

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

SEVENTY-EIGHTH DAY

St. Paul, Minnesota, Monday, February 28, 2000

The Senate met at 10:30 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Christopher Enstad.

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

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

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

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 Hanson, Limmer, Ourada, Wiener and Ziegler were excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 10: A Senate concurrent resolution adopting deadlines for the 2000 session.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 24, 2000

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2320 and 2411.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 24, 2000

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 86: A bill for an act relating to education; providing for technical and other changes to kindergarten through grade 12 education provisions; amending Minnesota Statutes 1998, sections 120B.05; 120B.11, subdivision 5; 121A.25, subdivision 1; 123A.22, subdivisions 6 and 7; 123A.27; 123A.48, subdivision 19; 123A.485, subdivision 1; 123B.14, subdivision 5; 123B.31; 123B.70, subdivision 1; 123B.86, subdivision 1; 123B.88, subdivisions 1, 13, and 22; 123B.95, subdivision 2; 124D.11, subdivision 5; 124D.114; 124D.21; 124D.38, subdivision 9; 124D.40; 124D.41; 124D.42, subdivisions 4, 6, and 7; 124D.43; 124D.45, subdivisions 1 and 2; 124D.454, subdivision 8; 124D.53, subdivision 2; 124D.61; 124D.70; 124D.81, subdivision 1; 124D.83, subdivision 2; 124D.895; 124D.896; 125A.62, subdivision 1; 125A.77, subdivision 1; 125A.79, subdivision 1; 126C.05, subdivisions 4 and 5; 126C.10, subdivision 9; 126C.14; 126C.15, subdivision 3; 126C.16, subdivisions 1 and 2; 126C.22, subdivision 4; 126C.41, subdivision 1; 126C.44; 126C.48, subdivisions 2 and 5; 127A.41, subdivision 1; 127A.45, subdivision 13; and 127A.49, subdivisions 2 and 3; Laws 1998, chapter 398, article 5, section 50, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120A; repealing Minnesota Statutes 1998, sections 123B.92, subdivision 10; 124D.128, subdivision 4; 124D.38, subdivision 10; and 124D.45, subdivision 3; Laws 1995, First Special Session chapter 3, article 5, section 9; Laws 1997, chapter 192, section 19.

Senate File No. 86 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 24, 2000

Senator Moe, R.D. moved that S.F. No. 86 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 3132.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 24, 2000

FIRST READING OF HOUSE BILLS

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

H.F. No. 3132: A bill for an act relating to landlords and tenants; providing for interest rates on security deposits; amending Minnesota Statutes 1999 Supplement, section 504B.178, subdivision 2.

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

REPORTS OF COMMITTEES

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

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

S.F. No. 3138: A bill for an act relating to veterans; making technical changes regarding duties of the commissioner of veterans affairs; extending the agent orange information and assistance program to include other veterans and other chemicals; repealing obsolete language; amending Minnesota Statutes 1998, sections 196.05, subdivision 1; 196.052; 196.19; 196.20; 196.21, subdivisions 2, 3 and 4; 196.22; 196.23; 196.24, subdivisions 1 and 2; 196.26; 197.04; 197.05; 197.06; repealing Minnesota Statutes 1998, sections 197.01; 197.02; and 197.49; Minnesota Statutes 1999 Supplement, section 196.27.

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

Page 2, line 36, strike "and"

Page 3, line 4, before the period, insert "; and

(12) provide information, referral, and counseling services to those veterans who may have suffered adverse health conditions as a result of possible exposure to chemical agents"

Pages 3 and 4, delete section 4

Page 9, after line 21, insert:

"Sec. 15. [MEMORIAL PLAQUE; COMBAT WOUNDED VETERANS.]

A memorial plaque to honor combat wounded veterans may be placed in the court of honor on the capitol grounds. The plaque must be furnished by other than the department of veterans affairs and approved by the commissioner and the capitol area architectural and planning board."

Page 9, line 23, after "sections" insert "196.20;"

Page 9, after line 25, insert:

"Sec. 17. [EFFECTIVE DATE.]

Section 15 is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the first semicolon, insert "authorizing the placement of a plaque in the court of honor on the capitol grounds to honor combat wounded veterans;"

Page 1, line 8, delete "196.20;"

Page 1, line 11, after "sections" insert "196.20;"

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

Senator Marty from the Committee on Election Laws, to which was referred

S.F. No. 2465: A bill for an act relating to elections; allowing party treasurers to sign certain political contribution refund receipt forms; amending Minnesota Statutes 1999 supplement, section 290.06, subdivision 23.

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

Page 1, line 20, before the comma, insert "unit"

Amend the title as follows:

Page 1, line 4, delete "supplement" and insert "Supplement"

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

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

S.F. No. 2499: A bill for an act relating to human services; clarifying medical assistance reimbursement requirements for speech-language pathologists; amending Minnesota Statutes 1999 Supplement, section 256B.0625, subdivision 8b.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 256B.0625, subdivision 8b, is amended to read:

Subd. 8b. [SPEECH LANGUAGE PATHOLOGY AND AUDIOLOGY SERVICES.] Medical assistance covers speech language pathology and related services, including specialized maintenance therapy. Medical assistance covers audiology services and related services. Services provided by a person who has been issued a temporary registration under section 148.5161 shall be reimbursed at the same rate as services performed by a speech language pathologist or audiologist as long as the requirements of section 148.5161, subdivision 3, are met."

Amend the title as follows:

Page 1, line 4, delete "speech-language" and insert "speech language"

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. 2841: A bill for an act relating to human services; modifying provisions in continuing care services for persons with disabilities; amending Minnesota Statutes 1998, section 62D.09, subdivision 8; Minnesota Statutes 1999 Supplement, sections 62Q.73, subdivision 2; 256B.0625, subdivision 19c; 256B.0627, subdivisions 5, 8, and 11; 256B.501, subdivision 8a; 256B.5011, subdivision 2; 256B.5013, subdivision 1, and by adding subdivisions; and 256B.77, subdivision 8.

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

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 1999 Supplement, section 245.462, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGEMENT SERVICE PROVIDER.] (a) "Case management service provider" means a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in section 245.4711.

(b) A case manager must:

(1) be skilled in the process of identifying and assessing a wide range of client needs;
(2) be knowledgeable about local community resources and how to use those resources for the benefit of the client;

(3) have a bachelor's degree in one of the behavioral sciences or related fields including, but not limited to, social work, psychology, or nursing from an accredited college or university. A case manager must have at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness, must be skilled in the process of identifying and assessing a wide range of client needs, and must be knowledgeable about local community resources and how to use those resources for the benefit of the client or meet the requirements of paragraph (c); and

(4) meet the supervision and continuing education requirements described in paragraphs (d), (e), and (f), as applicable.

~~(b) Supervision for a case manager during the first year of service providing case management services shall be one hour per week of clinical supervision from a case management supervisor. After the first year, the case manager shall receive regular ongoing supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the client record.~~

~~(c) A case manager with a bachelor's degree who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness and mental health services annually.~~

~~(d) A case manager with a bachelor's degree but without 2,000 hours of supervised experience described in paragraph (a), must complete 40 hours of training approved by the commissioner covering case management skills and the characteristics and needs of adults with serious and persistent mental illness.~~

~~(e) (c) A case managers manager without a bachelor's degree must meet one of the requirements in clauses (1) to (3):~~

~~(1) have three or four years of experience as a case manager associate as defined in this section;~~

~~(2) be a registered nurse without a bachelor's degree and have a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or~~

~~(3) be a person who qualified as a case manager under the 1998 department of human service federal waiver provision and meet the continuing education and mentoring requirements in this section.~~

(d) A case manager with at least 2,000 hours of supervised experience in the delivery of services to adults with mental illness must receive regular ongoing supervision and clinical supervision totaling 38 hours per year of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remaining 26 hours of supervision may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours. Clinical supervision must be documented in the client record.

(e) A case manager without 2,000 hours of supervised experience in the delivery of services to adults with mental illness must:

(1) receive clinical supervision regarding individual service delivery from a mental health professional at least one hour per week until the requirement of 2,000 hours of experience is met; and

(2) complete 40 hours of training approved by the commissioner in case management skills and the characteristics and needs of adults with serious and persistent mental illness.

(f) A case manager who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in mental illness and mental health services annually.

(g) A case manager associate (CMA) must:

(1) work under the direction of a case manager or case management supervisor ~~and must;~~

(2) be at least 21 years of age. ~~A case manager associate must also;~~

(3) have at least a high school diploma or its equivalent; and

(4) meet one of the following criteria:

(1) (i) have an associate of arts degree in one of the behavioral sciences or human services;

(2) (ii) be a registered nurse without a bachelor's degree;

(3) (iii) within the previous ten years, have three years of life experience with serious and persistent mental illness as defined in section 245.462, subdivision 20; or as a child had severe emotional disturbance as defined in section 245.4871, subdivision 6; or have three years life experience as a primary caregiver to an adult with serious and persistent mental illness within the previous ten years;

(4) (iv) have 6,000 hours work experience as a nondegreed state hospital technician; or

(5) (v) be a mental health practitioner as defined in section 245.462, subdivision 17, clause (2).

Individuals meeting one of the criteria in ~~clauses (1) to (4)~~ items (i) to (iv) may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in ~~clause (5)~~ item (v) may qualify as a case manager after three years of supervised experience as a case manager associate.

(h) ~~A case management associates associate~~ must meet the following supervision, mentoring, and continuing education requirements:

(1) have 40 hours of preservice training described under paragraph ~~(d)~~ and (e), clause (2);

(2) receive at least 40 hours of continuing education in mental illness and mental health services annually. ~~Case manager associates shall; and~~

(3) receive at least five hours of mentoring per week from a case management mentor.

A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

(g) (i) A case management supervisor must meet the criteria for mental health professionals, as specified in section 245.462, subdivision 18.

(h) (j) An immigrant who does not have the qualifications specified in this subdivision may provide case management services to adult immigrants with serious and persistent mental illness who are members of the same ethnic group as the case manager if the person:

(1) is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of this subdivision are met.

Sec. 4. Minnesota Statutes 1999 Supplement, section 245.4871, subdivision 4, is amended to read:

Subd. 4. [CASE MANAGEMENT SERVICE PROVIDER.] (a) "Case management service provider" means a case manager or case manager associate employed by the county or other entity authorized by the county board to provide case management services specified in subdivision 3 for the child with severe emotional disturbance and the child's family. ~~A case manager must have experience and training in working with children.~~

(b) A case manager must:

(1) have experience and training in working with children;

(2) have at least a bachelor's degree in one of the behavioral sciences or a related field including, but not limited to, social work, psychology, or nursing from an accredited college or university or meet the requirements of paragraph (d);

~~(2) have at least 2,000 hours of supervised experience in the delivery of mental health services to children;~~

(3) have experience and training in identifying and assessing a wide range of children's needs;
~~and~~

(4) be knowledgeable about local community resources and how to use those resources for the benefit of children and their families; and

(5) meets the supervision and continuing education requirements of paragraphs (e), (f), and (g), as applicable.

(c) ~~The A~~ A case manager may be a member of any professional discipline that is part of the local system of care for children established by the county board.

(d) A case manager without a bachelor's degree must meet one of the requirements in clauses (1) to (3):

(1) have three or four years of experience as a case manager associate;

(2) be a registered nurse without a bachelor's degree who has a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or

(3) be a person who qualified as a case manager under the 1998 department of human services waiver provision and meets the continuing education, supervision, and mentoring requirements in this section.

(e) ~~The A~~ A case manager shall with at least 2,000 hours of supervised experience in the delivery of mental health services to children must receive regular ongoing supervision and clinical supervision totaling 38 hours per year, of which at least one hour per month must be clinical supervision regarding individual service delivery with a case management supervisor. The remainder other 26 hours of supervision may be provided by a case manager with two years of experience. Group supervision may not constitute more than one-half of the required supervision hours.

