

Senator Larson, for Senator Stumpf, moved to amend S.F. No. 3000 as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 13.99, is amended by adding a subdivision to read:

Subd. 28c. [EDVEST PROGRAM.] Data on participants in and beneficiaries of the Edvest program are classified under section 136A.243, subdivision 10."

Page 3, after line 3, insert:

"Sec. 7. Minnesota Statutes 1998, section 136A.243, is amended by adding a subdivision to read:

Subd. 10. [DATA ON PARTICIPANTS AND BENEFICIARIES.] Data on participants in and beneficiaries of the program are private data on individuals, as defined in section 13.02, except that the name and address of a beneficiary of an account to which a state matching grant has been added under section 136A.245 becomes public data when a qualified distribution is made from the matching grant account."

Page 3, line 5, delete "1 to 5" and insert "2 to 6" and after the period, insert "Sections 1 and 7 are effective the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3000 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 61 and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg Terwilliger

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 Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

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. 2893: A bill for an act relating to business subsidies; providing clarification to the obligation of government agencies and businesses related to certain business subsidies; amending Minnesota Statutes 1999 Supplement, sections 116J.993, subdivision 3; 116J.994, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, and by adding a subdivision; and 116J.995.

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

McElroy, Storm and Gunther.

Senate File No. 2893 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 2000

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2796, and repassed said bill in accordance with the report of the Committee, so adopted.

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 reemployed 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.43, subdivisions 1, 2, and 6; 136F.45, subdivision 1a; 352.115, subdivision 10; 352.15, subdivision 1a; 352.91, subdivisions 3c, 3d, and by adding subdivisions; 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.091, subdivisions 1, 2, 3, 5, and 6; 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, 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, chapter 424B; repealing Minnesota Statutes 1998, sections 352.91, subdivision 4; 353.024; 354.52, subdivision 2; and 424A.02, subdivision 11; Minnesota Statutes 1999 Supplement, sections 356.24, subdivision 1a; and 356.61.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 2000

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. 2826, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2826 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 2000

CONFERENCE COMMITTEE REPORT ON H.F. NO. 2826

A bill for an act relating to elections; clarifying provisions and conforming procedures under the Minnesota election law and related provisions; amending Minnesota Statutes 1998, sections 103C.305, subdivision 6; 103C.315, subdivision 2; 123B.09, subdivision 1; 201.061, subdivision 3; 201.171; 203B.02, by adding a subdivision; 203B.06, subdivision 6; 204B.09, subdivision 1a; 204B.12, subdivision 1; 204B.14, subdivisions 2, 5, and 6; 204B.16, subdivision 1; 204B.18, subdivision 1; 204B.19, subdivision 6; 204B.40; 204B.45, subdivision 1; 204C.32, subdivision 1; 204C.37; 204D.13, subdivision 1; 204D.25, subdivision 1; 204D.27, subdivision 8; 205.13, subdivision 6, and by adding a subdivision; 205.17, subdivision 1; 205A.06, subdivision 5, and by adding a subdivision; 206.90, subdivision 6; and 447.32, subdivision 1; Minnesota Statutes 1999 Supplement, sections 10A.31, subdivision 3a; 203B.04, subdivision 1; 203B.085; 367.03, subdivision 4; and 447.32, subdivision 4; repealing Minnesota Statutes 1998, sections 203B.02, subdivision 1a; 204B.09, subdivision 2; and 204B.45, subdivision 1a.

May 2, 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. 2826, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 2826 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1999 Supplement, section 10A.31, subdivision 3a, is amended to read:

Subd. 3a. [QUALIFICATION OF POLITICAL PARTIES.] (a) A major political party qualifies for inclusion on the income tax form and property tax refund return as provided in subdivision 3 if it qualifies as a major political party by July 1 of the taxable year.

(b) A minor political party qualifies for inclusion on the income tax form and property tax refund return as provided in subdivision 3 if the secretary of state certifies to the commissioner of revenue by July 1 of the taxable year that the party satisfies the following conditions:

(1) in the last general election, the party ran a candidate for the office of governor and lieutenant governor, secretary of state, state auditor, or attorney general, who received votes in each county that in the aggregate total at least one percent of the total number of individuals who voted in the election;

(2) it is a political party, not a principal campaign committee; and

(3) it has held a state convention in the last two years and an officer of the party has filed with the secretary of state a certification to that effect.

The secretary of state shall notify each minor political party by the first Monday in January of each odd-numbered year of the conditions necessary for the party to participate in income tax form and property tax refund return programs.

Sec. 2. Minnesota Statutes 1998, section 103C.305, subdivision 6, is amended to read:

Subd. 6. [VACANCY.] (a) If a vacancy occurs in the office of an elected supervisor more than 56 days before the next state primary, the district board shall fill the vacancy by appointment. The supervisor appointed shall hold office until ~~December 31~~ the first Monday in January following the next general election. A successor shall be elected at the general election following the appointment and hold office for the remainder of the term or for the next regular term, whichever is appropriate.

(b) If a vacancy occurs less than 56 days before the next state primary, the district board shall fill the vacancy by appointment. The appointed supervisor shall hold office until the expiration of the term or until ~~December 31~~ the first Monday in January following the second succeeding general election, whichever is shorter. A successor shall be elected at the general election preceding expiration of the appointed term and hold office for the remainder of the term or for the next regular term, whichever is appropriate.

(c) All terms under this subdivision continue until a successor has been elected and has qualified.

Sec. 3. Minnesota Statutes 1998, section 103C.315, subdivision 2, is amended to read:

Subd. 2. [TERMS.] The two supervisors appointed by the state board upon the establishment of a district shall serve terms ending on ~~December 31~~ the first Monday in January following the next general election after their appointment. Their successors shall be elected for terms of four years.

~~A supervisor shall hold office commencing on the first Monday in January and until a successor is elected or appointed and has qualified. Vacancies in the office of supervisor appointed by the state board shall be filled by the state board.~~

Sec. 4. Minnesota Statutes 1998, section 123B.09, subdivision 1, is amended to read:

Subdivision 1. [SCHOOL BOARD MEMBERSHIP.] The care, management, and control of independent districts is vested in a board of directors, to be known as the school board. The term of office of a member shall be four years commencing on the first Monday in January and until a successor qualifies. The membership of the board shall consist of six elected directors together with such ex officio member as may be provided by law. The board may submit to the electors at any school election the question whether the board shall consist of seven members. If a majority of those voting on the proposition favor a seven-member board, a seventh member shall be elected at the next election of directors for a four-year term and thereafter the board shall consist of seven members.

Those districts with a seven-member board may submit to the electors at any school election at least 150 days before the next election of three members of the board the question whether the board shall consist of six members. If a majority of those voting on the proposition favor a six-member board instead of a seven-member board, two members instead of three members shall be elected at the next election of the board of directors and thereafter the board shall consist of six members.

Sec. 5. Minnesota Statutes 1998, section 201.061, subdivision 4, is amended to read:

Subd. 4. [REGISTRATION BY ELECTION JUDGES; PROCEDURES.] Registration at the polling place on election day shall be conducted by the election judges. The election judge who registers an individual at the polling place on election day shall not handle that voter's ballots at any time prior to the opening of the ballot box after the voting ends. Registration cards and forms for oaths shall be available at each polling place. If an individual who registers on election day proves residence by oath of a registered voter, the form containing the oath shall be attached to the individual's registration card ~~until the individual's address is verified by the county auditor.~~ Registration cards completed on election day shall be forwarded to the county auditor who shall add the name of each voter to the registration system unless the information forwarded is substantially deficient. A county auditor who finds an election day registration substantially deficient shall give written notice to the individual whose registration is found deficient. An election day registration shall not be found deficient solely because the individual who provided proof of residence was ineligible to do so.

Sec. 6. Minnesota Statutes 1999 Supplement, section 203B.04, subdivision 1, is amended to read:

Subdivision 1. [APPLICATION PROCEDURES.] Except as otherwise allowed by subdivision 2, an application for absentee ballots for any election may be submitted at any time not less than one day before the day of that election. The county auditor shall prepare absentee ballot application forms in the format provided in the rules of the secretary of state and shall furnish them to any person on request. An application submitted pursuant to this subdivision shall be in writing and shall be submitted to:

- (a) the county auditor of the county where the applicant maintains residence; or
- (b) the municipal clerk of the municipality, or school district if applicable, where the applicant maintains residence.

An application shall be ~~accepted~~ approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, and states that the applicant is eligible to vote by absentee ballot for one of the reasons specified in section 203B.02. The application may contain a request for the voter's date of birth, which must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device, at the discretion of the auditor or clerk. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election. The absentee ballot applications or a list of persons applying for an absentee ballot may not be made available for public inspection until the close of voting on election day.

Sec. 7. Minnesota Statutes 1998, section 203B.06, subdivision 6, is amended to read:

Subd. 6. [REQUESTS FROM ABROAD.] If an application for absentee ballots requests delivery of absentee ballots to a point outside the continental United States, the absentee ballots shall must be sent by air mail. The transmittal and return envelopes ~~shall be marked with the words "OFFICIAL ELECTION BALLOTING MATERIAL — VIA AIR MAIL."~~ must contain the text or symbol or both prescribed by the United States Postal Service for transmitting election mail outside the continental United States. Priority in mailing shall be given to all ballots sent by air mail.

Sec. 8. Minnesota Statutes 1999 Supplement, section 203B.085, is amended to read:

203B.085 [COUNTY AUDITOR'S OFFICE TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.]

The county auditor's office in each county must be open for acceptance of absentee ballot applications and casting of absentee ballots from 10:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on Monday immediately preceding a primary, special, or general election. Town clerks' offices must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. The school district clerk, when performing the county auditor's election duties, need not comply with this section.

Sec. 9. Minnesota Statutes 1998, section 204B.09, subdivision 1a, is amended to read:

Subd. 1a. [ABSENT CANDIDATES.] A candidate for special district, county, state, or federal office who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state. Nominating petitions may be signed during the 14 days immediately preceding the date when the affidavit of candidacy is filed.

Sec. 10. Minnesota Statutes 1998, section 204B.09, subdivision 2, is amended to read:

Subd. 2. [OTHER ELECTIONS.] Affidavits of candidacy and nominating petitions for city, town or other elective offices shall be filed during the time and with the official specified in chapter 205 or other applicable law or charter, except as provided for a special district candidate under subdivision 1a. Affidavits of candidacy and applications filed on behalf of eligible voters for school board office shall be filed during the time and with the official specified in chapter 205A or other applicable law.

Sec. 11. Minnesota Statutes 1998, section 204B.09, is amended by adding a subdivision to read:

Subd. 3. [WRITE-IN CANDIDATES.] A candidate for state or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought no later than the day before the general election. The filing officer shall provide copies of the form to make the request.

Sec. 12. Minnesota Statutes 1998, section 204B.12, subdivision 1, is amended to read:

Subdivision 1. [BEFORE PRIMARY.] A candidate may withdraw from the primary ballot by filing an affidavit of withdrawal with the same official who received the affidavit of candidacy. The affidavit shall request that official to withdraw the candidate's name from the ballot and shall be filed no later than ~~three~~ two days after the last day for filing for the office.

Sec. 13. Minnesota Statutes 1998, section 204B.14, subdivision 2, is amended to read:

Subd. 2. [SEPARATE PRECINCTS; COMBINED POLLING PLACE.] (a) The following shall constitute at least one election precinct:

- (1) each city ward; and
- (2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than June 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters; or

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 473.121, subdivision 2, that are contained in the same congressional, legislative, and county commissioner district.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than May 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 14. Minnesota Statutes 1998, section 204B.14, subdivision 5, is amended to read:

Subd. 5. [PRECINCT BOUNDARIES; DESCRIPTION; MAPS.] When a precinct boundary has been changed, the municipal clerk shall immediately notify the secretary of state. ~~Upon receipt of this notice or a notice of annexation from the Minnesota municipal board, the secretary of state shall provide the municipal clerk with a base map on which the clerk shall note the boundary change.~~ The clerk shall ~~return the file a~~ corrected base map ~~to~~ with the secretary of state within 30 days after the boundary change was made. Upon request, the secretary of state shall provide a base map to the municipal clerk. The secretary of state shall update the precinct boundary database, prepare a corrected precinct map, and provide the corrected precinct map to the county auditor and the municipal clerk who shall make them available for public inspection. The county auditor shall prepare and file precinct boundary maps for precincts in unorganized territories in the same manner as provided for precincts in municipalities. For every election held in the municipality the election judges shall be furnished precinct maps as provided in section 201.061, subdivision 6. If a municipality changes the boundary of an election precinct, the county auditor shall notify each school district with territory affected by the boundary change at least 30 days before the effective date of the change.

Sec. 15. Minnesota Statutes 1998, section 204B.14, subdivision 6, is amended to read:

Subd. 6. [PRECINCT BOUNDARIES TO FOLLOW PHYSICAL FEATURES.] (a) Unless a precinct consists entirely of unorganized territory or more than one precinct is entirely included within one census block, for the first two years following a decennial census an election precinct boundary must follow a census block line.

(b) The boundaries of election precincts ~~shall~~ must follow visible, clearly recognizable physical features. If it is not possible to establish the boundary between any two adjacent precincts along such features, the boundary around the two precincts combined shall be established in the manner provided in the rules of the secretary of state to comply with the provisions of this subdivision. The maps required by subdivision 5 shall clearly indicate which boundaries do not follow visible, clearly recognizable physical features.

(c) For the purposes of this subdivision, "visible, clearly recognizable physical feature" means a street, road, boulevard, parkway, river, stream, shoreline, drainage ditch, railway right-of-way, or any other line which is clearly visible from the ground. A street or other roadway which has been platted but not graded is not a visible, clearly recognizable physical feature for the purposes of this subdivision.

(d) If the secretary of state determines that a precinct boundary does not comply with this subdivision, the secretary of state shall send a notice to the county auditor or municipal clerk

specifying the action needed to correct the precinct boundary. If, after 60 days, the county or municipal governing body has not taken action to correct the precinct boundary, the secretary of state shall correct the precinct boundary and notify the county auditor or municipal clerk of the action taken.

(e) If a visible, clearly recognizable physical feature is not available for use as a precinct boundary, an alternate boundary used by the United States Bureau of the Census may be authorized by the secretary of state.

Sec. 16. Minnesota Statutes 1998, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY; LOCATION.] The governing body of each municipality and of each county with precincts in unorganized territory shall designate by ordinance or resolution a polling place for each election precinct. Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 473.121 shall be located within the boundaries of the precinct or within 3,000 feet of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 473.121, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 17. Minnesota Statutes 1998, section 204B.18, subdivision 1, is amended to read:

Subdivision 1. [BOOTHES.] Each polling place must contain a number of voting booths in proportion to the number of individuals eligible to vote in the precinct. Each booth must be at least six feet high, three feet deep and two feet wide with a shelf at least two feet long and one foot wide placed at a convenient height for writing. The booth shall be provided with a door or curtains. Each accessible polling place must have at least one accessible voting booth or other accessible voting station. All booths or stations must be constructed so that a voter is free from observation while marking ballots. In all other polling places every effort must be made to provide at least one accessible voting booth or other accessible voting station. During the hours of voting, the booths or stations must have instructions, a pencil, and other supplies needed to mark the ballots. If needed, a chair must be provided for elderly and handicapped voters to use while in the voting booth. All ballot boxes, voting booths, voting stations, and election judges must be in open public view in the polling place.

Sec. 18. Minnesota Statutes 1998, section 204B.19, subdivision 6, is amended to read:

Subd. 6. [HIGH SCHOOL STUDENTS.] Notwithstanding any other requirements of this section, a student enrolled in a high school in Minnesota who has attained the age of 16 is eligible to be appointed as a without party affiliation trainee election judge in the ~~municipality~~ county in which the student resides. The student must meet qualifications for trainee election judges specified in rules of the secretary of state. A student appointed as a trainee election judge may be excused from school attendance during the hours that the student is serving as a trainee election judge if the student submits a written request signed and approved by the student's parent or guardian to be absent from school and a certificate from the appointing authority stating the hours during which the student will serve as a trainee election judge to the principal of the school at least ten days prior to the election. Students shall not serve as trainee election judges after 10:00 p.m. Notwithstanding section 177.24 to the contrary, trainee election judges may be paid not less than two-thirds of the minimum wage for a large employer. The principal of the school may approve a request to be absent from school conditioned on acceptable academic performance and the requirement that the student must have completed or be enrolled in a course of study in government at the time of service as a trainee election judge.

Sec. 19. Minnesota Statutes 1998, section 204B.40, is amended to read:

204B.40 [BALLOTS; ELECTION RECORDS AND OTHER MATERIALS; DISPOSITION; INSPECTION OF BALLOTS.]

The county auditors and, municipal clerks, and school district clerks shall retain all election materials returned to them after any election for at least ~~one year~~ 22 months from the date of that election. ~~The county auditor may also retain election materials from school district elections.~~ All election materials involved in a contested election shall must be retained for ~~one year~~ 22 months or until the contest has been finally determined, whichever is later. Abstracts filed by canvassing boards shall be retained permanently by any officer with whom those abstracts are filed. Election materials no longer required to be retained pursuant to this section shall be disposed of in accordance with sections 138.163 to 138.21. Sealed envelopes containing voted ballots must be retained unopened, except as provided in this section, in a secure location. The county auditor, municipal clerk, or school district clerk shall not permit any voted ballots to be tampered with or defaced.

After the time for filing a notice of contest for an election has passed, the secretary of state may open the sealed ballot envelopes and inspect the ballots for that election maintained by the county auditors, municipal clerks, or school district clerks for the purpose of monitoring and evaluating election procedures. No inspected ballot may be marked or identified in any manner. After inspection, all ballots must be returned to the ballot envelope and the ballot envelope must be securely resealed.

Sec. 20. Minnesota Statutes 1998, section 204C.32, subdivision 1, is amended to read:

Subdivision 1. [COUNTY CANVASS.] The county canvassing board shall meet at the county auditor's office on or before the third day following the state primary. After taking the oath of office, the canvassing board shall publicly canvass the election returns delivered to the county auditor. The board shall complete the canvass no later than the third day following the state primary and shall promptly prepare and file with the county auditor a report that states:

- (a) The number of individuals voting at the election in the county, and in each precinct;
- (b) The number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;
- (c) For each major political party, the names of the candidates running for each partisan office and the number of votes received by each candidate in the county and in each precinct;
- (d) The names of the candidates of each major political party who are nominated; and
- (e) The number of votes received by each of the candidates for nonpartisan office in each precinct in the county and the names of the candidates nominated for nonpartisan office.

Upon completion of the canvass, the county auditor shall mail or deliver a notice of nomination to each nominee for county office voted for only in that county. The county auditor shall transmit one of the certified copies of the county canvassing board report for state and federal offices to the secretary of state by express mail or similar service immediately upon conclusion of the county canvass. The secretary of state shall mail a notice of nomination to each nominee for state or federal office.

Sec. 21. Minnesota Statutes 1998, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. [COUNTY CANVASS.] The county canvassing board shall meet at the county auditor's office on or before the seventh day following the state general election. After taking the oath of office, the board shall promptly and publicly canvass the general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

- (a) The number of individuals voting at the election in the county and in each precinct;
- (b) The number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;

(c) The names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;

(d) The number of votes counted for and against a proposed change of county lines or county seat; and

(e) The number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for state or federal office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process.

Upon completion of the canvass, the county canvassing board shall declare the candidate duly elected who received the highest number of votes for each county and state office voted for only within the county. The county auditor shall transmit one of the certified copies of the county canvassing board report for state and federal offices to the secretary of state by express mail or similar service immediately upon conclusion of the county canvass.

Sec. 22. Minnesota Statutes 1998, section 204C.37, is amended to read:

204C.37 [COUNTY CANVASS; RETURN OF REPORTS TO SECRETARY OF STATE.]

Two copies of the reports required by sections 204C.32, subdivision 1 and 204C.33, subdivision 1 shall be certified under the official seal of the county auditor. Each copy shall be enclosed in an envelope addressed to the secretary of state, with the county auditor's name and official address and the words "Election Returns" endorsed on the envelope. ~~The copies shall copy of the canvassing board report not sent by express mail and the precinct summary statements must be mailed or delivered to the secretary of state and, if mailed, shall be forwarded by different mails.~~ If neither copy is received by the secretary of state within ten days following the applicable election, the secretary of state shall immediately notify the county auditor, who shall deliver another copy to the secretary of state by special messenger.

Sec. 23. Minnesota Statutes 1998, section 204D.13, subdivision 1, is amended to read:

Subdivision 1. [ORDER OF OFFICES.] The candidates for partisan offices shall be placed ~~first~~ on the white ballot ~~and shall appear~~ in the following order: senator in Congress shall be first; representative in Congress, second; state senator, third; and state representative, fourth. The candidates for state offices shall follow in the order specified by the secretary of state. Candidates for governor and lieutenant governor shall appear so that a single vote may be cast for both offices.

Sec. 24. Minnesota Statutes 1998, section 204D.25, subdivision 1, is amended to read:

Subdivision 1. [FORM.] Except as provided in subdivision 2, the county auditor shall prepare separate ballots for a special primary and special election as required by sections 204D.17 to 204D.27. The ballots shall be headed "Special Primary Ballot" or "Special Election Ballot" as the case may be, followed by the date of the special primary or special election. Immediately below the title of each office to be filled shall be printed the words "To fill vacancy in term expiring, " with the date of expiration of the term and any other information that is necessary to distinguish the office from any other office to be voted upon at the same election. For a special primary or special election, the instructions to voters may use the singular tense when referring to candidates and offices when only one office is to be filled at the special election. Otherwise the form of the ballots shall comply as far as practicable with the laws relating to ballots for state primaries and state general elections. The county auditor shall post a sample of each ballot in the auditor's office as soon as prepared and not later than four days before the special primary or

special election. Publication of the sample ballot for a special primary or special election is not required.

Sec. 25. Minnesota Statutes 1998, section 204D.27, subdivision 8, is amended to read:

Subd. 8. [CERTIFICATE OF CONGRESSIONAL ELECTION.] No certificate of election in a special election for senator or representative in Congress may be issued by the ~~county auditor of any county or by the~~ secretary of state to any individual declared elected by the county or state canvassing board until seven days after the canvassing board has canvassed the returns and declared the results of the election. In case of a contest the certificate may not be issued until the district court determines the contest.

Sec. 26. Minnesota Statutes 1998, section 205.13, is amended by adding a subdivision to read:

Subd. 1b. [ABSENT CANDIDATES.] A candidate for municipal office who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state. In cities of the first class, and in any city where the use of nominating petitions is permitted under the city's charter, a nominating petition for a candidate who will be absent from the state during the filing period may be signed during the 14 days immediately preceding the date when the affidavit of candidacy is filed.

Sec. 27. Minnesota Statutes 1998, section 205.13, subdivision 6, is amended to read:

Subd. 6. [WITHDRAWAL.] A candidate for a municipal elective office may withdraw from the election by filing an affidavit of withdrawal with the municipal clerk ~~by 12 o'clock noon of the day no later than 5:00 p.m. two days after the last day for filing affidavits of candidacy.~~ Thereafter, no candidate may file an affidavit of withdrawal.

Sec. 28. Minnesota Statutes 1998, section 205.17, subdivision 1, is amended to read:

Subdivision 1. [SECOND, THIRD, AND FOURTH CLASS CITIES; TOWNS.] In all statutory and home rule charter cities of the second, third and fourth class, and in all towns, for the municipal general election, the municipal clerk shall have printed on light green paper the official ballot containing the names of all candidates for municipal offices. The ballot shall be printed in ~~blocks~~ quantities of 25, 50, or 100, shall be headed "City or Town Election Ballot," shall state the name of the city or town and the date of the election, and shall conform in other respects to the white ballot used at the state general election. The names shall be arranged on city ballots in the manner provided for the state elections. On town ballots names of the candidates for each office shall be arranged either:

(1) alphabetically according to the candidates' surnames; or

(2) in the manner provided for state elections if the town electors chose at the town's annual meeting to arrange the names in that way for at least two consecutive years.

Sec. 29. Minnesota Statutes 1998, section 205A.06, is amended by adding a subdivision to read:

Subd. 1c. [ABSENT CANDIDATES.] A candidate for the office of school board member who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state.

Sec. 30. Minnesota Statutes 1998, section 205A.06, subdivision 5, is amended to read:

Subd. 5. [WITHDRAWAL.] A candidate for a school district elective office may withdraw

from the election by filing an affidavit of withdrawal with the school district clerk ~~by 12:00 noon of the day~~ no later than 5:00 p.m. two days after the last day for filing affidavits of candidacy. After that date, no candidate may file an affidavit of withdrawal.

Sec. 31. Minnesota Statutes 1998, section 206.90, subdivision 6, is amended to read:

Subd. 6. [BALLOTS.] In precincts using optical scan voting systems, a single ballot card on which all ballot information is included must be printed in black ink on white colored material except that marks not to be read by the automatic tabulating equipment may be printed in another color ink.

When optical scan ballots are used, the offices to be elected must appear in the following order: federal offices; state legislative offices; constitutional offices; proposed constitutional amendments; county offices and questions; municipal offices and questions; school district offices and questions; special district offices and questions; and judicial offices.

On optical scan ballots, the names of candidates and the words "yes" and "no" for ballot questions must be printed as close to their corresponding vote targets as possible.

The line on an optical scan ballot for write-in votes must contain the words "write-in, if any."

If a primary ballot contains both a partisan ballot and a nonpartisan ballot, the instructions to voters must include a statement that reads substantially as follows: "THIS BALLOT CARD CONTAINS A PARTISAN BALLOT AND A NONPARTISAN BALLOT. ON THE PARTISAN BALLOT YOU ARE PERMITTED TO VOTE FOR CANDIDATES OF ONE POLITICAL PARTY ONLY." If a primary ballot contains political party columns on both sides of the ballot, the instructions to voters must include a statement that reads substantially as follows: "ADDITIONAL POLITICAL PARTIES ARE PRINTED ON THE OTHER SIDE OF THIS BALLOT. VOTE FOR ONE POLITICAL PARTY ONLY." At the bottom of each political party column on the primary ballot, the ballot must contain a statement that reads substantially as follows: "CONTINUE VOTING ON THE NONPARTISAN BALLOT." The instructions in section 204D.08, subdivision 4, do not apply to optical scan partisan primary ballots.

Sec. 32. Minnesota Statutes 1999 Supplement, section 367.03, subdivision 4, is amended to read:

Subd. 4. [OFFICERS; NOVEMBER ELECTION.] Supervisors and other town officers in towns that hold the town general election in November shall be elected for terms of four years commencing on the first Monday in January and until their successors are elected and qualified. The clerk and treasurer shall be elected in alternate years.

Sec. 33. Minnesota Statutes 1998, section 447.32, subdivision 1, is amended to read:

Subdivision 1. [TERMS OF OFFICE.] Each hospital district shall be governed by a hospital board composed of one member elected from each city and town in the district and one member elected at large. A member's term of office is four years commencing on the first Monday in January and until a successor qualifies. At the first election, however, members must be elected for terms set by the governing body calling the election, so that half the terms, as nearly as may be, expire on ~~December 31~~ the first Monday in January of the next ~~even-numbered~~ odd-numbered year and the remaining terms expire two years from that date. After that, before a member's term expires, a new member shall be elected for a term of four years from the expiration date.

If a member dies, resigns, fails to qualify, or moves from the hospital district, a successor may be appointed by a majority of the remaining members of the board. The successor shall hold office until ~~December 31~~ the first Monday in January after the next regular hospital district election. At the election a successor must be elected to fill the unexpired term.

When an additional city or town is annexed to the district, in accordance with section 447.36, its governing body shall by resolution appoint a member to the board. The member shall hold office until ~~December 31~~ the first Monday in January after the next regular hospital district election. At the election a successor must be elected for a term of either two or four years, to be set

by the hospital board so that the number of members of the board whose terms expire in any later year will not exceed one-half of the members plus one.

Sec. 34. Minnesota Statutes 1999 Supplement, section 447.32, subdivision 4, is amended to read:

Subd. 4. [CANDIDATES; BALLOTS; CERTIFYING ELECTION.] A person who wants to be a candidate for the hospital board shall file an affidavit of candidacy for the election either as member at large or as a member representing the city or town where the candidate resides. The affidavit of candidacy must be filed with the city or town clerk not more than ten weeks nor less than eight weeks before the election. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than ~~12:00 p.m. on the day~~ 5:00 p.m. two days after the last day to file affidavits of candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers. Ballots must be printed on tan paper and prepared as provided in the rules of the secretary of state. The ballots must be marked and initialed by at least two judges as official ballots and used exclusively at the election. Any proposition to be voted on may be printed on the ballot provided for the election of officers. The hospital board may also authorize the use of voting systems subject to chapter 206. Enough election judges may be appointed to receive the votes at each polling place. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy.

Sec. 35. [REPEALER.]

Minnesota Statutes 1998, section 204B.45, subdivision 1a, is repealed."

Delete the title and insert:

"A bill for an act relating to elections; clarifying provisions and conforming procedures under the Minnesota election law and related provisions; amending Minnesota Statutes 1998, sections 103C.305, subdivision 6; 103C.315, subdivision 2; 123B.09, subdivision 1; 201.061, subdivision 4; 203B.06, subdivision 6; 204B.09, subdivisions 1a, 2, and by adding a subdivision; 204B.12, subdivision 1; 204B.14, subdivisions 2, 5, and 6; 204B.16, subdivision 1; 204B.18, subdivision 1; 204B.19, subdivision 6; 204B.40; 204C.32, subdivision 1; 204C.33, subdivision 1; 204C.37; 204D.13, subdivision 1; 204D.25, subdivision 1; 204D.27, subdivision 8; 205.13, subdivision 6, and by adding a subdivision; 205.17, subdivision 1; 205A.06, subdivision 5, and by adding a subdivision; 206.90, subdivision 6; and 447.32, subdivision 1; Minnesota Statutes 1999 Supplement, sections 10A.31, subdivision 3a; 203B.04, subdivision 1; 203B.085; 367.03, subdivision 4; and 447.32, subdivision 4; repealing Minnesota Statutes 1998, section 204B.45, subdivision 1a."

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

House Conferees: (Signed) Marty Seifert, Erik Paulsen, Stephen G. Wenzel

Senate Conferees: (Signed) Cal Larson, Carol Flynn, John Marty

Senator Larson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2826 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. 2826 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, 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 adopted the recommendation and report of the Conference Committee on House File No. 3501, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 3501 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 2000

CONFERENCE COMMITTEE REPORT ON 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.

May 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. 3501, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 3501 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 13.01, is amended by adding a subdivision to read:

Subd. 4. [HEADNOTES.] The headnotes printed in boldface type before paragraphs in this chapter are mere catchwords to indicate the content of a paragraph and are not part of the statute.

Sec. 2. Minnesota Statutes 1998, section 13.01, is amended by adding a subdivision to read:

Subd. 5. [PROVISIONS CODED IN OTHER CHAPTERS.] (a) The sections referenced in this chapter that are codified outside this chapter classify government data as other than public, place restrictions on access to government data, or involve data sharing.

(b) Those sections are governed by the definitions and general provisions in sections 13.01 to 13.07 and the remedies and penalties provided in sections 13.08 and 13.09, except:

- (1) for records of the judiciary, as provided in section 13.90; or
- (2) as specifically provided otherwise by law.

Sec. 3. Minnesota Statutes 1998, section 13.02, is amended by adding a subdivision to read:

Subd. 7a. [GOVERNMENT ENTITY.] "Government entity" means a state agency, statewide system, or political subdivision.

Sec. 4. Minnesota Statutes 1999 Supplement, section 13.03, subdivision 3, is amended to read:

Subd. 3. [REQUEST FOR ACCESS TO DATA.] (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.

(b) For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. Nothing in this section prohibits a government entity from charging a reasonable fee for remote access to data under a specific statutory grant of authority. A government entity may charge a fee for remote access to data where either the data or the access is enhanced at the request of the person seeking access.

(c) The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

(d) When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

(e) The responsible authority of a state agency, statewide system, or political subdivision that

maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. The entity may require the requesting person to pay the actual cost of providing the copy.

(e) (f) If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

Sec. 5. Minnesota Statutes 1998, section 13.03, subdivision 5, is amended to read:

Subd. 5. [~~COPYRIGHT OR PATENT OF COMPUTER PROGRAM~~ GOVERNMENT DATA.] ~~Nothing in this chapter or any other statute shall be construed to prevent~~ A state agency, statewide system, or political subdivision ~~from acquiring~~ may enforce a copyright or acquire a patent for a computer software program or components of a program created by that government agency ~~without statutory authority.~~ In the event that a government agency ~~does acquire~~ acquires a patent ~~or copyright~~ to a computer software program or component of a program, the data shall be treated as trade secret information pursuant to section 13.37.

