesota Statutes 1998, sections 609.595, subdivisions 2 and 3; 609.749, subdivision 3; and 624.712, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 1998, sections 609.2231, subdivision 4; and 609.595, subdivision 1a.

Referred to the Committee on Crime Prevention.

**Senators Robertson; Kelley, S.P.; Olson; Oliver and Limmer introduced--**

**S.F. No. 888:** A bill for an act relating to taxation; exempting sales to outpatient surgical centers from the sales and use tax; amending Minnesota Statutes 1998, section 297A.25, subdivision 63.

Referred to the Committee on Taxes.

**Senator Foley introduced--**

**S.F. No. 889:** A bill for an act relating to traffic regulation; allowing peace officer to issue seat belt citation after stop for violation of certain ordinances or vehicle registration laws; amending Minnesota Statutes 1998, section 169.686, subdivision 1.

Referred to the Committee on Transportation.

**Senator Oliver introduced--**

**S.F. No. 890:** A bill for an act relating to taxation; providing an income tax rebate; appropriating money.

Referred to the Committee on Taxes.

**Senators Hottinger, Betzold, Ranum, Knutson and Neuville introduced--**

**S.F. No. 891:** A bill for an act relating to municipalities; clarifying an exception to tort liability; amending Minnesota Statutes 1998, section 466.03, subdivision 4.

Referred to the Committee on Local and Metropolitan Government.

**Senators Knutson, Wiger, Neuville and Robertson introduced--**

**S.F. No. 892:** A bill for an act relating to education; reducing threshold of average age of building space for alternative facilities program; amending Minnesota Statutes 1998, section 123B.59, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Senators Knutson, Janezich, Krentz, Wiger and Robertson introduced--**

**S.F. No. 893:** A bill for an act relating to education; increasing the maximum amount that may be levied for crime-related costs; modifying the use of crime-related costs levy proceeds; amending Minnesota Statutes 1998, section 126C.44.

Referred to the Committee on Children, Families and Learning.

**Senators Foley, Berglin, Ten Eyck, Robertson and Terwilliger introduced--**

**S.F. No. 894:** A bill for an act relating to health; creating the ability for health care providers to designate a credentials verification entity; proposing coding for new law as Minnesota Statutes, chapter 145D.

Referred to the Committee on Health and Family Security.

**Senators Solon; Johnson, D.J. and Lourey introduced--**

**S.F. No. 895:** A bill for an act relating to appropriations; appropriating money for water and sewer extension to the Fond du Lac area.

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

**Senator Johnson, D.J. introduced--**

**S.F. No. 896:** A bill for an act relating to taxes; sales and use taxes; exempting the purchases of materials and supplies used in renovating a municipal building in Babbitt; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Stumpf introduced--**

**S.F. No. 897:** A bill for an act relating to health; appropriating money for rural mental health services.

Referred to the Committee on Health and Family Security.

**Senators Wiener, Knutson, Metzen, Murphy and Pariseau introduced--**

**S.F. No. 898:** A bill for an act relating to health; authorizing Dakota county to establish home visiting programs to promote child safety and healthy development; appropriating money; amending Minnesota Statutes 1998, section 145A.15, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**Senators Metzen, Knutson, Murphy, Pariseau and Wiener introduced--**

**S.F. No. 899:** A bill for an act relating to crime; authorizing community custody as an alternative to a jail term; amending Minnesota Statutes 1998, section 609.11, by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Senators Knutson, Metzen, Murphy and Wiener introduced--**

**S.F. No. 900:** A bill for an act relating to crime; establishing a pilot project in Dakota county to implement and study community justice zones; appropriating money.

Referred to the Committee on Crime Prevention.

**Senators Betzold, Anderson, Kiscaden and Berglin introduced--**

**S.F. No. 901:** A bill for an act relating to children; adopting the Uniform Status of Children of Assisted Conception Act; proposing coding for new law as Minnesota Statutes, chapter 258A.

Referred to the Committee on Health and Family Security.

**Senators Samuelson and Sams introduced--**

**S.F. No. 902:** A bill for an act relating to crimes; creating a pilot project chemical dependency treatment program for chronic driving-while-impaired offenders; authorizing courts to order repeat DWI offenders to successfully complete the program; appropriating money; amending Minnesota Statutes 1998, sections 169.121, subdivision 3b, and by adding a subdivision; and 169.126, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 254A.

