

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

---

THIRTY-SEVENTH DAY

St. Paul, Minnesota, Tuesday, April 6, 1999

The Senate met at 12:00 noon and was called to order by the President.

## CALL OF THE SENATE

Senator Junge 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. Brenda K. Alexander.

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

## OATH OF OFFICE

The newly elected Senator, Mr. Don Ziegler from the Twenty-Sixth District, presented his certificate of election and subscribed to the oath of office as administered by the Honorable Kathleen Blatz, Chief Justice of the Supreme Court.

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

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

Senators Anderson; Johnson, D.E.; Johnson, J.B. and Kiscaden were excused from the Session of today.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

April 1, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

I have vetoed and am returning Chapter Number 27, Senate File Number 609, a bill requiring new landscape irrigation systems to include a specific rain check device.

I veto this bill today because I believe it is a classic example of unnecessary government intervention to solve a problem that is better left to the judgment of manufacturers and consumers. Citizens who are heavy users of irrigation systems and are concerned about the conservation of water should be willing to pay a little extra for these devices in return for lowering their water bills, without the burden of a government mandate that will be virtually impossible to enforce. Manufacturers who are concerned about being competitive would do well to either absorb the costs of these devices or demonstrate the value to consumers, without turning to government to force all competitors to act in a similar manner.

This bill runs counter to my administration's beliefs and principles, and I cannot, in good faith, support legislation that creates more unnecessary government regulation.

Sincerely,  
Jesse Ventura, Governor

Senator Junge moved that S.F. No. 609 and the veto message thereon be laid on the table. The motion prevailed.

April 1, 1999

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 99.

Sincerely,  
Jesse Ventura, Governor

April 2, 1999

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1999	Date Filed 1999
99		28	1:32 p.m. April 1	April 1

1305	29	1:34 p.m. April 1	April 1
475	30	1:35 p.m. April 1	April 1
379	31	1:37 p.m. April 1	April 1

Sincerely,  
Mary Kiffmeyer  
Secretary of State

### REPORTS OF COMMITTEES

Senator Junge moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 1997 and the reports pertaining to appointments. The motion prevailed.

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

**S.F. No. 1675:** A bill for an act relating to insurance; property and liability; regulating FAIR plan coverage; amending Minnesota Statutes 1998, sections 65A.32; 65A.33, subdivision 3, and by adding a subdivision; 65A.34, subdivisions 1, 4, and 5; 65A.36, subdivisions 1 and 5; 65A.37; 65A.38, subdivision 1; and 65A.42.

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

Page 4, line 3, reinstate everything after the period

Page 4, line 4, reinstate the stricken language

Page 5, delete section 11

Amend the title as follows:

Page 1, line 6, after the third semicolon, insert "and"

Page 1, line 7, delete "; and 65A.42"

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

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

**S.F. No. 2038:** A bill for an act relating to insurance; regulating workers' compensation self-insurance; providing reporting and financial requirements; amending Minnesota Statutes 1998, sections 79A.21, subdivisions 2 and 3; 79A.22, subdivisions 2 and 3; 79A.23; and 79A.24, subdivision 2.

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

Page 2, line 36, reinstate the stricken "constituting at least" and after the stricken "75" insert "50"

Page 3, lines 1 to 6, delete the new language and reinstate the stricken language

Page 4, line 4, delete "ten" and insert "12"

Page 4, delete section 4

Page 4, line 30, delete the new language and reinstate the stricken language

Page 5, line 14, delete the new language and reinstate the stricken language

Page 6, line 36, delete "October" and strike "1" and insert "September 15"

Page 7, line 4, reinstate the stricken language

Page 7, delete line 5 and insert "constituting at least 50 25 percent of the group's annual premium"

Page 7, lines 6 to 12, delete the new language and reinstate the stricken language

Page 7, line 35, delete "110" and insert "125"

Page 8, lines 2 to 35, delete the new language and reinstate the stricken language

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "subdivisions 2 and 3" and insert "subdivision 2"

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

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

**S.F. No. 1605:** A bill for an act relating to labor relations; providing arbitration procedures for firefighters; amending Minnesota Statutes 1998, section 179A.16, subdivision 7.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 179A.16, is amended by adding a subdivision to read:

Subd. 7a. [DECISION AFFECTING FIREFIGHTERS.] (a) For firefighters, subdivision 7 governs, except that the arbitrator or panel is restricted to selecting between the final offer total packages of the parties as submitted to the commissioner at impasse, unless conventional arbitration is agreed to by both parties in writing. However, the arbitrator or panel has no jurisdiction or authority to entertain any matter or issue that is not a term and condition of employment or protected by section 179A.07, subdivision 1, unless the matter or issue was included in the employer's final position.

(b) This subdivision expires June 30, 2003."

Amend the title as follows:

Page 1, line 4, delete "subdivision 7" and insert "by adding a subdivision"

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

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

**S.F. No. 1204:** A bill for an act relating to the state building code; requiring fire sprinklers in newly constructed state-owned buildings; clarifying the responsibility for plan review and inspection of fire suppression systems; requiring joint approval for state building and fire codes; clarifying the supervision of the state fire marshal; requiring joint approval of construction documents by building and fire officials; modifying supervisory control over local building officials; creating an appeals process for building code requirements; allowing local municipalities to adopt more restrictive sprinkler ordinances; amending Minnesota Statutes 1998, sections 16B.31, by adding a subdivision; 16B.61, subdivisions 1a, 2, and by adding subdivisions; 16B.65, subdivision 5, and by adding a subdivision; 16B.67; and 299F.011, subdivision 4.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 16B.61, subdivision 2, is amended to read:

Subd. 2. [ENFORCEMENT BY CERTAIN BODIES.] Under the direction and supervision of the commissioner, the provisions of the code relating to electrical installations shall be enforced by the state board of electricity, pursuant to the Minnesota Electrical Act, the provisions relating to plumbing shall be enforced by the commissioner of health, ~~the provisions relating to the Minnesota Uniform Fire Code shall be enforced by the state fire marshal,~~ the provisions relating to high pressure steam piping and appurtenances shall be enforced by the department of labor and industry. Fees for inspections conducted by the state board of electricity shall be paid in accordance with the rules of the state board of electricity. Under direction of the commissioner of public safety, the state fire marshal shall enforce the Minnesota uniform fire code as provided in chapter 299F."

Delete the title and insert:

"A bill for an act relating to the state building code; clarifying the supervision of the state fire marshal; amending Minnesota Statutes 1998, section 16B.61, subdivision 2."

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

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

**S.F. No. 1993:** A bill for an act relating to state government; rulemaking; authorizing the governor to veto certain rules; amending Minnesota Statutes 1998, sections 14.05, by adding a subdivision; 14.16, subdivision 3; 14.26, subdivision 3; 14.386; and 14.389, subdivision 3.

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

Page 1, line 20, delete everything after "shall"

Page 1, delete lines 21 to 23

Page 1, line 24, delete everything before the period and insert "notify the chairs of the legislative committees having jurisdiction over the agency whose rule was vetoed"

Page 5, after line 10, insert:

"Sec. 6. [SUNSET.]

Minnesota Statutes, section 14.05, subdivision 6, expires June 30, 2001."

Page 5, line 12, delete "the day following final enactment" and insert "July 1, 1999,"

Renumber the sections in sequence

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

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

**S.F. No. 2017:** A bill for an act relating to public employment; making technical and administrative changes; amending Minnesota Statutes 1998, sections 13.43, subdivision 2; 43A.01, subdivision 2; 43A.02, subdivision 33; 43A.06, subdivision 8; 43A.07, subdivision 4; 43A.13, subdivision 3; 43A.15, subdivision 6, and by adding a subdivision; 43A.17, subdivision 8; 43A.18, subdivision 1; 43A.19, subdivision 3; 43A.20; 43A.317, subdivisions 3 and 4; 43A.38, subdivision 4; and 43A.421; Laws 1995, chapter 248, article 13, section 2, subdivisions 5, as

amended, and 6, as amended; repealing Minnesota Statutes 1998, sections 43A.13, subdivision 9; 43A.40; 43A.41; 43A.42; 43A.43, subdivision 2; 43A.44; 43A.45; 43A.46; and 43A.465; Minnesota Rules, parts 3910.0100; 3910.0200; 3910.0300; 3910.0400; 3910.0500; 3910.0600; 3910.0700; 3910.0800; 3910.0900; 3910.1000; 3910.1100; 3910.1200; 3910.1300; 3910.1400; 3910.1500; 3910.1600; and 3910.1700.

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

Pages 3 and 4, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 1998, section 43A.02, subdivision 11, is amended to read:

Subd. 11. [CLASS.] "Class" means one or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with clarity to designate each position allocated to the class and that the same general qualifications are needed for performance of the duties of the class, ~~that the same tests of fitness may be used to recruit employees, and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.~~"

Page 4, after line 27, insert:

"Sec. 4. Minnesota Statutes 1998, section 43A.04, subdivision 4, is amended to read:

Subd. 4. [ADMINISTRATIVE PROCEDURES.] The commissioner shall develop administrative procedures, which are not subject to the rulemaking provisions of the Administrative Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights of or processes available to the general public. The commissioner may also adopt administrative procedures, not subject to the Administrative Procedure Act, which concern topics affecting the general public if those procedures concern only the internal management of the department or other agencies and if those elements of the topics which affect the general public are the subject of department rules.

Administrative procedures shall be reproduced and made available for comment to agencies, employees, and appropriate exclusive representatives certified pursuant to sections 179A.01 to 179A.25, for at least 15 days prior to implementation and shall include but are not limited to:

(a) maintenance and administration of a plan of classification for all positions in the classified service and for comparisons of unclassified positions with positions in the classified service;

(b) procedures for administration of collective bargaining agreements and plans established pursuant to section 43A.18 concerning total compensation and the terms and conditions of employment for employees;

(c) procedures for effecting all personnel actions internal to the state service such as conduct of competitive promotional examinations, ranking and certification of employees for promotion, noncompetitive and qualifying appointments of employees and leaves of absence; ~~and~~

(d) maintenance and administration of employee performance appraisal, training and other programs; ~~and~~

(e) procedures for pilots of the reengineered employee selection process. Employment provisions of this chapter, associated personnel rules adopted under subdivision 3, and administrative procedures established under clauses (a) and (c) may be waived for the purposes of these pilots. The pilots may affect the rights of and processes available to members of the general public seeking employment in the classified service. The commissioner will provide public notice of any pilot directly affecting the rights of and processes available to the general public and make the administrative procedures available for comment to the general public, agencies, employees, and appropriate exclusive representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior to implementation."

Page 5, after line 21, insert:

"Sec. 7. Minnesota Statutes 1998, section 43A.07, subdivision 6, is amended to read:

Subd. 6. [RIGHTS OF INCUMBENTS OF DECLASSIFIED POSITIONS.] Except for just cause, an employee incumbent with permanent status shall not be removed from a position which is declassified for a period of one year following the declassification. An appointing authority may remove an incumbent of a declassified position after one year with 30 days' prior notice. At any time after the declassification, and prior to the end of the 30-day notice period, if so requested, the employee shall be appointed within the same agency to a classified position comparable to the position that was declassified or, if a comparable position is unavailable, to a position in that agency comparable to that held immediately prior to being appointed to the declassified position. This section applies only to the incumbent at the time the position is declassified and not to employees subsequently appointed to the declassified position."

Pages 8 and 9, delete section 15

Page 10, line 35, before the comma, insert "; Laws 1995, chapter 248, article 13, section 2, subdivision 8"

Page 11, line 5, delete "19" and insert "20"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying definitions; redesigning administrative procedures for certain pilot projects;"

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "subdivision 2;" and delete "subdivision 33" and insert "subdivisions 11 and 33; 43A.04, subdivision 4"

Page 1, line 6, delete "subdivision 4" and insert "subdivisions 4 and 6"

Page 1, line 10, delete "43A.38, subdivision 4;"

Page 1, line 15, after "43A.465;" insert "Laws 1995, chapter 248, article 13, section 2, subdivision 8;"

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

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

**S.F. No. 832:** A bill for an act relating to securities regulation; exempting from state registration certain securities that meet federal requirements for exemption from federal registration, if certain other conditions are met; permitting quicker issuance of securities registered under the small company offering registration; amending Minnesota Statutes 1998, sections 80A.115, subdivision 9; and 80A.15, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 80A.115, subdivision 4, is amended to read:

Subd. 4. [CONDITIONS.] In order to register under this section, all of the following conditions must be satisfied:

(1) the offering price for common stock and the exercise price, if the securities offered are options, warrants, or rights for common stock, and the conversion price if the securities are convertible into common stock must be equal to or greater than ~~\$5~~ \$1 per share; ~~and~~

(2) the aggregate offering price of the securities offered, within or outside this state, may not exceed \$1,000,000 less the aggregate offering price of all securities sold within the 12 months before the start of and during the offering of the securities under securities and exchange commission Rule 504 in reliance on an exemption under section 3(b) of the Securities Act of 1933. The issuer may not split its common stock, or declare a stock dividend for two years after effectiveness of the registration, except that in connection with a subsequent public offering, the issuer may upon application and consent of the commissioner take this action;

(3) unless an issuer or its predecessors have demonstrated profitable operations for two of the three fiscal years prior to registration, determined in accordance with generally accepted accounting principles, after taxes and excluding extraordinary items, the fair value of the equity investment, as defined by the commissioner by rule, of such issuer shall be at least five percent of the equity investment, as defined by the commissioner by rule, that would result from the sale of all the securities proposed to be offered; and

(4) the maximum quantity of cheap stock, as defined by the commissioner by rule, allowable, expressed as a percentage of the total number of shares to be outstanding after the proposed offering, shall be determined by calculating the fair value of equity investment as a percentage of equity investment in accordance with the following formulations. If the percentage is 20 percent or less, the maximum quantity of cheap stock allowable shall be 50 percent. If the percentage is greater than 20 percent, the maximum quantity of cheap stock allowable shall be two times the percentage plus ten percent. The maximum quantity of cheap stock allowable shall not exceed 90 percent of the total number of shares to be outstanding after the proposed offering.

Sec. 2. Minnesota Statutes 1998, section 80A.115, subdivision 9, is amended to read:

Subd. 9. [EFFECTIVE DATE.] A registration statement under this section becomes effective when the commissioner so orders. If no stop order is in effect and no proceeding is pending under section 80A.13, a registration statement under this section becomes effective automatically at 5:00 p.m. on the 20th full business day after the filing of the registration statement or the last amendment of it, or at such earlier time as the commissioner by order determines.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 apply to securities offered or sold on or after the date of enactment."

Delete the title and insert:

"A bill for an act relating to securities regulation; making changes applicable to securities registered under the small company offering registration; amending Minnesota Statutes 1998, section 80A.115, subdivisions 4 and 9."

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

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

**S.F. No. 2029:** A bill for an act relating to landlords and tenants; modifying requirements for tenant screening reports in the second and fourth judicial districts; amending Minnesota Statutes 1998, section 504.30, subdivision 4.

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

Delete everything after the enacting clause and insert:

"Section 1. [484.014] [HOUSING RECORDS; EXPUNGEMENT OF EVICTION INFORMATION.]

Subdivision 1. [DEFINITIONS.] For the purpose of this section, the following terms have the meanings given:

(1) "expunge" means remove evidence of the court file's existence from the publicly accessible computer and electronic records;



(2) "eviction case" means an action brought under sections 566.01 to 566.17; and

(3) "court file" means the court file created when an eviction case is filed with the court.

Subd. 2. [DISCRETIONARY EXPUNGEMENT.] The court may order sealing of an eviction case court file only upon motion of a defendant and decision by the court, if the court finds that the plaintiff's case is sufficiently without basis in fact or law, which may include lack of jurisdiction over the case, that expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record.

Sec. 2. Minnesota Statutes 1998, section 504.30, subdivision 4, is amended to read:

Subd. 4. [COURT FILE INFORMATION.] (a) If a tenant screening service includes information from a court file on an individual in a tenant report, the report must provide the full name and date of birth of the individual in any case where the court file includes the individual's full name and date of birth, and the outcome of the court proceeding must be accurately recorded in the tenant report including the specific basis of the court's decision, when available. If a tenant screening service knows that a court file has been expunged, the tenant screening service shall delete any reference to that file in any data maintained by the screening service. Whenever the court supplies information from a court file on an individual, in whatever form, the court shall include the full name and date of birth of the individual, if that is indicated on the court file or summary and information on the outcome of the court proceeding, including the specific basis of the court's decision, coded as provided in subdivision 4a for the type of action, when it becomes available. The tenant screening service is not liable under section 504.31 if the tenant screening service reports complete and accurate information as provided by the court.

~~(b) A tenant screening service shall not provide tenant reports containing information on unlawful detainer actions in the second and fourth judicial districts, unless the tenant report accurately records the outcome of the proceeding or other disposition of the unlawful detainer action such as settlement, entry of a judgment, default, or dismissal of the action.~~

Sec. 3. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to landlords and tenants; providing for certain eviction records to be sealed; modifying requirements for tenant screening reports in the second and fourth judicial districts; amending Minnesota Statutes 1998, section 504.30, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 484."

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. 1253:** A bill for an act relating to landlords and tenants; regulating the taking of prelease deposits; providing for a civil penalty; proposing coding for new law in Minnesota Statutes, chapter 504.

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

Delete everything after the enacting clause and insert:

"Section 1. [504.38] [PRELEASE DEPOSIT.]

Subdivision 1. [DEFINITIONS.] For the purpose of this section, "prelease deposit" means payment to a landlord from a prospective tenant of a residential dwelling unit before the prospective tenant and the landlord have entered into a rental agreement. "Prelease deposit" does not include the payment of a reasonable applicant screening fee used to conduct a background check on the prospective tenant.

Subd. 2. [LIMITATIONS.] A landlord may not accept a prelease deposit from a prospective tenant exceeding one-half of the first month's rent if the monthly rent on the dwelling unit is less than \$800. A prelease deposit may be accepted only if the landlord and tenant enter into a prior written agreement that includes:

- (1) the circumstances under which it will be returned;
- (2) when it will be returned; and
- (3) the means available for resolving a dispute, including the remedies provided in subdivision 3.

A prelease deposit must be returned within five business days of the occurrence of a circumstance described pursuant to clause (1).

Subd. 3. [REMEDIES.] In addition to any other remedies, a landlord who violates this section is liable to the payor of the prelease deposit for twice the amount of the prelease deposit paid."

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. 971:** A bill for an act relating to employment; requiring the commissioner of economic security to collect certain information about employment and training programs.

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

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

**S.F. No. 1966:** A bill for an act relating to health; making certain health-related data nondisclosable; modifying maternal and child health provisions; modifying provisions for speech-language pathologists, audiologists, unlicensed mental health practitioners, alcohol and drug counselors, and hearing instrument dispensers; modifying the Minnesota Health Care Administrative Simplification Act; amending Minnesota Statutes 1998, sections 62E.04, subdivision 4; 62J.51, by adding subdivisions; 62J.52, subdivisions 1, 2, and 5; 62J.60, subdivision 1; 62J.75; 145.881, subdivision 2; 145.882, subdivision 7, and by adding a subdivision; 145.885, subdivision 2; 148.511; 148.515, subdivision 3; 148.517, by adding a subdivision; 148B.60, subdivision 3; 148B.68, subdivision 1; 148B.69, by adding a subdivision; 148B.71, subdivision 1; 148C.01, subdivisions 2, 7, 9, 10, and by adding a subdivision; 148C.03, subdivision 1; 148C.04, by adding subdivisions; 148C.06, subdivision 1; 148C.09, subdivisions 1 and 1a; 148C.11, subdivision 1; 153A.13, subdivision 9, and by adding subdivisions; 153A.14, subdivisions 1, 2a, 2h, 4, 4a, and by adding subdivisions; and 153A.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62J; repealing Minnesota Statutes 1998, sections 145.882, subdivisions 3 and 4; and 148C.04, subdivision 5.

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

Page 1, after line 28, insert:

"Section 1. Minnesota Statutes 1998, section 15.059, subdivision 5a, is amended to read:

Subd. 5a. [LATER EXPIRATION.] Notwithstanding subdivision 5, the advisory councils and committees listed in this subdivision do not expire June 30, 1997. These groups expire June 30, 2001, unless the law creating the group or this subdivision specifies an earlier expiration date.

Investment advisory council, created in section 11A.08;

Intergovernmental information systems advisory council, created in section 16B.42, expires June 30, 1999 2000;

Feedlot and manure management advisory committee, created in section 17.136;  
Aquaculture advisory committee, created in section 17.49;  
Dairy producers board, created in section 17.76;  
Pesticide applicator education and examination review board, created in section 18B.305;  
Advisory seed potato certification task force, created in section 21.112;  
Food safety advisory committee, created in section 28A.20;  
Minnesota organic advisory task force, created in section 31.95;  
Medical education and research advisory committee, created in section 62J.69;  
Public programs risk adjustment work group, created in section 62Q.03, expires June 30, 1999;  
Workers' compensation self-insurers' advisory committee, created in section 79A.02;  
Youth corps advisory committee, created in section 84.0887;  
Iron range off-highway vehicle advisory committee, created in section 85.013;  
Mineral coordinating committee, created in section 93.002;  
Game and fish fund citizen advisory committees, created in section 97A.055;  
Wetland heritage advisory committee, created in section 103G.2242;  
Wastewater treatment technical advisory committee, created in section 115.54;  
Solid waste management advisory council, created in section 115A.12;  
Nuclear waste council, created in section 116C.711;  
Genetically engineered organism advisory committee, created in section 116C.93;  
Environment and natural resources trust fund advisory committee, created in section 116P.06;  
Child abuse prevention advisory council, created in section 119A.13;  
Chemical abuse and violence prevention council, created in section 119A.27;  
Youth neighborhood services advisory board, created in section 119A.29;  
Interagency coordinating council, created in section 125A.28, expires June 30, 1999;  
Desegregation/integration advisory board, created in section 124D.892;  
Nonpublic education council, created in section 123B.445;  
Permanent school fund advisory committee, created in section 127A.30;  
Indian scholarship committee, created in section 124D.84, subdivision 2;  
American Indian education committees, created in section 124D.80;  
Summer scholarship advisory committee, created in section 124D.95;  
Multicultural education advisory committee, created in section 124D.894;  
Male responsibility and fathering grants review committee, created in section 124D.33;  
Library for the blind and physically handicapped advisory committee, created in section 134.31;

Higher education advisory council, created in section 136A.031;  
Student advisory council, created in section 136A.031;  
Cancer surveillance advisory committee, created in section 144.672;  
Maternal and child health task force, created in section 145.881;  
State community health advisory committee, created in section 145A.10;  
Mississippi River Parkway commission, created in section 161.1419;  
School bus safety advisory committee, created in section 169.435;  
Advisory council on workers' compensation, created in section 175.007;  
Code enforcement advisory council, created in section 175.008;  
Medical services review board, created in section 176.103;  
Apprenticeship advisory council, created in section 178.02;  
OSHA advisory council, created in section 182.656;  
Health professionals services program advisory committee, created in section 214.32;  
Rehabilitation advisory council for the blind, created in section 248.10;  
American Indian advisory council, created in section 254A.035;  
Alcohol and other drug abuse advisory council, created in section 254A.04;  
Medical assistance drug formulary committee, created in section 256B.0625;  
Home care advisory committee, created in section 256B.071;  
Preadmission screening, alternative care, and home and community-based services advisory committee, created in section 256B.0911;  
Traumatic brain injury advisory committee, created in section 256B.093;  
Minnesota commission serving deaf and hard-of-hearing people, created in section 256C.28;  
American Indian child welfare advisory council, created in section 257.3579;  
Juvenile justice advisory committee, created in section 268.29;  
Northeast Minnesota economic development fund technical advisory committees, created in section 298.2213;  
Iron range higher education committee, created in section 298.2214;  
Northeast Minnesota economic protection trust fund technical advisory committee, created in section 298.297;  
Pipeline safety advisory committee, created in section 299J.06, expires June 30, 1998;  
Battered women's advisory council, created in section 611A.34."

