

STATE OF MINNESOTA

Journal of the Senate

EIGHTIETH LEGISLATURE

SEVENTIETH DAY

St. Paul, Minnesota, Thursday, February 5, 1998

The Senate met at 9:30 a.m. and was called to order by the President.

CALL OF THE SENATE

Ms. Flynn 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. Mark Nordell.

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

Beckman	Johnson, D.H.	Lesewski	Pariseau	Solon
Berg	Johnson, D.J.	Lessard	Piper	Stevens
Berglin	Johnson, J.B.	Limmer	Pogemiller	Stumpf
Betzold	Kelley, S.P.	Lourey	Price	Ten Eyck
Cohen	Kelly, R.C.	Marty	Ranum	Terwilliger
Flynn	Kleis	Metzen	Robertson	Vickerman
Foley	Knutson	Morse	Robling	Wiener
Hanson	Krentz	Murphy	Runbeck	Wiger
Higgins	Laidig	Novak	Samuelson	
Hottinger	Langseth	Oliver	Scheevel	
Janezich	Larson	Pappas	Scheid	

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

Messrs. Belanger; Day; Dille; Frederickson; Johnson, D.E.; Ms. Junge, Messrs. Moe, R.D.; Neuville; Ms. Olson, Messrs. Ourada and Spear were excused from the Session of today.

REPORTS OF COMMITTEES

Ms. Flynn moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 2402: A bill for an act relating to commerce; prohibiting the unauthorized possession of, or damage to, merchandise pallets; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Page 1, line 10, delete the paragraph coding

Page 1, line 13, delete "48" and insert "54"

Page 1, line 16, after "it" insert "by the owner"

Page 1, line 23, delete "of these items" and insert "merchandise pallets"

Page 1, line 25, delete "item" and insert "merchandise pallet"

Page 2, line 1, delete everything after "who"

Page 2, line 2, delete everything before "has"

Page 2, line 3, delete "item" and insert "merchandise pallet"

Page 2, line 4, delete "item" and insert "merchandise pallet"

Page 2, line 5, delete everything after "2." and insert "[LIABILITY.] An unauthorized person in possession of a merchandise pallet, or a person, other than the owner, who maliciously, with intent to damage, obliterates, removes, or distorts the owner's name on a merchandise pallet, shall be liable to the injured party as set forth in subdivision 4."

Page 2, delete lines 6 to 8

Page 2, delete lines 13 and 14

Page 2, line 15, delete "5" and insert "4"

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

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

S.F. No. 2192: A bill for an act relating to Brown county; authorizing the formation of a nonprofit corporation by Brown county.

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 1997 Supplement, section 465.715, subdivision 1, is amended to read:

Subdivision 1. [STATUTORY AUTHORIZATION REQUIRED.] A county, home rule charter city, statutory city, town, school district, or other political subdivision may not create a corporation, whether for profit or not for profit, unless explicitly authorized to do so by law. Except as provided by subdivision 2, this subdivision applies to a corporation for which a certificate of incorporation is issued by the secretary of state on or after June 1, 1997. A corporation that had been issued a certificate of incorporation before June 1, 1997, may continue to operate as if it had been created in compliance with this subdivision.

Sec. 2. [BROWN COUNTY ECONOMIC DEVELOPMENT CORPORATION.]

(a) The Brown county board of commissioners may create a nonprofit corporation under Minnesota Statutes, chapter 317A, for the purposes of economic development and related activities. The corporation shall have the following specific powers, in addition to other powers otherwise provided by law:

(1) to purchase, hold, lease, sell, develop, mortgage, encumber, or otherwise acquire or dispose of property, whether real, personal, or mixed, tangible, or intangible;

(2) to issue bonds, debentures, or obligations of the corporation from time to time for any of the corporate purposes, and to secure them by mortgage pledge, deed, trust, or otherwise;

(3) to acquire the goodwill, rights, property, and assets of all kinds, and to undertake the whole or any part of the liabilities of any person, firm, association, or corporation;

(4) to give any guaranty for the performance of any obligation or understanding; and

(5) to provide a reasonable amount of operating capital for material assistance in the accomplishment of the corporate purposes.

(b) Beginning July 1, 1998:

(1) the corporation is a limited liability company created by the county and is a government entity subject to all laws as if it were a part of the county, except:

(2) a meeting of the board of directors of the corporation, which otherwise must comply with Minnesota Statutes, section 471.705, may be closed when discussing information about a business if public dissemination might divulge proprietary matters, or competitive business strategies to the detriment of participating or prospective businesses;

(3) the corporation must submit an annual budget and independent audit to the county board that must be made available to the public; the state auditor may conduct the audit, but it must be conducted separately from the audit the state auditor conducts of Brown county;

(4) before the corporation makes an expenditure of \$100,000 or more, whether by grant, loan, or otherwise, the expenditure must be approved by the Brown county board after a public hearing called by the board with at least ten days' published notice in the official newspaper of the county;

(5) the issuance of bonds, debentures, or other obligations does not constitute a general obligation of the county and is not subject to Minnesota Statutes, chapter 475;

(6) the corporation is not subject to Minnesota Statutes, section 471.345; and

(7) an officer or employee of the corporation is not a "public employee" within the meaning of Minnesota Statutes, section 353.01, subdivision 2, nor is the position a "public employment position" within the meaning of Minnesota Statutes, section 375.58, subdivision 1."

