

NINETEENTH DAY

St. Paul, Minnesota, Thursday, March 5, 1987

The Senate met at 2:00 p.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Paul Lindstrom.

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

Adkins	DeCramer	Knutson	Moe, R.D.	Samuelson
Anderson	Dicklich	Kroening	Morse	Schmitz
Beckman	Diessner	Laidig	Novak	Solon
Belanger	Frank	Langseth	Olson	Spear
Benson	Frederickson, D.J.	Lantry	Pehler	Storm
Berg	Frederickson, D.R.	Larson	Peterson, D.C.	Stumpf
Berglin	Freeman	Lessard	Peterson, R.W.	Taylor
Bernhagen	Gustafson	Luther	Piper	Vickerman
Bertram	Hughes	Marty	Pogemiller	Waldorf
Brandl	Johnson, D.E.	McQuaid	Purfeerst	Wegscheid
Cohen	Johnson, D.J.	Mehrkens	Ramstad	Willet
Dahl	Jude	Merriam	Reichgott	
Davis	Knaak	Metzen	Renneke	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Brataas and Mr. Moe, D.M. were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

January 14, 1987

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

The following appointment to the Metropolitan Council is hereby respectfully submitted to the Senate for confirmation as required by law:

Joan M. Campbell, 947 - 17th Ave. S.E., Minneapolis, Hennepin County, has been appointed by me, effective January 20, 1987, for a term expiring the first Monday in January, 1991.

(Referred to the Committee on Local and Urban Government.)

January 26, 1987

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

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

Carol Ann Mackay, 5925 Christmas Lake Rd., Excelsior, Hennepin County, has been appointed by me, effective January 26, 1987, for a term expiring the first Monday in January, 1991.

Marjorie Hayden, 409 - 1st St. N.E., Little Falls, Morrison County, has been appointed by me, effective January 26, 1987, for a term expiring the first Monday in January, 1991.

Calvin Zuehlke, 1021 Marine Ave., Worthington, Nobles County, has been appointed by me, effective January 26, 1987, for a term expiring the first Monday in January, 1991.

(Referred to the Committee on General Legislation and Public Gaming.)

February 12, 1987

The Honorable Jerome M. Hughes
President of the Senate

Dear Sir:

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

Frank Furlan, 514 - 3rd Ave. N.W., Chisholm, St. Louis County, has been appointed by me, effective February 17, 1987, for a term expiring the first Monday in January, 1991.

Jerry D. Serfling, 2388 Hidden Valley Ln., Stillwater, Washington County, has been appointed by me, effective February 17, 1987, for a term expiring the first Monday in January, 1991.

James B. Lund, 11790 Wilder Dr., Eden Prairie, Hennepin County, has been appointed by me, effective February 17, 1987, for a term expiring the first Monday in January, 1989.

(Referred to the Committee on Education.)

Sincerely,

Rudy Perpich, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following

Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 168: A bill for an act relating to human rights; clarifying certain provisions relating to discrimination in the extension of credit because of sex or marital status; amending Minnesota Statutes 1986, section 363.03, subdivision 8.

Senate File No. 168 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 2, 1987

Ms. Reichgott moved that the Senate do not concur in the amendments by the House to S.F. No. 168, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 68, 197 and 357.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 2, 1987

FIRST READING OF HOUSE BILLS

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

H.F. No. 68: A bill for an act relating to state government; rejecting salary adjustments for legislators, judges and constitutional officers recommended by the compensation council; prohibiting any salary adjustment for legislators, judges and constitutional officers before January 1, 1991.

Referred to the Committee on Governmental Operations.

H.F. No. 197: A bill for an act relating to real property; providing for transfer of owner's duplicate certificate of title to owner; amending Minnesota Statutes 1986, section 386.375, subdivisions 2 and 3.

Referred to the Committee on Judiciary.

H.F. No. 357: A bill for an act relating to the city of Saint Paul; permitting the city to adopt certain regulations for smoke detection devices; amending Minnesota Statutes 1986, section 299F362, by adding a subdivision.

Referred to the Committee on Local and Urban Government.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 259. The motion prevailed.

Mr. Schmitz from the Committee on Local and Urban Government, to which was referred

S.F. No. 193: A bill for an act relating to Ramsey county; authorizing the county to use certain land dedicated as open space for highway purposes; amending Minnesota Statutes 1986, section 383A.07, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. [RAMSEY COUNTY; SHOREVIEW; LAND TRANSFER.]

Notwithstanding any contrary provisions of Minnesota Statutes, section 383A.07, or other law, Ramsey county may convey to the city of Shoreview, for use by the city for any public purpose, the following described parcel of real property:

The south 220 feet of east 200 feet of the following described parcel: Unplatted Lands, subject to T.H. 10 and 393, Part of the SE 1/4 south of said T.H. west of Victoria Street and North of Railway Right-of-way in Section 26, Town 30, Range 23.

The conveyance may be on the terms and subject to the conditions or reversionary rights by Ramsey county.

Sec. 2. [HIGHWAY INTERSECTION.]

Notwithstanding any contrary provision of Minnesota Statutes, section 383A.07, or other law, Ramsey county may use the open space land described in this section for highway purposes.

That part of the west 360 feet of the Southeast Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 23 West and that part of the Northwest Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 23 West except the following described parcels.

That part of the Northwest Quarter of Section 3, Township 30 North, Range 23 West lying west of Lexington Avenue and northerly of the following described line:

Beginning at a point 1144.575 feet South of the northwest corner of said section; thence South 89 degrees 27 minutes 03.1 seconds East 191.685 feet; thence North 45 degrees 34 minutes 07.5 seconds East 468.32 feet; thence South 89 degrees 27 minutes 03.1 seconds East 236.54 feet to a point on west line of Lexington Avenue 813.31 feet south of the north line of said section and there terminating.

That part of the Northwest Quarter of the Northwest Quarter of said Section 3 described as follows:

Beginning at a point on the east line of said quarter quarter having an assumed bearing of South 0 degrees 05 minutes 08 seconds West, 1120 feet south at right angles to the north line of said quarter quarter; thence South 21 degrees 37 minutes 42 seconds West, 671.61 feet; thence South 40 degrees 13 minutes 18 seconds East, 257.55 feet; thence South 0 degrees 05 minutes 08 seconds West, 33 feet to the South line of said quarter quarter; thence easterly along said south line to the east line

of said quarter quarter; thence northerly along said east line of said quarter quarter to the point of beginning and there terminating;

which lies within a 99 foot wide strip of land the center line of which is described as follows:

Beginning at the northeast corner of said Southeast Quarter of the Northwest Quarter of Section 3, Township 30 North, Range 23 West; thence westerly along the north line of said Southeast Quarter of the Northwest Quarter, having an assumed bearing of North 89 degrees 42 minutes 09 seconds West for 933.51 feet; thence along a tangential curve to the right having a radius of 954.93 feet and a central angle of 89 degrees 50 minutes 42 seconds for a distance of 1497.42 feet; thence North 0 degrees 08 minutes 33 seconds East for a distance of 691.02 feet; thence along a tangential curve to the right having a radius of 1145.92 feet for a distance of 348.41 feet to a point on the north line of said Northwest Quarter being 808.61 feet east of the northwest corner of said Section 3 and there terminating.

Except that part of the existing Lexington Avenue right-of-way; containing 2.4702 acres, more or less.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the board of Ramsey county commissioners."

Delete the title and insert:

"A bill for an act relating to local government; authorizing Ramsey county to transfer land to the city of Shoreview; authorizing Ramsey county to use certain land dedicated as open space for highway purposes."

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

Mr. Davis from the Committee on Agriculture, to which was referred

S.F. No. 215: A bill for an act relating to agriculture; providing for research on the problem of stray voltage; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. [ELECTROMAGNETIC RESEARCH GRANT.]

Subdivision 1. [CRITERIA; PROCEDURE.] With the assistance of the advisory board established under subdivision 2, the commissioner of agriculture shall grant the funds appropriated in section 3 to the research team that submits the most effective proposal to study the effects of electromagnetic fields on animal health and agricultural production. The team must consist of researchers from the University of Minnesota or elsewhere who represent at least the following fields of research: (1) physics; (2) biology; (3) animal sciences; (4) veterinary practice; and (5) electricity. At least 50 percent of the grant must be spent on research conducted at farm locations.

Subd. 2. [ADVISORY BOARD.] The governor shall appoint an advisory

board of nine members to assist the commissioner of agriculture in making the grant under subdivision 1. Two members shall be farmers experiencing electromagnetic problems; one member shall be a farmer whose electromagnetic problem has been resolved; one member shall be a farmer who has not had an electromagnetic problem; one member shall be the chair of the Minnesota pollution control agency board; one member shall represent a cooperative electric association; one member shall represent an investor-owned public utility which serves rural areas; one member shall be a practicing veterinarian; and one member shall represent the non-metropolitan area campuses of the University of Minnesota or the state university system. The board shall be responsible for awarding the grant and will conduct periodic reviews and evaluations of the work being carried out under this grant. The board expires when the study under subdivision 1 conducted with the grant has been completed.

Sec. 2. [REPORT.]

A report on the study under section 1 must be prepared by the research team and submitted by the commissioner of agriculture to the house and senate committees on agriculture by February 1, 1989.

Sec. 3. [APPROPRIATION.]

\$65,000 is appropriated from the general fund to the commissioner of agriculture for purposes of section 1. This appropriation shall remain available until February 1, 1989."

Delete the title and insert:

"A bill for an act relating to agriculture; providing for research on the electromagnetic problems in farming; appropriating money."

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 304: A bill for an act relating to taxation; providing for computation of the metropolitan transit tax reduction for certain cities and towns; amending Minnesota Statutes 1986, section 473.446, subdivision 1.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 282: A bill for an act relating to metropolitan government; permitting regional railroad authorities to engage in certain activities; amending Minnesota Statutes 1986, section 473.398.

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

Mr. Purfeerst from the Committee on Transportation, to which was referred

S.F. No. 131: A bill for an act relating to transportation; traffic; providing for a ten mile per hour reduction in the speed limit for construction zones; amending Minnesota Statutes 1986, section 169.14, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1986, section 169.14, is amended by adding a subdivision to read:

Subd. 5d. [SPEED ZONING IN WORK ZONES.] The commissioner, on trunk highways and temporary trunk highways, and local authorities, on streets and highways under their jurisdiction, may authorize the use of reduced maximum speed limits in highway work zones. The commissioner or local authority is not required to conduct an engineering and traffic investigation before authorizing a reduced speed limit in a highway work zone.

The minimum highway work zone speed limit is 20 miles per hour. The work zone speed limit must not reduce the established speed limit on the affected street or highway by more than 15 miles per hour, except that the highway work zone speed limit shall not exceed 40 miles per hour. Highway work zone speed limits are effective on erection of appropriate regulatory speed limit signs designating the beginning and end of the affected work zone. The signs must be removed or covered when they are not required. A speed greater than the posted highway work zone speed limit is unlawful.

For purposes of this subdivision, "highway work zone" means a segment of highway or street where a road authority or its agent is constructing, reconstructing, or maintaining the physical structure of the roadway, its shoulders, or features adjacent to the roadway, including underground and overhead utilities and highway appurtenances."