Page 6, after line 26, insert:

"Sec. 10. Minnesota Statutes 1998, section 62J.69, subdivision 2, is amended to read:

Subd. 2. [ALLOCATION AND FUNDING FOR MEDICAL EDUCATION AND RESEARCH.] (a) The commissioner may establish a trust fund for the purposes of funding medical education and research activities in the state of Minnesota.

(b) By January 1, 1997, the commissioner may appoint an advisory committee to provide advice and oversight on the distribution of funds from the medical education and research trust fund. If a committee is appointed, the commissioner shall: (1) consider the interest of all stakeholders when selecting committee members; (2) select members that represent both urban and rural interest; and (3) select members that include ambulatory care as well as inpatient perspectives. The commissioner shall appoint to the advisory committee representatives of the following groups: medical researchers, public and private academic medical centers, managed care organizations, Blue Cross and Blue Shield of Minnesota, commercial carriers, Minnesota Medical Association, Minnesota Nurses Association, medical product manufacturers, employers, and other relevant stakeholders, including consumers. The advisory committee is governed by section 15.059, for membership terms and removal of members and will sunset on June 30, 1999 2001.

(c) Eligible applicants for funds are accredited medical education teaching institutions, consortia, and programs operating in Minnesota. Applications must be submitted by the sponsoring institution on behalf of the teaching program, and must be received by September 30 of each year for distribution in January of the following year. An application for funds must include the following:

(1) the official name and address of the sponsoring institution and the official name and address of the facility or programs on whose behalf the institution is applying for funding;

(2) the name, title, and business address of those persons responsible for administering the funds;

(3) for each accredited medical education program for which funds are being sought the type and specialty orientation of trainees in the program, the name, address, and medical assistance provider number of each training site used in the program, the total number of trainees at each site, and the total number of eligible trainees at each training site;

(4) audited clinical training costs per trainee for each medical education program where available or estimates of clinical training costs based on audited financial data;

(5) a description of current sources of funding for medical education costs including a description and dollar amount of all state and federal financial support, including Medicare direct and indirect payments;

(6) other revenue received for the purposes of clinical training; and

(7) other supporting information the commissioner, with advice from the advisory committee, determines is necessary for the equitable distribution of funds.

(d) The commissioner shall distribute medical education funds to all qualifying applicants based on the following basic criteria: (1) total medical education funds available; (2) total eligible trainees in each eligible education program; and (3) the statewide average cost per trainee, by type of trainee, in each medical education program. Funds distributed shall not be used to displace current funding appropriations from federal or state sources. Funds shall be distributed to the sponsoring institutions indicating the amount to be paid to each of the sponsor's medical education programs based on the criteria in this paragraph. Sponsoring institutions which receive funds from the trust fund must distribute approved funds to the medical education program according to the commissioner's approval letter. Further, programs must distribute funds among the sites of training as specified in the commissioner's approval letter. Any funds not distributed as directed by the commissioner's approval letter shall be returned to the medical education and research trust fund within 30 days of a notice from the commissioner. The commissioner shall distribute returned funds to the appropriate entities in accordance with the commissioner's approval letter.

(e) Medical education programs receiving funds from the trust fund must submit a medical education and research grant verification report (GVR) through the sponsoring institution based on criteria established by the commissioner. If the sponsoring institution fails to submit the GVR by the stated deadline, or to request and meet the deadline for an extension, the sponsoring institution is required to return the full amount of the medical education and research trust fund grant to the

medical education and research trust fund within 30 days of a notice from the commissioner. The commissioner shall distribute returned funds to the appropriate entities in accordance with the commissioner's approval letter. The reports must include:

- (1) the total number of eligible trainees in the program;
- (2) the programs and residencies funded, the amounts of trust fund payments to each program, and within each program, the dollar amount distributed to each training site; and
- (3) other information the commissioner, with advice from the advisory committee, deems appropriate to evaluate the effectiveness of the use of funds for clinical training.

The commissioner, with advice from the advisory committee, will provide an annual summary report to the legislature on program implementation due February 15 of each year.

(f) The commissioner is authorized to distribute funds made available through:

- (1) voluntary contributions by employers or other entities;
- (2) allocations for the department of human services to support medical education and research; and
- (3) other sources as identified and deemed appropriate by the legislature for inclusion in the trust fund.

(g) The advisory committee shall continue to study and make recommendations on:

- (1) the funding of medical research consistent with work currently mandated by the legislature and under way at the department of health; and
- (2) the costs and benefits associated with medical education and research."

Page 7, after line 21, insert:

"Sec. 12. Minnesota Statutes 1998, section 62Q.64, is amended to read:

62Q.64 [DISCLOSURE OF EXECUTIVE COMPENSATION.]

(a) Each health plan company doing business in this state shall annually file with the ~~consumer advisory board created in section 62J.75~~ commissioner of health:

- (1) a copy of the health plan company's form 990 filed with the federal Internal Revenue Service; or
- (2) if the health plan company did not file a form 990 with the federal Internal Revenue Service, a list of the amount and recipients of the health plan company's five highest salaries, including all types of compensation, in excess of \$50,000.

(b) A filing under this section is public data under section 13.03."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "sections" insert "15.059, subdivision 5a;"

Page 1, line 12, before "62J.75" insert "62J.69, subdivision 2;" and after the first semicolon, insert "62Q.64;"

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 re-referred**

**S.F. No. 233:** A bill for an act relating to real property; providing for definite and specific descriptions for certain easements; applying the requirement retroactively to all easements whenever created; amending Minnesota Statutes 1998, section 300.045.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 300.045, is amended to read:

300.045 [EASEMENTS OVER PRIVATE PROPERTY, LIMITATIONS.]

(a) When public service corporations, including pipeline companies, acquire easements over private property by purchase, gift, or eminent domain proceedings, except temporary easements for construction, they must definitely and specifically describe the easement being acquired, and may not acquire an easement ~~greater than the minimum~~ in a width necessary for the safe conduct of their business.

(b) For the purposes of this section, a public service corporation may meet the requirement of a definite and specific description of an easement by:

(1) including in the recorded description of the easement the specific legal reference points as to the location of the easement in relation to the corners of the specific property involved at the points the easement enters and departs from the property, the width of the easement, and each change of course as the easement crosses the property; or

(2) appending to the recorded description of the easement a drawing that identifies by means of a scale or specific measurements the location of the easement in relation to the corners of the specific property involved at the points the easement enters and departs from the property, the width of the easement, and each change of course as the easement crosses the property.

(c) When a question arises as to the location, width, or course of an easement across specific property and the recorded description of the easement does not include a definite and specific description of the location, width, or course of the easement by a method identified in clause (1) or (2), the public service corporation holding the easement shall, upon written request by the specific property owner, produce and record in a timely manner an instrument that provides a definite and specific description using a method described in clause (1) or (2). The definite and specific description must be the minimum width necessary for the safe conduct of the business of the public service corporation with respect to the language of the original easement. In the partial release or other instrument, a public service corporation may reserve:

(1) the right of reasonable ingress and egress over and across the released property, provided that it shall agree to pay any damages caused by the exercise of such rights; and

(2) additional conditions and restrictions permitted in the original easement.

Thirty days after a public service corporation has produced to the property owner a definite and specific description, it may record the description and is not thereafter required to again produce or record under this section for the same property or a part of the same property.

This section applies to every easement over private property acquired by a public service corporation, regardless of when the easement was acquired or created.

(d) This section does not require a public service corporation to physically locate, establish, and monument by means of a land survey prepared by a licensed land surveyor the corners of the specific property involved.

(e) This section does not limit direct access to a public service corporation easement in an emergency situation. The public service corporation affected by the emergency must compensate the property owner for damages caused by directly accessing the easement.

Sec. 2. [EFFECTIVE DATE.]

This act is effective the day after its final enactment and applies retroactively to all easements whenever created except that this act does not apply to litigation pending on the effective date."

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

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

**S.F. No. 2120:** A bill for an act relating to crime prevention; classifying Gamma Hydroxybutyrate as a controlled substance; amending Minnesota Statutes 1998, section 152.02, subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 152.02, subdivision 4, is amended to read:

Subd. 4. [SCHEDULE III.] The following items are listed in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of Amphetamine, its salts, optical isomers, and salts of its optical isomers; Phenmetrazine and its salts; Methamphetamine, its salts, isomers, and salts of isomers; Methylphenidate; and which is required by federal law to be labeled with the symbol prescribed by 21 Code of Federal Regulations Section 1302.03 and in effect on February 1, 1976 designating that the drug is listed as a Schedule III controlled substance under federal law.

(2) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(a) Any compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(b) Any suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and approved by the food and drug administration for marketing only as a suppository.

(c) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules: Chlorhexadol; Glutethimide; Lysergic acid; Lysergic acid amide; Methyprylon; Sulfondiethylmethane; Sulfonethylmethane; Sulfonmethane.

(d) Gamma hydroxybutyrate, any salt, compound, derivative, or preparation of gamma hydroxybutyrate, including any isomers, esters, and ethers and salts of isomers, esters, and ethers of gamma hydroxybutyrate whenever the existence of such isomers, esters, and salts is possible within the specific chemical designation.

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(a) Benzphetamine

(b) Chlorphentermine

(c) Clortermine

(d) Mazindol

(e) Phendimetrazine.



(4) Nalorphine.

(5) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(a) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(b) Not more than 1.80 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(c) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(d) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(e) Not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(g) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(h) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1999, and applies to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to crime prevention; classifying Gamma Hydroxybutyrate as a controlled substance; amending Minnesota Statutes 1998, section 152.02, subdivision 4."

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

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

**S.F. No. 574:** A bill for an act relating to education; providing that a person convicted of criminal sexual conduct is ineligible to be licensed as a teacher; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

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

Page 5, line 4, after "for" insert "felony"

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

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

**H.F. No. 643** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
643	676				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 1079** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1079	1331				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1079 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1079 and insert the language after the enacting clause of S.F. No. 1331, the first engrossment; further, delete the title of H.F. No. 1079 and insert the title of S.F. No. 1331, the first engrossment.

And when so amended H.F. No. 1079 will be identical to S.F. No. 1331, and further recommends that H.F. No. 1079 be given its second reading and substituted for S.F. No. 1331, and that the Senate File be indefinitely postponed.

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

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

**S.F. No. 807:** A bill for an act relating to human services; making permanent the expansion of unlicensed child care providers; amending Minnesota Statutes 1998, section 245A.03, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 119B.09, is amended by adding a subdivision to read:

Subd. 5a. [PROVIDER REGISTRATION.] (a) Nonlicensed providers who meet the licensure exemptions defined in section 245A.03, subdivision 2, or Laws 1997, chapter 248, section 46, as amended, and who care for children as provided under chapter 119B must be registered. Counties shall provide each nonlicensed, registered provider with health and safety information, including information about immunizations. Parents shall provide their child's immunization records to their nonlicensed, registered provider who shall keep immunization records in accordance with section 121A.15 and have these records available to the county upon request. The child must have

received the age appropriate immunizations or have commenced a schedule of immunizations within 90 days following the first day of child care with the nonlicensed, registered provider. In addition to other registration requirements, the parent and provider must comply with state and local health ordinances, including the required child immunizations, and building and fire codes applicable to the premises where child care is provided.

(b) Counties shall also offer an enhanced registration category with additional requirements to be available for nonlicensed, registered providers who meet the requirements of paragraph (a). These additional requirements are: a background study, a licensing history check, and completion of a self-declared health and safety checklist. Background studies and licensing history checks must be completed at application for enhanced registration, when there is a change in household members, when there is a gap in service as a child care assistance program provider, and every two years if the provider is still providing service. Counties shall have authority to conduct background studies, including authority to access the bureau of criminal apprehension's criminal justice information system. Background studies shall be conducted on adult household members according to the procedures under section 245A.04, subdivision 3, applicable to licensed family child care. The county may require the prospective provider to pay the expense of any background study that is done on the prospective provider or members of the prospective provider's household. If the subject of the background study has a disqualifying characteristic under section 245A.04, subdivision 3d, based on a conviction or admission, the individual shall be disqualified from providing child care services as a nonlicensed, registered provider.

Enhanced registration must be available to all legal nonlicensed child care providers without regard to payment under the child care assistance program. Counties may choose to require all or certain categories of nonlicensed, registered providers under chapter 119B to comply with enhanced registration requirements. County choices must be identified in the county's child care fund plan under section 119B.08, subdivision 3.

Sec. 2. Minnesota Statutes 1998, section 119B.13, subdivision 6, is amended to read:

Subd. 6. [PROVIDER PAYMENTS.] Counties shall make vendor payments to the child care provider or pay the parent directly for eligible child care expenses. Counties shall make payments directly to licensed child care providers for eligible child care expenses. For nonlicensed, registered providers under section 119B.09, subdivision 5a, paragraphs (a) and (b), counties may make payments to the child care provider or to the parent. If payments for child care assistance are made to providers, the provider shall bill the county for services provided within ten days of the end of the month of service. If bills are submitted in accordance with the provisions of this subdivision, a county shall issue payment to the provider of child care under the child care fund within 30 days of receiving an invoice from the provider. Counties may establish policies that make payments on a more frequent basis. A county's payment policies must be included in the county's child care plan under section 119B.08, subdivision 3.

Sec. 3. Laws 1997, chapter 248, section 46, as amended by Laws 1997, First Special Session chapter 5, section 10, and Laws 1998, chapter 407, article 6, section 112, is amended to read:

Sec. 46. [UNLICENSED CHILD CARE PROVIDERS; INTERIM EXPANSION.]

(a) Notwithstanding Minnesota Statutes, section 245A.03, subdivision 2, clause (2), until June 30, 1999 2001, nonresidential child care programs or services that are provided by an unrelated individual to persons from two or three other unrelated families are excluded from the licensure provisions of Minnesota Statutes, chapter 245A, provided that:

(1) the individual provides services at any one time to no more than four children who are unrelated to the individual;

(2) no more than two of the children are under two years of age; and

(3) the total number of children being cared for at any one time does not exceed five. IN> (b) Paragraph (a), clauses (1) to (3), do not apply to:

(1) nonresidential programs that are provided by an unrelated individual to persons from a single related family.;

(2) a child care provider whose child care services meet the criteria in paragraph (a), clauses (1) to (3), but who chooses to apply for licensure;

(3) a child care provider who, as an applicant for licensure or as a license holder, has received a license denial under Minnesota Statutes, section 245A.05, a fine under Minnesota Statutes, section 245A.06, or a sanction under Minnesota Statutes, section 245A.07, from the commissioner that has not been reversed on appeal; or

(4) a child care provider, or a child care provider who has a household member who, as a result of a licensing process, has a disqualification under Minnesota Statutes, chapter 245A, that has not been set aside by the commissioner."

Delete the title and insert:

"A bill for an act relating to human services; requiring counties to offer an enhanced registration category to child care providers; requiring counties to pay licensed child care providers directly for child care expenses; extending unlicensed child care to certain providers for one year; amending Minnesota Statutes 1998, sections 119B.09, by adding a subdivision; and 119B.13, subdivision 6; Laws 1997, chapter 248, section 46, as amended."

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

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

**S.F. No. 1585:** A bill for an act relating to human services; making technical changes to cross-references in statutes; amending Minnesota Statutes 1998, sections 13.46, subdivisions 1 and 2; 16D.02, subdivision 3; 16D.13, subdivision 3; 84.98, subdivision 3; 119A.54; 119B.01, subdivisions 2, 10, 12, 13, 15, and 16; 119B.02, subdivision 1; 119B.03, subdivisions 3 and 4; 119B.05, subdivision 1; 119B.07; 119B.075; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.14; 119B.15; 136A.125, subdivision 2; 145.415, subdivision 3; 196.27; 237.70, subdivision 4a; 245.4871, subdivision 25; 254B.02, subdivision 1; 256.01, subdivisions 2 and 4; 256.017, subdivisions 1, 2, and 4; 256.019; 256.025, subdivision 2; 256.046, subdivision 1; 256.0471, subdivision 1; 256.741, subdivisions 1 and 2; 256.82, subdivision 2; 256.935, subdivision 1; 256.98, subdivisions 1 and 8; 256.981; 256.983, subdivision 4; 256.9861, subdivision 5; 256B.031, subdivisions 4 and 5; 256B.69, subdivision 5a; 256C.21; 256C.23, subdivision 1; 256D.01, subdivisions 1a and 1e; 256D.05, subdivisions 1, 3, and 5; 256D.051, subdivision 3a; 256D.055; 256D.23, subdivision 1; 256D.435, subdivision 3; 256D.44, subdivision 5; 256E.03, subdivision 2; 256E.06, subdivisions 1 and 3; 256E.07, subdivision 1; 256E.08, subdivision 3; 256F.05, subdivisions 3 and 8; 256F.10, subdivision 6; 256F.13, subdivision 3; 256G.01, subdivision 4; 256G.03, subdivision 2; 256J.01, subdivision 1; 256J.11, subdivisions 1 and 2; 256J.12, subdivision 1; 256J.21, subdivision 3; 256J.26, subdivisions 1, 2, 3, and 4; 256J.42, subdivisions 1 and 5; 256J.43, subdivision 1; 256J.50, subdivision 3a; 256J.62, subdivisions 3, 6, and 7; 256J.76, subdivision 1; 256K.01, subdivisions 2, 3, and 8; 256K.015; 256K.02; 256K.03, subdivisions 1 and 12; 256K.04, subdivision 2; 256K.05, subdivision 2; 256K.06; 256K.07; 256K.08, subdivision 1; 256L.11, subdivision 4; 257.33, subdivision 2; 257.3573, subdivision 2; 257.60; 257.85, subdivisions 3, 5, 7, and 11; 259.67, subdivision 4; 260.38; 261.063; 268.0111, subdivisions 5 and 7; 268.0122, subdivision 3; 268.552, subdivision 5; 268.672, subdivision 6; 268.86, subdivision 2; 268.871, subdivision 1; 268.90, subdivision 2; 268.95, subdivision 4; 275.065, subdivision 5a; 290.067, subdivision 1; 290A.03, subdivision 7; 393.07, subdivision 6; 462A.205, subdivision 2; 462A.222, subdivision 1a; 473.129, subdivision 8; 477A.0122, subdivision 2; 501B.89, subdivision 2; 518.171, subdivision 1; 518.551, subdivision 5; 518.57, subdivision 3; 518.614, subdivision 3; 518.64, subdivision 2; 548.13; 550.136, subdivision 6; 550.143, subdivision 3; 550.37, subdivision 14; 551.05, subdivision 1a; 551.06, subdivision 6; 570.025, subdivision 6; 570.026, subdivision 2; 571.72, subdivision 8; 571.912; 571.925; 571.931, subdivision 6; 571.932, subdivision 2; and 583.22, subdivision 7b; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 12a; 119B.05, subdivision 6; 126C.05, subdivision 4; 126C.06; 256.031, subdivision 1a; 256.736; 256.74, subdivision 1c; 256.9850; 256J.62, subdivision 5; 268.871, subdivision 5; and 290A.22; Minnesota Rules, parts

9500.2000; 9500.2020; 9500.2060; 9500.2100; 9500.2140; 9500.2180; 9500.2220; 9500.2260; 9500.2300; 9500.2340; 9500.2380; 9500.2420; 9500.2440; 9500.2480; 9500.2500; 9500.2520; 9500.2560; 9500.2580; 9500.2600; 9500.2620; 9500.2640; 9500.2680; 9500.2700; 9500.2720; 9500.2722; 9500.2724; 9500.2726; 9500.2728; 9500.2730; 9500.2740; 9500.2760; 9500.2780; 9500.2800; 9500.2820; 9500.2860; and 9500.2880.

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

Page 7, line 3, strike "program-statewide" and insert "program"

Page 7, line 24, strike "statewide"

Page 9, line 15, strike "program-statewide" and insert "program"

Page 9, line 32, after "services" insert "policy"

Page 9, line 33, before "family" insert "health and" and after "family" insert "security"

Page 9, line 34, strike "services"

Page 10, line 2, strike "MFIP-S" and insert "MFIP"

Page 11, line 35, delete the second "of" and insert a comma

Page 11, line 36, after "Work" insert "Opportunity"

Page 12, line 8, strike "MFIP-S" and insert "MFIP"

Page 13, line 3, delete the second "of" and insert a comma

Page 13, line 4, after "Work" insert "Opportunity"

Page 14, line 32, delete "(4)" and strike "MFIP-S" and insert "(4) MFIP"

Page 17, delete line 35 and insert "~~to families with dependent children, MFIP-S,~~ assistance under MFIP or"

Page 18, line 10, after "program" insert "assistance"

Page 19, line 19, strike "MFIP-S" and insert "MFIP"

Page 19, line 22, strike "MFIP-S" and insert "MFIP"

Page 20, line 20, strike "program-statewide" and insert "program"

Page 22, line 9, strike "program-statewide" and insert "program"

Page 23, line 31, strike "program-statewide" and insert "program"

Page 24, line 1, strike everything after "for"

Page 24, line 2, strike "children," and strike "program-statewide" and insert "program"

Page 28, line 4, strike ", education, and welfare" and insert "and human services"

Page 28, line 22, strike "the" and strike ", MFIP-S,"

Page 33, line 7, delete "of" and insert a comma and after "Work" insert "Opportunity"

Page 33, line 32, strike "program-statewide" and insert "program"

Page 34, line 31, strike "program-statewide" and insert "program"

Page 36, line 7, strike "MFIP-S" and insert "MFIP"

Page 37, line 36, strike "MFIP-S" and insert "MFIP"

Page 38, line 28, after "MFIP-R" insert "formerly codified" and strike "MFIP-S" and insert "MFIP"

Page 39, line 9, strike "MFIP-S" and insert "MFIP under chapter 256J"

Page 39, line 10, strike the first comma and insert "and" and after "MFIP" insert "formerly codified under chapter 256"

Page 41, line 14, strike "MFIP-S" and insert "MFIP"

Page 43, line 8, strike "program-statewide" and insert "program"

Page 44, line 8, strike "program-statewide"

Page 44, line 19, strike "program-statewide" and insert "program"

Page 45, line 13, strike "MFIP-S" and insert "MFIP"

Page 50, line 24, strike "MFIP-S" and insert "MFIP"

Page 56, line 1, strike "MFIP-S" and insert "MFIP"

Page 57, line 26, strike "program-statewide"

Page 57, line 28, before the first "and" insert "program"

Page 58, strike lines 8 and 9

Page 58, line 10, strike "demonstration."