Page 1, line 24, after "1" insert "is effective the day following final enactment. Section 2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "Brown county" and insert "corporations; clarifying the application of certain statutory requirements for corporations created by political subdivisions"

Page 1, line 3, before the period, insert "; amending Minnesota Statutes 1997 Supplement, section 465.715, subdivision 1"

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

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

S.F. No. 2103: A bill for an act relating to arson; authorizing the state fire marshal to license and certify private fire investigators; creating a computerized arson investigative database; providing a criminal penalty for setting a fire in a residential or public building or for engaging in fire investigation activities without a license or certificate; appropriating money; amending Minnesota Statutes 1996, sections 13.99, by adding a subdivision; 299F.04, by adding a subdivision; and 326.3341; proposing coding for new law in Minnesota Statutes, chapters 299F and 609; repealing Minnesota Statutes 1996, section 609.563, subdivision 2.

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

Pages 3 to 7, delete sections 3 and 4

Page 7, delete lines 21 and 22 and insert:

"(b) "Multiple unit residential building" means a building containing two or more apartments."

Page 7, line 31, after "a" insert "multiple unit"

Page 8, after line 3, insert:

"Sec. 5. [STUDY.]

The commissioner of public safety shall study the issue of licensing private fire investigators and report findings to the chairs of the senate crime prevention and house judiciary committees by January 1, 1999."

Page 8, line 13, delete "5, 6, and 8" and insert "3, 4, and 7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

Page 1, line 6, delete everything after "building"

Page 1, delete line 7

Page 1, line 8, delete "certificate"

Page 1, line 10, before "299F.04" insert "and" and delete "and"

Page 1, line 11, delete "326.3341;"

Page 1, line 12, delete "chapters 299F and" and insert "chapter"

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 2014: A bill for an act relating to accountants; modifying licensing provisions; providing for firm licensure; authorizing rulemaking; amending Minnesota Statutes 1996, sections 326.165; 326.17; 326.18; 326.19; 326.20; 326.211; 326.212, subdivisions 1, 4, 5, and by adding a subdivision; 326.22, subdivision 2; 326.223; 326.228; and 326.229, subdivisions 3, 4, 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1996, sections 326.191; 326.21; and 326.225.

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

Page 4, line 22, strike everything after "[RULES.]"

Page 4, strike lines 23 to 26

Page 4, line 27, delete the new language and strike the old language

Page 4, lines 28 to 35, delete the new language and insert "The board shall make rules to govern administration of the board, examinations, issuance of certificates, licensing, professional conduct and discipline, continuing education, fees, and practice monitoring."

Page 11, line 24, after "rule" insert ", under authority granted in section 326.18, subdivision 3"

Page 11, line 26, after "them" insert ", under authority granted in section 326.18, subdivision 3"

Page 12, line 7, after "board" insert ", under authority granted in section 326.18, subdivision 3"

Page 15, line 23, after "rule" insert "adopted under authority granted in section 326.18, subdivision 3"

Page 21, line 18, after "fee" insert ", and whose tax preparation practice is not subject to regulation by another agency of the state of Minnesota other than the department of revenue,"

Page 21, line 25, after "Service" insert "or the department of revenue"

Page 27, line 25, after "including" insert "reasonable"

Page 27, line 35, after "and" insert "reasonable"

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

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

S.F. No. 2130: A bill for an act relating to health; establishing a minimum definition of durable medical equipment; requiring disclosure of covered medical equipment and supplies; amending Minnesota Statutes 1996, sections 62E.06, subdivision 1; and 62L.05, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Pages 1 to 5, delete sections 1 and 2

Page 5, line 36, delete the colon

Page 6, line 1, delete the paragraph coding and delete "(1)"

Page 6, line 7, delete "; and" and insert a period

Page 6, delete lines 8 and 9

Page 6, line 29, before "During" insert "(a) Except as provided in paragraph (b),"

Page 6, line 33, after the period, insert:

"(b) A health plan company may remove durable medical equipment or nondurable medical supplies from coverage if (1) the durable medical equipment or nondurable medical supplies are determined by an appropriate government agency to be unsafe or hazardous, or (2) the durable medical equipment or nondurable medical supplies are replaced by an improved product that serves the same function, is of the same or higher quality, and results in the same or nearly the same net cost to the consumer."

Page 6, line 35, delete "to 4" and insert "and 2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete from "amending" through page 1, line 6, to "4;"

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

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

H.F. No. 661 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERSH.F. No.
661S.F. No.
663**CONSENT CALENDAR**

H.F. No.

S.F. No.

CALENDAR

H.F. No.

S.F. No.

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2402 and 2192 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 661 was read the second time.

MOTIONS AND RESOLUTIONS

Ms. Wiener moved that the name of Mr. Hottinger be added as a co-author to S.F. No. 2380. The motion prevailed.

Mr. Betzold moved that the name of Mr. Marty be added as a co-author to S.F. No. 2723. The motion prevailed.

Mr. Hottinger moved that S.F. No. 2775 be withdrawn from the Committee on Children, Families and Learning and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

Pursuant to Rule 10, Ms. Flynn, designee of the Chair of the Committee on Rules and Administration, designated S.F. No. 2111 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 2111: A bill for an act relating to game and fish; modifying restrictions on fish houses; modifying the license period for fish house licenses; amending Minnesota Statutes 1996, section 97C.355, subdivision 7; Minnesota Statutes 1997 Supplement, section 97A.411, 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Hanson	Johnson, J.B.	Laidig	Lourey
Berglin	Higgins	Kelley, S.P.	Langseth	Marty
Betzold	Hottinger	Kelly, R.C.	Larson	Morse
Cohen	Janezich	Kleis	Lesewski	Murphy
Flynn	Johnson, D.H.	Knutson	Lessard	Novak
Foley	Johnson, D.J.	Krentz	Limmer	Pappas

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

So the bill passed and its title was agreed to.