Amend the title as follows:

Page 1, line 2, delete everything after the first semicolon and insert "authorizing commissioner of transportation and local road authorities to reduce speed limits in work zones"

Page 1, delete line 3

Page 1, line 4, delete everything before the semicolon

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

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

S.F. No. 259: A bill for an act relating to public safety; establishing state reimbursement program for purchases of soft body armor by and for peace officers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Page 1, line 22, delete "50 percent" and insert "the lesser of (a) one-third"

Page 1, line 23, after "price" insert a semicolon and delete "\$250, whichever is less" and insert "(b) \$165. The political subdivision that employs the peace officer shall pay at least the lesser of (a) one-third of the vest's purchase price; or (b) \$165"

Page 2, line 5, after "*purchased*" insert "*after December 31, 1986,*"

Page 2, line 7, after "*was*" insert "*at least*" and delete "*or more*" and delete "*at the*"

Page 2, line 8, delete "*time of the purchase*"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Mr. Schmitz questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Willet from the Committee on Environment and Natural Resources, to which was re-referred

S.F. No. 90: A bill for an act relating to utilities; enacting the Minnesota pipeline safety act; creating the office of pipeline safety and providing for its powers and duties; granting rulemaking authority to the environmental quality board; authorizing rulemaking for purposes of delegation of federal authority; creating the pipeline safety advisory commission; regulating the operation of certain pipelines; regulating excavations in the area of buried utilities; providing for a pipeline inspection fee; establishing the pipeline safety fund; requiring a study; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 116I.02, subdivisions 2 and 3; 216B.16, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116I; proposing coding for new law as Minnesota Statutes, chapters 216C and 299J.

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

Delete everything after the enacting clause and insert:

"PIPELINE ROUTING

Section 1. [116I.015] [ROUTING OF CERTAIN PIPELINES.]

Subdivision 1. [DEFINITION.] For purposes of this section and notwithstanding section 116I.01, subdivision 3, "pipeline" means:

(1) pipe with a nominal diameter of six inches or more that is designed to transport hazardous liquids, but does not include pipe designed to transport a hazardous liquid by gravity, and pipe designed to transport or store a hazardous liquid within a refining, storage, or manufacturing facility; or

(2) pipe designed to be operated at a pressure of more than 275 pounds per square inch and to carry gas.

Subd. 2. [PROHIBITION.] A person may not construct a pipeline without a pipeline routing permit issued by the environmental quality board unless the pipeline is exempted from the board's routing authority under this section or rules adopted under this section. A pipeline requiring a permit may only be constructed on a route designated by the board.

Subd. 3. [RULES.] (a) The environmental quality board shall adopt rules governing the routing of pipelines. The rules shall apply only to the route of pipelines and may not set safety standards for the construction of pipelines.

(b) The rules must:

(1) require that a person proposing construction of a pipeline submit to

the board one preferred route for the pipeline and evidence that at least one alternative route was considered or specific reasons why other routes are not feasible;

(2) provide for notice of proposed pipeline routes to local units of government, owners and lessees of property along the routes being considered;

(3) provide for public hearings on proposed pipeline routes;

(4) provide criteria that the board will use in determining pipeline routes, which must include the existence of populated areas and the impact of the proposed pipeline on the natural environment;

(5) provide a procedure that the board will follow in issuing pipeline routing permits and require the board to issue the permits within nine months after the permit application is received by the board, unless the board extends this deadline for cause;

(6) provide for the payment of fees by persons proposing to construct pipelines to cover the costs of the board in implementing this section;

(7) allow the board to provide exemptions from all or part of the pipeline routing permit application process in emergencies or if the board determines that the proposed pipeline will not have a significant impact on humans or the environment; and

(8) require exemption determinations to be made within 90 days after an application.

(c) The rules do not apply to temporary use of a route for purposes other than installation of a pipeline, to securing survey or geological data, to repair or replacement of an existing pipeline within the existing right-of-way, or to minor relocation of less than three-quarters of a mile of an existing pipeline.

Subd. 4. [PRIMARY RESPONSIBILITY AND REGULATION OF ROUTE DESIGNATION.] *The issuance of a pipeline routing permit under this section and subsequent purchase and use of the route locations is the only site approval required to be obtained by the person owning or constructing the pipeline. The pipeline routing permit supersedes and preempts all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.*

Sec. 2. Minnesota Statutes 1986, section 116I.02, subdivision 2, is amended to read:

Subd. 2. Any person proposing to construct or operate a pipeline for which a pipeline routing permit is not required under section 1, shall so notify the environmental quality board and the county board of each county through which the pipeline will be constructed. The notice shall include a description of the route on which the pipeline is proposed to be located, the size and type of pipeline to be constructed, the types of commodities to be carried and the construction and operational characteristics of the pipeline. The proposed route shall be described in sufficient detail so that the owners or lessees of property on which the route is located can be identified. Notice to the environmental quality board shall be accompanied by a fee of \$25,000 for preparation of an information book as provided in section 116I.03 and for expenses incurred by state agencies to participate in public meetings as provided in section 116I.04. All fees received are appropriated to the environmental quality board for its own use and for

distribution to state agencies for these purposes. The environmental quality board shall refund any amount that exceeds the actual cost to the board of preparing the information book, including necessary revisions, and to state agencies for participating in the public meetings.

If the pipeline route described in the notice is changed to the extent that, in any county, 20 percent or more of the owners or lessees of property on which the new route is located were not owners or lessees of property on which the other route was located, the person proposing to construct and operate the pipeline shall notify the environmental quality board and the county board of that county of the change in the proposed route. No additional fee shall be required for a notice of change of a proposed route.

Sec. 3. Minnesota Statutes 1986, section 116I.02, subdivision 3, is amended to read:

Subd. 3. ~~No~~ (a) *If a pipeline routing permit is not required for construction of a pipeline under section 1, a person shall may not negotiate or acquire an easement or right-of-way agreement for the purpose of constructing and operating a pipeline until 30 days after:*

(a) (1) *a public meeting has been held as provided in section 116I.04 in the county in which the right-of-way in question is located; and*

(b) (2) *that person has provided to the owner or lessee from whom the easement or agreement is acquired a copy of the information book prepared pursuant to section 116I.03.*

(b) *If the original information book is revised pursuant to section 116I.03, each owner or lessee of property which the original route did not affect shall be provided with a copy of the revised book.*

Sec. 4. Minnesota Statutes 1986, section 216B.16, is amended by adding a subdivision to read:

Subd. 9a. [PIPELINE SAFETY PROGRAMS.] *All costs of a public utility that are necessary to comply with state pipeline safety programs under sections 5 to 37 must be recognized and included by the commission in the determination of just and reasonable rates as if the costs were directly incurred by the utility in furnishing utility service.*

ONE CALL EXCAVATION NOTICE SYSTEM

Sec. 5. [216C.01] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] *The definitions in this section apply to sections 5 to 11.*

Subd. 2. [DAMAGE.] *"Damage" means:*

(1) *the substantial weakening of structural or lateral support of an underground facility;*

(2) *penetration, impairment, or destruction of any underground protective coating, housing, or other protective device; or*

(3) *impact with or the partial or complete severance of any underground facility to the extent that the facility operator determines that repairs are required.*

Subd. 3. [EMERGENCY.] *"Emergency" means a condition that poses a clear and immediate danger to life or health, or a significant loss of property.*

Subd. 4. [EMERGENCY RESPONDER.] "Emergency responder" means a fire department or company, a law enforcement official or office, an ambulance or other emergency rescue service, or the division of emergency services created by section 12.04, subdivision 1.

Subd. 5. [EXCAVATION.] "Excavation" means any activity that moves, removes, or otherwise disturbs the soil at a depth of 18 inches or greater by use of a motor, engine, hydraulic or pneumatically-powered tool, or machine-powered equipment of any kind, or by explosives. Excavation does not include:

(1) the repair or installation of agricultural drainage tile for which notice has been given as provided by section 1161.07, subdivision 2;

(2) the extraction of minerals;

(3) the opening of a grave in a cemetery; or

(4) normal maintenance of roads and streets if the maintenance does not change the original grade and does not involve the road ditch.

Subd. 6. [EXCAVATOR.] "Excavator" means a person that conducts excavation in the state.

Subd. 7. [LOCAL GOVERNMENTAL UNIT.] "Local governmental unit" means a county, town, or statutory or home rule charter city.

Subd. 8. [NOTIFICATION CENTER.] "Notification center" means a single statewide center that receives notice from excavators of planned excavation and transmits this notice to participating operators.

Subd. 9. [OPERATOR.] "Operator" means a person who owns or operates an underground facility, except that a person shall not be considered an operator solely because the person is an owner or tenant of real property where underground facilities are located and furnishes services or commodities to the person or another occupant of the property.

Subd. 10. [PERSON.] "Person" means the state, a public agency, an individual, corporation, partnership, association, or other business or public entity or a trustee, receiver, assignee, or personal representative of any of them.

Subd. 11. [UNDERGROUND FACILITY.] "Underground facility" means an underground line, facility, system, and its appurtenances used to produce, store, convey, transmit, or distribute communication, data, electricity, power, heat, gas, oil, petroleum products, water including storm water, steam, sewage, and other similar substances.

Sec. 6. [216C.02] [NOTICE TO EXCAVATORS AND UNDERGROUND FACILITY OPERATORS.]

Subdivision 1. [DISPLAY AND DISTRIBUTION.] An excavator and operator's notice and a copy of sections 7 to 11 must be furnished to each person obtaining a permit for excavation.

Subd. 2. [FORM.] The notification center must prescribe an excavator and operator's notice. The notice must inform excavators and operators of their obligations to comply with sections 7 to 11. The center must furnish to local governmental units:

(1) a copy of the notice and sections 7 to 11 in a form suitable for photocopying;

(2) a copy of the display and distribution requirements under subdivision 1; and

(3) the telephone number and mailing address of the notification center.

Sec. 7. [216C.03] [NOTIFICATION CENTER.]

Subdivision 1. [PARTICIPATION.] An operator must participate in and share in the costs of one statewide notification center operated by a vendor selected under subdivision 2. This subdivision does not apply to an operator that is a local governmental unit if the only underground facilities it owns or operates are for sewage or water distribution, but the local governmental unit may participate in and share in the costs of the notification center.

Subd. 2. [ESTABLISHMENT OF NOTIFICATION CENTER.] (a) The notification center services must be provided by a nonprofit corporation approved in writing by the commissioner. A group or nonprofit corporation that intends to seek approval under this paragraph must notify the commissioner by September 1, 1987, of the date, time, and location of its first meeting. The commissioner shall provide advance notice of the first organizational meeting by publication in qualified legal newspapers and in appropriate trade journals, and by written notice to all appropriate trade associations.

The nonprofit corporation must be governed by a board of directors of up to 20 members, one of whom is the director of the office of pipeline safety. The other board members must represent and be elected by operators, excavators, and other persons eligible to participate in the center. By November 1, 1987, the board must, with input from all interested parties, determine the operating procedures and technology needed for a single statewide notification center and establish a notification process and competitive bidding procedure to select a vendor to provide the notification service. In deciding to approve a nonprofit corporation, the commissioner must consider whether it meets the requirements of this paragraph and whether it demonstrates that it has the ability to contract for and implement the notification center service.

(b) If the commissioner has not approved a nonprofit corporation under paragraph (a) by January 1, 1988, the commissioner shall follow the procedure in this paragraph. The commissioner must prepare a preliminary draft of operating procedures and technology needed for a statewide notification center and the method for assessing the cost of the service among operators. After holding at least one public hearing on the preliminary draft following notice given in the manner required by paragraph (a), the commissioner shall adopt final operating procedures, technology, and assessment methods. The preliminary draft, public hearings, and final adoption are not subject to chapter 14. By June 1, 1988, the commissioner shall select a vendor to provide the notification center service. The commissioner must advertise for bids as provided in section 16B.07, subdivision 3, and base the selection of a vendor on an identification of the lowest responsible bidder as provided in section 16B.09, subdivision 1. The commissioner shall select and contract with the vendor to provide the notification center service, but all costs of the center must be paid by the operators. The commissioner may at any time appoint a task force to advise on the renewal of the contract or any other matter involving the center's operations.

(c) The notification center must be in operation by October 1, 1988.

An operator may submit a bid and be selected to contract to provide the notification center service under paragraph (a) or (b). The commissioner shall annually review the services provided by the nonprofit corporation approved under paragraph (a) or the vendor selected under paragraph (b).