Sec. 6. Minnesota Statutes 1998, section 13.05, is amended by adding a subdivision to read:

Subd. 12. [IDENTIFICATION OR JUSTIFICATION.] Unless specifically authorized by statute, government entities may not require persons to identify themselves, state a reason for, or justify a request to gain access to public government data. A person may be asked to provide certain identifying or clarifying information for the sole purpose of facilitating access to the data.

Sec. 7. Minnesota Statutes 1998, section 13.05, is amended by adding a subdivision to read:

Subd. 13. [DATA PRACTICES COMPLIANCE OFFICIAL.] By December 1, 2000, each responsible authority or other appropriate authority in every government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

Sec. 8. Minnesota Statutes 1998, section 13.08, subdivision 4, is amended to read:

Subd. 4. [ACTION TO COMPEL COMPLIANCE.] (a) In addition to the remedies provided in subdivisions 1 to 3 or any other law, any aggrieved person seeking to enforce the person's rights under this chapter or obtain access to data may bring an action in district court to compel compliance with this chapter and may recover costs and disbursements, including reasonable attorney's fees, as determined by the court. If the court determines that an action brought under this subdivision is frivolous and without merit and a basis in fact, it may award reasonable costs and attorney fees to the responsible authority. If the court issues an order to compel compliance under this subdivision, the court may impose a civil penalty of up to \$300 against the government entity. This penalty is payable to the state general fund and is in addition to damages under subdivision 1. The matter shall be heard as soon as possible. In an action involving a request for government data under section 13.03 or 13.04, the court may inspect in camera the government data in dispute, but shall conduct its hearing in public and in a manner that protects the security of data classified as not public. If the court issues an order to compel compliance under this subdivision, the court shall forward a copy of the order to the commissioner of administration.

(b) In determining whether to assess a civil penalty under this subdivision, the court shall consider whether the government entity has substantially complied with general data practices under this chapter, including but not limited to, whether the government entity has:

- (1) designated a responsible authority under section 13.02, subdivision 16;
- (2) designated a data practices compliance official under section 13.05, subdivision 13;
- (3) prepared the public document that names the responsible authority and describes the records and data on individuals that are maintained by the government entity under section 13.05, subdivision 1;
- (4) developed public access procedures under section 13.03, subdivision 2; procedures to guarantee the rights of data subjects under section 13.05, subdivision 8; and procedures to ensure that data on individuals are accurate and complete and to safeguard the data's security under section 13.05, subdivision 5;
- (5) sought an oral, written, or electronic opinion from the commissioner of administration related to the matter at issue and acted in conformity with that opinion or an opinion sought by another person; or
- (6) provided ongoing training to government entity personnel who respond to requests under this chapter.

Sec. 9. [13.081] [ADMINISTRATIVE REMEDIES.]

Subdivision 1. [COMPLAINTS.] Any person who believes that a government entity is not in compliance with this chapter may file a complaint with the commissioner. The commissioner shall specify the form of the complaint. The commissioner shall conduct an investigation to determine whether the complaint is valid or whether another alternative dispute resolution process exists to address the issue presented. If the commissioner determines the complaint is not valid or another alternative dispute resolution process is a more appropriate forum for resolving the dispute, the commissioner shall dismiss the complaint and so inform the person who filed the complaint and the government entity that was the subject of the complaint. If the commissioner determines the complaint is valid, the commissioner may take any of the actions under subdivision 2 to resolve the complaint. The commissioner shall either dismiss the complaint or refer it for one of the actions under subdivision 2 within 20 days of receipt of the complaint. For good cause and upon written notice to the person bringing the complaint, the commissioner may extend this deadline for one additional 30-day period.

Subd. 2. [INFORMAL RESOLUTION OF COMPLAINT.] The commissioner may attempt to resolve a complaint informally or, with the consent of both parties, refer the matter to an alternative dispute resolution process and use the services of the office of dispute resolution or the office of administrative hearings to arbitrate or mediate the dispute.

Sec. 10. Minnesota Statutes 1999 Supplement, section 13.32, subdivision 7, is amended to read:

Subd. 7. [USES OF DATA.] School officials who receive data on juveniles, as authorized under sections 260B.171 and 260C.171, may use and share that data within the school district or educational entity as necessary to protect persons and property or to address the educational and other needs of students. A school district, its agents, and employees who use and share this data in good faith are immune from civil or criminal liability that might otherwise result from their actions.

Sec. 11. Minnesota Statutes 1998, section 13.41, subdivision 2, is amended to read:

Subd. 2. [PRIVATE DATA; DESIGNATED ADDRESSES AND TELEPHONE NUMBERS.]
(a) The following data collected, created or maintained by any licensing agency are classified as private, pursuant to section 13.02, subdivision 12: data, other than their names and designated addresses, submitted by applicants for licenses; the identity of complainants who have made reports concerning licensees or applicants which appear in inactive complaint data unless the

complainant consents to the disclosure; the nature or content of unsubstantiated complaints when the information is not maintained in anticipation of legal action; the identity of patients whose medical records are received by any health licensing agency for purposes of review or in anticipation of a contested matter; inactive investigative data relating to violations of statutes or rules; and the record of any disciplinary proceeding except as limited by subdivision 4.

(b) An applicant for a license shall designate on the application a residence or business address and telephone number at which the applicant can be contacted in connection with the license application. ~~A licensee who is subject to a health-related licensing board, as defined in section 214.01, subdivision 2,~~ shall designate a residence or business address and telephone number at which the licensee can be contacted in connection with the license. By designating an address under this paragraph other than a residence address, the applicant or licensee consents to accept personal service of process by service on the licensing agency for legal or administrative proceedings. The licensing agency shall mail a copy of the documents to the applicant or licensee at the last known residence address.

Sec. 12. [13.623] [ST. PAUL HOUSING AND REDEVELOPMENT AUTHORITY DATA.]

Subdivision 1. [PRIVATE AND NONPUBLIC DATA.] The following data that are submitted to the St. Paul housing and redevelopment authority by individuals and business entities that are requesting financial assistance are private data on individuals or nonpublic data: financial statements; credit reports; business plans; income and expense projections; customer lists; balance sheets; income tax returns; and design, market, and feasibility studies not paid for with public funds.

Subd. 2. [PUBLIC DATA.] Data submitted to the authority under subdivision 1 become public data if the authority provides financial assistance to the individual or business entity, except that the following data remain private or nonpublic: business plans; income and expense projections not related to the financial assistance provided; customer lists; income tax returns; and design, market, and feasibility studies not paid for with public funds.

Sec. 13. [13.624] [ST. PAUL ECONOMIC ASSISTANCE DATA.]

Subdivision 1. [PRIVATE AND NONPUBLIC DATA.] The following data that are submitted to the city of St. Paul by individuals and business entities that are requesting financial assistance are private data on individuals or nonpublic data: financial statements; credit reports; business plans; income and expense projections; customer lists; balance sheets; income tax returns; and design, market, and feasibility studies not paid for with public funds.

Subd. 2. [PUBLIC DATA.] Data submitted to the city under subdivision 1 become public data if the city provides financial assistance to the individual or business entity, except that the following data remain private or nonpublic: business plans; income and expense projections not related to the financial assistance provided; customer lists; income tax returns; and design, market, and feasibility studies not paid for with public funds.

Sec. 14. Minnesota Statutes 1998, section 13.84, subdivision 5, is amended to read:

Subd. 5. [DISCLOSURE.] Private or confidential court services data shall not be disclosed except:

- (a) Pursuant to section 13.05;
- (b) Pursuant to a statute specifically authorizing disclosure of court services data;
- (c) With the written permission of the source of confidential data;
- (d) To the court services department, parole or probation authority or state or local correctional agency or facility having statutorily granted supervision over the individual subject of the data;
- (e) Pursuant to subdivision 5a; or

(f) Pursuant to a valid court order.

Sec. 15. Minnesota Statutes 1998, section 13.84, subdivision 6, is amended to read:

Subd. 6. [PUBLIC DATA.] The following court services data on adult individuals is public:

(a) name, age, date of birth, sex, occupation and the fact that an individual is a parolee, probationer or participant in a diversion program, and if so, at what location;

(b) the offense for which the individual was placed under supervision;

(c) the dates supervision began and ended and the duration of supervision;

(d) court services data which was public in a court or other agency which originated the data;

(e) arrest and detention orders, orders for parole or probation revocation and the reasons for revocation;

(f) the conditions of parole, probation or participation and the extent to which those conditions have been or are being met;

(g) identities of agencies, units within agencies and individuals providing supervision; and

(h) the legal basis for any change in supervision and the date, time and locations associated with the change.

Sec. 16. Minnesota Statutes 1999 Supplement, section 13.99, subdivision 19, is amended to read:

Subd. 19. [HMO EXAMINATIONS.] Data obtained by the commissioner of health in the course of an examination of the affairs of a health maintenance organization are classified under section 62D.14, subdivisions 1 and 4 4a.

Sec. 17. Minnesota Statutes 1999 Supplement, section 13.99, is amended by adding a subdivision to read:

Subd. 27g. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING PROGRAM SERVICES.] Data on individuals receiving services under certain programs administered by the department of children, families, and learning are classified under sections 119A.376, subdivision 4; 119A.44, subdivision 7; and 119A.50, subdivision 2.

Sec. 18. Minnesota Statutes 1998, section 62D.14, is amended by adding a subdivision to read:

Subd. 4a. [CLASSIFICATION OF DATA.] Any data or information obtained by the commissioner under this section or section 62D.145 shall be classified as private data on individuals as defined in chapter 13. Such data shall be protected and may be released consistent with the provisions of section 60A.03, subdivision 9.

Sec. 19. [62D.145] [DISCLOSURE OF INFORMATION HELD BY HEALTH MAINTENANCE ORGANIZATIONS.]

Subdivision 1. [PERSONAL AND PRIVILEGED INFORMATION.] The ability of a health maintenance organization to disclose personal information, as defined in section 72A.491, subdivision 17, and privileged information, as defined in section 72A.491, subdivision 19, is governed by sections 72A.497, 72A.499, and 72A.502.

Subd. 2. [HEALTH DATA OR INFORMATION.] (a) A health maintenance organization is prohibited from disclosing to any person any individually identifiable data or information held by the health maintenance organization pertaining to the diagnosis, treatment, or health of any enrollee, or any application obtained from any person, except:

(1) to the extent necessary to carry out the purposes of this chapter, the commissioner and a designee shall have access to the above data or information but the data removed from the health

maintenance organization or participating entity shall not identify any particular patient or client by name or contain any other unique personal identifier;

(2) upon the express consent of the enrollee or applicant;

(3) pursuant to statute or court order for the production of evidence or the discovery thereof;

(4) in the event of claim or litigation between the person and the provider or health maintenance organization wherein such data or information is pertinent;

(5) to meet the requirements of contracts for prepaid medical services with the commissioner of human services authorized under chapter 256B, 256D, or 256L;

(6) to meet the requirements of contracts for benefit plans with the commissioner of employee relations under chapter 43A; or

(7) as otherwise authorized pursuant to statute.

No provision in a contract for a benefit plan under chapter 43A shall authorize dissemination of individually identifiable health records, unless the dissemination of the health records is required to carry out the requirements of the contract and employees whose health records will be disseminated are fully informed of the dissemination by the department of employee relations at the time the employees are enrolling for or changing insurance coverage.

(b) In any case involving a suspected violation of a law applicable to health maintenance organizations in which access to health data maintained by the health maintenance organization or participating entity is necessary, the commissioner and agents, while maintaining the privacy rights of individuals and families, shall be permitted to obtain data that identifies any particular patient or client by name. A health maintenance organization shall be entitled to claim any statutory privileges against such disclosure which the provider who furnished the information to the health maintenance organization is entitled to claim.

Sec. 20. Minnesota Statutes 1998, section 72A.491, subdivision 17, is amended to read:

Subd. 17. [PERSONAL INFORMATION.] "Personal information" means any individually identifiable information gathered in connection with an insurance transaction from which judgments can be made about an individual's character, habits, avocations, finances, occupation, general reputation, credit, health, or any other personal characteristics. The term includes the individual's name and address and health record information, but does not include privileged information. Personal information does not include health record information maintained by a health maintenance organization as defined under section 62D.02, subdivision 4, in its capacity as a health provider.

Sec. 21. Minnesota Statutes 1998, section 119A.376, is amended by adding a subdivision to read:

Subd. 4. [DATA CLASSIFICATION.] Data collected on individuals from which the identity of any individual receiving services may be determined are private data on individuals as defined in section 13.02.

Sec. 22. Minnesota Statutes 1998, section 119A.44, is amended by adding a subdivision to read:

Subd. 7. [DATA CLASSIFICATION.] Data collected on individuals from which the identity of any individual receiving services may be determined are private data on individuals as defined in section 13.02.

Sec. 23. Minnesota Statutes 1998, section 119A.50, is amended to read:

119A.50 [HEAD START PROGRAM.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING.] The

department of children, families, and learning is the state agency responsible for administering the Head Start program. The commissioner of children, families, and learning may make grants to public or private nonprofit agencies for the purpose of providing supplemental funds for the federal Head Start program.

Subd. 2. [DATA CLASSIFICATION.] Data collected on individuals from which the identity of any individual receiving services may be determined are private data on individuals as defined in section 13.02.

Sec. 24. Minnesota Statutes 1999 Supplement, section 256.978, subdivision 1, is amended to read:

Subdivision 1. [REQUEST FOR INFORMATION.] (a) The public authority responsible for child support in this state or any other state, in order to locate a person or to obtain information necessary to establish paternity and child support or to modify or enforce child support or distribute collections, may request information reasonably necessary to the inquiry from the records of (1) all departments, boards, bureaus, or other agencies of this state agencies or political subdivisions of this state, as defined in section 13.02, which shall, notwithstanding the provisions of section 268.19 or any other law to the contrary, provide the information necessary for this purpose; and (2) employers, utility companies, insurance companies, financial institutions, credit grantors, and labor associations doing business in this state. They shall provide a response upon written or electronic request within 30 days of service of the request made by the public authority. Information requested and used or transmitted by the commissioner according to the authority conferred by this section may be made available to other agencies, statewide systems, and political subdivisions of this state, and agencies of other states, interstate information networks, federal agencies, and other entities as required by federal regulation or law for the administration of the child support enforcement program.

(b) For purposes of this section, "state" includes the District of Columbia, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States.

Sec. 25. Minnesota Statutes 1999 Supplement, section 268.19, is amended to read:

268.19 [INFORMATION DATA PRIVACY.]

(a) Except as otherwise provided by this section, data gathered from any employer or individual pursuant to the administration of sections 268.03 to 268.23 are private data on individuals or nonpublic data not on individuals as defined in section 13.02, subdivisions 9 and 12, and may not be disclosed except pursuant to a court order or section 13.05. These data may be disseminated to and used by the following agencies without the consent of the subject of the data:

- (1) state and federal agencies specifically authorized access to the data by state or federal law;
- (2) any agency of Minnesota or any other state; or any federal agency charged with the administration of an employment security law or the maintenance of a system of public employment offices;
- (3) human rights agencies within Minnesota that have enforcement powers;
- (4) the department of revenue must have access to department private data on individuals and nonpublic data not on individuals only to the extent necessary for enforcement of Minnesota tax laws;
- (5) public and private agencies responsible for administering publicly financed assistance programs for the purpose of monitoring the eligibility of the program's recipients;
- (6) the department of labor and industry on an interchangeable basis with the department subject to the following limitations and regardless of any law to the contrary:
 - (i) the department must have access to private data on individuals and nonpublic data not on

individuals for uses consistent with the administration of its duties under sections 268.03 to 268.23; and

(ii) the department of labor and industry must have access to private data on individuals and nonpublic data not on individuals for uses consistent with the administration of its duties under Minnesota law;

(7) the department of trade and economic development may have access to private data on individual employers and nonpublic data not on individual employers for its internal use only; when received by the department of trade and economic development, the data remain private data on individuals or nonpublic data;

(8) local and state welfare agencies for monitoring the eligibility of the data subject for assistance programs, or for any employment or training program administered by those agencies, whether alone, in combination with another welfare agency, or in conjunction with the department or to monitor and evaluate the statewide Minnesota family investment program by providing data on recipients and former recipients of food stamps, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, or medical programs under chapter 256B, 256D, or 256L;

(9) local, state, and federal law enforcement agencies for the sole purpose of ascertaining the last known address and employment location of the data subject, provided the data subject is the subject of a criminal investigation; and

(10) the federal Immigration and Naturalization Service shall have access to data on specific individuals and specific employers provided the specific individual or specific employer is the subject of an investigation by that agency; and

(11) the department of health may have access to private data on individuals and nonpublic data not on individuals solely for the purposes of epidemiologic investigations.

(b) Data on individuals and employers that are collected, maintained, or used by the department in an investigation pursuant to section 268.182 are confidential as to data on individuals and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3 and 13, and must not be disclosed except pursuant to statute or court order or to a party named in a criminal proceeding, administrative or judicial, for preparation of a defense.

(c) Tape recordings and transcripts of recordings of proceedings conducted in accordance with section 268.105 and exhibits received into evidence at those proceedings are private data on individuals and nonpublic data not on individuals and must be disclosed only pursuant to the administration of section 268.105, or pursuant to a court order.

(d) The department may disseminate an employer's name, address, industry code, occupations employed, and the number of employees by ranges of not less than 100 for the purpose of assisting individuals using the Minnesota workforce center system in obtaining employment.

(e) The general aptitude test battery and the nonverbal aptitude test battery as administered by the department are private data on individuals or nonpublic data.

(f) Data gathered by the department pursuant to the administration of sections 268.03 to 268.23 must not be made the subject or the basis for any suit in any civil proceedings, administrative or judicial, unless the action is initiated by the department.

Sec. 26. Minnesota Statutes 1998, section 270B.14, subdivision 8, is amended to read:

Subd. 8. [EXCHANGE BETWEEN DEPARTMENTS OF LABOR AND INDUSTRY AND REVENUE.] The departments of labor and industry and revenue may exchange information as follows:

(1) data used in determining whether a business is an employer or a contracting agent;

(2) taxpayer identity information relating to employers and employees for purposes of supporting tax administration and chapter 176; and

(3) data to the extent provided in and for the purpose set out in section 176.181, subdivision 8.

Sec. 27. Minnesota Statutes 1998, section 466.03, is amended by adding a subdivision to read:

Subd. 21. [GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATA.] (a) Any claim against a municipality, based on alleged or actual inaccuracies in geographic information systems data, arising from the public's use of GIS data, if the municipality provides a disclaimer of the accuracy of the information at any point of initial contact with a geographic information system to which the public has general access.

(b) Geographic information systems data is government data subject to the presumption of section 13.01, subdivision 3. GIS data is data generated by a computer database or system that is designed to electronically capture, organize, store, update, manipulate, analyze, and display all forms of geographically referenced information that is compiled, from private or public sources, either alone or in cooperation with other public or private entities, for use by a municipality. GIS data is accurate for its intended use by a municipality and may be inaccurate for other uses.

Sec. 28. Minnesota Statutes 1998, section 609.115, subdivision 5, is amended to read:

Subd. 5. [REPORT TO COMMISSIONER OR LOCAL CORRECTIONAL AGENCY.] If the defendant is sentenced to the commissioner of corrections, a copy of any report made pursuant to this section and not made by the commissioner shall accompany the commitment. If the defendant is sentenced to a local correctional agency or facility, a copy of the report must be provided to that agency or facility.

Sec. 29. Laws 1999, chapter 216, article 2, section 27, subdivision 1, is amended to read:

Subdivision 1. [PILOT PROJECT AUTHORIZED; PURPOSE.] The fourth judicial district may establish a domestic fatality review team as a 30-month pilot project to review domestic violence deaths that have occurred in the district. The team may review cases in which prosecution has been completed or the prosecutorial authority has decided not to pursue the case. The purpose of the review team is to assess domestic violence deaths in order to develop recommendations for policies and protocols for community prevention and intervention initiatives to reduce and eliminate the incidence of domestic violence and resulting fatalities.

Sec. 30. Laws 1999, chapter 216, article 2, section 27, is amended by adding a subdivision to read:

Subd. 3a. [DUTIES; ACCESS TO DATA.] (a) The domestic fatality review team shall collect, review, and analyze death certificates and death data, including investigative reports, medical and counseling records, victim service records, employment records, child abuse reports, or other information concerning domestic violence deaths, survivor interviews and surveys, and other information deemed by the team as necessary and appropriate concerning the causes and manner of domestic violence deaths.

(b) The review team has access to the following not public data, as defined in Minnesota Statutes, section 13.02, subdivision 8a, relating to a case being reviewed by the team: inactive law enforcement investigative data under Minnesota Statutes, section 13.82; autopsy records and coroner or medical examiner investigative data under Minnesota Statutes, section 13.83; hospital, public health, or other medical records of the victim under Minnesota Statutes, section 13.42; records under Minnesota Statutes, section 13.46, created by social service agencies that provided services to the victim, the alleged perpetrator, or another victim who experienced or was threatened with domestic abuse by the perpetrator; and child maltreatment records under Minnesota Statutes, section 626.556, relating to the victim or a family or household member of the victim. Access to medical records under this paragraph also includes records governed by Minnesota Statutes, section 144.335.

(c) As part of any review, the domestic fatality review team may compel the production of

other records by applying to the district court for a subpoena, which will be effective throughout the state according to the Rules of Civil Procedure.

Sec. 31. Laws 1999, chapter 216, article 2, section 27, is amended by adding a subdivision to read:

Subd. 3b. [CONFIDENTIALITY; DATA PRIVACY.] A person attending a domestic fatality review team meeting may not disclose what transpired at the meeting, except to carry out the purposes of the review team or as otherwise provided in this subdivision. The review team may disclose the names of the victims in the cases it reviewed. The proceedings and records of the review team are confidential data as defined in Minnesota Statutes, section 13.02, subdivision 3, or protected nonpublic data as defined in Minnesota Statutes, section 13.02, subdivision 13, regardless of their classification in the hands of the person who provided the data, and are not subject to discovery or introduction into evidence in a civil or criminal action against a professional, the state or a county agency, arising out of the matters the team is reviewing. Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because they were presented during proceedings of the review team. This section does not limit a person who presented information before the review team or who is a member of the panel from testifying about matters within the person's knowledge. However, in a civil or criminal proceeding, a person may not be questioned about the person's good faith presentation of information to the review team or opinions formed by the person as a result of the review team meetings.

Sec. 32. Laws 1999, chapter 216, article 2, section 27, is amended by adding a subdivision to read:

Subd. 3c. [IMMUNITY.] Members of the fourth judicial district domestic fatality advisory board, members of the domestic fatality review team, and members of each review panel, as well as their agents or employees, are immune from claims and are not subject to any suits, liability, damages, or any other recourse, civil or criminal, arising from any act, proceeding, decision, or determination undertaken or performed or recommendation made by the domestic fatality review team, provided they acted in good faith and without malice in carrying out their responsibilities. Good faith is presumed until proven otherwise and the complainant has the burden of proving malice or a lack of good faith. No organization, institution, or person furnishing information, data, testimony, reports, or records to the domestic fatality review team as part of an investigation is civilly or criminally liable or subject to any other recourse for providing the information.

Sec. 33. [REPEALER.]

Minnesota Statutes 1998, section 62D.14, subdivision 4, is repealed.

Sec. 34. [EFFECTIVE DATE.]

Section 9 is effective July 1, 2001. Section 27 is effective the day following final enactment and applies to causes of action arising on or after that date."

Delete the title and insert:

"A bill for an act relating to government data practices; classifying data; providing for access to and sharing of data; authorizing certain restrictions on access to data; clarifying definitions and application provisions; modifying penalty provisions; providing for electronic copies of data; classifying and regulating disclosure of information held by health maintenance organizations; prohibiting monitoring of persons requesting access to public data; requiring government entities to have a data practices compliance official; limiting tort liability for disclosure of geographic information systems data; providing for administrative and civil remedies; amending Minnesota Statutes 1998, sections 13.01, by adding subdivisions; 13.02, by adding a subdivision; 13.03, subdivision 5; 13.05, by adding subdivisions; 13.08, subdivision 4; 13.41, subdivision 2; 13.84, subdivisions 5 and 6; 62D.14, by adding a subdivision; 72A.491, subdivision 17; 119A.376, by adding a subdivision; 119A.44, by adding a subdivision; 119A.50; 270B.14, subdivision 8; 466.03, by adding a subdivision; and 609.115, subdivision 5; Minnesota Statutes 1999 Supplement,

sections 13.03, subdivision 3; 13.32, subdivision 7; 13.99, subdivision 19, and by adding a subdivision; 256.978, subdivision 1; and 268.19; Laws 1999, chapter 216, article 2, section 27, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 13; and 62D; repealing Minnesota Statutes 1998, section 62D.14, subdivision 4."

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

House Conferees: (Signed) Mary Liz Holberg, Steve Smith, Phil Carruthers

Senate Conferees: (Signed) Don Betzold, Jane B. Ranum, David L. Knutson

Senator Betzold moved that the foregoing recommendations and Conference Committee Report on H.F. No. 3501 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. 3501 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, 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 adopted the recommendation and report of the Conference Committee on House File No. 3534, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 3534 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 2000

CONFERENCE COMMITTEE REPORT ON H.F. NO. 3534

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.

May 1, 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. 3534, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 3534 be further 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. 1a. [AGRICULTURAL CONTRACT.] "Agricultural contract" means any written contract between a contractor and a producer.

Sec. 2. 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. 3. Minnesota Statutes 1998, section 17.90, subdivision 4, is amended to read:

Subd. 4. [PRODUCER.] "Producer" means a person who produces or causes to be produced an agricultural commodity in a quantity beyond the person's own family use and:

(1) is able to transfer title to another; or

(2) provides management, labor, machinery, facilities, or any other production input for the production of an agricultural commodity.

Sec. 4. 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.] An agricultural contract must be accompanied by a clear written disclosure setting forth the nature of the material 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 material 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. 5. [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. 6. [17.942] [COVER SHEET REQUIREMENTS.]

Subdivision 1. [MANDATORY COVER PAGE.] An agricultural contract entered into or substantively amended after January 1, 2001, 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 material 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. 7. [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. 8. [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 material 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. 9. [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. 10. [17.9442] [APPLICABILITY OF CONTRACT REQUIREMENTS.]

The requirements for the written disclosure of material risks under section 17.91, subdivision 2; the three-day review period under section 17.941; the cover sheet requirement under section 17.942; 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;
- (4) future contracts which involve the sale or purchase of a standardized quantity of a commodity for future delivery on a regulated commodity exchange;
- (5) agricultural marketing contracts between a capital stock cooperative and its members under section 308A.205; or
- (6) occasional sales between persons who produce or cause to be produced food, feed, or fiber in a quantity beyond their own family use.

Sec. 11. [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.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 11 are effective on January 1, 2001, and apply to agricultural contracts entered into or substantively amended after that date."

Delete the title and insert:

"A bill for an act relating to agriculture; changing certain requirements and enforcement procedures for agricultural contracts; amending Minnesota Statutes 1998, sections 17.90, subdivision 4, and by adding subdivisions; and 17.91; proposing coding for new law in Minnesota Statutes, chapter 17."

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

House Conferees: (Signed) Elaine Harder, Stephen G. Wenzel, Tim Finseth

Senate Conferees: (Signed) Dennis R. Frederickson, Dallas C. Sams, Jim Vickerman

Senator Frederickson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 3534 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. 3534 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, 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 adopted the recommendation and report of the Conference Committee on House File No. 2891, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2891 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 9, 2000

SUSPENSION OF RULES

Senator Moe, R.D. moved that Joint Rule 2.06 be suspended as it relates to the Conference Committee report on H.F. No. 2891. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H.F. NO. 2891

A bill for an act relating to transportation; appropriating money for state road construction, public transit, and other purposes; establishing an intergovernmental cooperative facilities loan fund; establishing a major transportation projects commission; restricting expenditures for commuter rail and light rail transit; canceling bonding authorization for light rail transit; directing a study of freeway ramp meters in the metropolitan area; providing for a grant to the University of Minnesota for design and engineering of personal rapid transit; directing a study of high-occupancy vehicle lane use by certain vehicles; providing for approval of and payment under

supplemental goods or services agreements of the commissioner of transportation; authorizing suspension of motor vehicle registration when tax is paid by dishonored check; exempting dealers in firefighting equipment from motor vehicle dealer licensing; providing for commuter rail plan dispute resolution; providing for inspection of vehicles of motor carriers; requiring the budget for light rail transit to include cost of utility relocation; requiring a municipality to issue permits for a specific business or use that uses river transportation as a major mode of transportation once a special permit has been issued and an environmental assessment worksheet has been completed; expanding eligibility for replacement transit service program; requiring a report on metro mobility; establishing working group to assess impact of DM&E rail line project; requiring study and legislative report on statewide public safety radio system; clarifying a definition of state license and service fees; sunsetting a department fee and an account; amending Minnesota Statutes 1998, sections 16A.6701, subdivision 1; 161.32, by adding a subdivision; 168.27, subdivision 8; 168A.29, subdivision 1; 169.781, by adding a subdivision; 174.35; 216B.16, by adding a subdivision; 221.131, subdivision 4; 221.132; and 473.388, subdivision 2; Minnesota Statutes 1999 Supplement, sections 168.17; 174.88; 174.86, subdivision 2, and by adding a subdivision; and 221.0252, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 161; 174; and 462; repealing Minnesota Statutes 1998, section 299A.70.

May 8, 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. 2891, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 2891 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

TRANSPORTATION APPROPRIATIONS

Section 1. [APPROPRIATIONS.]

The sums in the column under "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the state agencies or officials indicated, to be spent for the purposes indicated, for fiscal year 2001.

SUMMARY

TRANSPORTATION	\$566,551,000
METROPOLITAN COUNCIL	20,000,000
PUBLIC SAFETY	119,000
TRADE AND ECONOMIC DEVELOPMENT	750,000
FINANCE	15,100,000
TOTAL	\$602,520,000
Trunk Highway Bond Proceeds Account	100,100,000
Trunk Highway Fund	102,298,000
General Fund	400,122,000

APPROPRIATIONS
\$

Sec. 2. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section

566,551,000

Summary by Fund

Trunk Highway Bond Proceeds Account	100,100,000
Trunk Highway Fund	102,179,000
General Fund	364,372,000

Subd. 2. Trunk Highway Construction

100,000,000

This appropriation is from the bond proceeds account in the trunk highway fund.

This appropriation is available for expenditure beginning July 1, 2000.

The commissioner may not spend more than \$14,000,000 of this appropriation for program delivery.

This appropriation is for reconstruction and replacement of key bridges on the state trunk highway system; for construction, improvement, and maintenance of the interregional corridor system as identified by the commissioner; for the improvement of highways classified as bottlenecks by the commissioner; for providing highway-related advantages for transit; and for acquisition of properties necessary to locate, construct, reconstruct, improve, and maintain the trunk highway system. Before this appropriation may be used, the commissioner of transportation must demonstrate to the commissioner of finance that the proposed use of debt financing to accelerate the project is a cost-effective investment of state funds.

Subd. 3. State Road Construction

359,000,000

Summary by Fund

Trunk Highway	76,500,000
General	282,500,000

(a) Of this appropriation:

(1) \$177,000,000 is for state trunk highway improvements within the seven-county metropolitan area primarily for the purpose of improving traffic flow and expanding highway capacity by eliminating traffic bottlenecks;

(2) \$177,000,000 is for improvements on state trunk highways outside the seven-county metropolitan area that the commissioner designates as at-risk interregional corridors; and

(3) \$5,000,000 is for bus transit ways or highway-related transit advantages.

(b) Of the appropriations under this section, the commissioner may not spend more than \$50,000,000 for program delivery.

(c) The appropriation under this section is available through June 30, 2003. On July 1, 2003, any part of this appropriation not spent cancels to the trunk highway fund. The commissioner shall report by February 1, 2003, to the chairs of the senate and house of representatives committees having jurisdiction over transportation policy and transportation finance on any projects that the department of transportation has scheduled to be constructed with this appropriation that the commissioner determines will be canceled or delayed as a result of any part of this appropriation canceling to the trunk highway fund. For purposes of this paragraph, money encumbered by the commissioner for a trunk highway project is considered to be spent.

Subd. 4. Report on Projects

The commissioner shall by August 1 of each calendar year from 2000 to 2002 report to the chairs of the senate and house of representatives committees with jurisdiction over transportation policy and finance on the status of each project that is financed in whole or in part from the money appropriated under subdivisions 2 and 3. For each such project the report must identify: (1) the estimated full cost; (2) a schedule for completion; (3) the current status of right-of-way acquisition and environmental review; and (4) the project's status in the commissioner's current statewide transportation improvement program.

Subd. 5. Local Roads

30,000,000

Of this appropriation, the commissioner shall transfer \$23,800,000 to the county state-aid highway fund and \$6,200,000 to the municipal state-aid street fund. These amounts are added to the appropriation for local roads in Laws 1999, chapter 238, article 1, subdivision 6. This appropriation is available until spent.