Page 58, line 11, strike everything after the period

Page 58, strike lines 12 to 14

Page 59, line 4, strike "program-statewide" and insert "program"

Page 61, line 4, strike "program-statewide" and insert "program"

Page 61, line 17, after "program" insert "assistance"

Page 68, line 16, strike "program-statewide" and insert "program"

Page 69, line 5, strike "PROGRAM-STATEWIDE (MFIP-S)" and insert "PROGRAM (MFIP)"

Page 69, delete line 7 and insert "~~program-statewide (MFIP-S)~~ program (MFIP). ~~MFIP-S MFIP~~ is the statewide"

Page 69, line 9, strike "under" and insert "and formerly codified in"

Page 69, line 15, strike "MFIP-S" and insert "MFIP"

Page 69, line 21, strike "MFIP-S" and insert "MFIP"

Page 69, line 22, strike "MFIP-S" and insert "MFIP"

Page 70, line 5, strike "MFIP-S" and insert "MFIP" in both places

Page 70, line 30, strike "the AFDC, family general assistance," and strike "or MFIP-S"

Page 70, line 31, strike "programs"

Page 70, lines 32, 34, and 35, strike "MFIP-S" and insert "MFIP"

- Page 71, line 10, strike "MFIP-S" and insert "MFIP" in both places
- Page 71, lines 18, 22, and 34, strike "MFIP-S" and insert "MFIP"
- Page 72, line 29, strike "MFIP-S" and insert "MFIP"
- Page 73, lines 12 and 19, strike "MFIP-S" and insert "MFIP"
- Page 74, lines 12, 20, and 29, strike "MFIP-S" and insert "MFIP"
- Page 75, lines 2, 6, 7, and 30, strike "MFIP-S" and insert "MFIP"
- Page 76, lines 18 and 32, strike "MFIP-S" and insert "MFIP"
- Page 77, lines 6 and 34, strike "MFIP-S" and insert "MFIP"
- Page 78, line 8, strike "MFIP-S" and insert "MFIP"
- Page 79, lines 2, 4, 20, and 22, strike "MFIP-S" and insert "MFIP"
- Page 80, lines 3 and 5, strike "MFIP-S" and insert "MFIP"
- Page 80, line 22, delete "256J.05" and insert "256F.05"
- Page 80, line 33, strike "MFIP-S" and insert "an MFIP grant"
- Page 81, line 1, strike "MFIP-S" and insert "MFIP,"
- Page 81, line 2, delete "application under"
- Page 81, line 17, delete "a" and strike "MFIP-S"
- Page 81, line 18, before "grant" insert "an MFIP"
- Page 83, line 9, strike "MFIP-S" and before "to" insert "MFIP"
- Page 83, line 19, reinstate the stricken language
- Page 83, line 20, delete the new language and strike "MFIP-S" and before "benefit" insert "MFIP"
- Page 83, line 28, strike "MFIP-S"
- Page 83, line 29, before "to" insert "MFIP,"
- Page 83, line 36, strike "MFIP-S"
- Page 84, line 1, strike "program" and insert "MFIP"
- Page 84, line 10, strike "MFIP-S"
- Page 84, line 11, before "application" insert "MFIP"
- Page 85, line 2, strike "MFIP-S" and after the stricken "assistance" insert "MFIP"
- Page 85, line 25, strike "MFIP-S" and before "benefit" insert "MFIP"
- Page 86, line 8, strike "MFIP-S"
- Page 86, line 9, before "monthly" insert "MFIP"
- Page 86, line 25, strike "MFIP-S"
- Page 86, line 26, before "recipient" insert "MFIP"

- Page 87, line 4, reinstate the stricken "an" and delete "a" and strike "MFIP-S"
- Page 87, line 5, before "recipient" insert "MFIP"
- Page 87, line 10, strike "MFIP-S" and before "receipt" insert "MFIP"
- Page 87, line 25, strike "MFIP-S" and before "shall" insert "MFIP"
- Page 88, line 8, strike "MFIP-S" and insert "MFIP"
- Page 90, line 13, strike "program-statewide" and insert "program assistance"
- Page 91, line 20, strike "the"
- Page 91, line 21, strike "MFIP-S"
- Page 91, line 23, delete the new language and strike "programs"
- Page 93, lines 1, 3, 7, and 35, strike "MFIP-S" and insert "MFIP"
- Page 95, line 9, reinstate the stricken "an" and delete "a"
- Page 96, line 17, strike "MFIP-S" and strike "or other" and strike "programs"
- Page 97, line 22, strike the comma
- Page 99, line 7, strike "program-statewide" and insert "program"
- Page 100, lines 1 and 20, strike "program-statewide" and insert "program"
- Page 100, line 12, strike "program-statewide" and before "and" insert "program"
- Page 101, line 29, strike "program-statewide" and insert "program"
- Page 102, line 22, strike "program-statewide" and insert "program"
- Page 105, line 27, strike "program-statewide" and before "or" insert "program assistance"
- Page 106, line 4, strike "program-statewide" and insert "program assistance"
- Page 109, line 18, strike "(4)" and insert "(iv)" and strike "(6)" and insert "(vi)"
- Page 109, line 21, strike "(1)" and insert "(i)" and strike "(10)" and insert "(x)"
- Page 110, line 8, strike everything after "child"
- Page 110, strike line 9
- Page 110, line 10, strike "104-193,"
- Page 112, line 10, strike "program-statewide" and insert "program"
- Page 115, line 34, strike "program-statewide" and insert "program"
- Page 132, line 19, after "program," insert "Emergency Assistance (EA),"
- Page 135, line 21, after "program," insert "Emergency Assistance (EA),"
- Page 145, line 5, after "(MFIP)," insert "Emergency Assistance (EA),"
- Page 148, line 29, after "program," insert "Emergency Assistance (EA),"
- Page 150, line 22, after "program," insert "Emergency Assistance (EA),"
- Page 152, line 14, strike "and"



Page 152, line 15, after the semicolon, insert "and

(x) Emergency Assistance (EA);"

Page 153, line 13, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 157, line 8, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 157, line 11, strike "Work Readiness,"

Page 160, line 28, after "(MFIP)," insert "Emergency Assistance (EA),"

Page 162, line 27, after "(MFIP)," insert "Emergency Assistance (EA),"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

### **Senator Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 1674:** A bill for an act relating to peace officers; including peace officers of law enforcement agencies of federally recognized tribes to be licensed by the board of peace officers standards and training; amending Minnesota Statutes 1998, section 626.84, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 626.84, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For purposes of sections 626.84 to 626.863, the following terms have the meanings given them:

(a) "Board" means the board of peace officer standards and training.

(b) "Director" means the executive director of the board.

(c) "Peace officer" means:

(1) an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota state patrol, agents of the division of alcohol and gambling enforcement, state conservation officers, and metropolitan transit police officers; and

(2) a peace officer who is employed by a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e), and who is licensed by the board.

(d) "Constable" has the meaning assigned to it in section 367.40.

(e) "Deputy constable" has the meaning assigned to it in section 367.40.

(f) "Part-time peace officer" means an individual licensed by the board whose services are utilized by law enforcement agencies no more than an average of 20 hours per week, not including time spent on call when no call to active duty is received, calculated on an annual basis, who has either full powers of arrest or authorization to carry a firearm while on active duty. The term shall apply even though the individual receives no compensation for time spent on active duty, and shall apply irrespective of the title conferred upon the individual by any law enforcement agency. The limitation on the average number of hours in which the services of a part-time peace officer may be utilized shall not apply to a part-time peace officer who has formally notified the board pursuant to rules adopted by the board of the part-time peace officer's intention to pursue the specialized training for part-time peace officers who desire to become peace officers pursuant to sections 626.843, subdivision 1, clause (g), and 626.845, subdivision 1, clause (g).

(g) "Reserve officer" means an individual whose services are utilized by a law enforcement agency to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest or authorization to carry a firearm on duty.

(h) "Law enforcement agency" means:

(1) a unit of state or local government that is authorized by law to grant full powers of arrest and to charge a person with the duties of preventing and detecting crime and enforcing the general criminal laws of the state; and

(2) subject to the limitations in section 626.93, a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e).

(i) "Professional peace officer education" means a post-secondary degree program, or a nondegree program for persons who already have a college degree, that is offered by a college or university in Minnesota, designed for persons seeking licensure as a peace officer, and approved by the board.

Sec. 2. [626.93] [LAW ENFORCEMENT AUTHORITY; TRIBAL PEACE OFFICERS.]

Subdivision 1. [DEFINITION.] As used in this section, "tribe" means a federally recognized Indian tribe, as defined in United States Code, title 25, section 450b(e), located within the state of Minnesota, but does not include a tribe, band, or community described in section 626.90, 626.91, or 626.92.

Subd. 2. [TRIBAL LAW ENFORCEMENT AGENCY REQUIREMENTS.] A tribe may exercise authority under subdivision 3 only if it satisfies the following requirements:

(1) the tribe agrees to be subject to liability for its torts and those of its officers, employees, and agents acting within the scope of their employment or duties arising out of a law enforcement agency function conferred by section 626.84, subdivision 1, paragraph (h), to the same extent as a municipality under chapter 466, and the tribe further agrees, notwithstanding section 16C.05, subdivision 7, to waive its sovereign immunity with respect to claims arising from this liability;

(2) the tribe files with the board of peace officer standards and training a bond or certificate of insurance for liability coverage for the maximum amounts set forth in section 466.04;

(3) the tribe files with the board of peace officer standards and training a certificate of insurance for liability of its law enforcement officers, employees, and agents for lawsuits under the United States Constitution; and

(4) if the tribe's governing body has authorized its peace officers to enforce criminal laws within the boundaries of the tribe's reservation, the tribe agrees to be subject to section 13.82 and any other laws of the state relating to data practices of law enforcement agencies.

Subd. 3. [CONCURRENT JURISDICTION.] If the requirements of subdivision 2 are met and the tribe enters into a cooperative agreement pursuant to subdivision 4, the tribe shall have concurrent jurisdictional authority under this section with the local county sheriff within the geographical boundaries of the tribe's reservation to enforce state criminal law.

Subd. 4. [COOPERATIVE AGREEMENTS.] In order to coordinate, define, and regulate the provision of law enforcement services and to provide for mutual aid and cooperation, governmental units and the tribe shall enter into agreements under section 471.59. For the purposes of entering into these agreements, the tribe shall be considered a "governmental unit" as that term is defined in section 471.59, subdivision 1.

Subd. 5. [EFFECT ON FEDERAL LAW.] Nothing in this section shall be construed to restrict a tribe's authority under federal law.

Subd. 6. [CONSTRUCTION.] This section is limited to law enforcement authority only, and nothing in this section shall affect any other jurisdictional relationships or disputes involving a tribe or current reservation boundaries.

Sec. 3. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to peace officers; authorizing federally recognized tribes to exercise concurrent criminal jurisdictional authority with the local sheriff within the geographical boundaries of the tribe's reservation; establishing requirements for the exercise of such authority; amending Minnesota Statutes 1998, section 626.84, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626."

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

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

**H.F. No. 70:** A bill for an act relating to public safety; authorizing law enforcement agencies to sell forfeited firearms, ammunition, and firearm accessories to firearms dealers; allowing certain agencies to retain forfeited money for crime prevention use; amending Minnesota Statutes 1998, section 609.5315, subdivisions 1 and 2.

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

Page 1, line 11, before "If" insert "(a) Subject to paragraph (b),"

Page 2, after line 12, insert:

"(b) Notwithstanding paragraph (a), a law enforcement agency in Hennepin or Ramsey county may only sell firearms, ammunition, or firearm accessories if approved by the applicable local governing body."

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. 1997:** A bill for an act relating to agriculture; changing meeting provisions and duties of the board of grain standards; changing certain fees; defining and clarifying certain terms; changing certain provisions related to grain buyers, warehouses, and grain storage; authorizing rulemaking; amending Minnesota Statutes 1998, sections 17B.07; 17B.12; 17B.15, subdivision 1; 27.01, subdivision 8, and by adding a subdivision; 27.19, subdivision 1; 223.17, subdivisions 5 and 6; 223.175; 232.21, by adding a subdivision; and 232.23, subdivisions 3 and 6; proposing coding for new law in Minnesota Statutes, chapters 231; and 232.

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

Page 1, after line 14, insert:

"Section 1. Minnesota Statutes 1998, section 17.101, subdivision 5, is amended to read:

Subd. 5. [VALUE-ADDED AGRICULTURAL PRODUCT PROCESSING AND MARKETING GRANT PROGRAM.] (a) For purposes of this section:

(1) "agricultural commodity" means a material produced for use in or as food, feed, seed, or fiber and includes crops for fiber, food, oilseeds, seeds, livestock, livestock products, dairy, dairy products, poultry, poultry products, and other products or by-products of the farm produced for the same or similar use, except ethanol; and

(2) "agricultural product processing facility" means land, buildings, structures, fixtures, and improvements located or to be located in Minnesota and used or operated primarily for the processing or production of marketable products from agricultural commodities produced in Minnesota.

(b) The commissioner shall establish and implement a value-added agricultural product processing and marketing grant program to help farmers finance new cooperatives that organize for the purposes of operating agricultural product processing facilities and for marketing activities related to the sale and distribution of processed agricultural products.

(c) To be eligible for this program a grantee must:

(1) be a cooperative organized under chapter 308A;

(2) certify that all of the control and equity in the cooperative is from farmers as defined in section 500.24, subdivision 2, who are actively engaged in agricultural commodity production;

(3) be operated primarily for the processing of agricultural commodities produced in Minnesota;

(4) receive agricultural commodities produced primarily by shareholders or members of the cooperative; and

(5) have no direct or indirect involvement in the production of agricultural commodities.

(d) The commissioner may receive applications from and make grants up to \$50,000 for feasibility, marketing analysis, assistance with organizational development, financing and managing new cooperatives, product development, development of business and marketing plans, and predesign of facilities including site analysis, development of bid specifications, preliminary blueprints and schematics, and completion of purchase agreements and other necessary legal documents to eligible cooperatives. The commissioner shall give priority to applicants who use the grants for planning costs related to an application for financial assistance from the United States Department of Agriculture, Rural Business - Cooperative Service.

Sec. 2. Minnesota Statutes 1998, section 17.109, subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS MUST BE MATCHED BY PRIVATE FUNDS.] Appropriations to the Minnesota grown matching account may be expended only to the extent that they are matched with contributions to the account from private sources on a basis of \$4 of the appropriation to each \$1 of private contributions. Private contributions eligible to be matched include gifts, revenue received from the sale of advertising space and directory listings, and revenue received from the development and sale of promotional materials. Matching funds are not available after the appropriation is encumbered."

Page 3, after line 29, insert:

"Sec. 6. Minnesota Statutes 1998, section 18B.315, subdivision 3, is amended to read:

Subd. 3. [APPLICATION.] (a) A person must apply to the commissioner for an aquatic pest control license on forms and in a manner required by the commissioner. The commissioner shall require the applicant to pass a written, closed-book, monitored examination or oral examination, or both, and may also require a practical demonstration regarding aquatic pest control. The commissioner shall establish the examination procedure, including the phases and contents of the examination.

(b) The commissioner may license a person as a master under an aquatic pest control license if the person has the necessary qualifications through knowledge and experience to properly plan, determine, and supervise the selection and application of pesticides in aquatic pest control. To demonstrate the qualifications and become licensed as a master under the aquatic pest control license, a person must:

(1) pass a closed-book test administered by the commissioner;

(2) have direct experience as a licensed journeyman under an aquatic pest control license for at least two years by this state or a state with equivalent certification requirements, ~~or have at least 1,600 hours of qualifying experience in the previous four years as determined by the commissioner;~~ and

(3) show practical knowledge and field experience under clause (2) in the actual selection and application of pesticides under varying conditions.

(c) The commissioner may license a person as a journeyman under an aquatic pest control license if the person:

(1) has the necessary qualifications in the practical selection and application of pesticides;

(2) has passed a closed-book examination given by the commissioner; and

(3) is engaged as an employee of or is working under the direction of a person licensed as a master under an aquatic pest control license.

Sec. 7. Minnesota Statutes 1998, section 18B.315, subdivision 4, is amended to read:

Subd. 4. [RENEWAL.] (a) An aquatic pest control applicator license may be renewed on or before the expiration of an existing license subject to reexamination, attendance at workshops approved by the commissioner, or other requirements imposed by the commissioner to provide the applicator with information regarding changing technology and to help assure a continuing level of competency and ability to use pesticides safely and properly. The commissioner may require an additional demonstration of applicator qualification if the applicator has had a license suspended or revoked or has otherwise had a history of violations of this chapter.

(b) If a person fails to renew an aquatic pest control license within ~~three~~ 12 months of its expiration, the person must obtain an aquatic pest control license subject to the requirements, procedures, and fees required for an initial license.

Sec. 8. Minnesota Statutes 1998, section 18B.315, subdivision 6, is amended to read:

Subd. 6. [FEES.] (a) An applicant for an aquatic pest control license for a business must pay a nonrefundable application fee of \$100. An employee of a licensed business must pay a nonrefundable application fee of \$50 for an individual aquatic pest control license.

(b) An A renewal application received after expiration of the aquatic pest control license March 1 in the year for which the license is to be issued is subject to a penalty of 50 percent of the application fee.

(c) An applicant that meets renewal requirements by reexamination instead of attending workshops must pay the equivalent workshop fee for the reexamination as determined by the commissioner.

Sec. 9. Minnesota Statutes 1998, section 18C.421, subdivision 1, is amended to read:

Subdivision 1. [SEMIANNUAL STATEMENT.] (a) Each licensed distributor of fertilizer and each registrant of a specialty fertilizer, soil amendment, or plant amendment must file a semiannual statement for the periods ending December 31 and June 30 with the commissioner on forms furnished by the commissioner stating the number of net tons and grade of each raw fertilizer material distributed or the number of net tons of each brand or grade of fertilizer, soil amendment, or plant amendment distributed in this state during the reporting period.

(b) Tonnage reports are not required to be filed with the commissioner from licensees who distribute fertilizer solely by custom application.

(c) A report from a licensee who sells to an ultimate consumer must be accompanied by records or invoice copies indicating the name of the distributor who paid the inspection fee, the net tons received, and the grade or brand name of the products received.

(e) (d) The report is due on or before the last day of the month following the close of each reporting period of each calendar year.

(d) (e) The inspection fee at the rate stated in section 18C.425, subdivision 6, must accompany the statement."

Page 6, line 15, after the first comma, insert "then"

Page 6, after line 36, insert:

"Sec. 13. Minnesota Statutes 1998, section 31.101, subdivision 10, is amended to read:

Subd. 10. [MEAT AND POULTRY RULES.] Federal regulations in effect on ~~April 1, 1997~~ January 1, 1999, as provided by Code of Federal Regulations, title 9, parts 301 to 362 and 381 to 391, ~~with the exception of Subpart C Exemptions, sections 381.10 to 381.15 et seq.,~~ are incorporated as part of the meat and poultry rules in this state. The rules may be amended by the commissioner under chapter 14.

Sec. 14. Minnesota Statutes 1998, section 31A.01, is amended to read:

31A.01 [POLICY.]

Meat, poultry, and meat food products are an important source of the nation's total supply of food. It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat, poultry, and meat food products distributed to them are wholesome, unadulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded meat, poultry, or meat food products injure the public welfare, destroy markets for wholesome, unadulterated, and properly labeled and packaged meat, poultry, and meat food products, and result in losses to livestock producers and processors of meat, poultry, and meat food products and injury to consumers. Unwholesome, adulterated, mislabeled, or deceptively packaged articles can be sold at lower prices and compete unfairly with wholesome, unadulterated, and properly labeled and packaged articles, to the detriment of consumers and the general public.

Regulation by the commissioner and cooperation between this state and the United States under this chapter are appropriate to protect the health and welfare of consumers and accomplish the purposes of this chapter.

Sec. 15. Minnesota Statutes 1998, section 31A.02, subdivision 4, is amended to read:

Subd. 4. [ANIMALS.] "Animals" means cattle, swine, sheep, goats, poultry, farmed cervidae, as defined in section 17.451, subdivision 2, llamas, as defined in section 17.455, subdivision 2, ratitae, as defined in section 17.453, subdivision 3, horses, equines, and other large domesticated animals, not including poultry.

Sec. 16. Minnesota Statutes 1998, section 31A.02, is amended by adding a subdivision to read:

Subd. 17a. [FEDERAL POULTRY INSPECTION ACT.] "Federal Poultry Inspection Act" means the Federal Poultry Products Inspection Act, as amended.

Sec. 17. Minnesota Statutes 1998, section 31A.02, is amended by adding a subdivision to read:

Subd. 24. [POULTRY.] "Poultry" means any domesticated bird, including chickens, turkeys, ducks, geese, or guineas, whether alive or dead.

Sec. 18. Minnesota Statutes 1998, section 31A.15, subdivision 1, is amended to read:

Subdivision 1. [INSPECTION.] The provisions of sections 31A.01 to 31A.16 requiring inspection of the slaughter of animals and the preparation of the carcasses, parts of carcasses, meat, and meat food products at establishments conducting slaughter and preparation do not apply:

(1) to the processing by a person of the person's own animals and the owner's preparation and transportation in intrastate commerce of the carcasses, parts of carcasses, meat, and meat food

products of those animals exclusively for use by the owner and members of the owner's household, nonpaying guests, and employees; or

(2) to the custom processing by a person of cattle, sheep, swine, poultry, or goats delivered by the owner for processing, and the preparation or transportation in intrastate commerce of the carcasses, parts of carcasses, meat, and meat food products of animals, exclusively for use in the household of the owner by the owner and members of the owner's household, nonpaying guests, and employees. Meat from custom processing of cattle, sheep, swine, or goats must be identified and handled as required by the commissioner, during all phases of processing, chilling, cooling, freezing, preparation, storage, and transportation. The custom processor may not engage in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of animals usable as human food unless the carcasses, parts of carcasses, meat, or meat food products have been inspected and passed and are identified as inspected and passed by the Minnesota department of agriculture or the United States Department of Agriculture.

Sec. 19. Minnesota Statutes 1998, section 31A.21, subdivision 1, is amended to read:

Subdivision 1. [DESIGNATION.] The Minnesota department of agriculture is the state agency responsible for cooperating with the United States Secretary of Agriculture under section 301 of the Federal Meat Inspection Act and of the Poultry Products Inspection Act to develop and administer the state meat inspection program under this chapter so that its requirements at least equal those imposed under titles I and IV of the Federal Meat Inspection Act and of the Poultry Products Inspection Act to develop and administer the state program under sections 31A.17 to 31A.20 to carry out the purposes of this chapter and the federal act.

Sec. 20. Minnesota Statutes 1998, section 31A.21, subdivision 3, is amended to read:

Subd. 3. [ADVICE; CONSULTATION.] The Minnesota department of agriculture may recommend to the United States Secretary of Agriculture officials or employees of this state for appointment to the advisory committees provided for in section 301 of the Federal Meat Inspection Act and of the Poultry Products Inspection Act. The Minnesota department of agriculture shall serve as the representative of the governor for consultation with the secretary under paragraph (c) of section 301 of the Federal Meat Inspection Act and of the Poultry Products Inspection Act unless the governor selects another representative.

Sec. 21. Minnesota Statutes 1998, section 31A.31, is amended to read:

31A.31 [CITATION.]