Referred to the Committee on Crime Prevention.

**Senators Neville; Kelly, R.C.; Kleis; Limmer and Spear introduced--**



**S.F. No. 903:** A bill for an act relating to crime prevention; requiring the commissioner of corrections to notify additional county attorneys when offenders who have been determined to be appropriate subjects of civil commitment petitions are nearing their release date; amending Minnesota Statutes 1998, section 244.05, subdivision 7.

Referred to the Committee on Crime Prevention.

**Senators Metzen, Wiger, Krentz, Larson and Novak introduced--**

**S.F. No. 904:** A bill for an act relating to the Minnesota amateur sports commission; authorizing grants for certain athletic facilities and programs; dedicating the use of a portion of excise and use tax receipts; appropriating money; amending Minnesota Statutes 1998, section 297A.44, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 240A.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Beckman, Larson, Lesewski and Vickerman introduced--**

**S.F. No. 905:** A bill for an act relating to community development; continuing the base funding for the center for rural policy and development; appropriating money.

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

**Senators Pappas, Piper and Lourey introduced--**

**S.F. No. 906:** A bill for an act relating to Ramsey county; authorizing certain supplementary service rates for a certain facility in Ramsey county.

Referred to the Committee on Health and Family Security.

**Senators Sams, Dille, Berg, Vickerman and Langseth introduced--**

**S.F. No. 907:** A bill for an act relating to agriculture; providing for additional research on soybean diseases and genetics; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

**Senators Johnson, D.H.; Ten Eyck; Foley and Knutson introduced--**

**S.F. No. 908:** A bill for an act relating to crime; providing criminal penalties for persons who own, operate, or have physical control of vehicles with intent to conceal or transport contraband in specially designated compartments; authorizing the civil forfeiture of vehicles containing illegal compartments; amending Minnesota Statutes 1998, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

**Senators Junge, Metzen, Solon, Spear and Belanger introduced--**

**S.F. No. 909:** A bill for an act relating to consumer protection; regulating certain telephone sales calls; providing remedies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 325G.

Referred to the Committee on Commerce.

**Senators Pappas, Olson, Stumpf, Wiener and Higgins introduced--**

**S.F. No. 910:** A bill for an act relating to education; providing for a grant to the Richard Green Institute; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Hanson, Samuelson, Junge and Ten Eyck introduced--**

**S.F. No. 911:** A bill for an act relating to corrections; guaranteeing correctional officers rights when a formal statement is taken as part of an investigation that could result in disciplinary action; proposing coding for new law in Minnesota Statutes, chapter 241.

Referred to the Committee on Crime Prevention.

**Senators Robling; Pogemiller; Morse; Johnson, D.E. and Olson introduced--**

**S.F. No. 912:** A bill for an act relating to retirement; Ridgeview medical center, Waconia; providing special retirement benefit coverage for certain employees who discontinue public employment by privatization.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Johnson, D.J.; Janezich; Johnson, J.B.; Laidig and Lessard introduced--**

**S.F. No. 913:** A bill for an act relating to game and fish; prohibiting the use of underwater video equipment to take fish; amending Minnesota Statutes 1998, section 97C.325.

Referred to the Committee on Environment and Natural Resources.

**Senators Novak; Runbeck; Johnson, D.H.; Lessard and Scheevel introduced--**

**S.F. No. 914:** A bill for an act relating to electric utilities; revising the house chairs appointed to the legislative electric energy task force; amending Minnesota Statutes 1998, section 216C.051, subdivision 2.

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

**Senators Kiscaden; Berglin; Stumpf; Moe, R.D. and Janezich introduced--**

**S.F. No. 915:** A bill for an act relating to health care; adding to the duties of the job skills partnership board; establishing a health care and human services worker training and retention program; requiring state colleges and universities to offer a short-term health care and human services course; appropriating money; amending Minnesota Statutes 1998, sections 116L.02; and 136F.71, subdivision I, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116L; 136A; 136F; and 256B.

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

**Senators Robling; Pariseau; Vickerman; Johnson, D.J. and Neuville introduced--**

**S.F. No. 916:** A bill for an act relating to local government; establishing the Cedar lake area water and sanitary sewer district.

Referred to the Committee on Environment and Natural Resources.

**Senators Lourey, Anderson, Pappas and Samuelson introduced--**

**S.F. No. 917:** A bill for an act relating to health; expanding the living-at-home/block nurse program; appropriating money; amending Minnesota Statutes 1998, section 256B.0917, subdivision 8.