Subd. 3. [NOTICE TO LOCAL GOVERNMENTAL UNITS.] The notification center must provide local governmental units with a master list, by county, of the operators in the county who are participants in the notification center, and the telephone number and mailing address of the notification center.

Sec. 8. [216C.04] [EXCAVATION.]

Subdivision 1. [NOTICE OF EXCAVATION REQUIRED; CONTENTS.] (a) Except in an emergency, an excavator must contact the notification center and provide an excavation notice at least 48 hours before beginning any excavation, excluding Saturdays, Sundays, and holidays. An excavation begins, for purposes of this requirement, the first time excavation occurs in an area that was not previously identified by the excavator in an excavation notice.

(b) The excavation notice must contain the following information:

- (1) the name of the individual providing the excavation notice;
- (2) the precise location of the proposed area of excavation;
- (3) the name, address, and telephone number of the excavator or excavator's company;
- (4) the excavator's field telephone number, if one is available;
- (5) the type and the extent of the proposed excavation work;
- (6) whether or not the discharging of explosives is anticipated; and
- (7) the date and time when excavation is to commence.

Subd. 2. [DUTIES OF NOTIFICATION CENTER.] The notification center must assign an inquiry identification number to each excavation notice and retain a record of all excavation notices received for at least six years. The center must immediately transmit an excavation notice to every operator that has an underground facility in the area of the proposed excavation.

Subd. 3. [LOCATING UNDERGROUND FACILITIES.] (a) An operator must, within 48 hours after receiving an excavation notice from the center, excluding Saturdays, Sundays, and holidays, unless otherwise agreed to between the excavator and operator, locate and mark or otherwise provide the approximate horizontal location of the underground facilities of the operator, without cost to the excavator. The excavator must determine the precise location of the underground facility, without damage, before beginning the proposed excavation.

(b) For the purpose of this section, the approximate horizontal location of the underground facilities is a strip of land two feet on either side of the underground facilities.

(c) Markers used to designate the approximate location of underground facilities must follow the current color code standard used by the American Public Works Association.

(d) If the operator cannot complete marking of the excavation area before the excavation commencement time stated in the excavation notice, the

operator must promptly contact the excavator. If the excavator postpones the excavation commencement time stated in the excavation notice by more than 48 hours, or cancels the excavation, the excavator must notify the notification center.

Sec. 9. [216C.05] [PRECAUTIONS TO AVOID DAMAGE.]

An excavator must:

(1) plan the excavation to avoid damage to and minimize interference with underground facilities in and near the construction area;

(2) maintain a clearance between an underground facility and the cutting edge or point of any mechanized equipment, considering the known limit of control of the cutting edge or point to avoid damage to the facility;

(3) provide support for underground facilities in and near the construction area, including during backfill operations, to protect the facilities; and

(4) conduct the excavation in a careful and prudent manner.

Sec. 10. [216C.06] [DAMAGE TO FACILITIES.]

Subdivision 1. [NOTICE; REPAIRS.] (a) If any damage occurs to an underground facility or its protective covering, the excavator must notify the operator as soon as reasonably possible. When the operator receives a damage notice, the operator must promptly dispatch personnel to the damage area to investigate. If the damage endangers life, health, or property, the excavator responsible for the work must take immediate action to protect the public and property and to minimize the hazard until arrival of the operator's personnel or until emergency responders have arrived and taken charge of the damaged area.

(b) An excavator must delay backfilling in the immediate area of the damaged underground facilities until the damage has been investigated by the operator, unless the operator authorizes otherwise. The repair of damage must be performed by the operator or by qualified personnel authorized by the operator.

Subd. 2. [COST REIMBURSEMENT.] (a) If an excavator damages an underground facility, the excavator must reimburse the operator for the cost of necessary repairs, and for a pipeline the cost of the product that was being carried in the pipeline and was lost as a direct result of the damage.

(b) Reimbursement is not required if the damage to the underground facility was caused by the sole negligence of the operator or the operator failed to comply with section 8, subdivision 3.

Subd. 3. [PRIMA FACIE EVIDENCE OF NEGLIGENCE.] It is prima facie evidence of the excavator's negligence in a civil court action if damage to the underground facilities of an operator resulted from excavation, and the excavator failed to give an excavation notice under section 8 or provide support as required by section 9.

Sec. 11. [216C.07] [EFFECT ON LOCAL ORDINANCES.]

(a) Sections 5 to 11 do not affect or impair local ordinances, charters, or other provisions of law requiring permits to be obtained before excavating.

(b) A person with a permit for excavation from the state or a public

agency is subject to sections 5 to 11. The state or public agency that issued a permit for excavation is not liable for the actions of an excavator who fails to comply with sections 5 to 11.

INTRASTATE GAS PIPELINE SAFETY

Sec. 12. Minnesota Statutes 1986, section 299F56, is amended by adding a subdivision to read:

Subd. 7. "Commissioner" means the commissioner of public safety, acting through the office of pipeline safety.

Sec. 13. Minnesota Statutes 1986, section 299F57, is amended to read: 299F57 [MINIMUM SAFETY STANDARDS.]

Subdivision 1. The ~~state fire marshal~~ *commissioner* shall, by order, establish minimum safety standards for the transportation of gas and pipeline facilities. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement and maintenance of pipeline facilities. Standards affecting the design, installation, construction, initial inspection and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted. Such safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the ~~state fire marshal~~ *commissioner* shall consider:

- (a) relevant available pipeline safety data;
- (b) whether such standards are appropriate for the particular type of pipeline transportation;
- (c) the reasonableness of any proposed standards;
- (d) the extent to which any such standards will contribute to public safety; and
- (e) the existing standards established by the Secretary of Transportation of the United States pursuant to the Natural Gas Pipeline Safety Act of 1968 of the United States.

Provided, however, that the ~~state fire marshal~~ *commissioner* shall not be empowered to adopt any such standards as to the transportation of gas or to pipeline facilities which are subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act of the United States, *except as provided in sections 20 to 37.*

Subd. 2. Any standards prescribed under this section, and amendments thereto, shall become effective 30 days after the date of issuance of such standards unless the ~~state fire marshal~~ *commissioner*, for good cause recited, determines an earlier or later effective date is required as the result of the period reasonably necessary for compliance.

Subd. 3. The rulemaking, contested case and judicial review provisions of chapter 14, shall apply to all orders establishing, amending, revoking, or waiving compliance with, any standard established under sections 299F56 to 299F64 or any penalty imposed under sections 299F56 to 299F64. The ~~state fire marshal~~ *commissioner* shall afford interested persons an opportunity to participate fully in the establishment of such safety standards through submission of written data, views or arguments, with opportunity to present oral testimony and argument.

Subd. 4. The ~~state fire marshal~~ *commissioner*, on finding a particular facility to be hazardous to life or property, shall be empowered to require the person operating such facility to take such steps necessary to remove such hazards.

Subd. 5. Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, the ~~state fire marshal~~ *commissioner* may, after notice and opportunity for hearing and under such terms and conditions and to such extent as the ~~state fire marshal~~ *commissioner* deems appropriate, waive in whole or in part compliance with any standards established under sections 299F56 to 299F64, on determining that a waiver of compliance with such standard is not inconsistent with gas pipeline safety. The ~~state fire marshal~~ *commissioner* shall state the reasons for any such waiver.

Sec. 14. Minnesota Statutes 1986, section 299F58, is amended to read:
299F58 [CERTIFICATIONS AND REPORTS.]

The ~~state fire marshal~~ *commissioner* is authorized to make such certifications and reports to the United States Secretary of Transportation as may be required from time to time under the Natural Gas Pipeline Safety Act of 1968 of the United States.

Sec. 15. Minnesota Statutes 1986, section 299F60, is amended to read:
299F60 [CIVIL PENALTIES.]

Subdivision 1. Any person who violates any provision of sections 299F56 to 299F64, or any rule issued thereunder, shall be subject to a civil penalty to be imposed by the ~~state fire marshal~~ *commissioner* not to exceed \$1,000 for each such violation for each day that such violation persists, except that the maximum civil penalty shall not exceed \$200,000 for any related series of violations.

Subd. 2. The ~~state fire marshal~~ *commissioner* may negotiate a compromise settlement of a civil penalty. In determining the amount of such penalty, or the amount of the compromise settlement, the ~~state fire marshal~~ *commissioner* shall consider the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation. The contested case and judicial review provisions of chapter 14 shall apply to all orders of the ~~state fire marshal~~ *commissioner* imposing any penalty under sections 299F56 to 299F64 or under any rule promulgated thereunder. The amount of such penalty, when finally determined, may be deducted from any sums owing by the state of Minnesota to the person charged.

Subd. 3. No person shall be subjected to civil penalties under both sections 299F56 to 299F64 and under Public Law Number 90-481, Statutes at Large, volume 82, page 720, 90th Congress, S. 1166, approved August 12, 1968, for conduct which may give rise to a violation of both acts.

Subd. 4. All penalties collected under sections 299F56 to 299F64 shall be paid over to the state treasurer for deposit in the state treasury to the credit of the general fund.

Sec. 16. Minnesota Statutes 1986, section 299F61, is amended to read:
299F61 [INJUNCTIVE RELIEF]

Subdivision 1. The district courts of the state of Minnesota shall have jurisdiction, subject to the provisions of the statutes and the rules of practice and procedure of the state of Minnesota relative to civil actions in the district courts, to restrain violations of sections 299F56 to 299F64, including the restraint of transportation of gas or the operation of a pipeline facility, or to enforce standards established hereunder upon petition by the attorney general on behalf of the state of Minnesota. Whenever practicable, the ~~state fire marshal~~ *commissioner* shall give notice to any person against whom an action for injunctive relief is contemplated and afford the person an opportunity to present views, and, except in the case of a knowing and willful violation, shall afford the person reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

Subd. 2. Actions under sections 299F56 to 299F64 shall be brought in the district in the state of Minnesota wherein the defendant's principal place of business is located, and process in such cases may be served in any other district in the state of Minnesota where the defendant may be found or of which the defendant is an inhabitant or transacts business.

Sec. 17. Minnesota Statutes 1986, section 299F62, is amended to read:

299F62 [PLAN FOR INSPECTION AND MAINTENANCE.]

Each person who engages in the transportation of gas or who owns or operates pipeline facilities subject to sections 299F56 to 299F64 shall file with the ~~state fire marshal~~ *commissioner* a plan for inspection and maintenance of each such pipeline facility owned or operated by such person, and any changes in such plan, in accordance with the rules prescribed by the ~~state fire marshal~~ *commissioner*. On finding that such plan is inadequate to achieve safe operation, the ~~state fire marshal~~ *commissioner* shall, after notice and opportunity for a hearing, require such plan to be revised. The plan required by the ~~state fire marshal~~ *commissioner* shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any such plan, the ~~state fire marshal~~ *commissioner* shall consider the following:

- (a) relevant available pipeline safety data;
- (b) whether the plan is appropriate for the particular type of pipeline transportation;
- (c) the reasonableness of the plan; and
- (d) the extent to which such plan will contribute to public safety.

Sec. 18. Minnesota Statutes 1986, section 299F63, is amended to read:

299F63 [RECORDS AND REPORTS; INSPECTIONS; TRADE SECRETS.]

Subdivision 1. Each person who engages in the transportation of gas or who owns or operates pipeline facilities shall establish and maintain such records, make such reports, and provide such information as the ~~state fire marshal~~ *commissioner* may reasonably require to determine whether such person has acted or is acting in compliance with sections 299F56 to 299F64 and the standards established under sections 299F56 to 299F64. Each such person shall, upon request of an officer, employee, or agent authorized by the ~~state fire marshal~~ *commissioner*, permit such officer, employee, or agent to inspect books, papers, records and documents relevant to determining

whether such person has acted or is acting in compliance with sections 299F56 to 299F64 and the standards established pursuant to sections 299F56 to 299F64. For purposes of enforcement of sections 299F56 to 299F64, officers, employees, or agents authorized by the ~~state fire marshal commissioner~~, upon presenting appropriate credentials to the individual in charge, are authorized to enter upon, at reasonable times, pipeline facilities, and to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such facilities. Each such inspection shall be commenced and completed with reasonable promptness.