This chapter may be cited as the Minnesota Meat and Poultry Inspection Act.

Sec. 22. Minnesota Statutes 1998, section 116.07, subdivision 7, is amended to read:

Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS.] Any Minnesota county board may, by resolution, with approval of the pollution control agency, assume responsibility for processing applications for permits required by the pollution control agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(a) For the purposes of this subdivision, the term "processing" includes:

- (1) the distribution to applicants of forms provided by the pollution control agency;
- (2) the receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and
- (3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(b) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14.

(c) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(d) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(e) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(f) The pollution control agency shall work with the Minnesota extension service, the department of agriculture, the board of water and soil resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Natural Resources Conservation Service and the Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(g) The pollution control agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. ~~A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas.~~ These rules apply both to permits issued by counties and to permits issued by the pollution control agency directly.

(h) The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(i) After May 17, 1997, any new rules or amendments to existing rules proposed under the authority granted in this subdivision, must be submitted to the members of legislative policy committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(j) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(k) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in pollution control agency rules.

(l) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

Sec. 23. Minnesota Statutes 1998, section 116.07, is amended by adding a subdivision to read:

Subd. 7d. [EXCLUSION.] In regulating livestock or animal feedlots under subdivisions 7 to 7c, a county or the commissioner must not include manure runoff contaminant areas that are less than 6,000 cubic feet in the definition of an open air clay, earthen, or flexible membrane lined swine waste lagoon.



## Sec. 24. [116D.041] [ANIMAL FEEDLOTS; CONNECTED ACTIONS.]

Provisions of environmental review rules regarding connected actions do not apply to animal feedlots."

Page 9, delete section 10

Page 10, delete section 14 and insert:

"Sec. 31. Laws 1998, chapter 401, section 54, is amended to read:

## Sec. 54. [ENVIRONMENTAL REVIEW RULES.]

The environmental quality board, in consultation with the pollution control agency, shall study and adopt rules pursuant to Minnesota Statutes, chapter 14, to revise and clarify Minnesota Rules, part 4410.1000, subpart 4, as it applies to connected actions on animal feedlots and the need for environmental review. The board must submit a copy of the proposed rules and a summary of public comments received on the rules to the members of the senate and house policy committees with jurisdiction over agriculture and the environment, the senate environment and agriculture budget division, and the house environment, natural resources, and agriculture finance committee by March 1, 1999 2000. The rules may not become effective until 60 days after they are submitted to the committee members and ~~must~~ may not become effective ~~no later than~~ before June 1, 1999 2000.

## Sec. 32. [REPORT ON A PUBLICLY-OWNED GRAIN LOADING FACILITY.]

By January 15, 2000, the commissioner of agriculture, in consultation with statewide farm and commodity organizations, shall report to the senate and house committees with jurisdiction over agriculture policy and finance on the feasibility of a publicly-owned grain loading facility to assist Minnesota's farmers to directly market grain to foreign buyers. The report must include an analysis of the most favorable locations for a publicly-owned facility, an analysis of the costs of building and operating the facility, and recommendations on options for ownership and operating structures for the facility.

## Sec. 33. [REPEALER.]

Minnesota Statutes 1998, section 31A.28, is repealed."

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "authorizing rulemaking" and insert "clarifying uses of value-added agricultural product processing and marketing grants; clarifying contributions eligible for certain matching funds; changing aquatic pest control licensing provisions; clarifying a fertilizer reporting requirement; conforming meat and poultry rules to federal law; providing for poultry inspection; extending the effective date for environmental review rules; exempting animal feedlots from environmental rules regarding connected actions; requiring a report"

Page 1, line 7, after "sections" insert "17.101, subdivision 5; 17.109, subdivision 3;"

Page 1, line 8, after the second semicolon, insert "18B.315, subdivisions 3, 4, and 6; 18C.421, subdivision 1;"

Page 1, line 9, after the second semicolon, insert "31.101, subdivision 10; 31A.01; 31A.02, subdivision 4, and by adding subdivisions; 31A.15, subdivision 1; 31A.21, subdivisions 1 and 3; 31A.31; 116.07, subdivision 7, and by adding a subdivision;"

Page 1, line 12, after "6;" insert "Laws 1998, chapter 401, section 54;"

Page 1, delete line 13 and insert "chapter 116D; repealing Minnesota Statutes 1998, section 31A.28."

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 772:** A bill for an act relating to retirement; employer contributions to tax-sheltered annuities; expanding qualified tax-sheltered annuity vendors; amending Minnesota Statutes 1998, section 356.24, subdivision 1.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1  
BENEFIT COVERAGE MODIFICATIONS  
FOR PRIVATIZED GLENCOE  
AREA HEALTH CENTER EMPLOYEES

Section 1. [GLENCOE AREA HEALTH CENTER EMPLOYEE PRIVATIZATION PENSION BENEFIT ACCOMMODATION; PURPOSE.]

The purpose of this act is to ensure, to the extent possible, that persons employed at the Glencoe area health center will be entitled to receive future retirement benefits under the general employees retirement plan of the public employees retirement association commensurate with the prior contributions made by them or on their behalf upon the privatization of the Glencoe area health center.

Sec. 2. [DEFINITIONS.]

Subdivision 1. [GENERALLY.] As used in this act, unless the context clearly indicates otherwise, each of the terms in the following subdivisions has the meaning indicated.

Subd. 2. [ALLOWABLE SERVICE.] "Allowable service" has the meaning provided in Minnesota Statutes 1998, section 353.01, subdivision 16.

Subd. 3. [EFFECTIVE DATE.] "Effective date" means the date that the operation of the Glencoe area health center is assumed by another employer or the date that the Glencoe area health center is purchased by another employer and active membership in the public employees retirement association consequently terminates.

Subd. 4. [TERMINATED HEALTH CENTER EMPLOYEE.] "Terminated health center employee" means a person who:

- (1) was employed on the day before the effective date by the Glencoe area health center;
- (2) terminated employment with the Glencoe area health center on the day before the effective date; and
- (3) was a participant in the general employees retirement plan of the public employees retirement association at the time of termination of employment with the Glencoe area health center.

Subd. 5. [YEARS OF ALLOWABLE SERVICE.] "Years of allowable service" means the total number of years of allowable service under Minnesota Statutes 1998, section 353.01, subdivision 18.

Sec. 3. [VESTING RULE FOR CERTAIN EMPLOYEES.]

Notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, a terminated health center employee is eligible to receive a retirement annuity under Minnesota Statutes 1998, section 353.29, without regard to the requirement for three years of allowable service.

Sec. 4. [AUGMENTATION INTEREST RATE FOR TERMINATED HEALTH CENTER EMPLOYEES.]

The deferred annuity of a terminated health center employee is subject to augmentation in accordance with Minnesota Statutes 1998, section 353.71, subdivision 2, except that the rate of interest for this purpose is 5.5 percent compounded annually until January 1 following the year in which such person attains age 55. From that date to the effective date of retirement, the rate is 7.5 percent. These increased augmentation rates are no longer applicable for any time after the terminated health center employee becomes covered again by a retirement fund enumerated in Minnesota Statutes, section 356.30, subdivision 3. These increased deferred annuity augmentation rates do not apply to a terminated transferred health center employee who begins receipt of a retirement annuity while employed by the employer which assumed operations of the Glencoe area health center or purchased the Glencoe area health center.

Sec. 5. [AUTHORIZATION FOR ADDITIONAL ALLOWABLE SERVICE FOR CERTAIN EARLY RETIREMENT PURPOSES.]

For the purpose of determining eligibility for early retirement benefits provided under Minnesota Statutes 1998, section 353.30, subdivision 1a, and notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, the years of allowable service for a terminated health center employee who transfers employment on the effective date and does not apply for a refund of contributions under Minnesota Statutes 1998, section 353.34, subdivision 1, or any similar provision in future Minnesota Statutes, includes service with the successor employer to the Glencoe area health center following the effective date. The successor employer shall provide any reports that the executive director of the public employees retirement association may reasonably request to permit calculation of benefits.

To be eligible for early retirement benefits under this section, the individual must separate from service with the successor employer to the Glencoe area health center. The terminated eligible individual, or an individual authorized to act on behalf of that individual, may apply for an annuity following application procedures under Minnesota Statutes, section 353.29, subdivision 4.

Sec. 6. [APPLICATION OF REEMPLOYED ANNUITANT EARNINGS LIMITATIONS.]

The reemployed annuitant earnings limitations of Minnesota Statutes, section 353.37, apply to any service by a terminated health center employee as an employee of the successor employer to the Glencoe area health center.

Sec. 7. [EFFECT ON REFUND.]

Notwithstanding any provision of Minnesota Statutes, chapter 353, to the contrary, terminated health center employees may receive a refund of employee accumulated contributions plus interest at the rate of six percent per year compounded annually in accordance with Minnesota Statutes 1998, section 353.34, subdivision 2, at any time after the transfer of employment to the successor employer to the Glencoe area health center. If a terminated health center employee has received a refund from a pension plan enumerated in Minnesota Statutes, section 356.30, subdivision 3, the person may not repay that refund unless the person again becomes a member of one of those enumerated plans and complies with Minnesota Statutes, section 356.30, subdivision 2.

Sec. 8. [COUNSELING SERVICES.]

The Glencoe area health center and the executive director of the public employees retirement association shall provide terminated health center employees with counseling on their benefits available under the general employees retirement plan of the public employees retirement association.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective on the day following final enactment.

ARTICLE 2

MERGER INTO PERA-P&F OF  
LOCAL POLICE AND FIRE  
CONSOLIDATION ACCOUNTS

Section 1. Minnesota Statutes 1998, section 3.85, subdivision 12, is amended to read:

Subd. 12. [ALLOCATION OF ACTUARIAL COST.] (a) The commission shall assess each retirement plan specified in subdivision 11, paragraph (b), the compensation paid to the actuary retained by the commission for the actuarial valuation calculations, quadrennial projection valuations, and quadrennial experience studies. The assessment is 100 percent of the amount of contract compensation for the actuarial consulting firm retained by the commission for actuarial valuation calculations, including the public employees police and fire plan consolidation accounts of the public employees retirement association established after March 1, 1999, annual experience data collection and processing, and quadrennial experience studies and quadrennial projection valuations.

The portion of the total assessment payable by each retirement system or pension plan must be determined as follows:

(1) Each pension plan specified in subdivision 11, paragraph (b), clauses (1) to (13), must pay the following indexed amount based on its total active, deferred, inactive, and benefit recipient membership:

up to 2,000 members, inclusive	\$2.55 per member
2,001 through 10,000 members	\$1.13 per member
over 10,000 members	\$0.11 per member

The amount specified is applicable for the assessment of the July 1, 1991, to June 30, 1992, fiscal year actuarial compensation amounts. For the July 1, 1992, to June 30, 1993, fiscal year and subsequent fiscal year actuarial compensation amounts, the amount specified must be increased at the same percentage increase rate as the implicit price deflator for state and local government purchases of goods and services for the 12-month period ending with the first quarter of the calendar year following the completion date for the actuarial valuation calculations, as published by the federal Department of Commerce, and rounded upward to the nearest full cent.

(2) The total per-member portion of the allocation must be determined, and that total per-member amount must be subtracted from the total amount for allocation. Of the remainder dollar amount, the following per-retirement system and per-pension plan charges must be determined and the charges must be paid by the system or plan:

(i) 37.87 percent is the total additional per-retirement system charge, of which one-seventh must be paid by each retirement system specified in subdivision 11, paragraph (b), clauses (1), (2), (6), (7), (9), (10), and (11).

(ii) 62.13 percent is the total additional per-pension plan charge, of which one-thirteenth must be paid by each pension plan specified in subdivision 11, paragraph (b), clauses (1) to (13).

(b) The assessment must be made following the completion of the actuarial valuation calculations and the experience analysis. The amount of the assessment is appropriated from the retirement fund applicable to the retirement plan. Receipts from assessments must be deposited in the state treasury and credited to the general fund.

Sec. 2. Minnesota Statutes 1998, section 69.021, subdivision 10, is amended to read:

Subd. 10. [REDUCTION IN POLICE STATE AID APPORTIONMENT.] (a) The commissioner of revenue shall reduce the apportionment of police state aid under subdivisions 5, paragraph (b), 6, and 7a, for eligible employer units by any excess police state aid.

(b) "Excess police state aid" is:

(1) for counties and for municipalities in which police retirement coverage is provided wholly by the public employees police and fire fund and all police officers are members of the plan governed by sections 353.63 to 353.657, the amount in excess of the employer's total prior calendar year obligation as defined in paragraph (c), as certified by the executive director of the public employees retirement association;

(2) for municipalities in which police retirement coverage is provided in part by the public employees police and fire fund governed by sections 353.63 to 353.657 and in part by a local police consolidation account governed by chapter 353A, and established after March 1, 1999, the amount in excess of the employer's total prior calendar year obligation as defined in paragraph (c), plus the amount of the employer's total prior calendar year obligation under section 353A.09, subdivision 5, paragraphs (a) and (b), as certified by the executive director of the public employees retirement association;

(3) for municipalities in which police retirement coverage is provided by the public employees police and fire plan governed by sections 353.63 to 353.657, in which police retirement coverage was provided by a police consolidation account under chapter 353A before July 1, 1999, and for which the municipality has an additional municipal contribution under section 353.665, subdivision 8, paragraph (b), the amount in excess of the employer's total prior calendar year obligation as defined in paragraph (c), plus the amount of any additional municipal contribution under section 353.665, subdivision 8, paragraph (b), until the year 2010, as certified by the executive director of the public employees retirement association;

(4) for municipalities in which police retirement coverage is provided in part by the public employees police and fire fund governed by sections 353.63 to 353.657 and in part by a local police relief association governed by sections 69.77 and 423A.01, the amount in excess of the employer's total prior calendar year obligation as defined in paragraph (c), as certified by the executive director of the public employees retirement association, plus the amount of the financial requirements of the relief association certified to the applicable municipality during the prior calendar year under section 69.77, subdivisions 2b and 2c, reduced by the amount of member contributions deducted from the covered salary of the relief association during the prior calendar year under section 69.77, subdivision 2a, as certified by the chief administrative officer of the applicable municipality;

(4) (5) for the metropolitan airports commission, if there are police officers hired before July 1, 1978, with retirement coverage by the Minneapolis employees retirement fund remaining, the amount in excess of the commission's total prior calendar year obligation as defined in paragraph (c), as certified by the executive director of the public employees retirement association, plus the amount determined by expressing the commission's total prior calendar year contribution to the Minneapolis employees retirement fund under section 422A.101, subdivisions 2 and 2a, as a percentage of the commission's total prior calendar year covered payroll for commission employees covered by the Minneapolis employees retirement fund and applying that percentage to the commission's total prior calendar year covered payroll for commission police officers covered by the Minneapolis employees retirement fund, as certified by the chief administrative officer of the metropolitan airports commission; and

(5) (6) for the department of natural resources and for the department of public safety, the amount in excess of the employer's total prior calendar year obligation under section 352B.02, subdivision 1c, for plan members who are peace officers under section 69.011, subdivision 1, clause (g), as certified by the executive director of the Minnesota state retirement system.

(c) The employer's total prior calendar year obligation with respect to the public employees police and fire plan is the total prior calendar year obligation under section 353.65, subdivision 3, for police officers as defined in section 353.64, subdivision 2, and the actual total prior calendar year obligation under section 353.65, subdivision 3, for firefighters, as defined in section 353.64, subdivision 3, but not to exceed for those firefighters the applicable following amounts:

Municipality

Maximum Amount

Albert Lea	\$54,157.01
Anoka	10,399.31
Apple Valley	5,442.44
Austin	49,864.73
Bemidji	27,671.38
Brooklyn Center	6,605.92
Brooklyn Park	24,002.26
Burnsville	15,956.00
Cloquet	4,260.49
Coon Rapids	39,920.00
Cottage Grove	8,588.48
Crystal	5,855.00
East Grand Forks	51,009.88
Edina	32,251.00
Elk River	5,216.55
Ely	13,584.16
Eveleth	16,288.27
Fergus Falls	6,742.00
Fridley	33,420.64
Golden Valley	11,744.61
Hastings	16,561.00
Hopkins	4,324.23
International Falls	14,400.69
Lakeville	782.35
Lino Lakes	5,324.00
Little Falls	7,889.41
Maple Grove	6,707.54
Maplewood	8,476.69
Minnetonka	10,403.00
Montevideo	1,307.66
Moorhead	68,069.26
New Hope	6,739.72
North St. Paul	4,241.14
Northfield	770.63
Owatonna	37,292.67
Plymouth	6,754.71
Red Wing	3,504.01
Richfield	53,757.96

Rosemount	1,712.55
Roseville	9,854.51
St. Anthony	33,055.00
St. Louis Park	53,643.11
Thief River Falls	28,365.04
Virginia	31,164.46
Waseca	11,135.17
West St. Paul	15,707.20
White Bear Lake	6,521.04
Woodbury	3,613.00
any other municipality	0.00

(d) The total amount of excess police state aid must be deposited in the excess police state-aid account in the general fund, administered and distributed as provided in subdivision 11.

Sec. 3. Minnesota Statutes 1998, section 69.031, subdivision 5, is amended to read:

Subd. 5. [DEPOSIT OF STATE AID.] (a) The municipal treasurer shall, within 30 days after receipt, transmit the fire state aid to the treasurer of the duly incorporated firefighters' relief association if there is one organized and the association has filed a financial report with the municipality. If the relief association has not filed a financial report with the municipality, the municipal treasurer shall delay transmission of the fire state aid to the relief association until the complete financial report is filed. If there is no relief association organized, or if the association has dissolved, or has been removed as trustees of state aid, then the treasurer of the municipality shall deposit the money in the municipal treasury as provided for in section 424A.08 and the money may be disbursed only for the purposes and in the manner set forth in that section.

(b) The municipal treasurer, upon receipt of the police state aid, shall disburse the police state aid in the following manner:

(1) For a municipality in which a local police relief association exists and all peace officers are members of the association, the total state aid must be transmitted to the treasurer of the relief association within 30 days of the date of receipt, and the treasurer of the relief association shall immediately deposit the total state aid in the special fund of the relief association;

(2) For a municipality in which police retirement coverage is provided by the public employees police and fire fund and all peace officers are members of the fund, including municipalities covered by section 353.665, the total state aid must be applied toward the municipality's employer contribution to the public employees police and fire fund under section 353.65, subdivision 3, and 353.665, subdivision 8, paragraph (b), if applicable; or

(3) For a municipality other than a city of the first class with a population of more than 300,000 in which both a police relief association exists and police retirement coverage is provided in part by the public employees police and fire fund, the municipality may elect at its option to transmit the total state aid to the treasurer of the relief association as provided in clause (1), to use the total state aid to apply toward the municipality's employer contribution to the public employees police and fire fund subject to all the provisions set forth in clause (2), or to allot the total state aid proportionately to be transmitted to the police relief association as provided in this subdivision and to apply toward the municipality's employer contribution to the public employees police and fire fund subject to the provisions of clause (2) on the basis of the respective number of active full-time peace officers, as defined in section 69.011, subdivision 1, clause (g).

For a city of the first class with a population of more than 300,000, in addition, the city may elect to allot the appropriate portion of the total police state aid to apply toward the employer

contribution of the city to the public employees police and fire fund based on the covered salary of police officers covered by the fund each payroll period and to transmit the balance to the police relief association; or

(4) For a municipality in which police retirement coverage is provided in part by the public employees police and fire fund and in part by a local police consolidation account governed by chapter 353A and established after March 1, 1999, the total police state aid must be applied towards the municipality's total employer contribution to the public employees police and fire fund and to the local police consolidation account under sections 353.65, subdivision 3, and 353A.09, subdivision 5.

(c) The county treasurer, upon receipt of the police state aid for the county, shall apply the total state aid toward the county's employer contribution to the public employees police and fire fund under section 353.65, subdivision 3.

(d) The designated metropolitan airports commission official, upon receipt of the police state aid for the metropolitan airports commission, shall apply the total police state aid first toward the commission's employer contribution for police officers to the Minneapolis employees retirement fund under section 422A.101, subdivision 2a, and, if there is any amount of police state aid remaining, shall apply that remainder toward the commission's employer contribution for police officers to the public employees police and fire plan under section 353.65, subdivision 3.

(e) The police state aid apportioned to the departments of public safety and natural resources under section 69.021, subdivision 7a, is appropriated to the commissioner of finance for transfer to the funds and accounts from which the salaries of peace officers certified under section 69.011, subdivision 2a, are paid. The commissioner of revenue shall certify to the commissioners of public safety, natural resources, and finance the amounts to be transferred from the appropriation for police state aid. The commissioners of public safety and natural resources shall certify to the commissioner of finance the amounts to be credited to each of the funds and accounts from which the peace officers employed by their respective departments are paid. Each commissioner must allocate the police state aid first for employer contributions for employees funded from the general fund and then for employer contributions for employees funded from other funds. For peace officers whose salaries are paid from the general fund, the amounts transferred from the appropriation for police state aid must be canceled to the general fund.

Sec. 4. Minnesota Statutes 1998, section 353.01, subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] The following public employees shall not participate as members of the association with retirement coverage by the public employees retirement plan or the public employees police and fire retirement plan:

(1) elected public officers, or persons appointed to fill a vacancy in an elective office, who do not elect to participate in the association by filing an application for membership;

(2) election officers;

(3) patient and inmate personnel who perform services in charitable, penal, or correctional institutions of a governmental subdivision;

(4) employees who are hired for a temporary position under subdivision 12a, and employees who resign from a nontemporary position and accept a temporary position within 30 days in the same governmental subdivision, but not those employees who are hired for an unlimited period but are serving a probationary period. If the period of employment extends beyond six consecutive months and the employee earns more than \$425 from one governmental subdivision in any one calendar month, the department head shall report the employee for membership and require employee deductions be made on behalf of the employee under section 353.27, subdivision 4.