CONSENT CALENDAR

SUSPENSION OF RULES

Ms. Flynn moved that Rule 9 be suspended as to the lie-over requirement on the Consent Calendar. The motion prevailed.

S.F. No. 2444: A bill for an act relating to game and fish; extending certain angling seasons in 1998.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Johnson, D.J.	Lesewski	Pariseau	Scheid
Betzold	Johnson, J.B.	Lessard	Piper	Solon
Cohen	Kelley, S.P.	Limmer	Pogemiller	Stevens
Flynn	Kelly, R.C.	Lourey	Price	Stumpf
Foley	Kleis	Marty	Ranum	Ten Eyck
Hanson	Knutson	Metzen	Robertson	Terwilliger
Higgins	Krentz	Morse	Robling	Vickerman
Hottinger	Laidig	Murphy	Runbeck	Wiener
Janezich	Langseth	Novak	Samuelson	Wiger
Johnson, D.H.	Larson	Pappas	Scheevel	

So the bill passed and its title was agreed to.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Lessard introduced--

S.F. No. 2937: A bill for an act relating to health; modifying certain nursing facility reimbursement rates; amending Minnesota Statutes 1997 Supplement, section 256B.431, subdivision 26.

Referred to the Committee on Health and Family Security.

Mr. Knutson introduced--

S.F. No. 2938: A bill for an act relating to taxation; reducing certain individual income tax rates; reducing the general education tax rate; providing a property tax rebate for taxes assessed in 1997; appropriating money; amending Minnesota Statutes 1996, sections 290.06, subdivisions 2c and 2d; and 290.091, subdivisions 1 and 2; Minnesota Statutes 1997 Supplement, sections 16A.152, subdivision 2; and 290.091, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Taxes.

Messrs. Langseth and Stumpf introduced--

S.F. No. 2939: A bill for an act relating to the cities of East Grand Forks and Breckenridge; requiring payment to those cities of the sales tax revenue collected from sales occurring in those cities; appropriating money.

Referred to the Committee on Local and Metropolitan Government.

Mr. Knutson, Ms. Olson, Mrs. Scheid and Ms. Robertson introduced--

S.F. No. 2940: A bill for an act relating to education; providing for notice of transitional goals to parents of students with disabilities; modifying the definition of eligible institution for student grants; appropriating money; amending Minnesota Statutes 1996, sections 120.17, subdivision 3a; and 136A.101, subdivision 4.

Referred to the Committee on Children, Families and Learning.

Mr. Samuelson introduced--

S.F. No. 2941: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for wastewater infrastructure funding for the city and town of Garrison.

Referred to the Committee on Environment and Natural Resources.

Mr. Lessard introduced--

S.F. No. 2942: A bill for an act relating to state lands; authorizing private or public sale of tax-forfeited lands bordering public waters in Itasca county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Stumpf, Beckman and Novak introduced--

S.F. No. 2943: A bill for an act relating to Kittson county; authorizing an economic development authority.

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

Mses. Anderson and Ranum introduced--

S.F. No. 2944: A bill for an act relating to corrections; requiring reporting on programming in state correctional facilities and job placement of inmates; amending Minnesota Statutes 1997 Supplement, section 241.015.

Referred to the Committee on Crime Prevention.

Messrs. Stumpf, Stevens, Metzen, Betzold and Langseth introduced--

S.F. No. 2945: A bill for an act relating to the military; entering into the interstate emergency management assistance compact; proposing coding for new law in Minnesota Statutes, chapter 192.

Referred to the Committee on Governmental Operations and Veterans.

Mr. Knutson introduced--

S.F. No. 2946: A bill for an act relating to courts; prohibiting discrimination in providing access to public accommodations because of means of transportation or insignia on clothing; providing a civil remedy; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary.

Mr. Oliver introduced--

S.F. No. 2947: A bill for an act relating to retirement; expanding the number of investments available for certain public supplemental pension or deferred compensation plans; amending Minnesota Statutes 1996, section 356.24, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

Messrs. Sams and Samuelson introduced--

S.F. No. 2948: A bill for an act relating to taxation; reducing the tax on sparkling wines; amending Minnesota Statutes 1997 Supplement, section 297G.03, subdivision 1.

Referred to the Committee on Taxes.

Ms. Ranum introduced--

S.F. No. 2949: A bill for an act relating to adoption; modifying conditions for open adoption agreements; amending Minnesota Statutes 1997 Supplement, section 259.58.

Referred to the Committee on Judiciary.

Messrs. Stevens and Samuelson introduced--

S.F. No. 2950: A bill for an act relating to natural resources; appropriating money for state forest repair.

Referred to the Committee on Environment and Natural Resources.

Messrs. Stevens and Samuelson introduced--

S.F. No. 2951: A bill for an act relating to economic development; providing for compensation for tornado damage in certain counties; appropriating money.

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

Mr. Oliver and Mrs. Robling introduced--

S.F. No. 2952: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for land acquisition and capital project planning of the eastern Carver community collaborative project.