Referred to the Committee on Health and Family Security.

**Senators Lourey, Solon, Samuelson, Sams and Dille introduced--**

**S.F. No. 918:** A bill for an act relating to gambling; creating adolescent compulsive gambling grant; appropriating money.

Referred to the Committee on Health and Family Security.

**Senators Hottinger, Stevens, Betzold and Metzen introduced--**

**S.F. No. 919:** A bill for an act relating to state government; repealing certain broad delegations of rulemaking authority; amending Minnesota Statutes 1998, sections 10A.02, subdivision 13; 84.03; 103B.101, subdivision 7; 115B.28, subdivision 1; 147.01, subdivision 3; 148.05; 148.191, subdivision 2; 148.53; 148B.20, subdivision 1; 148B.31; 150A.04, subdivision 5; 151.06, subdivision 1; 153.02; 154.24; 156.01, subdivision 3; 175.171; 179A.04, subdivision 3; 216B.08; 256.975, subdivision 2; 268.0122, subdivision 5; 270.06; 299J.04, subdivision 1; 299K.03, subdivision 5; 326.06; 326.241, subdivision 2; 352.03, subdivision 4; 363.05, subdivision 1; 401.03; 611A.33; and 626.843, subdivision 1; repealing Minnesota Statutes 1998, sections 16B.04, subdivision 1; 18.022, subdivision 8; 18C.121, subdivision 1; 21.118; 21.85, subdivision 11; 41A.04, subdivision 4; 45.023; 116J.035, subdivision 2; 148.08, subdivision 3; 182.657; 216A.07, subdivision 5; 216C.02, subdivision 3; 223.19; 239.06; 268.021; 326.18, subdivision 3; and 462A.06.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Hottinger, Stevens, Betzold and Metzen introduced--**

**S.F. No. 920:** A bill for an act relating to state government; providing for periodic legislative review and repeal of administrative rules; proposing coding for new law in Minnesota Statutes, chapter 14.

Referred to the Committee on Governmental Operations and Veterans.

**Senators Lessard, Janezich and Oliver introduced--**

**S.F. No. 921:** A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Itasca county.

Referred to the Committee on Environment and Natural Resources.

**Senator Solon introduced--**

**S.F. No. 922:** A bill for an act relating to education; clarifying and changing requirements for private career schools; providing for rulemaking; amending Minnesota Statutes 1998, sections 141.21, subdivisions 3, 5, 6, and by adding subdivisions; 141.22; 141.25, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 12; 141.26, subdivision 2; 141.271, subdivisions 1, 2, 3, 4, 5, 6, and 12; 141.28, subdivisions 3 and 5; 141.29, subdivision 1; 141.31; 141.32; and 141.35; proposing coding for new law in Minnesota Statutes, chapter 141; repealing Minnesota Statutes 1998, sections 141.25, subdivisions 9a, 9b, and 11; and 141.36.

Referred to the Committee on Children, Families and Learning.

**Senators Pappas, Flynn, Pogemiller, Betzold and Scheid introduced--**

**S.F. No. 923:** A bill for an act relating to taxation; providing for use of the revenues derived from the mortgage and deed taxes; appropriating money; amending Minnesota Statutes 1998, sections 287.12; and 287.21, subdivision 2.

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

**Senators Pappas, Flynn, Betzold, Runbeck and Belanger introduced--**

**S.F. No. 924:** A bill for an act relating to taxation; prohibiting the use of tax increment revenues for a social or recreational facility; amending Minnesota Statutes 1998, section 469.176, subdivision 4g.

Referred to the Committee on Local and Metropolitan Government.

**Senator Cohen introduced--**

**S.F. No. 925:** A bill for an act relating to disaster relief; authorizing the commissioner of public safety to make grants to provide the state match to obtain federal disaster relief funds; providing an open appropriation to fund these grants; specifying reporting requirements; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 12.

Referred to the Committee on Crime Prevention.