Subd. 2. In the course of the exercise of duties and responsibilities under sections 299F56 to 299F64, the ~~state fire marshal commissioner~~ shall wherever practicable employ a practice of spot checking and issuance of certificates of compliance, with respect to persons subject to sections 299F56 to 299F64, to limit costs of enforcement of the safety standards established pursuant to sections 299F56 to 299F64.

Subd. 3. All information reported to or otherwise obtained by the ~~state fire marshal commissioner~~ or a representative, which contains or relates to a trade secret, as referred to in section 1905 of title 18 of the United States Code, or otherwise constitutes a trade secret under law, shall be considered confidential for the purpose of such laws, except that such information may be disclosed to other officers or employees concerned with carrying out sections 299F56 to 299F64 or when relevant in any proceeding under sections 299F56 to 299F64.

Subd. 4. [COST OF INSPECTION AND REVIEW.] The ~~state fire marshal commissioner~~ shall establish, by rule under section 16A.128, a fee to recover the state share of all costs related to field inspections, investigations of pipeline facilities, plan review, and other duties as provided by sections 299F56 to 299F63. Fees collected under this subdivision shall be credited to the general fund.

Sec. 19. Minnesota Statutes 1986, section 299F64, is amended to read:

299F64 [FEDERAL ~~MONEYS FUNDS~~.]

The ~~state fire marshal commissioner~~ may accept any and all ~~moneys funds~~ provided for or made available to this state by the United States of America or any department or agency thereof with respect to prescribing, setting, and enforcing rules and safety standards for the transportation of natural and other gas by pipelines in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and the ~~state fire marshal commissioner~~ is further authorized to do any and all things, not contrary to the laws of this state, required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal ~~moneys funds~~.

OFFICE OF PIPELINE SAFETY

Sec. 20. [AUTHORITY OF OFFICE OF PIPELINE SAFETY.]

The commissioner of public safety shall, to the extent authorized by agreement with the United States Secretary of Transportation, act as agent for the United States Secretary of Transportation to implement the federal Hazardous Liquid Pipeline Safety Act, United States Code, title 49, sections 2001 to 2014, the federal Natural Gas Pipeline Safety Act, United States Code, title 49, sections 1671 to 1686, and federal pipeline safety regulations with respect to interstate pipelines located within this state, as

necessary to obtain annual federal certification. The commissioner shall, to the extent authorized by federal law, regulate pipelines in the state as authorized by sections 20 to 37, and sections 299F56 to 299F64.

Sec. 21. [299J.02] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to sections 20 to 37.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of public safety.

Subd. 3. [DIRECTOR.] "Director" means the director of the office of pipeline safety.

Subd. 4. [EMERGENCY.] "Emergency" means a condition that poses a clear and immediate danger to life or health or that threatens a significant loss of property.

Subd. 5. [EMERGENCY RELEASE.] "Emergency release" means a release that poses a clear and immediate danger to life or health or that threatens a significant loss of property.

Subd. 6. [EMERGENCY RESPONDER.] "Emergency responder" means a fire department or company, a law enforcement official or office, an ambulance or other emergency rescue service, or the division of emergency services created by section 12.04, subdivision 1.

Subd. 7. [GAS.] "Gas" has the meaning given it in Code of Federal Regulations, title 49, section 192.3.

Subd. 8. [HAZARDOUS LIQUID.] "Hazardous liquid" means "hazardous liquid" and "highly volatile liquid" as defined in Code of Federal Regulations, title 49, section 195.2.

Subd. 9. [LOCAL GOVERNMENTAL UNIT.] "Local governmental unit" means a county, town, or statutory or home rule charter city.

Subd. 10. [PERSON.] "Person" means an individual, corporation, partnership, association, or other business entity or a trustee, receiver, assignee, or personal representative of any of them.

Subd. 11. [OPERATOR.] "Operator" means a person who owns or operates a pipeline.

Subd. 12. [PIPELINE.] "Pipeline" means:

(1) pipe with a nominal diameter of six inches or more, located in the state, that is used to transport hazardous liquids, but does not include pipe used to transport a hazardous liquid by gravity, and pipe used to transport or store a hazardous liquid within a refining, storage, or manufacturing facility; or

(2) pipe operated at a pressure of more than 275 pounds per square inch that carries gas.

Subd. 13. [RELEASE.] "Release" means a spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, leaching, dumping, disposing, flowing, or any other uncontrolled escape of a hazardous liquid or gas from a pipeline.

Sec. 22. [299J.03] [OFFICE OF PIPELINE SAFETY.]

Subdivision 1. [ESTABLISHMENT.] The office of pipeline safety is a

division of the department of public safety under the control of a director. The director shall be appointed by the commissioner and serve at the commissioner's pleasure in the unclassified service. The commissioner shall employ in the office of pipeline safety inspectors and other professional and clerical staff who serve in the classified service.

Subd. 2. [QUALIFICATIONS.] (a) The director of the office must be interested and knowledgeable in the operation and safety aspects of pipelines.

(b) Inspectors must:

(1) be graduates of accredited engineering schools and be licensed as professional engineers under section 326.02 with at least three years of experience in the pipeline industry; or

(2) have more than ten years of employment experience that demonstrates in-depth knowledge of pipeline engineering technology and pipeline safety.

(c) Inspectors must complete courses at the transportation safety institute and be certified by the institute as soon as possible following appointment.

Sec. 23. [299J.04] [DUTIES OF THE OFFICE OF PIPELINE SAFETY.]

Subdivision 1. [GENERAL DUTIES.] The commissioner shall:

(1) promote the use of the 911 emergency telephone system as an appropriate method for the public to notify emergency responders of an emergency release;

(2) provide training on a regular basis to all potentially affected local governmental units in pipeline incident contingency planning and emergency response by itself or in cooperation with pipeline operators, other state offices, or local governmental units;

(3) require local governmental units to work with pipeline owners to provide a program of continuing public education on the subject of pipeline operation and safety;

(4) monitor and gather information on the development of reliable pipeline technologies capable of detecting and geographically locating pipeline releases, use the information gathered in the development of rules as provided in this section, and report to the legislature every two years in the manner provided by section 3.195 on the activities of the office under this clause;

(5) maintain a data base of all pipeline releases, which must be based on annual reports from all pipeline operators;

(6) inspect, as necessary, any record, map, or written procedure required by sections 20 to 37 to be kept by a pipeline operator concerning the reporting of releases, and the design, construction, testing, or operation and maintenance of pipelines; and

(7) adopt rules to implement sections 20 to 37. The rules must treat separately and distinguish between hazardous liquid and gas pipelines.

Subd. 2. [DELEGATED DUTIES.] The commissioner shall seek and accept federal designation of the office's pipeline inspectors as federal agents for the purposes of enforcement of the federal Hazardous Liquid Pipeline Safety Act, United States Code, title 49, sections 2001 to 2014, the federal Natural Gas Pipeline Safety Act, United States Code, title 49, sections 1671 to 1686, and federal rules adopted to implement those acts.

If the federal department of transportation delegates inspection authority to the state as provided in this subdivision, the commissioner shall do the following to carry out the delegated federal authority:

(1) inspect pipelines periodically at times determined by rules of the commissioner;

(2) collect inspection fees; and

(3) order and oversee the testing of pipelines as provided in rules adopted under this section.

Subd. 3. [RULEMAKING CONTINGENT ON FEDERAL AUTHORITY.] *(a) The commissioner shall consider adoption of rules on subjects in this subdivision if federal law authorizes the state regulation. The rules must treat separately and distinguish between hazardous liquid and gas pipelines.*

(b) The commissioner shall consider higher safety margin requirements for operating pressures on pipelines located in populated or environmentally sensitive areas.

(c) The commissioner shall consider having pipeline operators periodically submit comprehensive reports to the office on the condition of their pipelines, and requiring appropriate pipeline testing based on concerns identified in these reports. The testing requirements must apply more strictly to pipelines in populated or environmentally sensitive areas.

(d) The commissioner shall consider methods for pipeline operators to improve their ability to rapidly locate and isolate releases. The methods must include:

(1) remote control shutoff valves on all new pipelines, with the distance between the valves dependent on the type and density of development, the presence of environmentally sensitive areas, and the application of appropriate engineering standards;

(2) remotely monitored pressure gauges and flow meters installed at each pump station and remote valve location;

(3) specific emergency response procedures and training requirements for shutting down pumps; and

(4) use of reliable technology for detecting and geographically locating releases, and for shutting appropriate valves as rapidly as possible.

(e) The commissioner must consider standards for the manufacture of pipe used in pipelines, pipeline construction, and pipeline operation. Best available technology in pipe manufacture, pipeline construction, and pipeline reconstruction must be required and developed in consultation with the commissioner of labor and industry.

Sec. 24. [299J.05] [PIPELINE SETBACK ORDINANCE.]

(a) The commissioner shall adopt a model ordinance under chapter 14 requiring a setback from pipelines in areas where residential or other development is allowed. The model ordinance must apply only to new development and not to development that has occurred, or for which development permits have been issued, before the effective date of the ordinance.

(b) By August 1, 1989, each statutory or home rule charter city, town, or county that has planning and zoning authority under sections 366.10

to 366.19, 394.21 to 394.37, or 462.351 to 462.365, and in which a pipeline is located, must adopt a pipeline setback ordinance that meets or exceeds the minimum standards of the model ordinance and is approved by the commissioner. The model ordinance applies in a jurisdiction where the local governmental unit does not adopt a setback ordinance that is approved by the commissioner by August 1, 1989.

Sec. 25. [299J.06] [PIPELINE SAFETY ADVISORY COMMISSION.]

Subdivision 1. [COMMISSION CREATED.] The pipeline safety advisory commission is created and is attached for administrative purposes to the department of public safety. The commissioner shall provide offices and administrative assistance necessary for the performance of the commission's duties.

Subd. 2. [MEMBERSHIP.] The commission consists of seven members to be appointed by the commissioner. One member shall be chosen from the hazardous liquid pipeline industry, and one from the gas pipeline industry. Two members must be state employees and three members must be state residents unaffiliated with state government or the pipeline or utility industries.

Subd. 3. [POWERS AND DUTIES.] The members of the commission shall serve on a part-time basis and shall advise the director and other appropriate federal, state, and local government agencies and officials on matters relating to pipeline safety and operation. The commission shall advise the director on the implementation of sections 20 to 37 and shall review and comment on proposed rules and on the operation of the office of pipeline safety.

Subd. 4. [TERMS; COMPENSATION; REMOVAL.] The terms, compensation, and removal of members are governed by section 15.0575.

Sec. 26. [299J.07] [PENALTY FOR OPERATOR WHO FAILS TO GIVE NOTICE OF RELEASE.]

(a) A pipeline operator is guilty of a felony for an emergency release from the operator's pipeline that causes the death or serious bodily injury of any person if the pipeline operator:

- (1) knows or should have known of an emergency release;*
- (2) knows or should have known that the emergency release was likely to cause the death or serious bodily injury of an individual; and*
- (3) fails to immediately report the emergency release to the department of public safety.*

(b) A person convicted under this section may be sentenced to imprisonment for not more than seven years or to payment of a fine of not more than \$14,000, or both.

Sec. 27. [299J.08] [COMMISSIONER TO REPORT RELEASE; ADVICE AND COORDINATION.]

The commissioner or a designee shall immediately report an emergency release to the emergency responder of the appropriate local government unit, to the pollution control agency if the notice of the release is required by section 115.061, and to any other person or office, as provided by the rules or procedures of the office. A pipeline operator's report of an emergency release to the commissioner satisfies the notification requirements

of section 115.061. The commissioner shall advise the emergency responder concerning appropriate emergency procedures and coordinate the procedures.