~~(e) (f) A case managers with a bachelor's degree but manager~~ without 2,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbance must:

(1) begin 40 hours of training approved by the commissioner of human services in case management skills and in the characteristics and needs of children with severe emotional disturbance before beginning to provide case management services; and

(2) receive clinical supervision regarding individual service delivery from a mental health professional at least one hour each week until the requirement of 2,000 hours of experience is met.

(g) A case manager who is not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in severe emotional disturbance and mental health services annually.

~~(f)~~ (h) Clinical supervision must be documented in the child's record. When the case manager is not a mental health professional, the county board must provide or contract for needed clinical supervision.

~~(g)~~ (i) The county board must ensure that the case manager has the freedom to access and coordinate the services within the local system of care that are needed by the child.

~~(h) Case managers who have a bachelor's degree but are not licensed, registered, or certified by a health-related licensing board must receive 30 hours of continuing education and training in severe emotional disturbance and mental health services annually.~~

~~(i) Case managers without a bachelor's degree must meet one of the requirements in clauses (1) to (3):~~

~~(1) have three or four years of experience as a case manager associate;~~

~~(2) be a registered nurse without a bachelor's degree who has a combination of specialized training in psychiatry and work experience consisting of community interaction and involvement or community discharge planning in a mental health setting totaling three years; or~~

~~(3) be a person who qualified as a case manager under the 1998 department of human service federal waiver provision and meets the continuing education and mentoring requirements in this section.~~

(j) A case manager associate (CMA) must:

(1) work under the direction of a case manager or case management supervisor ~~and must;~~

(2) be at least 21 years of age. ~~A case manager associate must also;~~

(3) have at least a high school diploma or its equivalent; and

(4) meet one of the following criteria:

~~(1)~~ (i) have an associate of arts degree in one of the behavioral sciences or human services;

~~(2)~~ (ii) be a registered nurse without a bachelor's degree;

~~(3)~~ (iii) have three years of life experience as a primary caregiver to a child with serious emotional disturbance as defined in section 245.4871, subdivision 6, within the previous ten years;

~~(4)~~ (iv) have 6,000 hours work experience as a nondegreed state hospital technician; or

~~(5)~~ (v) be a mental health practitioner as defined in ~~section 245.462, subdivision 17~~ 26, clause (2).

Individuals meeting one of the criteria in ~~clauses (1) items (i) to (4) (iv)~~ items (i) to (4) (iv) may qualify as a case manager after four years of supervised work experience as a case manager associate. Individuals meeting the criteria in ~~clause (5) item (v)~~ item (v) may qualify as a case manager after three years of supervised experience as a case manager associate.

(k) A case manager associates associate must meet the following supervision, mentoring, and continuing education requirements:

(1) have 40 hours of preservice training described under paragraph ~~(e) (f), clause (1), and;~~

(2) receive at least 40 hours of continuing education in severe emotional disturbance and mental health service annually. ~~Case manager associates shall; and~~

(3) receive at least five hours of mentoring per week from a case management mentor. A "case management mentor" means a qualified, practicing case manager or case management supervisor who teaches or advises and provides intensive training and clinical supervision to one or more case manager associates. Mentoring may occur while providing direct services to consumers in the office or in the field and may be provided to individuals or groups of case manager associates. At least two mentoring hours per week must be individual and face-to-face.

~~(k)~~ (l) A case management supervisor must meet the criteria for a mental health professional as specified in section 245.4871, subdivision 27.

~~(l)~~ (m) An immigrant who does not have the qualifications specified in this subdivision may provide case management services to child immigrants with severe emotional disturbance of the same ethnic group as the immigrant if the person:

(1) is currently enrolled in and is actively pursuing credits toward the completion of a bachelor's degree in one of the behavioral sciences or related fields at an accredited college or university;

(2) completes 40 hours of training as specified in this subdivision; and

(3) receives clinical supervision at least once a week until the requirements of obtaining a bachelor's degree and 2,000 hours of supervised experience are met.

Sec. 5. Minnesota Statutes 1998, section 256B.0625, subdivision 19a, is amended to read:

Subd. 19a. [PERSONAL CARE SERVICES.] Medical assistance covers personal care services in a recipient's home. To qualify for personal care services, recipients or responsible parties must be able to identify the recipient's needs, direct and evaluate task accomplishment, and provide for health and safety. Approved hours may be used outside the home when normal life activities take them outside the home and when, without the provision of personal care, their health and safety would be jeopardized. To use personal care services at school, the recipient or responsible party must provide written authorization in the care plan identifying the chosen provider and the daily amount of services to be used at school. Total hours for services, whether actually performed inside or outside the recipient's home, cannot exceed that which is otherwise allowed for personal care services in an in-home setting according to section 256B.0627. Medical assistance does not cover personal care services for residents of a hospital, nursing facility, intermediate care facility, health care facility licensed by the commissioner of health, or unless a resident who is otherwise eligible is on leave from the facility and the facility either pays for the personal care services or forgoes the facility per diem for the leave days that personal care services are used. All personal care services must be provided according to section 256B.0627. Personal care services may not be reimbursed if the personal care assistant is the spouse or legal guardian of the recipient or the parent of a recipient under age 18, or the responsible party or the foster care provider of a recipient who cannot direct the recipient's own care unless, in the case of a foster care provider, a county or state case manager visits the recipient as needed, but not less than every six months, to monitor the health and safety of the recipient and to ensure the goals of the care plan are met. Parents of adult recipients, adult children of the recipient or adult siblings of the recipient may be reimbursed for personal care services if they are not the recipient's legal guardian and are granted a waiver under section 256B.0627. Until July 1, 2001, and notwithstanding the provisions of section 256B.0627, subdivision 4, paragraph (b), clause (4), the noncorporate legal guardian or conservator of an adult, who is not the responsible party and not the personal care provider organization, may be granted a hardship waiver under section 256B.0627, to be reimbursed to provide personal care assistant services to the recipient, and shall not be considered to have a service provider interest for purposes of participation on the screening team under section 256B.092, subdivision 7.

Page 11, lines 26 and 30, delete "attendant" and insert "assistant"

Page 20, line 36, delete "with input from" and insert "in consultation with representatives from counties, advocacy organizations, and" and delete "will" and insert "shall"

Page 21, delete lines 3 to 5 and insert "determine what provisions in Minnesota Rules, chapter

4665, may be waived by the commissioner of health for intermediate care facilities in order to enable facilities to implement the performance measures in their contracts and provide quality services to residents without a duplication of or increase in regulatory requirements."

Page 21, line 8, delete "the"

Page 21, line 9, delete everything before "October" and insert "years beginning on or after"

Page 21, delete line 13 and insert "approve an enhanced recommend approval of a variable rate for one or more"

Page 22, line 1, before the semicolon, insert "because the resident: (i) has reached the age of 65 or has a deteriorating health condition that makes it difficult to participate in day training and habilitation services over an extended period of time as provided in section 252.41, subdivision 3, clause (3); and (ii) has expressed a desire for change through the developmental disabilities screening process"

Page 22, line 2, delete everything after "for" and insert "additional resources for intensive short-term training which is necessary prior to a recipient's discharge to a less restrictive, more integrated setting."

Page 22, delete line 3

Page 22, line 11, delete the new language

Page 22, line 36, delete "Facilities"

Page 23, delete lines 1 to 8 and insert "Facilities shall maintain and submit monthly bed use data in the form of resident days and variable rate information. When a variable rate is reported by a facility, monthly bed use data shall be used to track the amount and time span of the rate adjustment. The total payments made to a facility may be adjusted based on concurrent changes in the needs of recipients that are covered by a variable rate adjustment. Any adjustment for multiple resident changes shall not result in a decrease to the facility base rate."

Page 23, line 11, before "The" insert "During the initial contracting period,"

Page 23, line 12, delete "and"

Page 23, line 13, delete "and" and insert "implemented and whether the variable rate process minimizes unnecessary detailed recordkeeping and meets recipient needs."

Page 23, delete line 14

Page 27, line 6, delete "(v)" and delete "the subdivision" and insert "this paragraph"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "expanding the rights of parents to serve as both legal guardian and personal care assistant for their children; clarifying mental health case manager training and skill requirements;"

Page 1, line 5, delete "section" and insert "sections" and after the semicolon, insert "and 256B.0625, subdivision 19a;"

Page 1, line 6, after the semicolon, insert "245.462, subdivision 4; 245.4871, 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. 2502: A bill for an act relating to the county of Kittson; granting the county board limited authority to initiate the dissolution of towns in the county having a certain population.

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

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

S.F. No. 2905: A bill for an act relating to municipalities; removing governmental units from certain procurement requirements; increasing certain dollar limits in the Uniform Municipal Contracting Law; providing an exemption for certain cooperative purchasing; authorizing county purchases on credit cards; amending Minnesota Statutes 1998, sections 16B.181, subdivision 1; and 471.345, subdivisions 3, 4, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 375.

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

Page 1, delete section 1

Page 1, delete line 24

Page 1, line 25, delete "other law to the contrary," and insert paragraph coding

Page 1, line 27, after the period, insert "If a county officer or employee makes a purchase by credit card that is not approved by the county board, the officer or employee is personally liable for the amount of the purchase."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

Page 1, line 7, after the semicolon, insert "providing for personal liability for county officers and employees for unauthorized credit card purchases;"

Page 1, line 8, delete "sections 16B.181, subdivision 1; and" and insert "section"

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 re-referred

S.F. No. 751: 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.

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. Notwithstanding the metropolitan development guide, aviation chapter, to protect existing wetlands, the Anoka county-Blaine airport shall remain a minor use airport with runways not to exceed 4,855 feet in length.

Sec. 2. [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; requiring minor use airport status and restricting runway length at Anoka county-Blaine airport; amending Minnesota Statutes 1998, section 473.641, subdivision 4."

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

Senator Johnson, D.J. from the Committee on Taxes, to which was referred

S.F. No. 2656: A bill for an act relating to taxation; providing for a tax information sample data study; requiring certain tax preparers to file by electronic means; giving the commissioner of revenue certain temporary powers; amending Minnesota Statutes 1998, section 289A.08, by adding a subdivision.

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

Senator Johnson, D.J. from the Committee on Taxes, to which was referred

S.F. No. 2693: A bill for an act relating to taxation; making technical and administrative changes and corrections to certain tax and revenue recapture provisions; authorizing the attorney general to compromise certain fees, surcharges, and assessments; amending Minnesota Statutes 1998, sections 8.30; 270.072, subdivision 2, and by adding a subdivision; 270A.07, subdivision 1; 273.111, subdivision 3; 289A.20, subdivision 2; 289A.26, subdivision 1; 289A.60, subdivision 14; 290.01, subdivision 19c; 290.015, subdivisions 1, 3, and 4; 290.06, subdivision 22; 290.92, subdivisions 3, 28, and 29; 295.58; 296A.03, subdivision 5; 296A.21, subdivisions 2 and 3; 296A.22, subdivision 6; 297A.25, subdivision 34; 297B.03; 297F.01, subdivisions 7, 14, and by adding subdivisions; and 297F.13, subdivision 4; Minnesota Statutes 1999 Supplement, sections 270A.07, subdivision 2; 273.13, subdivision 24; 289A.20, subdivision 4; 289A.55, subdivision 9; 298.24, subdivision 1; and 477A.03, subdivision 2; Laws 1988, chapter 645, section 3, as amended; Laws 1999, chapters 112, section 1, subdivision 1; 243, articles 1, section 2; 6, section 18; repealing Minnesota Statutes 1998, sections 270.072, subdivision 5; 270.075, subdivisions 3 and 4; 270.083; 273.127; and 273.1316.

