

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-FIRST LEGISLATURE

ONE HUNDRED SECOND DAY

St. Paul, Minnesota, Wednesday, April 5, 2000

The Senate met at 9:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Diane D. Thibodeaux.

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

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

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

February 10, 2000

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

### BOARD OF THE ARTS

Russell Sharon, 1285 230th Street, Randall, MN 56475, in the county of Morrison, effective February 8, 2000, to complete a term expiring on January 5, 2004.

George Sutton, 3409 Fremont Avenue South, Minneapolis, MN 55408, in the county of Hennepin, effective February 8, 2000, to complete a term expiring on January 5, 2004.

Lawrence Gorrell, 224 Pleasant Hill Drive, Winona, MN 55987, in the county of Winona, effective February 8, 2000, to complete a term expiring on January 5, 2004.

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

February 24, 2000

The Honorable Allan H. Spear  
President of the Senate

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA POLLUTION CONTROL AGENCY

Robert Esse, 3502 134th Street N.W., Monticello, MN 55362, In the county of Wright, effective February 22, 2000, to complete a term expiring on January 5, 2004.

Sidney Mason, 3705 Greysolon Place, Duluth, MN 55804, in the county of Saint Louis, effective February 22, 2000, to complete a term expiring on January 5, 2004.

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

Sincerely,  
Jesse Ventura, Governor

April 4, 2000

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 2510, 3369, 3055, 2894, 3283, 2444, 3005, 2905, 3260, 2653 and 2511.

Sincerely,  
Jesse Ventura, Governor

April 5, 2000

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2000 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2000	Date Filed 2000
2510		320	3:50 p.m. April 4	April 4
3369		321	3:17 p.m. April 4	April 4
3055		322	3:30 p.m. April 4	April 4

2894		323	3:32 p.m. April 4	April 4
3283		324	3:18 p.m. April 4	April 4
	1590	325	3:40 p.m. April 4	April 4
2444		326	3:20 p.m. April 4	April 4
3005		327	3:35 p.m. April 4	April 4
2905		328	3:24 p.m. April 4	April 4
	3169	329	3:27 p.m. April 4	April 4
	2670	330	3:39 p.m. April 4	April 4
3260		331	3:48 p.m. April 4	April 4
2653		332	3:42 p.m. April 4	April 4
	2940	333	3:45 p.m. April 4	April 4
2511		334	3:54 p.m. April 4	April 4

Sincerely,  
Mary Kiffmeyer  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform you that the House has repassed House File No. 2809, notwithstanding the veto of the Honorable Jesse Ventura, Governor of the State.

There is herewith transmitted to the Senate:

1. **H.F. No. 2809:** A bill for an act relating to human services; clarifying admissions criteria for the Ah-Gwah-Ching center; requiring the center to provide information on and promote the use of the geriatric rapid assessment stabilization program; proposing coding for new law in Minnesota Statutes, chapter 251.

2. The veto Message of the Governor, dated April 3, 2000.

3. The enrolled copy of Chapter No. 310/House File No. 2809 with all of the signatures of the officers of the Senate and the House of Representatives but minus the signature of the Governor.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 2000

Senator Moe, R.D. moved that H.F. No. 2809 and the message thereon be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2850, 3354, 2989, 3455, 2725 and 3478.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 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. 3566:** A bill for an act relating to crime prevention; creating a new criminal penalty

for failure to pay over sales tax on motor vehicles collected from a purchaser; amending Minnesota Statutes 1998, section 297B.10.

Senate File No. 3566 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Foley moved that the Senate concur in the amendments by the House to S.F. No. 3566 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3566 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 3423:** A bill for an act relating to insurance; requiring the commissioner of commerce to assist Holocaust victims to settle claims and recover proceeds from applicable insurance policies; proposing coding for new law in Minnesota Statutes, chapter 60A.

Senate File No. 3423 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Spear moved that the Senate concur in the amendments by the House to S.F. No. 3423 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3423 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

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

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 2742:** A bill for an act relating to family law; changing the time for filing a notice to remove; requiring a study of medical support statutes; eliminating certain requirements; amending Minnesota Statutes 1998, sections 518.55, subdivision 4; and 542.16, subdivision 1; Minnesota Statutes 1999 Supplement, section 518.6111, subdivision 5; repealing Minnesota Statutes 1998, sections 144.224; 518.147; and 518.583.

Senate File No. 2742 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Foley moved that the Senate concur in the amendments by the House to S.F. No. 2742 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 2742:** A bill for an act relating to family law; changing the time for filing a notice to remove; requiring a study of medical support statutes; eliminating certain requirements; amending Minnesota Statutes 1998, section 542.16, subdivision 1; repealing Minnesota Statutes 1998, sections 144.225; 518.147; and 518.583.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Fischbach	Janezich	Kinkel	Larson
Berg	Flynn	Johnson, D.E.	Kiscaden	Lesewski
Berglin	Foley	Johnson, D.H.	Kleis	Lessard
Betzold	Frederickson	Johnson, D.J.	Knutson	Limmer
Cohen	Hanson	Kelley, S.P.	Krentz	Lourey
Day	Higgins	Kelly, R.C.	Laidig	Marty
Dille	Hottinger	Kierlin	Langseth	Metzen

Moe, R.D.  
Murphy  
Neuville  
Oliver  
Olson  
Pappas

Pariseau  
Piper  
Price  
Ranum  
Ring  
Robertson

Robling  
Runbeck  
Sams  
Samuelson  
Scheevel  
Scheid

Solon  
Spear  
Stevens  
Stumpf  
Terwilliger  
Vickerman

Wiger  
Ziegler

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 3234:** A bill for an act relating to state government; authorizing legislative governmental operations committees to formally object to administrative rules; modifying the review of proposed rules; creating a rules task force; providing appointments; amending Minnesota Statutes 1998, sections 3.842, subdivision 4a; and 14.15, subdivision 4; Minnesota Statutes 1999 Supplement, section 14.26, subdivision 3.