Sec. 28. [299J.09] [PIPELINE OPERATORS TO FILE INFORMATION AND GIVE NOTICE.]

Subdivision 1. [MAP REQUIRED.] (a) *The operator of every pipeline in operation must file a detailed pipeline map in the scale required by the rules:*

(1) *with the director and the commissioner of transportation, showing the location and depth of the pipelines and appurtenances operated by that operator within the state; and*

(2) *with the recorder and sheriff of every county traversed by the pipeline, showing the location and depth of the pipelines and appurtenances operated by that operator within the county.*

(b) *The maps required under paragraph (a) must be filed by the operator of a newly constructed pipeline before it is operational, and by the operator of a pipeline for which the route has been changed after the original filing of a map under this section. The maps required by this paragraph must be filed at least 30 days before a hazardous liquid or gas is first pumped into the pipeline.*

Subd. 2. [EMERGENCY RESPONSE PLAN.] (a) *At least 30 days before a hazardous liquid or gas is pumped into a pipeline, the pipeline operator must file an emergency response plan with the director and with the sheriff of every county traversed by the pipeline. The emergency response plan must describe the operator's procedures for responding to and containing releases, including:*

(1) *an identification of specific actions that will be taken by the operator on discovery of a release;*

(2) *the operator's liaison procedure with emergency responders;*

(3) *the operator's means of communication with the responders; and*

(4) *the operator's means of preventing ignition of vapors resulting from a release.*

(b) *An operator must file significant changes made to an emergency response plan in the same manner as the original response plan within ten days of the effective date of the change.*

Subd. 3. [PROCEDURAL MANUAL.] *At least 30 days before a hazardous liquid or gas is pumped into a pipeline, the pipeline operator must file with the director its procedural manual as required under Code of Federal Regulations, title 49, part 192, subparts L and M, and part 195, subpart F, as may be required by rules of the commissioner.*

Subd. 4. [NOTICE OF TESTING AND TEST RESULTS.] (a) *At least 48 hours before conducting a hydrostatic test, whether or not the test is required by sections 20 to 37 or the rules of the commissioner, a pipeline operator must give notice of the test to the director and the local governmental units traversed by the portion of pipeline to be tested. Advance notice is not required if the operator determines that an emergency exists requiring immediate testing of the pipeline. The notice must include:*

(1) *the name, address, and telephone numbers of the pipeline operator;*

(2) the specific location of the pipeline or pipeline section to be tested, including a suitable map of the route of the pipeline, and the location of the test equipment;

(3) the date and time the test is to be conducted;

(4) the method by which the test will be accomplished and the type of test medium to be used; and

(5) the name and telephone number of any independent testing firm or other person responsible for certification of results.

(b) Authorized representatives of the director and any affected local governmental unit may observe the test.

(c) The results of a hydrostatic test conducted by the operator or by an independent testing company must be sent to the director and to every local governmental unit traversed by the tested portion of the pipeline within ten days of completion of the test. The test results must include:

(1) the date of the test;

(2) the specific location of the pipeline or pipeline section tested, including a suitable map of the route of the pipeline;

(3) the results of the test; and

(4) other information required by rule.

Subd. 5. [NOTICE OF PRODUCT.] (a) Within ten days after the effective date of this section or within ten days of beginning operation of the pipeline, whichever is later, a pipeline operator must file information with the director and the sheriff of every county traversed by a pipeline of the types of products that will be carried in the pipeline. The operator must include in its filing to sheriffs a material safety data sheet for each product that the operator expects to carry in the pipeline. The sheriff must transmit copies of the material safety data sheets to the appropriate emergency responders.

(b) After filing the information required by paragraph (a), the pipeline operator must file information in the same manner of any additional types of substances that will be carried in the pipeline at least three days before the change.

Subd. 6. [PENALTY.] A pipeline operator that does not comply with the requirements of this section or rules of the commissioner implementing this section is subject to the civil penalty provided in section 35.

Subd. 7. [ENFORCEMENT.] The commissioner may bring an action to enforce the requirements of this section, as provided in section 35.

Sec. 29. [299J.10] [LOCAL GOVERNMENT EMERGENCY RESPONSE PLAN.]

(a) A local governmental unit having a pipeline within its jurisdiction must prepare a pipeline release emergency response plan. Preparation of the plan must be coordinated by the county traversed by the pipeline for the other local governmental units within that county. The commissioner shall prescribe rules for the content of the plan. The plan must be completed and adopted by local governmental units within six months after the effective date of the rules prescribing the contents of the plan.

(b) A local governmental unit must review its plan annually and amend

it to reflect changes in the operation of the local governmental unit, in the operation of the pipeline, or other matters relating to pipeline safety. The director may at any reasonable time examine a response plan required by this section.

Sec. 30. [299J.11] [ADOPTION OF FEDERAL PIPELINE INSPECTION RULES.]

To enable the state to qualify for annual federal certification to enforce the federal pipeline inspection program authorized by the Hazardous Liquid Pipeline Safety Act, United States Code, title 49, sections 2001 to 2014, the federal Natural Gas Pipeline Safety Act, United States Code, title 49, sections 1671 to 1686, and the rules implementing those acts, the federal pipeline inspection rules and safety standards are adopted.

Sec. 31. [299J.12] [PIPELINE INSPECTION FEE.]

Subdivision 1. [ASSESSMENT AND DEPOSIT OF FEE.] For each year following the delegation to the state of the inspection authority described in section 20, the director shall assess and collect from every pipeline operator an inspection fee in an amount calculated under subdivision 2. If an operator does not pay the fee within 60 days after the assessment was mailed, the director may impose a delinquency fee of ten percent of the annual inspection fee and interest at the rate of 15 percent per year on the portion of the annual fee not paid. Fees collected by the director under this section shall be deposited in the pipeline safety account.

Subd. 2. [CALCULATION OF FEE.] For each calendar year that an inspection fee is to be assessed, the director shall calculate the total number of miles of pipeline to be inspected, the total cost of inspection, and the percentage of the total miles to be inspected that are or will be operated by each pipeline operator. Each pipeline operator shall be assessed a portion of the total inspection costs equal to the percentage of the total miles of pipeline to be operated by the pipeline operator, but the total fee may not exceed \$5 for each mile of the operator's pipeline.

Sec. 32. [299J.13] [ACCESS TO INFORMATION; CLASSIFICATION OF DATA.]

Subdivision 1. [DUTY TO PROVIDE INFORMATION.] A person who the director has reason to believe is responsible for an emergency release shall, when requested by the office or an authorized agent of the office, furnish to the director any information that the person may have or may reasonably obtain that is relevant to the emergency release.

Subd. 2. [ACCESS TO INFORMATION AND PROPERTY.] The director or an authorized agent, upon presentation of credentials, may:

(1) examine and copy any books, papers, records, memoranda, or data of any person who has a duty to provide information under subdivision 1; and

(2) enter upon any property, public or private, for the purpose of taking any action authorized by sections 20 to 37 including obtaining information from any person who has a duty to provide the information under subdivision 1, and conducting surveys or investigations.

Subd. 3. [CLASSIFICATION OF DATA.] Except as otherwise provided in this subdivision, data obtained from any person pursuant to subdivision 1 or 2 is public data as defined in section 13.02. Upon certification by

the subject of the data that the data relates to sales figures, processes or methods of production unique to that person, or information which would tend to affect adversely the competitive position of that person, the director shall classify the data as private or nonpublic data as defined in section 13.02. Notwithstanding any other law to the contrary, data classified as private or nonpublic under this subdivision may be disclosed when relevant in any proceeding under sections 20 to 37, or to other public agencies concerned with the implementation of sections 20 to 37.

Subd. 4. [RECOVERY OF EXPENSES.] Reasonable and necessary expenses incurred by the director under this section, including administrative and legal expenses, may be recovered in an action brought by the attorney general against a person who has been found liable under section 34 or 35 or any other law. The director's certification of expenses is prima facie evidence that the expenses are reasonable and necessary.

Sec. 33. [299J.14] [LINE MARKERS REQUIRED; VANDALISM PROHIBITED; PENALTY.]

Subdivision 1. [LINE MARKERS REQUIRED.] A pipeline operator must place and maintain line markers over each pipeline as required by Code of Federal Regulations, title 49, parts 192.707 and 195.410.

Subd. 2. [VANDALISM PROHIBITED; PENALTY.] A person may not deface, mar, damage, remove, injure, displace, destroy, or tamper with any sign or line marker marking the location of a pipeline. A person violating the provisions of this subdivision is guilty of a misdemeanor.

Sec. 34. [299J.15] [DISPOSAL OF PIPELINE PROHIBITED; PENALTY; ENFORCEMENT.]

Subdivision 1. [DISPOSAL PROHIBITED.] (a) After an emergency release has occurred, a pipeline operator may not dispose of, destroy, or alter the pipeline or part of a pipeline that was involved in the emergency release until approval is granted by the commissioner. The authority of the commissioner to grant approval may not be delegated.

(b) This subdivision may not be construed to prevent the excavation and removal from the ground of a pipeline or part of a pipeline if the pipeline is not intentionally altered in a manner that prevents or hinders a determination of the cause of the emergency release.

Subd. 2. [CRIMINAL PENALTY.] A pipeline operator who violates subdivision 1, or the rules of the commissioner implementing subdivision 1, or who denies the director or the director's designee access to the pipeline for the purposes of inspection, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Subd. 3. [ENFORCEMENT.] The commissioner may bring an action to enforce the requirements of subdivision 1, or the rules of the commissioner implementing that subdivision, in the manner provided by section 35.

Sec. 35. [299J.16] [CIVIL PENALTY; INJUNCTIVE RELIEF]

Subdivision 1. [CIVIL PENALTY.] (a) A pipeline operator who violates section 28 or 34 shall forfeit and pay to the state a civil penalty in an amount to be determined by the court of not more than \$10,000 per day for each day that the operator remains in violation of the provision.

(b) The penalty provided under this subdivision may be recovered by an action brought by the attorney general in the name of the state in connection with an action to recover expenses of the director under section 32, subdivision 4, or by a separate action in the district court of Ramsey county or in the county of the defendant's residence.

Subd. 2. [ACTION TO COMPEL PERFORMANCE; INJUNCTIVE RELIEF] A person who fails to perform an act required by section 28, 32, or 34 may be compelled to do so by an action in district court brought by the attorney general in the name of the state.

Sec. 36. [299J.17] [OTHER REMEDIES PRESERVED.]

Nothing in sections 20 to 37 shall be construed to abolish or diminish the right of any person to bring a legal action or use any remedy available under any other provision of state or federal law, including common law, to recover for personal injury, disease, economic loss, or other costs arising out of a release.

Sec. 37. [299J.18] [PIPELINE SAFETY ACCOUNT.]

Subdivision 1. [ESTABLISHMENT.] *(a) The pipeline safety account is established as an account in the state treasury. All fees and penalties collected under sections 20 to 37 shall be deposited in the state treasury and credited to the pipeline safety account.*

Money received by the office in the form of gifts, grants, reimbursements, or appropriations from any source shall be credited to the pipeline safety account.

(b) The money in the pipeline safety account is continually appropriated to the director to administer sections 20 to 37.

Subd. 2. [PURPOSE OF FUND.] *In establishing the pipeline safety account and imposing the inspection fee provided in section 31, it is the purpose of the legislature to protect the public health, safety, and welfare, and provide funding necessary to implement sections 20 to 37.*

Sec. 38. [STUDY.]

The department of labor and industry, in cooperation with the board of architecture, engineering, land surveying, and landscape architecture, shall study the need for additional registration, licensing and certification requirements for personnel who design and construct pipelines, as defined in section 21. The department must report its findings to the legislature by January 15, 1988.