Subd. 6. Trunk Highway Facility Projects

25,674,000

The appropriations in this subdivision are from the trunk highway fund.

(a) St. Cloud Headquarters Addition

10,350,000

To design, construct, furnish, and equip an

addition to and remodeling of the St. Cloud headquarters building.

(b) Detroit Lakes
Headquarters Addition

8,724,000

To construct an addition to and remodel the Detroit Lakes district headquarters building.

(c) Regional Transportation
Management Center

5,000,000

To design, construct, furnish, and equip a regional transportation management center and integrate it with the existing metropolitan headquarters building in Roseville. This appropriation anticipates up to \$15,774,000 in matching federal money. Within three years of the date on which occupation of the new transportation management center has been completed, the commissioner must sell the building that was being used as the traffic management center on the effective date of this act to an entity other than the state or a state agency. This requirement does not apply if the commissioner determines that no offers made to the commissioner for purchase of the building will return fair market value for it.

(d) Moorhead Truck Station

1,600,000

To construct, furnish, and equip a new truck station building in Moorhead in partnership with the city of Moorhead and Clay county.

(e) The \$514,000 appropriation in Laws 1996, chapter 463, section 19, subdivision 5, clause (20), for the addition to the Dilworth truck station is canceled.

Subd. 7. Rail Service Improvement

5,000,000

For purposes defined under the rail service improvement program under Minnesota Statutes, sections 222.46 to 222.63.

Subd. 8. North Star Corridor
North Extension Study

100,000

To study the feasibility of extending the North Star commuter rail corridor between Minneapolis and St. Cloud north of the city of Little Falls. This appropriation must be used to match federal funds.

Subd. 9. DM&E Working Group

100,000

(a) The commissioner of transportation or the commissioner's designee shall convene a multiagency working group consisting of the commissioners of public safety, pollution control

agency, agriculture, trade and economic development, and transportation, and director of Minnesota Planning, or their designees. The director of Minnesota Planning or the director's designee shall serve as chair of the working group.

(b) The working group will complete the following tasks:

(1) evaluate the environmental impact statement of the surface transportation board (STB) concerning the DM&E rail line project, summarize its findings and directives, and determine whether and to what extent the STB's assessment may have failed in identifying the DM&E rail line project's impact on the state; and

(2) develop and present recommendations to the legislature of how to maximize opportunities to move Minnesota products to market on the DM&E railroad while minimizing environmental, social, and other public costs.

(c) Included in the evaluation and recommendations must be methods to:

(1) maximize the volume of Minnesota products shipped on the DM&E rail line including consideration of modifications to ports and other infrastructure which could enhance and benefit the state;

(2) assure appropriate environmental protections are used to minimize land use, protect wetlands, and mitigate noise or other environmental impacts;

(3) involve local units of government in siting issues and right-of-way acquisitions; and

(4) determine what direct and indirect costs are likely to accrue to local units of government and private property owners as a result of the project, including, but not limited to, costs for mitigation, right-of-way acquisitions, and crossing safety.

(d) The commissioners shall directly negotiate and advocate with the rail line to assure timely access for shipping Minnesota products and to assure minimal environmental and social impact. The working group shall present an interim report to the legislature by January 15, 2001, and a final report to the legislature no later than six months following the date of issuance of the STB's draft environmental impact statement.

Subd. 10. Port Development Assistance

2,000,000

For port development assistance grants. The grants must be made to political subdivisions for capital improvements constructed after the effective date of this appropriation under Minnesota Statutes, chapter 457A. Any improvement made with the proceeds of these grants must be owned by a public body.

Subd. 11. Local Bridge

Replacement and Rehabilitation

39,000,000

To match federal money and to replace or rehabilitate local deficient bridges.

Political subdivisions may use grants made under this subdivision to construct or reconstruct bridges, including:

(1) matching federal aid grants to construct or reconstruct key bridges;

(2) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a;

(3) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made; and

(4) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more economical than replacing the existing bridge.

Subd. 12. Sales Tax

4,800,000

For payment of sales tax that may not be paid from the trunk highway fund.

Subd. 13. Transit

872,000

For grants to public transit systems under Minnesota Statutes, section 174.24, to acquire rolling stock and intelligent transportation system technologies, and for operating assistance. Priority must be given to projects to match available federal money. Up to \$450,000 may be used for transit operating assistance. This appropriation does not add to the agency's budget base.

Subd. 14. Major Projects Commission

5,000

From the trunk highway fund for expenses relating to the major transportation projects commission, including expenses of nonlegislative members.

Sec. 3. METROPOLITAN COUNCIL TRANSIT

Subdivision 1. To the metropolitan council for the purposes specified in this section 20,000,000

Subd. 2. Bus Garages 10,000,000

To construct bus garages. This appropriation is available until spent.

Subd. 3. Bus Transit Ways 6,300,000

For engineering, design, and construction of bus transit ways, including, but not limited to, acquisition of land and rights-of-way. This appropriation is available until spent.

Subd. 4. Metropolitan Transit Operations 3,700,000

This appropriation does not add to the agency's budget base.

Sec. 4. PUBLIC SAFETY 119,000

Subdivision 1. Driver's License Photographic Equipment 119,000

For grants to driver's license agents to pay monthly lease and maintenance costs of photo identification equipment.

Subd. 2. Training Facility

The unobligated balance of the appropriation in Laws 1998, chapter 404, section 21, subdivision 2, for the Camp Ripley training facility, is canceled.

Sec. 5. TRADE AND ECONOMIC DEVELOPMENT 750,000

To the commissioner of trade and economic development for a grant to the Upper Minnesota Valley Regional Development Commission for the Minnesota River Tourism Initiative serving six rural Minnesota counties and multiple communities in west central Minnesota. The grant must be used for planning, predesign, and design of three staffed travel information centers.

Sec. 6. FINANCE 15,100,000

Summary by Fund

Trunk Highway Bond	
Proceeds Account	100,000
General Fund	15,000,000

Subdivision 1. Bond Sale Expenses 100,000

This appropriation is from the bond proceeds account in the trunk highway fund for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

Subd. 2. Transportation Revolving Loan Fund

15,000,000

For transfer to the highway account in the transportation revolving loan fund.

Sec. 7. [BOND SALE AUTHORIZATION.]

To provide the money appropriated in this act from the trunk highway bond proceeds fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$100,100,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the trunk highway fund.

Sec. 8. [COMMISSIONER OF TRANSPORTATION; RAMP METER STUDY.]

(a) Notwithstanding other law to the contrary, the commissioner shall order that all meters on access ramps to a freeway or expressway, as defined in Minnesota Statutes, section 160.02, display flashing yellow lights for a period of time determined by the commissioner.

This section does not prohibit temporary closure or other traffic flow restrictions of access ramps to a freeway or expressway in the interests of public safety.

(b) The commissioner shall study and report to the legislature by February 1, 2001, the traffic flow and highway safety results on expressways and freeways for the period of the study. The department shall gather and compile any relevant facts, comparisons, statistics, or other relevant data and report its findings of fact and conclusions.

Sec. 9. [REPORT; METRO MOBILITY.]

(a) The metropolitan council shall report to the chairs of the senate and house of representatives committees having jurisdiction over transportation policy and transportation finance on the future of the metro mobility paratransit system. The report must include options, alternatives, and strategies for:

(1) increasing the availability of metro mobility service to meet present and anticipated demand;

(2) integrating metro mobility service into the new and expanded transit services described in the council's regional transit master plan;

(3) integration of private taxi services to provide a more efficient pick up and delivery system, and potential savings from doing so; and

(4) changes in state or federal law, including, but not limited to, changes in fare structure and requirements, to increase effectiveness of the service.

(b) In conducting the study and preparing the report, the council shall consult with its transportation accessibility advisory council.

(c) The council shall submit the report by February 1, 2001.

Sec. 10. [PUBLIC SAFETY RADIO SYSTEM STUDY.]

Subdivision 1. [PLANNING COMMITTEE.] The commissioners of administration, transportation, and public safety shall convene a planning committee to report to the legislature on a plan for development of an 800 megahertz, statewide, shared public safety radio system. The planning committee shall provide a means for inclusion of input from representatives of local governments and major system user groups.

Subd. 2. [REPORT CONTENTS.] The committee shall review:

- (1) current and future needs and capacities of radio systems in outstate areas;
- (2) the potential for implementation of a multi-agency and multijurisdictional shared radio system;
- (3) potential guidelines for governance and system participation by state and local units of government; and
- (4) statutory changes required to implement a statewide, 800 megahertz, shared public safety radio system.

Subd. 3. [REVIEW CONSIDERATIONS.] In performing the duties under this section, the planning committee may consider:

- (1) assessment of current uses, needs, and capacities, including growth and expansion capacities, by each local government and by each major user group;
- (2) estimates of future needs by each local government and by each major user group;
- (3) estimates by each local government and by each major user group of the anticipated level and timeline for utilizing the radio system;
- (4) analysis of the expected costs of implementing the radio system; and
- (5) proposed funding mechanisms, including options for allocating costs among local governments and user groups.

Subd. 4. [PUBLIC MEETINGS.] After completing its duties under subdivisions 2 and 3, the planning committee shall prepare a draft report to local governments and major user groups in all outstate areas. The draft report must also be made available to the public. After preparing and disseminating the draft report and before presenting the final report to the legislature, the planning committee shall meet with representatives of local governments and user groups in each department of public safety radio communication district to explain the report and seek comment.

Subd. 5. [REPORT.] By February 1, 2001, the commissioner of administration shall report to the legislature on the findings and recommendations of the planning committee. The report must also identify any changes in statutory authority and funding options necessary to provide for implementation of the statewide, 800 megahertz, shared, public safety radio system.

Sec. 11. [LIGHT RAIL; FEDERAL FUNDS.]

The commissioner of transportation may not apply to the federal government for any federal funds for light rail transit in the Hiawatha Avenue corridor other than federal funds that under federal law or regulation may only be used for transit capital projects. This section does not prohibit the commissioner from using federal funds that are identified in the 2001-2003 statewide transportation improvement program for the Hiawatha Avenue corridor highway and light rail project.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 12. Laws 1999, chapter 238, article 2, section 93, is amended to read:

Sec. 93. [EFFECTIVE DATE.]

Sections 21 and 22 are effective the day following final enactment, ~~and are repealed on July 31, 2000.~~ Sections 2, 15, 32, 33, 35 to 67, 72, 74, 75, 77, and 85 are effective January 1, 2000. Sections 7 to 14 are effective July 1, 2000. Section 27 is effective July 1, 1999, for Minnesota identification cards issued on and after that date. Sections 4, 5, and 30 are effective July 1, 2001.

Sec. 13. Minnesota Statutes 1998, section 161.32, is amended by adding a subdivision to read:

Subd. 7. [APPROVAL AND PAYMENT OF SUPPLEMENTAL AGREEMENTS.]

Notwithstanding any law to the contrary, when goods or services are provided to the commissioner under an agreement supplemental to a contract for work on a trunk highway, the commissioner or designee may approve the supplemental agreement. Payment of valid state obligations must be made within 30 days of approval of the work or submission by the contractor of an invoice indicating completion of work, whichever occurs later.

Sec. 14. Minnesota Statutes 1998, section 167.50, subdivision 2, is amended to read:

Subd. 2. [ISSUANCE AND SALE.] The bonds shall be issued and sold upon sealed competitive bids after published notice. The bonds shall be issued and sold at the times and prices (not less than par and accrued interest), in the form and denominations, bearing interest at the rate or rates, maturing on dates, with or without option of prior redemption upon notice and at specified times and prices, payable at a bank or banks, within or without the state, with provisions for registration, conversion, and exchange and for the issuance of temporary bonds or notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further provisions, as the commissioner of finance may determine, subject to the approval of the attorney general (but not subject to the provisions of chapter 14, including 14.386). Each bond shall mature within 20 years from its date of issue and shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures of these officers on the face of and any interest coupons appurtenant to any bond, and their seals may be printed, lithographed, stamped, engraved, or otherwise reproduced thereon, provided that the signature of one of the officers, or of an authorized representative of a corporate registrar or other agent designated by the commissioner of finance to authenticate the bonds, shall be manually subscribed on the face of each bond.

Sec. 15. Minnesota Statutes 1999 Supplement, section 168.17, is amended to read:

168.17 [SUSPENSION OF REGISTRATION.]

(a) All registrations and issue of number plates shall be subject to amendment, suspension, modification or revocation by the registrar summarily for any violation of or neglect to comply with the provisions of this chapter or when the transferee fails to comply with section 168A.10, subdivision 2, within 30 days of the date of sale.

(b) The registrar may suspend the registration of a motor vehicle if the tax on the vehicle was paid by means of a dishonored check to a deputy motor vehicle registrar. The registrar may continue a suspension under this paragraph until the registrar is informed by the deputy motor vehicle registrar that the dishonored check has been paid in full.

(c) In any case where the proper registration of a motor vehicle is dependent upon procuring information entailing such delay as to unreasonably deprive the owner of the use of the motor vehicle, the registrar may issue a tax receipt and plates conditionally.

(d) In any case when revoking a registration for cause, the registrar shall have authority to demand the return of the number plates and registration certificates, and, if necessary, to seize the number plates issued for such registration.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 16. Minnesota Statutes 1998, section 168.27, subdivision 8, is amended to read:

Subd. 8. [EXEMPTIONS.] ~~(1)~~ (a) Salespeople and other employees of licensed dealers under this section ~~shall~~ are not be required to obtain individual licenses.

~~(2)~~ (b) Isolated or occasional sales or leases of new or used motor vehicles ~~shall be~~ are exempt from the provisions of this section. A person who makes only isolated or occasional sales or leases is not required to be licensed under this section, is not considered to be in the business of selling or leasing motor vehicles, and does not qualify to receive dealer plates under subdivision 16. "Isolated or occasional sales or leases" means: ~~(i)~~ (1) the sale or lease of a motor vehicle with an actual cash value of \$1,000 or less made by a charitable organization; ~~(ii)~~ (2) the sale, purchase, or lease of not more than five motor vehicles in a 12-month period, other than pioneer or classic

motor vehicles as defined in section 168.10, subdivisions 1a and 1b, or ~~(iii)~~ (3) sales by a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property. For purposes of this subdivision, a charitable organization means a nonprofit charitable organization that qualifies for tax exemption under section 501(c)(3) of the Internal Revenue Code.

(c) A person whose sales of new and used motor vehicles consist solely of sales to political subdivisions and their agencies of vehicles used solely as firefighting equipment is not required to obtain a license under this section. The person may apply for and receive in-transit plates under subdivision 17 in the same manner as licensed motor vehicle dealers for the purpose of allowing firefighting equipment to be transported from the dealer's source of supply or other place of storage to the dealer's place of business, to another place of storage, or directly to the purchaser.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 17. Minnesota Statutes 1998, section 169.781, is amended by adding a subdivision to read:

Subd. 10. [EXEMPTION.] This section does not apply to a vehicle operated by a motor carrier of passengers, as defined in section 221.011, subdivision 48, if the vehicle has been inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 18. Minnesota Statutes 1999 Supplement, section 171.061, subdivision 4, is amended to read:

Subd. 4. [FEE; EQUIPMENT.] (a) The agent may charge and retain a filing fee of \$3.50 for each application. Except as provided in paragraph (b), the fee shall cover all expenses involved in receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

~~(b) An agent with photo identification equipment provided by the department before January 1, 1999, may retain the photo identification equipment until the agent's appointment terminates. The department shall maintain the photo identification equipment for these all agents appointed as of January 1, 2000. An agent appointed before January 1, 1999, who does not have photo identification equipment provided by the department, and any new agent appointed after December 31, 1998, shall procure and maintain photo identification equipment. Upon the retirement, resignation, death, or discontinuance of an existing agent, and if a new agent is appointed in an existing office pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota Rules, part 7404.0400, the department shall provide and maintain photo identification equipment without additional cost to a newly appointed agent in that office if the office was provided the equipment by the department before January 1, 1999 2000. All photo identification equipment must be compatible with standards established by the department.~~

(c) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county shall retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the Minnesota state retirement system, or membership in the public employees retirement association.

(d) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (c).

EFFECTIVE DATE: This section is effective retroactively from January 1, 2000.

Sec. 19. [174.55] [MAJOR TRANSPORTATION PROJECTS COMMISSION.]

Subdivision 1. [CREATION AND PURPOSE.] A major transportation projects commission is created to review and comment on proposed major transportation projects in which the department of transportation is involved.

Subd. 2. [COMPOSITION.] The major transportation projects commission is composed of the governor or the governor's designee; four citizen members appointed by the governor and serving at the pleasure of the governor; seven senators appointed by the subcommittee on committees of the committee on rules and administration, three of whom must not be members of the senate majority party; and seven members of the house of representatives appointed by the speaker, three of whom must not be members of the house majority party. The commissioner of transportation shall serve as a nonvoting member unless the commissioner is the governor's designee. The commission shall elect a chair from among its members. Nongovernment members of the commission shall receive compensation in accordance with section 15.059, subdivision 3.

Subd. 3. [DUTIES.] The major transportation projects commission shall review each report submitted under subdivision 4 and shall make comments on the report to the governor and legislature by September 30 of each year.

Subd. 4. [COMMISSIONER REPORT.] The commissioner of transportation shall report to the commission not later than July 15 of each year. The report must consist of a listing of candidate projects that meet the criteria of major transportation projects within the definition in subdivision 5, and a listing of proposed projects for study that the commissioner believes have the potential of being major transportation projects but do not have draft environmental impact statements. The report must include the commissioner's plan for funding and implementation of each project.

Subd. 5. [MAJOR TRANSPORTATION PROJECT.] A major transportation project is a project that meets each of the following criteria:

- (1) involves the department of transportation;
- (2) has a total cost of more than \$5,000,000;
- (3) is a critical element of the transportation system of its region and the state; and
- (4) has a completed draft environmental impact statement.

Subd. 6. [CONSTRUCTION OF TRANSPORTATION PROJECTS.] The department may not construct a major transportation project without first submitting the project to the major transportation projects commission. Within any six-year period, the department may not construct a transportation project consisting of separate contiguous projects that do not individually qualify as major transportation projects, but which in their entirety would constitute a major transportation project, without first submitting the project to the major transportation projects commission.

EFFECTIVE DATE: This section is effective July 1, 2000, except that subdivision 6 is effective July 1, 2001.

Sec. 20. Minnesota Statutes 1999 Supplement, section 174.88, is amended to read:

174.88 [COMMUTER RAIL FUNDING.]

Subdivision 1. [FEDERAL FUND APPLICATIONS.] The commissioner, in cooperation with appropriate metropolitan planning organizations, may apply for funding from federal, state, regional, local, and private sources for commuter rail facility construction, operation, implementation, maintenance, and improvement.

Subd. 2. [EXPENDITURE OF STATE FUNDS.] The commissioner shall not spend any state funds for construction or equipment of commuter rail facilities unless the funds have been appropriated by law specifically for those purposes.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 21. Minnesota Statutes 1999 Supplement, section 221.0252, subdivision 7, is amended to read:

Subd. 7. [EXEMPTIONS FROM REGULATION.] Notwithstanding any other law, motor carriers of passengers are exempt from sections 221.121; 221.122; 221.123; ~~221.132~~; 221.151; 221.161; and 221.171.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 22. Minnesota Statutes 1998, section 221.131, subdivision 4, is amended to read:

Subd. 4. [FLOATER CARD; FEE.] The department may issue to carriers subject to subdivision 2 or 3 special "floater" identification cards up to a maximum of five per motor carrier. Floater cards may be freely transferred between vehicles that have evidence of being inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months, or have a current Commercial Vehicle Safety Alliance decal, and that are used under short-term leases by the motor carrier. The motor carrier shall pay a fee of \$100 for each floater card issued.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 23. Minnesota Statutes 1998, section 221.132, is amended to read:

221.132 [PREPAID TEMPORARY VEHICLE IDENTIFICATION CARD.]

For special or extraordinary events, the commissioner may issue a prepaid temporary vehicle identification card to a permit or certificate holder subject to section 221.131, subdivision 2 or 3, for a fee of \$5 per card. The card must be preprinted by the commissioner with the carrier's name, address, and permit or certificate number. The card may be used by the motor carrier to whom it is issued to identify a vehicle temporarily added to its fleet, if the vehicle has evidence of being inspected under section 221.0252, subdivision 3, paragraph (a), clause (2), within the previous 12 months, or has a current Commercial Vehicle Safety Alliance decal. The card must be executed by the motor carrier by dating and signing the card and describing the vehicle in which it will be carried. The identification card is valid for a period of ten days from the date the motor carrier places on the card when the card is executed. The card must be used within one year from the date of issuance by the commissioner. The card may not be used if the permit or certificate is not in full force and effect. The card may not be transferred. The commissioner may not refund the cost of unused prepaid temporary vehicle identification cards.

EFFECTIVE DATE: This section is effective the day following final enactment.

Sec. 24. Minnesota Statutes 1998, section 473.405, subdivision 4, is amended to read:

Subd. 4. [TRANSIT SYSTEMS.] The council may engineer, construct, equip, and operate transit and paratransit systems, projects, or any parts thereof, including road lanes or rights of way, terminal facilities, maintenance and garage facilities, ramps, parking areas, and any other facilities useful for or related to any public transit or paratransit system or project. The council may sell or lease naming rights with regard to light rail transit stations and apply revenues from sales or leases to light rail transit operating costs.

ARTICLE 2

TRUNK HIGHWAY FUND

Section 1. [PROHIBITION AGAINST APPROPRIATIONS FROM TRUNK HIGHWAY FUND.]

To ensure compliance with the Minnesota Constitution, article XIV, sections 2, 5, and 6, the commissioner of finance, agency directors, and legislative commission personnel may not include in the biennial budget for fiscal years 2002 and 2003, or in any budget thereafter, expenditures from the trunk highway fund for a nonhighway purpose as jointly determined by the commissioner of finance and the attorney general. For purposes of this section, an expenditure for a nonhighway purpose is any expenditure not for construction, improvement, or maintenance of highways. At the time of submission of the biennial budget proposal to the legislature, the commissioner of finance and the attorney general shall report to the senate and house of representatives transportation committees concerning any expenditure that is proposed to be appropriated from the trunk highway fund, if that expenditure is similar to those reduced or eliminated in sections 5 to 20. The report must explain the highway purpose of the proposed expenditure.

Sec. 2. Minnesota Statutes 1999 Supplement, section 144E.29, is amended to read:

144E.29 [FEES.]

(a) The board shall charge the following fees:

(1) initial application for and renewal of an ambulance service license, \$150;

(2) each ambulance operated by a licensee, \$96. The licensee shall pay an additional \$96 fee for the full licensing period or \$8 per month for any fraction of the period for each ambulance added to the ambulance service during the licensing period;

(3) initial application for and renewal of approval for a training program, \$100; and

(4) duplicate of an original license, certification, or approval, \$25.

(b) With the exception of paragraph (a), clause (5), all fees are for a two-year period. All fees are nonrefundable.

(c) Fees collected by the board shall be deposited as nondedicated receipts in the ~~trunk highway~~ general fund.

Sec. 3. Minnesota Statutes 1999 Supplement, section 144E.31, subdivision 3, is amended to read:

Subd. 3. [FINE.] (a) The board may order a fine concurrently with the issuance of a correction order, or after the licensee or training program has not corrected the violation within the time specified in the correction order.

(b) A licensee or training program that is ordered to pay a fine shall be notified of the order by certified mail. The notice shall be mailed to the address shown on the application or the last known address of the licensee or training program. The notice shall state the reasons the fine was ordered and shall inform the licensee or training program of the right to a contested case hearing under chapter 14.

(c) A licensee or training program may appeal the order to pay a fine by notifying the board by certified mail within 15 calendar days after receiving the order. A timely appeal shall stay payment of the fine until the board issues a final order.

(d) A licensee or training program shall pay the fine assessed on or before the payment date specified in the board's order. If a licensee or training program fails to fully comply with the order, the board shall suspend the license or cancel approval until there is full compliance with the order.

(e) Fines shall be assessed as follows:

(1) \$150 for violation of section 144E.123;

(2) \$400 for violation of sections 144E.06, 144E.07, 144E.101, 144E.103, 144E.121, 144E.125, 144E.265, 144E.285, and 144E.305;

(3) \$750 for violation of rules adopted under section 144E.16, subdivision 4, clause (8); and

(4) \$50 for violation of all other sections under this chapter or rules adopted under this chapter that are not specifically enumerated in clauses (1) to (3).

(f) Fines collected by the board shall be deposited as nondedicated receipts in the ~~trunk highway~~ general fund.

Sec. 4. Minnesota Statutes 1998, section 161.20, subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS.] The commissioner may expend trunk highway funds only for trunk highway purposes. Payment of expenses related to sales tax, bureau of criminal apprehension laboratory, office of tourism kiosks, Minnesota safety council, tort claims, driver education programs, emergency medical services board, and Mississippi River parkway

commission do not further a highway purpose and do not aid in the construction, improvement, or maintenance of the highway system.

Sec. 5. Laws 1999, chapter 216, article 1, section 1, is amended to read:

Section 1. [CRIMINAL JUSTICE APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1999," "2000," and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively.

SUMMARY BY FUND

	1999	2000	2001	TOTAL
General	\$2,074,000	\$547,845,000	\$582,487,000	\$1,130,332,000
			<u>\$584,143,000</u>	<u>\$1,131,988,000</u>
Special Revenue		8,258,000	7,902,000	16,160,000
Environmental		44,000	46,000	90,000
State Government				
Special Revenue		7,000	7,000	14,000
Trunk Highway		1,626,000	1,656,000	3,282,000
			<u>-0-</u>	<u>1,626,000</u>
TOTAL		\$557,780,000	\$592,098,000	\$1,149,878,000

APPROPRIATIONS

Available for the Year
Ending June 30
2000 2001

Sec. 6. Laws 1999, chapter 216, article 1, section 7, subdivision 1, is amended to read:

Subdivision	1. Total		
Appropriation		44,595,000	41,848,000

Summary by Fund

	2000	2001
General	42,398,000	39,607,000
		<u>41,263,000</u>
Special Revenue	520,000	532,000
State Government		
Special Revenue	7,000	7,000
Environmental	44,000	46,000
Trunk Highway	1,626,000	1,656,000
		<u>-0-</u>

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 7. Laws 1999, chapter 216, article 1, section 7, subdivision 3, is amended to read:

Subd. 3. Criminal Apprehension

Summary by Fund

General	23,327,000	23,080,000
		<u>24,736,000</u>

Special Revenue	520,000	532,000
State Government Special Revenue	7,000	7,000
Trunk Highway	1,626,000	1,656,000 <u>-0-</u>

\$99,000 the first year and \$99,000 the second year from the Bureau of Criminal Apprehension account in the special revenue fund are for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$421,000 the first year and \$433,000 the second year from the Bureau of Criminal Apprehension account in the special revenue fund are for laboratory activities.

\$5,000,000 the first year and \$4,000,000 the second year are for the statewide criminal and juvenile justice data information system upgrade.

\$210,000 the first year and \$210,000 the second year are to be transferred to the commissioner of corrections for a statewide probation system component of the criminal justice information system. This appropriation must be included in the budget base for the 2002-2003 biennium.

\$500,000 the first year and \$55,000 the second year are for a lab information management system.

\$344,000 the first year and \$400,000 the second year are for laboratory supplies and equipment. This is a one-time appropriation.

\$800,000 the second year is for start-up costs, including employee hiring and training, for the northern BCA satellite laboratory facility in the city of Bemidji, for which predesign money was appropriated in Laws 1998, chapter 404, section 13, subdivision 11.

\$15,000 the first year is for the capitol security study described in article 5, section 13. This is a one-time appropriation.

\$125,000 the second year is to expand DNA testing of predatory offenders.

Sec. 8. Laws 1999, chapter 223, article 1, section 1, is amended to read:

Section 1. [ECONOMIC DEVELOPMENT; APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "2000" and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for

the year ending June 30, 2000, or June 30, 2001, respectively. The term "first year" means the fiscal year ending June 30, 2000, and "second year" means the fiscal year ending June 30, 2001.

SUMMARY BY FUND

	1999	2000	2001	TOTAL
General	\$21,000	\$224,507,000	\$184,543,000 <u>\$185,309,000</u>	\$409,071,000 <u>\$409,837,000</u>
Petroleum Tank Cleanup		1,015,000	1,045,000	2,060,000
Environmental Fund		700,000	700,000	1,400,000
TANF		6,000,000	4,000,000	10,000,000
Trunk Highway		745,000	766,000 <u>-0-</u>	1,511,000 <u>745,000</u>
Workers' Compensation		22,217,000	22,439,000	44,656,000
Special Revenue		100,000	-0-	100,000
Workforce Development Fund		17,993,000	12,557,000	30,550,000
TOTAL	\$21,000	\$273,277,000	\$226,050,000	\$499,348,000

APPROPRIATIONS

Available for the Year
Ending June 30
2000 2001

Sec. 9. Laws 1999, chapter 223, article 1, section 2, subdivision 1, is amended to read:

Subdivision	1. Total		
Appropriation		56,880,000	46,056,000

Summary by Fund

General	42,985,000	32,590,000 <u>33,356,000</u>
Trunk Highway	745,000	766,000 <u>-0-</u>
TANF	1,500,000	1,500,000
Environmental Fund	700,000	700,000
Workforce Development Fund	10,950,000	10,500,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 10. Laws 1999, chapter 223, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. Tourism

10,805,000 10,910,000

Summary by Fund

General	10,060,000	10,144,000 <u>10,910,000</u>
Trunk Highway	745,000	766,000 <u>-0-</u>

To develop maximum private sector involvement

in tourism, \$3,500,000 the first year and \$3,500,000 the second year of the amounts appropriated for marketing activities are contingent on receipt of an equal contribution from nonstate sources that have been certified by the commissioner. Up to one-half of the match may be given in in-kind contributions.

In order to maximize marketing grant benefits, the commissioner must give priority for joint venture marketing grants to organizations with year-round sustained tourism activities. For programs and projects submitted, the commissioner must give priority to those that encompass two or more areas or that attract nonresident travelers to the state.

If an appropriation for either year for grants is not sufficient, the appropriation for the other year is available for it.

The commissioner may use grant dollars or the value of in-kind services to provide the state contribution for the partnership program.

Any unexpended money from general fund appropriations made under this subdivision does not cancel but must be placed in a special advertising account for use by the office of tourism to purchase additional media.

This appropriation may be used for a grant to Minnesota Festivals and Events Association for the following purposes:

(1) for a partnership with the University of Minnesota's tourism center to build the methodology for a low-cost economic impact model that will allow festival and event managers to conduct research independently in their own communities;

(2) to promote regional workshops to increase production value and professionalism for events in the state, increase event service and entertainment value for local residents, build community awareness of opportunities to generate new tourism, and assure production of high quality, safe, and meaningful tourism products that are in line with the vision, mission, and growth goals of individual towns and cities in Minnesota;

(3) for a partnership with the University of Minnesota's tourism center to enhance professionalism via its certified festival manager program, training event managers and volunteer staff to implement value-added festivals and events for visitors to the state;

(4) for a partnership with the Minnesota office of tourism to publish a pull-out minimagazine advertising the statewide festivals and events calendar for the year; and

(5) to expand the Minnesota Festivals and Events Association website, to provide travel planners with more festival and event intensive links to communities hosting such activities.

\$250,000 in the first year is for a one-time grant for the purpose of the Upper Red Lake business loan program.

\$829,000 the first year and \$829,000 the second year are for the Minnesota film board. \$329,000 of this appropriation in each year is available only upon receipt by the board of \$1 in matching contributions of money or in-kind from nonstate sources for every \$3 provided by this appropriation. Of this amount, \$500,000 the first year and \$500,000 the second year are for grants to the Minnesota film board for a film production jobs fund to stimulate feature film production in Minnesota. This appropriation is to reimburse film producers for two to five percent of documented wages which they paid to Minnesotans for film production after January 1, 1999.

\$100,000 the first year is for a grant to promote tourism in the Mille Lacs area. This is a one-time appropriation and is not added to the agency's budget base.

\$100,000 the first year is for a one-time grant to promote tourism in the areas near the northern border of Minnesota, including the Northwest Angle.

\$37,000 the first year is for a grant to the Mississippi River parkway commission.

Sec. 11. Laws 1999, chapter 238, article 1, section 1, is amended to read:

Section 1. [TRANSPORTATION AND OTHER AGENCIES APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1999," "2000," and "2001," where used in this act, mean that the appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively. If the figures are not used, the appropriations are available for the year ending June 30, 2000, or June 30, 2001, respectively. The term "first year" means the year ending June 30, 2000, and the term "second year" means the year ending 30, 2001. Appropriations for the year ending June 30, 1999, are in addition to appropriations made in previous years.