Senate File No. 3234 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Hottinger moved that the Senate do not concur in the amendments by the House to S.F. No. 3234, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. 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. 3901.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 2000

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 3901:** A bill for an act relating to housing; housing finance agency; authorizing agency to enter into interest rate exchange agreements; authorizing agency to make grants or loans under the community rehabilitation fund account to for-profit organizations; amending Minnesota Statutes 1998, section 462A.206, subdivision 4; Minnesota Statutes 1999 Supplement, section 462A.206, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 462A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3769, now on General Orders.

### REPORTS OF COMMITTEES

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

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

**H.F. No. 3331** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3331	2980				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 3331 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3331 and insert the language after the enacting clause of S.F. No. 2980, the second engrossment; further, delete the title of H.F. No. 3331 and insert the title of S.F. No. 2980, the second engrossment.

And when so amended H.F. No. 3331 will be identical to S.F. No. 2980, and further recommends that H.F. No. 3331 be given its second reading and substituted for S.F. No. 2980, 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 HOUSE BILLS**

H.F. No. 3331 was read the second time.

### **MOTIONS AND RESOLUTIONS**

#### **Senator Ourada introduced--**

**Senate Resolution No. 149:** A Senate resolution congratulating Peter Rognli of Otsego, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

#### **Senator Metzen introduced--**

**Senate Resolution No. 150:** A Senate resolution congratulating the University of Minnesota Women's Hockey team on winning the 2000 national championship.

Referred to the Committee on Rules and Administration.

### **SPECIAL ORDERS**

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 3091, 2417 and H.F. No. 2731.

### **SPECIAL ORDER**

**S.F. No. 3091:** A bill for an act relating to taxation; recodifying the sales and use tax laws;

making style and form and clarifying changes; amending Minnesota Statutes 1998, sections 37.13; 115A.69, subdivision 6; 116A.25; 289A.31, subdivision 7; 360.035; 458A.09; 458A.30; 458D.23; 469.127; 473.448; 473.545; and 473.608, subdivision 2; Minnesota Statutes 1999 Supplement, section 469.101, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 297A; repealing Minnesota Statutes 1998, sections 297A.01; 297A.02; 297A.022; 297A.023; 297A.03; 297A.04; 297A.041; 297A.06; 297A.065; 297A.07; 297A.09; 297A.10; 297A.11; 297A.12; 297A.13; 297A.135; 297A.14; 297A.141; 297A.15; 297A.16; 297A.17; 297A.18; 297A.21; 297A.211; 297A.213; 297A.22; 297A.23; 297A.24; 297A.25; 297A.2531; 297A.2545; 297A.255; 297A.256; 297A.2571; 297A.2572; 297A.2573; 297A.259; 297A.26; 297A.28; 297A.33, subdivision 2; 297A.44, subdivision 1; 297A.46; 297A.47; and 297A.48.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**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.

Senator Pappas moved to amend S.F. No. 2417 as follows:

Page 1, line 7, after "GUNS" insert "; RESTRICTED VIOLENT VIDEO GAMES"

Page 1, after line 17, insert:

"(c) No person may sell or rent a restricted violent video game to a person under 17 years of age without the written consent of the parent or legal guardian.

"(d) As used in this section, the term "restricted violent video game" means a video game rated AO (adult only) or M (mature) by the entertainment software rating board."

Page 1, line 19, after "1" insert ", paragraphs (a) and (b),"

Page 1, line 21, delete "this section" and insert "subdivision 1, paragraphs (a) and (b)"

Senator Spear questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Kinkel moved to amend S.F. No. 2417 as follows:



Page 1, line 8, delete the comma and insert "or"

Page 1, line 9, delete ", lend, or give"

Page 1, delete lines 12 to 17 and insert:

"(b) No person may discharge or possess a paint ball gun in a public elementary, middle, or secondary school building or on its grounds, whether leased or owned by the school."

The motion prevailed. So the amendment was adopted.

S.F. No. 2417 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was passed and its title was agreed to.

### SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 3331 and that the rules of the Senate be so far suspended as to give H.F. No. 3331, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

**H.F. No. 3331:** A bill for an act relating to crime prevention; creating the position of director of domestic violence and sexual assault prevention and an interagency task force on domestic violence and sexual assault prevention; specifying the powers, duties, and organization of the director and task force; amending Minnesota Statutes 1998, sections 611A.25, by adding a subdivision; and 611A.34, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 611A.

Senator Junge moved that the amendment made to H.F. No. 3331 by the Committee on Rules and Administration in the report adopted April 4, 2000, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Senator Lesewski moved to amend H.F. No. 3331 as follows:

Page 4, line 20, delete "and"

Page 4, line 23, before the period, insert "; and

(18) two members of the senate, one member of the majority caucus and one member of the minority caucus, appointed by the subcommittee on committees of the committee on rules and administration and two members of the house of representatives, one member of the majority caucus and one member of the minority caucus, appointed by the speaker"

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

H.F. No. 3331 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 2731:** A bill for an act relating to commerce; motor vehicle sales and distribution; regulating unfair practices by manufacturers, distributors, and factory branches; amending Minnesota Statutes 1998, sections 80E.13; and 80E.14, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1126, 1038, 2723, 3198, 3428, 3533, 2789 and 2858.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 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. 2949:** A bill for an act relating to natural resources; providing for the establishment of heritage forest areas in specified counties; amending Minnesota Statutes 1998, section 84.944, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 89.

Senate File No. 2949 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

**CONCURRENCE AND REPASSAGE**

Senator Hottinger moved that the Senate concur in the amendments by the House to S.F. No. 2949 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2949 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE - CONTINUED**

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. 3290:** A bill for an act relating to environment; providing grants for certain agreements made under the Environment Response and Liability Act; extending landfill cleanup eligibility for the Western Lake Superior Sanitary District; amending Minnesota Statutes 1998, section 115B.17, subdivision 19.