Membership eligibility of an employee who resigns or is dismissed from a temporary position and within 30 days accepts another temporary position in the same governmental subdivision is determined on the total length of employment rather than on each separate position. Membership eligibility of an employee who holds concurrent temporary and nontemporary positions in one



governmental subdivision is determined by the length of employment and salary of each separate position;

(5) employees whose actual salary from one governmental subdivision does not exceed \$425 per month, or whose annual salary from one governmental subdivision does not exceed a stipulation prepared in advance, in writing, that the salary must not exceed \$5,100 per calendar year or per school year for school employees for employment expected to be of a full year's duration or more than the prorated portion of \$5,100 per employment period for employment expected to be of less than a full year's duration;

(6) employees who are employed by reason of work emergency caused by fire, flood, storm, or similar disaster;

(7) employees who by virtue of their employment in one governmental subdivision are required by law to be a member of and to contribute to any of the plans or funds administered by the Minnesota state retirement system, the teachers retirement association, the Duluth teachers retirement fund association, the Minneapolis teachers retirement association, the St. Paul teachers retirement fund association, the Minneapolis employees retirement fund, or any police or firefighters relief association governed by section 69.77 that has not consolidated with the public employees retirement association, or any local police or firefighters relief association that has consolidated with the public employees retirement association consolidation account but whose members who have not elected the type of benefit coverage provided by the public employees police and fire fund under sections 353A.01 to 353A.10, or any persons covered by section 353.665, subdivision 4, 5, or 6, who have not elected public employees police and fire plan benefit coverage. This clause must not be construed to prevent a person from being a member of and contributing to the public employees retirement association and also belonging to and contributing to another public pension fund for other service occurring during the same period of time. A person who meets the definition of "public employee" in subdivision 2 by virtue of other service occurring during the same period of time becomes a member of the association unless contributions are made to another public retirement fund on the salary based on the other service or to the teachers retirement association by a teacher as defined in section 354.05, subdivision 2;

(8) persons who are excluded from coverage under the federal Old Age, Survivors, Disability, and Health Insurance Program for the performance of service as specified in United States Code, title 42, section 410(a)(8)(A), as amended through January 1, 1987, if no irrevocable election of coverage has been made under section 3121(r) of the Internal Revenue Code of 1954, as amended;

(9) full-time students who are enrolled and are regularly attending classes at an accredited school, college, or university and who are part-time employees as defined by a governmental subdivision;

(10) resident physicians, medical interns, and pharmacist residents and pharmacist interns who are serving in a degree or residency program in public hospitals;

(11) students who are serving in an internship or residency program sponsored by an accredited educational institution;

(12) persons who hold a part-time adult supplementary technical college license who render part-time teaching service in a technical college;

(13) foreign citizens working for a governmental subdivision with a work permit of less than three years, or an H-1b visa valid for less than three years of employment. Upon notice to the association that the work permit or visa extends beyond the three-year period, the foreign citizens are eligible for membership from the date of the extension;

(14) public hospital employees who elected not to participate as members of the association before 1972 and who did not elect to participate from July 1, 1988, to October 1, 1988;

(15) except as provided in section 353.86, volunteer ambulance service personnel, as defined in subdivision 35, but persons who serve as volunteer ambulance service personnel may still qualify as public employees under subdivision 2 and may be members of the public employees retirement

association and participants in the public employees retirement fund or the public employees police and fire fund on the basis of compensation received from public employment service other than service as volunteer ambulance service personnel;

(16) except as provided in section 353.87, volunteer firefighters, as defined in subdivision 36, engaging in activities undertaken as part of volunteer firefighter duties; provided that a person who is a volunteer firefighter may still qualify as a public employee under subdivision 2 and may be a member of the public employees retirement association and a participant in the public employees retirement fund or the public employees police and fire fund on the basis of compensation received from public employment activities other than those as a volunteer firefighter; and

(17) pipefitters and associated trades personnel employed by independent school district No. 625, St. Paul, with coverage by the pipefitters local 455 pension plan under a collective bargaining agreement who were either first employed after May 1, 1997, or, if first employed before May 2, 1997, elected to be excluded under Laws 1997, chapter 241, article 2, section 12.

Sec. 5. Minnesota Statutes 1998, section 353.01, subdivision 10, is amended to read:

Subd. 10. [SALARY.] (a) "Salary" means:

(1) periodic compensation of a public employee, before deductions for deferred compensation, supplemental retirement plans, or other voluntary salary reduction programs, and also means "wages" and includes net income from fees; and

(2) for a public employee who has prior service covered by a local police or firefighters' relief association that has consolidated with the public employees retirement association or to which section 353.665 applies and who has elected coverage either under the public employees police and fire fund benefit plan under section 353A.08 following the consolidation or under section 353.665, subdivision 4, "salary" means the rate of salary upon which member contributions to the special fund of the relief association were made prior to the effective date of the consolidation as specified by law and by bylaw provisions governing the relief association on the date of the initiation of the consolidation procedure and the actual periodic compensation of the public employee after the effective date of consolidation.

(b) Salary does not mean:

(1) fees paid to district court reporters, unused annual or sick leave payments, in lump-sum or periodic payments, severance payments, reimbursement of expenses, lump-sum settlements not attached to a specific earnings period, or workers' compensation payments;

(2) employer-paid amounts used by an employee toward the cost of insurance coverage, employer-paid fringe benefits, flexible spending accounts, cafeteria plans, health care expense accounts, day care expenses, or any payments in lieu of any employer-paid group insurance coverage, including the difference between single and family rates that may be paid to a member with single coverage and certain amounts determined by the executive director to be ineligible;

(3) the amount equal to that which the employing governmental subdivision would otherwise pay toward single or family insurance coverage for a covered employee when, through a contract or agreement with some but not all employees, the employer:

(i) discontinues, or for new hires does not provide, payment toward the cost of the employee's selected insurance coverages under a group plan offered by the employer;

(ii) makes the employee solely responsible for all contributions toward the cost of the employee's selected insurance coverages under a group plan offered by the employer, including any amount the employer makes toward other employees' selected insurance coverages under a group plan offered by the employer; and

(iii) provides increased salary rates for employees who do not have any employer-paid group insurance coverages; and

(4) except as provided in section 353.86 or 353.87, compensation of any kind paid to volunteer ambulance service personnel or volunteer firefighters, as defined in subdivisions 35 and 36.

Sec. 6. Minnesota Statutes 1998, section 353.01, subdivision 16, is amended to read:

Subd. 16. [ALLOWABLE SERVICE.] (a) "Allowable service" means service during years of actual membership in the course of which employee contributions were made, periods covered by payments in lieu of salary deductions under section 353.35, and service in years during which the public employee was not a member but for which the member later elected, while a member, to obtain credit by making payments to the fund as permitted by any law then in effect.

(b) "Allowable service" also means a period of authorized leave of absence with pay from which deductions for employee contributions are made, deposited, and credited to the fund.

(c) "Allowable service" also means a period of authorized leave of absence without pay that does not exceed one year, and during or for which a member obtained credit by payments to the fund made in place of salary deductions, provided that the payments are made in an amount or amounts based on the member's average salary on which deductions were paid for the last six months of public service, or for that portion of the last six months while the member was in public service, to apply to the period in either case immediately preceding commencement of the leave of absence. If the employee elects to pay employee contributions for the period of any leave of absence without pay, or for any portion of the leave, the employee shall also, as a condition to the exercise of the election, pay to the fund an amount equivalent to both the required employer and additional employer contributions for the employee. The payment must be made within one year from the expiration of the leave of absence or within 20 days after termination of public service under subdivision 11a. The employer by appropriate action of its governing body, made a part of its official records, before the date of the first payment of the employee contribution, may certify to the association in writing its commitment to pay the employer and additional employer contributions from the proceeds of a tax levy made under section 353.28. Payments under this paragraph must include interest at an annual rate of 8.5 percent compounded annually from the date of the termination of the leave of absence to the date payment is made. An employee shall return to public service and receive a minimum of three months of allowable service to be eligible to pay employee and employer contributions for a subsequent authorized leave of absence without pay.

(d) "Allowable service" also means a periodic, repetitive leave that is offered to all employees of a governmental subdivision. The leave program may not exceed 208 hours per annual normal work cycle as certified to the association by the employer. A participating member obtains service credit by making employee contributions in an amount or amounts based on the member's average salary that would have been paid if the leave had not been taken. The employer shall pay the employer and additional employer contributions on behalf of the participating member. The employee and the employer are responsible to pay interest on their respective shares at the rate of 8.5 percent a year, compounded annually, from the end of the normal cycle until full payment is made. An employer shall also make the employer and additional employer contributions, plus 8.5 percent interest, compounded annually, on behalf of an employee who makes employee contributions but terminates public service. The employee contributions must be made within one year after the end of the annual normal working cycle or within 20 days after termination of public service, whichever is sooner. The association shall prescribe the manner and forms to be used by a governmental subdivision in administering a periodic, repetitive leave.

(e) "Allowable service" also means a period during which a member is on an authorized sick leave of absence, without pay, limited to one year. An employee who has received one year of allowable service shall return to public service and receive a minimum of three months of allowable service to receive allowable service for a subsequent authorized sick leave of absence.

(f) "Allowable service" also means an authorized temporary layoff under subdivision 12, limited to three months allowable service per authorized temporary layoff in one calendar year. An employee who has received the maximum service allowed for an authorized temporary layoff shall return to public service and receive a minimum of three months of allowable service to receive allowable service for a subsequent authorized temporary layoff.

(g) Notwithstanding any law to the contrary, "allowable service" also means a parental leave. The association shall grant a maximum of two months service credit for a parental leave, within six months after the birth or adoption, upon documentation from the member's governmental subdivision or presentation of a birth certificate or other evidence of birth or adoption to the association.

(h) "Allowable service" also means a period during which a member is on an authorized leave of absence to enter military service, provided that the member returns to public service upon discharge from military service under section 192.262 and pays into the fund employee contributions based upon the employee's salary at the date of return from military service. Payment must be made within five years of the date of discharge from the military service. The amount of these contributions must be in accord with the contribution rates and salary limitations, if any, in effect during the leave, plus interest at an annual rate of 8.5 percent compounded annually from the date of return to public service to the date payment is made. The matching employer contribution and additional employer contribution under section 353.27, subdivisions 3 and 3a, must be paid by the governmental subdivision employing the member upon return to public service if the member makes the employee contributions. The governmental subdivision involved may appropriate money for those payments. A member may not receive credit for a voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction, or call to active duty.

(i) For calculating benefits under sections 353.30, 353.31, 353.32, and 353.33 for state officers and employees displaced by the Community Corrections Act, chapter 401, and transferred into county service under section 401.04, "allowable service" means combined years of allowable service as defined in paragraphs (a) to (i) and section 352.01, subdivision 11.

(j) For a public employee who has prior service covered by a local police or firefighters relief association that has consolidated with the public employees retirement association or to which section 353.665 applies, and who has elected the type of benefit coverage provided by the public employees police and fire fund either under section 353A.08 following the consolidation or under section 353.665, subdivision 4, "applicable service" is a period of service credited by the local police or firefighters relief association as of the effective date of the consolidation based on law and on bylaw provisions governing the relief association on the date of the initiation of the consolidation procedure.

Sec. 7. Minnesota Statutes 1998, section 353.64, subdivision 1, is amended to read:

Subdivision 1. [POLICE AND FIRE FUND MEMBERSHIP.] (a) A person who prior to July 1, 1961, was a member of the police and fire fund, by virtue of being a police officer or firefighter, shall, as long as the person remains in either position, continue membership in the fund.

(b) A person who was employed by a governmental subdivision as a police officer and was a member of the police and fire fund on July 1, 1978, by virtue of being a police officer as defined by this section on that date, and if employed by the same governmental subdivision in a position in the same department in which the person was employed on that date, shall continue membership in the fund whether or not that person has the power of arrest by warrant after that date.

(c) A person who was employed by a governmental subdivision as a police officer or a firefighter, whichever applies, was an active member of the local police or salaried firefighters relief association located in that governmental subdivision by virtue of that employment as of the effective date of the consolidation as authorized by sections 353A.01 to 353A.10, and has elected coverage by the public employees police and fire fund benefit plan, shall become a member of the police and fire fund after that date if employed by the same governmental subdivision in a position in the same department in which the person was employed on that date.

(d) Any other employee serving on a full-time basis as a police officer or firefighter on or after July 1, 1961, shall become a member of the public employees police and fire fund.

(e) An employee serving on less than a full-time basis as a police officer shall become a member of the public employees police and fire fund only after a resolution stating that the

employee should be covered by the police and fire fund is adopted by the governing body of the governmental subdivision employing the person declaring that the position which the person holds is that of a police officer.

(f) An employee serving on less than a full-time basis as a firefighter shall become a member of the public employees police and fire fund only after a resolution stating that the employee should be covered by the police and fire fund is adopted by the governing body of the governmental subdivision employing the person declaring that the position which the person holds is that of a firefighter.

(g) A police officer or firefighter employed by a governmental subdivision who by virtue of that employment is required by law to be a member of and to contribute to any police or firefighter relief association governed by section 69.77 which has not consolidated with the public employees police and fire fund ~~and~~, any police officer or firefighter of a relief association that has consolidated with the association for which the employee has not elected coverage by the public employees police and fire fund benefit plan as provided in sections 353A.01 to 353A.10, or any police officer or firefighter to whom section 353.665 applies who has not elected coverage by the public employees police and fire fund benefit plan as provided in section 353.665, subdivision 4, shall not become a member of the public employees police and fire fund.

Sec. 8. Minnesota Statutes 1998, section 353.65, subdivision 2, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTION RATE.] The employee contribution is an amount equal to ~~7.6~~ 6.2 percent of the total salary of the member. This contribution must be made by deduction from salary in the manner provided in subdivision 4. Where any portion of a member's salary is paid from other than public funds, the member's employee contribution is based on the total salary received from all sources.

Sec. 9. Minnesota Statutes 1998, section 353.65, subdivision 3, is amended to read:

Subd. 3. [EMPLOYER CONTRIBUTION RATE.] The employer contribution shall be an amount equal to ~~11.4~~ 9.3 percent of the total salary of every member. This contribution shall be made from funds available to the employing subdivision by the means and in the manner provided in section 353.28.

Sec. 10. [353.665] [MERGER OF CERTAIN CONSOLIDATION ACCOUNTS INTO PERA-P&F.]

Subdivision 1. [MERGER REQUIRED.] (a) Notwithstanding any provision of law to the contrary, unless the applicable municipality elects otherwise under paragraph (b), every local police and fire consolidation account under chapter 353A in existence on March 1, 1999, becomes a part of the public employees police and fire plan and fund governed by sections 353.63 to 353.659 on July 1, 1999.

(b) If a municipality desires to retain its consolidation account or consolidation accounts, the governing body of the municipality must adopt a resolution to that effect and must file a copy of the resolution with the secretary of state, the state auditor, the legislative auditor, the finance commissioner, the revenue commissioner, the executive director of the public employees retirement association, and the executive director of the legislative commission on pensions and retirement. The retention resolution must be adopted and filed with all recipients before June 15, 1999.

Subd. 2. [TRANSFER OF LIABILITIES.] All current and future liabilities of a former local police or fire consolidation account are the liabilities of the public employees police and fire fund as of July 1, 1999.

Subd. 3. [TRANSFER OF ASSETS.] Upon transfer, the actuarial value of the assets of a former local police or fire consolidation account less an amount equal to the residual assets as determined under subdivision 7, paragraph (f), are the assets of the public employees police and fire fund as of July 1, 1999. The participation of a consolidation account in the Minnesota postretirement investment fund becomes part of the participation of the public employees police

and fire fund in the Minnesota postretirement investment fund. The remaining assets, excluding the amounts for distribution under subdivision 7, paragraph (f), become an asset of the public employees police and fire fund. The public employees police and fire fund also must be credited as an asset with the amount of receivable assets under subdivision 7, paragraph (e).

Subd. 4. [BENEFIT COVERAGE FOR ACTIVE MEMBERS.] (a) A person who is a police officer or a firefighter who, as such, is an active member of a local police or fire consolidation account on June 30, 1999, and who has not previously elected benefit coverage under the relevant provisions of the public employees police and fire fund benefit plan under section 353A.08, subdivision 3, may elect benefit coverage under the relevant provisions of the public employees police and fire fund benefit plan. This election must be made in writing on a form prescribed by the executive director before September 1, 1999, and is irrevocable.

(b) If an eligible person makes no affirmative election of benefit coverage before September 1, 1999, the person retains the benefit coverage provided by the relief association benefit plan in effect on the effective date of the consolidation of the local police or fire consolidation account as reflected in the applicable provisions of chapter 353B and may elect benefit coverage under the relevant provisions of the public employees police and fire fund benefit plan when the person terminates active employment for purposes of receiving a service pension, disability benefit, or within 90 days of the date the member terminates active employment and defers receipt of a service pension, whichever applies.

(c) Notwithstanding any provision of section 353A.083 and any municipal action under authority of that statute to the contrary, the provisions of the public employees police and fire fund benefit plan applicable to active members of the local police or fire consolidation accounts who elect public employees police and fire fund benefit plan under section 353A.08, subdivision 3, or paragraph (a), are the applicable provisions of sections 353.63 to 353.659.

Subd. 5. [BENEFIT COVERAGE FOR RETIREES AND BENEFIT RECIPIENTS.] (a) A person who received a service pension, a disability pension or benefit, or a survivor benefit from a local police or fire consolidation account for the month of June 1999, and who has not previously elected participation in the Minnesota postretirement investment fund for any future postretirement adjustments rather than the postretirement adjustment mechanism or mechanisms of the relief association benefit plan under section 353A.08, subdivision 1, may elect participation in the Minnesota postretirement investment fund for any future postretirement adjustments or retention of the postretirement adjustment mechanism or mechanisms of the relief association benefit plan in effect on the effective date of the consolidation of the local police or fire consolidation account as reflected in the applicable provisions of chapter 353B. This election must be in writing on a form prescribed by the executive director and must be made before September 1, 1999.

(b) If an eligible person is a minor, the election must be made by the person's parent or legal guardian. If the eligible person makes no affirmative election under this subdivision, the person retains the postretirement adjustment mechanism or mechanisms of the relief association benefit plan in effect on the effective date of the consolidation of the local police or fire consolidation account as reflected in the applicable provisions of chapter 353B.

(c) The survivor benefit payable on behalf of any service pension or disability benefit recipient who elects participation in the Minnesota postretirement investment fund must be calculated under the relief association benefit plan in effect on the effective date of consolidation under chapter 353A as reflected in the applicable provisions of chapter 353B.

Subd. 6. [BENEFIT COVERAGE FOR DEFERRED MEMBERS.] A person who terminated active employment as a police officer or a firefighter that gave rise to membership in a local relief association that consolidated with the public employees police and fire plan under chapter 353A before July 1, 1999, and had sufficient service credit to entitle the person to an eventual service pension retains the benefit plan in effect for the applicable local police or paid fire relief association in effect on the effective date of consolidation under chapter 353A as reflected in the applicable provisions of chapter 353B, except that the deferred member may elect before September 1, 1999, to participate, upon retirement, in the Minnesota postretirement investment

fund. Any election to participate in the Minnesota postretirement investment fund is applicable to any survivor benefit attributable to a deferred member covered by this subdivision.

Subd. 7. [CALCULATION OF FINAL FUNDED STATUS.] (a) As of June 30, 1999, the actuary retained by the legislative commission on pensions and retirement shall determine the final funded status of local police and fire consolidation accounts under chapter 353A as provided in this subdivision.

(b) The final funded status calculation must be made using the benefit plan provisions applicable to the consolidation account and the actuarial assumptions used for the June 30, 1998, actuarial valuation of the account.

(c) The actuary must calculate the total actuarial accrued liability of the consolidation account, which is the sum of the actuarial accrued liability for all consolidation account members who are not included in the participation of the account in the Minnesota postretirement investment fund calculated by the entry age normal actuarial cost method. The actuary also must calculate any account unfunded accrued liability or any account funding surplus. An account unfunded accrued liability is the actuarial accrued liability reduced by the amount of the current value of assets, if the resulting number is positive. An account funding surplus is the actuarial accrued liability reduced by the amount of the current value of assets, if the resulting number is negative.

(d) The actuary also must calculate the amortizable base for every consolidation account. The amortizable base is the present value of future benefits for all account members who are not included in the participation of the account in the Minnesota postretirement investment fund reduced by the present value of 19 percent of future covered salary and further reduced by the current value of account assets other than its participation in the Minnesota postretirement investment fund, after adjustment for fiscal year 1999 net mortality gains and losses and for the net actuarial affect of the election of postretirement adjustment coverage under subdivision 5.

(e) If the amortizable base under paragraph (d) is a positive number, the receivable assets are an amount equal to the amortizable base number.

(f) If the amortizable base under paragraph (d) is a negative number, the actuary must calculate the residual asset amount. The residual asset amount is:

(1) one-half of the amount by which the current assets of the account exceed 100 percent of the total actuarial accrued liability up to that percentage of the total actuarial accrued liability that equals the public employees police and fire fund funded ratio on June 30, 1999; and

(2) the amount by which the current assets of the account exceed that percentage of the total actuarial accrued liability that equals the public employees police and fire fund funded ratio on June 30, 1999. Following the calculation of the residual asset amount for each applicable municipality and the verification of the amount by the legislative auditor, the executive director of the public employees retirement association shall pay the applicable residual asset amount with interest equal to the average yield on the invested treasurer's cash fund from July 1, 1999, to the first of the month in which the payment is issued to each qualifying municipality. The residual asset amount must be used by the municipality to defray fire department expenditure items if the residual asset amount was derived from a fire consolidation account or to defray police department expenditure items if the residual asset amount was derived from a police consolidation account. The residual asset amount must be deposited in a special fund or account in the municipal treasury established for that purpose. The special fund or account must be invested and any investment return attributable to the residual asset amount must be credited to that special fund or account and its disbursement similarly restricted. The special fund or account must be audited periodically by the state auditor.

Subd. 8. [MEMBER AND EMPLOYER CONTRIBUTIONS.] (a) Effective for the first pay period following July 1, 1999, the employee contribution rate for former consolidation account active members is the rate specified in section 353.65, subdivision 2, and the regular municipal contribution rate on behalf of former consolidation account active members is the rate specified in section 353.65, subdivision 3.

(b) The municipality associated with a former local consolidation account that had a positive value amortizable base calculation under subdivision 7, paragraph (d), must make an additional municipal contribution to the public employees police and fire plan for the period from January 1, 2000, to December 31, 2009. The amount of the additional municipal contribution is the amount calculated by the actuary retained by the legislative commission on pensions and retirement and certified by the executive director of the public employees retirement association by which the amortizable base amount would be amortized on a level dollar annual end-of-the-year contribution basis, using an 8.5 percent interest rate assumption.

Subd. 9. [BENEFIT PLAN COVERAGE.] Unless modified by an election authorized under subdivision 4, 5, or 6, the benefit plan election by any person or on behalf of any person under section 353A.08 remains binding. Former consolidation account members who elected the entirety of the public employees police and fire benefit plan are entitled to an applicable annuity or benefit under the provisions of sections 353.63 to 353.68 in effect on the day that the former consolidation account member terminated active service as a police officer or firefighter, whichever applies.

Subd. 10. [CONSOLIDATION ACCOUNT TERMINATION.] Upon the payment of all residual asset amounts under subdivision 7 and the transfer of all liabilities and remaining assets under subdivisions 2 and 3, the local consolidation accounts under chapter 353A in existence on March 1, 1999, are terminated.

Sec. 11. Minnesota Statutes 1998, section 356.215, subdivision 4g, is amended to read:

Subd. 4g. [AMORTIZATION CONTRIBUTIONS.] (a) In addition to the exhibit indicating the level normal cost, the actuarial valuation must contain an exhibit indicating the additional annual contribution sufficient to amortize the unfunded actuarial accrued liability. For funds governed by chapters 3A, 352, 352B, 352C, 353, 354, 354A, and 490, the additional contribution must be calculated on a level percentage of covered payroll basis by the established date for full funding in effect when the valuation is prepared. For funds governed by chapter 3A, sections 352.90 through 352.951, chapters 352B, 352C, sections 353.63 through 353.68, and chapters 353C, 354A, and 490, the level percent additional contribution must be calculated assuming annual payroll growth of 6.5 percent. For funds governed by sections 352.01 through 352.86 and chapter 354, the level percent additional contribution must be calculated assuming an annual payroll growth of five percent. For the fund governed by sections 353.01 through 353.46, the level percent additional contribution must be calculated assuming an annual payroll growth of six percent. For all other funds, the additional annual contribution must be calculated on a level annual dollar amount basis.