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

Page 19, line 20, strike "The retailer and subjobber" and insert "Retailers and subjobbers" and delete "at each licensed"

Page 19, line 21, delete the new language

Page 19, line 22, strike "purchase" and insert "the invoice. Retailers and subjobbers shall preserve copies of the invoices at each retail location or at a central location provided that the invoices must be produced and made available at a retail location within one hour when requested by the commissioner or duly authorized agents and employees"

Page 32, after line 10, insert:

"Sec. 4. Minnesota Statutes 1999 Supplement, section 287.01, subdivision 2, is amended to read:

Subd. 2. [AMENDMENT.] "Amendment" means generally a document that alters an existing mortgage without securing a new debt, or increasing the amount of an existing debt; and, that does not, in the case of a multistate mortgage described in section 287.05, subdivision 1, paragraph (b), result in an increased percentage of the real property encumbered by the mortgage being located in this state. ~~Specifically, A document is considered an amendment to the extent it merely does~~ if it does any one or any combination more of the following:

- (i) extends the time for payment of the unpaid portion of the original debt;
- (ii) changes the rate of interest applicable to the unpaid portion of the original debt;
- (iii) adds additional real property as security for the unpaid portion of the original debt;
- (iv) releases some but not all of the real property serving as security for the unpaid portion of the debt;
- (v) replaces all the real property serving as security for the unpaid portion of the debt with other real property regardless of value;
- (vi) replaces a party previously bound by the mortgage with a new party who becomes bound by the same amended mortgage; or
- (vii) reduces the amount of the debt secured by real property located in this state, or in the case of a multistate mortgage described in section 287.05, subdivision 1, paragraph (b), reduces the percentage of real property encumbered by the mortgage that is located in this state."

Page 43, line 13, delete "6" and insert "7" and delete "10" and insert "11"

Page 43, line 14, after the period, insert "Section 4 is effective the day following final enactment." and delete "4" and insert "5"

Page 43, line 16, delete "5" and insert "6"

Page 43, line 17, delete "11" and insert "12"

Page 43, line 18, delete "12" and insert "13"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 18, after the second semicolon, insert "287.01, subdivision 2;"

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

Senator Johnson, D.J. from the Committee on Taxes, to which was referred

S.F. No. 2461: A bill for an act relating to taxation; sales and use; exempting certain aircraft sales; amending Minnesota Statutes 1998, section 297A.25, subdivision 5.

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

Page 2, line 7, delete the second comma and insert "and approved by the Federal Aeronautics Administration, and"

Page 2, line 10, after "purchaser" insert ", but only if the purchaser is not a resident of Minnesota and provided that the aircraft is not thereafter returned to a point within Minnesota, except in the course of interstate commerce or isolated and occasional use and will be registered in another state or county upon its removal from Minnesota; this exemption applies even if the purchaser takes possession of the aircraft in Minnesota and uses the aircraft in the state exclusively for training purposes for a period not to exceed ten days prior to removing the aircraft from this state"

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

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

S.F. No. 2950: A bill for an act relating to game and fish; modifying certain licensing fees; appropriating money; amending Minnesota Statutes 1998, sections 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; and 97A.485, subdivision 12.

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

Page 2, lines 18 and 23, delete "\$16" and insert "\$17"

Page 4, after line 16, insert:

"Sec. 11. Minnesota Statutes 1998, section 297A.44, subdivision 1, is amended to read:

Subdivision 1. (a) Except as provided in paragraphs (b) to (d), all revenues, including interest and penalties, derived from the excise and use taxes imposed by sections 297A.01 to 297A.44 shall be deposited by the commissioner in the state treasury and credited to the general fund.

(b) All excise and use taxes derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project, from and after the date on which a conditional commitment for a loan guaranty for the project is made pursuant to section 41A.04, subdivision 3, shall be deposited in the Minnesota agricultural and economic account in the special revenue fund. The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account shall be reduced by any refunds and by the costs incurred by the department of revenue to administer and enforce the assessment and collection of the taxes.

(c) All revenues, including interest and penalties, derived from the excise and use taxes imposed on sales and purchases included in section 297A.01, subdivision 3, paragraphs (d) and (k), clauses (1) and (2), must be deposited by the commissioner in the state treasury, and credited as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance must be credited to the general fund.

(d) The revenues, including interest and penalties, collected under section 297A.135, subdivision 5, shall be deposited by the commissioner in the state treasury and credited to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.135, subdivision 5, for the previous calendar year.

(e) The revenues, including interest and penalties, transmitted to the commissioner under section 297A.259, must be deposited by the commissioner in the state treasury with:

(1) 50 percent of the revenue credited to the game and fish fund to be spent only on activities that improve or enhance fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 30 percent of the revenue credited to the natural resources fund to be spent only for state parks and trails;

(3) 15 percent of the revenue credited to the natural resources fund to be spent only on metropolitan park and trail grants; and

(4) 5 percent of the revenue credited to the natural resources fund to be spent only on local trail grants.

The revenue dedicated under this paragraph may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under this paragraph must be open to public hunting and fishing during the open season."

Page 4, line 20, delete "The"

Page 4, delete lines 21 to 23

Page 4, line 29, delete everything after "for"

Page 4, line 30, delete "management" and insert "expansion of the walleye stocking program"

Page 4, line 31, delete "\$5,665,000" and insert "\$5,156,000"

Page 4, line 33, delete everything after the period

Page 4, delete lines 34 to 36

Page 5, delete lines 1 and 2 and insert:

"(c) \$825,000 is appropriated in fiscal year 2001 from the game and fish fund for enforcement of natural resources laws."

Page 5, line 4, after "10" insert "and 12" and after the period, insert "Section 11 is effective July 1, 2000."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to natural resources; modifying certain licensing fees; dedicating the in lieu of sales tax receipts on lottery tickets for natural resource purposes; appropriating money; amending Minnesota Statutes 1998, sections 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; 97A.485, subdivision 12; and 297A.44, subdivision 1."

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

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

S.F. No. 2579: A bill for an act relating to trade regulations; regulating certain prescription drug discounts; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Page 3, delete lines 15 and 16 and insert:

"(2) any card or other purchasing mechanism or device that is not insurance and which is administered in conjunction with a medical benefit by a health insurer, or health care service contractor or health maintenance organization;"

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. 2417: A bill for an act relating to commerce; regulating the sale, rental, discharge, and possession of paint ball guns; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Page 1, line 12, after "gun" insert ":

(1)"

Page 1, line 15, after "Minnesota" insert "; or

(2) in a school zone as defined in section 152.01, subdivision 14a"

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. 2803: A bill for an act relating to accountants; modifying licensing requirements; amending Minnesota Statutes 1998, section 326.19, subdivisions 1, 2, and by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Children, Families and Learning. Report adopted.

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

S.F. No. 2809: A bill for an act relating to occupational safety and health; modifying certain safety committee requirements; amending Minnesota Statutes 1998, section 182.676.

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

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

S.F. No. 2812: A bill for an act relating to employment; modifying wage payment provisions; prohibiting employers from charging employees or job applicants for background checks and certain types of training; amending Minnesota Statutes 1998, sections 181.03; 181.14, subdivision 1; and 181.87, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 181.

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

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

S.F. No. 2614: A bill for an act relating to energy; regulating a state mandate requiring certain electric energy to be generated by using biomass as a fuel; amending Minnesota Statutes 1998, section 216B.2424, subdivision 5.

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

Page 1, line 15, delete the new language and reinstate the stricken language

Page 1, line 17, reinstate the stricken language

Page 1, line 18, delete "2005"

Page 1, line 21, delete "design"

Page 1, line 22, after "facility" insert "": (i)"

Page 1, line 23, before the period, insert "": (ii) must have entered into a contract with the public utility for such capacity prior to December 31, 2000; and (iii) such capacity must be scheduled to be operational by December 31, 2005"

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. 2699: A bill for an act relating to health care; modifying the major commitment expenditure report requirements; amending Minnesota Statutes 1998, section 62J.17, subdivisions 2, 5a, and 6a.

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 62J.17, is amended by adding a subdivision to read:

Subd. 8. [RADIATION THERAPY FACILITIES.] This subdivision shall apply only to those major spending commitments that are related to the purchase, construction, or leasing of a radiation therapy facility.

(a) [DEFINITION OF PROVIDER.] The term "provider" shall mean:

(1) a provider as defined in section 62J.03, subdivision 8;

(2) a person or organization that, upon engaging in an activity related to a major spending commitment, will become a provider as defined in section 62J.03, subdivision 8;

(3) an organization under common control with an organization described in clause (1) or (2);
or

(4) an organization that manages a person or organization described in clause (1), (2), or (3).

(b) [CRITERIA FOR REVIEW.] In conducting the retrospective or prospective review, the commissioner shall consider the criteria described in subdivision 5a, paragraph (a), in determining whether the major spending commitment was appropriate. In addition, the commissioner shall consider the following criteria:

(1) the alternatives available to patients in terms of avoiding an unwarranted duplication based on whether additional capacity is needed of services, facilities, or equipment in and around the location of the major spending commitment; and

(2) the best interests of the patients, including conflicts of interest that may be present in influencing the utilization of the services, facility, or equipment relating to the major spending commitment.

(c) [PENALTIES AND REMEDIES.] In addition to subdivision 6a, paragraph (c), the commissioner has the authority to pursue the following remedies:

(1) assessment of fines against providers violating subdivision 6a, paragraph (a), of up to triple the amount of the major spending commitment;

(2) securing a permanent injunction against providers violating subdivision 6a, paragraph (a), halting the purchase or construction of a facility, prohibiting the operation of a facility, or the providing of a service related to the major spending commitment; and

(3) obtaining a court order to invalidate any purchase agreement, management agreement, lease, or other contract relating to the major spending commitment or the conduct of any activity relating to the major spending commitment.

(d) [SCOPE OF PROSPECTIVE REVIEW.] If a provider fails the retrospective review of a major spending commitment that is identified under this subdivision, the prospective review and approval required under subdivision 6a shall be limited to major spending commitments that are identified under this subdivision.

(e) [EXEMPTION.] The provisions of this subdivision do not apply to radiation therapy facilities owned and operated or managed by a hospital licensed under chapter 144."

Delete the title and insert:

"A bill for an act relating to health care; modifying the major commitment expenditure report requirements; amending Minnesota Statutes 1998, section 62J.17, by adding a subdivision."

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. 2545: A bill for an act relating to the MinnesotaCare tax; requiring third-party purchasers to withhold the MinnesotaCare tax from payment to hospitals, surgical centers, and health care providers; amending Minnesota Statutes 1998, sections 295.50, subdivisions 3, 9b, and by adding subdivisions; 295.52, subdivisions 1, 1a, 2, 3, and by adding a subdivision; 295.53, subdivisions 2 and 3; 295.54, subdivision 1; 295.55, by adding a subdivision; 295.57, subdivision 1; and 295.59; Minnesota Statutes 1999 Supplement, sections 295.50, subdivision 4; 295.53, subdivision 1; and 295.55, subdivisions 2 and 3; repealing Minnesota Statutes 1998, sections 295.52, subdivision 6; 295.53, subdivisions 4 and 4a; 295.55, subdivisions 5 and 6; and 295.582; Minnesota Statutes 1999 Supplement, section 295.52, subdivision 7.

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

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

S.F. No. 2565: A bill for an act relating to health; crediting tobacco settlement revenues to the health care access fund; modifying provider premium tax; eliminating the MinnesotaCare provider taxes on a contingent basis; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; and 292.52, by adding a subdivision; Minnesota Statutes 1999 Supplement, section 295.52, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Page 1, delete lines 13 to 18

Page 1, line 19, delete "Subd. 2. [ONGOING PAYMENTS.]"

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

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

H.F. No. 2535 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.
		2535	2291		

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. 2671 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.
2671	2567				

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. 2451 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.
2451	2271				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2451 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2451 and insert the language after the enacting clause of S.F. No. 2271, the first engrossment; further, delete the title of H.F. No. 2451 and insert the title of S.F. No. 2271, the first engrossment.