Sec. 39. [TRAINING FOR PIPELINE INSPECTORS.]

Persons holding positions as inspectors with the state fire marshal on January 1, 1987, may be transferred or appointed to positions as inspectors with the office of pipeline safety without complying with the training requirements of section 22, subdivision 2, paragraph (b).

Sec. 40. [APPROPRIATION.]

\$_____ is appropriated from the general fund to the office for the purposes provided in sections 20 to 37, to be available until June 30, 1989.

Sec. 41. [EFFECTIVE DATE.]

Sections 1, subdivisions 1 and 3; 5; and 7, subdivision 2, are effective

the day following final enactment. Sections 1, subdivisions 2 and 4; 2; and 3 are effective July 1, 1988. Sections 6; 7, subdivisions 1 and 3; 8; 9; 10; and 11 are effective October 1, 1988. Sections 20, 27, and 28 are effective August 1, 1987, and apply to crimes committed on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; pipelines and underground facilities; enacting the Minnesota pipeline safety act; requiring a routing permit to construct a new pipeline; creating the office of pipeline safety and providing for its powers and duties; authorizing rulemaking for purposes of delegation of federal authority; creating the pipeline safety advisory commission; regulating the operation of certain pipelines; requiring the adoption of pipeline setback ordinances; providing for notification of excavation in the area of underground facilities; providing for a pipeline inspection fee; establishing the pipeline safety fund; requiring a study; providing penalties; appropriating money; amending Minnesota Statutes 1986, sections 116I.02, subdivisions 2 and 3; 216B.16, by adding a subdivision; 299F56, by adding a subdivision; 299F57; 299F58; 299F60; 299F61; 299F62; 299F63; and 299F64; proposing coding for new law in Minnesota Statutes, chapter 116I; proposing coding for new law as Minnesota Statutes, chapters 216C and 299J."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 193, 282 and 131 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Peterson, R.W. moved that his name be stricken as a co-author to S.F. No. 22. The motion prevailed.

Mr. Langseth moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 214. The motion prevailed.

Mr. Cohen moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 238. The motion prevailed.

Ms. Peterson, D.C. moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 374. The motion prevailed.

Ms. Piper moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 441. The motion prevailed.

Mr. Merriam moved that the name of Mr. Marty be added as a co-author to S.F. No. 575. The motion prevailed.

Mr. Chmielewski moved that the names of Messrs. Renneke and Johnson, D.J. be added as co-authors to S.F. No. 615. The motion prevailed.

Mr. Chmielewski moved that the names of Ms. Piper and Mr. Dicklich be added as co-authors to S.F. No. 618. The motion prevailed.

Mr. Merriam moved that the name of Mr. Larson be added as a co-author to S.F. No. 630. The motion prevailed.

Mr. DeCramer moved that the names of Mr. Dahl, Ms. Piper and Mr. Metzen be added as co-authors to S.F. No. 643. The motion prevailed.

Mr. Peterson, R.W. moved that the name of Mr. Morse be added as a co-author to S.F. No. 652. The motion prevailed.

Mr. Spear moved that the name of Ms. Piper be added as a co-author to S.F. No. 653. The motion prevailed.

Mr. Solon moved that the names of Messrs. Lessard and Marty be added as co-authors to S.F. No. 660. The motion prevailed.

Ms. Berglin moved that the names of Messrs. Samuelson and Knutson be added as co-authors to S.F. No. 680. The motion prevailed.

Ms. Berglin moved that the name of Ms. Piper be added as a co-author to S.F. No. 682. The motion prevailed.

Mr. Wegscheid introduced —

Senate Resolution No. 32: A Senate resolution congratulating the Hastings High School Boys Golf Team for winning the 1986 Minnesota State High School Class AA Golf Championship Tournament.

Referred to the Committee on Rules and Administration.

CALENDAR

S.F. No. 302: A bill for an act relating to crimes; repealing the crime of criminal syndicalism; repealing Minnesota Statutes 1986, section 609.405.

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:

Adkins	DeCramer	Knutson	Metzen	Reichgott
Anderson	Dicklich	Kroening	Moe, R.D.	Samuelson
Beckman	Frank	Laidig	Morse	Schmitz
Benson	Frederickson, D.J.	Langseth	Novak	Solon
Berg	Freeman	Lantry	Olson	Spear
Berglin	Gustafson	Larson	Pehler	Storm
Bernhagen	Hughes	Luther	Peterson, D.C.	Taylor
Bertram	Johnson, D.E.	Marty	Peterson, R.W.	Vickerman
Brandl	Johnson, D.J.	McQuaid	Pogemiller	Willet
Cohen	Jude	Mehrkins	Purfeerst	
Dahl	Knaak	Merriam	Ramstad	
Davis				

So the bill passed and its title was agreed to.

S.F. No. 157: A bill for an act relating to property interests; enacting the uniform statutory rule against perpetuities; amending Minnesota Statutes 1986, section 500.17, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 501A; repealing Minnesota Statutes 1986, section 500.13.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Adkins	Belanger	Berglin	Brandl	Davis
Anderson	Benson	Bernhagen	Cohen	DeCramer
Beckman	Berg	Bertram	Dahl	Dicklich

Frank	Knutson	McQuaid	Peterson, D.C.	Solon
Frederickson, D.J.	Kroening	Mehrkens	Peterson, R.W.	Spear
Freeman	Laidig	Merriam	Piper	Storm
Gustafson	Langseth	Metzen	Pogemiller	Stumpf
Hughes	Lantry	Moe, R.D.	Purfeerst	Taylor
Johnson, D.E.	Larson	Morse	Ramstad	Vickerman
Johnson, D.J.	Lessard	Novak	Reichgott	Willet
Jude	Luther	Olson	Samuelson	
Knaak	Marty	Pehler	Schmitz	

So the bill passed and its title was agreed to.

S.F. No. 245: A bill for an act relating to intoxicating liquor; authorizing the city of Moorhead to issue an on-sale intoxicating liquor license to the Red River Valley Center-Hjemkomst Heritage Interpretive Center.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Metzen	Reichgott
Anderson	Dicklich	Knutson	Moe, R.D.	Samuelson
Beckman	Diessner	Laidig	Morse	Schmitz
Belanger	Frank	Langseth	Novak	Solon
Benson	Frederickson, D.J.	Lantry	Olson	Spear
Berglin	Frederickson, D.R.	Larson	Pehler	Storm
Bernhagen	Freeman	Lessard	Peterson, D.C.	Stumpf
Bertram	Gustafson	Luther	Peterson, R.W.	Taylor
Brandl	Hughes	Marty	Piper	Vickerman
Cohen	Johnson, D.E.	McQuaid	Pogemiller	Wegscheid
Dahl	Johnson, D.J.	Mehrkens	Purfeerst	Willet
Davis	Jude	Merriam	Ramstad	

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 378: A bill for an act relating to utilities; requiring owners of electric power lines to trim vegetation around lines; providing that failure to trim vegetation is a nuisance; proposing coding for new law in Minnesota Statutes, chapter 561.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knaak	Merriam	Ramstad
Anderson	Dicklich	Knutson	Metzen	Reichgott
Beckman	Frank	Kroening	Moe, R.D.	Samuelson
Belanger	Frederickson, D.J.	Laidig	Morse	Schmitz
Benson	Frederickson, D.R.	Langseth	Olson	Spear
Berglin	Freeman	Lantry	Pehler	Storm
Bernhagen	Gustafson	Larson	Peterson, D.C.	Stumpf
Bertram	Hughes	Lessard	Peterson, R.W.	Taylor
Brandl	Johnson, D.E.	Luther	Piper	Wegscheid
Cohen	Johnson, D.J.	Marty	Pogemiller	Willet
Dahl	Jude	McQuaid	Purfeerst	
Davis				

Messrs. Berg, Mehrkens and Vickerman voted in the negative.

So the bill passed and its title was agreed to.

CONSENT CALENDAR

S.F. No. 368: A bill for an act relating to eminent domain; increasing appraisal fees awarded by commissioners; amending Minnesota Statutes 1986, section 117.085.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

Adkins	DeCramer	Knutson	Metzen	Reichgott
Anderson	Dicklich	Kroening	Moe, R.D.	Schmitz
Beckman	Diessner	Laidig	Morse	Spear
Belanger	Frederickson, D.J.	Langseth	Novak	Storm
Benson	Frederickson, D.R.	Lantry	Olson	Taylor
Berg	Freeman	Larson	Pehler	Vickerman
Berglin	Gustafson	Lessard	Peterson, D.C.	Waldorf
Bernhagen	Hughes	Luther	Peterson, R.W.	Wegscheid
Bertram	Johnson, D.E.	Marty	Piper	
Brandl	Johnson, D.J.	McQuaid	Pogemiller	
Cohen	Jude	Mehrkins	Purfeerst	
Dahl	Knaak	Merriam	Ramstad	
Davis				

Messrs. Frank, Samuelson, Stumpf and Willet voted in the negative.

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. No. 53, which the committee recommends to pass.

S.F. No. 184, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 21, delete “, and” and insert “or”

Page 2, line 6, delete everything after “not”

Page 2, line 7, delete everything before “advising” and insert “*apply to (1) messages from school districts to students, parents or employees, (2) messages*” and after “merchandise” insert “, *services, deliveries, installations, service calls or information*”

Page 2, line 8, after “ordered” insert “*or requested*” and delete everything after the comma

Page 2, line 9, delete everything before the second “or”

Page 2, line 10, before “advising” insert “(3) messages”

The motion prevailed. So the amendment was adopted.

On motion of Mr. Luther, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Without objection, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on Senate Concurrent Resolution No. 5. The motion prevailed.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 55: A bill for an act relating to motor vehicles; providing that the initial fee to renew personalized license plates be prorated; providing for refunds or reissues in certain cases; appropriating money.

Reports the same back with the recommendation that the report from the Committee on Transportation, shown in the Journal for February 19, 1987, be amended to read:

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 63: A bill for an act relating to motor vehicles; providing that certain license plates be issued every six years; amending Minnesota Statutes 1986, section 168.12, subdivisions 1, 2a, and 5.

Reports the same back with the recommendation that the report from the Committee on Transportation, shown in the Journal for February 19, 1987, be amended to read:

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

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

S.F. No. 133: A resolution memorializing the President and Congress to enact legislation to exempt nonprofit organizations from the federal excise tax and the unrelated business income tax on charitable gambling it conducts.

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which were referred for proper reference under Rule 35:

S.F. Nos. 310 and 151 reports the same back with the recommendation that the bills be re-referred as follows:

S.F. No. 310 to the Committee on Health and Human Services.

S.F. No. 151 to the Committee on Veterans.

Report adopted.

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

Senate Concurrent Resolution No. 5: A Senate concurrent resolution directing an interim study of the problems of the rural emergency medical system in Minnesota.

Reports the same back with the recommendation that the resolution do pass.

Mr. Moe, R.D. moved that Senate Concurrent Resolution No. 5 be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. No. 133 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Peterson, R.W.; Merriam; Knaak and Cohen introduced—

S.F. No. 684: A bill for an act relating to the collection and dissemination of data; classifying data; proposing classifications of data as private, non-public, and protected nonpublic; clarifying issues relating to the administration of data; amending Minnesota Statutes 1986, sections 13.03, subdivision 3; 13.04, subdivision 2; 13.38, by adding a subdivision; 13.39, subdivision 3; 13.43, by adding a subdivision; 13.46, subdivisions 1, 2, 7, and by adding a subdivision; and 13.76; proposing coding for new law in Minnesota Statutes, chapter 13; repealing Minnesota Statutes 1986, section 13.89.

Referred to the Committee on Judiciary.