(b) For any fund other than the Minneapolis employees retirement fund, after the first actuarial valuation date occurring after June 1, 1989, if there has not been a change in the actuarial assumptions used for calculating the actuarial accrued liability of the fund, a change in the benefit plan governing annuities and benefits payable from the fund, a change in the actuarial cost method used in calculating the actuarial accrued liability of all or a portion of the fund, or a combination of the three, which change or changes by themselves without inclusion of any other items of increase or decrease produce a net increase in the unfunded actuarial accrued liability of the fund, the established date for full funding for the first actuarial valuation made after June 1, 1989, and each successive actuarial valuation is the first actuarial valuation date occurring after June 1, 2020.

(c) For any fund or plan other than the Minneapolis employees retirement fund, after the first actuarial valuation date occurring after June 1, 1989, if there has been a change in any or all of the actuarial assumptions used for calculating the actuarial accrued liability of the fund, a change in the benefit plan governing annuities and benefits payable from the fund, a change in the actuarial cost method used in calculating the actuarial accrued liability of all or a portion of the fund, or a combination of the three, and the change or changes, by themselves and without inclusion of any other items of increase or decrease, produce a net increase in the unfunded actuarial accrued liability in the fund, the established date for full funding must be determined using the following procedure:

(i) the unfunded actuarial accrued liability of the fund must be determined in accordance with the plan provisions governing annuities and retirement benefits and the actuarial assumptions in effect before an applicable change;



(ii) the level annual dollar contribution or level percentage, whichever is applicable, needed to amortize the unfunded actuarial accrued liability amount determined under item (i) by the established date for full funding in effect before the change must be calculated using the interest assumption specified in subdivision 4d in effect before the change;

(iii) the unfunded actuarial accrued liability of the fund must be determined in accordance with any new plan provisions governing annuities and benefits payable from the fund and any new actuarial assumptions and the remaining plan provisions governing annuities and benefits payable from the fund and actuarial assumptions in effect before the change;

(iv) the level annual dollar contribution or level percentage, whichever is applicable, needed to amortize the difference between the unfunded actuarial accrued liability amount calculated under item (i) and the unfunded actuarial accrued liability amount calculated under item (iii) over a period of 30 years from the end of the plan year in which the applicable change is effective must be calculated using the applicable interest assumption specified in subdivision 4d in effect after any applicable change;

(v) the level annual dollar or level percentage amortization contribution under item (iv) must be added to the level annual dollar amortization contribution or level percentage calculated under item (ii);

(vi) the period in which the unfunded actuarial accrued liability amount determined in item (iii) is amortized by the total level annual dollar or level percentage amortization contribution computed under item (v) must be calculated using the interest assumption specified in subdivision 4d in effect after any applicable change, rounded to the nearest integral number of years, but not to exceed 30 years from the end of the plan year in which the determination of the established date for full funding using the procedure set forth in this clause is made and not to be less than the period of years beginning in the plan year in which the determination of the established date for full funding using the procedure set forth in this clause is made and ending by the date for full funding in effect before the change; and

(vii) the period determined under item (vi) must be added to the date as of which the actuarial valuation was prepared and the date obtained is the new established date for full funding.

(d) For the Minneapolis employees retirement fund, the established date for full funding is June 30, 2020.

(e) For the following plans for which the annual actuarial valuation indicates an excess of valuation assets over the actuarial accrued liability, the valuation assets in excess of the actuarial accrued liability must be recognized in the following manner:

(1) the public employees retirement association police and fire plan, the valuation assets in excess of the actuarial accrued liability serve to reduce the current contribution requirements by an amount equal to the amortization of the excess expressed as a level percentage of pay over a 30-year period beginning anew with each annual actuarial valuation of the plan; and

(2) the correctional employees retirement plan of the Minnesota state retirement system, and the state patrol retirement plan, an excess of valuation assets over actuarial accrued liability must be amortized in the same manner over the same period as an unfunded actuarial accrued liability but must serve to reduce the required contribution instead of increasing it.

Sec. 12. Minnesota Statutes 1998, section 423A.02, subdivision 1b, is amended to read:

Subd. 1b. [ADDITIONAL AMORTIZATION STATE AID.] (a) Annually, on October 1, the commissioner of revenue shall allocate the additional amortization state aid transferred under section 69.021, subdivision 11, to:

(1) all police or salaried firefighter relief associations governed by and in full compliance with the requirements of section 69.77, that had an unfunded actuarial accrued liability in the actuarial valuation prepared under sections 356.215 and 356.216 as of the preceding December 31; and

(2) all local police or salaried firefighter consolidation accounts governed by chapter 353A that are certified by the executive director of the public employees retirement association as having for the current fiscal year an additional municipal contribution amount under section 353A.09, subdivision 5, paragraph (b), and that have implemented section 353A.083, subdivision 1, if the effective date of the consolidation preceded May 24, 1993, and that have implemented section 353A.083, subdivision 2, if the effective date of the consolidation preceded June 1, 1995.; and

(3) municipalities that received amortization aid in 1999 and are required to make an additional municipal contribution under section 353.665, subdivision 8, for the duration of the required additional contribution.

(b) The commissioner shall allocate the state aid on the basis of the proportional share of the relief association or consolidation account of the total unfunded actuarial accrued liability of all recipient relief associations and consolidation accounts as of December 31, 1993, for relief associations, and as of June 30, 1994, for consolidation accounts.

(c) Beginning October 1, 2000, and annually thereafter, the commissioner shall allocate the state aid on the basis of 64.5 percent to municipalities to which section 353.665, subdivision 8, paragraph (b), applies for distribution in accordance with paragraph (b) and subject to the limitation in subdivision 4, 34.2 percent to the city of Minneapolis to fund any unfunded actuarial accrued liability in the actuarial valuation prepared under sections 356.215 and 356.216 as of the preceding December 31 for the Minneapolis police relief association or the Minneapolis fire department relief association, and 1.3 percent to the city of Virginia to fund any unfunded actuarial accrued liability in the actuarial valuation prepared under sections 356.215 and 356.216 as of the preceding December 31 for the Virginia fire department relief association. In the event that there is no unfunded actuarial accrued liability in either the Minneapolis police relief association or the Minneapolis fire department relief association, the commissioner shall allocate that 34.2 percent of the aid as follows: 49 percent to the Minneapolis teachers retirement fund association, provided that, annually, beginning on July 1, 2005, if a teacher's association five-year average time-weighted rate of investment return does not equal or exceed the performance of a composite portfolio assumed passively managed (indexed) invested ten percent in cash equivalents, 60 percent bonds and similar debt securities, and 30 percent in domestic stock calculated using the formula under section 11A.04, clause (11), the aid under this section ceases until the five-year annual rate of return equals or exceeds the performance of a composite portfolio, 21 percent to the St. Paul teachers retirement fund association, provided that, annually, beginning on July 1, 2005, if a teacher's association five-year average time-weighted rate of investment return does not equal or exceed the performance of a composite portfolio assumed passively managed (indexed) invested ten percent in cash equivalents, 60 percent bonds and similar debt securities, and 30 percent in domestic stock calculated using the formula under section 11A.04, clause (11), the aid under this section ceases until the five-year annual rate of return equals or exceeds the performance of a composite portfolio, and 30 percent as additional funding to support minimum fire state aid for volunteer firefighter relief associations, with the allocation made at the same time and under the same procedures in subdivision 3. In the event there is no actuarial accrued unfunded liability in the Virginia fire department relief association, the commissioner shall allocate that 1.3 percent of the aid as follows: 49 percent to the Minneapolis teachers retirement fund association, provided that, annually, beginning on July 1, 2005, if a teacher's association five-year average time-weighted rate of investment return does not equal or exceed the performance of a composite portfolio assumed passively managed (indexed) invested ten percent in cash equivalents, 60 percent bonds and similar debt securities, and 30 percent in domestic stock calculated using the formula under section 11A.04, clause (11), the aid under this section ceases until the five-year annual rate of return equals or exceeds the performance of a composite portfolio, 21 percent to the St. Paul teachers retirement fund association, provided that, annually, beginning on July 1, 2005, if a teacher's association five-year average time-weighted rate of investment return does not equal or exceed the performance of a composite portfolio assumed passively managed (indexed) invested ten percent in cash equivalents, 60 percent bonds and similar debt securities, and 30 percent in domestic stock calculated using the formula under section 11A.04, clause (11), the aid under this section ceases until the five-year annual rate of return equals or exceeds the performance of a composite portfolio, and 30 percent as additional funding to support minimum fire state aid for volunteer

firefighter relief associations, with the allocation made at the same time and under the same procedures in subdivision 3.

(d) The amounts required under this subdivision are annually appropriated to the commissioner of revenue.

Sec. 13. Minnesota Statutes 1998, section 423A.02, subdivision 2, is amended to read:

Subd. 2. [CONTINUED ELIGIBILITY.] A municipality that has qualified for amortization state aid under subdivision 1 on December 31, 1984, and has an additional municipal contribution payable under section 353A.09, subdivision 5, paragraph (b), as of the most recent December 31, continues upon application to be entitled to receive amortization state aid under subdivision 1 and supplementary amortization state aid under subdivision 1a, after the local police or salaried firefighters' relief association has been consolidated into the public employees police and fire fund. If a municipality loses entitlement for amortization state aid and supplementary amortization state aid in any year because of not having an additional municipal contribution, the municipality is not entitled to the aid amounts in any subsequent year. If the actuarial assumptions specified in section 356.215 are changed in 1997, and the change results in a municipality having an additional municipal contribution, and the municipality had previously lost entitlement for amortization aid and supplementary amortization due to not having an additional municipal contribution, then the municipality is again entitled to receive amortization aid and supplementary amortization aid in the same amount as it previously received. A municipality that received amortization aid in 1999 and is required to make an additional municipal contribution under section 353.665, subdivision 8, continues to qualify for the amortization state aid and the supplemental amortization aid for the duration of the required additional contribution.

Sec. 14. Minnesota Statutes 1998, section 423A.02, is amended by adding a subdivision to read:

Subd. 4. [LIMIT ON CERTAIN TOTAL AID AMOUNTS.] (a) The total of amortization aid, supplemental amortization aid, and additional amortization aid under this section payable to a municipality to which section 353.665, subdivision 8, paragraph (b), applies, may not exceed the amount of the additional municipal contribution payable by an individual municipality under section 353.665, subdivision 8, paragraph (b).

(b) Any aid amount in excess of the limit under this subdivision for an individual municipality must be redistributed to the other municipalities to which section 353.665, subdivision 8, paragraph (b), applies. The excess aid must be distributed in proportion to each municipality's additional municipal contribution under section 353.665, subdivision 8, paragraph (b).

(c) When the total aid for each municipality under this section equals the limit under paragraph (a), any aid in excess of the limit must be redistributed under subdivisions 1, 1a, and 1b.

Sec. 15. [1999 PERA-P&F ACTUARIAL VALUATION.]

(a) As of July 1, 1999, no actuarial valuations of the local police and fire consolidation accounts in existence before March 1, 1999, are required.

(b) The actuary retained by the legislative commission on pensions and retirement shall prepare all calculations required under Minnesota Statutes, section 353.665, and shall present them to the commission in a separate report.

(c) The calculated actuarial accrued liability of the public employees police and fire plan for July 1, 1999, must contain all liabilities associated with the former local police and fire consolidation accounts affected by Minnesota Statutes, section 353.665.

(d) The asset value of the public employees police and fire plan for July 1, 1999, is the sum of the following:

(1) the current assets of the public employees police and fire plan as of June 30, 1999, without reference to any local consolidation accounts in existence on March 1, 1999;

(2) the amount of assets transferred from the Minnesota postretirement investment fund with respect to local consolidation accounts under Minnesota Statutes, section 353.655, subdivision 3;

(3) that portion of the market value of assets of the local consolidation accounts after subtracting the amount in clause (2) determined by multiplying the total by the ratio that the current asset value of public employee police and fire fund assets other than the participation in the Minnesota postretirement investment fund as of June 30, 1999, without reference to any local consolidation accounts in existence on March 1, 1999, bears to the market value of the same assets; and

(4) a receivable amount equal to the present value of the future additional municipal contributions required under Minnesota Statutes, section 353.655, subdivision 8, paragraph (b).

Sec. 16. [REPEALER.]

Minnesota Statutes 1998, section 353.65, subdivision 3a, is repealed.

Sec. 17. [EFFECTIVE DATE.]

Sections 1 to 10 and 12 to 16 are effective on the day following final enactment. Section 11 is effective on July 1, 2000.

### ARTICLE 3

#### MINIMUM VOLUNTEER FIREFIGHTER

##### STATE AID AMOUNT CHANGES

Section 1. Minnesota Statutes 1998, section 69.021, subdivision 7, is amended to read:

Subd. 7. [APPORTIONMENT OF FIRE STATE AID TO MUNICIPALITIES AND RELIEF ASSOCIATIONS.] (a) The commissioner shall apportion the fire state aid relative to the premiums reported on the Minnesota Firetown Premium Reports filed under this chapter to each municipality and/or firefighters' relief association.

(b) The commissioner shall calculate an initial fire state aid allocation amount for each municipality or fire department under paragraph (c) and a minimum fire state aid allocation amount for each municipality or fire department under paragraph (d). The municipality or fire department must receive the larger fire state aid amount.

(c) The initial fire state aid allocation amount is the amount available for apportionment as fire state aid under subdivision 5, without inclusion of any additional funding amount to support a minimum fire state aid amount under section 423A.02, subdivision 3, allocated one-half in proportion to the population as shown in the last official statewide federal census for each fire town and one-half in proportion to the market value of each fire town, including (1) the market value of tax exempt property and (2) the market value of natural resources lands receiving in lieu payments under sections 477A.11 to 477A.14, but excluding the market value of minerals. In the case of incorporated or municipal fire departments furnishing fire protection to other cities, towns, or townships as evidenced by valid fire service contracts filed with the commissioner, the distribution must be adjusted proportionately to take into consideration the crossover fire protection service. Necessary adjustments shall be made to subsequent apportionments. In the case of municipalities or independent fire departments qualifying for the aid, the commissioner shall calculate the state aid for the municipality or relief association on the basis of the population and the market value of the area furnished fire protection service by the fire department as evidenced by duly executed and valid fire service agreements filed with the commissioner. If one or more fire departments are furnishing contracted fire service to a city, town, or township, only the population and market value of the area served by each fire department may be considered in calculating the state aid and the fire departments furnishing service shall enter into an agreement apportioning among themselves the percent of the population and the market value of each service area. The agreement must be in writing and must be filed with the commissioner.

(d) The minimum fire state aid allocation amount is the amount in addition to the initial fire

state allocation amount that is derived from any additional funding amount to support a minimum fire state aid amount under section 423A.02, subdivision 3, and allocated to municipalities with volunteer firefighter relief associations based on the number of active volunteer firefighters who are members of the relief association as reported in the annual financial reporting for the calendar year 1993 to the office of the state auditor, but not to exceed 30 active volunteer firefighters, so that all municipalities or fire departments with volunteer firefighter relief associations receive in total at least a minimum fire state aid amount per 1993 active volunteer firefighter to a maximum of 30 firefighters. If a relief association did not exist in calendar year 1993, the number of active volunteer firefighters who are members of the relief association as reported in the annual financial reporting for calendar year 1998 to the office of the state auditor, but not to exceed 30 active volunteer firefighters, shall be used in this determination.

(e) The fire state aid must be paid to the treasurer of the municipality where the fire department is located and the treasurer of the municipality shall, within 30 days of receipt of the fire state aid, transmit the aid to the relief association if the relief association has filed a financial report with the treasurer of the municipality and has met all other statutory provisions pertaining to the aid apportionment.

(f) The commissioner may make rules to permit the administration of the provisions of this section. Any adjustments needed to correct prior misallocations must be made to subsequent apportionments.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective on the day following final enactment and applies to the first fire state aid and minimum fire state aid allocation occurring after that date.

#### ARTICLE 4

### MINNEAPOLIS POLICE AND FIRE DEPARTMENT RELIEF ASSOCIATIONS GOVERNANCE CHANGES

Section 1. Minnesota Statutes 1998, section 423B.07, is amended to read:

423B.07 [AUTHORIZED FUND DISBURSEMENTS.]

The police pension fund may be used only for the payment of:

- (1) service, disability, or dependency pensions;
- (2) notwithstanding a contrary provision of section 69.80, ~~the salary of the secretary of the association in an amount not to exceed 30 percent of the base salary of a first grade patrol officer, the salary of the president of the association in an amount not to exceed ten percent of the base salary of a first grade patrol officer, and the salaries of the other elected members of the board of trustees in an amount not to exceed three units;~~
- (3) expenses of officers and employees of the association in connection with the protection of the fund;
- (4) expenses of operating and maintaining the association, including the administrative expenses related to the administration of the insurance plan authorized in section 423B.08; and
- (5) other expenses authorized by section 69.80, or other applicable law.

Sec. 2. [CONTINUATION OF BOARD.]

Notwithstanding Minnesota Statutes, section 423A.01, subdivision 2, or any other law to the contrary, the board of trustees of the Minneapolis firefighters relief association shall continue to govern the association until there are fewer than 100 benefit recipients of the relief association pension fund. The special fund thereafter must become a trust fund in accordance with Minnesota Statutes, section 423A.01, subdivision 2.

Sec. 3. [EFFECTIVE DATE.]

(a) Section 1 is effective on December 31, 1999.

(b) Section 2 is effective on the day following approval by the Minneapolis city council and compliance with Minnesota Statutes, section 645.021, subdivision 3.

ARTICLE 5

METROPOLITAN COUNCIL TARGETED  
EARLY RETIREMENT INCENTIVE

Section 1. [RETIREMENT INCENTIVE.]

The metropolitan council may offer its eligible employees, as specified in sections 2 and 3, the retirement incentive provided in section 4.

Sec. 2. [INCLUSION.]

If the metropolitan council chooses to offer the retirement incentive under section 4, it must designate the positions or group of positions within the council divisions specified in section 3, clause (1), that will qualify for participation in its retirement incentive program and may exclude otherwise eligible employees. After initially designating the qualified positions or group of positions, the council may at any time modify its designation in order to further limit the qualified positions or group of positions.

Sec. 3. [ELIGIBILITY.]

An employee of the metropolitan council is eligible to participate in the retirement incentive program if the employee:

(1) was employed in the environmental services, community development, or regional administration divisions of the council on January 1, 1999;

(2) on or after the effective date of this act notifies the council's regional administrator in writing of the employee's intention to retire, the plan or plans from which the individual will retire, and the employee's date of separation from employment with the council;

(3) is, on the date the council receives the employee's written notice of intention to retire, within the positions or group of positions then currently designated by the council under section 2;

(4) on the date of retirement has at least 25 years of combined allowable service in any covered fund or funds listed in Minnesota Statutes, section 356.30, subdivision 3;

(5) on the date of retirement is at least 55 years of age;

(6) upon retirement is immediately eligible for a retirement annuity from a defined benefit plan listed in Minnesota Statutes, section 356.30, subdivision 3; and

(7) has a retirement annuity accrual date in the applicable plan or plans on or after July 1, 1999, and before July 1, 2000.

Sec. 4. [RETIREMENT INCENTIVE.]

Subdivision 1. [FORMULA INCREASE.] For an eligible employee who elects to participate in the retirement incentive program, the multiplier percentage or percentages used to calculate the retirement annuity from each defined benefit plan listed in Minnesota Statutes, section 356.30, subdivision 3, from which the employee is eligible to receive a retirement annuity must be increased by .25 percentage points for each year of allowable service, and pro rata for completed months less than a full year, in the applicable plan or plans. If the eligible employee has more than 30 years of combined service in covered plans, the .25 percentage point increase applies only to the first 30 years of allowable service in such covered funds.

Subd. 2. [CERTIFICATION OF ELIGIBILITY.] Before applying the formula increase in subdivision 1, the applicable retirement plan or plans must receive a certification from the council's regional administrator that the employee meets the eligibility criteria in clauses (1), (2), and (3) of section 3.

Subd. 3. [PAYMENT OF ENHANCED RETIREMENT COST.] (a) If the metropolitan council chooses to offer a retirement incentive under this section, it must make an additional employer contribution or contributions as specified in paragraph (b) to the applicable retirement plan or plans from which the eligible individual retired under the incentive program.

(b) The additional employer contribution for the applicable employee to each applicable plan is an amount equal to the difference in the actuarial present value of the annuity payable by the plan for the employee, with and without the retirement incentive under subdivision 1.

(c) An additional employer contribution under paragraph (b) must be paid within 60 days from the effective date of the applicable annuity, for the eligible employee who elects to participate in the retirement incentive.

#### Sec. 5. [LIMIT ON REHIRING AND FUTURE SERVICES.]

The metropolitan council may not rehire or contract for services from an employee who retires under this act.

#### Sec. 6. [APPLICATION OF OTHER LAWS.]

Unilateral implementation of retirement incentives under this act by the metropolitan council is not an unfair labor practice for purposes of Minnesota Statutes, chapter 179A.

#### Sec. 7. [EFFECTIVE DATE.]

Sections 1 to 6 are effective on the day following final enactment.

### ARTICLE 6

#### VARIOUS SMALL GROUP PENSION

#### CHANGES

Section 1. [PUBLIC EMPLOYEES RETIREMENT ASSOCIATION; PURCHASE OF SERVICE CREDIT.]

(a) Notwithstanding Minnesota Statutes, section 353.01, subdivision 16, or any other law to the contrary, an eligible person described in paragraph (b) may purchase service credit in the public employees retirement association for the period described in paragraph (c).

(b) An eligible person is a person who:

(1) was born on October 28, 1948;

(2) was first employed by the Rush City school district in September 1968;

(3) has received service credit from the public employees retirement association for a period of leave for military service from April 1969 through March 1970;

(4) has not received service credit from the public employees retirement association for a period of leave for military service from April 1970 through March 1971.

(c) The period for service credit purchase is the uncredited portion of the period from April 1970 through March 1971.

(d) An eligible person may purchase service under this section by making the payment determined under Minnesota Statutes, section 356.55, for the period in paragraph (c).

(e) The person who desires to purchase service credit under this section must apply with the

executive director to make the purchase. The application must include all necessary documentation of the person's qualifications to make the purchase, signed written permission to allow the executive director to request and receive necessary verification of applicable facts and eligibility requirements, and any other relevant information that the executive director may require.

(f) Service credit for the purchase period must be granted by the public employees retirement association to the purchaser on receipt of the purchase payment amount.

Sec. 2. [TEACHERS RETIREMENT ASSOCIATION; PURCHASE OF SERVICE CREDIT BY SCHOOL DISTRICT NO. 786 TEACHER FOR UNCREDITED LEAVE.]

(a) An eligible teacher as defined in paragraph (b) is entitled to purchase allowable and formula service credit from the teachers retirement association for an uncredited leave during the 1996-1997 school year under terms specified in paragraph (c).

(b) An eligible teacher is a person who:

(1) was born on November 14, 1944;

(2) became a member of the teachers retirement association on September 29, 1972;

(3) is employed by independent school district No. 786 (Bertha-Hewitt); and

(4) failed to obtain one year of service credit due to classification of a 1996-1997 school year leave as an "other" leave rather than an extended leave.