SUMMARY BY FUND

2000	2001	TOTAL
------	------	-------

General	\$ 85,231,000	\$ 80,853,000 <u>\$ 81,520,000</u>	\$166,084,000 <u>\$166,751,000</u>
Airports	19,386,000	19,469,000	38,855,000
C.S.A.H.	365,063,000	366,624,000	731,687,000
Highway User	15,480,000	15,575,000	31,055,000
M.S.A.S.	105,549,000	107,394,000	212,943,000
Special Revenue	947,000	965,000	1,912,000
Trunk Highway	1,044,984,000	1,056,111,000 <u>1,055,444,000</u>	2,101,095,000 <u>2,100,428,000</u>
TOTAL	\$1,636,640,000	\$1,646,991,000	\$3,283,631,000

APPROPRIATIONS

Available for the Year

Ending June 30

2000

2001

Sec. 12. Laws 1999, chapter 238, article 1, section 2, subdivision 12, is amended to read:

Subd. 12. Contingent Appropriation

The commissioner of transportation, with the approval of the governor after consultation with the legislative advisory commission under Minnesota Statutes, section 3.30, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation (1) for trunk highway design, construction, or inspection in order to take advantage of an unanticipated receipt of income to the trunk highway fund, or (2) for trunk highway maintenance in order to meet an emergency, ~~or (3) to pay tort or environmental claims.~~ The amount transferred is appropriated for the purpose of the account to which it is transferred.

Sec. 13. Laws 1999, chapter 238, article 1, section 5, is amended to read:

Sec. 5. MINNESOTA SAFETY COUNCIL 67,000 67,000

Summary by Fund

	<u>2000</u>	<u>2001</u>
<u>Trunk Highway</u>	<u>67,000</u>	<u>-0-</u>
<u>General</u>	<u>-0-</u>	<u>67,000</u>

~~This appropriation is from the trunk highway fund.~~

Sec. 14. Laws 1999, chapter 238, article 1, section 7, is amended to read:

Sec. 7. TORT CLAIMS 600,000 600,000

Summary by Fund

	<u>2000</u>	<u>2001</u>
<u>Trunk Highway</u>	<u>600,000</u>	<u>-0-</u>

TOTAL \$2,836,486,000 \$2,988,751,000 \$5,825,237,000

APPROPRIATIONS

Available for the Year
Ending June 30

2000 2001

Sec. 17. Laws 1999, chapter 245, article 1, section 6, is amended to read:

Sec. 6. EMERGENCY MEDICAL
SERVICES BOARD

2,420,000 2,467,000

Summary by Fund

General	694,000	694,000	<u>2,467,000</u>
Trunk Highway	1,726,000	1,773,000	<u>-0-</u>

[COMPREHENSIVE ADVANCED LIFE SUPPORT (CALs).] Of the general fund appropriation, \$108,000 each year is for the board to establish a comprehensive advanced life support educational program under Minnesota Statutes, section 144E.37.

[EMERGENCY MEDICAL SERVICES GRANTS.] ~~Of the appropriation from the trunk highway fund, \$18,000 from the trunk highway fund in fiscal year 2000 and \$36,000 from the general fund in fiscal year 2001 is to the board for grants to regional emergency medical services programs. This~~ The second year appropriation shall become part of the base for the 2002-2003 biennium.

Sec. 18. Laws 1999, chapter 250, article 1, section 1, is amended to read:

Section 1. [STATE GOVERNMENT APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The "1999," "2000," and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively.

SUMMARY BY FUND

	2000	2001	BIENNIAL TOTAL
General	\$349,954,000	\$308,497,000	\$658,451,000
		<u>\$308,536,000</u>	<u>\$658,490,000</u>
State Government Special Revenue	13,986,000	13,884,000	27,870,000
For 1999 - \$465,000			
Health Care Access	1,842,000	1,871,000	3,713,000
Environmental	236,000	242,000	478,000
Solid Waste Fund	660,000	670,000	1,330,000

Lottery Prize Fund	110,000	-0-	110,000
Highway User Tax Distribution	2,129,000	2,173,000	4,302,000
Trunk Highway	39,000	39,000	78,000
		<u>-0-</u>	<u>39,000</u>
Workers' Compensation	7,024,000	6,959,000	13,983,000
TOTAL	\$376,420,000	\$334,854,000	\$711,274,000
For 1999 -	\$465,000		

APPROPRIATIONS
Available for the Year
Ending June 30
2000 2001

Sec. 19. Laws 1999, chapter 250, article 1, section 2, subdivision 1, is amended to read:

Subdivision 1. Total		
Appropriation	58,340,000	63,117,000

Summary by Fund

General	58,151,000	62,928,000 <u>\$62,967,000</u>
Health Care Access	150,000	150,000
Trunk Highway	39,000	39,000 <u>-0-</u>

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Sec. 20. Laws 1999, chapter 250, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. Legislative Coordinating Commission	13,841,000	14,924,000
--	------------	------------

Summary by Fund

General	13,652,000	14,735,000 <u>14,774,000</u>
Health Care Access	150,000	150,000
Trunk Highway	39,000	39,000 <u>-0-</u>

\$5,600,000 the first year and \$6,372,000 the second year are for the office of the revisor of statutes.

\$1,184,000 the first year and \$1,217,000 the second year are for the legislative reference library.

\$4,963,000 the first year and \$5,096,000 the second year are for the office of the legislative auditor.

The legislative commission on pensions and retirement shall study and report to the legislature by January 15, 2000, on the comparability of pension and other

postretirement benefits between public sector and private sector employees. When comparing the benefits, the commission shall select comparable job classifications and salary ranges. The study must compare pension portability, initial monthly benefits, average annual benefit increases, employer and employee contribution rates, availability of early retirement incentives, administrative costs, and other factors as necessary to compare benefits."

Delete the title and insert:

"A bill for an act relating to transportation; appropriating money for transportation, public safety, and other purposes; modifying previous appropriations; providing for bonding for highways; requiring studies and reports; establishing working group to assess impact of DM&E rail line project; establishing major transportation projects commission; repealing sunset of provision authorizing certain lights on top of delivery vehicles; providing for approval of and payment under supplemental goods or services agreements of the commissioner of transportation; authorizing suspension of motor vehicle registration when tax is paid by dishonored check; exempting dealers in firefighting equipment from motor vehicle dealer licensing; providing for inspection of vehicles of motor carriers; providing for photo identification equipment for driver's license agents; restricting expenditures on commuter rail; restricting application for federal aid for Hiawatha Avenue light rail transit; modifying provisions relating to prepaid, temporary, vehicle identification cards for motor carrier vehicles; authorizing naming rights for light rail transit stations; restricting expenditures from trunk highway fund; amending Minnesota Statutes 1998, sections 161.20, subdivision 3; 161.32, by adding a subdivision; 167.50, subdivision 2; 168.27, subdivision 8; 169.781, by adding a subdivision; 221.131, subdivision 4; 221.132; and 473.405, subdivision 4; Minnesota Statutes 1999 Supplement, sections 144E.29; 144E.31, subdivision 3; 168.17; 171.061, subdivision 4; 174.88; and 221.0252, subdivision 7; Laws 1999, chapter 216, article 1, sections 1 and 7, subdivisions 1 and 3; chapter 223, article 1, sections 1 and 2, subdivisions 1 and 4; chapter 238, article 1, sections 1; 2, subdivision 12; 5; and 7; article 2, section 93; chapter 241, article 10, section 5, subdivision 2; chapter 245, article 1, sections 1 and 6; and chapter 250, article 1, sections 1 and 2, subdivisions 1 and 4; proposing coding for new law in Minnesota Statutes, chapter 174."

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

House Conferees: (Signed) Carol L. Molnau, Michelle Rifenberg, Tom Workman, Stephen G. Wenzel, Bernard L. "Bernie" Lieder

Senate Conferees: (Signed) Dean E. Johnson, Carol Flynn, Mark Ourada, Claire A. Robling, Randy C. Kelly

Senator Johnson, D.E. moved that H.F. No. 2891 and the Conference Committee Report thereon be laid on the table. The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 3028, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 3028: A bill for an act relating to vulnerable adults; specifying rights for reconsideration and review of determinations regarding maltreatment; amending Minnesota Statutes 1998, section 626.557, subdivisions 9c, 9d, and 12b; Minnesota Statutes 1999

Supplement, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256.

Senate File No. 3028 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 2000

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 3036, repassed said bill in accordance with the report of the Committee, so adopted.

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.

Senate File No. 3036 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 2000

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 3234, and repassed said bill in accordance with the report of the Committee, so adopted.

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 May 9, 2000

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 11, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 11: A bill for an act relating to domestic abuse; providing for a six-year statute of limitations for causes of action based on domestic abuse; amending Minnesota Statutes 1998, domestic abuse; amending Minnesota Statutes 1998, section 541.05, subdivision 1; Minnesota Statutes 1999 Supplement, section 541.07.

Senate File No. 11 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 9, 2000

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1288 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON 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.

May 9, 2000

The Honorable Allan H. Spear
President of the Senate

The Honorable Steve Sviggum
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1288, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1288 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 97A.431, subdivision 4, is amended to read:

Subd. 4. [SEPARATE SELECTION; ELIGIBILITY.] (a) The commissioner may conduct a separate selection for up to 20 percent of the moose licenses to be issued for an area. Only owners of, and tenants living on, at least 160 acres of agricultural or grazing land in the area, and their family members, are eligible for the separate selection under this paragraph. ~~Persons that are unsuccessful in a separate selection must be included in the selection for the remaining licenses.~~

(b) The commissioner must conduct a separate selection for 20 percent of the moose licenses to be issued each year. Only individuals who have applied at least ten times for a moose license and who have never received a license are eligible for this separate selection.

(c) The commissioner may by rule establish criteria for:

(1) determining eligible family members under this subdivision. paragraph (a); and

(2) verifying that an individual has made at least ten unsuccessful applications for the purposes of paragraph (b).

(d) A person who is unsuccessful in a separate selection under this subdivision must be included in the selection for the remaining licenses.

Sec. 2. Minnesota Statutes 1998, section 97A.435, subdivision 4, is amended to read:

Subd. 4. [SEPARATE SELECTION OF ELIGIBLE LICENSEES.] (a) The commissioner may conduct a separate selection for up to 20 percent of the turkey licenses to be issued for any area. Only persons that who are owners or tenants of and that who live on at least 40 acres of agricultural or grazing land in the area, and their family members, are eligible applicants for turkey licenses for the separate selection. The qualifying agricultural or grazing land may be noncontiguous. Persons that who are unsuccessful in a separate selection must be included in the selection for the remaining licenses. Persons that who obtain a license in a separate selection must allow public turkey hunting on their land during that turkey season.

(b) The commissioner may by rule establish criteria for determining eligible family members under this subdivision.

Sec. 3. Minnesota Statutes 1998, section 97A.441, subdivision 7, is amended to read:

Subd. 7. [OWNERS OR TENANTS OF AGRICULTURAL LAND.] (a) The commissioner may issue, without an additional fee, a license to take additional an antlerless deer with firearms under section 97B.301, subdivision 4, to a person who is an owner or tenant and lives is living and actively farming on at least ten 80 acres of agricultural land, as defined in section 97B.001, in an area where the commissioner has made these licenses available. Landowners and tenants applying for a license under this subdivision must receive preference over other applicants for the licenses deer permit areas that have deer archery licenses to take additional deer under section 97B.301, subdivision 4. A person may receive only one license per year under this subdivision. For properties with coowners or cotenants, only one coowner or cotenant may receive a license under this subdivision per year. The license issued under this subdivision is restricted to the land owned or leased by the holder of the license within the permit area where the qualifying land is located. The holder of the license may transfer the license to the holder's spouse or dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license may purchase an additional license for taking deer and may take an additional deer under that license.

(b) ~~Persons~~ A person who obtain obtains a license under paragraph (a) must allow public deer hunting on their land during that deer hunting season, with the exception of the first Saturday and Sunday during the deer hunting season applicable to the license issued under section 97A.475, subdivision 2, clause (4).

Sec. 4. Minnesota Statutes 1998, section 97A.445, subdivision 1, is amended to read:

Subdivision 1. [ANGLING; TAKE A KID FISHING WEEKEND.] A resident over age 18 may take fish by angling without a license during one Saturday and Sunday three-day consecutive period of the angling season designated by rule of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the Saturday and Sunday three-day period as "Take a Kid Fishing Weekend."

Sec. 5. Minnesota Statutes 1998, section 97A.475, subdivision 2, is amended to read:

Subd. 2. [RESIDENT HUNTING.] Fees for the following licenses, to be issued to residents only, are:

- (1) for persons under age 65 to take small game, \$10;
- (2) for persons age 65 or over, \$5;
- (3) to take turkey, \$16;
- (4) to take deer with firearms, \$22;
- (5) to take deer by archery, \$22;
- (6) to take moose, for a party of not more than six persons, \$275;
- (7) to take bear, \$33;
- (8) to take elk, for a party of not more than two persons, \$220;
- (9) to take antlered deer in more than one zone, \$44; and
- (10) to take Canada geese during a special season, \$3; and

(11) to take an antlered buck throughout the state in any open deer season, except as restricted under section 97B.305, \$66.

Sec. 6. Minnesota Statutes 1998, section 97B.015, is amended by adding a subdivision to read:

Subd. 6. [PROVISIONAL CERTIFICATE FOR PERSONS WITH MENTAL RETARDATION OR A RELATED CONDITION.] Upon the recommendation of a course instructor, the commissioner may issue a provisional firearms safety certificate to a person who satisfactorily completes the classroom portion of the firearms safety course but is unable to pass the written or an alternate format exam portion of the course because of mental retardation or a related condition as defined in section 97B.1055, subdivision 1. The certificate is valid only when used according to section 97B.1055.

Sec. 7. Minnesota Statutes 1998, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. [FIREARMS AND AMMUNITION THAT MAY BE USED TO TAKE BIG GAME.] (a) A person may take big game with a firearm only if:

- (1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;
 - (2) the firearm is loaded only with single projectile ammunition;
 - (3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;
 - (4) the ammunition has a case length of at least 1.285 inches;
 - (5) the muzzle-loader used is incapable of being loaded at the breech;
 - (6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and
 - (7) the rifled muzzle-loader used is a caliber of at least .40 inches.
- (b) A person may not take big game with a .30 caliber M-1 carbine cartridge.
- (c) Notwithstanding paragraph (a), clause (4), a person may take big game with a ten millimeter cartridge that is at least 0.95 inches in length and may take big game with a .45 Winchester Magnum cartridge.

Sec. 8. Minnesota Statutes 1998, section 97B.051, is amended to read:

97B.051 [TRANSPORTATION OF ARCHERY BOWS.]

Except as specified under section 97B.055, subdivision 2, a person may not transport an archery bow in a motor vehicle unless the bow is:

- (1) unstrung;
- (2) completely contained in a case; or
- (3) in the closed trunk or rear-most enclosed portion of a motor vehicle that is not accessible from the passenger compartment.

Sec. 9. Minnesota Statutes 1998, section 97B.071, is amended to read:

97B.071 [BLAZE ORANGE REQUIREMENTS.]

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange. Blaze orange includes a camouflage pattern of at least 50 percent blaze orange within each foot square. This section does not apply to migratory waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement

in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except when hunting with nontoxic shot or while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange. This paragraph does not apply to a person hunting by falconry.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law Number 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

Sec. 10. [97B.1055] [HUNTING BY PERSONS WITH MENTAL RETARDATION OR A RELATED CONDITION.]

Subdivision 1. [DEFINITIONS.] For purposes of this section and section 97B.015, subdivision 6, "person with mental retardation or a related condition" means a person who has been diagnosed as having substantial limitations in present functioning, manifested as significantly subaverage intellectual functioning, existing concurrently with demonstrated deficits in adaptive behavior, and who manifests these conditions before the person's 22nd birthday. A person with a related condition means a person who meets the diagnostic definition under section 252.27, subdivision 1a.

Subd. 2. [OBTAINING A LICENSE.] (a) Notwithstanding section 97B.020, a person with mental retardation or a related condition may obtain a firearms hunting license with a provisional firearms safety certificate issued under section 97B.015, subdivision 6.

(b) Any person accompanying or assisting a person with mental retardation or a related condition under this section must possess a valid firearms safety certificate issued by the commissioner.

Subd. 3. [ASSISTANCE REQUIRED.] A person who obtains a firearms hunting license under subdivision 2 must be accompanied and assisted by a parent, guardian, or other adult person designated by a parent or guardian when hunting. A person who is not hunting but is solely accompanying and assisting a person with mental retardation or a related condition need not obtain a hunting license.

Subd. 4. [PROHIBITED ACTIVITIES.] (a) This section does not entitle a person to possess a firearm if the person is otherwise prohibited from possessing a firearm under state or federal law or a court order.

(b) No person shall knowingly authorize or permit a person, who by reason of mental retardation or a related condition is incapable of safely possessing a firearm, to possess a firearm to hunt in the state or on any boundary water of the state.

Sec. 11. Minnesota Statutes 1998, section 97B.301, is amended by adding a subdivision to read:

Subd. 7. [ALL SEASON BUCK LICENSE.] A resident may obtain an all season buck license to take one buck by firearm or archery during any season statewide. A person obtaining an all season buck license does not qualify for hunting under subdivision 3 or 4.

Sec. 12. Minnesota Statutes 1998, section 97C.001, subdivision 1, is amended to read:

Subdivision 1. [DEFINITION; DESIGNATION.] (a) Experimental waters are lakes and streams where special regulations are used and evaluated to meet a specific fisheries objective.

(b) The commissioner may designate any waters of the state having free access to the public as experimental waters. The designated experimental waters may not exceed ~~400~~ 200 lakes and ~~25~~ 50 streams at one time. For all experimental waters, the commissioner shall develop an evaluation plan and specify a termination date. On the termination date, the commissioner shall vacate or extend the experimental waters designation, or designate the experimental waters as special

management waters under section 97C.005. The commissioner shall by rule establish methods and criteria for public initiation of experimental waters designation and for public participation in the evaluation of the waters designated.

(c) Designation of experimental waters under this section is not subject to chapter 14.

Sec. 13. Minnesota Statutes 1998, section 97C.081, subdivision 2, is amended to read:

Subd. 2. [~~CONTESTS WITHOUT A PERMIT.~~] A person may conduct a fishing contest with entry fees of \$10, or less, per person and total prizes valued at \$2,000, or less, without a permit from the commissioner. provided:

(1) the following criteria are met:

(i) there are 30 participants or less for open water contests and 150 participants or less for ice fishing contests;

(ii) the entry fee is \$25 per person or less;

(iii) the total prize value is \$25,000 or less; and

(iv) the contest is not limited to trout species only;

(2) the following criteria are met:

(i) the contest is not limited to specifically named waters; and

(ii) the contest is not limited to trout species only; or

(3) all the contest participants are age 18 years or under.

Sec. 14. Minnesota Statutes 1998, section 97C.081, subdivision 3, is amended to read:

Subd. 3. [~~CONTESTS AUTHORIZED BY COMMISSIONER REQUIRING A PERMIT.~~] ~~The commissioner may, by rule or permit, allow fishing contests with entry fees over \$10 per person or total prizes valued at more than \$2,000. (a) A person must have a permit from the commissioner to conduct a fishing contest that does not meet the criteria in subdivision 2. Permits shall be issued without a fee.~~

(b) If entry fees are over \$25 per person, or total prizes are valued at more than \$25,000, and if the applicant has either:

(1) not previously conducted a fishing contest requiring a permit under this subdivision; or

(2) ever failed to make required prize awards in a fishing contest conducted by the applicant, the commissioner may require the applicant to furnish the commissioner evidence of financial responsibility in the form of a surety bond or bank letter of credit in the amount of \$25,000. Permits must be issued without a fee and if the commissioner does not deny the permit within 14 days, excluding holidays, after receipt of an application, the permit is granted.

Sec. 15. Minnesota Statutes 1998, section 97C.081, is amended by adding a subdivision to read:

Subd. 6. [~~PERMIT APPLICATION PROCESS.~~] (a) Beginning September 1 each year, the commissioner shall accept permit applications for fishing contests to be held in the following year.

(b) If the number of permit applications received by the commissioner from September 1 through the last Friday in October exceeds the limits specified in subdivisions 7 and 8, the commissioner shall notify the affected applicants that their requested locations and time period are subject to a drawing. After notification, the commissioner shall allow the affected applicants a minimum of seven days to change the location or time period requested on their applications, provided that the change is not to a location or time period for which applications are already at or above the limits specified in subdivisions 7 and 8.

(c) After the applicants have been given at least seven days to change their applications, the commissioner shall conduct a drawing for all locations and time periods for which applications exceed limits. First preference in the drawings shall be given to applicants for established or traditional fishing contests, and second preference to applicants for contests that are not established as traditional fishing contests based on the number of times they have been unsuccessful in previous drawings. Except for applicants of established or traditional fishing contests, an applicant who is successful in a drawing loses all accumulated preference.

(d) The commissioner has until December 7 to approve or deny permit applications that are submitted by 4:30 p.m. on the last Friday in October. The commissioner may approve a permit application that is received after 4:30 p.m. on the last Friday in October if approving the application would not result in exceeding the limits in subdivisions 7 and 8.

Sec. 16. Minnesota Statutes 1998, section 97C.081, is amended by adding a subdivision to read:

Subd. 7. [WEEKEND LIMITATIONS.] (a) On all waters 55,000 acres or less, the commissioner may ensure that each of the state's waters has at least two weekends per month with no permitted fishing contests.

(b) Unless otherwise authorized by the commissioner, permitted fishing contests that are conducted for more than one day may not include more than one weekend day from Memorial Day weekend through Labor Day weekend.

(c) The commissioner may not approve permits for fishing contests on a weekend with a fishing season opener if the contest targets a species for which the season is opening.

Sec. 17. Minnesota Statutes 1998, section 97C.081, is amended by adding a subdivision to read:

Subd. 8. [LIMITS ON NUMBER OF FISHING CONTESTS.] (a) The number of permitted fishing contests allowed each month on a water body shall not exceed the following limits:

	<u>Maximum number of permitted fishing contests</u>	<u>Maximum number of large permitted fishing contests</u>	<u>Maximum number of permitted fishing contest days</u>
<u>Size/acres less than</u>			
<u>2,000</u>	<u>2</u>	<u>0</u>	<u>4</u>
<u>2,000-4,999</u>	<u>3</u>	<u>1</u>	<u>6</u>
<u>5,000-14,999</u>	<u>4</u>	<u>2</u>	<u>8</u>
<u>15,000-55,000</u>	<u>5</u>	<u>3</u>	<u>10</u>
<u>more than</u>			
<u>55,000</u>	<u>no limit</u>	<u>no limit</u>	<u>no limit</u>

(b) For boundary waters, the limits on the number of permitted fishing contests shall be determined based on the Minnesota acreage.

Sec. 18. Minnesota Statutes 1998, section 97C.081, is amended by adding a subdivision to read:

Subd. 9. [PERMIT RESTRICTIONS.] (a) The commissioner may require fishing contest permittees to limit prefishing to week days only as a condition of a fishing contest permit. The commissioner may require proof from permittees that prefishing restrictions on the permit are communicated to fishing contest participants and enforced.

(b) The commissioner may require permit restrictions on the hours that a permitted fishing contest is conducted, including, but not limited to, starting and ending times.

(c) The commissioner may require permit restrictions on the number of parking spaces that may be used on a state-owned public water access site. The commissioner may require proof from

permittees that parking restrictions on the permit are communicated to fishing contest participants and enforced.

(d) To prevent undue loss of fish, the commissioner may require restrictions for off-site weigh-ins on a fishing contest permit or may deny permits requesting an off-site weigh-in.

(e) A person may not transfer a fishing contest permit to another person.

(f) Failure to comply with fishing contest permit restrictions may be considered grounds for denial of future permit applications.

Sec. 19. Minnesota Statutes 1998, section 97C.081, is amended by adding a subdivision to read:

Subd. 10. [DEFINITIONS.] For purposes of this section, the following terms have the meanings given:

(a) "Permitted fishing contest" means an open water fishing contest or ice fishing contest that requires a permit from the commissioner under subdivision 3.

(b) "Large permitted fishing contest" means an open water fishing contest with more than 50 boats or more than 100 participants that requires a permit from the commissioner under subdivision 3.

(c) "Participant" means a person who is taking part in a fishing contest.

(d) "Permitted fishing contest day" means a day on a water body where a permitted fishing contest is held. Two permitted fishing contests that are held on the same water body on the same day count as two permitted fishing contest days.

(e) "Off-site weigh-in" means a weigh-in of fish from a fishing contest at a location that is not adjacent to the waters listed on the fishing contest permit.

(f) "Prefishing" means fishing by participants of a permitted fishing contest prior to the scheduled dates of the contest on waters listed on the fishing contest permit.

Sec. 20. Minnesota Statutes 1998, section 97C.335, as amended by Laws 2000, chapter 308, section 1, is amended to read:

97C.335 [USE OF ARTIFICIAL LIGHTS TO TAKE FISH PROHIBITED.]

A person may not use artificial lights to lure or attract fish or to see fish in the water while spearing, except that an angler may use a lighted fishing lure while angling, a person may affix to the end of a fishing line a lighted artificial bait with hooks attached. Any battery that is used in lighted fishing lures cannot contain any intentionally introduced mercury.

Sec. 21. [APPROPRIATIONS.]

\$200,000 is appropriated from the state forest suspense account to the commissioner of natural resources for transfer to the University of Minnesota Duluth for the purpose of funding the inventory conducted pursuant to this section and is available until expended. Because the University of Minnesota is a land grant university, and because most of the state-owned land to be inventoried is granted land, the chancellor of the University of Minnesota Duluth is requested to direct the School of Business and Economics to conduct an inventory of state-owned land located within the Boundary Waters Canoe Area for the purpose of providing the legislature and state officers with more precise information as to the nature, extent, and value of the land. The inventory must include the following: (1) a list of the tracts of state-owned land within the area, together with the available legal description by government tract, insofar as possible; (2) the number of linear feet of shoreline in each tract, together with a general description of that shoreline, whether it is rocky, sandy, or swampy, or some other descriptive system that generally describes the shoreland; (3) the acreage of each tract; (4) a general description of the surface of each tract, including topography and the predominant vegetative cover for each tract and any known unique surface features, such as areas of virgin and other old growth timber; and (5) using

available real estate market value information and accepted real estate valuation techniques, assign estimates of the value for each tract, exclusive of minerals and mineral interests, using each of the real estate valuation techniques adopted for the inventory. For the purposes of this section, "state-owned land" is defined as any class of state-owned land, whether it is granted land such as school, university, swampland, or internal improvement, or whether it is tax-forfeited, acquired, or state-owned land of any other classification. At the request of the university, the commissioner of natural resources shall promptly provide the university with all published maps, whether federal, state, or county, together with a descriptive list of state-owned land in the area, using available legal descriptions, forest inventories, and other factual information, published data, and photographs that are necessary for the university's inventory. From these maps, lists, data, and other information, the university is requested to prepare a report of its inventory. The legislature requests that the University of Minnesota submit the report to the legislature by January 15, 2002.

Sec. 22. [EFFECTIVE DATE.]

Section 20 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying separate selection criteria for moose and turkey licenses; exempting trappers from blaze orange requirements; modifying certain licenses issued without a fee; modifying provisions for Take a Kid Fishing weekend; modifying certain provisions for deer hunting licenses; modifying ammunition requirements for taking big game; providing for hunting licenses for persons with mental retardation; modifying provisions for designating experimental waters; modifying provisions for fishing contests; modifying requirements for transporting archery bows; modifying lighted fishing lure provisions; appropriating money for a state land inventory; amending Minnesota Statutes 1998, sections 97A.431, subdivision 4; 97A.435, subdivision 4; 97A.441, subdivision 7; 97A.445, subdivision 1; 97A.475, subdivision 2; 97B.015, by adding a subdivision; 97B.031, subdivision 1; 97B.051; 97B.071; 97B.301, by adding a subdivision; 97C.001, subdivision 1; 97C.081, subdivisions 2, 3, and by adding subdivisions; and 97C.335, as amended; proposing coding for new law in Minnesota Statutes, chapter 97B."

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

Senate Conferees: (Signed) Bob Lessard, Jane Krentz

House Conferees: (Signed) Mark William Holsten, Thomas Bakk, Tom Hackbarth

Senator Lessard moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1288 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.

S.F. No. 1288 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kiscaden	Marty	Pariseau
Belanger	Higgins	Kleis	Metzen	Piper
Berg	Hottinger	Knutson	Moe, R.D.	Pogemiller
Betzold	Janezich	Krentz	Murphy	Price
Day	Johnson, D.E.	Laidig	Neuville	Ranum
Dille	Johnson, D.J.	Larson	Novak	Ring
Fischbach	Junge	Lesewski	Oliver	Robertson
Flynn	Kelley, S.P.	Lessard	Olson	Robling
Foley	Kierlin	Limmer	Ourada	Runbeck
Frederickson	Kinkel	Lourey	Pappas	Sams

Samuelson
Scheid

Solon
Spear

Stevens
Terwilliger

Vickerman
Wiener

Wiger
Ziegler

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 40, Senator Moe, R.D., with the concurrence of the first author, moved that H.F. No. 3229 be withdrawn from the Committee on State Government Finance, given a second reading and placed on General Orders.

The motion prevailed. H.F. No. 3229 was read the second time.

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2933 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 2933: A bill for an act relating to insurance; providing technical changes; regulating motor vehicle service contracts; regulating underwriting practices; regulating workers' compensation self-insurance; using part of the excess surplus in the assigned risk plan surplus fund for the benefit of the Minnesota comprehensive health association; appropriating money; amending Minnesota Statutes 1998, sections 60A.129, subdivision 5; 60K.14, subdivision 1; 61A.092, subdivision 6; 62A.136; 62C.11, subdivision 1; 62C.142, subdivision 2a; 62E.04, subdivision 4; 62S.02, subdivision 1; 64B.30, subdivision 1; 65B.29, subdivisions 2 and 3; 72A.20, subdivision 17; 72A.499, subdivision 1; and 79A.22, subdivisions 3 and 11; Minnesota Statutes 1999 Supplement, sections 72A.20, subdivision 23; 79A.22, subdivision 2; 79A.23, subdivisions 1, 2, and 3; 79A.24, subdivision 2; repealing Minnesota Statutes 1998, sections 62A.285, subdivision 4; 62A.651; 62H.10, subdivision 4; and 65B.13.

Senator Wiener moved to amend S.F. No. 2933 as follows:

Pages 16 to 18, delete section 22

Page 18, line 24, delete "23" and insert "22"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Wiener moved that S.F. No. 2933 be laid on the table. The motion prevailed.

Senator Wiener moved that S.F. No. 2933 be taken from the table. The motion prevailed.

Senator Wiener moved to amend S.F. No. 2933 as follows:

Page 1, after line 21, insert:

"Section 1. Minnesota Statutes 1998, section 60A.052, subdivision 1, is amended to read:

Subdivision 1. [GROUNDS.] The commissioner may by order take any or all of the following actions: (a) deny, suspend, or revoke a certificate of authority; (b) censure the insurance company; or (c) impose a civil penalty as provided for in section 45.027, subdivision 6; or (d) under a written agreement with the insurance company based upon the company's financial condition, impose conditions or restrictions on the insurance company's authority to transact business in Minnesota. In order to take this action the commissioner must find that the order is in the public interest, and the insurance company:

(1) has a board of directors or principal management that is incompetent, untrustworthy, or so lacking in insurance company managerial experience as to make its operation hazardous to policyholders, its stockholders, or to the insurance buying public;

(2) is controlled directly or indirectly through ownership, management, reinsurance transactions, or other business relations by any person or persons whose business operations are or have been marked by manipulation of any assets, reinsurance, or accounts as to create a hazard to the company's policyholders, stockholders, or the insurance buying public;

(3) is in an unsound or unsafe condition;

(4) has the actual liabilities that exceed the actual funds of the company;

(5) has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it was made, contained any misrepresentation or was false, misleading, or fraudulent;

(6) has pled guilty, with or without explicitly admitting guilt, pled nolo contendere, or been convicted of a felony, gross misdemeanor, or misdemeanor involving moral turpitude, or similar conduct;

(7) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the insurance business;

(8) has violated or failed to comply with any order of the insurance regulator of any other state or jurisdiction;

(9) has had a certificate of authority denied, suspended, or revoked, has been censured or reprimanded, has been the subject of any other discipline imposed by, or has paid or has been required to pay a monetary penalty or fine to, another state;

(10) agents, officers, or directors refuse to submit to examination or perform any related legal obligation; or

(11) has violated or failed to comply with, any of the provisions of the insurance laws including chapter 45 or chapters 60A to 72A or any rule or order under those chapters.