Senate File No. 3290 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Kelly, R.C. moved that the Senate concur in the amendments by the House to S.F. No. 3290 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3290 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 2870:** A bill for an act relating to financial institutions; regulating certain loan charges and payments; making various technical changes; amending Minnesota Statutes 1998, sections 47.59, subdivisions 7, 10, and by adding a subdivision; 47.60, subdivision 2; 48.56; 52.04, subdivision 1; 56.131, subdivision 4; 58.02, subdivision 10; 58.04, subdivisions 2 and 3; 58.05, by adding a subdivision; 58.08, as amended; 58.10, subdivision 1; and 168.72, by adding a subdivision; Minnesota Statutes 1999 Supplement, sections 47.52; and 58.04, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 58; repealing Minnesota Statutes 1998, sections 58.02, subdivision 15; and 58.05, subdivision 2; Minnesota Rules, part 2675.4180.

Senate File No. 2870 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Metzen moved that the Senate do not concur in the amendments by the House to S.F. No. 2870, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 1288:** A bill for an act relating to natural resources; exempting trappers from blaze orange requirements; providing that for certain turkey license applicants qualifying land may be noncontiguous; increasing hunting and fishing license fees; appropriating money; amending Minnesota Statutes 1998, sections 97A.435, subdivision 4; 97A.475, subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; 97A.485, subdivision 12; and 97B.071.

Senate File No. 1288 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Lessard moved that the Senate do not concur in the amendments by the House to S.F. No. 1288, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 3348:** A bill for an act relating to health; modifying requirements for potluck events sponsored by organizations; amending Minnesota Statutes 1998, section 157.22.

Senate File No. 3348 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Johnson, D.E. moved that the Senate concur in the amendments by the House to S.F. No. 3348 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3348 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Johnson, D.E.	Knutson	Murphy
Belanger	Flynn	Johnson, D.H.	Krentz	Neuville
Berg	Foley	Johnson, D.J.	Lesewski	Oliver
Berglin	Frederickson	Kelley, S.P.	Lessard	Olson
Betzold	Hanson	Kelly, R.C.	Limmer	Ourada
Cohen	Higgins	Kierlin	Lourey	Pappas
Day	Hottinger	Kinkel	Marty	Pariseau
Dille	Janezich	Kleis	Metzen	Piper

Pogemiller	Robling	Scheevel	Stevens	Wiener
Price	Runbeck	Scheid	Stumpf	Wiger
Ranum	Sams	Solon	Terwilliger	Ziegler
Ring	Samuelson	Spear	Vickerman	

Those who voted in the negative were:

Kiscaden	Laidig	Robertson
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So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 2987:** A bill for an act relating to cooperatives; amending provisions on the financing and distribution of income for cooperatives; amending Minnesota Statutes 1998, section 308A.705, subdivision 3; Minnesota Statutes 1999 Supplement, section 80A.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 308A; repealing Minnesota Statutes 1998, sections 308A.031; and 308A.161.

Senate File No. 2987 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Vickerman moved that the Senate concur in the amendments by the House to S.F. No. 2987 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 2987:** A bill for an act relating to cooperatives; amending provisions on the financing and distribution of income for cooperatives; amending Minnesota Statutes 1998, section 308A.705, subdivision 3; Minnesota Statutes 1999 Supplement, section 80A.15, subdivision 2; repealing Minnesota Statutes 1998, sections 308A.031; and 308A.161.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE - CONTINUED**

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. 2785:** A bill for an act relating to motor vehicles; exempting utility-owned vehicles from certain weight restrictions; amending Minnesota Statutes 1998, sections 169.825, by adding a subdivision; and 169.87, by adding a subdivision.

Senate File No. 2785 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Murphy moved that the Senate do not concur in the amendments by the House to S.F. No. 2785, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 2547:** A bill for an act relating to the capitol area; requiring the capitol area architectural and planning board to select a site in the capitol area for installation of the memorial to Minnesota firefighters that is now installed at Minneapolis-St. Paul International Airport.

Senate File No. 2547 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

**CONCURRENCE AND REPASSAGE**

Senator Metzen moved that the Senate concur in the amendments by the House to S.F. No. 2547 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 2547:** A bill for an act relating to the capitol area; requiring the capitol area architectural and planning board to select a site in the capitol area for installation of the memorial to Minnesota firefighters that is now installed at Minneapolis-St. Paul International Airport and to place a plaque in the court of honor on the capitol grounds to honor combat wounded veterans.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Day	Higgins	Kelley, S.P.	Knutson
Belanger	Dille	Hottinger	Kelly, R.C.	Krentz
Berg	Fischbach	Janezich	Kierlin	Laidig
Berglin	Foley	Johnson, D.E.	Kinkel	Langseth
Betzold	Frederickson	Johnson, D.H.	Kiscaden	Larson
Cohen	Hanson	Johnson, D.J.	Kleis	Lesewski

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

Those who voted in the negative were:

Flynn

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

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. 2500:** A bill for an act relating to charitable organizations; changing definitions; amending Minnesota Statutes 1998, section 309.501, subdivision 1.

Senate File No. 2500 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Oliver moved that the Senate do not concur in the amendments by the House to S.F. No. 2500, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 83:** A bill for an act relating to natural resources; simplifying and consolidating wetland regulation; amending Minnesota Statutes 1998, sections 103G.005, subdivisions 15 and 19; 103G.201; 103G.2242, subdivision 2; 103G.2372; 103G.2373; and 645.44, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103G.

Senate File No. 83 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Stevens moved that the Senate concur in the amendments by the House to S.F. No. 83 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 83:** A bill for an act relating to natural resources; simplifying and consolidating wetland regulation; amending Minnesota Statutes 1998, sections 103G.005, subdivisions 15 and 19; 103G.201; 103G.222; 103G.2241, subdivisions 1, 3, and 9; 103G.2242, subdivisions 1, 2, 5, 9, 11, and by adding a subdivision; 103G.2372; 103G.2373; 103G.245, subdivision 5; and 645.44, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103G.



Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

#### MESSAGES FROM THE HOUSE - CONTINUED

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. 76:** A bill for an act relating to crime prevention; eliminating requirement to hold DWI-related vehicle forfeiture proceeding at same time as implied consent hearing; amending Minnesota Statutes 1998, section 169.1217, subdivision 7a.

Senate File No. 76 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

#### CONCURRENCE AND REPASSAGE

Senator Foley moved that the Senate concur in the amendments by the House to S.F. No. 76 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 76:** A bill for an act relating to crime prevention; eliminating requirement to hold DWI-related vehicle forfeiture proceeding at same time as implied consent hearing; authorizing secured parties to sell forfeited vehicles under certain conditions; amending Minnesota Statutes 1998, section 169.1217, by adding a subdivision; and Minnesota Statutes 1999 Supplement, section 169.1217, subdivisions 7, 7a, and 9.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Berglin	Day	Flynn	Hanson
Belanger	Betzold	Dille	Foley	Higgins
Berg	Cohen	Fischbach	Frederickson	Hottinger

Janezich	Knutson	Metzen	Pogemiller	Spear
Johnson, D.E.	Krentz	Murphy	Price	Stevens
Johnson, D.H.	Laidig	Neuville	Ranum	Stumpf
Johnson, D.J.	Langseth	Novak	Robertson	Terwilliger
Junge	Larson	Oliver	Robling	Vickerman
Kelly, R.C.	Lesewski	Olson	Sams	Wiener
Kierlin	Lessard	Ourada	Samuelson	Wiger
Kinkel	Limmer	Pappas	Scheevel	Ziegler
Kiscaden	Lourey	Pariseau	Scheid	
Kleis	Marty	Piper	Solon	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 3412:** A bill for an act relating to insurance; removing certain state involvement with the state fund mutual insurance company; repealing Minnesota Statutes 1998, sections 79.371; 176A.01; 176A.02; 176A.03; 176A.04; 176A.05; 176A.06; 176A.07; 176A.08; 176A.09; 176A.10; 176A.11; and 176A.12.

There has been appointed as such committee on the part of the House:

Paulsen, Davids and Gunther.

Senate File No. 3412 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 3169:** A bill for an act relating to family law; providing for parenting plans; changing certain terminology; appropriating money; amending Minnesota Statutes 1998, sections 15.87; 119A.37; 124D.23, subdivision 8; 256L.01, subdivision 3a; 257.541; 257.75, subdivision 3; 257A.01, subdivision 2; 257A.03, subdivision 2; 480.30, subdivision 1; 494.015, subdivision 1; 517.08, subdivision 1c; 518.003, subdivision 3, and by adding a subdivision; 518.131, subdivisions 1, 2, 3, 7, and by adding a subdivision; 518.156; 518.157, subdivisions 1 and 3; 518.165, subdivision 1; 518.17, subdivision 1; 518.175, subdivisions 1, 1a, 2, 3, 5, 6, and 8; 518.1751; 518.176, subdivision 2; 518.177; 518.179, subdivision 1; 518.18; 518.612; 518.619, subdivision 1; 518.68, subdivisions 1 and 2; 518B.01, subdivisions 4, 6, and 8; 519.11, subdivision 1a; 609.26, subdivision 2; 629.341, subdivision 3; and 631.52, subdivision 1; Minnesota Statutes 1999 Supplement, sections 119A.45; 257.66, subdivision 3; 494.03; 518.155; 518.165, subdivision 2; 518.178; 518.551, subdivision 5; and 609.26, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 518.

There has been appointed as such committee on the part of the House:

Dawkins, Bishop and Biernat.

Senate File No. 3169 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 2683:** A bill for an act relating to game and fish; exempting archery bows used for bow fishing from casing requirement; authorizing disability permits for taking rough fish and hunting small game with a crossbow; amending Minnesota Statutes 1998, sections 97B.051; 97B.055, subdivision 2; and 97B.106.

There has been appointed as such committee on the part of the House:

Hackbarth, Abeler and Bakk.

Senate File No. 2683 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 3272:** A bill for an act relating to the building code; modifying requirements of bleacher safety; amending Minnesota Statutes 1999 Supplement, section 16B.616, subdivisions 3 and 4.

There has been appointed as such committee on the part of the House:

Bradley, Juhnke and Smith.

Senate File No. 3272 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 3259:** A bill for an act relating to the state building code; providing for certain energy code rules to remain in effect.

There has been appointed as such committee on the part of the House:

Bradley, Boudreau and Mahoney.