(c) Notwithstanding Minnesota Statutes, section 356.55, subdivision 5, the eligible person may pay, before January 1, 2000, or the date of retirement, whichever is earlier, an amount equal to the employee contribution rate or rates in effect during the leave period specified in paragraph (b) applied to the actual salary rate or rates in effect during that period, plus any applicable employer contributions the employee agreed to pay under an agreement with independent school district No. 786, plus annual compound interest at the rate of 8.5 percent from June 30, 1997, to the date on which the payment is actually made. Independent school district No. 786 (Bertha-Hewitt) must pay the remaining balance of the prior service credit purchase payment amount calculated under Minnesota Statutes, section 356.55, within 30 days of the payment by the eligible person. The executive director of the teachers retirement association must notify the superintendent of independent school district No. 786 of its payment amount and payment due date if the eligible person makes the required payment.

(d) If independent school district No. 786 fails to pay its portion of the required prior service credit purchase payment amount, the executive director may notify the commissioner of finance of that fact and the commissioner of finance may order that the required employer payment be deducted from the next subsequent payment or payments of state education aid to the school district and be transmitted to the teachers retirement association.

(e) An eligible teacher must provide any relevant documentation required by the executive director to determine eligibility for the prior service credit under this section.

(f) Service credit for the purchase period must be granted by the teachers retirement association to the account of the eligible teacher upon receipt of the purchase payment amount specified in paragraph (c).

Sec. 3. [TEACHERS RETIREMENT ASSOCIATION; PURCHASE OF UNREQUESTED LEAVE PERIOD.]

(a) A qualified teacher described in paragraph (b) is entitled to purchase one year of allowable and formula service credit from the teachers retirement association for a one-year portion of the period of unrequested leave from teaching service specified in paragraph (b), clause (5), upon the payment of the purchase price specified in paragraph (c).



(b) A qualified teacher is a person who:

(1) was born in 1943;

(2) is a current member of the teachers retirement association;

(3) initially was employed as a teacher in 1966 by the Alexandria school district;

(4) was subsequently employed as an industrial arts teacher at the Virginia high school by the Virginia school district; and

(5) was placed on unrequested leave by the Virginia school district for the 1983-1984 and 1984-1985 school years.

(c) The purchase payment amount must be determined as provided in Minnesota Statutes, section 356.55.

(d) Payment of the prior service credit purchase amount must be made by January 1, 2000.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective on the day following final enactment.

#### ARTICLE 7

#### MISCELLANEOUS PENSION CHANGES

Section 1. Minnesota Statutes 1998, section 3A.02, subdivision 1b, is amended to read:

Subd. 1b. [REDUCED RETIREMENT ALLOWANCE.] (a) Upon separation from service after the beginning of the 1981 legislative session, a former member of the legislature who has attained the age of at least 60 years set by the board of directors of the Minnesota state retirement system and who is otherwise qualified in accordance with subdivision 1 is entitled upon making written application on forms supplied by the director to a retirement allowance in an amount equal to the retirement allowance specified in subdivision 1 reduced so that the reduced annuity is the actuarial equivalent of the annuity that would be payable if the former member of the legislature deferred receipt of the annuity and the annuity amount were augmented at an annual rate of three percent compounded annually from the date the annuity begins to accrue until age 62.

(b) The age set by the board of directors under paragraph (a) cannot be less than the early retirement age under section 352.116, subdivision 1a.

(c) If there is an actuarial cost to the plan of resetting the early retirement age under paragraph (a), the retired legislator is required to pay an additional amount to cover the full actuarial value.

(d) The executive director of the Minnesota state retirement system shall report to the legislative commission on pensions and retirement on the utilization of this provision on or before September 1, 2000.

Sec. 2. Minnesota Statutes 1998, section 122A.46, subdivision 2, is amended to read:

Subd. 2. [LEAVE OF ABSENCE.] The board of any district may grant an extended leave of absence without salary to any full- or part-time elementary or secondary teacher who has been employed by the district for at least five years and has at least ten years of allowable service, as defined in section 354.05, subdivision 13, or the bylaws of the appropriate retirement association or ten years of full-time teaching service in Minnesota public elementary and secondary schools. The maximum duration of an extended leave of absence pursuant to under this section must be determined by mutual agreement of the board and the teacher at the time the leave is granted and shall be at least three but no more than five years. An extended leave of absence pursuant to under this section shall be taken by mutual consent of the board and the teacher. If the school board denies a teacher's request, it must provide reasonable justification for the denial.

Sec. 3. Minnesota Statutes 1998, section 352.03, subdivision 1, is amended to read:

Subdivision 1. [MEMBERSHIP OF BOARD; ELECTION; TERM.] The policy-making function of the system is vested in a board of 11 members, ~~who must be known as the board of directors.~~ This board shall consist of three members appointed by the governor, one of whom must be a constitutional officer or appointed state official and two of whom must be public members knowledgeable in pension matters, four state employees elected by state employees covered by the system excluding employees in categories specifically authorized to designate or elect a member by this subdivision, one employee ~~of the transit operating division of the metropolitan council's transit commission operations~~ or its successor agency designated by the executive committee of the labor organization that is the exclusive bargaining agent representing employees of the transit division, one member of the state patrol retirement fund elected by members of that fund at a time and in a manner fixed by the board, one employee covered by the correctional employees plan elected by employees covered by that plan, and one retired employee elected by disabled and retired employees of all plans administered by the system at a time and in a manner to be fixed by the board. Two state employee members, whose terms of office begin on the first Monday in May after their election, must be elected biennially. Elected members and the appointed member of the metropolitan council's ~~office of transit operations~~ hold office for a term of four years, ~~except the retired member whose term is two years,~~ and until their successors are elected or appointed, and have qualified. An employee of the system is not eligible for membership on the board of directors. A state employee on leave of absence is not eligible for election or reelection to membership on the board of directors. The term of any board member who is on leave for more than six months automatically ends on expiration of ~~this period~~ the term of office.

Sec. 4. Minnesota Statutes 1998, section 354.05, subdivision 40, is amended to read:

Subd. 40. [TIMELY RECEIPT.] An application, payment, return, claim, or other document that is not personally delivered to the association on or before the applicable due date is considered to be a timely receipt if ~~officially postmarked~~ received on or before the due date or if delivered or filed under section 645.151.

Sec. 5. Minnesota Statutes 1998, section 354.06, subdivision 1, is amended to read:

Subdivision 1. The management of the association is vested in a board of eight trustees known as the board of trustees of the teachers retirement association. It is composed of the following persons: the commissioner of children, families, and learning, the commissioner of finance, a representative of the Minnesota school boards association, four members of the association elected by the members of the association, and one retiree elected by the retirees of the association. The five elected members of the board of trustees must be chosen by ~~mail~~ ballot in a manner fixed by the board of trustees of the association. In every odd-numbered year there shall be elected two members of the association to the board of trustees for terms of four years commencing on the first of July next succeeding their election. In every other odd-numbered year one retiree of the association must be elected to the board of trustees ~~for a term of two~~ four years commencing on the first of July next succeeding the election. The filing of candidacy ~~for a retiree election~~ must include a petition of endorsement signed by at least ten retirees of the association. Each election must be completed by June first of each succeeding odd-numbered year. In the case of elective members, any vacancy must be filled by appointment by the remainder of the board, and the appointee shall serve until the members or retirees of the association at the next regular election have elected a trustee to serve for the unexpired term caused by the vacancy. No member or retiree may be appointed by the board, or elected by the members of the association as a trustee, if the person is not a member or retiree of the association in good standing at the time of the appointment or election.

Sec. 6. Minnesota Statutes 1998, section 354.10, subdivision 4, is amended to read:

Subd. 4. [CHANGES IN DESIGNATED BENEFICIARIES.] Any beneficiary designated by a retiree or member under section 354.05, subdivision 22, may be changed or revoked by the retiree or member on a form provided by the executive director. A change or revocation made under this subdivision is valid only if the properly completed form is received by the association ~~postmarked~~ on or before the date of death of the retiree or the member. If a designated beneficiary dies before the retiree or member designating the beneficiary, and a new beneficiary is not designated, the retiree's or member's estate is the beneficiary.

Sec. 7. Minnesota Statutes 1998, section 354C.11, is amended to read:

354C.11 [COVERAGE.]

Subdivision 1. [AUTHORIZATION.] ~~Personnel~~ Individuals employed by the board of trustees of the Minnesota state colleges and universities ~~who are in the unclassified service of the state, and who have completed at least two years of employment by the board or a predecessor board with a full-time contract~~ are participants authorized to participate in the supplemental retirement plan, effective on the next following July 1, ~~if the person is employed in an eligible~~ after meeting eligibility requirements specified in subdivision 2.

Subd. 2. [ELIGIBILITY.] (a) Individuals are participants in the supplemental retirement plan if the individual is employed by the board of trustees in the unclassified service of the state, has completed at least two years with a full time contract of applicable unclassified employment with the board or an applicable predecessor board in any of the positions specified in paragraph (b).

(b) Eligible positions or employment classifications are:

(1) ~~an unclassified administrative position as defined in section 354B.20, subdivision 6, or is employed in;~~

(2) an employment classification included in one of the following collective bargaining units under section 179A.10, subdivision 2:

- (1) ~~(a)~~ (a) the state university instructional unit;
- (2) ~~(b)~~ (b) the community college instructional unit;
- (3) ~~(c)~~ (c) the technical college instructional unit; and
- (4) ~~(d)~~ (d) the state university administrative unit; or

(3) an unclassified employee of the board included in the general professional unit or supervisory employees unit under section 179A.10, subdivision 2.

Subd. 3. [CONTINUING ELIGIBILITY AUTHORIZATION.] ~~Once a person qualifies for participation in the supplemental retirement plan, all subsequent service by the person as an unclassified employee of the state university board, the state board for community colleges, the higher education board, or the technical colleges board of trustees in a position or employment classification listed in subdivision 2, paragraph (b), is covered by the supplemental retirement plan.~~

Sec. 8. [EFFECTIVE DATE.]

Sections 1 and 3 to 7 are effective on the day following final enactment. Section 2 is effective on July 1, 1999.

ARTICLE 8  
OTHER CHANGES

Section 1. Minnesota Statutes 1998, section 3.85, subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP.] The commission consists of ~~six~~ five members of the senate appointed by the subcommittee on committees of the committee on rules and administration and ~~six~~ five members of the house of representatives appointed by the speaker. Members shall be appointed at the commencement of each regular session of the legislature for a two-year term beginning January 16 of the first year of the regular session. Vacancies that occur while the legislature is in session shall be filled like regular appointments. If the legislature is not in session, senate vacancies shall be filled by the last subcommittee on committees of the senate committee on rules and administration or other appointing authority designated by the senate rules, and house vacancies shall be filled by the last speaker of the house, or if the speaker is not available, by the last chair of the house rules committee.

## Sec. 2. [STUDY.]

The legislative commission on pensions and retirement shall study the feasibility and cost-effectiveness of converting public employee retirement plans to defined-contribution plans, projecting the cost and benefit implications to 2020, and shall report to the legislature by February 15, 2000.

## Sec. 3. [EFFECTIVE DATE.]

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

Delete the title and insert:

"A bill for an act relating to retirement; various statewide and other public pension plans; providing special benefit coverage for privatized Glencoe area health center employees; merging the pre-March 1, 1999, local police and paid fire consolidation accounts into the public employees police and fire plan; extending the minimum volunteer firefighter fire state aid amount to post-1993 relief association members; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; providing a targeted early retirement incentive program for certain employees of the metropolitan council; permitting the purchase of service credit by various school district employees; making miscellaneous changes in the legislators retirement plan, the Minnesota state colleges and university system individual retirement account plan, the Minnesota state retirement system, and the teachers retirement association; reducing the membership of the legislative commission on pensions and retirement; requiring a study; amending Minnesota Statutes 1998, sections 3.85, subdivisions 3 and 12; 3A.02, subdivision 1b; 69.021, subdivisions 7 and 10; 69.031, subdivision 5; 122A.46, subdivision 2; 352.03, subdivision 1; 353.01, subdivisions 2b, 10, and 16; 353.64, subdivision 1; 353.65, subdivisions 2 and 3; 354.05, subdivision 40; 354.06, subdivision 1; 354.10, subdivision 4; 354C.11; 356.215, subdivision 4g; 423A.02, subdivisions 1b, 2, and by adding a subdivision; and 423B.07; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 1998, section 353.65, subdivision 3a."

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

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

**S.F. No. 751:** A bill for an act relating to metropolitan government; defining minor use and intermediate use airports for certain purposes; establishing a reliever airport sound abatement council; amending Minnesota Statutes 1998, section 473.641, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 473.641, subdivision 4, is amended to read:

Subd. 4. [EXPANSION OR UPGRADE OF METRO AIRPORT.] Notwithstanding any other law, the metropolitan airports commission shall not use revenue from any source, as described by section 473.608, for construction of air facilities to expand or upgrade the use of an existing metropolitan airport from minor use to intermediate use status as defined by the metropolitan development guide, aviation chapter, adopted pursuant to section 473.145. The St. Paul downtown airport is an intermediate use airport. The following airports are minor use airports: Flying Cloud, Crystal, Anoka county - Blaine, Lake Elmo, and Airlake. For the purposes of this subdivision, a "minor use" airport is an airport that has a primary runway between 2,500 and 4,000 feet in length, and an "intermediate use" airport is an airport that has a primary runway between 4,001 and 8,000 feet in length. The existence before January 1, 1999, of a runway in excess of 4,000 feet at an airport classified as a minor use airport does not cause the airport to be reclassified from a minor use airport to an intermediate use airport.

## Sec. 2. [REPORT TO LEGISLATURE.]

Consistent with Minnesota Statutes, section 473.608, subdivision 27, the metropolitan airports commission shall develop specific policies and programs, including, but not limited to, financial incentives to divert the maximum number of aircraft operations away from Minneapolis-St. Paul International Airport to the metropolitan reliever airports by fully utilizing the existing capacity at the current reliever airports. The metropolitan airports commission must report back to the legislature no later than January 15, 2000, on the nature of such new programs and policies and the results attained in diverting aircraft operations to the reliever airports. The metropolitan airports commission shall also report to the legislature no later than January 15, 2000, on whether a need exists for an additional intermediate use airport to serve the metropolitan area.

## Sec. 3. [APPLICATION.]

Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Delete the title and insert:

"A bill for an act relating to metropolitan government; defining minor use and intermediate use airports for certain purposes; requiring the metropolitan airports commission to develop certain policies and programs and report to the legislature; amending Minnesota Statutes 1998, section 473.641, subdivision 4."

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

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

**S.F. No. 2044:** A bill for an act relating to gambling; authorizing dice games in retail establishments licensed to sell alcoholic beverages under certain circumstances; amending Minnesota Statutes 1998, sections 340A.410, subdivision 5; and 609.761, by adding a subdivision.

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

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

Page 2, line 9, delete "yatzee" and insert "yahtzee"

Page 2, line 10, delete "liars" and insert "liar's"

Page 2, delete line 11

Page 2, line 13, before the period, insert "; and

(3) prizes for the games are limited to food and beverages purchased and consumed on the premises"

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

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

**S.F. No. 1976:** A bill for an act relating to municipal electric power; defining city within the meaning of the act; authorizing the Minneapolis park and recreation board to engage in the local distribution and sale of hydroelectric power to protect the natural, historical, ecological, and aesthetic value of the Mississippi river at the Falls of St. Anthony; amending Minnesota Statutes 1998, section 453.52, subdivision 3.

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

Page 2, line 5, delete "two" and insert "four"

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

**Senator Vickerman from the Committee on Local and Metropolitan Government**, to which were referred the following appointments as reported in the Journal for January 7, 1999:

**GAMBLING CONTROL BOARD**

John Breon  
Eldon Fontana  
Donald F. McHale

Reports the same back with the recommendation that the appointments be confirmed.

Senator Junge moved that the foregoing committee report be laid on the table. The motion prevailed.

**Senator Vickerman from the Committee on Local and Metropolitan Government**, to which was referred the following appointment as reported in the Journal for February 25, 1999:

**METROPOLITAN COUNCIL  
CHAIR**

Ted Mondale

Reports the same back with the recommendation that the appointment be confirmed.

Senator Junge moved that the foregoing committee report be laid on the table. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1675, 2038, 1605, 1204, 1993, 2017, 832, 2029, 1253, 971, 1966, 233, 2120, 574, 807, 1585, 1674, 751, 2044 and 1976 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 643, 1079 and 70 were read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Moe, R.D. moved that the name of Senator Beckman be stricken as a co-author to S.F. No. 871. The motion prevailed.

Senator Johnson, D.H. moved that the name of Senator Janezich be added as a co-author to S.F. No. 871. The motion prevailed.

**Senator Larson introduced--**

**Senate Resolution No. 63:** A Senate resolution honoring Lee Sorenson of Glenwood, Minnesota as he retires.

Referred to the Committee on Rules and Administration.

**CONSENT CALENDAR**

**H.F. No. 1565:** A bill for an act relating to the military; expanding eligibility for certain state service; amending Minnesota Statutes 1998, sections 190.08, subdivision 3; 192.19; and 193.29, subdivisions 1, 2, and 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 1421:** A bill for an act relating to professions; modifying temporary permit requirements for podiatrists; amending Minnesota Statutes 1998, sections 153.16, subdivision 3; and 153.17, 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:

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

So the bill passed and its title was agreed to.

**H.F. No. 1556:** A bill for an act relating to state government; extending the civil service pilot project in the housing finance agency; amending Laws 1993, chapter 301, section 1, subdivision 4; and Laws 1995, chapter 248, article 12, section 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 525:** A bill for an act relating to Anoka county; providing for city administration of the dangerous dog registration system.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 240:** A bill for an act relating to sheriffs; authorizing sheriffs to expend money from the sheriff's contingent fund for investigating DWI-related violations; amending Minnesota Statutes 1998, section 387.213.

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:

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

So the bill passed and its title was agreed to.

**H.F. No. 216:** A bill for an act relating to corrections; clarifying the law authorizing transfer of prisoners between jails and workhouses; amending Minnesota Statutes 1998, section 643.01.



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 56 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Higgins	Lesewski	Pappas	Stevens
Berg	Hottinger	Lessard	Pariseau	Stumpf
Berglin	Janezich	Limmer	Price	Ten Eyck
Betzold	Johnson, D.H.	Lourey	Ranum	Terwilliger
Cohen	Johnson, D.J.	Marty	Robertson	Vickerman
Day	Junge	Metzen	Robling	Wiener
Dille	Kelley, S.P.	Murphy	Runbeck	Wiger
Fischbach	Kleis	Neuville	Sams	Ziegler
Flynn	Knutson	Novak	Samuelson	
Foley	Krentz	Oliver	Scheevel	
Frederickson	Langseth	Olson	Solon	
Hanson	Larson	Ourada	Spear	

So the bill passed and its title was agreed to.

**H.F. No. 645:** A bill for an act relating to the environment; conforming state requirements for water supply and wastewater treatment operator certification to federal requirements; removing the expiration date of an advisory council; removing obsolete references; amending Minnesota Statutes 1998, sections 115.71, subdivisions 9a and 10; and 115.741, subdivisions 1, 2, and 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 521:** A bill for an act relating to insurance; requiring no-fault automobile insurance medical benefits to include sign interpreting and language translation; making technical changes; amending Minnesota Statutes 1998, section 65B.44, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Day	Frederickson	Johnson, D.H.	Kleis
Berg	Dille	Hanson	Johnson, D.J.	Knutson
Berglin	Fischbach	Higgins	Junge	Krentz
Betzold	Flynn	Hottinger	Kelley, S.P.	Langseth
Cohen	Foley	Janezich	Kelly, R.C.	Larson

Lesewski	Neuville	Piper	Samuelson	Terwilliger
Lessard	Novak	Price	Scheevel	Vickerman
Limmer	Oliver	Ranum	Solon	Wiener
Lourey	Olson	Robertson	Spear	Wiger
Marty	Ourada	Robling	Stevens	Ziegler
Metzen	Pappas	Runbeck	Stumpf	
Murphy	Pariseau	Sams	Ten Eyck	

So the bill passed and its title was agreed to.

**S.F. No. 1609:** A bill for an act relating to local government; providing exemption for governmental units to jointly or cooperatively contract in amounts estimated not to exceed \$25,000; amending Minnesota Statutes 1998, section 471.59, 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:

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

So the bill passed and its title was agreed to.

**H.F. No. 614:** A bill for an act relating to health; expanding the reserve corridor for community integrated service networks; modifying the definition of review organization; amending Minnesota Statutes 1998, sections 62N.28, subdivision 5; and 145.61, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1368:** A bill for an act relating to commerce; regulating contracts for architects, engineers, surveyors, landscape architects, geoscientists, and interior designers; amending Minnesota Statutes 1998, sections 16C.08, subdivision 5; and 337.10, subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**H.F. No. 583:** A bill for an act relating to insurance; regulating investments by township mutual insurance companies; amending Minnesota Statutes 1998, section 67A.231.

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:

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

So the bill passed and its title was agreed to.

**H.F. No. 1066:** A bill for an act relating to insurance; township mutual insurance companies; regulating the territories of operation; amending Minnesota Statutes 1998, section 67A.01.

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:

Belanger	Foley	Kelley, S.P.	Limmer	Ourada
Berg	Frederickson	Kelly, R.C.	Lourey	Pappas
Berglin	Hanson	Kleis	Marty	Pariseau
Betzold	Higgins	Knutson	Metzen	Piper
Cohen	Hottinger	Krentz	Murphy	Price
Day	Janezich	Langseth	Neuville	Ranum
Dille	Johnson, D.H.	Larson	Novak	Robertson
Fischbach	Johnson, D.J.	Lesewski	Oliver	Robling
Flynn	Junge	Lessard	Olson	Runbeck

Sams  
Samuelson  
Scheevel

Solon  
Spear  
Stevens

Stumpf  
Ten Eyck  
Terwilliger

Vickerman  
Wiener  
Wiger

Ziegler

So the bill passed and its title was agreed to.

**H.F. No. 1660:** A bill for an act relating to health occupations; exempting persons employed by a nonprofit organization performing duties that are incidental to research from the unlawful practice of medicine; amending Minnesota Statutes 1998, section 147.09.

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:

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

So the bill passed and its title was agreed to.

**H.F. No. 1216:** A bill for an act relating to occupations and professions; modifying practical examination requirements for chiropractors licensed in other states; amending Minnesota Statutes 1998, section 148.06, 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

## GENERAL ORDERS

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

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

S.F. Nos. 903, 1722, 1402, 1264, 1470, 556, 1830, 1340, 527, 1920, 1255, 1093, 1273, 1060 and H.F. No. 40, which the committee recommends to pass.

S.F. No. 1604, which the committee recommends to pass with the following amendment offered by Senator Ten Eyck:

Page 3, delete line 29 and insert:

"(h) Unless the district court directs otherwise and unless the probation agency pursues a sanctions conference under sections 243.051 to 243.054 or revocation proceedings under section 609.14, state"

Page 3, lines 30 and 31, reinstate the stricken language

Page 3, delete line 32 and insert "community work service for violating a technical condition of probation"

Page 3, lines 33 to 36, reinstate the stricken language

Page 4, lines 1 to 22, reinstate the stricken language

Page 4, after line 22, insert:

""Technical violation" has the meaning given in section 243.051, subdivision 6."