And when so amended H.F. No. 2451 will be identical to S.F. No. 2271, and further recommends that H.F. No. 2451 be given its second reading and substituted for S.F. No. 2271, 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 Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 2873 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.
2873	2516				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2873 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2873 and insert the language after the enacting clause of S.F. No. 2516, the first engrossment; further, delete the title of H.F. No. 2873 and insert the title of S.F. No. 2516, the first engrossment.

And when so amended H.F. No. 2873 will be identical to S.F. No. 2516, and further

recommends that H.F. No. 2873 be given its second reading and substituted for S.F. No. 2516, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2836 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.
2836	2982				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2836 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2836 and insert the language after the enacting clause of S.F. No. 2982, the first engrossment; further, delete the title of H.F. No. 2836 and insert the title of S.F. No. 2982, the first engrossment.

And when so amended H.F. No. 2836 will be identical to S.F. No. 2982, and further recommends that H.F. No. 2836 be given its second reading and substituted for S.F. No. 2982, 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.

SECOND READING OF SENATE BILLS

S.F. Nos. 3138, 2465, 2499, 2841, 2502, 2905, 751, 2656, 2693, 2461, 2579, 2417, 2809, 2812, 2614 and 2699 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2535, 2671, 2451, 2873 and 2836 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Kinkel moved that the name of Senator Stumpf be added as a co-author to S.F. No. 2664. The motion prevailed.

Senator Piper moved that her name be stricken as a co-author to S.F. No. 2755. The motion prevailed.

Senator Vickerman moved that the name of Senator Scheevel be added as a co-author to S.F. No. 2946. The motion prevailed.

Senator Scheid moved that the name of Senator Lourey be added as a co-author to S.F. No. 3424. The motion prevailed.

Senator Knutson moved that the name of Senator Pariseau be added as a co-author to S.F. No. 3484. The motion prevailed.

Senator Olson moved that the name of Senator Wiger be added as a co-author to S.F. No. 3486. The motion prevailed.

Senator Ring moved that the names of Senators Wiger and Scheid be added as co-authors to S.F. No. 3519. The motion prevailed.

Senator Olson moved that the name of Senator Knutson be added as a co-author to S.F. No. 3569. The motion prevailed.

Senator Langseth moved that the name of Senator Moe, R.D. be added as a co-author to S.F. No. 3573. The motion prevailed.

Senator Lourey moved that the names of Senators Sams, Dille, Lesewski and Frederickson be added as co-authors to S.F. No. 3575. The motion prevailed.

Senator Moe, R.D. moved that S.F. No. 2994 be withdrawn from the Committee on Taxes and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

CALENDAR

S.F. No. 2444: A bill for an act relating to state lands; authorizing conveyance of certain surplus state land in Stearns county.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2541: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Fischbach	Johnson, D.H.	Knutson	Marty
Belanger	Flynn	Johnson, D.J.	Krentz	Moe, R.D.
Berg	Foley	Junge	Laidig	Murphy
Berglin	Frederickson	Kelley, S.P.	Langseth	Neuville
Betzold	Higgins	Kelly, R.C.	Larson	Novak
Cohen	Hottinger	Kierlin	Lesewski	Oliver
Day	Janezich	Kiscaden	Lessard	Olson
Dille	Johnson, D.E.	Kleis	Lourey	Pappas

Pariseau	Ring	Sams	Spear	Vickerman
Piper	Robertson	Samuelson	Stevens	Wiger
Price	Robling	Scheid	Stumpf	
Ranum	Runbeck	Solon	Terwilliger	

So the bill passed and its title was agreed to.

S.F. No. 2033: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Norman county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2346: A bill for an act relating to natural resources; authorizing the use of motor vehicles in wildlife management areas by disabled hunters; modifying certain permits for hunters with disabilities; providing criminal penalties; amending Minnesota Statutes 1998, sections 97A.137, by adding a subdivision; and 97B.055, subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2783: A bill for an act relating to the secretary of state; regulating fees; regulating the filing of annual registrations by corporations and other business entities with the secretary of state; providing for technical amendments to provisions regarding digital signatures; allowing the extension of duration of certain nonprofit corporations; amending Minnesota Statutes 1998, sections 5.12, subdivision 1; 5.14; 302A.821; 303.14, subdivision 1; 303.21, subdivision 3; 317A.801, subdivision 1; 317A.823; 317A.827; 318.02, by adding a subdivision; 322B.960;

323A.10-03; 325K.07, subdivision 3; 325K.10, subdivisions 1 and 2; 325K.18, subdivision 3; 325K.19; and 325K.23; Minnesota Statutes 1999 Supplement, sections 325K.05, subdivision 1; and 336.9-411; proposing coding for new law in Minnesota Statutes, chapters 5; and 308A; repealing Minnesota Statutes 1998, sections 303.07, subdivision 2; 303.14, subdivisions 3, 4, and 5; and 322B.960, subdivision 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2554: A bill for an act relating to taxation; providing a one-time exemption from penalty for omission of the public advertisement requirement of the truth-in-taxation process for Wadena county.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

MOTIONS AND RESOLUTIONS

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2615 Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 2615: A bill for an act relating to public health; providing that a person who leaves an unharmed newborn child at a hospital may not be prosecuted; providing for duties to be undertaken by a hospital when accepting an unharmed newborn child; providing immunity from liability for hospitals and their personnel when carrying out those duties; limiting duty to implement certain relative preference placement requirements; proposing coding for new law in Minnesota Statutes, chapters 145; and 609.

Senator Foley moved to amend S.F. No. 2615 as follows:

Page 2, line 7, delete "2" and insert "1"

Page 2, after line 23, insert:

"Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

S.F. No. 2615 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was passed and its title was agreed to. was read the third time, as amended, and placed on its final passage.

MOTIONS AND RESOLUTIONS - CONTINUED

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

REPORTS OF COMMITTEES

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

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

S.F. No. 3427: A bill for an act relating to state government; transferring certain powers and duties from the department of children, families, and learning to the department of economic

security; providing requirements for the energy assistance program; requiring a report; instructing the revisor to renumber certain sections; proposing coding for new law in Minnesota Statutes, chapter 268.

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

Page 2, delete section 2

Page 3, line 14, delete "5" and insert "4"

Renumber the sections in sequence

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

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

S.F. No. 3292: A bill for an act relating to the St. Paul port authority; changing the powers and jurisdiction with respect to recreation facilities and recreation purposes; amending Minnesota Statutes 1998, section 469.084, subdivisions 1 and 4.

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

Page 2, after line 1, insert:

"Sec. 3. [LOCAL APPROVAL.]

Sections 1 and 2 are effective the day after the governing body of the city of St. Paul and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

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

Senator Flynn from the Committee on Transportation, to which was referred

S.F. No. 3160: A bill for an act relating to drivers' licenses; combining responsibility for all driver education programs with commissioner of public safety; regulating satisfactions of judgment on automobile liability claims; allowing drivers' license to be renewed within five years of expiration without written examination; abolishing ignition interlock pilot program; making clarifying and technical changes; amending Minnesota Statutes 1998, sections 171.183, subdivision 1; and 171.27; Minnesota Statutes 1999 Supplement, sections 169.974, subdivision 2; and 171.05, subdivision 2; repealing Minnesota Statutes 1998, section 171.305; Minnesota Rules, parts 7409.3700; 7409.3710; 7409.3720; 7409.3730; 7409.3740; 7409.3750; 7409.3760; and 7409.3770.

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

Pages 1 to 6, delete sections 1 to 4 and insert:

"Section 1. Minnesota Statutes 1998, section 171.305, as amended by Laws 1999, chapter 238, is amended to read:

171.305 [IGNITION INTERLOCK DEVICE; PILOT PROGRAM; LICENSE CONDITION.]

Subdivision 1. [DEFINITION.] "Ignition interlock device" or "device" means breath alcohol ignition equipment designed to prevent a motor vehicle's ignition from being started by a person whose alcohol concentration exceeds the calibrated setting on the device.

Subd. 2. [PILOT PROGRAM.] The commissioner of public safety shall establish a statewide pilot program for the use of an ignition interlock device by a person whose driver's license or

driving privilege has been canceled and denied by the commissioner for an alcohol or controlled substance-related incident. The commissioner shall conduct the program from October 1, 2000, until ~~December 31, 1995~~ December 31, 2001. The commissioner shall evaluate the program and shall report to the legislature by February 1, ~~1995~~ 2002, on whether changes in the program are necessary and whether the program should be permanent. No limited license shall be issued under this program after ~~August 1, 1995~~ October 1, 2001. For purposes of a pilot program established by this subdivision, the department is exempt from rulemaking requirements found in Minnesota Statutes, chapter 14.

Subd. 3. [PERFORMANCE STANDARDS.] The commissioner shall specify performance standards for ignition interlock devices, including standards relating to accuracy, safe operation of the vehicle, and degree of difficulty rendering the device inoperative. The interlock ignition device must be designed to operate from a 12-volt DC vehicle battery and be capable of locking a motor vehicle's ignition when a minimum alcohol concentration of 0.020 grams of ethyl alcohol per 210 liters of breath is introduced into the device. The device must also require a breath sample to determine alcohol concentration at variable time intervals ranging from five to 30 minutes while the engine is running. The device must also be capable of recording information for later review that includes the date and time of any use of the vehicle or any attempt to use the vehicle, including all times that the vehicle engine was started or stopped and the alcohol concentration of each breath sample provided.

Subd. 4. [CERTIFICATION.] The commissioner shall certify ignition interlock devices that meet the performance standards and may charge the manufacturer of the ignition interlock device a certification fee. A manufacturer who submits a device for certification must provide an application for certification on a form prescribed by the department.

Subd. 5. [ISSUANCE OF LIMITED LICENSE.] The commissioner may issue a limited license to a person whose driver's license has been canceled and denied due to an alcohol or controlled substance-related incident under section 171.04, subdivision 1, clause ~~(10)~~(9), under the following conditions:

- (1) at least one-half of the person's required abstinence period has expired;
- (2) the person has successfully completed all rehabilitation requirements chemical dependency treatment and is currently participating in a generally recognized support group based on ongoing abstinence; and
- (3) the person agrees to drive only a motor vehicle equipped with a functioning and certified ignition interlock device.

Subd. 6. [MONITORING.] The ignition interlock device must be monitored for proper use and accuracy by an entity approved by the commissioner.

Subd. 7. [PAYMENT.] The commissioner shall require that the person issued a limited license under subdivision 5 pay all costs associated with use of the device.

Subd. 8. [PROOF OF INSTALLATION.] A person approved for a limited license must provide proof of installation prior to issuance of the limited license.

Subd. 9. [MISDEMEANOR.] (a) A person who knowingly lends, rents, or leases a motor vehicle that is not equipped with a functioning ignition interlock device to a person with a limited license issued under subdivision 5 is guilty of a misdemeanor.

(b) A person who tampers with, circumvents, or bypasses the ignition interlock device, or assists another to tamper with, circumvent, or bypass the device, is guilty of a misdemeanor.

(c) The penalties of this subdivision do not apply if the action was taken for emergency purposes or for mechanical repair, and the person limited to the use of an ignition interlock device does not operate the motor vehicle while the device is disengaged.

Subd. 10. [CANCELLATION OF LIMITED LICENSE.] The commissioner shall cancel a

limited license issued under this section if the device registers a positive reading for use of alcohol or the person violates any conditions of the limited license."

Page 6, lines 3 and 4, delete "Statutes 1998, section 171.305, is repealed. Minnesota"

Page 6, delete section 6

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to drivers' licenses; extending ignition interlock pilot program; making clarifying and technical changes; amending Minnesota Statutes 1998, section 171.305, as amended; repealing Minnesota Rules, parts 7409.3700; 7409.3710; 7409.3720; 7409.3730; 7409.3740; 7409.3750; 7409.3760; and 7409.3770."

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

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

S.F. No. 2858: A bill for an act relating to human services and corrections; transfer to correctional facility; amending Minnesota Statutes 1998, section 253B.185, subdivision 2.