**Senators Wiener and Morse introduced--**

**S.F. No. 926:** A bill for an act relating to health; expanding the senior citizen drug program; creating a senior prescription drug endowment fund; appropriating money; amending Minnesota Statutes 1998, section 256.955, subdivisions 2 and 7; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

**Senators Runbeck, Murphy and Morse introduced--**

**S.F. No. 927:** A bill for an act relating to occupations; amending provisions governing the practice of professional engineering; amending Minnesota Statutes 1998, sections 326.02, subdivisions 1, 3, 5, and by adding subdivisions; 326.03, subdivisions 1 and 2; 326.04; 326.07; 326.09; 326.10, subdivision 1; 326.111, subdivisions 1, 6, and by adding a subdivision; 326.12, by adding subdivisions; and 326.14; proposing coding for new law in Minnesota Statutes, chapter 326.

Referred to the Committee on Commerce.

**Senator Betzold introduced--**

**S.F. No. 928:** A bill for an act relating to education; providing for a report on the number of instructional days in a school year; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Vickerman, Hanson, Wiger, Beckman and Higgins introduced--**

**S.F. No. 929:** A bill for an act relating to education; appropriating money for the high school student entrepreneurship program at independent school district No. 175, Westbrook.

Referred to the Committee on Children, Families and Learning.

**Senators Vickerman and Lesewski introduced--**

**S.F. No. 930:** A bill for an act relating to natural resources; appropriating money for a grant to the Lewis and Clark rural water system joint powers board.

Referred to the Committee on Environment and Natural Resources.

**Senators Vickerman, Sams, Dille, Lourey and Frederickson introduced--**

**S.F. No. 931:** A bill for an act relating to agriculture; appropriating money for the state agricultural experiment stations.

Referred to the Committee on Agriculture and Rural Development.

**Senators Vickerman, Sams, Dille, Lourey and Frederickson introduced--**

**S.F. No. 932:** A bill for an act relating to agriculture; appropriating money for county agriculture inspection.

Referred to the Committee on Agriculture and Rural Development.

**Senators Berglin, Kiscaden, Lourey, Samuelson and Sams introduced--**

**S.F. No. 933:** A bill for an act relating to health; establishing an employer-subsidized health coverage program; amending Minnesota Statutes 1998, section 256L.07, subdivision 3; proposing coding for new law as Minnesota Statutes, chapter 256M.

Referred to the Committee on Health and Family Security.

**Senator Berglin introduced--**

**S.F. No. 934:** A bill for an act relating to children; providing child care grants for African immigrant and refugee families and their children; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senator Terwilliger introduced--**

**S.F. No. 935:** A bill for an act relating to culture and recreation; establishing the commission on culture and recreation; providing capital grants to construct and rehabilitate facilities for the arts, professional sports, and the University of Minnesota; authorizing the sale of state revenue bonds backed by license and fee revenue; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 240B.

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

**Senator Olson introduced--**

**S.F. No. 936:** A bill for an act relating to water; restricting certain activities of water quality cooperatives; amending Minnesota Statutes 1998, section 115.58, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senator Spear introduced--**

**S.F. No. 937:** A bill for an act relating to appropriations; appropriating money to mitigate flooding at Lake of the Isles.

Referred to the Committee on Environment and Natural Resources.

**Senators Neuville, Olson, Scheevel, Scheid and Knutson introduced--**

**S.F. No. 938:** A bill for an act relating to education; prohibiting enrollment in fourth grade for students unable to read by the end of third grade; amending Minnesota Statutes 1998, sections 120B.30, subdivision 1; and 126C.05, subdivision 1.

Referred to the Committee on Children, Families and Learning.

**Senators Neuville; Kelly, R.C. and Kleis introduced--**

**S.F. No. 939:** A bill for an act relating to crime prevention; providing for indeterminate sentencing for certain convicted sex offenders; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

**Senators Scheid, Wiener, Limmer, Hottinger and Oliver introduced--**

**S.F. No. 940:** A bill for an act relating to insurance; no-fault auto; limiting recovery by uninsured motorists; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce.

**Senators Janezich, Hanson, Robertson, Wiger and Scheevel introduced--**

**S.F. No. 941:** A bill for an act relating to education; appropriating money for a school administrators recruitment program.

Referred to the Committee on Children, Families and Learning.

**Senators Janezich; Johnson, D.J.; Beckman; Laidig and Lessard introduced--**

**S.F. No. 942:** A bill for an act relating to appropriations; appropriating money for the taconite mining grant program.

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

**Senator Krentz introduced--**

**S.F. No. 943:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Washington county.

Referred to the Committee on Environment and Natural Resources.