Referred to the Committee on Children, Families and Learning.

Messrs. Janezich; Johnson, D.J.; Lessard; Solon and Samuelson introduced--

S.F. No. 2953: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for three direct reduction iron processing facilities.

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

Mr. Janezich introduced--

S.F. No. 2954: A bill for an act relating to education; making permanent school district levy authority for retired employee health benefits expenses; amending Minnesota Statutes 1997 Supplement, section 124.916, subdivision 2.

Referred to the Committee on Children, Families and Learning.

Messrs. Betzold and Knutson introduced--

S.F. No. 2955: A bill for an act relating to employment; allowing the fraud investigation unit in the department of labor and industry to share certain information with other enforcement agencies; modifying data privacy provisions in the department of labor and industry; amending Minnesota Statutes 1996, sections 175.16, subdivision 2; 176.231, subdivision 8; and 182.659, subdivision 8.

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

Mr. Oliver introduced--

S.F. No. 2956: A bill for an act relating to financial institutions; authorizing reverse stock splits; providing for a notice in retail installment contracts; amending Minnesota Statutes 1996, section 168.71; proposing coding for new law in Minnesota Statutes, chapter 48.

Referred to the Committee on Commerce.

Messrs. Kelley, S.P.; Kelly, R.C. and Ms. Robertson introduced--

S.F. No. 2957: A bill for an act relating to education; defining successful schools; developing improvement plans for schools at risk; establishing a school improvement fund; establishing a distinguished educators program; transforming certain at-risk schools into charter schools; requiring a one-year design and feasibility study; appropriating money; amending Minnesota Statutes 1996, sections 120.064, by adding a subdivision; 123.34, subdivision 10; 125.05, by adding a subdivision; 125.12, subdivision 4 and by adding a subdivision; 125.17, subdivision 3 and by adding a subdivision; and 125.18, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 121; and 124C.

Referred to the Committee on Children, Families and Learning.

Mrs. Lourey, Mr. Janezich and Ms. Higgins introduced--

S.F. No. 2958: A bill for an act relating to child care; changing child care assistance in certain cases; establishing a provider rate bonus for reading programs; establishing grants for school-age child care programs; making other changes to child care programs; appropriating money; amending Minnesota Statutes 1996, sections 119B.13, by adding a subdivision; 119B.18, subdivision 2; and 119B.19, subdivisions 1, 4, and by adding subdivisions; Minnesota Statutes 1997 Supplement, sections 119B.13, subdivision 1; 119B.17, subdivision 3; 119B.21, subdivisions 2, 4, 5, and 11; and 121.88, subdivision 10.

Referred to the Committee on Children, Families and Learning.

Ms. Johnson, J.B. introduced--

S.F. No. 2959: A bill for an act relating to utilities; authorizing electric utilities to offer green-pricing programs; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Ms. Johnson, J.B.; Mr. Morse, Mses. Pappas and Ranum introduced--

S.F. No. 2960: A bill for an act relating to transportation; restricting road authorities from changing roads over natural areas; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Transportation.

Ms. Berglin introduced--

S.F. No. 2961: A bill for an act relating to health; modifying MinnesotaCare eligibility requirements for persons with continuation coverage; amending Minnesota Statutes 1997 Supplement, section 256L.07, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Ms. Berglin introduced--

S.F. No. 2962: A bill for an act relating to health; directing the commissioner of human services to provide bridge funding to the neighborhood health care network and the Minnesota primary care association for distribution to their current members for uncompensated care; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

Mr. Kelly, R.C. introduced--

S.F. No. 2963: A bill for an act relating to truancy; modifying procedures for school attendance review boards; authorizing direct referrals to the county attorney or other authority; amending Minnesota Statutes 1996, sections 260.131, subdivision 1b; 260.132, subdivision 1; 260A.05, subdivision 2; and 260A.06.

Referred to the Committee on Crime Prevention.

Ms. Flynn introduced--

S.F. No. 2964: A bill for an act relating to capital improvements; appropriating additional money for an urban sports facility; authorizing issuance of bonds; amending Laws 1996, chapter 463, section 14, subdivision 5.

Referred to the Committee on Governmental Operations and Veterans.

Messrs. Belanger and Knutson introduced--

S.F. No. 2965: A bill for an act relating to the city of Burnsville; authorizing the city to impose a tax on admissions to an amphitheater; authorizing creation of a tax increment financing district.

Referred to the Committee on Local and Metropolitan Government.

Mrs. Scheid, Messrs. Hottinger and Oliver introduced--

S.F. No. 2966: A bill for an act relating to mortgages; enacting the Minnesota Residential Mortgage Originator and Servicer Licensing Act; establishing licensing and enforcement mechanisms; amending Minnesota Statutes 1996, sections 47.206, subdivision 1; 82.17, subdivision 4; 82.18; and 82.27, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 58; repealing Minnesota Statutes 1996, section 82.175.

Referred to the Committee on Commerce.

Mrs. Lourey and Mr. Samuelson introduced--

S.F. No. 2967: A bill for an act relating to human services; requiring a study of the capital improvement needs of day training and habilitation programs; appropriating money.

Referred to the Committee on Health and Family Security.

Mr. Samuelson and Mrs. Lourey introduced--

S.F. No. 2968: A bill for an act relating to human services; providing an annual rate adjustment for certain programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Family Security.