Page 7, after line 20, insert:

"Sec. 6. Minnesota Statutes 1998, section 244.19, subdivision 3a, is amended to read:

Subd. 3a. [~~INTERMEDIATE SANCTIONS~~ COMMUNITY WORK SERVICE.] Unless the district court directs otherwise and unless the probation agency pursues a sanctions conference under sections 244.196 to 244.199 or revocation proceedings under section 609.14, county probation officers may require a person committed to the officer's care by the court to perform community work service for violating a technical condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. County probation officers may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. The court services director may authorize an additional 40 hours of community work services, for a total of 64 hours per offender per 12-month period, beginning on the date on which community work service is first imposed. At the time community work service is imposed, county probation agents are required to provide written notice to the offender that states:

- (1) the condition of probation that has been violated;
- (2) the number of hours of community work service imposed for the violation; and
- (3) the total number of hours of community work service imposed to date in the 12-month period.

An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.

Community work service includes sentencing to service.

"Technical violation" has the meaning given in section 244.196, subdivision 6."

Page 10, after line 15, insert:

"Sec. 11. [401.024] [COMMUNITY WORK SERVICE.]

Unless the district court directs otherwise and unless the probation agency pursues a sanctions conference under sections 401.026 to 401.029 or revocation proceedings under section 609.14, county probation officers may require a person committed to the officer's care by the court to perform community work service for violating a technical condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning on the date on which community work service is first imposed. The chief executive officer of a community corrections agency may authorize an additional 40 hours of community work service, for a total of 64 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. At the time community work service is imposed, probation officers are required to provide written notice to the offender that states:

- (1) the condition of probation that has been violated;
- (2) the number of hours of community work service imposed for the violation; and
- (3) the total number of hours of community work service imposed to date in the 12-month period.

An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.

Community work service includes sentencing to service.

"Technical violation" has the meaning given in section 401.026, subdivision 6."

Pages 13 and 14, delete section 14 and insert:

"Sec. 16. Minnesota Statutes 1998, section 609.135, subdivision 1, is amended to read:

Subdivision 1. [TERMS AND CONDITIONS.] (a) Except when a sentence of life imprisonment is required by law, or when a mandatory minimum sentence is required by section 609.11, any court may stay imposition or execution of sentence and:

- (1) may order intermediate sanctions without placing the defendant on probation; or
- (2) may place the defendant on probation with or without supervision and on the terms the court prescribes, including intermediate sanctions when practicable. The court may order the supervision to be under the probation officer of the court, or, if there is none and the conviction is for a felony or gross misdemeanor, by the commissioner of corrections, or in any case by some other suitable and consenting person. Unless the court directs otherwise, state parole and probation agents and probation officers may impose community work service for an offender's probation violation, consistent with section 243.05, subdivision 1; 244.19, subdivision 3a; or 401.02, subdivision 5, or probation violation sanctions, consistent with sections 243.051 to 243.054; 244.196 to 244.199; or 401.026 to 401.029.

No intermediate sanction may be ordered performed at a location that fails to observe applicable requirements or standards of chapter 181A or 182, or any rule promulgated under them.

(b) For purposes of this subdivision, subdivision 6, and section 609.14, the term "intermediate sanctions" includes but is not limited to incarceration in a local jail or workhouse, home detention, electronic monitoring, intensive probation, sentencing to service, reporting to a day reporting center, chemical dependency or mental health treatment or counseling, restitution, fines, day-fines, community work service, work service in a restorative justice program, work in lieu of or to work off fines and, with the victim's consent, work in lieu of or to work off restitution.

(c) A court may not stay the revocation of the driver's license of a person convicted of violating the provisions of section 169.121."

Page 14, line 17, delete "sections 2 to 13" and insert "this act"

Page 15, line 36, delete "sections 244.19, subdivision 3a;"

Page 16, line 1, delete "and" and insert "section" and delete "are" and insert "is"

Page 16, line 3, delete "16" and insert "18"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "clarifying when a probation officer may impose community work service;"

Page 1, line 9, after the semicolon, insert "244.19, subdivision 3a;"

Page 1, line 12, delete "sections 244.19,"

Page 1, line 13, delete everything before "401.02" and insert "section"

The motion prevailed. So the amendment was adopted.

S.F. No. 338, which the committee recommends to pass with the following amendment offered by Senator Pariseau:

Page 1, line 11, after "owners" insert "for direct access to Lake Byllesby"

The motion prevailed. So the amendment was adopted.

S.F. No. 1449, which the committee recommends to pass with the following amendment offered by Senator Price:

Page 5, after line 11, insert:

"Subd. 6. [85.012] [Subd. 25.] [GOOSEBERRY FALLS STATE PARK, LAKE COUNTY; JOE ALEXANDER VISITORS' CENTER.] The visitors' center at Gooseberry Falls state park is renamed the Joe Alexander Visitors' Center."

Page 5, line 12, delete "6" and insert "7"

Page 5, line 19, delete "7" and insert "8"

Page 5, line 36, delete "8" and insert "9"

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

Page 6, line 19, delete "10" and insert "11"

Page 7, line 5, delete "11" and insert "12"

Page 8, line 34, delete "12" and insert "13"

Pages 11 and 12, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1572, which the committee recommends to pass with the following amendment offered by Senator Frederickson:

Page 1, line 25, strike "June" and insert "July"

The motion prevailed. So the amendment was adopted.

S.F. No. 1592, which the committee recommends to pass with the following amendment offered by Senator Sams:

Page 1, line 15, after "person" insert "with a mental disability condition, as defined in section 97B.1055, subdivision 1,"

Page 1, line 18, delete everything after "of" and insert "the mental disability condition"

Page 1, line 19, delete everything before the period

Page 1, line 24, after "means" insert ":

(1)"

Page 2, line 2, delete ". A person with a related condition means" and insert "; or

(2)"

Page 2, lines 6, 14, and 16, after "disability" insert "condition"

The motion prevailed. So the amendment was adopted.

On motion of Senator Junge, 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 the Calendar.

## CALENDAR

**S.F. No. 283:** A bill for an act relating to civil commitment; clarifying standards and procedures; modifying procedures governing persons committed as mentally ill and dangerous to the public; amending Minnesota Statutes 1998, sections 253B.065, subdivision 5; 253B.17, subdivision 1; 253B.18, subdivisions 1, 2, and 4c; 253B.185, subdivision 1; and 256G.08, 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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1324:** A bill for an act relating to motor vehicles; requiring commissioner of public safety to impose commercial driver's license disqualifications for violations of an out-of-service order; requiring commissioner of transportation to impose civil penalties for violations of an out-of-service order; amending Minnesota Statutes 1998, section 171.165, by adding a subdivision; and 221.036, subdivision 3.



Senator Murphy moved that S.F. No. 1324, No. 2 on the Calendar, be stricken and placed on General Orders. The motion did not prevail.

S.F. No. 1324 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 35 and nays 25, as follows:

Those who voted in the affirmative were:

Belanger	Higgins	Langseth	Oliver	Scheid
Betzold	Hottinger	Limmer	Olson	Spear
Cohen	Junge	Lourey	Pappas	Stumpf
Day	Kelley, S.P.	Marty	Pariseau	Ten Eyck
Fischbach	Kelly, R.C.	Metzen	Piper	Terwilliger
Foley	Knutson	Moe, R.D.	Price	Wiger
Frederickson	Krentz	Neuville	Robertson	Ziegler

Those who voted in the negative were:

Berg	Janezich	Larson	Pogemiller	Scheevel
Berglin	Johnson, D.H.	Lesewski	Robling	Solon
Dille	Johnson, D.J.	Lessard	Runbeck	Stevens
Flynn	Kleis	Murphy	Sams	Vickerman
Hanson	Laidig	Ourada	Samuelson	Wiener

So the bill passed and its title was agreed to.

**S.F. No. 347:** A bill for an act relating to drivers' licenses; allowing parents to provide home-school instruction to children in classroom component of driver education; amending Minnesota Statutes 1998, sections 171.05, subdivision 2; and 171.39.

Pursuant to Rule 22, Senator Kleis moved that he be excused from voting on all questions pertaining to S.F. No. 347. The motion prevailed.

S.F. No. 347 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 56 and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Foley                      Spear

So the bill passed and its title was agreed to.

**S.F. No. 1101:** A bill for an act relating to highways; requiring the commissioner of transportation to erect directional signs at specified locations for the New Life Treatment Center.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 778:** A bill for an act relating to motor vehicles; requiring release of a security interest in a vehicle to be acted on within seven days if satisfied by a dealer; amending Minnesota Statutes 1998, section 168A.20.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1092:** A bill for an act relating to veterinary medicine; changing veterinary practice requirements; clarifying procedures; amending Minnesota Statutes 1998, sections 156.001, subdivisions 2, 3, and by adding a subdivision; 156.01, subdivision 3; 156.02, subdivisions 1 and 2; 156.03; 156.072; 156.10; 156.11; and 156.12, subdivisions 2 and 4; proposing coding for new law in Minnesota Statutes, chapter 156.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Belanger	Dille	Higgins	Kelley, S.P.	Langseth
Berg	Fischbach	Hottinger	Kelly, R.C.	Larson
Berglin	Flynn	Janezich	Kleis	Lesewski
Betzold	Foley	Johnson, D.H.	Knutson	Lessard
Cohen	Frederickson	Johnson, D.J.	Krentz	Limmer
Day	Hanson	Junge	Laidig	Lourey

Marty	Ourada	Robertson	Solon	Wiener
Metzen	Pappas	Robling	Spear	Wiger
Moe, R.D.	Pariseau	Runbeck	Stevens	Ziegler
Murphy	Piper	Sams	Stumpf	
Neuville	Pogemiller	Samuelson	Ten Eyck	
Oliver	Price	Scheevel	Terwilliger	
Olson	Ranum	Scheid	Vickerman	

So the bill passed and its title was agreed to.

**S.F. No. 746:** A bill for an act relating to local government; permitting Grand Rapids to hold their general election in November.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 1649:** A bill for an act relating to veterans; directing the commissioner of veterans affairs to study the feasibility and desirability of providing free or reduced-cost health care to veterans throughout the state; requiring a report to the legislature.

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 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Flynn	Runbeck
---------	-------	---------

So the bill passed and its title was agreed to.

**S.F. No. 1528:** A bill for an act relating to natural resources; modifying harmful exotic species

provisions; amending Minnesota Statutes 1998, sections 84.027, subdivision 13; 84D.01, subdivision 2; 84D.02, subdivision 4; 84D.03, subdivision 1, and by adding a subdivision; 84D.09, subdivision 2; 84D.10; 84D.11, by adding a subdivision; and 84D.12, subdivisions 1 and 3; repealing Minnesota Statutes 1998, sections 84D.01, subdivision 10; and 84D.03, subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 451:** A bill for an act relating to agriculture; regulating security interests in agricultural crops; modifying the treatment of certain collateral; amending Minnesota Statutes 1998, sections 336.9-203; 336.9-401; and 336.9-402.

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:

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

So the bill passed and its title was agreed to.

**S.F. No. 1144:** A bill for an act relating to elections; simplifying language on certificates of election; clarifying and simplifying the Minnesota Election Law; making technical and procedural changes; changing certain duties of election officials; listing additional violations; changing certain deadlines; providing for submission of proposed chapter amendments; requiring adoption of certain rules; imposing criminal penalties; amending Minnesota Statutes 1998, sections 3.02; 200.031; 201.016, subdivision 1, and by adding a subdivision; 201.054, subdivision 2; 201.12, subdivision 2; 201.13, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.07, subdivision 2; 203B.08, subdivision 1; 203B.081; 203B.085; 203B.11, subdivisions 2 and 4; 204B.08, subdivision 3; 204B.146, subdivision 2; 204B.21, subdivision 2; 204B.27, subdivision 8; 204C.10; 204C.24, subdivision 1; 204C.26, subdivision 1; 204C.40, subdivision 1;

204D.08, subdivisions 3 and 5; 204D.11, subdivision 4; 204D.13, subdivisions 2 and 3; 205.075, subdivision 2; 205.10, subdivisions 3 and 4; 205.16, subdivision 4; 205.185, subdivision 3; 205A.05, subdivision 1; 205A.07, subdivision 3; 205A.13; 206.86, subdivision 1; 208.04, subdivision 1; 351.055; 367.03, subdivision 4; 410.12, subdivision 1; 412.02, subdivision 2; and 447.32, subdivision 4; Laws 1997, chapter 173, section 6; proposing coding for new law in Minnesota Statutes, chapter 204B; repealing Minnesota Statutes 1998, sections 203B.08, subdivisions 1a and 3a; 203B.12, subdivision 5; 204D.14, subdivision 2; 204D.19, subdivision 5; and 365.10, subdivision 2.

With the unanimous consent of the Senate, Senator Kleis moved to amend S.F. No. 1144 as follows:

Page 16, line 36, strike "; METROPOLITAN TOWNS"

The motion prevailed. So the amendment was adopted.

Senator Scheid moved that S.F. No. 1144, No. 11 on the Calendar, be stricken and placed on General Orders. The motion did not prevail.

S.F. No. 1144 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 52 and nays 9, as follows:

Those who voted in the affirmative were:

Belanger	Higgins	Lessard	Pogemiller	Spear
Berg	Janezich	Marty	Price	Stevens
Berglin	Johnson, D.H.	Metzen	Ranum	Stumpf
Betzold	Johnson, D.J.	Moe, R.D.	Robertson	Ten Eyck
Cohen	Junge	Neuville	Robling	Terwilliger
Day	Kelley, S.P.	Oliver	Runbeck	Wiener
Fischbach	Kelly, R.C.	Olson	Sams	Wiger
Flynn	Kleis	Ourada	Samuelson	Ziegler
Foley	Krentz	Pappas	Scheevel	
Frederickson	Langseth	Pariseau	Scheid	
Hanson	Lesewski	Piper	Solon	

Those who voted in the negative were:

Dille	Knutson	Larson	Lourey	Vickerman
Hottinger	Laidig	Limmer	Murphy	

So the bill, as amended, was passed and its title was agreed to.

**S.F. No. 775:** A bill for an act relating to health; changing the required travel distance or time to the nearest mental health provider for health maintenance organizations; proposing coding for new law in Minnesota Statutes, chapter 62D; repealing Minnesota Rules, part 4685.1010, subpart 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:

Belanger	Dille	Higgins	Kelley, S.P.	Langseth
Berg	Fischbach	Hottinger	Kelly, R.C.	Larson
Berglin	Flynn	Janezich	Kleis	Lesewski
Betzold	Foley	Johnson, D.H.	Knutson	Lessard
Cohen	Frederickson	Johnson, D.J.	Krentz	Limmer
Day	Hanson	Junge	Laidig	Lourey

Marty  
Metzen  
Moe, R.D.  
Murphy  
Neuville  
Oliver

Olson  
Ourada  
Pappas  
Pariseau  
Piper  
Pogemiller

Price  
Ranum  
Robertson  
Robling  
Runbeck  
Sams

Samuelson  
Scheevel  
Solon  
Spear  
Stevens  
Stumpf

Ten Eyck  
Terwilliger  
Vickerman  
Wiener  
Wiger  
Ziegler

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.

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

**S.F. No. 2163:** A bill for an act relating to public safety; appropriating money for grants to purchase dogs that are trained to detect or locate controlled substances.

Referred to the Committee on Crime Prevention.

### Senator Ten Eyck introduced--

**S.F. No. 2164:** A bill for an act relating to human services; increasing the contract payment rate for a nursing facility; amending Minnesota Statutes 1998, section 256B.434, by adding a subdivision.

Referred to the Committee on Health and Family Security.

### Senator Ten Eyck introduced--

**S.F. No. 2165:** A bill for an act relating to game and fish; authorizing an exemption from the fishing license requirement for certain persons; amending Minnesota Statutes 1998, section 97A.445, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

### Senator Laidig introduced--

**S.F. No. 2166:** A bill for an act relating to taxation; levy limits; adjusting the levy limit base for the city of Grant.

Referred to the Committee on Local and Metropolitan Government.

### Senator Laidig introduced--

**S.F. No. 2167:** A bill for an act relating to local government; removing annexation from the municipal board's jurisdiction; providing for annexation by mutual agreement as the exclusive means of annexation; amending Minnesota Statutes 1998, sections 40A.121; 115.49, subdivision 2a; 204B.14, subdivision 5; 272.67, subdivision 1; 276A.09; 414.01, subdivisions 1, 2, and 14; 414.067, subdivision 2; 462.3535, subdivision 5; 465.87, subdivision 1a; 473F.13, subdivision 1; 473H.14; and 572A.02, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 414A; repealing Minnesota Statutes 1998, sections 414.031, subdivisions 1, 3, 4, 4a, and 6; 414.0325; 414.033, subdivisions 1, 2, 2b, 3, 5, 6, 7, 10, 11, 12, and 13; 414.0335; 414.035; 414.036; 414.061, subdivisions 1, 2, 3, 4, and 5; and 572A.03, subdivisions 4, 5, and 8.

Referred to the Committee on Local and Metropolitan Government.

**Senator Laidig introduced--**

**S.F. No. 2168:** A bill for an act relating to annexation; limiting annexation of urban towns to certain processes; amending Minnesota Statutes 1998, section 368.01, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

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

**S.F. No. 2169:** A bill for an act relating to human services; appropriating money for compulsive gambling treatment and education.

Referred to the Committee on Health and Family Security.

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

**S.F. No. 2170:** A bill for an act relating to taxation; authorizing the commissioner of revenue to enter into agreements with Indian tribes regarding petroleum tank cleanup fees and inspection fees; amending Minnesota Statutes 1998, section 270.60, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Pappas, Scheid, Samuelson and Runbeck introduced--**

**S.F. No. 2171:** A bill for an act relating to commerce; banning the sale of video games containing graphic violence to children; prohibiting the public showing, display, or other exhibition of video games containing graphic violence in specified places; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325I.

Referred to the Committee on Commerce.

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

**S.F. No. 2172:** A bill for an act relating to violence; requiring the department of children, families, and learning to prepare a report on effective ways to control juvenile access to violent video games; requiring a scientific study on how violent video games encourage aggressive acts by juveniles.

Referred to the Committee on Children, Families and Learning.

**Senators Stumpf, Ten Eyck, Langseth, Hanson and Moe, R.D. introduced--**

**S.F. No. 2173:** A bill for an act relating to agriculture; providing professional accounting and legal services for farmers; appropriating money.

Referred to the Committee on Agriculture and Rural Development.

**Senator Samuelson introduced--**

**S.F. No. 2174:** A bill for an act relating to taxation; providing for increased government aid to a certain city; amending Minnesota Statutes 1998, sections 477A.011, subdivision 36; and 477A.03, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Day introduced--**

**S.F. No. 2175:** A bill for an act relating to education; authorizing a technology grant for independent school district No. 2172, Kenyon-Wanamingo; appropriating money.

Referred to the Committee on Children, Families and Learning.

**Senators Knutson, Belanger, Metzen and Scheid introduced--**

**S.F. No. 2176:** A bill for an act relating to education; increasing the referendum allowance limit; amending Minnesota Statutes 1998, section 126C.17, subdivision 2.

Referred to the Committee on Children, Families and Learning.

**Senator Hottinger introduced--**

**S.F. No. 2177:** A bill for an act relating to appropriations; appropriating wastewater funding for the city of North Mankato; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

**Senators Wiger and Robertson introduced--**

**S.F. No. 2178:** A bill for an act relating to state government; modifying provisions administered by the commissioner of administration relating to public lands, procurements, easements, designer selection, parking facilities, and other matters; modifying the authority of the state archaeologist; amending Minnesota Statutes 1998, sections 16A.28, subdivision 5; 16B.171; 16B.26; 16B.33, subdivisions 3 and 4; 16B.58, subdivisions 5 and 7; 16B.85, subdivisions 2 and 3; 16C.05, subdivision 2; 16C.06, subdivision 3; 16C.08, subdivision 3; 16C.09; 16C.14, subdivision 1; 138.35, subdivisions 1 and 1a; Laws 1998, chapter 386, article 1, section 35.

Referred to the Committee on Governmental Operations and Veterans.

**Senator Wiger introduced--**

**S.F. No. 2179:** A bill for an act relating to education; providing aid for adults with disabilities; appropriating money.

Referred to the Committee on Children, Families and Learning.

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

**S.F. No. 2180:** A bill for an act relating to education; establishing the learning network of Minnesota II; and developing activities.

Referred to the Committee on Children, Families and Learning.

**Senator Lesewski introduced--**

**S.F. No. 2181:** A bill for an act relating to economic development; providing for a grant for community infrastructure improvements to Grant county; appropriating money.

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

**MEMBERS EXCUSED**

Senator Moe, R.D. was excused from the Session of today from 12:00 noon to 1:10 p.m. Senators Pogemiller and Scheid were excused from the Session of today from 12:00 noon to 1:30 p.m. Senator Piper was excused from the Session of today from 12:15 to 12:35 p.m.



**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Wednesday, April 7, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



# INDEX TO DAILY JOURNAL

Tuesday, April 6, 1999

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 1234 to 1235

## CHAPTER LAWS

S.F. Nos.	H.F. Nos.	Session Laws	
		Chapter No.	Page
99		28	1234
	1305	29	1235
	475	30	1235
	379	31	1235

## REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
233	1247	1294	70	1259	1294
574	1249	1294	643	1250	1294
751	1292	1294	1079	1250	1294
772	1266				
807	1250	1294			
832	1239	1294			
971	1242	1294			
1204	1236	1294			
1253	1241	1294			
1585	1252	1294			
1605	1236	1294			
1674	1257	1294			
1675	1235	1294			
1966	1242	1294			
1976	1293	1294			
1993	1237	1294			
1997	1259				
2017	1237	1294			
2029	1240	1294			
2038	1235	1294			
2044	1293	1294			
2120	1248	1294			

## MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
871	1294		
Sen. Res. No. 63	1294		

**CALENDAR**

S.F. Nos.	Page	H.F. Nos.	Page
283	.....1304		
347	.....1305		
451	.....1308		
746	.....1307		
775	.....1309		
778	.....1306		
1092	.....1306		
1101	.....1305		
1144	.....1308		
1144	.....1309		
1324	.....1304		
1324	.....1305		
1528	.....1307		
1649	.....1307		

**CONSENT CALENDAR**

S.F. Nos.	Page	H.F. Nos.	Page
521	.....1297	216	..... 1296
1368	.....1298	240	..... 1296
1609	.....1298	525	..... 1296
		583	..... 1299
		614	..... 1298
		645	..... 1297
		1066	..... 1299
		1216	..... 1300
		1421	..... 1295
		1556	..... 1295
		1565	..... 1295
		1660	..... 1300

**GENERAL ORDERS**

S.F. Nos.	Page	H.F. Nos.	Page
338	.....1303	40	..... 1301
527	.....1301		
556	.....1301		
903	.....1301		
1060	.....1301		
1093	.....1301		
1255	.....1301		
1264	.....1301		
1273	.....1301		
1340	.....1301		
1402	.....1301		
1449	.....1303		
1470	.....1301		
1572	.....1303		
1592	.....1304		
1604	.....1301		
1722	.....1301		
1830	.....1301		
1920	.....1301		

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

S.F. Nos. 2163 to 2181 ..... Pages 1310 to 1312