**Senators Robertson, Krentz, Kiscaden, Berglin and Samuelson introduced--**

**S.F. No. 944:** A bill for an act relating to education; modifying provisions relating to medical assistance reimbursement for special education services; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 122A.09, subdivision 4; 125A.08; 125A.21, subdivision 1; 125A.74, subdivisions 1 and 2; 125A.744, subdivision 3; 125A.76, subdivision 2; 256B.0625, subdivision 26; and 256B.69, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 127A; and 214.

Referred to the Committee on Health and Family Security.

**Senator Novak introduced--**

**S.F. No. 945:** A bill for an act relating to the city of Columbia Heights; authorizing certain expenditures from certain tax increment financing districts.

Referred to the Committee on Local and Metropolitan Government.

**Senators Vickerman, Frederickson, Novak, Beckman and Morse introduced--**

**S.F. No. 946:** A bill for an act relating to taxation; property; exempting certain electric generation peaking facilities; amending Minnesota Statutes 1998, section 272.02, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

**Senators Betzold and Berglin introduced--**

**S.F. No. 947:** A bill for an act relating to children; allowing consideration of a mother's lost wages as reasonable expenses of pregnancy and confinement; amending Minnesota Statutes 1998, section 257.66, subdivision 3.

Referred to the Committee on Judiciary.

**Senators Vickerman, Knutson and Limmer introduced--**

**S.F. No. 948:** A bill for an act relating to taxation; providing a credit for charitable contributions; amending Minnesota Statutes 1998, section 290.01, subdivision 19a; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

**Senators Frederickson and Hottinger introduced--**

**S.F. No. 949:** A bill for an act relating to taxation; property; providing homestead treatment for certain property leased to a family farm corporation; amending Minnesota Statutes 1998, section 273.124, subdivision 8.

Referred to the Committee on Local and Metropolitan Government.

**Senator Betzold introduced--**

**S.F. No. 950:** A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1998, sections 2.724, subdivision 1; 10A.01, subdivision 18; 11A.16, subdivision 6; 12.21, subdivision 3; 12.33, subdivision 4; 15.059, subdivision 5a; 16B.171; 16B.335, subdivision 4; 16B.465, subdivision 1; 16C.05, subdivision 2; 17.114, subdivisions 3 and 4; 17.117, subdivision 15; 17.452, subdivision 1; 17.498; 18B.045, subdivision 1; 18E.06; 19.52, subdivision 2; 48A.12, subdivision 1; 58.02, subdivision 22; 62E.15, subdivision 2; 79A.06, subdivision 5; 103A.43; 103B.321, subdivision 1; 103B.351; 103B.581, subdivision 2; 103F.461; 103G.221, subdivision 1; 103H.175, subdivision 3; 103H.275; 115A.175, subdivision 2; 115A.33; 115B.20, subdivisions 1 and 6; 115C.021, subdivision 1; 116.182, subdivision 3a; 116J.70, subdivision 2a; 117.47; 119A.03, subdivision 2; 119A.26, subdivision 2; 119A.45; 119A.46, subdivision 4; 119A.51, subdivision 1; 119B.05, subdivision 1; 123B.57, subdivision 6; 124D.17, subdivision 7; 126C.21, subdivision 4; 126C.48, subdivision 8; 136F.47; 156.11; 168.022, subdivision 4; 169.1217, subdivision 7a; 169.129, subdivision 2; 171.061, subdivision 1; 171.07, subdivision 10; 174.06, subdivision 1; 179.12; 181.58; 205A.01, subdivision 2; 219.074, subdivision 2; 219.39; 221.034, subdivision 5; 221.036, subdivisions 1 and 3; 239.761, subdivisions 13 and 14; 245.462, subdivision 7; 245.466, subdivision 4; 245.4871, subdivision 9; 245.4875, subdivision 4; 245.825, subdivision 1b; 256B.0625, subdivision 32; 256B.0911, subdivision 7; 256B.0928; 256J.45, subdivision 2; 257.45; 257.74, subdivision 2; 268.9165; 287.09; 307.08, subdivisions 2, 8, 9, and 10; 340A.3021, subdivision 2; 446A.01; 446A.04, subdivision 7; 462A.21, subdivision 19; 480.054; 480.09, subdivision 1; 481.02, subdivision 2; 500.245, subdivision 1; 518.5511, subdivision 1; 518.6111, subdivision 5; and 609.26, by adding a subdivision; Laws 1994, chapter 560, article 2, section 15; repealing Minnesota Statutes 1998, sections 3.873; 16B.88, subdivision 5; 62J.47; 79.51, subdivision 4; 115A.159; 119A.28, subdivision 4; 119A.31, subdivision 3; 119A.54; 124D.17, subdivision 8; 144.121, subdivision 7; 144.664, subdivision 4; 197.236, subdivisions 1 and 2; 218.011, subdivision 7; 245.825,

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

Referred to the Committee on Judiciary.