Senate File No. 3259 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 2000

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 2796:** A bill for an act relating to retirement; pension plan actuarial reporting; various public retirement plans; volunteer firefighter relief associations; Minneapolis firefighters relief association; modifying actuarial cost allocation by the legislative commission on pensions and retirement; changing the actuarial value of assets, actuarial assumptions and funding surplus recognition method; revising re-employed annuitant earnings limitations; adding certain prior correctional positions to correctional plan coverage; clarifying various former police and fire consolidation account merger provisions; authorizing certain optional annuity form elections by former consolidation account members; revising local correctional retirement plan membership eligibility; increasing local correctional retirement plan member and employer contribution rates; authorizing the purchase of nonprofit community-based corporation teaching service; expanding investment options for employer matching contribution tax sheltered annuities; modifying various volunteer firefighter relief association benefit and administration provisions; modifying judicial pension provision; modifying the marriage duration requirement for certain Minneapolis firefighter relief association survivor benefits; creating additional Minneapolis police and firefighter relief association post retirement adjustment mechanisms; resolving various individual and small group pension problems; amending Minnesota Statutes 1998, sections 16A.055, subdivision 5; 69.773, subdivision 1; 122A.46, subdivision 1, and by adding a subdivision; 136F.45, subdivision 1a; 352.115, subdivision 10; 352.15, subdivision 1a; 352.91, subdivisions 3c, 3d, and by adding a subdivision; 352B.01, subdivision 3, and by adding a subdivision; 352D.02, subdivision 1; 352D.04, subdivision 2; 352D.05, subdivision 3; 352D.06; 352D.09, subdivision 5a; 353.01, subdivisions 2, 6, 11a, 28, 32, and by adding a subdivision; 353.15, subdivision 2; 353.27, subdivisions 4 and 12; 353.33, subdivisions 2 and 6; 353.34, subdivision 1; 353.37, by adding a subdivision; 353.64, subdivisions 2, 3, 4, and by adding a subdivision; 353.656, subdivisions 1 and 3; 353.71, subdivision 2; 353B.11, subdivision 3; 354.05, subdivisions 2 and 35; 354.091; 354.092, subdivision 2; 354.093; 354.094, subdivision 1; 354.10, subdivision 2; 354.35; 354.44, subdivision 5; 354.46, subdivision 2a; 354.47, subdivision 1; 354.48, subdivision 6; 354.49, subdivision 1; 354.52, subdivisions 3, 4, 4a, and 4b; 354.63, subdivision 2; 354A.31, subdivisions 3 and 3a; 354B.23, subdivision 5a; 354C.12, subdivision 1a; 354C.165; 356.215, subdivisions 1, 2, and 4d; 356.24, by adding a subdivision; 356.30, subdivision 1; 356A.01, subdivision 8; 356A.02; 356A.06, subdivision 4, and by adding a subdivision; 423B.01; 424A.001, subdivision 9; 424A.02, subdivisions 3, 7, 9, 13, and by adding a subdivision; 424A.04, subdivision 1; 424A.05, subdivision 3; 490.121, subdivision 4, and by adding a subdivision; 490.123, subdivisions 1a and 1b; and 490.124, subdivision 1; Minnesota Statutes 1999 Supplement, sections 3.85, subdivision 12; 69.021, subdivision 7; 136F.48; 352.1155, subdivisions 1 and 4; 353.01, subdivisions 2b and 10; 353.64, subdivision 1; 353E.02; 353E.03; 353F.02, subdivision 5; 354.445; 354.536, subdivision 1; 354A.101, subdivision 1; 356.215, subdivision 4g; 356.24, subdivisions 1 and 1b; and 423A.02, subdivisions 1b, 4 and 5; Laws 1965, chapter 705, section 1, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 69; 352; 353; 354; 354A; 356; and 423B; proposing coding for new law as Minnesota Statutes, chapters 352G; and 424B; repealing Minnesota Statutes 1998, section 353.024; 354.52, subdivision 2; and 424A.02, subdivision 11; Minnesota Statutes 1999 Supplement, sections 356.24, subdivision 1a; and 356.61.

There has been appointed as such committee on the part of the House:

Mares, Stanek and Murphy.

Senate File No. 2796 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 5, 2000

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2671:

**H.F. No. 2671:** A bill for an act relating to human services; mental retardation protection; requiring legislative recommendations.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Bradley, Wilkin and Luther have been appointed as such committee on the part of the House.

House File No. 2671 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 2000

Senator Hottinger moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2671, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

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. 3701:** A bill for an act relating to state government; adding members to the designer selection board; providing the designation of at least two designers for projects at the University of Minnesota or the state colleges and universities; amending Minnesota Statutes 1998, section 16B.33, subdivisions 2 and 3a.

Senate File No. 3701 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

### CONCURRENCE AND REPASSAGE

Senator Wiener moved that the Senate concur in the amendments by the House to S.F. No. 3701 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3701 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was repassed and its title was agreed to.

**MESSAGES FROM THE HOUSE - CONTINUED**

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. 3002:** A bill for an act relating to natural resources; adding to and deleting from state parks; amending Minnesota Statutes 1998, section 85.012, subdivision 32a.

Senate File No. 3002 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Frederickson moved that the Senate do not concur in the amendments by the House to S.F. No. 3002, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

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. 551:** A bill for an act relating to domestic abuse; requiring battered women programs to coordinate services with child protection agencies; authorizing service of short form notification in lieu of personal service for orders for protection; expanding the definition of first degree murder in situations involving domestic abuse; providing enhanced penalties based upon a previous conviction or adjudication for malicious punishment of a child and other laws; adding assault in the fifth degree and domestic assault to definition of "crimes of violence"; increasing the cash bail for individuals charged with malicious punishment of a child; clarifying when evidence of similar prior conduct of an accused related to domestic abuse is admissible; changing a definition in the law related to the order of disposition of issues on a court's calendar; providing criminal penalties; amending Minnesota Statutes 1998, sections 260.133, subdivisions 1 and 2; 260.191, subdivision 1b; 518B.01, subdivisions 5, 8, and by adding subdivisions; 609.185; 609.224, subdivisions 2 and 4; 609.2242, subdivisions 2 and 4; 609.342, subdivision 3; 609.343, subdivision 3; 609.344, subdivision 3; 609.345, subdivision 3; 609.377; 609.749, subdivisions 3 and 4; 611A.32, subdivision 2; 611A.34, subdivision 3; 624.712, subdivision 5; 626.556, subdivision 2; 626.558, subdivision 1; 629.471, subdivision 3; 630.36; and 634.20.

Senate File No. 551 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 4, 2000

Senator Junge moved that S.F. No. 551 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3692:

**H.F. No. 3692:** 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; requiring a report; amending Minnesota Statutes 1998, sections 116.06, by adding a subdivision; 116.07, subdivision 7c; and 116.0713; Minnesota Statutes 1999 Supplement, sections 116.07, subdivision 7; and 116.072, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 18B.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Kuisle, Dorman and Skoe have been appointed as such committee on the part of the House.