Mses. Pappas, Krentz, Hanson and Mr. Knutson introduced--

S.F. No. 2969: A bill for an act relating to education; removing superintendents' salary cap; amending Minnesota Statutes 1996, section 43A.17, subdivisions 9 and 10.

Referred to the Committee on Children, Families and Learning.

Messrs. Beckman, Morse, Mrs. Lourey and Mr. Hottinger introduced--

S.F. No. 2970: A bill for an act relating to agriculture; establishing a moratorium on the construction of certain large livestock feedlots.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Laidig and Frederickson introduced--

S.F. No. 2971: A bill for an act relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; providing for regulation of certain activities and practices; amending Minnesota Statutes 1996, section 116.073, subdivision 2; Minnesota Statutes 1997 Supplement, section 84.8205; Laws 1996, chapter 407, section 3; Laws 1997, chapter 216, section 7, subdivisions 3 and 4.

Referred to the Committee on Environment and Natural Resources.

Messrs. Kleis, Belanger, Ms. Runbeck, Messrs. Kelly, R.C. and Solon introduced--

S.F. No. 2972: A bill for an act relating to checks; prohibiting a person from requiring a social security number as a condition of acceptance of a check; providing that prosecutors may not refuse to prosecute a dishonored check case solely because the dishonored check does not contain the issuer's social security number; amending Minnesota Statutes 1996, section 325F.981, subdivision 1; and section 609.535, by adding a subdivision.

Referred to the Committee on Commerce.

Mrs. Robling, Ms. Piper, Mrs. Lourey and Ms. Lesewski introduced--

S.F. No. 2973: A bill for an act relating to child care; making changes to the at-home infant care program; amending Minnesota Statutes 1997 Supplement, section 119B.061, subdivisions 1, 2, 3, and 4.

Referred to the Committee on Children, Families and Learning.

Mrs. Robling, Messrs. Janezich, Neuville and Ms. Olson introduced--

S.F. No. 2974: A bill for an act relating to education; authorizing grants for historical educational programming; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mrs. Robling introduced--

S.F. No. 2975: A bill for an act relating to commerce; regulating fees charged for copies of consumer reports; amending Minnesota Statutes 1996, section 13C.01, subdivision 1.

Referred to the Committee on Commerce.

Messrs. Stevens, Lessard, Mrs. Pariseau, Messrs. Scheevel and Berg introduced--

S.F. No. 2976: A resolution memorializing the President and the Congress of the United States to oppose ratification of the Biodiversity Treaty.

Referred to the Committee on Environment and Natural Resources.

Ms. Krentz introduced--

S.F. No. 2977: A bill for an act relating to natural resources; appropriating money for an engineering analysis of flooding problems along Twin lake in Washington county.

Referred to the Committee on Environment and Natural Resources.

Ms. Krentz introduced--

S.F. No. 2978: A bill for an act relating to education; requiring an examination and report of the prekindergarten through grade 12 education governance structure; appropriating money.

Referred to the Committee on Children, Families and Learning.

Messrs. Scheevel and Frederickson introduced--

S.F. No. 2979: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for improvements to the Root River trail.

Referred to the Committee on Environment and Natural Resources.

Messrs. Scheevel and Berg introduced--

S.F. No. 2980: A bill for an act relating to real property; creating the Private Property Rights Protection Act; providing legislative intent; providing remedies for real property owners whose property has been inordinately burdened by governmental action; providing requirements for a property owner who seeks compensation; requiring the governmental entity to provide notice of the claim; authorizing certain settlement offers; requiring that the governmental entity and property owner file a court action if a settlement agreement contravenes the application of state law; providing for judicial review, notwithstanding the availability of administrative remedies; authorizing the property owner to file a claim of compensation upon rejection of a settlement offer; requiring the court to determine the percentage of responsibility for an inordinate burden imposed by multiple governmental entities; providing for a jury to determine the amount of compensation to the property owner; providing for costs and attorney fees; providing that the right for which compensation is paid is a transferable development right; proposing coding for new law as Minnesota Statutes, chapter 500A.

Referred to the Committee on Judiciary.

Mr. Johnson, D.E. introduced--

S.F. No. 2981: A bill for an act relating to retirement; city of Willmar and city of Litchfield; authorizing volunteer rescue squad relief associations; providing service pensions for rescue squad volunteers; proposing coding for new law as Minnesota Statutes, chapter 424B.

Referred to the Committee on Governmental Operations and Veterans.

Mr. Johnson, D.E. introduced--

S.F. No. 2982: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for ADA compliance and roof replacement and repair at Ridgewater Community College, Willmar campus.

Referred to the Committee on Children, Families and Learning.

Messrs. Scheevel and Dille introduced--

S.F. No. 2983: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for water system improvements in the city of Chatfield.

Referred to the Committee on Environment and Natural Resources.

Mr. Kleis introduced--

S.F. No. 2984: A bill for an act relating to health; providing an exception to the moratorium on certification of nursing home beds; amending Minnesota Statutes 1996, section 144A.071, subdivision 3.

Referred to the Committee on Health and Family Security.

Mr. Johnson, D.J. and Ms. Flynn introduced--

S.F. No. 2985: A bill for an act relating to taxation; repealing levy limits; amending Minnesota Statutes 1997 Supplement, section 275.16; repealing Minnesota Statutes 1997 Supplement, sections 275.70; 275.71; 275.72; 275.73; and 275.74; Laws 1997, chapter 231, article 3, section 8.

Referred to the Committee on Taxes.