**Senators Spear, Limmer, Berglin, Belanger and Ranum introduced--**

**S.F. No. 951:** A bill for an act relating to crime; establishing a demonstration grant program for coordinated criminal justice strategies; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Crime Prevention.

**Senators Johnson, D.H.; Murphy; Foley and Hottinger introduced--**

**S.F. No. 952:** A bill for an act relating to commerce; regulating certain real property loans; prohibiting prepayment penalties; requiring interest on escrow accounts; regulating private mortgage insurance; regulating lending practices; eliminating the net worth requirements for mortgage originators and servicers; amending Minnesota Statutes 1998, sections 47.20, subdivisions 5 and 9; and 58.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 47; repealing Minnesota Statutes 1998, section 47.20, subdivision 14.

Referred to the Committee on Commerce.

**Senators Samuelson, Ten Eyck, Terwilliger, Foley and Lourey introduced--**

**S.F. No. 953:** A bill for an act relating to health; regulating coverages and the classification of treatment; specifying the duties of certain carriers and providers; providing remedies; amending Minnesota Statutes 1998, sections 62A.60; 62J.71, subdivision 1; 62J.72, by adding a subdivision; 62M.07; 62M.09, subdivision 3; 62Q.58, subdivision 3; and 144.335, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62Q; proposing coding for new law as Minnesota Statutes, chapter 62U.

Referred to the Committee on Health and Family Security.

**Senators Kiscaden, Belanger, Knutson, Foley and Kelly, R.C. introduced--**

**S.F. No. 954:** A bill for an act relating to traffic regulations; allowing law enforcement agencies to recover seizure and storage expenses for vehicle returned to owner; amending Minnesota Statutes 1998, section 169.1217, subdivision 7.

Referred to the Committee on Crime Prevention.

**Senators Kiscaden, Neuville, Knutson, Foley and Kelly, R.C. introduced--**

**S.F. No. 955:** A bill for an act relating to traffic regulations; modifying disposition of vehicle forfeiture sale proceeds; amending Minnesota Statutes 1998, section 169.1217, subdivision 7.

Referred to the Committee on Crime Prevention.

**Senators Johnson, J.B.; Lourey and Foley introduced--**

**S.F. No. 956:** A bill for an act relating to health; providing an exception to the moratorium on nursing facility beds; amending Minnesota Statutes 1998, section 144A.071, subdivision 4a.



Referred to the Committee on Health and Family Security.

**Senators Johnson, J.B.; Johnson, D.E.; Langseth and Ourada introduced--**

**S.F. No. 957:** A bill for an act relating to transportation; providing for highway and transit funding; allocating spending from trunk highway fund; prohibiting preference for union contractors; changing definition of prevailing wage rate; allocating traffic fines and forfeited bail; providing for a task force; amending Minnesota Statutes 1998, sections 16C.25; 160.02, subdivision 7, and by adding a subdivision; 161.04, by adding a subdivision; 174.01, by adding a subdivision; 174.02, by adding a subdivision; 177.42, subdivision 6; 299D.01, by adding a subdivision; 299D.03, subdivision 5; and 471.345, subdivision 7.

Referred to the Committee on Transportation.

**Senators Pappas and Higgins introduced--**

**S.F. No. 958:** A bill for an act relating to alcoholic beverages; regulating hours of sale; amending Minnesota Statutes 1998, sections 340A.504, subdivisions 1, 2, 3, 5, and 6; and 340A.509.

Referred to the Committee on Commerce.

**Senators Pappas; Kelly, R.C. and Anderson introduced--**

**S.F. No. 959:** A bill for an act relating to alcoholic beverages; authorizing St. Paul to issue a temporary license for the sale of beer on the grounds of the state capitol in connection with the Twin Cities Marathon; amending Minnesota Statutes 1998, section 340A.412, subdivision 4.

Referred to the Committee on Commerce.