Sec. 2. Minnesota Statutes 1999 Supplement, section 60A.052, subdivision 2, is amended to read:

Subd. 2. [SUSPENSION OR REVOCATION OF AUTHORITY OR CENSURE.] If the commissioner determines that one of the conditions listed in subdivision 1 exists, the commissioner may issue an order requiring the insurance company to show cause why any or all of the following should not occur: (1) revocation or suspension of any or all certificates of authority granted to the foreign or domestic insurance company or its agent; (2) censuring of the insurance company; (3) cancellation of all or some of the company's insurance contracts then in force in this state; ~~or~~ (4) the imposition of a civil penalty; or (5) under a written agreement with the insurance company based upon the company's financial condition, imposition of conditions or restrictions on the insurance company's authority to transact business in Minnesota. The order shall be calculated to give reasonable notice of the time and place for hearing thereon, and shall state the reasons for the entry of the order. All hearings shall be conducted in accordance with chapter 14. The insurer may waive its right to the hearing. If the insurer is under the supervision or control of the insurance department of the insurer's state of domicile, that insurance department, acting on behalf of the insurer, may waive the insurer's right to the hearing. After the hearing, the commissioner shall enter an order disposing of the matter as the facts require. If the insurance company fails to appear at a hearing after having been duly notified of it, the company shall be considered in default, and the proceeding may be determined against the company upon consideration of the order to show cause, the allegations of which may be considered to be true."

Page 2, after line 21, insert:

"Sec. 4. [60K.081] [BROKERAGE BUSINESS.]

Every insurance agent licensed to transact business in this state may procure the insurance of risks, or parts of risks, in the class or classes of insurance for which the agent is licensed, from an insurer authorized to transact business in this state, when the agent is not an appointed agent of the insurer, but the insurance must be consummated only through an appointed agent of the insurer."

Page 3, after line 20, insert:

"Sec. 6. Minnesota Statutes 1999 Supplement, section 60K.19, subdivision 8, is amended to read:

Subd. 8. [MINIMUM EDUCATION REQUIREMENT.] Each person subject to this section shall complete a minimum of 30 credit hours of courses accredited by the commissioner during each 24-month licensing period, ~~two hours of which must be devoted to state law, regulations, and rules applicable to the line or lines of insurance for which the agent is licensed.~~ Any person whose initial licensing period extends more than six months shall complete 15 hours of courses accredited by the commissioner during the initial license period. Any person teaching or lecturing at an accredited course qualifies for 1-1/2 times the number of credit hours that would be granted to a person completing the accredited course. No more than 15 credit hours per licensing period may be credited to a person for courses sponsored by, offered by, or affiliated with an insurance company or its agents. Courses sponsored by, offered by, or affiliated with an insurance company or agent may restrict its students to agents of the company or agency."

Page 5, after line 31, insert:

"Sec. 12. Minnesota Statutes 1998, section 62H.10, subdivision 4, is amended to read:

Subd. 4. [BROKER.] "Broker" means an agent engaged in brokerage business pursuant to section ~~60K.08~~ 60K.081.

Sec. 13. Minnesota Statutes 1999 Supplement, section 62J.535, subdivision 2, is amended to read:

Subd. 2. [COMPLIANCE.] (a) Concurrent with the ~~effective dates~~ date of required compliance established under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time, for uniform electronic billing standards, all health care providers must conform to the uniform billing standards developed under subdivision 1.

(b) Notwithstanding paragraph (a), the requirements for the uniform remittance advice report shall be effective 12 months after the date of the required compliance of the standards for the electronic remittance advice transaction are effective under United States Code, title 42, sections 1320d to 1320d-8, as amended from time to time."

Page 9, line 34, before "In" insert "(a)"

Page 10, line 7, reinstate the stricken "or"

Page 10, line 13, delete "; or" and insert a period

Page 10, line 14, delete "(3)" and insert "(b) In addition to the requirements of paragraph (a),"

Page 10, line 17, after the comma, insert "the insurer or insurance agent responsible for the decision shall provide in writing to the applicant, policyholder, or individual proposed for coverage"

Page 10, line 18, delete "or codes"

Page 10, line 19, after "insurer's" insert "adverse" and before the period, insert "decision"

Page 10, after line 19, insert:

"Sec. 21. Minnesota Statutes 1998, section 79A.04, subdivision 1, is amended to read:

Subdivision 1. [ANNUAL SECURING OF LIABILITY.] Each year every private self-insuring employer shall secure incurred liabilities for the payment of compensation and the performance of ~~the its obligations and the obligations of all self-insuring~~ employers imposed under chapter 176 by renewing the prior year's security deposit or by making a new deposit of security. If a new deposit is made, it must be posted within 60 days of the filing of the self-insured employer's annual report with the commissioner, but in no event later than July 1.

Sec. 22. Minnesota Statutes 1998, section 79A.04, subdivision 2, is amended to read:

Subd. 2. [MINIMUM DEPOSIT.] The minimum deposit is 110 percent of the private self-insurer's estimated future liability. ~~Up to ten percent of that~~ The deposit may be used to secure payment of all administrative and legal costs, and unpaid assessments required by section 79A.12, subdivision 2, relating to or arising from ~~the employer's~~ its or other employers' self-insuring. As used in this section, "private self-insurer" includes both current and former members of the self-insurers' security fund; and "private self-insurers' estimated future liability" means the private self-insurers' total of estimated future liability as determined by an Associate or Fellow of the Casualty Actuarial Society every year for group member private self-insurers and, for a nongroup member private self-insurer's authority to self-insure, every year for the first five years. After the first five years, the nongroup member's total shall be as determined by an Associate or Fellow of the Casualty Actuarial Society at least every two years, and each such actuarial study shall include a projection of future losses during the period until the next scheduled actuarial study, less payments anticipated to be made during that time.

All data and information furnished by a private self-insurer to an Associate or Fellow of the Casualty Actuarial Society for purposes of determining private self-insurers' estimated future liability must be certified by an officer of the private self-insurer to be true and correct with respect to payroll and paid losses, and must be certified, upon information and belief, to be true and correct with respect to reserves. The certification must be made by sworn affidavit. In addition to any other remedies provided by law, the certification of false data or information pursuant to this subdivision may result in a fine imposed by the commissioner of commerce on the private self-insurer up to the amount of \$5,000, and termination of the private self-insurers' authority to self-insure. The determination of private self-insurers' estimated future liability by an Associate or Fellow of the Casualty Actuarial Society shall be conducted in accordance with standards and principles for establishing loss and loss adjustment expense reserves by the Actuarial Standards Board, an affiliate of the American Academy of Actuaries. The commissioner may reject an actuarial report that does not meet the standards and principles of the Actuarial Standards Board, and may further disqualify the actuary who prepared the report from submitting any future actuarial reports pursuant to this chapter. Within 30 days after the actuary has been served by the commissioner with a notice of disqualification, an actuary who is aggrieved by the disqualification may request a hearing to be conducted in accordance with chapter 14. Based on a review of the actuarial report, the commissioner of commerce may require an increase in the minimum security deposit in an amount the commissioner considers sufficient.

Estimated future liability is determined by first taking the total amount of the self-insured's future liability of workers' compensation claims and then deducting the total amount which is estimated to be returned to the self-insurer from any specific excess insurance coverage, aggregate excess insurance coverage, and any supplementary benefits or second injury benefits which are estimated to be reimbursed by the special compensation fund. Supplementary benefits or second injury benefits will not be reimbursed by the special compensation fund unless the special compensation fund assessment pursuant to section 176.129 is paid and the reports required thereunder are filed with the special compensation fund. In the case of surety bonds, bonds shall secure administrative and legal costs in addition to the liability for payment of compensation reflected on the face of the bond. In no event shall the security be less than the last retention limit selected by the self-insurer with the workers' compensation reinsurance association, provided that the commissioner may allow former members to post less than the workers' compensation reinsurance association retention level if that amount is adequate to secure payment of the self-insurers' estimated future liability, as defined in this subdivision, including payment of

claims, administrative and legal costs, and unpaid assessments required by section 79A.12, subdivision 2. The posting or depositing of security pursuant to this section shall release all previously posted or deposited security from any obligations under the posting or depositing and any surety bond so released shall be returned to the surety. Any other security shall be returned to the depositor or the person posting the bond.

As a condition for the granting or renewing of a certificate to self-insure, the commissioner may require a private self-insurer to furnish any additional security the commissioner considers sufficient to insure payment of all claims under chapter 176.

Sec. 23. Minnesota Statutes 1998, section 79A.04, subdivision 7, is amended to read:

Subd. 7. [PERFECTION OF SECURITY.] Upon the commissioner sending a request to renew, request to post, or request to increase a security deposit, a perfected security interest is created in the private self-insured's assets in favor of the commissioner to the extent of any then unsecured portion of the self-insured's incurred liabilities. That perfected security interest is transferred to any cash or securities thereafter posted by the private self-insured with the state treasurer and is released only upon either of the following:

- (1) the acceptance by the commissioner of a surety bond or irrevocable letter of credit for the full amount of the incurred liabilities for the payment of compensation; or
- (2) the return of cash or securities by the commissioner.

The private self-insured employer loses all right, title, and interest in and any right to control all assets or obligations posted or left on deposit as security. In the event of a declaration of bankruptcy or insolvency by a court of competent jurisdiction that a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or a court of competent jurisdiction has declared the private self-insurer to be bankrupt or insolvent, or in the event of the issuance of a certificate of default by the commissioner, the commissioner shall liquidate the deposit as provided in this chapter, and transfer it to the self-insurer's security fund for application to the self-insured employer's incurred liability and other current or future obligations of the self-insurers' security fund. In the event that a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or a court of competent jurisdiction has declared the private self-insurer to be bankrupt or insolvent, or in the event of the issuance of a certificate of default by the commissioner, all right, title, and interest in and any right to control all assets or obligations which have been posted or deposited as security must be transferred to the self-insurers' security fund.

Sec. 24. Minnesota Statutes 1998, section 79A.04, subdivision 9, is amended to read:

Subd. 9. [INSOLVENCY, BANKRUPTCY, OR DEFAULT; UTILIZATION OF SECURITY DEPOSIT.] The commissioner of labor and industry shall notify the commissioner and the security fund if the commissioner of labor and industry has knowledge that any private self-insurer has failed to pay workers' compensation benefits as required by chapter 176. If the commissioner determines that a private self-insurer is the subject of a voluntary or involuntary petition under the United States Bankruptcy Code, title 11, or the commissioner determines that a court of competent jurisdiction has declared the private self-insurer to be bankrupt or insolvent, and the private self-insurer has failed to pay workers' compensation as required by chapter 176 or, if the commissioner issues a certificate of default against a private self-insurer for failure to pay workers' compensation as required by chapter 176, or failure to pay an assessment to the self-insurers' security fund when due, then the security deposit shall be utilized to administer and pay the private self-insurers' workers' compensation or assessment obligations or any other current or future obligations of the self-insurers' security fund.

Sec. 25. Minnesota Statutes 1998, section 79A.11, subdivision 2, is amended to read:

Subd. 2. [SECURITY DEPOSITS.] The security fund shall have the right and obligation to obtain ~~from and retain~~ the security deposit of an insolvent private self-insurer ~~the amount of~~ to apply to the private self-insurer's current or future compensation obligations, including reasonable

administrative and legal costs, paid or assumed by the security fund and to other current or future obligations of the security fund. Reimbursement of administrative costs, including legal costs, shall be subject to approval by a majority of the security fund's voting trustees. The security fund shall be a party in interest in any action to obtain the security deposit for the payment of compensation obligations of an insolvent self-insurer.

Sec. 26. Minnesota Statutes 1998, section 79A.11, is amended by adding a subdivision to read:

Subd. 2a. [REPLACEMENT INSURANCE POLICY.] The insolvent self-insurer may obtain an insurance policy as described in section 79A.06, subdivision 5, to discharge further workers' compensation obligations assumed by the self-insurers' security fund on behalf of the insolvent insurer. At the self-insurers' security fund's option and in its sole discretion, any part of the insolvent self-insurer's security deposit may be used to fund the acquisition of this policy. After the security deposit has been used to: (1) fund the acquisition of this policy; (2) pay all direct and indirect administrative and professional expenses of the fund related to the insolvent self-insurer; and (3) to the extent not covered by the insurance policy, pay the insolvent self-insurer's losses, allocated loss expense and unallocated loss expense, any part of the insolvent self-insurer's security deposit that remains must be promptly returned to the insolvent self-insurer."

Page 18, after line 19, insert:

"Sec. 35. Laws 1999, chapter 177, section 89, is amended to read:

Sec. 89. [EFFECTIVE DATES.]

(a) Sections 1, 3, 5 to 8, 20, 22 to 28, 31, 34, 35, 38, 39, 44 to 51, 54 to 56, 58 to 60, 66, 67, 69 to 87, and 88, paragraph (b), are effective the day following final enactment.

(b) Sections 13 to 15 are effective the day following final enactment and apply to plans of merger approved on or after that date by the board of directors of the first of the constituent corporations to grant such approval. Merging or consolidating insurance corporations may, however, elect to have the changes made by sections 13 to 15 not apply to a merger or consolidation arising out of a joint agreement entered into prior to January 1, 2000.

(c) Section 32 is effective July 1, ~~2000~~ 2001.

(d) Section 33 is effective December 1, 1999, and applies to all license renewals on or after that date.

(e) Section 30 is effective as follows:

(1) The amendment to Minnesota Statutes, section 60K.03, subdivision 2, paragraph (d), is effective January 1, 2000.

(2) The amendment to Minnesota Statutes, section 60K.03, subdivision 2, paragraph (e), is effective the day following final enactment."

Page 18, line 22, delete "62H.10, subdivision 4;"

Page 18, delete section 24 and insert:

"Sec. 37. [EFFECTIVE DATE.]

Sections 1, 2, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 19, and 21 to 36 are effective the day following final enactment. Section 16 is effective January 1, 2001."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 2933 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Johnson, D.E.	Lessard	Pappas	Solon
Berg	Johnson, D.H.	Limmer	Pariseau	Spear
Betzold	Johnson, D.J.	Lourey	Piper	Stevens
Day	Junge	Marty	Pogemiller	Terwilliger
Dille	Kierlin	Moe, R.D.	Ranum	Vickerman
Fischbach	Kinkel	Murphy	Ring	Wiener
Foley	Kleis	Neuville	Robertson	Wiger
Frederickson	Knutson	Novak	Robling	Ziegler
Hanson	Laidig	Oliver	Runbeck	
Higgins	Larson	Olson	Sams	
Hottinger	Lesewski	Ourada	Scheid	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated S.F. No. 2421 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 2421: A bill for an act relating to consumer protection; regulating certain telephonic sales calls; providing remedies; amending Minnesota Statutes 1999 Supplement, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 325G.

Senator Junge moved to amend S.F. No. 2421 as follows:

Page 1, line 12, delete "325G.56" and insert "325G.57"

Page 3, lines 22 and 23, delete "within the past five years"

Page 3, line 24, before the period, insert "within the past five years"

The motion prevailed. So the amendment was adopted.

Senator Junge then moved to amend S.F. No. 2421 as follows:

Page 3, line 30, delete "and" and insert "to" and delete "that" and insert "the" and delete "upon"

Page 3, line 31, delete everything before the period

Page 3, line 36, delete "and a \$6 assessment"

Page 4, line 10, after the period, insert "Money received by the department under this subdivision must be deposited in the state treasury and credited to an account in the special revenue fund. Money in this account is annually appropriated to the commissioner for purposes of administering this section."

The motion prevailed. So the amendment was adopted.

Senator Kleis moved to amend S.F. No. 2421 as follows:

Page 3, line 22, delete "or political party"

Page 3, line 24, delete "or party"

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Senator Sams moved that the following members be excused for a Conference Committee on H.F. No. 3312 at 5:10 p.m.:

Senators Sams, Murphy and Hottinger. The motion prevailed.

CALL OF THE SENATE

Senator Junge imposed a call of the Senate for the balance of the proceedings on S.F. No. 2421. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Kleis amendment.

Senator Junge moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 26 and nays 28, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Larson	Ourada	Terwilliger
Berg	Kierlin	Lesewski	Pariseau	Ziegler
Betzold	Kiscaden	Limmer	Robertson	
Day	Kleis	Neuville	Robling	
Dille	Knutson	Oliver	Runbeck	
Fischbach	Laidig	Olson	Stevens	

Those who voted in the negative were:

Flynn	Johnson, D.J.	Marty	Price	Spear
Foley	Junge	Metzen	Ranum	Vickerman
Hanson	Kelley, S.P.	Moe, R.D.	Ring	Wiener
Higgins	Kinkel	Pappas	Samuelson	Wiger
Janezich	Krentz	Piper	Scheid	
Johnson, D.H.	Lourey	Pogemiller	Solon	

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

Senator Runbeck moved to amend S.F. No. 2421 as follows:

Page 3, line 17, delete everything after "received"

Page 3, line 18, delete everything before the semicolon

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 32, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Larson	Olson	Scheevel
Berg	Kierlin	Lesewski	Ourada	Scheid
Betzold	Kleis	Lessard	Pariseau	Stevens
Day	Knutson	Limmer	Robertson	Vickerman
Dille	Laidig	Neuville	Robling	Wiener
Fischbach	Langseth	Oliver	Runbeck	Ziegler

Those who voted in the negative were:

Berglin	Janezich	Kinkel	Pappas	Solon
Cohen	Johnson, D.E.	Krentz	Piper	Spear
Flynn	Johnson, D.H.	Lourey	Pogemiller	Stumpf
Foley	Johnson, D.J.	Marty	Price	Wiger
Hanson	Junge	Metzen	Ranum	
Higgins	Kelley, S.P.	Moe, R.D.	Ring	
Hottinger	Kelly, R.C.	Murphy	Sams	

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

Senator Scheid moved to amend S.F. No. 2421 as follows:

Page 4, after line 25, insert:

"Subd. 4. [NATIONAL NO CALL LIST OPTION.] (a) The department or its agent shall notify every telephone subscriber inquiring about the no call list of the availability of the telephone preference service operated by the direct marketing association and the procedures for being listed on the telephone preference service no call list or other comparable national no call lists.

(b) A telephone solicitor which subscribes to and complies with the telephone preference service or other comparable national no call lists is not subject to this section."

Page 6, after line 10, insert:

"Sec. 8. [TELEPHONE SOLICITATION EDUCATIONAL EFFORTS.]

(a) The commissioner of commerce shall, by July 1, 2000, consult with representatives of state and local government, senior citizen organizations, telemarketing companies, and other businesses to compile a list of educational tools to help consumers understand their options with regard to telephone solicitations.

(b) The commissioner shall also provide information on its Web site for residential telephone subscribers and otherwise promote where feasible information regarding national do not call lists and other consumer options pertaining to telephone solicitations."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

Senator Kiscaden moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 35 and nays 27, as follows:

Those who voted in the affirmative were:

Belanger	Kelly, R.C.	Larson	Oliver	Scheid
Berg	Kierlin	Lesewski	Ourada	Solon
Day	Kiscaden	Lessard	Robertson	Stevens
Dille	Kleis	Limmer	Robling	Vickerman
Fischbach	Knutson	Metzen	Sams	Wiener
Frederickson	Laidig	Murphy	Samuelson	Wiger
Hanson	Langseth	Neuville	Scheevel	Ziegler

Those who voted in the negative were:

Anderson	Higgins	Junge	Moe, R.D.	Ring
Berglin	Hottinger	Kelley, S.P.	Pappas	Spear
Betzold	Janezich	Kinkel	Piper	Stumpf
Cohen	Johnson, D.E.	Krentz	Pogemiller	
Flynn	Johnson, D.H.	Lourey	Price	
Foley	Johnson, D.J.	Marty	Ranum	

The motion prevailed. So the amendment was adopted.

Senator Stevens moved to amend S.F. No. 2421 as follows:

Page 4, line 27, delete "Subdivision 1. [PRIOR AUTHORIZATION REQUIRED.]"

Page 4, line 32, delete the colon and insert "clearly disclosing the type of account being charged, the amount being charged, and obtaining positive affirmation at the conclusion of the call."

Page 4, delete lines 33 to 36

Page 5, delete lines 1 to 10

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 16 and nays 37, as follows:

Those who voted in the affirmative were:

Belanger	Laidig	Murphy	Robling	Stevens
Dille	Larson	Ourada	Scheid	Vickerman
Kierlin	Lesewski	Robertson	Solon	Ziegler
Knutson				

Those who voted in the negative were:

Anderson	Frederickson	Kelley, S.P.	Marty	Ring
Berg	Hanson	Kelly, R.C.	Metzen	Sams
Berglin	Higgins	Kinkel	Moe, R.D.	Spear
Betzold	Hottinger	Kiscaden	Pappas	Stumpf
Cohen	Janezich	Kleis	Piper	Wiger
Fischbach	Johnson, D.E.	Krentz	Pogemiller	
Flynn	Johnson, D.H.	Lessard	Price	
Foley	Junge	Lourey	Ranum	

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

Senator Junge moved to amend the Scheid amendment to S.F. No. 2421, adopted by the Senate May 9, 2000, as follows:

Page 1, line 3, delete "(a)"

Page 1, line 9, delete "lists." and insert "lists.""

Page 1, delete lines 10 to 12

The question was taken on the adoption of the Junge amendment to the Scheid amendment.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Junge	Marty	Ranum
Berg	Higgins	Kelley, S.P.	Moe, R.D.	Ring
Berglin	Hottinger	Kelly, R.C.	Pappas	Spear
Betzold	Janezich	Kinkel	Piper	Stumpf
Cohen	Johnson, D.E.	Krentz	Pogemiller	Wiger
Flynn	Johnson, D.H.	Lourey	Price	

Those who voted in the negative were:

Belanger	Kierlin	Lesewski	Ourada	Solon
Day	Kiscaden	Lessard	Robertson	Vickerman
Dille	Kleis	Limmer	Robling	Wiener
Fischbach	Knutson	Metzen	Sams	Ziegler
Frederickson	Laidig	Murphy	Samuelson	
Hanson	Langseth	Neuville	Scheevel	
Johnson, D.J.	Larson	Oliver	Scheid	

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

Senator Laidig moved to amend S.F. No. 2421 as follows:

Page 2, line 33, after the second comma, insert "a candidate as defined in section 10A.01, subdivision 5, and their principal campaign committee,"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Fischbach	Kleis	Lesewski	Ourada
Berg	Frederickson	Knutson	Lessard	Robertson
Betzold	Hanson	Laidig	Limmer	Robling
Day	Kierlin	Langseth	Neuville	Scheevel
Dille	Kiscaden	Larson	Oliver	Ziegler

Those who voted in the negative were:

Berglin	Johnson, D.E.	Lourey	Price	Spear
Cohen	Johnson, D.H.	Metzen	Ranum	Stumpf
Flynn	Johnson, D.J.	Moe, R.D.	Ring	Vickerman
Foley	Junge	Murphy	Sams	Wiener
Higgins	Kelley, S.P.	Pappas	Samuelson	Wiger
Hottinger	Kinkel	Piper	Scheid	
Janezich	Krentz	Pogemiller	Solon	

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

S.F. No. 2421 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.

Senator Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Laidig

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

RECONSIDERATION

Having voted on the prevailing side, Senator Moe, R.D. moved that the vote whereby S.F. No. 2421 was passed by the Senate on May 9, 2000, be now reconsidered. The motion prevailed. So the vote was reconsidered.

S.F. No. 2421 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.

Senator Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Belanger	Berg	Berglin	Betzold
----------	----------	------	---------	---------

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

Those who voted in the negative were:

Laidig

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 Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 849:

H.F. No. 849: A bill for an act relating to metropolitan government; modifying the authority to expand or upgrade minor use airports; amending Minnesota Statutes 1998, section 473.641, subdivision 4.

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

Haake, Abrams and Westerberg have been appointed as such committee on the part of the House.

House File No. 849 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 May 9, 2000

Senator Novak moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 849, 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.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Senator Laidig introduced--

S.F. No. 3835: A resolution memorializing the President of the United States and the President's Council on Environmental Quality to expedite the environmental impact statement of the United States Forest Service to begin reducing fuel loadings within the Boundary Waters Canoe Area Wilderness.

Referred to the Committee on Environment and Natural Resources.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Laidig moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Johnson, D.J. be added as chief author to S.F. No. 3835. The motion prevailed.

Senator Johnson, D.J. moved that the names of Senators Lessard, Solon and Janezich be added as co-authors to S.F. No. 3835. The motion prevailed.

Pursuant to Rule 40, Senator Moe, R.D., with the concurrence of the first author, moved that S.F. No. 3835 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Rules and Administration. The motion prevailed.

RECESS

Senator Moe, R.D. moved that the Senate do now recess until 9:45 p.m. The motion prevailed.

The hour of 9:45 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Senator Moe, R.D., Chair of the Committee on Rules and Administration, designated H.F. No. 3409 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 3409: A bill for an act relating to human services; modifying provisions in continuing care services for persons with disabilities; amending Minnesota Statutes 1998, sections 62D.09, subdivision 8; 252.28, by adding a subdivision; and 256B.0625, subdivision 19a; Minnesota Statutes 1999 Supplement, sections 62Q.73, subdivision 2; 245.462, subdivision 4; 245.4871, subdivision 4; 256B.0625, subdivision 19c; 256B.0627, subdivisions 1, 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.

Senator Kiscaden moved that the amendment made to H.F. No. 3409 by the Committee on Rules and Administration in the report adopted March 27, 2000, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 3409 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill 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. 3229 and that the rules of the Senate be so far suspended as to give H.F. No. 3229, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 3229: A bill for an act relating to Hennepin county; providing for payment of county obligations by electronic transfer or credit card; amending Minnesota Statutes 1998, section 383B.116, subdivision 2, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383B.

Senator Higgins moved that the amendment made to H.F. No. 3229 by the Committee on Rules and Administration in the report adopted March 15, 2000, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 3229 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	Krentz	Oliver	Sams
Belanger	Hottinger	Langseth	Ourada	Samuelson
Berg	Janezich	Larson	Pappas	Scheevel
Berglin	Johnson, D.E.	Lesewski	Pariseau	Scheid
Betzold	Johnson, D.J.	Lessard	Piper	Spear
Cohen	Junge	Limmer	Pogemiller	Stumpf
Day	Kelley, S.P.	Lourey	Price	Terwilliger
Dille	Kierlin	Marty	Ranum	Vickerman
Fischbach	Kinkel	Moe, R.D.	Ring	Wiener
Foley	Kiscaden	Murphy	Robertson	Wiger
Frederickson	Kleis	Neuville	Robling	Ziegler
Hanson	Knutson	Novak	Runbeck	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Lessard moved that H.F. No. 3213 be taken from the table. The motion prevailed.

H.F. No. 3213: A bill for an act relating to natural resources; modifying timber provisions; requiring certain rule changes for public use of recreational areas; amending Minnesota Statutes 1998, sections 90.121; 90.14; 90.151, subdivisions 1 and 4; 90.161, subdivisions 1 and 2; 90.162; 90.173; 90.181; 90.201, subdivision 2, and by adding a subdivision; 90.252; and 90.281; proposing coding for new law in Minnesota Statutes, chapter 90.

Senator Lessard moved to amend H.F. No. 3213, as amended pursuant to Rule 49, adopted by the Senate April 10, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2878.)

Pages 1 to 4, delete sections 1 and 2

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Lessard then moved to amend H.F. No. 3213, as amended pursuant to Rule 49, adopted by the Senate April 10, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2878.)

Page 14, after line 3, insert:

"Sec. 17. Minnesota Statutes 1999 Supplement, section 268.035, subdivision 20, is amended to read:

Subd. 20. [NONCOVERED EMPLOYMENT.] "Noncovered employment" means:

(1) employment for the United States government or an instrumentality thereof, including military service;

(2) employment for an Indian, an Indian-controlled employer, and Indian tribe, or any wholly controlled subsidiaries or subdivisions, if the employment is performed on an Indian reservation or Indian Trust Land;

(3) employment for a state, other than Minnesota, or a political subdivision or instrumentality thereof;

(4) employment for a foreign government;

(5) employment for an instrumentality wholly owned by a foreign government, if the employment is of a character similar to that performed in foreign countries by employees of the United States government or an instrumentality thereof and the United States Secretary of State has certified that the foreign government grants an equivalent exemption to similar employment performed in the foreign country by employees of the United States government and instrumentalities thereof;

(6) employment covered under United States Code, title 45, section 351, the Railroad Unemployment Insurance Act;

(7) employment covered by a reciprocal arrangement between the commissioner and another state or the federal government which provides that all employment performed by an individual for an employer during the period covered by the reciprocal arrangement is considered performed entirely within another state;

(8) employment for a church or convention or association of churches, or an organization operated primarily for religious purposes that is operated, supervised, controlled, or principally supported by a church or convention or association of churches described in United States Code, title 26, section 501(c)(3) of the federal Internal Revenue Code and exempt from income tax under section 501(a);

(9) employment of a duly ordained or licensed minister of a church in the exercise of a ministry or by a member of a religious order in the exercise of duties required by the order, for Minnesota or a political subdivision or an organization described in United States Code, title 26, section 501(c)(3) of the federal Internal Revenue Code and exempt from income tax under section 501(a);

(10) employment of an individual receiving rehabilitation of "sheltered" work in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or a program providing "sheltered" work for individuals who because of an impaired physical or mental capacity cannot be readily absorbed in the competitive labor market. This clause applies only to services performed for Minnesota or a political subdivision or an organization described in United States Code, title 26, section 501(c)(3) of the federal Internal Revenue Code and exempt from income tax under section 501(a) in a facility certified by the rehabilitation services branch of the department or in a day training or habilitation program licensed by the department of human services;

(11) employment of an individual receiving work relief or work training as part of an unemployment work relief or work training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof. This clause applies only to employment for Minnesota or a political subdivision or an organization described in United States Code, title 26, section 501(c)(3) of the federal Internal Revenue Code and exempt from income tax under section 501(a). This clause shall not apply to programs that require reemployment compensation coverage for the participants;

(12) employment for Minnesota or a political subdivision as an elected official, a member of a legislative body, or a member of the judiciary;

(13) employment as a member of the Minnesota national guard or air national guard;

(14) employment for Minnesota, a political subdivision, or instrumentality thereof, as an employee serving only on a temporary basis in case of fire, flood, tornado, or similar emergency, except for smokechasers employed by the department of natural resources;

(15) employment as an election official or election worker for Minnesota or a political subdivision, but only if the compensation for that employment was less than \$1,000 in a calendar year;

(16) employment for Minnesota that is a major policy making or advisory position in the unclassified service, including those positions established pursuant to section 43A.08, subdivision 1a;

(17) employment for a political subdivision of Minnesota that is a nontenured major policy making or advisory position;

(18) domestic employment in a private household, local college club, or local chapter of a college fraternity or sorority performed for a person, only if the wages paid in any calendar quarter in either the current or preceding calendar year to all individuals in domestic employment totaled less than \$1,000.

"Domestic employment" includes all service in the operation and maintenance of a private household, for a local college club, or local chapter of a college fraternity or sorority as distinguished from service as an employee in the pursuit of an employer's trade or business;

(19) employment of an individual by a son, daughter, or spouse, and employment of a child under the age of 18 by the child's father or mother;

- (20) employment of an inmate of a custodial or penal institution;
- (21) employment for a school, college, or university by a student who is enrolled and is regularly attending classes at the school, college, or university;
- (22) employment of an individual who is enrolled as a student in a full-time program at a nonprofit or public educational institution that maintains a regular faculty and curriculum and has a regularly organized body of students in attendance at the place where its educational activities are carried on, taken for credit at the institution, that combines academic instruction with work experience, if the employment is an integral part of the program, and the institution has so certified to the employer, except that this clause shall not apply to employment in a program established for or on behalf of an employer or group of employers;
- (23) employment of university, college, or professional school students in an internship or other training program with the city of St. Paul or the city of Minneapolis pursuant to Laws 1990, chapter 570, article 6, section 3;
- (24) employment for a hospital by a patient of the hospital. "Hospital" means an institution that has been licensed by the department of health as a hospital;
- (25) employment as a student nurse for a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in an accredited nurses' training school;
- (26) employment as an intern for a hospital by an individual who has completed a four-year course in an accredited medical school;
- (27) employment as an insurance salesperson, by other than a corporate officer, if all the compensation for the employment is solely by way of commission. The word "insurance" shall include an annuity and an optional annuity;
- (28) employment as an officer of a township mutual insurance company or farmer's mutual insurance company operating pursuant to chapter 67A;
- (29) employment as a real estate salesperson, by other than a corporate officer, if all the compensation for the employment is solely by way of commission;
- (30) employment as a direct seller as defined in United States Code, title 26, section 3508;
- (31) employment of an individual under the age of 18 in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;
- (32) casual employment performed for an individual, other than domestic employment under clause (18), that does not promote or advance that employer's trade or business;
- (33) employment in "agricultural employment" unless considered "covered agricultural employment" under subdivision 11; or
- (34) if employment during one-half or more of any pay period was covered employment, all the employment for the pay period shall be considered covered employment; but if during more than one-half of any pay period the employment was noncovered employment, then all of the employment for the pay period shall be considered noncovered employment. "Pay period" means a period of not more than a calendar month for which a payment or compensation is ordinarily made to the employee by the employer."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Lessard moved to amend H.F. No. 3213, as amended pursuant to Rule 49, adopted by the Senate April 10, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2878.)