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

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

S.F. No. 2968: A bill for an act relating to lake improvement districts; modifying provisions relating to lake improvement districts; amending Minnesota Statutes 1998, sections 103B.521, subdivision 1; 103B.551, subdivision 1; and 103B.555, subdivision 1.

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

Pages 1 and 2, delete section 1

Page 2, lines 30 to 32, delete the new language and insert "The board must consider the availability of nondistrict funding sources before assessing property owners of the district for improvement projects"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, delete "103B.521, subdivision 1;"

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

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

S.F. No. 3070: A bill for an act relating to agriculture; changing certain requirements and enforcement procedures for agricultural contracts; amending Minnesota Statutes 1998, sections 17.90, by adding a subdivision; and 17.91; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 17.90, is amended by adding a subdivision to read:

Subd. 3a. [LEGIBLE TYPE.] "Legible type" means a typeface at least as large as ten-point modern type, one-point leaded.

Sec. 2. Minnesota Statutes 1998, section 17.91, is amended to read:

17.91 [~~MEDIATION; ARBITRATION REQUIRED LANGUAGE.~~]

Subdivision 1. [MEDIATION; ARBITRATION.] A contract for an agricultural commodity between a contractor and a producer must contain language providing for resolution of contract disputes by either mediation or arbitration. If there is a contract dispute, either party may make a written request to the commissioner for mediation or arbitration services as specified in the contract, to facilitate resolution of the dispute.

Subd. 2. [WRITTEN DISCLOSURE OF RISKS.] A contract for an agricultural commodity between a producer and a contractor must be accompanied by a clear written disclosure setting forth the nature of the risks faced by the producer if the producer enters into the contract. The statement must meet the plain language requirements of section 17.943. The statement may be in the form of a written statement or checklist and may be developed in cooperation with producers or producer organizations. A contractor may submit a sample risk disclosure statement to the commissioner for examination. If the commissioner approves of the statement or fails to respond within 30 days of receipt of the statement, the statement will be deemed to comply with this subdivision and with the plain language requirements of section 17.943.

Sec. 3. [17.941] [~~PRODUCER'S RIGHT TO REVIEW.~~]

A producer may cancel an agricultural contract by mailing a written cancellation notice to the contractor within three business days after the producer receives a copy of the signed contract, or before a later cancellation deadline if a later deadline is specified in the contract. The producer's right to cancel, the method by which the producer may cancel, and the deadline for canceling the contract shall be clearly disclosed in every agricultural contract.

Sec. 4. [17.942] [~~COVER SHEET REQUIREMENTS.~~]

Subdivision 1. [MANDATORY COVER PAGE.] An agricultural contract entered into, amended, or renewed after July 1, 2000, must contain as the first page, or first page of text if it is preceded by a title page or pages, a cover sheet as provided in this section.

Subd. 2. [REQUIREMENTS.] The cover sheet or sheets must comply with section 17.943, and must contain the following:

(1) a brief statement that the document is a legal contract between the contractor and the producer;

(2) the statement "READ YOUR CONTRACT CAREFULLY. This cover sheet provides only a brief summary of your contract. This is not the contract and only the terms of the actual contract are legally binding. The contract itself sets forth, in detail, the rights and obligations of both you and the contractor. IT IS THEREFORE IMPORTANT THAT YOU READ YOUR CONTRACT CAREFULLY.";

(3) the written disclosure of risks required by section 17.91, subdivision 2;

(4) a statement detailing, in plain language, the producer's right to review the contract as described in section 17.941; and

(5) an index of the major provisions of the contract and the pages on which they are found, including:

- (i) the names of all parties to the contract;
- (ii) the definition sections of the contract;
- (iii) the provisions governing cancellation, renewal, or amendment of the contract by either party;
- (iv) the duties or obligations of each party; and
- (v) any provisions subject to change in the contract.

Sec. 5. [17.943] [CONTRACT FORMAT.]

Subdivision 1. [READABILITY.] An agricultural contract must be in legible type, appropriately divided and captioned by its various sections, and written in clear and coherent language using words and grammar that are understandable by a person of average intelligence, education, and experience within the industry.

Subd. 2. [EXCEPTIONS.] Subdivision 1 does not apply to particular words, phrases, provisions, or forms of agreement specifically required, recommended, or endorsed by a state or federal statute, rule, or regulation.

Subd. 3. [CUSTOMARILY USED TERMS.] An agricultural contract may include technical terms to describe the services or property which are the subject of the contract, if the terms are customarily used by producers in the ordinary course of business in connection with the services or property being described.

Sec. 6. [17.944] [REVIEW BY COMMISSIONER.]

Subdivision 1. [AGRICULTURAL CONTRACTS.] For purposes of this section and section 17.943, "agricultural contract" includes, where applicable, the cover sheet as defined in section 17.942, and risk disclosure statement required by section 17.91, subdivision 2.

Subd. 2. [PROCESS OF REVIEW.] A contractor may submit an agricultural contract to the commissioner for review as to whether it complies with section 17.943. After reviewing the contract, the commissioner shall:

- (1) certify that the contract complies with section 17.943;
- (2) decline to certify that the contract complies with section 17.943 and note objections;
- (3) decline to review the contract because the contract's compliance with section 17.943 is subject to pending litigation; or
- (4) decline to review the contract because the contract is not subject to section 17.943.

Subd. 3. [FACTORS IN DETERMINING READABILITY.] In determining whether a contract or cover sheet is readable within the meaning of section 17.943, the commissioner shall consider at least the following factors:

- (1) the simplicity of the sentence structure;
- (2) the extent to which commonly used and understood words are employed;
- (3) the extent to which esoteric legal terms are avoided;
- (4) the extent to which references to other sections or provisions of the contract are minimized;
- (5) the Flesch scale analysis readability score as outlined in section 72C.09;
- (6) the extent to which clear definitions are used in the text of the contract; and
- (7) additional factors relevant to the contract being easy to read and understand.

Subd. 4. [PROCESS NOT REVIEWABLE.] Actions of the commissioner under subdivision 1 are not subject to chapter 14 and are not appealable.

Subd. 5. [LIMITED EFFECT OF CERTIFICATION.] A contract certified under subdivision 1 is deemed to comply with section 17.943. Certification of a contract under subdivision 1 does not constitute an approval of the contract's legality or legal effect.

If the commissioner certifies a contract or fails to respond within 30 days of receipt of the contract, the contractor will have complied with sections 17.91 and 17.943, and the remedies stated in subdivisions 7 and 8 are not available.

Subd. 6. [REVIEW NOT REQUIRED.] Failure to submit a contract to the commissioner for review under subdivision 1 does not show a lack of good faith or raise a presumption that the contract violates section 17.943.

Subd. 7. [ENFORCEMENT REMEDIES.] A violation of section 17.943 is a violation subject to section 8.31, subdivision 1. The remedies in section 8.31, subdivisions 3 and 3a, are limited by section 17.9441.

Subd. 8. [REFORMATION.] (a) In addition to the remedies provided in section 8.31, a court reviewing an agricultural contract may change the terms of the contract or limit a provision to avoid an unfair result if it finds that:

(1) a material provision of the contract violates section 17.943;

(2) the violation caused the producer to be substantially confused about any of the rights, obligations, or remedies of the contract; and

(3) the violation has caused or is likely to cause financial detriment to the producer.

(b) If the court reforms or limits a provision of a contract, the court shall also make orders necessary to avoid unjust enrichment. Bringing a claim for relief under this subdivision does not entitle a producer to withhold performance of an otherwise valid contractual obligation. No relief may be granted under this subdivision unless the claim is brought before the obligations of the contract have been fully performed.

Sec. 7. [17.9441] [LIMITS ON REMEDIES.]

Subdivision 1. [PENALTIES.] In a proceeding in which civil penalties are claimed from a party for a violation of section 17.943, it is a defense to the claim that the party made a good faith and reasonable effort to comply with section 17.943.

Subd. 2. [ATTORNEY'S FEES.] A party who has made a good faith and reasonable effort to comply with section 17.943 may not be assessed attorney's fees or costs of investigation in an action for violating section 17.943.

Subd. 3. [CLASS ACTION ATTORNEY'S FEES.] In a class action or series of class actions that arise from the use by a contractor of an agricultural contract found to violate section 17.943, the amount of attorney's fees and costs of investigation assessed against that contractor and in favor of the class or classes may not exceed \$10,000.

Subd. 4. [LIMITS ON PRODUCER ACTIONS.] Violation of section 17.943 is not a defense to a claim arising from a producer's breach of an agricultural contract. A producer may recover actual damages caused by a violation of section 17.943 only if the violation caused the producer to not understand the rights, obligations, or remedies of the contract.

Subd. 5. [STATUTE OF LIMITATIONS.] A claim that an agricultural contract violates section 17.943 must be raised within six years of the date the contract is executed by the producer.

Sec. 8. [17.9442] [APPLICABILITY OF CONTRACT REQUIREMENTS.]

The requirements for the written disclosure of risks under section 17.91, subdivision 2; the

three-day review period under section 17.941; and the contract readability requirements under section 17.943, subdivision 1, do not apply to contracts which provide for:

- (1) the sale and purchase of a fixed amount of a commodity for delivery at a set price;
- (2) price-later grain contracts;
- (3) contracts agreed to between a processor and an accredited bargaining organization under sections 17.691 to 17.703; or
- (4) future contracts which involve the sale or purchase of a standardized quantity of a commodity for future delivery on a regulated commodity exchange.

Sec. 9. [17.9443] [WAIVER OF CONTRACT PROVISIONS IS VOID.]

Any provision of an agricultural contract which waives or attempts to waive any provision of sections 17.90 to 17.97 is void."

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

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

S.F. No. 3036: A bill for an act relating to natural resources; providing for seizure and administrative forfeiture of certain firearms and abandoned property; modifying authority to issue trespass citations; modifying provisions for forfeited vehicles; modifying definition of peace officer; providing civil penalties; appropriating money; amending Minnesota Statutes 1998, sections 97B.002, subdivision 1; and 609.5312, subdivision 4; Minnesota Statutes 1999 Supplement, sections 169.1217, subdivision 9; and 169.123, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Page 2, line 7, after the period, insert "For purposes of this section, the terms "commissioner" and "agency" as used in section 116.072 mean the commissioner of natural resources."

Page 5, after line 11, insert:

"Sec. 6. [ASSESSING GROSS VIOLATIONS; REPORT.]

The commissioner of natural resources must review and assess gross violations of taking game and fish resources. A report on increased penalties for gross violations must be completed by the commissioner by February 1, 2001, and delivered to the house and senate committees on natural resources policy and finance."

Page 5, line 13, delete "5" and insert "6"

Renumber the sections in sequence

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

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

S.F. No. 3443: A bill for an act relating to agriculture; amending feedlot permit provisions; providing specific requirements for feedlot permit rules; adding requirements for administrative penalty orders; amending Minnesota Statutes 1998, sections 116.06, by adding a subdivision; 116.07, subdivision 7c, and by adding a subdivision; and 116.0713; Minnesota Statutes 1999 Supplement, section 116.07, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 18B; and 18C.

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

Delete everything after the enacting clause and insert:

"Section 1. [18B.432] [MANURE APPLICATOR EDUCATION AND TRAINING.]

Subdivision 1. [EDUCATION AND TRAINING.] (a) The commissioner shall develop, in conjunction with the University of Minnesota extension service, innovative educational and training programs addressing manure applicator concerns, including water quality protection and the development of manure management plans.

(b) The commissioner shall appoint educational planning committees which must include representatives of industry.

(c) Specific current regulatory concerns must be discussed and, if appropriate, incorporated into each training session.

(d) The commissioner may approve programs from private industry and nonprofit organizations that meet minimum requirements for education, training, and certification.

Subd. 2. [TRAINING MANUAL AND EXAMINATION DEVELOPMENT.] The commissioner, in conjunction with the University of Minnesota extension service, shall continually revise and update manure applicator training manuals and examinations. Questions in the examinations must be determined by the responsible agencies. Manuals and examinations must include manure management practices that discuss prevention of manure occurrence in waters of the state.