House File No. 3692 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 2000

Senator Sams moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 3692, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2888, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2888 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 5, 2000

#### **CONFERENCE COMMITTEE REPORT ON H.F. NO. 2888**

A bill for an act relating to natural resources; authorizing the marking of canoe and boating routes on certain rivers; amending Minnesota Statutes 1998, section 85.32, subdivision 1, and by adding a subdivision.

April 3, 2000

The Honorable Steve Sviggum  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

We, the undersigned conferees for H.F. No. 2888, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment.

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Doug Peterson, Jim Rostberg, Mark Holsten

Senate Conferees: (Signed) Charles A. Berg, Dean E. Johnson, Cal Larson

Senator Berg moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2888 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2888 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Higgins moved that H.F. No. 3229, No. 3 on General Orders, be stricken and re-referred to the Committee on State Government Finance. The motion prevailed.

### RECESS

Senator Junge moved that the Senate do now recess subject to the call of the President. The motion prevailed.

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

### APPOINTMENTS

Senator Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 2870: Senators Metzen, Solon and Day.

S.F. No. 3234: Senators Hottinger, Betzold and Stevens.

S.F. No. 1288: Senators Lessard, Krentz and Pariseau.

H.F. No. 2671: Senators Hottinger, Berglin and Robertson.

S.F. No. 2785: Senators Murphy; Johnson, D.H. and Frederickson.

S.F. No. 2500: Senators Oliver, Spear and Flynn.

S.F. No. 3002: Senators Frederickson; Johnson, D.J. and Lessard.

Senator Junge moved that the foregoing appointments be approved. The motion prevailed.

### RECONSIDERATION

Having voted on the prevailing side, Senator Ranum moved that the vote whereby S.F. No. 2417 was passed by the Senate on April 5, 2000, be now reconsidered. The motion prevailed. So the vote was reconsidered.

**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.

Senator Ranum moved to amend S.F. No. 2417 as follows:

Page 1, line 18, after "(a)" insert "Unless a greater penalty is provided in another statute,"

The motion prevailed. So the amendment was adopted.

S.F. No. 2417 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended, was passed and its title was agreed to.

### 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 Messages From the House and First Reading of House Bills.

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 3278, 3501, 3481 and 3497.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 4, 2000

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 3278:** A bill for an act relating to human services; modifying the administration of the congregate housing services projects; amending Minnesota Statutes 1998, section 256.9751.

Senator Moe, R.D. moved that H.F. No. 3278 be laid on the table. The motion prevailed.

**H.F. No. 3501:** A bill for an act relating to labor; modifying a provision governing exchange of information between the departments of labor and industry and revenue; amending Minnesota Statutes 1998, section 270B.14, subdivision 8.

Referred to the Committee on Judiciary.

**H.F. No. 3481:** A bill for an act relating to local government; changing the authorized number of members of housing and redevelopment authorities; increasing a member per diem limit; increasing the Washington county redevelopment authority to seven members; amending Minnesota Statutes 1998, sections 469.003, subdivision 5; 469.006, subdivisions 1 and 2; and 469.011, subdivision 4.

Referred to the Committee on Local and Metropolitan Government.

**H.F. No. 3497:** A bill for an act relating to state government; regulating the recovery of costs and attorney fees from the state of Minnesota; conforming certain provisions of state law to analogous federal law; clarifying existing law; establishing specific procedures for application of fees; correcting miscellaneous noncontroversial oversights, inconsistencies, ambiguities, and technical errors; amending Minnesota Statutes 1998, sections 15.471, subdivisions 4, 5, and 6; and 15.472.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3539, now on General Orders.

### MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2471 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 2471:** A bill for an act relating to Hennepin county; making changes to provisions on its human resources board and department; amending Minnesota Statutes 1998, sections 383B.26; 383B.27; 383B.28, subdivisions 1, 3, and 4; 383B.29; 383B.30; 383B.31; 383B.32, subdivisions 2 and 3; repealing Minnesota Statutes 1998, section 383B.35.

Senator Higgins moved to amend S.F. No. 2471 as follows:

Page 1, after line 8, insert:

"Section 1. [383B.160] [DESIGN-BUILD CONTRACTS.]

Subdivision 1. [DEFINITIONS.] (a) For purposes of this section, the following terms have the meanings given them, unless the context clearly indicates otherwise.

(b) "Acceptance" means a formal resolution of the county board authorizing the execution of a design-build contract.

(c) "Designer selection committee" means the designer selection committee appointed by the county board to advise the county administrator and county board in preparing and conducting the design-build selection process.

(d) "Design-build contract" means a contract between the county and a design-builder to furnish the architectural, engineering, and related design services as well as the labor, materials, supplies, equipment, and construction services for a project. A design-build contract may be conditioned upon later refinements in scope and price, and may permit the county to make changes in the scope of the project without invalidating the design-build contract.

(e) "Design-builder" means the person that proposes to design and build a project governed by the procedures of this section.

(f) "Design criteria package" means a performance-oriented description of the budget, program, and site for the project containing sufficient information to permit design-build firms to prepare a

response to the requests for proposals. The design criteria package must specify performance-based criteria for the project; legal description of the site; survey, soil, and environmental information concerning the site; interior space requirements, including adjacency diagrams; material quality standards; conceptual design criteria; cost or budget estimates; design and construction schedules; site development requirements; provisions for utilities; stormwater retention and disposal; and parking requirements applicable to the project and any other information required to adequately describe the project.

(g) "Design criteria professional" means a person who holds or employs individuals who hold the license or licenses under chapter 326 that would be required to design the design-build project and who is employed by or under contract with the county to provide professional architecture and engineering services in connection with the preparation of the design criteria package.

(h) "Design proposal" means the phase-two proposal to be submitted by a design-builder in a design-based selection process, which includes the building and site design, design and construction schedule, and the construction cost, in such detail as the county may require in the request for proposals.

(i) "Past performance" or "experience" shall not include the exercise or assertion of a person's legal rights.

(j) "Person" means an individual, partnership, joint venture, corporation, professional corporation, business association, or any other legal entity.