Page 14, line 18, delete "during November and December" and insert "or constructing hunting stands during October, November, and December, or trapping during open seasons,"

Page 14, line 24, delete "cut"

Page 14, delete lines 25 and 26 and insert "construct an unauthorized permanent trail on forest lands."

The motion prevailed. So the amendment was adopted.

Senator Murphy moved to amend H.F. No. 3213, as amended pursuant to Rule 49, adopted by the Senate April 10, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2878.)

Page 14, after line 3, insert:

"Sec. 17. Minnesota Statutes 1998, section 239.791, is amended by adding a subdivision to read:

Subd. 15. [FUELS FOR OFF-ROAD AND MOTORSPORTS USE.] Notwithstanding any other law to the contrary, gasoline with an octane rating of at least 100 containing the oxygenates MTBE, ETBE, or TAME may be offered for sale, sold, or dispensed as a fuel for off-highway use or vehicles in motorsports racing events."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Krentz questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

CALL OF THE SENATE

Senator Johnson, D.J. imposed a call of the Senate for the balance of the proceedings on H.F. No. 3213. The Sergeant at Arms was instructed to bring in the absent members.

Senator Stumpf moved to amend H.F. No. 3213, as amended pursuant to Rule 49, adopted by the Senate April 10, 2000, as follows:

(The text of the amended House File is identical to S.F. No. 2878.)

Page 14, after line 3, insert:

"Sec. 17. [LEGISLATIVE FINDINGS; PURPOSE.]

Consolidated-conservation lands are lands that have a unique status under the legislative acts of 1929, 1931, and 1933 that created boundaries for the lands to become consolidated-conservation lands in Beltrami, Koochiching, Lake of the Woods, Aitkin, Mahnomen, Marshall, and Roseau counties. The counties and the commissioner of natural resources have had joint interests, responsibilities, and receipts of revenues from the consolidated-conservation lands as provided by law which have led to disagreements and frustration over the designation and use of these lands. The lands were privately owned and became tax-forfeited from drainage and property taxes leaving the counties with the burden of providing infrastructure without taxable lands to provide supporting revenue. The commissioner of natural resources has been charged with developing game preserves, forestry areas, and other state purposes on these lands that were previously privately owned and drained wholly or partially for settlement. The goals and uses for the consolidated-conservation lands require a working relationship between the counties and the commissioner to resolve state and county concerns for the lands.

It is the purpose of this act to designate certain consolidated-conservation lands as forestry or wildlife management lands with certain uses so that there is no further dispute about the status of those lands, to provide increased payments in lieu of taxes to support county infrastructure, and to provide a structure and forum for the counties and the commissioner to resolve identified issues and make common recommendations to the legislature.

Sec. 18. [97A.133] [STATE WILDLIFE MANAGEMENT AREAS.]

Subdivision 1. [ESTABLISHMENT.] State wildlife management areas are established and designated as provided under this section. State wildlife management areas are located and named as indicated in this section.

Subd. 2. [PAYMENT IN LIEU OF TAXES.] The consolidated conservation lands included in state wildlife management areas are subject to the payment in lieu tax as provided in section 477A.12, paragraph (a), clause (1).

Subd. 3. [ALL-TERRAIN VEHICLE TRAVEL WITHIN DESIGNATED WILDLIFE MANAGEMENT AREAS.] (a) On lands acquired by the state under chapter 84A that are designated after January 1, 1986, as wildlife management areas, the commissioner shall, by January 15, 2003, identify and designate corridor trails in corridors of disturbance that the commissioner determines are appropriate to connect trails, forest roads established under section 89.71, subdivision 1, and public highways to provide reasonable travel for all-terrain vehicles. The commissioner shall consult with wildlife management area users, including both motorized and nonmotorized trail users, in identifying and designating corridor trails under this paragraph. Corridor trail establishment must be in compliance with other state and federal law. Local governments and other trail sponsors may propose the designation of corridor trails, including the designation as a grant-in-aid trail for the purposes of funding under section 84.927, subdivision 2.

(b) The following forest roads shall be open to travel by all-terrain vehicles when the roads are open to other noncommercial vehicles:

(1) the Rapid River forest road, beginning at the west boundary of the Red Lake wildlife management area at the southwest corner of Section 7, Township 156 North, Range 35 West, Beltrami county, thence in an easterly and northeasterly direction through the Red Lake wildlife management area to the east boundary of the Red Lake wildlife management area at the southwest corner of Section 7, Township 157 North, Range 33 West, Lake of the Woods county;

(2) the Blanchard forest road, beginning at the junction of the North Shore Road along the northern shore of Upper Red Lake and the Blanchard state forest road at the west section line of Section 30, Township 155 North, Range 31 West, Beltrami county, thence in a westerly direction to the west section line of Section 31, Township 155 North, Range 32 West; and

(3) the Moose River forest road, beginning at the junction of Dick's Parkway state forest road and the Moose River state forest road at the southwest corner of Section 31, Township 36 West, Range 158 North, thence in a westerly direction along the Moose River state forest road to the junction of Beltrami county road 706.

(c) The commissioner shall sign each road and trail designated under this subdivision indicating the motorized uses allowed.

(d) For the purposes of this subdivision, "corridors of disturbance" means rights-of-way such as ditches, ditch banks, transmission lines, pipelines, permanent roads, winter roads, and recreational trails. The existence of a corridor of disturbance eligible for corridor designation may be demonstrated by physical evidence, document recorded in the office of the county recorder or other public official, aerial survey, or other evidence similar to the above. Cross-country motorized use of land shall not cause that land to be considered a corridor of disturbance.

Subd. 4. Agder wildlife management area, Marshall county.

Subd. 5. Aitkin wildlife management area, Aitkin county.

- Subd. 6. Bear Creek wildlife management area, Roseau county.
- Subd. 7. Benville wildlife management area, Beltrami county.
- Subd. 8. Border wildlife management area, Roseau county.
- Subd. 9. Carmalee wildlife management area, Beltrami county.
- Subd. 10. Carp Swamp wildlife management area, Lake of the Woods county.
- Subd. 11. Cedar wildlife management area, Marshall county.
- Subd. 12. Cedarbend wildlife management area, Roseau county.
- Subd. 13. Clear River wildlife management area, Roseau county.
- Subd. 14. East Branch wildlife management area, Roseau county.
- Subd. 15. East Park wildlife management area, Marshall county.
- Subd. 16. Eckvoll wildlife management area, Marshall county.
- Subd. 17. Elm Lake wildlife management area, Marshall county.
- Subd. 18. Enstrom wildlife management area, Roseau county.
- Subd. 19. Espelie wildlife management area, Marshall county.
- Subd. 20. Fireweed wildlife management area, Beltrami county.
- Subd. 21. Foote wildlife management area, Mahnomen county.
- Subd. 22. Four Mile Bay wildlife management area, Lake of the Woods county.
- Subd. 23. Golden Valley wildlife management area, Roseau county.
- Subd. 24. Graceton wildlife management area, Lake of the Woods county.
- Subd. 25. Grayling Marsh wildlife management area, Aitkin county.
- Subd. 26. Grygla wildlife management area, Marshall county.
- Subd. 27. Gun Dog wildlife management area, Beltrami county.
- Subd. 28. Hamre wildlife management area, Beltrami county.
- Subd. 29. Hayes wildlife management area, Roseau county.
- Subd. 30. Huntly wildlife management area, Marshall county.
- Subd. 31. Killian wildlife management area, Mahnomen county.
- Subd. 32. Kimberly wildlife management area, Aitkin county.
- Subd. 33. Larry Bernhoft wildlife management area, Lake of the Woods county.
- Subd. 34. Lee wildlife management area, Beltrami county.
- Subd. 35. Little Willow wildlife management area, Aitkin county.
- Subd. 36. Marbel wildlife management area, Roseau county.
- Subd. 37. McGregor Marsh wildlife management area, Aitkin county.
- Subd. 38. Moose River wildlife management area, Beltrami county.

- Subd. 39. Moylan wildlife management area, Marshall county.
- Subd. 40. Nereson wildlife management area, Roseau county.
- Subd. 41. New Maine wildlife management area, Marshall county.
- Subd. 42. Palmville wildlife management area, Marshall and Roseau counties.
- Subd. 43. Prosper wildlife management area, Lake of the Woods county.
- Subd. 44. Red Lake wildlife management area, Beltrami county.
- Subd. 45. Robert Wickstrom wildlife management area, Aitkin county.
- Subd. 46. Rocky Point wildlife management area, Lake of the Woods county.
- Subd. 47. Roseau Lake wildlife management area, Roseau county.
- Subd. 48. Rosver wildlife management area, Roseau county.
- Subd. 49. Salo wildlife management area, Aitkin county.
- Subd. 50. Saw-Whet wildlife management area, Beltrami county.
- Subd. 51. Sem wildlife management area, Marshall county.
- Subd. 52. Sharp wildlife management area, Marshall county.
- Subd. 53. Skime wildlife management area, Roseau county.
- Subd. 54. Snowshoe wildlife management area, Marshall county.
- Subd. 55. South Shore wildlife management area, Lake of the Woods and Roseau counties.
- Subd. 56. Spooner wildlife management area, Lake of the Woods county.
- Subd. 57. Thief Lake wildlife management area, Marshall county.
- Subd. 58. Valley wildlife management area, Marshall county.
- Subd. 59. Vanose wildlife management area, Mahnomen county.
- Subd. 60. Wabun wildlife management area, Mahnomen county.
- Subd. 61. Wannaska wildlife management area, Roseau county.
- Subd. 62. Wapiti wildlife management area, Beltrami county.
- Subd. 63. Willow Run wildlife management area, Beltrami county.
- Subd. 64. Willowsippi wildlife management area, Aitkin county.
- Subd. 65. Wolf Trail wildlife management area, Beltrami county.

Sec. 19. Minnesota Statutes 1998, section 97A.135, subdivision 2a, is amended to read:

Subd. 2a. [DISPOSAL OF LAND IN WILDLIFE MANAGEMENT AREAS.] (a) The commissioner may sell or exchange land in a wildlife management area authorized by designation under section 86A.07, subdivision 3, 97A.133, or 97A.145 if the commissioner vacates the designation before the sale or exchange in accordance with this subdivision. The designation may be vacated only if the commissioner finds, after a public hearing, that the disposal of the land is in the public interest.

(b) A sale under this subdivision is subject to sections 94.09 to 94.16. An exchange under this subdivision is subject to sections 94.341 to 94.348.

(c) Revenue received from a sale authorized under paragraph (a) is appropriated to the commissioner for acquisition of replacement wildlife management lands.

(d) Land acquired by the commissioner under this subdivision must meet the criteria in section 86A.05, subdivision 8, and as soon as possible after the acquisition must be designated as a wildlife management area under section 86A.07, subdivision 3, 97A.133, or 97A.145.

(e) In acquiring land under this subdivision, the commissioner must give priority to land within the same geographic region of the state as the land conveyed.

Sec. 20. Minnesota Statutes 1998, section 477A.11, subdivision 3, is amended to read:

Subd. 3. [ACQUIRED NATURAL RESOURCES LAND.] "Acquired natural resources land" means:

(1) any land presently administered by the commissioner in which the state acquired by purchase, condemnation, or gift, a fee title interest in lands which were previously privately owned; and

(2) lands acquired by the state under chapter 84A that are designated as state parks, state recreation areas, scientific and natural areas, or wildlife management areas.

Sec. 21. Minnesota Statutes 1998, section 477A.11, subdivision 4, is amended to read:

Subd. 4. [OTHER NATURAL RESOURCES LAND.] "Other natural resources land" means:

(1) any other land presently owned in fee title by the state and administered by the commissioner, or any tax-forfeited land, other than platted lots within a city or those lands described under subdivision 3, clause (2), which is owned by the state and administered by the commissioner or by the county in which it is located; and

(2) land leased by the state from the United States of America through the United States Secretary of Agriculture pursuant to Title III of the Bankhead Jones Farm Tenant Act, which land is commonly referred to as land utilization project land that is administered by the commissioner.

Sec. 22. [ADDITIONS TO STATE FORESTS.]

Subdivision 1. [89.021] [Subd. 5.] [BELTRAMI ISLAND STATE FOREST.] The following areas are added to Beltrami Island state forest:

(1) Lot 3 and Lot 4 of Section 4; Lot 1, Lot 3, and Lot 4 of Section 5; Lot 1, Lot 2, and Lot 3 of Section 6; all in Township 154 North, Range 34 West;

(2) E1/2-SW1/4 and SW1/4-SE1/4 of Section 20; SW1/4-SE1/4 of Section 29; SE1/4-NW1/4, NE1/4-SW1/4, and S1/2-SE1/4 of Section 31; NE1/4 of Section 32; NW1/4 and W1/2-SW1/4 of Section 33; E1/2 and NW1/4-SW1/4 of Section 34; SW1/4 of Section 35; all in Township 162 North, Range 35 West;

(3) all of Section 1; Lot 1, Lot 2, S1/2-NE1/4, N1/2-SW1/4, and SE1/4 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and SE1/4 of Section 3; Lot 1, Lot 2, S1/2-NE1/4, S1/2-SW1/4, and SE1/4 of Section 4; Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and S1/2 of Section 5; Lot 7, SE1/4-SW1/4, and S1/2-SE1/4 of Section 6; all of Section 7; all of Section 8; N1/2, SW1/4, and N1/2-SE1/4 of Section 9; NE1/4-NE1/4, SW1/4-NE1/4, NW1/4, and N1/2-SW1/4 of Section 10; E1/2, E1/2-NW1/4, NW1/4-NW1/4, and E1/2-SW1/4 of Section 11; all of Section 12; all of Section 13; E1/2, E1/2-NE1/4-NW1/4, E1/2-SE1/4-NW1/4, E1/2-NE1/4-SW1/4, and E1/2-SE1/4-SW1/4 of Section 14; SW1/4-NE1/4, W1/2, and NW1/4-SE1/4 of Section 15; SW1/4-NE1/4 lying north and east of state highway No. 89, SE1/4-NE1/4 lying north and east of state highway No. 89, SW1/4-NW1/4, S1/2-SW1/4, and S1/2-SE1/4 of Section 16; NE1/4, E1/2-NW1/4, NE1/4-SW1/4, and N1/2-SE1/4 of Section 17; NW1/4-NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and W1/2-SE1/4 of Section 18; N1/2-NE1/4, SW1/4-NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and

S1/2-SE1/4 of Section 19; E1/2-NE1/4, NE1/4-NW1/4, and SE1/4-SE1/4 of Section 20; N1/2-NE1/4, NE1/4-NW1/4, and W1/2-NW1/4 of Section 21; NE1/4-NE1/4, that part of NE1/4-NW1/4 lying north and east of center line of state highway No. 89, SE1/4-SW1/4, and SW1/4-SE1/4 of Section 22; E1/2-SW1/4 and SE1/4 of Section 23; all of Section 24; all of Section 25; NE1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 26; NW1/4-NE1/4, NE1/4-NW1/4, and SW1/4-SE1/4 of Section 27; NE1/4-NE1/4 and SW1/4 of Section 29; E1/2, E1/2-NW1/4, Lot 1, Lot 2, NE1/4-SW1/4, and Lot 3 of Section 30; S1/2-NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and SE1/4 of Section 31; all of Section 32; S1/2-NE1/4, W1/2, and SE1/4 of Section 33; NE1/4, east 165 feet of the north 1,320 feet of the NE1/4-NW1/4, SE1/4-NW1/4, E1/2-SW1/4, SW1/4-SW1/4, and SE1/4 of Section 35; all of Section 36; all in Township 155 North, Range 36 West;

(4) E1/2, E1/2-NW1/4, N1/2-SW1/4, and SE1/4-SW1/4 of Section 14; W1/2-NE1/4, W1/2, and W1/2-SE1/4 of Section 16; E1/2 and E1/2-SW1/4 of Section 17; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, and Lot 3 of Section 18; SW1/4-NE1/4, E1/2-SW1/4, and SE1/4 of Section 19; S1/2-NE1/4, N1/2-SW1/4, SW1/4-SW1/4 except the West 20 rods of the South 16 rods; SE1/4-SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 20; S1/2-NE1/4 and SE1/4 of Section 21; W1/2-SW1/4 and SE1/4-SW1/4 of Section 22; NE1/4, E1/2-SW1/4, and SE1/4 of Section 23; all of Section 26; NW1/4-NW1/4, S1/2-NW1/4, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 27; all of Section 28; N1/2-NE1/4, SE1/4-NE1/4, NE1/4-NW1/4, SW1/4-NW1/4, and S1/2 of Section 29; E1/2 and NW1/4-NW1/4 of Section 32; N1/2, NE1/4-SW1/4, and SE1/4 of Section 33; all of Section 34; all of Section 35; all in Township 156 North, Range 36 West;

(5) SE1/4 of Section 1; SW1/4 of Section 15; S1/2 of Section 16; SE1/4-SE1/4 of Section 17; and Lot 1, Lot 2, SE1/4-NW1/4, E1/2-SW1/4, Lot 3, Lot 4, W1/2-NW1/4-SE1/4, and W1/2-SW1/4-SE1/4 of Section 18; all in Township 161 North, Range 36 West;

(6) Lot 1 lying south of railroad, of Section 4, Township 162 North, Range 36 West;

(7) NW1/4-NE1/4, S1/2-NE1/4, W1/2, N1/2-SE1/4, and N1/2-SE1/4-SE1/4 of Section 13; all of Section 14; all of Section 15; E1/2 and N1/2-NW1/4 of Section 16; N1/2, E1/2-SW1/4, N1/2-SE1/4, SW1/4-SE1/4 less 2 acres in the southeast corner thereof, and SE1/4-SE1/4 of Section 22; N1/2, SW1/4, and W1/2-SE1/4 of Section 23; N1/2-NW1/4 of Section 24; NW1/4-SW1/4 of Section 25; W1/2-NE1/4, SE1/4-NE1/4, W1/2, and N1/2-SE1/4 of Section 26; E1/2 and NE1/4-SW1/4 of Section 27; NE1/4, NE1/4-NW1/4, S1/2-NW1/4, SW1/4, and W1/2-SE1/4 of Section 28; NE1/4 and E1/2-NW1/4 of Section 32; N1/2, W1/2-SE1/4, SE1/4-SE1/4 except the South 50 rods of the East 32 rods thereof, of Section 33; all of Section 34; S1/2-NE1/4, S1/2-NW1/4, SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 35; NE1/4-NE1/4 of Section 36; all in Township 156 North, Range 37 West;

(8) Lot 1, Lot 2, and S1/2-NE1/4 of Section 2; SE1/4-NE1/4, S1/2-SW1/4, and S1/2-SE1/4 of Section 10; S1/2-SW1/4 and S1/2-SE1/4 of Section 11; all in Township 161 North, Range 37 West;

(9) NE1/4, Lot 1, Lot 2, SE1/4-NW1/4, Lot 3, and Lot 4 of Section 7; E1/2-NW1/4, and SW1/4 of Section 8; S1/2-SW1/4 of Section 15; N1/2-SW1/4 and N1/2-SE1/4 of Section 16; N1/2-NW1/4, SW1/4-NW1/4, and S1/2 of Section 17; all of Section 18; NW1/4 of Section 20; NE1/4-NW1/4 of Section 21; all in Township 159 North, Range 38 West; and

(10) SE1/4-NE1/4 of Section 25, Township 161 North, Range 38 West.

Subd. 2. [89.021] [Subd. 24.] [HILL RIVER STATE FOREST.] The following areas are added to the Hill River state forest:

(1) Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and S1/2 of Section 1; S1/2-NE1/4, S1/2-NW1/4 and S1/2 of Section 2; S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 3; Lot 1, S1/2-NE1/4, SE1/4-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 4; Lot 1, Lot 2, S1/2-NE1/4, S1/2-NW1/4, E1/2-SW1/4, and SE1/4 of Section 5; Lot 1, S1/2-NE1/4, Lot 3, Lot 4, Lot 5, SE1/4-NW1/4, and NW1/4-SE1/4 of Section 6; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4,

SE1/4-SW1/4, and SE1/4 of Section 7; N1/2-NE1/4, that part of the SW1/4-NE1/4 beginning at the southwest corner of the SW1/4-NE1/4, north 20 rods along the west quarter line, east 8 rods, south 20 rods to quarter line, west along quarter line to point of beginning, SE1/4-NE1/4, SE1/4-NW1/4, and SE1/4 of Section 8; W1/2-NE1/4, NW1/4, N1/2-SW1/4, and SW1/4-SW1/4 of Section 9; NW1/4 of Section 10; W1/2-NE1/4, SE1/4-NW1/4, and E1/2-SW1/4 of Section 13; N1/2-SW1/4, SW1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 15; NE1/4 and SW1/4-SW1/4 of Section 17; NE1/4-NE1/4 of Section 18; Lot 4 of Section 19; S1/2-NE1/4 and N1/2-SE1/4 of Section 20; NE1/4-NE1/4, S1/2-NE1/4, NW1/4, N1/2-SW1/4, SE1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 21; SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 22; S1/2-NE1/4, SE1/4-NW1/4, N1/2-SW1/4, SW1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 23; Lot 6 and Lot 7 of Section 24; Lot 1, Lot 3, Lot 4, Lot 2, NE1/4-SE1/4, and S1/2-SE1/4 of Section 25; N1/2-NE1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 26; N1/2, N1/2-SW1/4, SE1/4-SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 27; NE1/4-NE1/4, S1/2-NE1/4, and NE1/4-SE1/4 of Section 28; Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, SE1/4-SW1/4, and SE1/4 of Section 30; NE1/4, NE1/4-NW1/4, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, and SE1/4 of Section 31; NE1/4, N1/2-NW1/4, SE1/4-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 32; NW1/4-NE1/4, S1/2-NE1/4, NW1/4, N1/2-SW1/4, SE1/4-SW1/4, and SE1/4 of Section 33; SW1/4-NE1/4, SE1/4-NE1/4 less south 10 acres, and S1/2 of Section 34; NE1/4, NE1/4-NW1/4, S1/2-NW1/4, SW1/4, N1/2-SE1/4, Lot 3, Lot 4, Lot 1, and Lot 2 of Section 35; all in Township 50 North, Range 25 West; and

(2) a 33-foot roadway along the westerly line of E1/2-NE1/4 and NE1/4-SE1/4 and over and across the NE1/4-SE1/4 of Section 26, Township 52 North, Range 26 West.

Subd. 3. [89.021] [Subd. 30a.] [LAKE OF THE WOODS STATE FOREST.] The following areas are added to Lake of the Woods state forest:

(1) N1/2-SE1/4 and SW1/4-SE1/4 of Section 5; SW1/4-SE1/4 of Section 11; all of Section 26; all in Township 158 North, Range 30 West;

(2) SE1/4-SW1/4 and SW1/4-SE1/4 of Section 8; W1/2-SE1/4 of Section 9; SW1/4-NE1/4, E1/2-NW1/4, and SW1/4-SW1/4 of Section 21; all in Township 159 North, Range 30 West;

(3) Lot 2 of Section 3; N1/2-SW1/4 of Section 20; all in Township 157 North, Range 31 West;

(4) a tract of land in the SE1/4-NE1/4 beginning at a point where the western boundary of the right-of-way of state trunk highway No. 72 intersects the southern boundary of the SE1/4-NE1/4; thence West along the southern boundary a distance of 150 feet to a point; thence North at right angles a distance of 80 feet to a point; thence East parallel to the southern boundary a distance of 150 feet to a point in the western boundary line of right-of-way; thence South along the western boundary of right-of-way a distance of 80 feet to place of beginning, of Section 1; NE1/4-SW1/4 of Section 3; SW1/4-NW1/4 beginning at a point 700 feet north from 1/4 post on the section line between Sections 16 and 17; North 82 1/2 feet; East 528 feet; South 82 1/2 feet; West 528 feet to point of beginning, of Section 16; all in Township 158 North, Range 31 West;

(5) E1/2-NE1/4, N1/2-SW1/4, and SE1/4 of Section 28; NE1/4-NE1/4 of Section 33; NW1/4-NW1/4 and S1/2-SW1/4 of Section 35; all in Township 159 North, Range 31 West;

(6) SW1/4, Lot 3, and W1/2-SE1/4 of Section 13; NE1/4-NE1/4, S1/2-NE1/4, SE1/4-NW1/4, SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 14; all in Township 158 North, Range 32 West;

(7) all of Section 12; SE1/4-NE1/4, NE1/4-SW1/4, S1/2-SW1/4, and SE1/4 of Section 13; N1/2-NE1/4, SE1/4-NE1/4, W1/2, and SE1/4 of Section 15; W1/2-NE1/4, SE1/4-NE1/4, W1/2, and SE1/4 of Section 25; NE1/4, NE1/4-NW1/4, S1/2-NW1/4, and S1/2 of Section 26; all of Section 35; W1/2, N1/2-SE1/4, and SE1/4-SE1/4 of Section 36; all in Township 159 North, Range 32 West;

(8) SW1/4-NE1/4, SE1/4-NE1/4 except the North 208.7 feet of the East 208.7 feet thereof, SE1/4-NW1/4, and N1/2-SE1/4 of Section 1; SE1/4-NW1/4 and N1/2-SW1/4 of Section 20; all in Township 160 North, Range 32 West;

(9) SW1/4-SW1/4 commencing at a point on the west boundary of the SW1/4 distant 53.06 feet south along said west boundary from its intersection with the center line of the Minnesota and Manitoba Railroad as now constructed across said land; thence South 70 degrees 27 minutes East, parallel with the center line of said railroad, 1,548.25 feet; thence South 19 degrees 33 minutes West perpendicular to said center line of railroad, 216 feet; thence North 70 degrees 27 minutes West parallel to said center line of railroad 1,471.55 feet more or less, to the west boundary of said SW1/4; thence North along said west boundary 229.21 feet to place of beginning, and SW1/4-SW1/4 beginning at a point on north boundary state rural highway No. 32, 177.88 feet easterly from southeast corner of Lot 14, Block 4, Pitt; going North 19 degrees 14 minutes East 139 1/2 feet; South 70 degrees 46 minutes East 50 feet; South 19 degrees 14 minutes West 139 1/2 feet to north boundary state rural highway No. 32; northwest along said boundary 50 feet to beginning, of Section 35, Township 161 North, Range 32 West;

(10) Lot 4 of Section 30, Township 161 North, Range 33 West;

(11) NE1/4-SW1/4, Lot 3, and SE1/4 of Section 7; SW1/4-SW1/4 of Section 8; all in Township 163 North, Range 33 West;

(12) SW1/4-NE1/4 and NW1/4-SE1/4 of Section 14, Township 161 North, Range 34 West;

(13) NW1/4-SW1/4 of Section 11; E1/2 of W1/2 of SW1/4-SW1/4 of Section 14; S1/2-SE1/4 of Section 16; SE1/4-NW1/4 and E1/2-SW1/4 of Section 21; E1/2-NW1/4 and NE1/4-SW1/4 of Section 28; SW1/4-SE1/4 of Section 33; SW1/4-SE1/4 of Section 34; all in Township 162 North, Range 34 West; and

(14) SE1/4 of Section 11; SW1/4 and W1/2-SE1/4 of Section 12; NE1/4-NW1/4 of Section 14; SW1/4 of Section 16; SE1/4-NE1/4 and S1/2-NW1/4 of Section 22; SW1/4-SE1/4 of Section 25; SE1/4-NW1/4 of Section 27; NE1/4-SW1/4 and N1/2-SE1/4 of Section 34; N1/2-SW1/4 and N1/2-SE1/4 of Section 35; all in Township 163 North, Range 34 West.

Subd. 4. [89.021] [Subd. 31a.] [LOST RIVER STATE FOREST.] The following areas are added to Lost River state forest:

(1) SE1/4-SW1/4 and W1/2-SE1/4 of Section 2; S1/2-SW1/4 and S1/2-SE1/4 of Section 5; SE1/4-NE1/4 of Section 19; N1/2-NW1/4 of Section 23; SW1/4-SE1/4 of Section 30; W1/2-NE1/4 of Section 35; all in Township 163 North, Range 37 West;

(2) E1/2-NW1/4 of Section 35, Township 164 North, Range 37 West;

(3) N1/2-SE1/4 of Section 3; that part of NE1/4-NE1/4 north of highway, of Section 10; NW1/4 and SW1/4-SW1/4 of Section 12; NE1/4, NE1/4-SW1/4, and NW1/4-SE1/4 except the part previously conveyed for highway purposes and recorded as document number 120815 in Book 221 of Miscellaneous, page 39, with the office of the Roseau county register of deeds, of Section 14; NE1/4-NW1/4 of Section 32; all in Township 162 North, Range 38 West;

(4) NW1/4-NW1/4 of Section 24; NE1/4-NW1/4 of Section 25; SW1/4-NW1/4 of Section 34; all in Township 163 North, Range 38 West;

(5) Lot 7, Lot 8, Lot 5, and Lot 6 of Section 26; Lot 7, Lot 8, Lot 5, and Lot 6 of Section 27; all in Township 164 North, Range 39 West; and

(6) SE1/4 of Section 5, Township 163 North, Range 40 West.

Subd. 5. [89.021] [Subd. 40.] [PINE ISLAND STATE FOREST.] The following areas are added to Pine Island state forest:

(1) W1/2-SE1/4 of Section 1; Lot 3, Lot 4, Lot 5, and SE1/4-NW1/4 of Section 6; NW1/4-NE1/4 and SE1/4 of Section 8; NE1/4-NW1/4, E1/2-NW1/4-NW1/4, SW1/4-NW1/4-NW1/4, SE1/4-NW1/4, E1/2-SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 9; NE1/4-NE1/4, SW1/4, and W1/2-SE1/4 of Section 10; SE1/4-NW1/4 and NE1/4-SW1/4 of Section 11; SW1/4-NW1/4 of Section 12; W1/2-NE1/4, E1/2-NW1/4, N1/2-SW1/4, and

NW1/4-SE1/4 of Section 13; W1/2-NE1/4 and NE1/4-SE1/4 of Section 14; N1/2-NE1/4, SW1/4-NW1/4, W1/2-SW1/4, and SE1/4-SW1/4 of Section 15; NE1/4 and SW1/4 of Section 16; SW1/4-NE1/4, W1/2, and SE1/4 of Section 17; NE1/4, NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, and N1/2-SE1/4 of Section 18; NE1/4, NE1/4-NW1/4, Lot 1, and N1/2-SE1/4 of Section 19; NE1/4, N1/2-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, and W1/2-SE1/4 of Section 20; N1/2, SW1/4, and S1/2-SE1/4 of Section 21; W1/2-NE1/4, N1/2-NW1/4, SW1/4, and S1/2-SE1/4 of Section 22; NE1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 23; NE1/4, E1/2-NW1/4, and S1/2 of Section 24; all of Section 25; NE1/4, SW1/4-NW1/4, and S1/2 of Section 26; N1/2 and W1/2-SW1/4 of Section 27; NE1/4, E1/2-NW1/4, and N1/2-SW1/4 of Section 28; W1/2-NW1/4, SE1/4-NW1/4, SW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 29; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, and SE1/4-NW1/4 of Section 30; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, and SE1/4 of Section 31; all of Section 32; S1/2-NE1/4, NW1/4, N1/2-SW1/4, and SE1/4 of Section 33; all of Section 34; all of Section 35; all of Section 36; all in Township 159 North, Range 27 West;

(2) Lot 1, SE1/4-NE1/4, and NE1/4-SE1/4 of Section 1; Lot 2, SW1/4-NE1/4, Lot 3, S1/2-NW1/4, and E1/2-SW1/4 of Section 2; SW1/4 and W1/2-SE1/4 of Section 13; all in Township 159 North, Range 28 West;

(3) NE1/4-SW1/4, Lot 3, Lot 4, and SE1/4-SW1/4 of Section 19; SE1/4-SW1/4 of Section 29; S1/2-NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, and SE1/4 of Section 30; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, SE1/4-SW1/4, and SE1/4 of Section 31; N1/2-NE1/4, SW1/4-NE1/4, NW1/4, NE1/4-SW1/4, S1/2-SW1/4, and SE1/4 of Section 32; NE1/4-SW1/4 of Section 34; all in Township 160 North, Range 28 West;

(4) Lot 2, SW1/4-NE1/4, Lot 3, Lot 4, Lot 5, SE1/4-NW1/4, NE1/4-SW1/4, and Lot 6 of Section 6, Township 159 North, Range 29 West; and

(5) SW1/4-NE1/4 of Section 7; E1/2-SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 9; W1/2-NE1/4, W1/2, and W1/2-SE1/4 of Section 13; NE1/4, SE1/4-NW1/4, and S1/2 of Section 14; NE1/4, N1/2-NW1/4, SE1/4-NW1/4, and S1/2 of Section 15; SE1/4-NE1/4 and S1/2 of Section 16; SE1/4 of Section 17; all of Section 21; all of Section 22; all of Section 23; W1/2-NE1/4, SE1/4-NE1/4, W1/2, and SE1/4 of Section 24; all of Section 25; all of Section 26; all of Section 27; NE1/4, NE1/4-NW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 28; SW1/4 and W1/2-SE1/4 of Section 29; NW1/4-NE1/4, E1/2-SW1/4, and W1/2-SE1/4 of Section 31; SE1/4-NE1/4 and E1/2-SE1/4 of Section 33; all of Section 34; all of Section 35; all of Section 36; all in Township 160 North, Range 29 West.