Sec. 2. [18C.433] [PRIVATE MANURE APPLICATOR CERTIFICATION.]

Subdivision 1. [REQUIREMENT.] Beginning January 1, 2004, except for a commercial animal waste technician, only a certified private manure applicator may apply animal waste from a feedlot that is registered under rules of the pollution control agency to produce an agricultural commodity.

Subd. 2. [CERTIFICATION.] (a) The commissioner shall prescribe certification requirements and provide training. The training may be done in cooperation with other government agencies and must be at least three hours long.

(b) A person must apply to the commissioner for certification as a private manure applicator. The certification expires March 1 of the third calendar year after the initial year of certification.

(c) The commissioner shall issue a private manure applicator card to a certified private manure applicator.

Subd. 3. [FEES.] (a) A person applying to be certified as a private manure applicator must pay a nonrefundable \$10 application fee.

(b) A \$5 fee must be paid for the issuance of a duplicate private manure applicator card.

Sec. 3. Minnesota Statutes 1998, section 116.06, is amended by adding a subdivision to read:

Subd. 4a. [ANIMAL UNIT.] "Animal unit" means a unit of measure used to compare differences in the production of animal manure that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer for an animal feedlot, manure storage area, or pasture calculated by multiplying the number of animals of each type in clauses (1) to (9) by the respective multiplication factor and summing the resulting values for the total number of animal units. For purposes of this chapter, the following multiplication factors apply:

(1) one mature dairy cow, whether milked or dry:

(i) over 1,000 pounds, 1.4 animal units; or

(ii) under 1,000 pounds, 1.0 animal unit;

- (2) one cow and calf pair, 1.2 units;
- (3) one calf, 0.2 unit;
- (4) one slaughter steer, 1.0 animal unit;
- (5) head of feeder cattle or heifer, 0.7 unit;
- (6) one head of swine:
 - (i) over 300 pounds, 0.4 animal unit;
 - (ii) between 55 pounds and 300 pounds, .25 animal unit; and
 - (iii) under 55 pounds, 0.05 animal unit;
- (7) one horse, 1.0 animal unit;
- (8) one sheep or lamb, 0.1 animal unit;
- (9) one chicken:
 - (i) one laying hen or broiler, if the facility has a liquid manure system, 0.033 animal unit; or
 - (ii) one chicken if the facility has a dry manure system:
 - (A) over five pounds, 0.005 animal unit; or
 - (B) under five pounds, 0.003 animal unit;
- (10) one turkey:
 - (i) over five pounds, 0.018 animal unit; or
 - (ii) under five pounds, 0.005 animal unit;
- (11) one duck, 0.01 animal unit; and
- (12) for animals not listed in clauses (1) to (8), the number of animal units is the average weight of the animal in pounds divided by 1,000 pounds.

Sec. 4. Minnesota Statutes 1999 Supplement, 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. For permit applications filed after July 1, 2001, section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this subdivision.

(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) Any new rules or amendments to existing rules proposed under the authority granted in this subdivision, or to implement new fees on animal feedlots, must be submitted to the members of legislative policy and finance 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.

(m) After the proposed rules published in the State Register, volume 24, number 25, are finally adopted, the agency may not impose additional conditions as a part of a feedlot permit, unless specifically required by law or agreed to by the feedlot operator.

(n) For the purposes of feedlot permitting, land-applied manure or a manure stockpile that is managed according to agency rule must not be considered a discharge into waters of the state.

(o) The agency may not require a feedlot operator to upgrade an existing feedlot with less than 500 animal units for a total cost of more than \$3,000, unless cost-share money is available to the feedlot operator for 75 percent of the cost of the upgrade.

Sec. 5. Minnesota Statutes 1998, section 116.07, subdivision 7c, is amended to read:

Subd. 7c. [NPDES PERMITTING REQUIREMENTS.] (a) The agency must issue National Pollutant Discharge Elimination System permits for feedlots with 1,000 animal units or more and that meet the definition of a "concentrated animal feeding operation" in Code of Federal Regulations, title 40, section 122.23, based on the following schedule:

~~(1) for applications received after April 22, 1998, a permit for a newly constructed or expanded animal feedlot with 2,000 or more animal units must be issued as an individual permit;~~

~~(2) for applications received after January 1, 1999, a permit for a newly constructed or expanded animal feedlot with between 1,000 and 2,000 animal units that is identified as a priority by the commissioner, using criteria established under paragraph (e) (d), must be issued as an individual permit; and~~

~~(3) (2) after January 1, 2001, all an existing feedlots with 1,000 or more animal units feedlot that is identified as a priority by the commissioner, using criteria established under paragraph (e) must be issued as an individual or general National Pollutant Discharge Elimination System permit; and~~

~~(b) By October 1, 1999, (3) the agency must issue a general National Pollutant Discharge Elimination System permit for animal feedlots with between 1,000 and 2,000 animal units that are not identified under paragraph (a), clause (1) or (2).~~

~~(e) (b) Prior to the issuance of a general National Pollutant Discharge Elimination System permit for a category of animal feedlot facility permittees, the agency must hold at least one public hearing on the permit issuance.~~

~~(d) (c) To the extent practicable, the agency must include a public notice and comment period for an individual National Pollutant Discharge Elimination System permit concurrent with any public notice and comment for:~~

~~(1) the purpose of environmental review of the same facility under chapter 116D; or~~

~~(2) the purpose of obtaining a conditional use permit from a local unit of government where the local government unit is the responsible governmental unit for purposes of environmental review under chapter 116D.~~

~~(e) By January 1, 1999, (d) The commissioner, in consultation with the feedlot and manure management advisory committee, created under section 17.136, and other interested parties must develop criteria for determining whether an individual National Pollutant Discharge Elimination System permit is required under paragraph (a), clause (2), for an animal feedlot with between 1,000 and 2,000 animal units (1). The criteria must be based on proximity to waters of the state, facility design, and other site-specific environmental factors.~~

~~(f) By January 1, 2000, (e) The commissioner, in consultation with the feedlot and manure management advisory committee, created under section 17.136, and other interested parties must develop criteria for determining whether an individual National Pollutant Discharge Elimination System permit is required for an existing animal feedlot, under paragraph (a), clause (3) (2). The criteria must be based on violations and other compliance problems at the facility.~~

(f) The commissioner, in consultation with the feedlot and manure management advisory committee, created under section 17.136, and other interested parties must develop criteria for determining when an individual National Pollutant Discharge Elimination System permit is transferred from individual to general permit status.

(g) Notwithstanding the provisions in paragraph (a), until January 1, 2001, the commissioner

may issue an individual National Pollutant Discharge Elimination System permit for an animal feedlot. After the general permit is issued and the criteria under paragraphs (d) and (e) are developed, individual permits issued pursuant to this paragraph that do not fit the criteria for an individual permit under the applicable provisions of paragraph (d) or (e) must be transferred to general permit status.

(h) The commissioner, in consultation with the feedlot and manure management advisory committee, created under section 17.136, and other interested parties must develop criteria for determining which feedlots are required to apply for and obtain a National Pollutant Discharge Elimination System permit or a State Disposal System permit based upon the actual or potential to discharge.

Sec. 6. 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 containment 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. 7. Minnesota Statutes 1998, section 116.0713, is amended to read:

116.0713 [LIVESTOCK ODOR.]

(a) The pollution control agency must:

(1) monitor and identify potential livestock facility violations of the state ambient air quality standards for hydrogen sulfide, using a protocol for responding to citizen complaints regarding feedlot odor and its hydrogen sulfide component, including the appropriate use of portable monitoring equipment that enables monitoring staff to follow plumes;

(2) when livestock production facilities are found to be in violation of ambient hydrogen sulfide standards, take appropriate actions necessary to ensure compliance, utilizing appropriate technical assistance and enforcement and penalty authorities provided to the agency by statute and rule.

(b) Livestock production facilities are exempt from state ambient air quality standards while manure is being removed and for seven days after manure is removed from barns or manure storage facilities.

(c) For a livestock production facility having greater than 1,000 animal units, the maximum cumulative exemption in a calendar year under paragraph (b) is 21 days for the removal process.

(d) The operator of a livestock production facility that claims exemption from state ambient air quality standards under paragraph (b) must provide notice of that claim to either the pollution control agency or the county feedlot officer delegated under section 116.07.

(e) State ambient air quality standards are applicable at the property boundary of a farm or a parcel of agricultural land on which a livestock production facility is located, except that if the owner or operator of the farm or parcel obtains an air quality easement from the owner of land adjoining such farm or parcel, the air quality standards must be applicable at the property boundary of the adjoining land to which the easement pertains. The air quality easement must be for no more than five years, must be in writing, and must be available upon request by the agency or the county feedlot officer. Notwithstanding the provisions of this paragraph, state ambient air quality standards are applicable at locations to which the general public has access. The "general public" does not include employees, trespassers, or other categories of people who have been directly authorized by the property owner to enter or remain on the property for a limited period of time and for a specific purpose.

(f) The agency may not require air emission modeling for a type of livestock system that does not have the potential to exceed the ambient air quality standard.

Sec. 8. [RULES FOR ANIMAL FEEDLOTS AND STORAGE, TRANSPORTATION, AND UTILIZATION OF MANURE.]

(a) The pollution control agency shall amend the proposed permanent rules relating to animal feedlots and storage, transportation, and utilization of manure, published in the State Register, volume 24, number 25, pages 848 to 884, December 20, 1999, according to this section.

(b) The agency shall remove the following provisions of the proposed rules:

(1) restrictions on the pasturing of animals;

(2) manure management plan requirements, except in the case of feedlots with over 1,000 animal units or a feedlot construction permit;

(3) manure that is produced by animals that are not owned or managed by the person from the animal unit definition; and

(4) the requirement that a feedlot must include a pollution prevention plan as part of their feedlot permit application.

(c) In the rules, the agency shall not require:

(1) a feedlot operator to remove manure packs and mounding, except as necessary to prevent pollution;

(2) information on the permit application that is not specifically required in the rules, unless the feedlot operator will be using a new technology;

(3) more than the following information on the newspaper notification of proposed construction or expansion:

(i) name of the owner or owners;

(ii) name of the facility;

(iii) location of the facility by county, township, section, or quarter-section;

(iv) species of livestock and total animal units; and

(v) type of building and manure storage system;

(4) the regulation of process-generated wastewater, unless it contains manure;

(5) that a feedlot must be issued an individual state disposal system permit, unless the feedlot meets the criteria established for individual permits under Minnesota Statutes, section 116.07, subdivision 7c; and

(6) registration or a permit for a livestock facility located on state or county fairgrounds.

(d) In the rules, the agency shall:

(1) include a registration notice provision requiring the permitting authority to notify feedlot operators at least 90 days prior to the reregistration deadline;

(2) include a provision requiring that a receipt of registration be sent back to the feedlot operator within 30 days of receipt of the registration by the agency or the delegated county;

(3) provide that feedlot permits remain in effect until a new permit is issued by the agency or a county;

(4) provide that location restrictions for schools and child care centers apply only to licensed child care centers, the public schools defined in Minnesota Statutes, section 120A.05, and private schools, excluding home school sites;

(5) allow for compliance with interim corrective measures for eligible open lots by October 1, 2005, and final compliance by October 1, 2010;

(6) allow direct notification of a feedlot permit application in lieu of the newspaper notification as provided in Minnesota Statutes, section 116.07, subdivision 7a;

(7) allow an extension of a short-term stockpile site because growing crops or crop removal prohibit land application of manure;

(8) include only a general reference that the rules do not preempt the adoption or enforcement of zoning ordinances or plans by counties, townships, or cities;

(9) allow manure storage facility specifications that are proposed by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee and that meet federal and state discharge and water quality restrictions; and

(10) include an exemption from the prohibition on reuse of a short-term stockpiling site in the preceding or following calendar years for a site where manure is stockpiled for less than ten days and the site is not used as a stockpile site for more than six times in a calendar year.