(k) "Project" means an undertaking to design, construct, erect, or remodel a facility, building, road, highway, or bridge.

(l) "Proposal" means an offer by a design-builder to enter into a design-build contract for a project in response to a request for proposals, including a phase-one or phase-two proposal.

(m) "Request for proposals" means the document or publication through which the county solicits proposals for a design-build contract.

Subd. 2. [AUTHORITY.] Notwithstanding section 471.345 or any other law to the contrary, the county board may solicit and award a design-build contract for a project on the basis of a best value selection process as provided in this section.

Subd. 3. [PROCEDURES.] The county board shall, by resolution, adopt implementation procedures consistent with this section for the award of design-build contracts. The implementation procedures must, at a minimum, govern the following:

(1) the establishment of a designer selection committee appointed by the county board to advise the county administrator and the county board in preparing and conducting the design-build selection process, including a recommendation for the selection of a design-build proposal it considers to be of best value to the public. The county board may not select a design-builder in which a member of the designer selection committee has a current financial interest;

(2) preparing requests for proposals, including procedures for determining the appropriate content for each request for proposal;

(3) standards to be used to qualify or prequalify design-builders;

(4) preparing and submitting proposals;

(5) establishing procedures for evaluating proposals in as objective a manner as possible;

(6) negotiations between the county, including the designer selection committee, and those submitting proposals prior to the acceptance of a proposal if negotiations are contemplated, including safeguards to preserve confidential information and propriety information supplied by those submitting proposals such as an offeror's price, technical solutions, innovative or unique technology, and innovative or unique use of commercially available items;

(7) the establishment of a stipend schedule to be used to compensate each design-builder who submits a phase-two design proposal. The compensation paid to the design-builder selected to complete the project shall be applied to the contract; and

(8) awarding and executing design-build contracts.

Subd. 4. [LICENSING REQUIREMENTS. ] (a) Each design-builder shall be, employ, or have as a partner, member, coventurer, or subcontractor persons duly licensed and registered to provide the services required to complete the project and do business in the state.

(b) A design-builder may enter into a contract with the county to provide professional or construction services that the design-builder is not licensed, registered, or qualified to perform, so long as the design-builder provides such services through subcontracts with duly licensed, registered, or otherwise qualified persons in accordance with this section.

(c) Nothing in this section authorizing design-build contracts is intended to limit or eliminate the responsibility or liability owed by a professional on a design-build project to the county or other third parties under existing law.

Subd. 5. [DEVELOPMENT OF DESIGN CRITERIA PACKAGE.] Each request for proposal shall contain performance criteria prepared by a design criteria professional employed by or under contract with the county. The county administrator, in consultation with the designer selection committee and the design criteria professional, shall determine the scope and level of detail required for the design criteria package beyond that required in subdivision 1, paragraph (f). The criteria shall not impose unnecessary criteria beyond the reasonable requirements to ensure maximum participation of qualified design-builders.

Subd. 6. [SOLICITATION OF PROPOSALS.] (a) A request for proposals shall be prepared for each design-build contract soliciting design-builders to respond in two phases under subdivision 7. A request for proposals shall contain, at a minimum, the following elements:

(1) procedures for submitting proposals, the criteria for evaluation of proposals and their relative weight for each phase, and the procedures for making awards, including a reference to the requirements of this section and any implementation procedures adopted by the county board under subdivision 3;

(2) the proposed terms and conditions for the design-build contract;

(3) the design criteria package;

(4) the qualifications the design-builder will be required to have;

(5) a schedule for commencement and completion of the project;

(6) budget limits for the project;

(7) affirmative action, disadvantaged business, small business, or set-aside goals or requirements for the design-build contract, if any;

(8) requirements for performance bonds, payment bonds, insurance, and statutorily required performance and payment bonds;

(9) a description of the drawings, specifications, or other submittals to be submitted with the design proposal, with guidance as to the form and level of completeness of the drawings, specifications, or submittals that will be acceptable; and

(10) identification of any other material information available from the county or designer selection committee, including, without limitation, surveys, soil reports, drawings or models of existing structures, environmental studies, photographs, and public records.

(b) Notice of requests for proposals must be advertised in the same manner in which bids are solicited under section 471.345.

Subd. 7. [EVALUATION OF PROPOSALS.] (a) The county board shall solicit and evaluate proposals and select a design-builder in two phases.

(b) In phase one, the county board shall evaluate and qualify potential design-builders for phase two of the selection process based on each design-builder's experience, technical competence, capability to perform, the past performance of the design-builder and its employees and proposed subcontractors for the project, and other appropriate facts submitted by it in response to the request for proposals. The county board shall not consider cost-related or price-related evaluation factors in phase one.

(c) In phase two, the county board shall evaluate design-builders as described in subdivision 9 for best value selection.

(d) In both phase one and phase two, the county board may require clarifications or further information from design-builders to ensure conformance of proposals with the design criteria package.

Subd. 8. [ACCEPTANCE OF PROPOSALS.] After obtaining and evaluating proposals from each design-builder according to the criteria and procedures set forth in the requests for proposals, the county board shall evaluate all proposals for the most advantageous and best value to the public. The county board may reject any or all proposals, except for the purpose of evading the provisions and policies of this section. If the county board rejects all proposals, it may thereafter solicit new proposals using the same or different performance criteria, budget constraints, or qualifications.

Subd. 9. [BEST VALUE SELECTION.] (a) The requirements of subdivisions 1 to 8 apply to all design-build contracts.

(b) The design criteria package for a project to be awarded by a best value selection process shall be in sufficient detail to allow qualified persons to submit design proposals in accordance with the request for proposals, given the nature of the project and the level of design to be provided in the proposal.

(c) Design-builders selected to submit phase-two proposals shall submit design proposals as required by the request for proposals, consisting of:

(1) plans and specifications, renderings, and models as may be required in the request for proposals in sufficient detail to describe the character, quality, and scope of the project;

(2) a design and construction schedule;

(3) the price at which the design-builder will complete the project if selected; and

(4) other materials the county determines are necessary to fix the design, schedule, and cost of the project.