Subd. 6. [89.021] [Subd. 41.] [RED LAKE STATE FOREST.] The following areas are added to Red Lake state forest:

(1) N1/2-NE1/4, E1/2-NW1/4, NW1/4-NW1/4, N1/2-SW1/4-NW1/4, and S1/2-SE1/4 of Section 13; NW1/4-NW1/4 of Section 14; N1/2, SW1/4, and N1/2-NW1/4-SE1/4 of Section 15; SE1/4-NE1/4, NE1/4-SW1/4, and NE1/4-SE1/4 of Section 16; SW1/4-NE1/4 except the North 165 feet thereof, SE1/4-NE1/4 except the North 330 feet thereof, and NW1/4-NW1/4 of Section 21; S1/2-NW1/4-NE1/4, SW1/4-NE1/4, W1/2-SE1/4-NE1/4, and NE1/4-NW1/4 of Section 22; NE1/4, E1/2-SE1/4, and SW1/4-SE1/4 of Section 24; NW1/4 and NW1/4-SE1/4 of Section 27; S1/2-NE1/4, S1/2-NW1/4, and SE1/4-SE1/4 of Section 28; NW1/4-NW1/4 and SE1/4-NW1/4 of Section 29; NE1/4, NE1/4-NW1/4, Lot 1, NE1/4-SW1/4, and NW1/4-SE1/4 of Section 30; SW1/4-SW1/4 of Section 32; NW1/4-NE1/4 of Section 33; all in Township 152 North, Range 30 West;

(2) Lot 3, Lot 4, Lot 5, and SE1/4-NW1/4 of Section 6; W1/2-NE1/4, E1/2-NW1/4, Lot 1, and Lot 2 of Section 7; Lot 4 and SE1/4-SW1/4 of Section 18; W1/2-NE1/4, E1/2-NW1/4, Lot 1 except the North 30 acres, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and NW1/4-SE1/4 of Section 19; all in Township 153 North, Range 30 West;

(3) Lot 5, Section 5, Township 154 North, Range 30 West;

(4) Lot 1, SE1/4-NE1/4, Lot 3, SE1/4-NW1/4, and SE1/4-SE1/4 of Section 4; Lot 3, Lot 4, S1/2-NW1/4, N1/2-SW1/4, and SE1/4-SW1/4 of Section 5; Lot 1, Lot 2, and S1/2-NE1/4 of Section 6; N1/2-SE1/4 of Section 7; SW1/4-NE1/4, NW1/4-NW1/4, S1/2-NW1/4, SW1/4, and NE1/4-SE1/4 of Section 8; W1/2-NE1/4 and N1/2-NW1/4 of Section 17; NE1/4-NE1/4 and NW1/4-SE1/4 of Section 19; NW1/4-NW1/4 of Section 20; N1/2-NE1/4, NE1/4-SW1/4, and S1/2-SW1/4 of Section 21; E1/2, E1/2-NW1/4, NW1/4-NW1/4, and NE1/4-SW1/4 of Section 22; NW1/4-NE1/4, Lot 1, Lot 4, NW1/4-NW1/4, Lot 5, Lot 2, Lot 3, Lot 6, SW1/4-SW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 25; N1/2-NE1/4, SE1/4-NE1/4, N1/2-NW1/4, SW1/4-NW1/4, and Lot 2 of Section 26; NW1/4-NE1/4 of Section 27; N1/2-NW1/4, S1/2-SW1/4, and SW1/4-SE1/4 of Section 28; NW1/4-NE1/4, NW1/4, NE1/4-SW1/4, and S1/2-SE1/4 of Section 29; E1/2-NE1/4, SW1/4-NE1/4, E1/2-NW1/4, Lot 2, and NE1/4-SE1/4 of Section 30; NE1/4, E1/2-NW1/4, E1/2-SW1/4, and NW1/4-SE1/4 of Section 32; NW1/4-NE1/4 of Section 33; S1/2-NE1/4 of Section 34; Lot 2, Lot 6, SE1/4-NE1/4, SW1/4-NW1/4, Lot 7, Lot 8, and NW1/4-SW1/4 of Section 35; all in Township 152 North, Range 31 West;

(5) E1/2-NE1/4, SW1/4-NE1/4, SE1/4-SW1/4, and SE1/4 of Section 1; W1/2-NE1/4, SE1/4-NE1/4, S1/2-NW1/4, NE1/4-SW1/4, and N1/2-SE1/4 of Section 11; N1/2 and NW1/4-SW1/4 of Section 12; SW1/4 of Section 13; SW1/4-NW1/4 and S1/2 of Section 14; SW1/4-NE1/4 and S1/2 of Section 15; N1/2-SE1/4 and SW1/4-SE1/4 of Section 16; E1/2-SE1/4 and SW1/4-SE1/4 of Section 18; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, and NW1/4-SE1/4 of Section 19; W1/2-NW1/4 of Section 20; S1/2-NW1/4 of Section 21; W1/2-NE1/4, SE1/4-NE1/4, E1/2-NW1/4, N1/2-SW1/4-NW1/4, SE1/4-SW1/4-NW1/4, E1/2-SW1/4, SW1/4-SW1/4, and SE1/4 of Section 28; SW1/4-NE1/4, S1/2-NW1/4, SW1/4, and W1/2-SE1/4 of Section 29; S1/2-NE1/4, Lot 2, SE1/4-NW1/4, Lot 3, Lot 4, SE1/4-SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 30; all in Township 153 North, Range 31 West;

(6) S1/2-NE1/4 and SE1/4 of Section 1; S1/2-NE1/4-SW1/4, W1/2-SW1/4, and SE1/4-SW1/4 of Section 2; Lot 1, Lot 7, Lot 8, and Lot 11 of Section 3; Lot 1, Lot 4, Lot 5, and Lot 8 of Section 10; W1/2-NW1/4 of Section 11; NE1/4-SW1/4 and NW1/4-SE1/4 of Section 12; NE1/4-NE1/4, N1/2-SE1/4, SW1/4-SE1/4, and SE1/4-SE1/4 except the South 242 feet of the East 275 feet thereof, of Section 13; S1/2-SW1/4-SW1/4, SE1/4-SW1/4, NE1/4-SE1/4, S1/2-NW1/4-SE1/4, and SW1/4-SE1/4 of Section 14; Lot 1, Lot 4, and Lot 5 of Section 15; W1/2 and NW1/4-SE1/4 of Section 23; SW1/4-NE1/4, W1/2, NW1/4-SE1/4, and S1/2-SE1/4 of Section 25; NE1/4-NE1/4, S1/2-NE1/4, NW1/4, E1/2-SW1/4, and SE1/4 of Section 26; Lot 1 and SE1/4-NE1/4 of Section 27; Lot 1 and Lot 3 of Section 34; NE1/4-NW1/4 and SE1/4-SW1/4 of Section 35; NW1/4-NE1/4 and N1/2-NW1/4 of Section 36; all in Township 152 North, Range 32 West; and

(7) Lot 2, S1/2-NE1/4, West 150 feet of the East 675 feet of Lot 3; East 150 feet of Lot 3, Lot 5, Lot 6, and NW1/4-SE1/4 of Section 23; E1/2, SE1/4-NW1/4, N1/2-SW1/4, and SE1/4-SW1/4 of Section 24; all in Township 153 North, Range 32 West.

Subd. 7. [89.021] [Subd. 46.] [SAVANNA STATE FOREST.] The following areas are added to the Savanna state forest:

(1) Lot 2, SW1/4-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 1; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and S1/2 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, SE1/4-NW1/4, SE1/4-SW1/4, and SE1/4 of Section 3; Lot 2, Lot 3, Lot 4, S1/2-NW1/4, N1/2-SW1/4, and S1/2-SE1/4 of Section 4; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, N1/2-SE1/4, and road right-of-way of 4.58 acres in SW1/4-SE1/4 of Section 5; all of Section 11; NE1/4-NE1/4 of Section 12; NE1/4-SE1/4 of Section 13; SW1/4-SW1/4 of Section 14; SE1/4-SW1/4 of Section 21; NE1/4 and NE1/4-NW1/4 of Section 22; N1/2-NE1/4 and NW1/4 of Section 23; NW1/4-NE1/4 and four rods for road right-of-way in SW1/4-NE1/4 of Section 26; N1/2-SE1/4 of Section 27; SE1/4-SW1/4 and W1/2-SE1/4 of Section 28; Lot 2 of Section 30; N1/2-NE1/4, Lot 1, Lot 2, NE1/4-SW1/4, Lot 3, Lot 4, and SE1/4-SW1/4 of Section 31; NE1/4-NE1/4 of Section 32; NE1/4, N1/2-NW1/4, SE1/4-NW1/4, Lot 3, Lot 4, NE1/4-SE1/4, Lot 2, and Lot 1 of Section 33; NW1/4, N1/2-SW1/4, and N1/2-SE1/4 of Section 34; all in Township 48 North, Range 22 West; and

(2) NW1/4-SW1/4 and S1/2-SW1/4 of Section 5; NE1/4-SE1/4 and S1/2-SE1/4 of Section 6;

NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4 except the west 350 feet of the south 1,000 feet, SE1/4-SW1/4, and SE1/4 of Section 7; W1/2-NE1/4, NW1/4, N1/2-SW1/4, and NW1/4-SE1/4 of Section 8; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 18; S1/2-NE1/4 except part north of railroad right-of-way, and W1/2-SE1/4 of Section 24; S1/2-NE1/4, SE1/4-NW1/4, and S1/2 of Section 25; S1/2-NW1/4 of Section 26; Lot 1, Lot 6, Lot 5, Lot 4, Lot 2, Lot 3, and SE1/4-SE1/4 of Section 32; all of Section 33; W1/2-NE1/4, W1/2-NW1/4, NW1/4-SW1/4, and N1/2-SE1/4 of Section 34; S1/2-NE1/4, S1/2-NW1/4, and S1/2 of Section 35; NW1/4-SW1/4 and NW1/4-SE1/4 of Section 36; all in Township 48 North, Range 23 West.

Subd. 8. [89.021] [Subd. 49.] [SOLANA STATE FOREST.] The following area is added to the Solana state forest: N1/2-NW1/4 of Section 22, Township 46 North, Range 23 West.

Subd. 9. [89.021] [Subd. 51a.] [WAUKENABO STATE FOREST.] The following areas are added to the Waukenabo state forest:

(1) S1/2-SW1/4 of Section 28, Township 48 North, Range 25 West;

(2) Lot 3 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, NE1/4-SW1/4 and Lot 5 of Section 3; SE1/4-SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 5; Lot 1, Lot 2, S1/2-NE1/4, and Lot 6 of Section 6; NE1/4 less railroad right-of-way, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, and S1/2-SE1/4 of Section 7; SW1/4-NE1/4, NW1/4-NW1/4 less railroad right-of-way, SW1/4-NW1/4 less railroad right-of-way, SE1/4-NW1/4 less railroad right-of-way, NE1/4-SW1/4 less railroad right-of-way, NE1/4-SE1/4, NW1/4-SE1/4 less railroad right-of-way, a 50 foot strip along the northeasterly side of the railroad right-of-way in SW1/4-SE1/4, and Lot 1 less railroad right-of-way of Section 8; Lot 1, Lot 2, SW1/4-NE1/4, Lot 4, Lot 3, Lot 6, Lot 5, Lot 7, and SE1/4 of Section 9; NW1/4-NE1/4, NE1/4-NW1/4, SE1/4-NW1/4, and N1/2-SW1/4 of Section 10; Lot 4 of Section 11; NE1/4-NE1/4 less railroad right-of-way, S1/2-NE1/4, NW1/4, SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 17; Lots 3 and 4 of Section 18; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 5, and NW1/4-SE1/4 of Section 19; Lot 4, Lot 5, and Lot 3 of Section 20; Lot 10 of Section 21; all in Township 49 North, Range 25 West;

(3) East 33 feet of N1/2-NE1/4 of Section 13; SW1/4-NE1/4 except part in Aitkin Municipal Airport runway clear zone, NE1/4-SW1/4 except part in Aitkin Municipal Airport runway clear zone, and NE1/4-SE1/4 of Section 18; that part of NE1/4-SW1/4 lying north of Soo Railway right-of-way in Section 19; SW1/4-NW1/4 of Section 20; NE1/4-NE1/4 of Section 21; NW1/4 of Section 23; S1/2-NE1/4, NW1/4-SE1/4, and W1/2-NE1/4-SE1/4 less railroad right-of-way of Section 24; all in Township 47 North, Range 26 West;

(4) Lot 4, Lot 5, Lot 6, and SE1/4-SW1/4 of Section 1; Lot 7 of Section 2; NW1/4, N1/2-SW1/4, SW1/4-SW1/4, and N1/2-SE1/4 of Section 3; NW1/4, N1/2-SW1/4, W1/2-SW1/4-SW1/4, SE1/4-SW1/4, and SW1/4-SE1/4 of Section 4; N1/2-NE1/4, SW1/4-NE1/4, N1/2-NW1/4, SE1/4-NW1/4, E1/2-SW1/4, and SE1/4 of Section 5; N1/2, SW1/4, and S1/2-SE1/4 of Section 6; N1/2-NE1/4, SW1/4-NE1/4, NW1/4, N1/2-SW1/4, SE1/4-SW1/4, NW1/4-SE1/4, and W1/2-SW1/4-SE1/4 of Section 7; E1/2 of W1/2-SE1/4-NW1/4 and NW1/4-SW1/4 of Section 8; S1/2-NE1/4-NW1/4 and NW1/4-NW1/4 of Section 9; Lot 1 of Section 11; W1/2-NE1/4, N1/2-NW1/4, SW1/4-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, and W1/2-SE1/4 of Section 13; NW1/4-NW1/4 of Section 17; Lot 4, Lot 5, Lot 1, and Lot 2 of Section 21; SW1/4-SW1/4 of Section 23; W1/2-NW1/4 and NW1/4-SW1/4 of Section 24; south 66 feet of S1/2-SW1/4 of Section 27; Lot 6, NE1/4-SE1/4, Lot 5, and SE1/4-SE1/4 of Section 28; NE1/4-NE1/4, Lot 10, Lot 9, Lot 8, Lot 7, and Lot 6 of Section 33; that part of SW1/4-NW1/4 west of lagoon, and SW1/4-SW1/4 of Section 34; all in Township 48 North, Range 26 West;

(5) Lot 1, Lot 3, Lot 4, SE1/4-NE1/4, SW1/4-NW1/4, NE1/4-SW1/4, and SE1/4 of Section 1; Lot 1, S1/2-NE1/4, and NW1/4-SE1/4 of Section 2; Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, and NE1/4-SE1/4 of Section 3; Lot 3 of Section 10; NE1/4-NE1/4 and S1/2-NE1/4 of Section 12; E1/2-E1/2-NE1/4, W1/2-NE1/4, NE1/4-NW1/4, and SE1/4 of Section 13; Lot 2 except Lot 2, Block 1, Waukenabo Homesites according to the plat thereof on file in the Aitkin County Recorder's Office, and Lot 3 of Section 15; SE1/4-NE1/4, SE1/4-SW1/4, and SE1/4 of

Section 21; Lot 3, Lot 2, NW1/4-NW1/4, and S1/2-NW1/4 of Section 22; SE1/4-NW1/4 and S1/2 of Section 25; E1/2-SE1/4 of Section 27; W1/2-NE1/4, S1/2-NW1/4, SW1/4, and SW1/4-SE1/4 of Section 28; E1/2-SE1/4 of Section 29; NE1/4, SE1/4-NW1/4, N1/2-NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 31; NW1/4-NE1/4, NE1/4-NW1/4, NW1/4-SW1/4, and S1/2-SW1/4 of Section 32; all of Section 33; NE1/4-NE1/4 and NE1/4-SE1/4 of Section 35; all in Township 49 North, Range 26 West; and

(6) N1/2-NE1/4, SW1/4-NE1/4, NW1/4, and S1/2 of Section 1; Lot 4, Lot 5, Lot 6, Lot 7, NW1/4-NW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 11; NW1/4-NW1/4 and S1/2-SE1/4 of Section 12; N1/2-NE1/4, SW1/4-NE1/4, NW1/4, SW1/4, and south 66 feet of S1/2-SE1/4 of Section 13; E1/2-SE1/4 of Section 15; W1/2-SE1/4 of Section 24; N1/2, SW1/4, and W1/2-SE1/4 of Section 25; NW1/4-NW1/4, S1/2-NW1/4, N1/2-SW1/4, and SE1/4-SW1/4 of Section 26; N1/2-NE1/4 except that part lying south of the south bank of state ditch number 63, S1/2-NE1/4, NE1/4-NW1/4 except that part lying south of the south bank of state ditch number 63, NW1/4-NW1/4 except that part lying south of the south bank of state ditch number 63 and east of county road number 24, SW1/4-NW1/4 except that part lying east of county road number 24, and S1/2 of Section 27; E1/2-NE1/4 of Section 34; all in Township 48 North, Range 27 West.

Subd. 10. [89.021] [Subd. 52.] [WEALTHWOOD STATE FOREST.] The following areas are added to the Wealthwood state forest:

(1) 198 feet by 333 feet of Lot 4 in southwest corner on lakeshore of Section 22, Township 45 North, Range 26 West; and

(2) N1/2-SW1/4, NW1/4-SE1/4, and S1/2-SE1/4 of Section 10; NE1/4-NE1/4, S1/2-NE1/4, and E1/2-SE1/4 of Section 15; N1/2-SE1/4 of Section 22; SE1/4-SW1/4, Lot 2, and Lot 1 of Section 27; all in Township 45 North, Range 27 West.

Subd. 11. [89.021] [Subd. 54.] [WHITE EARTH STATE FOREST.] The following area is added to White Earth state forest: SE1/4-SE1/4 of Section 26, Township 146 North, Range 40 West.

Sec. 23. [ADDITIONS TO STATE WILDLIFE MANAGEMENT AREAS.]

Subdivision 1. [97A.133] [Subd. 4.] [AGDER WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following area is added to Agder wildlife management area: the NE1/4-NE1/4 of Section 34, Township 155 North, Range 42 West.

Subd. 2. [97A.133] [Subd. 5.] [AITKIN WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following areas are added to the Aitkin wildlife management area:

(1) NE1/4-NE1/4 of Section 35; NE1/4-SW1/4 of Section 36; all in Township 48 North, Range 26 West; and

(2) Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lots 6, 7, 8 and 9 except that part described as follows: Beginning at the southeast corner of Lot 9; thence North 01 degree 24 minutes 00 seconds West, bearing assumed, 35.90 feet along the east line of said Lot 9 to a MN DNR PROPERTY MONUMENT; thence North 83 degrees 38 minutes 02 seconds West 583.71 feet to a MN DNR PROPERTY MONUMENT; thence North 88 degrees 21 minutes 17 seconds West 708.45 feet to a MN DNR PROPERTY MONUMENT; thence North 01 degree 30 minute 00 seconds West 581.69 feet to a MN DNR PROPERTY MONUMENT; thence North 05 degrees 44 minutes 53 seconds West 730.71 feet to a MN DNR PROPERTY MONUMENT; thence South 88 degrees 58 minutes 00 seconds West 16.50 feet to Point "A"; thence continuing South 88 degrees 58 minutes 00 seconds West 2736.11 feet to the west line of said Lot 6; thence South 01 degree 29 minutes 49 seconds East 1369.69 feet along the west line of Lots 6 and 11 to a steel fence post at the south west corner of Lot 11; thence South 89 degrees 51 minutes 05 seconds East 4093.95 feet along the south line of Lots 11, 10 and 9 to the point of beginning, Lot 12 except that part described as follows: Beginning at the southwest corner of Lot 12, thence North 01 degree 31 minutes 08 seconds West, bearing assumed, 403.50 feet along the west line of said Lot 12; thence North 88 degrees 30 minutes 11 seconds East 984.65 feet; thence North 01 degree 29 minutes 49 seconds

West 507.30 feet; thence North 88 degrees 30 minutes 11 seconds East 380.00 feet to the east line of said Lot 12; thence South 01 degree 29 minutes 49 seconds East 950.00 feet along said east line to a steel fence post at the southeast corner of said Lot 12; thence North 89 degrees 51 minutes 05 seconds West 1365.06 feet along the south line of said Lot 12 to the point of beginning, of Section 1; Lot 4, Lot 3, Lot 6, Lot 5, Lot 12, Lot 11 and SE1/4 of Section 2; Lot 10 and Lot 11 except highway right-of-way of Section 3; S1/2-SW1/4 of Section 11; NE1/4-NW1/4 and SW1/4-NW1/4 of Section 14; S1/2-SW1/4 of Section 22; all in Township 47 North, Range 26 West.

Subd. 3. [97A.133] [Subd. 7.] [BENVILLE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following area is added to Benville wildlife management area: the S1/2-NW1/4 of Section 34, Township 156 North, Range 38 West.

Subd. 4. [97A.133] [Subd. 9.] [CARMALEE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Carmalee wildlife management area:

(1) Lot 1, Lot 2, Lot 3, and Lot 4 of Section 3; Lot 1 of Section 4; Lot 2, Lot 3, and Lot 4 of Section 5; Lot 1, Lot 2, Lot 3, and Lot 4 of Section 6; all in Township 154 North, Range 38 West; and

(2) NE1/4-SW1/4 of Section 27; NW1/4-SW1/4 of Section 28; all in Township 155 North, Range 38 West.

Subd. 5. [97A.133] [Subd. 10.] [CARP SWAMP WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following areas are added to Carp Swamp wildlife management area:

(1) Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 1; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and S1/2 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, and SE1/4 of Section 3; S1/2-SW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 9; NE1/4 and S1/2 of Section 10; all of Section 11; NW1/4-NE1/4, NW1/4, N1/2-SW1/4, and SW1/4-SW1/4 of Section 12; N1/2, N1/2-SW1/4, and N1/2-SE1/4 of Section 13; N1/2 and N1/2-SW1/4 of Section 14; all of Section 15; all of Section 16; N1/2, N1/2-SW1/4, SE1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 21; NW1/4-NE1/4, S1/2-NE1/4, NW1/4, and S1/2 of Section 22; S1/2-NE1/4, S1/2-NW1/4, and S1/2 of Section 23; SW1/4-NE1/4, S1/2-NW1/4, SW1/4, and NW1/4-SE1/4 of Section 24; NW1/4 and N1/2-SW1/4 of Section 25; N1/2, N1/2-SW1/4, SW1/4-SW1/4, N1/2-SE1/4, and SE1/4-SE1/4 of Section 26; NE1/4, N1/2-NW1/4, SE1/4-NW1/4, NE1/4-SW1/4, S1/2-SW1/4, and SE1/4 of Section 27; E1/2-NE1/4, N1/2-SW1/4, and SE1/4 of Section 28; NE1/4-NE1/4 of Section 33; N1/2, N1/2-SW1/4, and N1/2-SE1/4 of Section 34; S1/2-NE1/4, NW1/4-NW1/4, S1/2-NW1/4, SW1/4, and N1/2-SE1/4 of Section 35; all in Township 159 North, Range 31 West; and

(2) SW1/4, Lot 3, and W1/2-SE1/4 of Section 13; S1/2-SE1/4 of Section 14; E1/2-SE1/4 of Section 22; NE1/4-NE1/4 except N1/2 of N1/2, NW1/4-NE1/4, S1/2-NE1/4, S1/2-NW1/4, and S1/2 of Section 23; SW1/4-NE1/4, NW1/4-NW1/4 except North 330 feet, S1/2-NW1/4, SW1/4, W1/2-SE1/4, and Lot 4 except the north 330 feet of Section 24; all of Section 25; all of Section 26; NE1/4-NE1/4 of Section 27; N1/2, N1/2-SW1/4, Lot 1, Lot 2, N1/2-SE1/4, Lot 3, and Lot 4 of Section 35; N1/2, N1/2-SW1/4, Lot 1, Lot 2, N1/2-SE1/4, Lot 3, and Lot 4 of Section 36; all in Township 160 North, Range 31 West.

Subd. 6. [97A.133] [Subd. 11.] [CEDAR WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following area is added to Cedar wildlife management area: the SE1/4-NW1/4 and W1/2-NE1/4 a strip of land 2 rods wide, lying 1 rod on either side of the quarter line running north and south through Section 14; NE1/4 of Section 29; all in Township 157 North, Range 42 West.

Subd. 7. [97A.133] [Subd. 16.] [ECKVOLL WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following area is added to Eckvoll wildlife management area: the SW1/4-SW1/4 of Section 22, Township 156 North, Range 40 West.

Subd. 8. [97A.133] [Subd. 17.] [ELM LAKE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Elm Lake wildlife management area:

(1) SW1/4 of Section 4, Township 155 North, Range 41 West; and

(2) Lot 2 of Section 10, Township 155 North, Range 42 West.

Subd. 9. [97A.133] [Subd. 19.] [ESPELIE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Espelie wildlife management area:

(1) SE1/4-SW1/4 of Section 6, Township 155 North, Range 39 West; and

(2) SW1/4-SW1/4 of Section 28; Lot 1 of Section 31; SE1/4-NW1/4 of Section 34; all in Township 156 North, Range 39 West.

Subd. 10. [97A.133] [Subd. 21.] [FOOTE WILDLIFE MANAGEMENT AREA; MAHNOMEN COUNTY.] The following area is added to the Foote wildlife management area: SE1/4-SE1/4 of Section 11, Township 146 North, Range 42 West.

Subd. 11. [97A.133] [Subd. 22.] [FOUR MILE BAY WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following area is added to Four Mile Bay wildlife management area: Lot 1, Lot 3, Lot 2, NE1/4-SW1/4, S1/2-SW1/4, Lot 4, and NW1/4-SE1/4 of Section 13; Lot 3, Lot 4, S1/2-SW1/4, Lot 1, Lot 2, and S1/2-SE1/4 of Section 14; Lot 3, Lot 5, Lot 4, and Lot 6 of Section 15; Lot 8 of Section 16; N1/2-NW1/4 of Section 23; all in Township 162 North, Range 32 West.

Subd. 12. [97A.133] [Subd. 24.] [GRACETON WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following areas are added to Graceton wildlife management area:

(1) SW1/4-NW1/4 of Section 4; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, and W1/2-SE1/4 of Section 5; Lot 1, S1/2-NE1/4, Lot 5, SE1/4-NW1/4, NE1/4-SW1/4, Lot 6, Lot 7, SE1/4-SW1/4, and SE1/4 of Section 6; NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, NE1/4-SW1/4, Lot 3, Lot 4, SE1/4-SW1/4, and SE1/4 of Section 7; NW1/4-NW1/4, S1/2-NW1/4, and SW1/4 of Section 8; SE1/4-SW1/4 of Section 9; W1/2-NE1/4, N1/2-NW1/4, SE1/4-NW1/4, and N1/2-SE1/4 of Section 11; W1/2-NE1/4, NW1/4, NE1/4-SW1/4, and SE1/4 of Section 16; N1/2 and SW1/4 of Section 17; NE1/4, NE1/4-NW1/4, Lot 1, E1/2-SW1/4, and SE1/4 of Section 18; NE1/4 and E1/2-NW1/4 of Section 19; NW1/4, N1/2-SW1/4, and SE1/4-SW1/4 of Section 20; NE1/4, NE1/4-SW1/4, and W1/2-SE1/4 of Section 21; NW1/4-NE1/4, S1/2-NE1/4, NE1/4-NW1/4, S1/2-NW1/4, E1/2-SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 22; SE1/4-NW1/4 and SW1/4 of Section 26; W1/2-NE1/4, E1/2-NW1/4, and E1/2-SE1/4 of Section 27; NE1/4 of Section 28; NW1/4 of Section 35; all in Township 161 North, Range 32 West;

(2) S1/2-SW1/4 and SW1/4-SE1/4 of Section 32, Township 162 North, Range 32 West;

(3) Lot 3, Lot 4, S1/2-NW1/4, and SW1/4 of Section 1; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and S1/2 of Section 2; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, SW1/4, N1/2-SE1/4, and SW1/4-SE1/4 of Section 3; SE1/4-NW1/4 and S1/2 of Section 4; NE1/4 and SE1/4-NW1/4 of Section 9; NW1/4-NE1/4, S1/2-NE1/4, NW1/4, NE1/4-SW1/4, and N1/2-SE1/4 of Section 10; N1/2 and N1/2-SW1/4 of Section 11; NE1/4-NW1/4, S1/2-NW1/4, N1/2-SW1/4, West 50 feet of NW1/4-SE1/4, West 50 feet and South 50 feet of SW1/4-SE1/4, and South 50 feet of SE1/4-SE1/4 of Section 12; all in Township 161 North, Range 33 West; and

(4) SW1/4-NW1/4 and SW1/4 of Section 25; S1/2-NE1/4, S1/2-NW1/4, N1/2-SW1/4, and SE1/4 of Section 26; NE1/4, NW1/4-NW1/4, S1/2-NW1/4, and S1/2 of Section 35; NW1/4 and S1/2 of Section 36; all in Township 162 North, Range 33 West.

Subd. 13. [97A.133] [Subd. 25.] [GRAYLING MARSH WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following areas are added to the Grayling Marsh wildlife management area: S1/2-NE1/4, S1/2-NW1/4, and S1/2 of section 21; SW1/4-SW1/4 of Section 22; that part of N1/2-SE1/4 north of railroad right-of-way of Section 23; N1/2-NE1/4 and that part of S1/2-NE1/4 north of railroad right-of-way of Section 24; and NW1/4-NW1/4 of Section 28; all in Township 48 North, Range 23 West.

Subd. 14. [97A.133] [Subd. 26.] [GRYGLA WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Grygla wildlife management area:

(1) S1/2-SE1/4 of Section 2, Township 156 North, Range 39 West; and

(2) SW1/4-SW1/4 of Section 25; and SE1/4-NE1/4 and NE1/4-SE1/4 of Section 35; all in Township 157 North, Range 39 West.

Subd. 15. [97A.133] [Subd. 27.] [GUN DOG WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following area is added to Gun Dog wildlife management area: NW1/4-NW1/4 of Section 12, Township 155 North, Range 37 West.

Subd. 16. [97A.133] [Subd. 28.] [HAMRE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following area is added to Hamre wildlife management area: the N1/2-NE1/4, NE1/4-NW1/4, SE1/4-SW1/4, and NE1/4-SE1/4 of Section 25; SW1/4-NW1/4, SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 26; S1/2-NE1/4 and S1/2 of Section 27; E1/2-SW1/4 of Section 28; SW1/4-NE1/4 and S1/2-SW1/4 of Section 29; E1/2-SW1/4, Lot 3, Lot 4, and SE1/4 of Section 31; all of Section 32; all of Section 33; NE1/4, S1/2-NW1/4, and S1/2 of Section 34; W1/2-NE1/4, W1/2, and SE1/4 of Section 35; W1/2-NE1/4, SE1/4-NE1/4, E1/2-NW1/4, and S1/2 of Section 36; all in Township 155 North, Range 37 West.

Subd. 17. [97A.133] [Subd. 31.] [KILLIAN WILDLIFE MANAGEMENT AREA; MAHNOMEN COUNTY.] The following area is added to the Killian wildlife management area: Lot 1 of Section 10, Township 146 North, Range 41 West.

Subd. 18. [97A.133] [Subd. 32.] [KIMBERLY WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following area is added to the Kimberly wildlife management area: S1/2-NE1/4 excepting therefrom the following described tract: commencing at the intersection of the north side of the Northern Pacific Railway and the east side of the public road on the east side of the SW1/4-NE1/4, thence east 264 feet, thence north 165 feet, thence west 264 feet, thence south 165 feet to the place of beginning, SE1/4-NW1/4, excepting therefrom the following described tract: commencing at the point of intersection of the west line of the public road established on and along the north and south quarter line of Section 33 and the north line of the Northern Pacific right-of-way 200 feet northerly at right angles from the center of the main track of said railway; and thence north 208 feet along the west line of said public road, thence west at right angles 208 feet, thence south at right angles to the north line of said railway 200 feet northerly at right angles from the center of the main track of said railway, thence easterly along the north line of the right-of-way of said railway to the point of commencement, of Section 33, Township 48 North, Range 24 West.