Messrs. Neuville, Knutson, Belanger and Limmer introduced--

S.F. No. 2986: A bill for an act relating to crime and crime prevention; narrowing the definition of "juvenile petty offender"; lowering the age for certifying certain juvenile offenders to adult court and for designating certain juvenile offenders as extended jurisdiction juveniles; opening juvenile court delinquency hearings to the public; permitting victims of delinquent acts to attend juvenile court proceedings; providing mandatory civil penalties for liquor licensees who sell alcoholic beverages to underage persons; requiring liquor licensees to ask for age verification from persons under the age of 26; providing that persons convicted of a third violent felony shall be sentenced to life imprisonment; requiring the bureau of criminal apprehension to collect and maintain computerized data relating to the conditions of conditional release of convicted offenders; regulating the awarding of jail credit to certain offenders; providing felony penalties for recklessly discharging a firearm outside of a municipality; authorizing peace officers to apprehend and detain a person on conditional release under certain circumstances; authorizing procedures for securing the appearance of material witnesses in criminal cases and investigations; specifying that the prosecution may reply in rebuttal to the closing argument of the defense; appropriating money for innovative court programs; amending Minnesota Statutes 1996, sections 244.05, subdivisions 4 and 5; 260.015, subdivision 21; 260.125, subdivision 1; 260.126, subdivisions 1 and 4; 260.155, subdivision 1; 299C.06; 299C.09; 340A.415; 340A.503, subdivision 6; 609.152, subdivision 2a; 609.66, subdivision 1a; and 629.34, subdivision 1; Minnesota Statutes 1997 Supplement, section 631.07; proposing coding for new law in Minnesota Statutes, chapters 299C; 609; and 629; repealing Minnesota Statutes 1996, sections 629.54; and 629.55.

Referred to the Committee on Crime Prevention.

Messrs. Neuville, Knutson, Belanger and Limmer introduced--

S.F. No. 2987: A bill for an act relating to crime; requiring certain criminal justice entities to report information to the legislature and the public on charging and sentencing practices concerning violent criminal offenders; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Crime Prevention.

Messrs. Knutson and Belanger introduced--

S.F. No. 2988: A bill for an act relating to youth intervention programs; appropriating money.

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

Ms. Ranum introduced--

S.F. No. 2989: A bill for an act relating to metropolitan government; permitting a city to review certain capital projects for consistency with section 473.254, subdivision 2.

Referred to the Committee on Local and Metropolitan Government.

Mr. Scheevel, Ms. Kiscaden, Mr. Wiger and Ms. Robertson introduced--

S.F. No. 2990: A bill for an act relating to education; appropriating money for a loan to independent school district No. 535, Rochester, for special education services.

Referred to the Committee on Children, Families and Learning.

Messrs. Stumpf, Langseth, Marty and Kelly, R.C. introduced--

S.F. No. 2991: A bill for an act relating to natural resources; appropriating money and authorizing bonds for flood hazard mitigation programs.

Referred to the Committee on Environment and Natural Resources.

Messrs. Wiger; Langseth; Scheevel; Kelley, S.P. and Ms. Pappas introduced--

S.F. No. 2992: A bill for an act relating to education; exempting facility maintenance projects from review and comment; expanding use of total operating capital revenue; expanding youth initiative grants; expanding debt service equalization; creating a maintenance levy; creating technology aid; appropriating money; amending Minnesota Statutes 1996, sections 124.84, subdivision 1, and by adding subdivisions; and 124.912, by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 121.15, subdivision 6; 124.95, subdivision 2; and 124A.22, subdivision 11; Laws 1996, chapter 463, section 4, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 124; repealing Minnesota Statutes 1996, section 124.84, subdivisions 3 and 4.

Referred to the Committee on Children, Families and Learning.

Ms. Pappas, Messrs. Langseth, Pogemiller, Mses. Olson and Robertson introduced--

S.F. No. 2993: A bill for an act relating to education; allowing use of basic revenue for students graduating early; amending Minnesota Statutes 1996, section 124A.22, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 124.17, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Mrs. Lourey and Mr. Lessard introduced--

S.F. No. 2994: A bill for an act relating to taxes; sales and use taxes; exempting certain educational facilities from the sales tax; amending Minnesota Statutes 1997 Supplement, section 297A.25, subdivision 11.

Referred to the Committee on Taxes.

Mr. Wiger, Mses. Krentz, Runbeck and Mr. Novak introduced--

S.F. No. 2995: A bill for an act relating to education; authorizing the use of health and safety revenue for new construction under certain circumstances; amending Minnesota Statutes 1996, section 124.83, subdivision 6, and by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Mr. Novak, Mses. Runbeck, Krentz and Mr. Wiger introduced--

S.F. No. 2996: A bill for an act relating to education; authorizing independent school district No. 621, Mounds View, to use health and safety revenue for new construction to replace portable classrooms with indoor air quality problems.

Referred to the Committee on Children, Families and Learning.

Ms. Lesewski and Mrs. Robling introduced--

S.F. No. 2997: A bill for an act relating to child care; establishing a child development providers registry; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 119B.

Referred to the Committee on Children, Families and Learning.

Messrs. Solon; Johnson, D.J.; Janezich and Sams introduced--

S.F. No. 2998: A bill for an act relating to appropriations; authorizing state bonds; appropriating money for facility restoration of the Earl C. Buck Operating Center in Duluth.

Referred to the Committee on Transportation.