Sec. 9. [SMALL FEEDLOT UPGRADE FUNDING TASK FORCE.]

The commissioner of agriculture must convene a task force to review and analyze alternative sources of funding sufficient to provide required upgrades for feedlots less than 100 animal units in size. The task force shall identify a funding mechanism similar to the Petroleum Tank Release Cleanup Act for this purpose. The task force may include people from other agencies and organizations with expertise and experience in this area. The task force shall present a proposal to the chairs of the legislative committees with jurisdiction over agriculture and the environment no later than December 1, 2000.

Sec. 10. [MORATORIUM ON UPGRADE REQUIREMENTS FOR SMALL FEEDLOTS.]

Until the funding proposal required by section 9 has been enacted and funding under the proposal has been made available, the pollution control agency may not require the operator of an existing feedlot with less than 100 animal units to upgrade the feedlot.

Sec. 11. [WORKGROUP; REPORT.]

The commissioner of the pollution control agency shall convene a workgroup consisting of representatives from Natural Resources Conservation Services and private sector licensed professional engineers, including individuals with expertise in hydraulics, structural systems, and geology, to review and propose design standards for liquid manure storage facilities in areas susceptible to soil collapse and sinkhole formation. This review shall include an evaluation of whether such standards should be volume based or animal unit based. The commissioner shall submit the findings and recommendations of the workgroup to the senate and house agriculture and rural development committees by October 31, 2000.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 11 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, delete "adding requirements for"

Page 1, line 5, delete "administrative penalty orders;"

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

SECOND READING OF SENATE BILLS

S.F. No. 3292 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Dille moved that S.F. No. 3515 be withdrawn from the Committee on Children, Families and Learning and returned to its author. The motion prevailed.

GENERAL ORDERS

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

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

S.F. Nos. 613, 2725 and 2570, which the committee recommends to pass.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senators Higgins and Pappas introduced--

S.F. No. 3583: A bill for an act relating to animals; changing disposition of certain animals; providing for preservation of certain evidence; changing regulation of dangerous dogs; amending Minnesota Statutes 1998, sections 343.12; 343.235, subdivisions 1 and 3; 347.50; 347.51; 347.52; 347.53; 347.54, subdivisions 1 and 2; and 347.55; proposing coding for new law in Minnesota Statutes, chapters 343; and 347; repealing Minnesota Statutes 1998, section 347.54, subdivision 3.

Referred to the Committee on Governmental Operations and Veterans.

Senators Ourada, Lessard and Stumpf introduced--

S.F. No. 3584: A bill for an act relating to drainage and water management; allowing transfer of a public drainage system to a water management authority; defining water management authority; amending Minnesota Statutes 1998, section 103E.005, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103E.

Referred to the Committee on Agriculture and Rural Development.

Senators Novak, Marty and Ourada introduced--

S.F. No. 3585: A bill for an act relating to state government; clarifying that certain ethical requirements apply to constitutional officers; amending Minnesota Statutes 1998, section 43A.38, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

Senators Pariseau, Samuelson, Ring and Vickerman introduced--

S.F. No. 3586: A bill for an act relating to game and fish; permitting angling with a lighted fishing lure; amending Minnesota Statutes 1998, section 97C.335.

Referred to the Committee on Environment and Natural Resources.

Senator Oliver introduced--

S.F. No. 3587: A bill for an act relating to the state flag; creating a legislative commission to study the design of the state flag.

Referred to the Committee on Governmental Operations and Veterans.

Senators Kiscaden, Knutson, Limmer and Wiener introduced--

S.F. No. 3588: A bill for an act relating to data practices; requiring the development of a model online privacy notice; providing an Internet privacy policy for state and local governments; restricting the release of personal information; proposing coding for new law in Minnesota Statutes, chapter 325E; proposing coding for new law as Minnesota Statutes, chapter 13D.

Referred to the Committee on Judiciary.

Senators Scheid, Janezich and Novak introduced--

S.F. No. 3589: A bill for an act relating to taxation; sales and use; exempting construction materials used for qualified low-income housing projects; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Stumpf; Moe, R.D. and Langseth introduced--

S.F. No. 3590: A bill for an act relating to education; appropriating money to independent school district Nos. 595, East Grand Forks, and 2854, Ada-Borup, for interest paid on flood loans.

Referred to the Committee on Children, Families and Learning.

Senator Moe, R.D. introduced--

S.F. No. 3591: A bill for an act relating to education finance; enhancing equity by adding a small school enhanced equity revenue component to general education revenue; amending Minnesota Statutes 1998, section 126C.10, by adding a subdivision; Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 1.

Referred to the Committee on Children, Families and Learning.

Senators Langseth; Johnson, D.E. and Kleis introduced--

S.F. No. 3592: A bill for an act relating to higher education; capital improvements; authorizing spending by the Minnesota state colleges and universities to acquire and improve public land and buildings; authorizing the lease of land at the Minnesota west community and technical college; amending Laws 1998, chapter 404, section 3, subdivision 24.

Referred to the Committee on Children, Families and Learning.

Senators Lessard, Langseth, Murphy, Sams and Hanson introduced--

S.F. No. 3593: A bill for an act relating to traffic regulations; requiring strobe lights on school buses purchased after December 31, 2000; amending Minnesota Statutes 1998, sections 169.442, subdivision 5; and 169.4503, subdivision 16.

Referred to the Committee on Transportation.

Senator Johnson, D.E. introduced--

S.F. No. 3594: A bill for an act relating to capital improvements; appropriating money to improve the Fair Ridge trail in Renville county; authorizing state bonds.

Referred to the Committee on Environment and Natural Resources.

Senator Johnson, D.E. introduced--

S.F. No. 3595: A bill for an act relating to real estate; continuing a certain exemption on a certain land exchange.

Referred to the Committee on Judiciary.

Senator Berglin introduced--

S.F. No. 3596: A bill for an act relating to capital improvements; authorizing state bonds; appropriating money for air conditioning infrastructure for publicly owned high rise residences housing low-income elderly and disabled persons.

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

Senators Wiger; Vickerman; Kelly, R.C.; Langseth and Knutson introduced--

S.F. No. 3597: A bill for an act relating to taxation; individual income; providing a subtraction for personal and dependent exemptions; amending Minnesota Statutes 1999 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senators Kinkel, Stumpf, Murphy, Kleis and Solon introduced--

S.F. No. 3598: A bill for an act relating to higher education; modifying student grant provisions for students attending less than full time; amending Minnesota Statutes 1998, sections 136A.121, subdivision 6, and by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senators Solon; Johnson, D.J. and Janezich introduced--

S.F. No. 3599: A bill for an act relating to economic development; providing funding for the natural resources research institute; appropriating money.

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

Senators Ranum, Berglin and Cohen introduced--

S.F. No. 3600: A bill for an act relating to public expenditures; prohibiting the use of public funds to pay for airline tickets for flights landing or taking off during nighttime hours; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on Governmental Operations and Veterans.

Senators Hanson, Janezich and Lourey introduced--

S.F. No. 3601: A bill for an act relating to early education; providing funding for early childhood family education programs; transferring TANF funds to the department of children, families, and learning; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Pogemiller, Robertson, Pappas, Neuville and Price introduced--

S.F. No. 3602: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; canceling certain earlier appropriations and reducing certain earlier bond authorization; authorizing state bonds; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Runbeck, Limmer, Day and Belanger introduced--

S.F. No. 3603: A bill for an act relating to transportation; prohibiting the commissioner of transportation from applying for any federal funds for the Hiawatha Avenue light rail transit project other than federal funds that may be used only for transit capital projects; amending Laws 1999, chapter 240, article 1, section 9, subdivision 5.

Referred to the Committee on Transportation.

Senators Runbeck, Belanger, Oliver, Olson and Robertson introduced--

S.F. No. 3604: A bill for an act relating to taxation; reducing individual income tax rates; providing an exclusion for long-term capital gains; expanding income tax brackets for married taxpayers filing jointly; repealing the marriage penalty credit; reducing property tax class rates on commercial-industrial property and on certain apartments; increasing the educational homestead credit; creating a MinnesotaCare subsidized health insurance account; repealing the premium tax and the MinnesotaCare provider tax; amending Minnesota Statutes 1998, sections 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 144.1494, subdivision 1; 144.1495, subdivision 2; 144.1496, subdivision 1; 214.16, subdivisions 2 and 3; 256L.02, subdivisions 3 and 4; and 270B.01, subdivision 8; Minnesota Statutes 1999 Supplement, sections 270B.14, subdivision 1; 273.13, subdivisions 24 and 25; 273.1382, subdivision 1a; 290.01, subdivision 19b; 290.06, subdivisions 2c and 2d; 290.091, subdivisions 1, 2, and 6; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1998, sections 16A.724; 16A.76; 62T.10; 144.1484, subdivision 2; 295.50, subdivisions 1, 2, 2a, 3, 6, 6a, 7, 9b, 9c, 10a, 10b, 12b, 13, 14, and 15; 295.51; 295.52, subdivisions 1, 1a, 2, 3, 4, 4a, and 6; 295.53, subdivisions 2, 3, and 4; 295.54; 295.55, subdivisions 1, 4, 5, 6, and 7; 295.56; 295.57, subdivisions 1, 2, and 3; 295.58; 295.581; 295.582; and 295.59; Minnesota Statutes 1999 Supplement, sections 13.99, subdivision 86b; 290.0675; 295.50, subdivision 4; 295.52, subdivisions 5 and 7; 295.53, subdivision 1; 295.55, subdivisions 2 and 3; and 295.57, subdivision 4.

Referred to the Committee on Taxes.

Senators Flynn, Pogemiller, Spear, Berglin and Ranum introduced--

S.F. No. 3605: A bill for an act relating to tax increment financing; authorizing the establishment of a redevelopment tax increment financing district to finance the capital costs of constructing the Minneapolis central library.

Referred to the Committee on Local and Metropolitan Government.

Senators Murphy; Solon; Johnson, D.J.; Moe, R.D. and Belanger introduced--

S.F. No. 3606: A bill for an act relating to taxation; conforming to federal treatment of S corporations for financial institutions; amending Minnesota Statutes 1999 Supplement, section 290.9725; repealing Minnesota Statutes 1999 Supplement, sections 290.06, subdivision 26; and 290.9726, subdivision 7.

Referred to the Committee on Taxes.

Senator Hottinger introduced--

S.F. No. 3607: A bill for an act relating to education; limiting the time for appeal of a school board decision not to sponsor a charter school; amending Minnesota Statutes 1999 Supplement, section 124D.10, subdivision 4.

Referred to the Committee on Children, Families and Learning.

Senator Hottinger introduced--

S.F. No. 3608: A bill for an act relating to capital improvements; appropriating money for regional public safety training facilities; authorizing the sale of state bonds.

Referred to the Committee on Crime Prevention.

Senator Wiger introduced--

S.F. No. 3609: A bill for an act relating to crime; setting out the expanded alternative elements of the crime of unlawful interference with a transit operator; amending Minnesota Statutes 1998, section 609.855, subdivision 2.

Referred to the Committee on Crime Prevention.

Senators Robertson and Oliver introduced--

S.F. No. 3610: A bill for an act relating to local and metropolitan government; allowing the city of Minnetonka to establish a replacement service transit program.

Referred to the Committee on Transportation.

Senator Langseth introduced--

S.F. No. 3611: A bill for an act relating to taxation; exempting certain sales to the department of transportation from the sales tax; amending Minnesota Statutes 1999 Supplement, section 297A.25, subdivision 11.

Referred to the Committee on Taxes.