Mr. Metzen introduced—

S.F. No. 685: A bill for an act relating to commerce; regulating electronic financial terminals; providing for the liability of consumers; defining "unauthorized use" for purposes of financial transaction card regulation; amending Minnesota Statutes 1986, sections 47.69, subdivision 3; and 325G.04, by adding a subdivision.

Referred to the Committee on Commerce.

Messrs. Wegscheid; DeCramer; Frederickson, D.R.; Peterson, R.W. and Merriam introduced—

S.F. No. 686: A bill for an act relating to agriculture; establishing liens and security interests that are subject to federal notice and registration provisions and provisions prescribing when buyers of farm products purchase subject to or free of security interests; proposing coding for new law in Minnesota Statutes, chapter 223A.

Referred to the Committee on Agriculture.

Mr. Dahl introduced—

S.F. No. 687: A bill for an act relating to the town of Oak Grove; appropriating money.

Referred to the Committee on Local and Urban Government.

Mr. Vickerman, Mrs. Adkins, Messrs. Schmitz and Renneke introduced—

S.F. No. 688: A bill for an act relating to counties; allowing counties to assign duties relating to vital statistics; allowing counties to charge fees for services; providing conditions for emergency contracts; amending Minnesota Statutes 1986, sections 144.214, subdivision 1; 375.21, subdivision 1; and 375.48, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 373; repealing Minnesota Statutes 1986, section 375A.07.

Referred to the Committee on Local and Urban Government.

Messrs. Marty, Jude and Belanger introduced—

S.F. No. 689: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted, and obsolete references and text; eliminating certain redundant, conflicting, and superseded provisions; providing instructions to the revisor; amending Minnesota Statutes 1986, sections 1.135, subdivision 3; 8.31, subdivision 1; 13.43, subdivision 6; 14.02, subdivision 4; 15.61; 17.59, subdivision 5; 17A.04, subdivision 1; 28A.15, subdivision 4; 38.27, subdivision 3; 41A.05, subdivision 2; 48.13, subdivision 2; 48.26; 49.01, subdivision 3; 49.44; 60A.17, subdivision 12; 64B.18; 72A.41, subdivision 1; 79.38, subdivision 1; 84A.08; 97A.021, subdivision 2; 97A.065, subdivision 4; 97A.205; 97A.441, subdivision 5; 97A.445, subdivision 3; 97A.465, subdivision 4; 97A.501, subdivision 2; 97A.545, subdivision 4; 97B.315; 97B.921; 97B.925; 115A.07, subdivision 1; 115A.12, subdivision 1; 115A.14, subdivision 5; 115A.162; 116C.57, subdivision 3; 116E.03, subdivision 9; 116J.72; 120.17, subdivision 5a; 121.904, subdivisions 11a and 11b; 122.541, subdivision 2; 124.01, subdivision 1; 124.195, subdivisions 8 and 9; 124.2138, subdivisions 3 and 4; 124.32, subdivision 1c; 124.472; 126.39, subdivision 11; 136.44; 136A.04, subdivision 2; 136A.06; 136D.28, subdivision 2; 136D.89, subdivision 2; 147.09; 152.02, subdivision 12; 160.283, subdivision 1; 171.05, subdivision 3; 174.255, subdivisions 1 and 2; 174.29, subdivision 1; 176.83, subdivision 7; 177.24, subdivision 2; 179A.12, subdivision 1; 182.651, subdivision 18; 193.141, subdivision 2; 193.145, subdivision 2; 214.01, subdivision 3; 219.691; 219.692; 219.743; 219.755; 222.61; 241.31, subdivision 2; 243.24, subdivision 2; 246.51, subdivision 1; 246A.02; 246A.11, subdivision 1; 246A.12, subdivisions 1 and 7; 246A.13, subdivision 1; 250.05, subdivision 2; 256.12, subdivision 14; 256.462, subdivision 2; 256B.03, subdivision 2; 257.34, subdivision 1; 260.015, subdivision 3; 260.151, subdivision 1; 268.072, subdivision 6; 271.15; 273.13, subdivision 22; 275.125, subdivisions 6a, 8, and 11c; 278.06; 290.01, subdivision 20b; 295.34, subdivision 1; 296.14, subdivision 4; 297.03, subdivision 3; 297A.06; 297A.25, subdivision 10; 308.341; 317.03; 317.65, subdivision 6; 319A.03; 319A.05; 319A.12, subdivisions 1a and 2; 322A.70; 326.03, subdivision 2; 326.06; 327.18, subdivision 3; 327C.07, subdivision 3a; 349.2121, subdivision 3; 354.05, subdivision 2; 355.311, subdivision 1; 361.26, subdivision 2; 366.095, subdivision 1; 378.43, subdivision 1; 383A.404, subdivision 7; 383B.035, subdivision 1; 383B.237; 383C.76;

386.71; 393.13, subdivision 1; 412.381; 412.501; 447.42, subdivision 2; 453.53, subdivision 3; 458A.03, subdivision 8; 458C.17; 462.601; 462.605; 462A.04, subdivision 8; 462A.05, subdivision 18; 462A.20, subdivision 3; 462C.04, subdivision 2; 462C.12, subdivision 2; 471.467, subdivision 1; 471.74, subdivision 2; 471.993, subdivision 1; 471A.03, subdivision 2; 473.149, subdivision 4; 473.181, subdivision 3; 473.811, subdivisions 6, 7, 8, and 9; 473E06; 473E07, subdivision 1; 473E09; 474A.09; 604.06; 609.53, subdivisions 1 and 1a; 609.687, subdivision 4; 611.14; 626A.05, subdivision 2; 645.02; amending Laws 1982, chapter 523, article 30, section 4, subdivision 1; and Laws 1986, chapter 399, article 1, section 17; repealing Minnesota Statutes 1986, sections 193.145, subdivision 3; and 325D.69, subdivision 1; repealing Laws 1986, chapter 463, section 3; and Laws 1986, First Special Session chapter 3, article 1, section 84.

Referred to the Committee on Judiciary.

Mses. Reichgott; Peterson, D.C.; Messrs. Spear, Ramstad and Pogemiller introduced—

S.F. No. 690: A bill for an act relating to traffic regulations; requiring a blood or urine test when there is probable cause to believe there is impairment by a controlled substance; requiring alternative test to be offered under certain conditions; amending Minnesota Statutes 1986, section 169.123, subdivisions 2 and 2a.

Referred to the Committee on Judiciary.

Ms. Peterson, D.C.; Messrs. Solon, Luther and Freeman introduced—

S.F. No. 691: A bill for an act relating to financial institutions; regulating incorporations and operations of banks; requiring approval of certain insider agreements; regulating acquisitions by bank holding companies; authorizing the commissioner to borrow money to satisfy obligations of certain closed institutions; regulating claims against liquidated institutions; providing for the organization of credit unions; regulating interest and dividends paid on deposits; regulating industrial loan and thrifts; providing for the submission of certain reports; requiring the periodic examination of collection agencies; regulating consumer deficiency judgments; modifying the examination requirement for safe deposit companies and insurance premium finance companies; regulating motor vehicle installment sales; regulating bank applications; amending Minnesota Statutes 1986, sections 46.041; 46.042; 46.07, subdivision 2; 46.131, subdivision 9; 47.10, by adding a subdivision; 47.205, subdivision 2; 48.055, subdivision 5; 48.15, subdivision 2; 48.51; 48.92, subdivision 10; 48.97, subdivision 2; 48.98, subdivision 1; 48.99, subdivisions 1 and 2; 49.04, subdivision 1; 49.05, by adding a subdivision; 49.24, subdivision 5; 52.01; 52.02, subdivision 3; 52.09, subdivision 2; 52.18; 53.04, subdivision 5; 53.09, subdivision 2; 55.095; 55.15; 59A.06, subdivision 3; 168.66, subdivisions 5 and 9; 168.705; 168.71; 168.72, subdivision 1; 168.73; 168.74; 332.29, subdivision 1; 325G.22, subdivision 1; repealing Minnesota Statutes 1986, sections 48.60 and 55.13.

Referred to the Committee on Commerce.

Ms. Peterson, D.C.; Messrs. Solon, Marty, Luther and Ms. Reichgott introduced—

S.F. No. 692: A bill for an act relating to commerce; requiring financial institutions to provide certain basic services to customers without charge; providing enforcement powers; proposing coding for new law in Minnesota Statutes, chapter 47.

Referred to the Committee on Commerce.

Messrs. Mehrkens, Waldorf, Larson, Merriam and Chmielewski introduced—

S.F. No. 693: A bill for an act proposing an amendment to the Minnesota Constitution, changing article IV, sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, and 26; article VIII, section 1; article IX, sections 1 and 2, and article XI, section 5; providing for a unicameral legislature.

Referred to the Committee on Elections and Ethics.

Mr. Wegscheid introduced—

S.F. No. 694: A bill for an act relating to health; providing for liability of professional review organizations; amending Minnesota Statutes 1986, section 145.63.

Referred to the Committee on Health and Human Services.

Messrs. Pehler; Peterson, R.W.; Wegscheid; Mehrkens and Dahl introduced—

S.F. No. 695: A bill for an act relating to education; proposing an excellence through opportunities and incentives program; providing school site opportunities; establishing a voluntary K-12 pilot choice program; expanding interdistrict cooperation aid; providing professional development funding through tier 3 of the foundation formula; establishing grants for teacher professional development centers; creating a teacher mentoring task force; developing a process for identifying a state core curriculum; providing for a comprehensive sampling program; establishing opportunities for learners at risk; authorizing state management assistance; providing for uses for new technology; appropriating money; amending Minnesota Statutes 1986, sections 121.609, subdivision 5; 121.918; 123.39, by adding a subdivision; 124.272; 124A.036, by adding a subdivision; 275.125, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 123; 124; 126; and 129B; repealing Minnesota Statutes 1986, sections 129B.35 and 129B.37.

Referred to the Committee on Education.

Messrs. Wegscheid and Renneke introduced—

S.F. No. 696: A bill for an act relating to retirement; providing for payment of an amount equal to the costs of Medicare Plan B supplemental medical coverage for retirees of the Minnesota state retirement system; appropriating money.

Referred to the Committee on Governmental Operations.

Messrs. Frederickson, D.R.; Beckman; Taylor; Chmielewski and Vickerman introduced—

S.F. No. 697: A bill for an act relating to economic development; authorizing counties to appropriate money for economic development; amending Minnesota Statutes 1986, section 375.83.

Referred to the Committee on Economic Development and Housing.

Messrs. Hughes, Knaak, Novak, Marty and Dahl introduced—

S.F. No. 698: A bill for an act relating to education; authorizing northeast metropolitan intermediate school district No. 916 to issue certain bonds for the acquisition and betterment of a secondary vocational and special education facility.

Referred to the Committee on Education.

Messrs. Lessard and Berg introduced—

S.F. No. 699: A bill for an act relating to game and fish; affording protection to crows and authorizing a season on crows; amending Minnesota Statutes 1986, sections 97A.015, subdivision 52; and 97B.731, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Messrs. Beckman and Vickerman introduced—

S.F. No. 700: A bill for an act relating to education; eliminating a restriction on interdistrict cooperation revenue based on the size of a school district; amending Minnesota Statutes 1986, sections 124.272, subdivision 4; and 275.125, subdivision 8a.

Referred to the Committee on Education.

Messrs. Wegscheid and Freeman introduced—

S.F. No. 701: A bill for an act relating to labor; prohibiting certain terminations; requiring notice of reasons for terminations; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Employment.

Mr. Wegscheid introduced—

S.F. No. 702: A bill for an act relating to the environment; allowing local governments to utilize amounts attributable to inflow of infiltration for rehabilitation of sewer systems; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Local and Urban Government.