Ms. Anderson introduced--

S.F. No. 2999: A bill for an act relating to education; extending the education tax credit; amending Minnesota Statutes 1997 Supplement, section 290.0674, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Mrs. Lourey, Mses. Krentz and Ranum introduced--

S.F. No. 3000: A bill for an act relating to health; establishing preventive measures for adolescent pregnancies; appropriating money; amending Minnesota Statutes 1996, section 145.925, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Mr. Foley introduced--

S.F. No. 3001: A bill for an act relating to retirement; teachers retirement association; authorizing the purchase of service credit for a sabbatical leave by certain teachers.

Referred to the Committee on Governmental Operations and Veterans.

Mmes. Pariseau and Robling introduced--

S.F. No. 3002: A bill for an act relating to the Minnesota municipal board; repealing the sunset for the board; repealing Minnesota Statutes 1997 Supplement, section 414.11.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Janezich and Moe, R.D. introduced--

S.F. No. 3003: A bill for an act relating to education; modifying supplemental revenue; appropriating money.

Referred to the Committee on Children, Families and Learning.

Mses. Berglin, Kiscaden, Ranum and Mr. Samuelson introduced--

S.F. No. 3004: A bill for an act relating to health; providing for the prevention of fetal alcohol syndrome; establishing intervention and grant programs; requiring a study; appropriating money; amending Minnesota Statutes 1996, section 254A.17, subdivision 1, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Mrs. Scheid introduced--

S.F. No. 3005: A bill for an act relating to the city of Richfield; authorizing establishment of tax increment financing districts subject to special rules.

Referred to the Committee on Local and Metropolitan Government.

Messrs. Knutson and Neuville introduced--

S.F. No. 3006: A bill for an act relating to crime; expanding the scope of certain felony penalties for the crime of obstructing legal process; amending Minnesota Statutes 1996, section 609.50, subdivision 2.

Referred to the Committee on Crime Prevention.

Mr. Knutson introduced--

S.F. No. 3007: A bill for an act relating to crime; forfeited vehicle's return to owner is subjected to agency approval; authorizing convictions under ordinances and statutes from another state to be used in penalty enhancement for the crime of harassment; providing a 30-day limit on requests for restitution hearings; authorizing search warrants on financial institutions to be filed within 30 days of issuance; amending Minnesota Statutes 1996, sections 609.531, subdivision 5a; 609.749, subdivision 4; 611A.045, subdivision 3; and 626.15.

Referred to the Committee on Crime Prevention.

Mr. Knutson introduced--

S.F. No. 3008: A bill for an act relating to crime; allowing concurrent sentences for offenses involving separate victims or separate behavioral incidents only for substantial and compelling reasons; limiting jail time credit; requiring the sentencing guidelines commission to amend the guidelines so manipulation of jail credit is eliminated; amending Minnesota Statutes 1996, sections 609.01, subdivision 1; and 609.145; Minnesota Statutes 1997 Supplement, section 609.15, subdivision 1.

Referred to the Committee on Crime Prevention.

Mr. Foley and Ms. Krentz introduced--

S.F. No. 3009: A bill for an act relating to education; enhancing funding for elementary class

size reduction; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124A.

Referred to the Committee on Children, Families and Learning.

Mrs. Lourey and Mr. Janezich introduced--

S.F. No. 3010: A bill for an act relating to education; expanding eligibility for the child care grant program; modifying the state work study program; appropriating money; amending Minnesota Statutes 1997 Supplement, sections 136A.125, subdivision 2; and 136A.233, subdivisions 2 and 3.

Referred to the Committee on Children, Families and Learning.

Messrs. Lessard and Johnson, D.J. introduced--

S.F. No. 3011: A bill for an act relating to game and fish; prohibiting the taking of white bears; amending Minnesota Statutes 1996, section 97B.411.

Referred to the Committee on Environment and Natural Resources.

Mr. Kelley, S.P. introduced--

S.F. No. 3012: A bill for an act relating to higher education; leveraging the University of Minnesota's research capabilities; appropriating money.

Referred to the Committee on Children, Families and Learning.

Messrs. Johnson, D.J. and Janezich introduced--

S.F. No. 3013: A bill for an act relating to taxation; removing obsolete references from the laws relating to taconite taxation; consolidating certain definitions; amending Minnesota Statutes 1996, sections 298.22, subdivision 2; 298.221; 298.2213, subdivision 4; 298.225, subdivision 1; 298.28, subdivisions 3, 4, 7, and 10; and 298.48, subdivision 1; Minnesota Statutes 1997 Supplement, section 298.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 298; repealing Minnesota Statutes 1996, sections 298.012; 298.21; 298.23; 298.34, subdivisions 1 and 4; and 298.391, subdivisions 2 and 5.

Referred to the Committee on Taxes.

Messrs. Johnson, D.J. and Janezich introduced--

S.F. No. 3014: A bill for an act relating to appropriations; authorizing state bonds; appropriating money to complete the Forest Highway 11 project within Lake county.

Referred to the Committee on Transportation.

Messrs. Johnson, D.J. and Solon introduced--

S.F. No. 3015: A bill for an act relating to crime; providing for mandatory sentences of life without release for all types of first-degree murder; amending Minnesota Statutes 1996, sections 244.05, subdivisions 4 and 5; and 609.184; repealing Minnesota Statutes 1996, section 609.196.

Referred to the Committee on Crime Prevention.