Senator Sams introduced--

S.F. No. 3612: A bill for an act relating to human services; providing a nursing facility rate adjustment; appropriating money; amending Minnesota Statutes 1998, section 256B.434, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Hottinger, Kiscaden, Robertson, Ring and Piper introduced--

S.F. No. 3613: A bill for an act relating to health; requiring certain information to be available; establishing a toll-free telephone number and Web site; requiring a survey of home visiting services; appropriating money; amending Minnesota Statutes 1998, section 16A.76, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Senator Scheevel introduced--

S.F. No. 3614: A bill for an act relating to tax increment financing; city of Fountain; extending a tax increment financing district.

Referred to the Committee on Local and Metropolitan Government.

Senators Larson and Ziegler introduced--

S.F. No. 3615: A bill for an act relating to capital improvements; authorizing issuance of bonds; appropriating money to help abate crop depredation by Canada geese.

Referred to the Committee on Environment and Natural Resources.

Senator Wiener introduced--

S.F. No. 3616: A bill for an act relating to education; increasing state aid for early childhood family education; appropriating money; amending Minnesota Statutes 1999 Supplement, section 124D.135, subdivision 1; Laws 1999, chapter 205, article 1, section 71, subdivision 3.

Referred to the Committee on Children, Families and Learning.

Senators Higgins, Cohen, Berglin, Laidig and Langseth introduced--

S.F. No. 3617: A bill for an act relating to capital improvements; appropriating money to create the Minnesota Shubert arts and education center; authorizing the sale of state bonds.

Referred to the Committee on Governmental Operations and Veterans.

Senator Solon introduced--

S.F. No. 3618: A bill for an act relating to alcoholic beverages; providing that certain establishments in which wine is made for personal or family use only are not required to be licensed; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce.

Senators Lourey; Ring; Johnson, D.E. and Kleis introduced--

S.F. No. 3619: A bill for an act relating to education finance; modifying the definition of equity revenue; appropriating money; amending Minnesota Statutes 1999 Supplement, section 126C.10, subdivisions 24, 25, and 27; repealing Minnesota Statutes 1999 Supplement, section 126C.10, subdivision 28.

Referred to the Committee on Children, Families and Learning.

Senators Sams and Larson introduced--

S.F. No. 3620: A bill for an act relating to taxes; levy limits; allowing a special levy for lake improvement districts; amending Minnesota Statutes 1999 Supplement, section 275.70, subdivision 5.

Referred to the Committee on Local and Metropolitan Government.

Senator Novak introduced--

S.F. No. 3621: A bill for an act relating to local government; prohibiting certain local elected officials from serving on a city charter commission; amending Minnesota Statutes 1998, section 410.05, subdivision 1.

Referred to the Committee on Local and Metropolitan Government.

Senators Ourada, Dille and Olson introduced--

S.F. No. 3622: A bill for an act relating to taxation of aggregate material; clarifying the definition of importer; authorizing Wright county to impose a tax on the production of aggregate materials exported outside the county; amending Minnesota Statutes 1998, section 298.75, subdivision 1.

Referred to the Committee on Taxes.

Senator Berglin introduced--

S.F. No. 3623: A bill for an act relating to human services; excluding income earned by a temporary census employee for purposes of public assistance eligibility; amending Minnesota Statutes 1998, sections 256D.06, subdivision 1; 256D.435, subdivision 5; and 256L.01, subdivision 5; Minnesota Statutes 1999 Supplement, sections 256B.056, subdivision 4; 256D.03, subdivision 3; and 256J.21, subdivision 2.

Referred to the Committee on Health and Family Security.

Senator Laidig introduced--

S.F. No. 3624: A bill for an act relating to the environment; requiring a report to the legislature on pesticide management.

Referred to the Committee on Environment and Natural Resources.

Senator Laidig introduced--

S.F. No. 3625: A bill for an act relating to retirement; providing certain survivor benefits under the public employees retirement association police and fire fund.

Referred to the Committee on Governmental Operations and Veterans.

Senators Wiener, Lourey, Hottinger, Kiscaden and Samuelson introduced--

S.F. No. 3626: A bill for an act relating to insurance; adjusting aspects of eligibility and coverage in the comprehensive health association; requiring a study of premium rates; amending Minnesota Statutes 1998, sections 62E.02, subdivision 13; 62E.08; 62E.13, subdivision 2; 62E.14, subdivision 1; 62E.15, by adding a subdivision; and 62E.18; Minnesota Statutes 1999 Supplement, section 62E.12.

Referred to the Committee on Commerce.

Senator Pogemiller introduced--

S.F. No. 3627: A bill for an act relating to education; increasing the equalizing factor in the debt service equalization program; amending Minnesota Statutes 1999 Supplement, section 123B.53, subdivision 5.

Referred to the Committee on Children, Families and Learning.

Senator Samuelson introduced--

S.F. No. 3628: A bill for an act relating to appropriations; making supplemental appropriations and reductions; imposing certain conditions; changing certain licensing fees; amending Minnesota Statutes 1998, sections 16A.67, subdivision 5; 16A.6701, subdivision 2; 60H.03, by adding a subdivision; 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; 97A.485, subdivision 12; 124D.52, as amended; 124D.53, as amended; 181A.12, subdivision 1; 246.18, subdivision 7; and 349A.10, subdivision 5; Minnesota Statutes 1999 Supplement, sections 124D.11, subdivision 4; 241.272, subdivision 6; and 256.019; Laws 1999, chapters 205, article 1, section 71, subdivision 3;

article 4, section 12, subdivision 5; 216, article 1, section 19; 241, article 10, section 5, subdivision 4; and 250, article 1, section 12, subdivision 5.

Referred to the Committee on Health and Family Security.

Senators Lourey and Samuelson introduced--

S.F. No. 3629: A bill for an act relating to health; permitting small employers to purchase coverage under the MinnesotaCare program for eligible employees; repealing the small employer alternative health benefit plan pilot project; proposing coding for new law in Minnesota Statutes, chapter 256L; repealing Minnesota Statutes 1999 Supplement, section 62L.055.

Referred to the Committee on Health and Family Security.

Senators Lourey, Janezich and Higgins introduced--

S.F. No. 3630: A bill for an act relating to education; appropriating money for family service collaboratives.

Referred to the Committee on Children, Families and Learning.

Senators Terwilliger and Piper introduced--

S.F. No. 3631: A bill for an act relating to children; appropriating money to support the Kids Capacity Initiative; requiring a report.

Referred to the Committee on Children, Families and Learning.

Senators Janezich; Johnson, D.H. and Novak introduced--

S.F. No. 3632: A bill for an act relating to professions; codifying the board of electricity's rules on electrical inspection fees; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Rules, part 3800.3810.

Referred to the Committee on Commerce.

Senators Janezich and Pappas introduced--

S.F. No. 3633: A bill for an act relating to children; continuing the citizenship promotion program; appropriating money for the citizen promotion program; repealing Laws 1997, chapter 162, article 2, section 32.

Referred to the Committee on Children, Families and Learning.

Senators Wiger, Price and Kinkel introduced--

S.F. No. 3634: A bill for an act relating to communications; modifying, clarifying, and recodifying cable and modem communications provisions; amending Minnesota Statutes 1998, sections 272.01, subdivision 3; and 473.129, subdivision 6; Minnesota Statutes 1999 Supplement, section 297A.25, subdivision 11; proposing coding for new law as Minnesota Statutes, chapter 238A; repealing Minnesota Statutes 1998, sections 238.01; 238.02; 238.03; 238.08; 238.081; 238.082; 238.083; 238.084; 238.086; 238.11; 238.12; 238.15; 238.16; 238.17; 238.18; 238.22, subdivisions 1, 2, 4, 5, 6, 7, 8, and 9; 238.23; 238.24; 238.241; 238.242; 238.25; 238.26; 238.27; 238.35; 238.36; 238.37; 238.38; 238.39; 238.40; 238.41; 238.42; and 238.43; Minnesota Statutes 1999 Supplement, section 238.22, subdivision 3.

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

Senator Stumpf introduced--

S.F. No. 3635: A bill for an act relating to taxation; increasing the exemption amount for the individual alternative minimum tax; amending Minnesota Statutes 1998, section 290.091, subdivision 3.

Referred to the Committee on Taxes.

Senators Stumpf; Vickerman; Johnson, D.E.; Langseth and Sams introduced--

S.F. No. 3636: A bill for an act relating to education; altering the definition of marginal cost pupil units; amending Minnesota Statutes 1999 Supplement, section 126C.05, subdivisions 5 and 6.

Referred to the Committee on Children, Families and Learning.

Senator Day introduced--

S.F. No. 3637: A bill for an act relating to elections; specifying residence for voting purposes of certain students; amending Minnesota Statutes 1999 Supplement, section 200.031.

Referred to the Committee on Election Laws.

Senator Anderson introduced--

S.F. No. 3638: A bill for an act relating to commerce; prohibiting the sale of genetically engineered food unless labeled; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senator Anderson introduced--

S.F. No. 3639: A bill for an act relating to transportation; requiring study on changing passenger vehicle registration tax to reflect fuel efficiency.

Referred to the Committee on Transportation.

Senator Anderson introduced--

S.F. No. 3640: A bill for an act relating to taxation; authorizing the capitol region watershed district to exceed levy limits.

Referred to the Committee on Local and Metropolitan Government.

Senators Marty, Belanger, Terwilliger and Janezich introduced--

S.F. No. 3641: A bill for an act relating to transportation; appropriating money for personal rapid transit systems.

Referred to the Committee on Transportation.

Senator Kelly, R.C. introduced--

S.F. No. 3642: A bill for an act relating to traffic regulations; prescribing display period for "Walk" and "Don't Walk" signals at intersections; clarifying pedestrian right-of-way at intersections; appropriating money for pedestrian safety awareness campaign; amending Minnesota Statutes 1998, sections 169.06, subdivision 6; and 169.21, subdivisions 2, 3, and by adding a subdivision.

Referred to the Committee on Transportation.

Senators Kelly, R.C. and Higgins introduced--

S.F. No. 3643: A bill for an act relating to housing; authorizing the cities of Minneapolis and St. Paul to use certain bonds for smaller units; changing restrictions on use of low-income housing credits by the cities of Minneapolis and St. Paul; amending Minnesota Statutes 1998, section 474A.047, subdivision 1; Minnesota Statutes 1999 Supplement, section 462A.222, subdivision 3.

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

Senators Novak, Runbeck, Higgins, Lesewski and Kinkel introduced--

S.F. No. 3644: A bill for an act relating to workers' compensation; modifying indemnity provision; amending Minnesota Statutes 1998, section 176.061, subdivision 10.

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

Senators Sams; Moe, R.D.; Stumpf; Johnson, D.E. and Dille introduced--

S.F. No. 3645: A resolution memorializing the United States Congress to immediately begin the process of repealing and rewriting the Freedom to Farm Act, putting in place economic safety nets and export tools designed to protect small and mid-sized agricultural producers from low commodity prices and weather-related disasters.

Senator Moe, R.D. moved that S.F. No. 3645 be laid on the table. The motion prevailed.

RECESS

Senator Moe, R.D. moved that the Senate do now recess for ten minutes. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Moe, R.D. moved that S.F. No. 3645 be taken from the table. The motion prevailed.

S.F. No. 3645: A resolution memorializing the United States Congress to immediately begin the process of repealing and rewriting the Freedom to Farm Act, putting in place economic safety nets and export tools designed to protect small and mid-sized agricultural producers from low commodity prices and weather-related disasters.

Referred to the Committee on Agriculture and Rural Development.

Senator Johnson, D.H. moved that S.F. No. 3499 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

Senator Foley moved that S.F. No. 3332 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Local and Metropolitan Government. The motion prevailed.

Senator Kelly, R.C. moved that S.F. No. 2918 be withdrawn from the Committee on Crime Prevention and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

MEMBERS EXCUSED

Senators Pogemiller and Scheevel were excused from the Session of today from 10:30 to 11:10 a.m. Senator Metzen was excused from the Session of today from 10:30 to 11:50 a.m. Senator Novak was excused from the Session of today at 11:25 a.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 11:45 a.m., Tuesday, February 29, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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