**Senators Johnson, D.J. and Belanger introduced--**

**S.F. No. 960:** A bill for an act relating to taxation; reducing income tax rates and changing the brackets; reducing marriage penalties; eliminating accelerated liability for sales, cigarettes and tobacco, and liquor taxes; exempting sales to veterans homes from the sales and use tax; exempting sales of tangible personal property used in the production of television commercials from the sales and use tax; changing administration of the sales tax exemption for capital equipment; changing the passenger automobile registration tax; providing for agricultural assistance; eliminating payments; transferring funds; canceling appropriations; appropriating money; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; 289A.11, subdivision 1; 289A.18, subdivision 4; 289A.20, subdivision 4; 289A.56, subdivision 4; 290.06, subdivisions 2c and 2d; 297A.25, subdivision 11, and by adding a subdivision; and 297F.09, subdivisions 1 and 2; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1998, sections 289A.60, subdivision 15; 297A.15, subdivision 5; 297F.09, subdivision 6; and 297G.09, subdivision 5.

Referred to the Committee on Taxes.

**Senators Anderson; Johnson, J.B.; Higgins and Novak introduced--**

**S.F. No. 961:** A bill for an act relating to employment; extending the length of employee leave in certain circumstances; amending Minnesota Statutes 1998, sections 181.941, subdivisions 1 and 2; 181.942, subdivision 2; and 181.943.

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

**Senators Anderson, Krentz, Pappas and Kelly, R.C. introduced--**

**S.F. No. 962:** A bill for an act relating to appropriations; appropriating money to complete construction of the Como Park Education Resource Center.

Referred to the Committee on Local and Metropolitan Government.

**Senators Hottinger, Morse, Terwilliger, Dille and Ten Eyck introduced--**

**S.F. No. 963:** A bill for an act relating to human services; adding an income exclusion for the Minnesota family investment program; amending Minnesota Statutes 1998, section 256J.21, subdivision 2.

Referred to the Committee on Health and Family Security.

**Senators Berglin, Foley, Dille and Piper introduced--**

**S.F. No. 964:** A bill for an act relating to human services; creating an exception to the 60-month lifetime limit on MFIP benefits for families with incapacitated members; establishing a program to support MFIP participants who are meeting federal work participation requirements; appropriating money; amending Minnesota Statutes 1998, section 256J.42, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Family Security.

**Senators Berglin, Foley, Piper and Hottinger introduced--**

**S.F. No. 965:** A bill for an act relating to human services; making changes to the Minnesota family investment program (MFIP); appropriating money; amending Minnesota Statutes 1998, sections 256J.52, subdivision 2; and 256J.53, subdivisions 1, 2, and 3; repealing Minnesota Statutes 1998, section 256J.53, subdivision 4.

Referred to the Committee on Health and Family Security.

**Senators Berglin, Piper and Hottinger introduced--**

**S.F. No. 966:** A bill for an act relating to welfare; changing MFIP sanctions; amending Minnesota Statutes 1998, sections 256J.46; and 256J.57, subdivisions 1 and 2.

Referred to the Committee on Health and Family Security.

**Senators Lourey, Foley and Betzold introduced--**

**S.F. No. 967:** A bill for an act relating to health; modifying the Minnesota Utilization Review Act; modifying definition of practice of medicine; amending Minnesota Statutes 1998, sections 62M.09, subdivisions 3, 6, and by adding a subdivision; 62M.10, subdivision 7; and 147.081, subdivision 3.

Referred to the Committee on Health and Family Security.

**Senators Ten Eyck, Kleis, Solon and Pogemiller introduced--**

**S.F. No. 968:** A bill for an act relating to education; modifying laboratory school grants to include the operation of schools; appropriating money; amending Laws 1997, First Special Session chapter 4, article 5, section 23.

Referred to the Committee on Children, Families and Learning.

**Senators Pogemiller and Krentz introduced--**

**S.F. No. 969:** A bill for an act relating to education; appropriating money for a study of health care plans for public school employees.

Referred to the Committee on Children, Families and Learning.

**Senators Kiscaden, Berglin, Hottinger, Lourey and Robertson introduced--**

**S.F. No. 970:** A bill for an act relating to human services; creating adult mental illness crisis housing; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 245; repealing Minnesota Statutes 1998, section 462A.208.

Referred to the Committee on Health and Family Security.