Mr. Johnson, D.J. introduced--

S.F. No. 3016: A bill for an act relating to the environment; authorizing acceptance of dump materials at certain qualified landfills; amending Minnesota Statutes 1997 Supplement, section 115B.39, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Environment and Natural Resources.

Messrs. Vickerman, Solon and Morse introduced--

S.F. No. 3017: A bill for an act relating to health; expanding the plumbing inspection program; amending Minnesota Statutes 1996, sections 144.122; and 326.37, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 326.37, subdivision 1.

Referred to the Committee on Health and Family Security.

Messrs. Price, Cohen, Ms. Wiener, Mrs. Pariseau and Ms. Johnson, J.B. introduced--

S.F. No. 3018: A bill for an act relating to environment finance; funding metro greenways and natural areas; authorizing the sale of bonds; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Mr. Berg, Mrs. Pariseau and Mr. Stevens introduced--

S.F. No. 3019: A bill for an act relating to taxation; requiring that cigarette tax refunds paid to Indian reservations are based on per capita amounts; amending Minnesota Statutes 1996, section 270.60, subdivisions 1 and 2.

Referred to the Committee on Taxes.

Mr. Knutson introduced--

S.F. No. 3020: A bill for an act relating to crime; clarifying the definition of value in the theft statute; amending Minnesota Statutes 1996, section 609.52, subdivision 1.

Referred to the Committee on Crime Prevention.

Mr. Knutson introduced--

S.F. No. 3021: A bill for an act relating to juvenile justice; exempting the crimes of interference with privacy and making obscene or harassing telephone calls from classification as a juvenile petty offense; amending Minnesota Statutes 1996, section 260.015, subdivision 21.

Referred to the Committee on Crime Prevention.

Mr. Knutson introduced--

S.F. No. 3022: A bill for an act relating to controlled substances; redefining a Minnesota Statutes, section 152.18, offense as a prior controlled substance conviction; amending Minnesota Statutes 1996, section 152.01, subdivision 16a.

Referred to the Committee on Crime Prevention.

Messrs. Belanger, Oliver, Mrs. Pariseau, Ms. Wiener and Mrs. Robling introduced--

S.F. No. 3023: A bill for an act relating to taxation; property taxes; permitting the inclusion of information relating to transit levies in notices of proposed property tax levies; amending Minnesota Statutes 1997 Supplement, section 275.065, subdivision 3.

Referred to the Committee on Local and Metropolitan Government.

Mr. Knutson introduced--

S.F. No. 3024: A bill for an act relating to metropolitan government; changing certain definitions; requiring a redrawn transit zone map; removing, in certain cases, a prohibition to application of a property tax rate; amending Minnesota Statutes 1996, section 473.3915, subdivisions 2, 3, and 5.

Referred to the Committee on Local and Metropolitan Government.

Mr. Pogemiller introduced--

S.F. No. 3025: A bill for an act relating to retirement; allowing an individual to terminate membership in the public employees retirement association coordinated plan and begin coverage in the public employees defined contribution plan.

Referred to the Committee on Governmental Operations and Veterans.

Mr. Oliver introduced--

S.F. No. 3026: A bill for an act relating to taxation; property; reducing the class rate applied to homestead property of over \$75,000; amending Minnesota Statutes 1997 Supplement, section 273.13, subdivision 22.

Referred to the Committee on Local and Metropolitan Government.

Mr. Marty introduced--

S.F. No. 3027: A bill for an act relating to state government; creating an advisory council to investigate improvements in communicating government information to the public.

Referred to the Committee on Governmental Operations and Veterans.

Messrs. Oliver and Ourada introduced--

S.F. No. 3028: A bill for an act relating to taxation; property; extending eligibility for a reduced class rate for golf courses; amending Minnesota Statutes 1997 Supplement, section 273.13, subdivision 25, as amended.

Referred to the Committee on Local and Metropolitan Government.

Ms. Piper, Mr. Foley, Mrs. Lourey and Ms. Lesewski introduced--

S.F. No. 3029: A bill for an act relating to capital improvements; appropriating money for capital aspects of child care and early childhood education in Austin; authorizing state bonds.

Referred to the Committee on Children, Families and Learning.

Ms. Piper, Mrs. Lourey, Ms. Berglin, Messrs. Foley and Ten Eyck introduced--

S.F. No. 3030: A bill for an act relating to health; appropriating money for the breast and cervical cancer control program.

Referred to the Committee on Health and Family Security.

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

MOTIONS AND RESOLUTIONS

Ms. Wiener, for Ms. Kiscaden, moved that S.F. No. 2783 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Commerce. The motion prevailed.

MEMBERS EXCUSED

Mrs. Fischbach, Ms. Kiscaden and Mr. Sams were excused from the Session of today. Messrs. Beckman and Oliver were excused from the Session of today from 9:30 to 10:00 a.m.

ADJOURNMENT

Ms. Flynn moved that the Senate do now adjourn until 10:00 a.m., Monday, February 9, 1998. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, February 5, 1998

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
2014	4980		661	4982	4982
2103	4979				
2130	4981				
2192	4978	4982			
2402	4977	4982			

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
2380	4982		
2723	4982		
2775	4982		
2783	4996		

CONSENT CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
2444	4983		

SPECIAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
2111	4982		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F. Nos. 2937 to 3030 Pages 4983 to 4996

Senate documents can be made available in alternative formats by calling:
(612) 296-0504 (voice) or (612) 296-0250 (TDD)