Subd. 19. [97A.133] [Subd. 33.] [LARRY BERNHOFT WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following area is added to Larry Bernhoft wildlife management area: the SW1/4-NE1/4 and Lot 4 of Section 2, Township 163 North, Range 34 West.

Subd. 20. [97A.133] [Subd. 34.] [LEE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Lee wildlife management area: Lot 1, Lot 2, Lot 3, and Lot 4 of Section 2, Township 154 North, Range 38 West.

Subd. 21. [97A.133] [Subd. 35.] [LITTLE WILLOW WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following area is added to the Little Willow wildlife management area: N1/2-SE1/4 and SW1/4-SE1/4 of Section 19; E1/2-NE1/4-SW1/4 and NW1/4-SE1/4 of Section 20; NW1/4-NE1/4 of Section 30; all in Township 49 North, Range 26 West.

Subd. 22. [97A.133] [Subd. 36.] [MARBEL WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Marbel wildlife management area: the NW1/4-SE1/4 and Lot 3 of Section 35, Township 159 North, Range 38 West.

Subd. 23. [97A.133] [Subd. 37.] [MCGREGOR MARSH WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following areas are added to the McGregor Marsh wildlife management area:

(1) NE1/4-SW1/4, Lot 3, N1/2-SE1/4-SW1/4, and S1/2-SE1/4 of Section 19; and N1/2-NE1/4, that part of SW1/4-NE1/4 lying northwest of railroad right-of-way, N1/2-NW1/4, SW1/4-NW1/4, and SE1/4-NW1/4 except that part lying southeast of railroad right-of-way of Section 29; all in Township 48 North, Range 23 West; and

(2) S1/2-NE1/4, N1/2-SW1/4, and N1/2-SE1/4 of Section 24, Township 48 North, Range 24 West.

Subd. 24. [97A.133] [Subd. 38.] [MOOSE RIVER WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Moose River wildlife management area:

(1) NE1/4, E1/2-NW1/4, Lot 1, Lot 2, NE1/4-SW1/4, Lot 3, N1/2-SE1/4, and SW1/4-SE1/4 of Section 7; N1/2, NE1/4-SW1/4, and N1/2-SE1/4 of Section 8; SE1/4-NE1/4 of Section 17; S1/2-NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and SE1/4 of Section 18; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, Lot 4, and SE1/4 of Section 19; NE1/4, E1/2-NW1/4, Lot 1, and Lot 2 of Section 30; all in Township 156 North, Range 37 West; and

(2) Lot 3, Lot 4, and SW1/4 of Section 2; Lot 1, Lot 2, Lot 3, Lot 4, and SE1/4 of Section 3; Lot 1, Lot 2, Lot 3, Lot 4, and S1/2 of Section 4; N1/2-NE1/4 of Section 9; N1/2 of Section 10; N1/2 and NE1/4-SW1/4 of Section 11; E1/2 and N1/2-NW1/4 of Section 12; S1/2-NE1/4, S1/2-NW1/4, N1/2-SW1/4, and SE1/4 of Section 13; E1/2-NE1/4 and SE1/4 of Section 24; all in Township 156 North, Range 38 West.

Subd. 25. [97A.133] [Subd. 39.] [MOYLAN WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Moylan wildlife area:

(1) SE1/4-NW1/4 of Section 13; NE1/4-SW1/4 of Section 14; all in Township 155 North, Range 40 West; and

(2) S1/2-SW1/4 of Section 36, Township 156 North, Range 40 West.

Subd. 26. [97A.133] [Subd. 42.] [PALMVILLE WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Palmville wildlife management area: NW1/4-NE1/4 of Section 19, Township 159 North, Range 41 West.

Subd. 27. [97A.133] [Subd. 43.] [PROSPER WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following areas are added to Prosper wildlife management area:

(1) Lot 2, Lot 3, SE1/4-NW1/4, and NE1/4-SW1/4 of Section 4; Lot 1, Lot 2, S1/2-NE1/4, Lot 3, Lot 4, Lot 5, SE1/4-NW1/4, NE1/4-SW1/4, Lot 6, Lot 7, SE1/4-SW1/4, and SE1/4 of Section 6; W1/2-NE1/4, NE1/4-NW1/4, Lot 1, Lot 2, and SE1/4-NW1/4 of Section 7; all in Township 162 North, Range 33 West; and

(2) SE1/4-SW1/4 and W1/2-SE1/4 of Section 28; NE1/4 and SE1/4 of Section 33; Lot 1, Lot 2, Lot 3, W1/2-SW1/4, SE1/4-SW1/4, and Lot 4 of Section 34; all in Township 163 North, Range 33 West.

Subd. 28. [97A.133] [Subd. 44.] [RED LAKE WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Red Lake wildlife management area:

(1) all of Section 1; all of Section 2; all of Section 3; all of Section 4; all of Section 5; all of Section 6; all of Section 7; all of Section 8; all of Section 9; N1/2 and SE1/4 of Section 10; N1/2 and SE1/4 of Section 11; all of Section 12; NW1/4 of Section 13; NE1/4 and S1/2 of Section 14; all of Section 15; all of Section 16; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, NE1/4-SW1/4, Lot 3, and N1/2-SE1/4 of Section 18; S1/2-NE1/4, Lot 2, SE1/4-NW1/4, E1/2-SW1/4, Lot 3, and SE1/4 of Section 19; N1/2-NE1/4 and W1/2 of Section 20; E1/2 and N1/2-SW1/4 of Section 22; E1/2, N1/2-NW1/4, SW1/4-NW1/4, NW1/4-SW1/4, and S1/2-SW1/4 of Section 23; N1/2 and SW1/4 of Section 24; NW1/4 of Section 25; N1/2-NE1/4, SE1/4-NE1/4, N1/2-NW1/4, and SE1/4-NW1/4 of Section 26; N1/2-NE1/4 and SW1/4-NE1/4 of Section 27; W1/2, N1/2-SE1/4, SW1/4-SE1/4, and SE1/4-SE1/4 except the North 30 acres thereof, of Section 29; E1/2, E1/2-NW1/4, and

NE1/4-SW1/4 of Section 30; W1/2-NE1/4, N1/2-NW1/4, SE1/4-NW1/4, and NW1/4-SE1/4 of Section 32; NW1/4-SW1/4 and SE1/4-SW1/4 of Section 33; SE1/4-NE1/4 and SE1/4 of Section 34; N1/2-SW1/4, SW1/4-SW1/4, NW1/4-SE1/4, E1/2-SE1/4, and SW1/4-SE1/4 except that part lying southerly and easterly of the following described line: Commencing at the southeast corner of said Section 35; thence North 0 degrees 4 minutes 13 seconds West along the east line of said Section 35 a distance of 2,377.99 feet to the point of beginning; thence South 89 degrees 49 minutes 33 seconds West 756.27 feet; thence South 1 degree 25 minutes 16 seconds East 823.77 feet; thence South 32 degrees 10 minutes 15 seconds West 942.62 feet; thence North 87 degrees 55 minutes 15 seconds West to the the west line of said SW1/4-SE1/4 and there terminating, of Section 35; all in Township 155 North, Range 30, West;

(2) that part of Lot 4 lying northwesterly of a line running from the southwest corner to the northeast corner thereof of Section 4; all of Section 5; all of Section 6; NE1/4, E1/2-NW1/4, Lot 1, and Lot 2 of Section 7; N1/2 of Section 8; SW1/4-SW1/4 and that part of SE1/4-SW1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, of Section 16; S1/2-SE1/4 of Section 17; all of Section 19; NE1/4, S1/2-NW1/4, and S1/2 of Section 20; that part of NW1/4-NE1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, S1/2-NE1/4, NW1/4, and S1/2 of Section 21; S1/2-N1/2 and S1/2 of Section 22; that part of SW1/4-NW1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, SW1/4, that part of NE1/4-SE1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, NW1/4-SE1/4, and S1/2-SE1/4 of Section 23; S1/2-SW1/4 of Section 24; that part of the NE1/4-NE1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, NW1/4-NE1/4, S1/2-NE1/4, NW1/4, and S1/2 of Section 25; all of Section 26; N1/2 of Section 27; all of Section 28; all of Section 29; NE1/4, NE1/4-NW1/4, Lot 1, Lot 4, and SE1/4-SW1/4 of Section 30; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, E1/2-SW1/4, Lot 3, and Lot 4 of Section 31; all of Section 32; S1/2 of Section 33; W1/2 and SE1/4 of Section 34; E1/2, N1/2-NW1/4, and S1/2-SW1/4 of Section 35; N1/2 and SE1/4 of Section 36; all in Township 156 North, Range 30 West;

(3) all of Section 1; all of Section 2; Lot 1, Lot 2, S1/2-NE1/4, and SE1/4 of Section 3; S1/2 of Lot 4 and S1/2-SE1/4-SW1/4 of Section 7; S1/2-S1/2 of Section 8; S1/2-SW1/4 and S1/2-S1/2-SE1/4 of Section 9; E1/2, SE1/4-NW1/4, NE1/4-SW1/4, and S1/2-SW1/4 of Section 10; all of Section 11; all of Section 12; all of Section 13; all of Section 14; all of Section 15; all of Section 16; all of Section 17; all of Section 18; E1/2-NW1/4, Lot 1, and Lot 2 of Section 19; NW1/4, NE1/4-SW1/4, and S1/2-SW1/4 of Section 20; N1/2, SW1/4, and N1/2-SE1/4 of Section 21; W1/2 of Section 22; N1/2-NW1/4, S1/2-SW1/4, and SE1/4 of Section 23; W1/2-NE1/4, NW1/4, N1/2-SW1/4, and N1/2-SE1/4 of Section 24; E1/2-NW1/4 of Section 25; NE1/4-NE1/4, SW1/4-NE1/4, and W1/2-SE1/4 of Section 26; E1/2-SE1/4 of Section 27; NW1/4-NE1/4 and NW1/4-SW1/4 of Section 28; NW1/4-SW1/4 of Section 29; W1/2-SE1/4 of Section 30; Lot 2 of Section 31; Lot 1 and Lot 2 of Section 34; Lot 2 of Section 35; all in Township 155 North, Range 31 West;

(4) all of Section 1; all of Section 2; all of Section 3; all of Section 4; Lot 1, Lot 2, SE1/4-NE1/4, Lot 3, Lot 4, NE1/4-SE1/4, and E1/2-SE1/4-SE1/4 of Section 5; E1/2-NE1/4-NE1/4 of Section 8; E1/2, N1/2-NW1/4, that part of SW1/4-NW1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, SE1/4-NW1/4, NE1/4-SW1/4, and that part of SE1/4-SW1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, of Section 9; all of Section 10; all of Section 11; all of Section 12; N1/2, SW1/4, and N1/2-SE1/4 of Section 13; all of Section 14; N1/2, NE1/4-SW1/4, that part of NW1/4-SW1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, that part of the SE1/4-SW1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, and SE1/4 of Section 15; NE1/4-NE1/4, that part of NW1/4-NE1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, and that part of the SE1/4-NE1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, of Section 16; E1/2, that part of NE1/4-SW1/4 lying southeasterly of a line running from the northeast corner to the southwest corner thereof, that part of the SW1/4-SW1/4 lying southeasterly of a line running from the northeast corner to the southwest corner thereof, and SE1/4-SW1/4, of Section 22; all of

Section 23; N1/2, SW1/4, and S1/2-SE1/4 of Section 24; all of Section 25; all of Section 26; all of Section 27; E1/2 of Section 28; NE1/4, NE1/4-SE1/4, that part of NW1/4-SE1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, and that part of the SE1/4-SE1/4 lying northeasterly of a line running from the northwest corner to the southeast corner thereof, of Section 33; all of Section 34; N1/2 and SW1/4 of Section 35; N1/2, SW1/4, W1/2-SE1/4, and SE1/4-SE1/4 of Section 36; all in Township 156 North, Range 31 West;

(5) Lot 1, Section 6, Township 154 North, Range 32 West;

(6) S1/2-NE1/4, that part of the SE1/4-SW1/4 lying southeasterly of a line running from the northeast corner to the southwest corner thereof, and SE1/4 of Section 8; that part of SW1/4-NE1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, S1/2-NW1/4, and S1/2 of Section 9; that part of the NE1/4-SW1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, NW1/4-SW1/4, S1/2-SW1/4, and S1/2-SE1/4 of Section 10; Lot 1, S1/2 of Lot 2, S1/2 of Lot 3, Lot 4, Lot 5, Lot 6, S1/2-NE1/4-NW1/4, S1/2-NW1/4-NW1/4, S1/2-NW1/4, SW1/4, Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, and Lot 12 of Section 13; S1/2-NE1/4-NE1/4, SE1/4-NE1/4, NW1/4, and S1/2 of Section 14; all of Section 15; all of Section 16; E1/2, E1/2-NW1/4, E1/2-SW1/4, and that part of the SW1/4-SW1/4 lying southeasterly of a line running from the northeast corner to the southwest corner thereof, of Section 17; N1/2 and SE1/4 of Section 19; S1/2 of Section 20; NW1/4 and S1/2 of Section 21; NE1/4-NE1/4, SW1/4-NE1/4, and S1/2 of Section 22; N1/2-NE1/4, SE1/4-NE1/4, NW1/4, and S1/2 of Section 23; all of Section 24; Lot 2 except the East 330 feet thereof, Lot 3, Lot 4, Lot 5, Lot 6 except the North 330 feet thereof, NW1/4, N1/2-SW1/4, SW1/4-SW1/4, Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, and Lot 12 of Section 25; N1/2-NE1/4, SE1/4-NE1/4, SW1/4, NE1/4-SE1/4, and S1/2-SE1/4 of Section 26; NE1/4, NE1/4-NW1/4, SW1/4, and E1/2-SE1/4 of Section 27; S1/2-SW1/4 and SE1/4 of Section 28; NE1/4 and S1/2 of Section 29; all of Section 30; N1/2, N1/2-SW1/4, Lot 3, Lot 4, Lot 1, NW1/4-SE1/4, and Lot 2 of Section 31; N1/2-NE1/4, Lot 1, N1/2-NW1/4, SW1/4-NW1/4, SE1/4-NW1/4 except the East 560 feet thereof, Lot 3 except the North 242.5 feet of the East 560 feet thereof, and Lot 4 of Section 32; Lot 1, Lot 2, N1/2-NW1/4, Lot 3, and Lot 4 of Section 33; Lot 1 and Lot 2 of Section 34; Lot 1, Lot 2, Lot 3, and Lot 4 of Section 35; Lot 2, Lot 3, Lot 4, and Lot 5 of Section 36; all in Township 155 North, Range 32 West;

(7) that part of Lots 1, 2, 7, and 8 lying northwesterly of a line running from the southwest corner of Lot 7 to the northeast corner of Lot 1, of Section 1; Lot 2, SW1/4-NE1/4, Lot 3, Lot 4, S1/2-NW1/4, and SW1/4 of Section 4; all of Section 5; all of Section 6; N1/2 and SE1/4 of Section 7; all of Section 8; NW1/4, that part of NE1/4-SW1/4 lying northwesterly of a line running from the northeast corner to the southwest corner thereof, NW1/4-SW1/4, and that part of the SW1/4-SW1/4 lying northwesterly of a line running from the northeast corner to the southwest corner thereof, of Section 9; W1/2 and that part of NW1/4-SE1/4 lying northwesterly of a line running from the northeast corner to the southwest corner thereof, of Section 17; all of Section 18; that part of NE1/4-NW1/4 lying northwesterly of a line running from the northeast corner to the southwest corner thereof and NW1/4-NW1/4 of Section 19; all in Township 156 North, Range 32 West;

(8) Lot 3 and Lot 4 of Section 1; Lot 1, Lot 2, Lot 3, and Lot 4 of Section 2; Lot 1, Lot 2, Lot 3, and Lot 4 of Section 3; Lot 1, Lot 2, Lot 3, and Lot 4 of Section 4; Lot 1, Lot 2, and Lot 3 of Section 5; all in Township 154 North, Range 33 West;

(9) E1/2-SW1/4, Lot 3, Lot 4, and S1/2-SE1/4 of Section 7; S1/2-S1/2 of Section 8; S1/2-SW1/4 of Section 9; SW1/4, that part of NE1/4-SE1/4 lying southwesterly of a line running from the northwest corner to the southeast corner thereof, W1/2-SE1/4, and SE1/4-SE1/4 of Section 14; all of Section 15; all of Section 16; all of Section 17; all of Section 18; all of Section 19; all of Section 20; all of Section 21; all of Section 22; N1/2 and SW1/4 of Section 23; that part of NW1/4-NW1/4 lying southwesterly of a line from the northwest corner to the southeast corner thereof, SW1/4-NW1/4, that part of SE1/4-NW1/4 lying southwesterly of a line from the northwest corner to the southeast corner thereof, and S1/2 of Section 24; all of Section 25; W1/2 of Section 26; all of Section 27; W1/2 and SE1/4 of Section 28; all of Section 29; all of Section 30; all of Section 31; all of Section 32; all of Section 33; all of Section 34; N1/2 of Section 35; W1/2 and SE1/4 of Section 36; all in Township 155 North, Range 33 West; and

(10) all of Section 1; all of Section 2; all of Section 3; all of Section 4; all of Section 5; all of Section 6; all of Section 7; all of Section 8; all of Section 9; all of Section 10; all of Section 11; all of Section 12; all of Section 13; all of Section 14; all of Section 15; N1/2 and SW1/4 of Section 16; all of Section 17; all of Section 18; all of Section 19; all of Section 20; all of Section 21; all of Section 22; all of Section 23; NE1/4 and W1/2 of Section 24; that part of NW1/4-NE1/4 lying northwesterly of a line from the northeast corner to the southwest corner thereof and N1/2-NW1/4 of Section 26; N1/2-NE1/4, N1/2-NW1/4, and that part of SW1/4-NW1/4 lying northwesterly of a line from the northeast corner to the southwest corner thereof, of Section 27; N1/2 and that part of NW1/4-SW1/4 lying northwesterly of a line from the northeast corner to the southwest corner thereof, of Section 28; N1/2, SW1/4, N1/2-SE1/4, and that part of SW1/4-SE1/4 lying northwesterly of a line from the northeast corner to the southwest corner thereof, of Section 29; NE1/4, E1/2-NW1/4, Lot 1, Lot 2, that part of NE1/4-SW1/4, Lot 3, SE1/4-SW1/4 lying northeasterly of a line running from the northwest corner of Lot 3 to the southeast corner of SE1/4-SW1/4, and SE1/4 of Section 30; all in Township 156 North, Range 33 West.

Subd. 29. [97A.133] [Subd. 45.] [ROBERT WICKSTROM WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following area is added to the Robert Wickstrom wildlife management area: Lot 4, N1/2-NW1/4, SW1/4-NW1/4, Lot 3, Lot 8, and Lot 10 of Section 15, Township 49 North, Range 25 West.

Subd. 30. [97A.133] [Subd. 46.] [ROCKY POINT WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following area is added to Rocky Point wildlife management area: SW1/4-SW1/4 of Section 3; Lot 3, Lot 4, S1/2-SW1/4, Lot 1, Lot 2, and S1/2-SE1/4 of Section 4; Lot 1 and SE1/4-SE1/4 of Section 5; N1/2-NE1/4 and NE1/4-NW1/4 of Section 9; NW1/4-NW1/4 of Section 10; all in Township 163 North, Range 34 West.

Subd. 31. [97A.133] [Subd. 47.] [ROSEAU LAKE WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following areas are added to Roseau Lake wildlife management area:

(1) SE1/4-SW1/4, E1/2-SE1/4, and S1/2-SW1/4-SE1/4 of Section 7; SW1/4 and SE1/4-SE1/4 of Section 8; N1/2, NE1/4-SE1/4, and S1/2-SE1/4 of Section 9; N1/2-NE1/4 and SW1/4-NE1/4 of Section 17; Lot 2 and Lot 6 of Section 18; Subdivision 1, Subdivision 2, Subdivision 8, Subdivision 9, East equal 2/3 of Subdivision 10, Subdivision 12 north of ditch, Subdivision 13, Subdivision 14, and Subdivision 15 of the subdivision of the meandered bed of Roseau lake (part of Sections 18, 19, 20, 29 and 30); E1/2-NE1/4 of Section 21; Lot 4 and SW1/4 of Section 29; all in Township 163 North, Range 40 West; and

(2) SW1/4-NW1/4 and NW1/4-SW1/4 of Section 24, Township 163 North, Range 41 West.

Subd. 32. [97A.133] [Subd. 49.] [SALO WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following areas are added to the Salo wildlife management area: E1/2-NE1/4 and E1/2-SE1/4 of Section 25; SE1/4-NE1/4 and SE1/4 of Section 36; all in Township 48 North, Range 22 West.

Subd. 33. [97A.133] [Subd. 50.] [SAW-WHET WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following area is added to Saw-Whet wildlife management area: the SE1/4-NW1/4 of Section 4; S1/2-NE1/4 and NW1/4 of Section 9; all in Township 155 North, Range 37 West.

Subd. 34. [97A.133] [Subd. 51.] [SEM WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Sem wildlife management area:

(1) SE1/4-NW1/4 of Section 5, Township 154 North, Range 39 West; and

(2) East 660 feet of South 660 feet of SW1/4-NE1/4, West 660 feet of South 660 feet of SE1/4-NE1/4, NE1/4-SE1/4, and N1/2-SE1/4-SE1/4 of Section 29; Lot 4 and SE1/4-SW1/4 of Section 30; N1/2-SE1/4-NE1/4 of Section 33; N1/2-SW1/4-NW1/4, and E1/2-SW1/4 of Section 34; all in Township 155 North, Range 39 West.

Subd. 35. [97A.133] [Subd. 53.] [SKIME WILDLIFE MANAGEMENT AREA; ROSEAU COUNTY.] The following area is added to Skime wildlife management area: E1/2-NW1/4-SW1/4 of Section 26, Township 159 North, Range 39 West.

Subd. 36. [97A.133] [Subd. 55.] [SOUTH SHORE WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS AND ROSEAU COUNTIES.] The following areas are added to South Shore wildlife management area: Lot 1 and Lot 2 of Section 7; NE1/4-NE1/4, Lot 1, S1/2-NE1/4, Lot 2, Lot 3, and Lot 4 of Section 18; NE1/4-NW1/4, Lot 1, Lot 2, SE1/4-NW1/4, and Lot 3 of Section 19; all in Township 163 North, Range 34 West.

Subd. 37. [97A.133] [Subd. 56.] [SPOONER WILDLIFE MANAGEMENT AREA; LAKE OF THE WOODS COUNTY.] The following area is added to Spooner wildlife management area: the NW1/4-NW1/4, S1/2-NW1/4, and N1/2-SW1/4 of Section 16; NE1/4 of Section 17; all in Township 160 North, Range 31 West.

Subd. 38. [97A.133] [Subd. 57.] [THIEF LAKE WILDLIFE MANAGEMENT AREA; MARSHALL COUNTY.] The following areas are added to Thief Lake wildlife management area:

(1) that part of Lot 6 described as follows: beginning at the SW corner of Lot 6, said point being within the right-of-way of state trunk highway No. 89, thence due N 400 feet; thence at right angles in an easterly direction 400 feet; thence at right angles in a southerly direction 400 feet; thence at right angles in a westerly direction 400 feet to the point of beginning, of Section 6, Township 158 North, Range 39 West; and

(2) NW1/4-SE1/4 of Section 3; S1/2-NW1/4 of Section 5; all in Township 157 North, Range 40 West.

Subd. 39. [97A.133] [Subd. 59.] [VANOSE WILDLIFE MANAGEMENT AREA; MAHNOMEN COUNTY.] The following areas are added to the Vanose wildlife management area:

(1) SE1/4-SE1/4 of Section 31, Township 146 North, Range 40 West; and

(2) the West 66 feet of the W1/2-NW1/4 of Section 25, Township 146 North, Range 41 West.

Subd. 40. [97A.133] [Subd. 60.] [WABUN WILDLIFE MANAGEMENT AREA; MAHNOMEN COUNTY.] The following areas are added to the Wabun wildlife management area:

(1) SW1/4-SE1/4 of Section 31, Township 143 North, Range 41 West; and

(2) SW1/4-SW1/4 of Section 13; and E1/2-NE1/4 of Section 23; all in Township 143 North, Range 42 West.

Subd. 41. [97A.133] [Subd. 62.] [WAPITI WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Wapiti wildlife management area: SW1/4-SW1/4 of Section 12, Township 157 North, Range 38 West.

Subd. 42. [97A.133] [Subd. 63.] [WILLOW RUN WILDLIFE MANAGEMENT AREA; BELTRAMI COUNTY.] The following area is added to Willow Run wildlife management area: SE1/4-SE1/4 of Section 7; SW1/4-NE1/4 of Section 17; and SE1/4-SE1/4 of Section 20; all in Township 155 North, Range 38 West.

Subd. 43. [97A.133] [Subd. 64.] [WILLOWSIPPI WILDLIFE MANAGEMENT AREA; AITKIN COUNTY.] The following areas are added to the Willowsippi wildlife management area: W1/2-NE1/4 and N1/2-SW1/4 of Section 10; NE1/4 and NW1/4-SE1/4 of Section 11; NW1/4-NW1/4 of Section 12; and S1/2-NE1/4 and S1/2-NW1/4 of Section 15; all in Township 50 North, Range 25 West.

Subd. 44. [97A.133] [Subd. 65.] [WOLF TRAIL MANAGEMENT AREA; BELTRAMI COUNTY.] The following areas are added to Wolf Trail wildlife management area:

(1) N1/2-NW1/4 of Section 16; and S1/2-SE1/4 of Section 21; all in Township 155 North, Range 37 West; and

(2) SW1/4-NW1/4 and NW1/4-SW1/4 of Section 11; S1/2-NE1/4 and S1/2-NW1/4 of Section 15; all in Township 155 North, Range 38 West.

Sec. 24. [DELETIONS FROM STATE WILDLIFE MANAGEMENT AREAS.]

Subdivision 1. [CLEAR LAKE WILDLIFE MANAGEMENT AREA, AITKIN COUNTY.] The following areas are deleted from the Clear Lake wildlife management area: NE1/4-SW1/4 and Lot 5 of Section 3; Lot 1 and Lot 2 of Section 9; and NE1/4-NW1/4 of Section 10; all in Township 49 North, Range 25 West.

Subd. 2. [LONE PINE WILDLIFE MANAGEMENT AREA, AITKIN COUNTY.] The following area is deleted from Lone Pine wildlife management area: S1/2-NW1/4 of Section 26, Township 48 North, Range 23 West.

Sec. 25. [MCGREGOR MARSH SCIENTIFIC AND NATURAL AREA.]

No dedication of any additional consolidated conservation lands to the McGregor Marsh scientific and natural area may be made until completion of the Aitkin county water planning task force study regarding water issues in the city of McGregor. Prior to any proposed dedication, the commissioner of natural resources must hold a public hearing in the city of McGregor concerning any proposed dedication. Notice of the hearing must be published at least once in a qualified newspaper that has its known office of issue in the county seat of Aitkin county, and the notice must be published at least seven days in advance of the hearing. Any lands dedicated must be subject to the implementation of the water management actions, if any, identified in the study.

Sec. 26. [EXCHANGE PARCELS.]

Subdivision 1. [LAND EXCHANGE.] If a land exchange is offered to the state that, after evaluation by the department of natural resources, is determined to (1) meet the state's natural resources goals, and (2) meet all other land exchange requirements under existing law, the parcels in subdivisions 2 to 6 shall be exchanged.

Subd. 2. [AITKIN COUNTY.] Waukenabo state forest: SW1/4-NE1/4 except part in Aitkin Municipal Airport runway clear zone, NE1/4-SW1/4 except part in Aitkin Municipal Airport runway clear zone, and NE1/4-SE1/4 of Section 18; that part of NE1/4-SW1/4 lying north of Soo Railway right-of-way of Section 19; NE1/4-NE1/4 of Section 21; NW1/4 of Section 23; and S1/2-NE1/4, NW1/4-SE1/4, and W1/2-NE1/4-SE1/4 less railroad right-of-way of Section 24; all in Township 47 North, Range 26 West.

Subd. 3. [KOOCHICHING COUNTY.] Pine Island state forest:

(1) W1/2-SE1/4 of Section 1; and SW1/4-NW1/4 of Section 12; all in Township 159 North, Range 27 West;

(2) NE1/4-SW1/4 of Section 34, Township 160 North, Range 28 West; and

(3) SW1/4-NE1/4 of Section 7, Township 160 North, Range 29 West.

Subd. 4. [LAKE OF THE WOODS COUNTY.] Lake of the Woods state forest:

(1) SW1/4-NE1/4, E1/2-NW1/4, and SW1/4-SW1/4 of Section 21, Township 159 North, Range 30 West;

(2) a tract of land in the SE1/4-NE1/4 beginning at a point where the western boundary of the right-of-way of state trunk highway No. 72 intersects the southern boundary of the SE1/4-NE1/4, thence West along the southern boundary a distance of 150 feet to a point; thence North at right angles a distance of 80 feet to a point; thence East parallel to the southern boundary a distance of 150 feet to a point in the western boundary line of right-of-way; thence South along the western boundary of right-of-way a distance of 80 feet to place of beginning of Section 1; NE1/4-SW1/4 of Section 3; SW1/4-NW1/4 beginning at a point 700 feet north from 1/4 post on the section line between Sections 16 and 17; North 82-1/2 feet; East 528 feet; South 82-1/2 feet; West 528 feet to point of beginning of Section 16; all in Township 158 North, Range 31 West; and

(3) SW1/4-SW1/4, beginning at a point on north boundary state rural highway No. 32, 177.88

feet easterly from southeast corner of Lot 14, Block 4, Pitt; going North 19 degrees 14 minutes East 139-1/2 feet; South 70 degrees 46 minutes East 50 feet; South 19 degrees 14 minutes West 139-1/2 feet to north boundary state rural highway No. 32; northwest along said boundary 50 feet to beginning of Section 35, Township 161 North, Range 32 West.

Subd. 5. [MARSHALL COUNTY.] (a) Agder wildlife management area: NE1/4-NE1/4 of Section 34, Township 155 North, Range 42 West.

(b) Cedar wildlife management area: SE1/4-NW1/4 and W1/2-NE1/4 a strip of land 2 rods wide, lying 1 rod on either side of the quarter line running north and south through Section 14; and NE1/4 of Section 29; all in Township 157 North, Range 42 West.

(c) Espelie wildlife management area: SW1/4-SW1/4 of Section 28; Lot 1 of Section 31; and SE1/4-NW1/4 of Section 34; all in Township 156 North, Range 39 West.

(d) Moylan wildlife management area:

(1) Lot 5 of Section 6, Township 154 North, Range 40 West;

(2) SE1/4-NW1/4 of Section 13; and NE1/4-SW1/4 of Section 14; all in Township 155 North, Range 40 West; and

(3) S1/2-SW1/4 of Section 36, Township 156 North, Range 40 West.

(e) Sem wildlife management area:

(1) SE1/4-NW1/4 of Section 5, Township 154 North, Range 39 West; and

(2) Lot 4 and SE1/4-SW1/4 of Section 30, Township 155 North, Range 39 West.

(f) Thief Lake wildlife management area:

(1) that part of Lot 6 described as follows: beginning at the SW corner of Lot 6, said point being within the right-of-way of state trunk highway No. 89, thence due North 400 feet, thence at right angles in an easterly direction 400 feet, thence at right angles in a southerly direction 400 feet, thence at right angles in a westerly direction 400 feet to the point of beginning of Section 6, Township 158 North, Range 39 West; and

(2) NW1/4-SE1/4 of Section 3 and S1/2-NW1/4 of Section 5; all in Township 157 North, Range 40 West.

Subd. 6. [ROSEAU COUNTY.] (a) Beltrami Island state forest:

(1) Lot 1 lying south of railroad of Section 4, Township 162 North, Range 36 West; and

(2) Lot 1, Lot 2, and S1/2-NE1/4 of Section 2; and SE1/4-NE1/4 of Section 10; all in Township 161 North, Range 37 West.

(b) Lost River state forest:

(1) SE1/4-SW1/4 and W1/2-SE1/4 of Section 2; S1/2-SW1/4 and S1/2-SE1/4 of Section 5; SE1/4-NE1/4 of Section 19; N1/2-NW1/4 of Section 23; and SW1/4-SE1/4 of Section 30; all in Township 163 North, Range 37 West;

(2) E1/2-NW1/4 of Section 35, Township 164 North, Range 37 West;

(3) N1/2-SE1/4 of Section 3, Township 162 North, Range 38 West; and

(4) NW1/4-NW1/4 of Section 24; NE1/4-NW1/4 of Section 25; and SW1/4-NW1/4 of Section 34; all in Township 163 North, Range 38 West.

Sec. 27. [CONSOLIDATED-CONSERVATION LAND DISPOSITION REPORT.]