(d) Design proposals must be sealed and may not be opened until the expiration time established for making proposals as set forth in the request for proposals.

(e) Design proposals shall identify each person with whom the design-builder proposes to enter into subcontracts for primary design and construction obligations under the design-build contract. Persons so identified may not be replaced without the approval of the county, or the award may be revoked.

(f) Design proposals must establish a cost that will not be exceeded if the design proposal is accepted without change. After a design proposal is accepted, the maximum cost in the design proposal shall be converted to fixed prices by negotiated agreement between the county and the design-builder.

(g) The amount and type of design services submitted to the county for phase-two proposals shall not exceed those requested by the county in order to facilitate the evaluation process.

(h) The county may require each design-builder to submit with its phase-two proposal, a cash deposit, letter of credit, or bid bond not to exceed five percent of the maximum cost of the design-build contract as established by the proposal.

(i) The county board shall accept the proposal it considers to be the most advantageous and best value to the public based on the evaluation criteria set forth in the request for proposal. Selection according to this method may result in a contract award not being made to the lowest cost proposal. The perceived benefits of the higher priced proposal shall merit the additional cost and the rationale for such a departure shall be stated at the time of the contract award.

Subd. 10. [REPORT.] On February 15 of each year, the county administrator shall report to the chairs of the senate local and metropolitan government committee and the house local government and metropolitan affairs committee regarding the county's utilization of the design-build contract delivery method under this section.

Subd. 11. [EXPIRATION.] This section expires December 31, 2003, and applies to design-build contracts entered into on or before that date."

Page 13, after line 36, insert:

"Sec. 12. [EFFECTIVE DATE.]

Section 1 is effective the day after the county board and the chief clerical officer of Hennepin county have complied with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Kiscaden questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Higgins moved to amend S.F. No. 2471 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1998, section 383B.116, subdivision 2, is amended to read:

Subd. 2. [PAYMENT BY WARRANT METHODS.] Payments of claims and obligations of the county shall may be made by warrant, check, or all forms of electronic or wire funds transfer. Section 471.38 does not apply to any claim for which payment is made by electronic or wire funds transfer. Where the county is authorized by law to make investments, persons designated by the board may, in accordance with rules and procedures established by the administrator, the county may make electronic or wire transfers of funds notwithstanding any other law to the contrary.

Sec. 2. Minnesota Statutes 1998, section 383B.116, is amended by adding a subdivision to read:

Subd. 6. [AUTHORITY TO ACCEPT PAYMENT BY CREDIT CARD OR OTHER METHODS.] The county may accept payment by use of a credit card, debit card, or all forms of electronic or wire funds transfer. Subject to any other law to the contrary, the county may add to the amount due a service charge for the acceptance of a payment method authorized in this subdivision. The amount of the service charge may not exceed the amount of any fee or charge the county must pay to a financial institution acting as an intermediary for the transaction. The county shall adopt policies and procedures regarding the payments including a policy for disclosure to the payor of any charges or fees the county will impose for the use of the credit card.

Sec. 3. [383B.1161] [ELECTRONIC APPROVALS.]

"Electronic approval" means any electronic identifier intended by the person making, executing, or adopting it to authenticate and validate a county administrative action. Notwithstanding any other general or special law to the contrary, the county may use electronic

approvals. The electronic approval has the same validity and consequences as the actual signing by the person. The county shall establish policies and procedures to ensure the validity of electronic approvals.

Sec. 4. [383B.1162] [CREDIT CARDS.]

The county may allow officials, officers, and employees of the county to incur charges for county purposes by use of county credit cards. The county shall adopt policies and procedures regarding such credit card usage to establish individual accountability."

Page 13, after line 34, insert:

"Sec. 15. [REPORT.]

The Hennepin county board will report to the legislature by February 1, 2002, on the practice of payment of county charges by the use of a credit card to include the number and purchase of payments made by credit card, a cost benefit analysis of the acceptance of credit card payments, and recommendations on whether the use of credit cards for the payment of county charges shall be made permanent."

Page 13, after line 36, insert:

"Sec. 17. [EFFECTIVE DATE.]

Sections 1 to 4 and 15 are effective the day following final enactment. Section 2 is repealed on June 30, 2002."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Ourada questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 2471 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

**Senator Price introduced--**

**S.F. No. 3817:** A bill for an act relating to liquor; authorizing the city of Cottage Grove to issue an intoxicating liquor license to the Cottage Grove economic development authority for the River Oaks golf course.

Referred to the Committee on Commerce.

**Senators Wiger; Ring; Johnson, D.E. and Pariseau introduced--**

**S.F. No. 3818:** A bill for an act relating to crime prevention; imposing criminal penalties for killing or harming animals trained to assist persons with disabilities; requiring the payment of restitution by these offenders; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention.

**MEMBERS EXCUSED**

Senator Junge was excused from the Session of today from 9:00 to 9:45 a.m. and 11:00 to 11:50 a.m. Senators Murphy and Anderson were excused from the Session of today from 9:00 to 9:45 a.m. Senators Novak, Ourada and Wiener were excused from the Session of today from 9:00 to 10:00 a.m. Senator Pogemiller was excused from the Session of today from 9:00 to 10:30 a.m. Senator Samuelson was excused from the Session of today from 10:30 to 10:45 a.m. Senator Moe, R.D. was excused from the Session of today from 11:00 to 12:10 p.m. Senator Vickerman was excused from the Session of today from 11:30 to 11:50 a.m. Senator Kelley, S.P. was excused from the Session of today at 11:45 a.m. Senator Lessard was excused from the Session of today at 11:50 a.m.

**ADJOURNMENT**

Senator Moe, R.D. moved that the Senate do now adjourn until 9 a.m., Thursday, April 6, 2000. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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