**Senators Kelly, R.C. and Oliver introduced--**

**S.F. No. 971:** A bill for an act relating to employment; requiring the commissioner of economic security to collect certain information about employment and training programs.

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

**Senators Frederickson, Lessard, Laidig, Hottinger and Johnson, J.B. introduced--**

**S.F. No. 972:** A bill for an act relating to game and fish; modifying migratory waterfowl refuge provisions; designating a migratory waterfowl refuge; amending Minnesota Statutes 1998, section 97A.095, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Senator Kelly, R.C. introduced--**

**S.F. No. 973:** A bill for an act relating to courts; requesting the supreme court to study and make recommendations regarding juror compensation.

Referred to the Committee on Judiciary.

**Senator Kelly, R.C. introduced--**

**S.F. No. 974:** A bill for an act relating to crime; providing that offenders sentenced to the Camp Ripley work program are eligible for credit for prior incarceration; amending Minnesota Statutes 1998, section 609.113, by adding a subdivision.

Referred to the Committee on Crime Prevention.

**Senators Terwilliger; Moe, R.D.; Day; Higgins and Berglin introduced--**

**S.F. No. 975:** A bill for an act relating to family; appropriating money for the family asset program.

Referred to the Committee on Children, Families and Learning.

**Senators Novak; Belanger; Johnson, D.J.; Runbeck and Vickerman introduced--**

**S.F. No. 976:** A bill for an act relating to property taxation; changing the class rate for manufactured home parks; providing for a homestead and agricultural credit aid adjustment; amending Minnesota Statutes 1998, sections 273.13, subdivision 25; and 273.1398, subdivision 1a.

Referred to the Committee on Local and Metropolitan Government.

**Senators Oliver; Moe, R.D. and Beckman introduced--**

**S.F. No. 977:** A bill for an act relating to appropriations; transferring money appropriated for the United Nations trade point to the world trade center.

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

**Senators Anderson, Vickerman, Frederickson and Price introduced--**

**S.F. No. 978:** A bill for an act relating to appropriations; appropriating money for a subsidy for the maintenance of live plant and animal exhibits for the zoo and conservatory at the Como Park campus.

Referred to the Committee on Environment and Natural Resources.

**Senators Kelley, S.P. and Scheid introduced--**

**S.F. No. 979:** A bill for an act relating to elections; directing the secretary of state to study voting by Internet; appropriating money.

Referred to the Committee on Election Laws.

**Senator Kelley, S.P. introduced--**

**S.F. No. 980:** A bill for an act relating to transitional housing; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Kelley, S.P.; Oliver and Murphy introduced--**

**S.F. No. 981:** A bill for an act relating to commerce; regulating unclaimed property; authorizing a dormancy charge for money orders; defining a term; amending Minnesota Statutes 1998, section 345.31, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 345.

Referred to the Committee on Commerce.

**Senator Kelley, S.P. introduced--**

**S.F. No. 982:** A bill for an act relating to transportation; appropriating money for highway noise barriers; authorizing state bonds; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

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

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

Referred to the Committee on Health and Family Security.

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

**S.F. No. 984:** A bill for an act relating to professions; modifying enforcement provisions for the board of psychology; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Family Security.

**Senators Knutson, Ranum, Junge and Spear introduced--**

**S.F. No. 985:** A bill for an act relating to human rights; prohibiting business discrimination on the basis of national origin; amending Minnesota Statutes 1998, section 363.03, subdivision 8a.

Referred to the Committee on Judiciary.

**Senator Morse introduced--**

**S.F. No. 986:** A bill for an act relating to education; authorizing a grant to independent school district No. 861, Winona, for a full day kindergarten program at the Jefferson elementary school; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Morse, Murphy, Beckman, Larson and Kelly, R.C. introduced--**

**S.F. No. 987:** A bill for an act relating to community development; providing a grant to the Winona county historical society from the Minnesota historical society for a technology upgrade project with statewide applications; appropriating money.

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

**MEMBERS EXCUSED**

Senator Neuville was excused from the Session of today. Senators Knutson and Limmer were excused from the Session of today from 10:00 to 10:25 a.m. Senator Lessard was excused from the Session of today from 10:00 to 10:30 a.m. Senator Oliver was excused from the Session of today from 10:00 to 10:35 a.m. Senator Kelley, S.P. was excused from the Session of today from 10:00 to 10:50 a.m.

**ADJOURNMENT**

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

Patrick E. Flahaven, Secretary of the Senate



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