Messrs. Pogemiller; Frederickson, D.J.; Frederickson, D.R. and Moe, D.M. introduced—

S.F. No. 703: A bill for an act relating to occupations and professions; providing for the licensure of private detectives and protective agents; providing definitions; providing board powers and duties; specifying application and administrative procedure; authorizing rulemaking; requiring

payment of fees; providing penalties; amending Minnesota Statutes 1986, sections 326.32, subdivisions 1, 5, 11, and by adding subdivisions; 326.33, subdivisions 1 and 2; 326.336; 326.338, subdivision 1, and by adding a subdivision; and 326.339; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1986, sections 326.32, subdivisions 6 and 7; 326.33, subdivisions 3, 4, and 5; 326.331; 326.332; 326.333; 326.334; 326.337; and 326.338, subdivisions 2 and 3.

Referred to the Committee on Governmental Operations.

Messrs. Wegscheid, Marty, Jude, Taylor and Moe, D.M. introduced—

S.F. No. 704: A bill for an act relating to administrative procedure; defining certain terms; requiring agencies to solicit outside information before publishing proposed rules; limiting instances in which agencies are required to consider the impact of proposed rules on small businesses; providing for regulatory analyses of proposed rules in certain instances; empowering agencies to adopt emergency rules in certain circumstances; providing a procedure for the commissioner of human services to adopt rules required by federal directive; abolishing the power of the legislative commission for review of administrative rules to suspend rules; requiring the commission to review exemptions from the administrative procedure act; permitting the commission to review federally mandated rules; amending Minnesota Statutes 1986, sections 14.02; 14.05, subdivisions 2 and 4; 14.07, subdivision 2; 14.08; 14.10; 14.115, subdivision 7, and by adding a subdivision; 14.131; 14.15, subdivision 3; 14.23; 14.26; 14.29; 14.30; 14.31; 14.32, subdivision 1; 14.33; 14.35; 14.36; 14.365; 14.37, subdivision 1; 14.40; 14.57; and 14.62, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 1986, sections 14.115, subdivision 1; 14.42; and 14.43.

Referred to the Committee on Governmental Operations.

Messrs. Jude, Ramstad, Cohen, Marty and Spear introduced—

S.F. No. 705: A bill for an act relating to utilities; providing for prevention of unlawful meter bypass, tampering, and use; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Judiciary.

Messrs. Marty, Beckman, Morse and Moe, D.M. introduced—

S.F. No. 706: A bill for an act relating to crimes; including live performances in the statute regulating exposure of minors to sexually provocative material; amending Minnesota Statutes 1986, sections 617.291, subdivision 2; and 617.294.

Referred to the Committee on Judiciary.

Mr. Pogemiller introduced—

S.F. No. 707: A bill for an act relating to housing and redevelopment; revising interest reduction programs; allowing authorities economic development powers; changing the allowable tax levy for authorities; amending Minnesota Statutes 1986, sections 462.445, subdivisions 10, 12, and by adding a subdivision; and 465.545, subdivision 6; repealing Minnesota Statutes 1986, section 462.445, subdivision 13.

Referred to the Committee on Economic Development and Housing.

Mr. Merriam introduced—

S.F. No. 708: A bill for an act relating to waste management; regulating disposal of wastes; providing for a solid waste management policy; providing for recycling policy and marketing; managing household hazardous wastes; regulating the sale and disposal of motor oil and lead acid batteries; providing for waste pesticide collection; appropriating money; amending Minnesota Statutes 1986, sections 115A.03, subdivisions 9 and 21; 115A.06, subdivision 14; 115A.11, subdivision 2; 115A.42; 115A.45; 115A.49; 115A.51; 115A.52; 115A.53; 115A.54, subdivision 2a; 115A.81, subdivision 2; 115A.921; 115A.95; 116.07, subdivision 4b; 116.41, subdivision 2; 116M.07, by adding a subdivision; 176.011, subdivision 9; 325E.11; 473.149, subdivisions 2d and 6; 473.803, by adding a subdivision; 473.834, subdivision 2; 473.842, subdivision 2; 473.844, subdivisions 1 and 4; and 473.846; proposing coding for new law in Minnesota Statutes, chapters 115A; 239; 325E; and 473; repealing Minnesota Statutes 1986, sections 115A.13; 115A.43; 115A.44; 473.834, subdivision 3; and 473.844, subdivisions 2 and 5.

Referred to the Committee on Environment and Natural Resources.

Mr. Willet introduced—

S.F. No. 709: A bill for an act relating to corrections; requiring the commissioner to authorize travel for funerals and deathbed visits; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 241.

Referred to the Committee on Health and Human Services.

Messrs. Novak, Solon, Luther, Metzen and Taylor introduced—

S.F. No. 710: A bill for an act relating to commerce; regulating membership camping practices; prohibiting certain advertising practices; establishing escrow requirements; regulating subdivided land sales practices; prohibiting certain advertising practices; amending Minnesota Statutes 1986, sections 82A.02, subdivisions 2, 10, and 19; 82A.04, subdivision 2; 82A.09, by adding a subdivision; 82A.11, subdivision 3; 82A.21; and 82A.24, subdivisions 3 and 6; proposing coding for new law in Minnesota Statutes, chapters 82A and 83.

Referred to the Committee on Commerce.

Mr. Lessard introduced—

S.F. No. 711: A bill for an act relating to Koochiching county; permitting the county to establish a bidstead development authority.

Referred to the Committee on Local and Urban Government.

Ms. Berglin and Mr. Spear introduced—

S.F. No. 712: A bill for an act relating to jobs and training; establishing limits for rates under the child care sliding fee program; amending Minnesota Statutes 1986, section 268.91, subdivision 8.

Referred to the Committee on Health and Human Services.

Messrs. Diessner and Stumpf introduced—

S.F. No. 713: A bill for an act relating to local government aid; modifying the distribution formula for cities; amending Minnesota Statutes 1986, sections 477A.011, by adding a subdivision; 477A.013, subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1986, sections 477A.011, subdivisions 3a, 4, 5, 6, 7, 7a, 10, 12, 13, and 14; and 477A.013, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S.F. No. 714: A bill for an act relating to tax-forfeited land; authorizing private sale of tax-forfeited land in Chisago county.

Referred to the Committee on Environment and Natural Resources.

Mr. Moe, R.D. introduced—

S.F. No. 715: A bill for an act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in East Grand Forks, Polk county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Renneke, Anderson, Larson, Bernhagen and Frederickson, D.R. introduced—

S.F. No. 716: A bill for an act relating to agriculture; extending and financing the interest rate buy-down program; establishing benefit limits; appropriating money; amending Laws 1986, chapter 398, article 23, section 1, subdivisions 5 and 6, and by adding a subdivision; and section 3, subdivision 5.

Referred to the Committee on Agriculture.

Mr. Berg introduced—

S.F. No. 717: A bill for an act relating to agriculture; strengthening the pesticide laws; imposing penalties; appropriating money; amending Minnesota Statutes 1986, sections 18A.21, subdivisions 1, 4, 5, 7, 8, 10, 12, 16, 19, 20, 21, 22, 23, 27, 29, 30, 31, 32, 33, 34, 35, 36, and by adding subdivisions; 18A.22, subdivisions 1, 2, 5, 7, and 8; 18A.23; 18A.24; 18A.25; 18A.27; 18A.28, subdivisions 1, 2, 3, 4, and by adding a subdivision; 18A.29, subdivisions 1, 3, and by adding subdivisions; 18A.30; 18A.31; 18A.32; 18A.33; 18A.34; 18A.35; 18A.37; 18A.39; 18A.41; 18A.42; 18A.43; 18A.44; and 18A.45; proposing coding for new law in Minnesota Statutes, chapter 18A; repealing Minnesota Statutes 1986, sections 18A.26; 18A.28, subdivisions 5 and 6; 18A.29, subdivision 2; and 18A.36.

Referred to the Committee on Agriculture.

Messrs. Vickerman, Frederickson, D.J.; Morse and Beckman introduced—

S.F. No. 718: A bill for an act relating to taxation; providing for reimbursement to counties for property tax software costs; appropriating money.

Referred to the Committee on Taxes and Tax Laws.

Mr. Benson introduced—

S.F. No. 719: A bill for an act relating to drivers' licenses; providing that person in charge of visiting minor foreign student may verify written permission of the student's parents for purpose of applying for a driver's license or instruction permit; amending Minnesota Statutes 1986, section 171.04.

Referred to the Committee on Transportation.

Mr. Cohen introduced—

S.F. No. 720: A bill for an act relating to human services; endorsing the Store-to-Door grocery delivery program for certain elderly citizens; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Health and Human Services.

Mr. Bertram introduced—

S.F. No. 721: A bill for an act relating to veterans; requiring the placement of a plaque on the Capitol grounds recognizing certain prisoners of war and soldiers missing in action.

Referred to the Committee on Veterans.

Messrs. Hughes, Marty, Jude and Mrs. Lantry introduced—

S.F. No. 722: A bill for an act relating to state investments; limiting investments in companies doing business in Northern Ireland; proposing coding for new law in Minnesota Statutes, chapter 11A.

Referred to the Committee on Governmental Operations.

Mr. Diessner introduced—

S.F. No. 723: A bill for an act relating to taxation; extending the definition of capital equipment for purposes of the sales tax to include replacement equipment; providing for reduced sales tax rates and exemption for sales of capital equipment; imposing the sales tax on sales of new clothing; providing an income tax credit to offset the sales tax on sales of new clothing; amending Minnesota Statutes 1986, sections 290.06, by adding a subdivision; 297A.01, subdivision 16; 297A.02, subdivision 2; 297A.14; and 297A.25, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 297A.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Schmitz, Frederick, Benson and Kroening introduced—

S.F. No. 724: A bill for an act relating to horse racing; modifying the purse structure; providing for the representation of horsemen contracting with a licensee; modifying taxes; eliminating the payment of a percentage of the breakage to the commission; amending Minnesota Statutes 1986, sections 240.13, subdivision 5; 240.15, subdivisions 1 and 2.

Referred to the Committee on General Legislation and Public Gaming.

Mr. Frederick introduced—

S.F. No. 725: A bill for an act relating to local government; removing limitations on tax adjustments related to annexations; amending Minnesota Statutes 1986, section 414.035.

Referred to the Committee on Local and Urban Government.

Messrs. Samuelson; Renneke; Moe, R.D.; Langseth and Wegscheid introduced—

S.F. No. 726: A bill for an act relating to occupations and professions; requiring health maintenance organizations to offer chiropractic services and specifying the conditions of those services; amending Minnesota Statutes 1986, sections 62D.02, subdivision 7; 62D.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62D.

Referred to the Committee on Health and Human Services.

Mr. Lessard introduced—

S.F. No. 727: A bill for an act relating to lotteries; creating a Minnesota lottery agency and providing for its powers and duties; authorizing the sale of lottery tickets; providing penalties; requiring profits from the lottery to be dedicated to the reinvest in Minnesota resources fund and to the general fund to be used for economic development in greater Minnesota; establishing the reinvest in Minnesota resources endowment fund; appropriating money; amending Minnesota Statutes 1986, sections 10A.01, subdivision 18; 15A.081, subdivision 1; 290.09, by adding a subdivision; and 609.761; proposing coding for new law in Minnesota Statutes, chapters 84 and 297A; proposing coding for new law as Minnesota Statutes, chapter 240A.

Referred to the Committee on General Legislation and Public Gaming.

Messrs. Luther, Solon, Novak and Moe, R.D. introduced—

S.F. No. 728: A bill for an act relating to commerce; requiring that solicitations for new open-end credit contain specific disclosures respecting conditions and costs; prescribing penalties; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 334.

Referred to the Committee on Commerce.

Messrs. Frederickson, D.J.; Davis; Morse and DeCramer introduced—

S.F. No. 729: A bill for an act relating to motor fuels; providing that unleaded gasoline sold in Minnesota after June 30, 1987, must be blended with ethanol; amending Minnesota Statutes 1986, section 296.05, subdivision 1, and by adding a subdivision.

Referred to the Committee on Agriculture.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Monday, March 9, 1987. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate