

## SEVENTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 5, 1992

The Senate met at 1:30 p.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Moe, R.D. 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. Eugene W. Tiffany.

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

Adkins	Davis	Johnson, D.J.	Mehrkens	Ranum
Beckman	Day	Johnson, J.B.	Merriam	Reichgott
Belanger	DeCramer	Johnston	Metzen	Renneke
Benson, D.D.	Dicklich	Kelly	Moe, R.D.	Riveness
Benson, J.E.	Finn	Knaak	Mondale	Sams
Berg	Flynn	Kroening	Morse	Samuelson
Berglin	Frank	Laidig	Neuville	Solon
Bernhagen	Frederickson, D.R.	Langseth	Novak	Spear
Bertram	Gustafson	Larson	Olson	Stumpf
Brataas	Halberg	Lessard	Pappas	Terwilliger
Chmielewski	Hottinger	Luther	Pariseau	Traub
Cohen	Hughes	Marty	Piper	Vickerman
Dahl	Johnson, D.E.	McGowan	Price	Waldorf

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

Messrs. Frederickson, D.J. and Pogemiller were excused from the Session of today.

### REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to appointments. The motion prevailed.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 1917: A bill for an act relating to the state board of investment; management of funds under board control; authorizing certain investments by the board; amending Minnesota Statutes 1990, sections 11A.04; 11A.14,

subdivision 2; 11A.16, subdivision 5; 11A.17, subdivisions 1, 4, 9, 14, and by adding a subdivision; 11A.18, subdivision 11; 116P.11; 352D.04, subdivision 1; 352D.09, subdivision 7; 354B.04, by adding a subdivision; and 354B.05, subdivision 3; Minnesota Statutes 1991 Supplement, sections 11A.24, subdivision 4; 353D.05, subdivisions 2 and 3; and 354B.07, subdivision 2.

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

Pages 1 to 3, delete section 1

Page 4, line 36, delete "*specified in section 11A.24*"

Page 5, lines 17 and 31, after "*to*" insert "*one-twelfth of an annual charge equal to*"

Page 8, line 1, after "*of*" insert "*this*"

Page 8, line 2, delete "*11A.24*"

Page 13, delete section 16

Page 14, line 19, delete "*18*" and insert "*16*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "*11A.04;*"

Page 1, line 9, delete "*354B.04, by adding a subdivision;*"

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

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

H.F. No. 1132: A bill for an act relating to natural resources; providing for enforcement of sanctions for hunting while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1990, section 97B.065; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1990, section 97A.421, subdivision 4, is amended to read:

Subd. 4. [ISSUANCE AFTER INTOXICATION OR NARCOTICS CONVICTION.] *If a person is convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain the court may prohibit the person from obtaining a license to hunt with a firearm or by archery for up to five years after conviction.*"

Page 1, line 22, delete "*No*" and insert "*An*"

Page 1, line 23, delete "*shall*" and insert "*may not*"

Page 2, line 2, delete everything after the headnote

Page 2, delete line 3 and insert "*A peace officer may*"

Page 2, line 18, delete "*shall*" and insert "*must*"

Page 2, lines 20, 22, 24, and 25, delete "2" and insert "3"

Page 3, line 11, delete "2" and insert "3"

Page 3, delete lines 18 to 24

Page 4, line 28, delete "*of*" and insert "*or*"

Page 6, after line 5, insert:

"Sec. 4. [EFFECTIVE DATE.]

*Sections 1 to 3 are effective August 1, 1992, and apply to crimes committed on or after that date."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "section" and insert "sections 97A.421, subdivision 4; and"

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

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

S.F. No. 1858: A bill for an act relating to waste management; requiring recycling of fluorescent lamps in state buildings; amending Minnesota Statutes 1990, section 16B.24, by adding a subdivision.

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

Page 1, line 13, after "*recycled*" insert "*if recycling facilities are available in this state*"

Page 1, line 17, after "*environment*" insert "*to the maximum extent possible*"

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

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

S.F. No. 2101: A bill for an act relating to state parks; authorizing the commissioner of natural resources to negotiate a special fee structure for the Split Rock Lighthouse state historic site within Split Rock Lighthouse state park; amending Minnesota Statutes 1990, section 85.053, by adding a subdivision.

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

Mr. Solon from the Committee on Commerce, to which was referred

S.F. No. 1109: A bill for an act relating to commerce; requiring additional license for motor vehicle lessor, wholesaler, or auctioneer when establishing additional place of doing business in a second class city outside of the

metropolitan area; amending Minnesota Statutes 1990, section 168.27, subdivision 10.

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

Mr. Bertram from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 2068: A bill for an act relating to appropriations; appropriating money for the purchase of certain land of historical value in Goodhue county.

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

Mr. Bertram from the Committee on Veterans and General Legislation, to which was referred

S.F. No. 1803: A bill for an act relating to cemeteries; providing for burials in the winter season; proposing coding for new law in Minnesota Statutes, chapter 306.

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

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

S.F. No. 1933: A bill for an act relating to waste management; adding provisions relating to permit fees for solid waste facilities; authorizing rulemaking; amending Minnesota Statutes 1991 Supplement, section 116.07, subdivision 4d.

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

Page 4, line 1, delete "EMERGENCY" and delete "OF PERMANENT"

Page 4, line 2, delete "RULES"

Page 4, line 3, delete the first comma and insert "*adopt rules*"

Page 4, line 4, delete "*adopt emergency rules*" and insert "*for*"

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 1969: A bill for an act relating to children; providing juvenile crime prevention funding for head start programs; authorizing a grant to a statewide parent self-help child abuse prevention organization; appropriating money; amending Minnesota Statutes 1991 Supplement, section 268.914, by adding a subdivision.

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

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 2020: A bill for an act relating to health; authorizing grants for a home health visiting program designed to prevent abuse and neglect of children; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145A.

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

Mr. Davis from the Committee on Agriculture and Rural Development, to which were referred the following appointments as reported in the Journal for February 24, 1992:

#### BOARD OF ANIMAL HEALTH

Patty Christensen  
Russell John Wirt

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

Mr. Moe, R.D. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Novak from the Committee on Energy and Public Utilities, to which was referred

S.F. No. 2030: A bill for an act relating to energy; appropriating money to energy and conservation account for programs to improve energy efficiency of residential oil-fired heating plants in low-income households.

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 1990, section 115C.08, subdivision 3, is amended to read:

Subd. 3. [PETROLEUM TANK RELEASE CLEANUP FEE.] A petroleum tank release cleanup fee is imposed on the use of tanks that contain petroleum products ~~subject to the inspection fee charged in section 239.78. The fee must be collected in the manner provided in sections 239.78 and 296.14 defined in section 296.01. On products other than gasoline, the fee must be paid in the manner provided in section 296.14 by the first licensed distributor receiving the product in Minnesota, as defined in section 296.01.~~ The fee must be imposed as required under subdivision 3, at a rate of \$10 per 1,000 gallons of petroleum products ~~as defined in section 296.01, subdivision 2,~~ rounded to the nearest 1,000 gallons. A distributor who fails to pay the fee imposed under this section is subject to the penalties provided in section 296.15.

Sec. 2. [116.492] [BASEMENT STORAGE TANKS; REMOVAL.]

*A person who removes a basement heating oil storage tank shall ensure that fill and vent pipes through the basement wall to the outside are also removed or sealed.*

Sec. 3. Minnesota Statutes 1991 Supplement, section 239.78, is amended

to read:

239.78 [INSPECTION FEES.]

A person who owns petroleum products held in storage at a pipeline terminal, river terminal, or refinery shall pay an inspection fee of 75 85 cents for every 1,000 gallons sold or withdrawn from the terminal or refinery storage. The revenue from the fee must cover the amounts appropriated for petroleum product quality inspection expenses, for the inspection and testing of petroleum product measuring devices as required by this chapter, and for petroleum supply monitoring under chapter 216C.

The commissioner of revenue shall credit a person for inspection fees previously paid in error or for any material exported or sold for export from the state upon filing of a report in a manner approved by the department. The commissioner of revenue may collect the inspection fees along with any taxes due under chapter 296.

Sec. 4. [239.785] [PROPANE SALES.]

*The operator of a terminal that sells propane for resale to retail customers in this state shall pay a fee equal to one mill for each gallon of propane sold by the terminal. The fee must be remitted monthly to the commissioner of public service.*

Sec. 5. [APPROPRIATION.]

*Of the revenue received from the increase in the petroleum product inspection fee under Laws 1991, chapter 235, article 1, section 6, \$750,000 is appropriated from the general fund to the energy and conservation account established in Minnesota Statutes, section 216B.241, subdivision 2a, to be available until June 30, 1993, for programs administered by the commissioner of public service or other state agency to improve the energy efficiency of residential oil-fired heating plants in low-income households.*

Sec. 6. [APPROPRIATION.]

*Of the revenue received under section 4, \$350,000 is appropriated from the general fund to the energy and conservation account established by Minnesota Statutes, section 216B.241, subdivision 2a, to be available until June 30, 1993, for low income energy assistance programs serving residential propane customers who use propane as their heating fuel."*

Delete the title and insert:

"A bill for an act relating to energy; prescribing the method of payment of petroleum tank release cleanup fees; requiring persons who remove basement heating oil storage tanks to remove fill and vent pipes to the outside; changing the inspection fee for petroleum products; imposing a fee on sales of propane; appropriating money to energy and conservation account for programs to improve energy efficiency of residential oil-fired heating plants in low-income households; amending Minnesota Statutes 1990, section 115C.08, subdivision 3; and Minnesota Statutes 1991 Supplement, section 239.78; proposing coding for new law in Minnesota Statutes, chapters 116 and 239."

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

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

S.F. No. 1958: A bill for an act relating to water; requiring criteria for water deficiency declarations; prohibiting the use of groundwater for lake level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1990, sections 103G.101, subdivision 1; 103G.261; 103G.271, by adding subdivisions; 103G.281, subdivisions 2 and 3; 103G.285, subdivision 1; 115.03, subdivision 1; 473.175, subdivision 1; 473.851; 473.858, by adding a subdivision; and 473.859, subdivisions 3, 4, and by adding a subdivision; Minnesota Statutes 1991 Supplement, section 473.156, subdivision 1; repealing Minnesota Statutes 1990, section 103G.285, subdivision 6.

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 1990, section 103G.101, subdivision 1, is amended to read:

Subdivision 1. [DEVELOPMENT.] The commissioner shall develop a water resources conservation program for the state. The program must include conservation, allocation, and development of waters of the state for the best interests of the people, *and must include criteria for a deficiency declaration by the governor under section 103G.291, subdivision 1.*

Sec. 2. Minnesota Statutes 1990, section 103G.261, is amended to read:

103G.261 [WATER ALLOCATION PRIORITIES.]

(a) The commissioner shall adopt rules for allocation of waters based on the following priorities for the consumptive appropriation and use of water:

(1) first priority, domestic water supply, excluding industrial and commercial uses of municipal water supply, and use for power production that meets the contingency planning provisions of section 103G.285, subdivision 6;

(2) second priority, a use of water that involves consumption of less than 10,000 gallons of water per day;

(3) third priority, agricultural irrigation, and processing of agricultural products involving consumption in excess of 10,000 gallons per day;

(4) fourth priority, power production in excess of the use provided for in the contingency plan developed under section 103G.285, subdivision 6; and

(5) fifth priority: uses, other than agricultural irrigation, processing of agricultural products, and power production, involving consumption in excess of 10,000 gallons per day and nonessential uses of public water supplies as defined in section 103G.291.

(b) For the purposes of this section, “consumption” means water withdrawn from a supply that is lost for immediate further use in the area.

(c) Appropriation and use of surface water from streams during periods

of flood flows and high water levels must be encouraged subject to consideration of the purposes for use, quantities to be used, and the number of persons appropriating water.

(d) Appropriation and use of surface water from lakes of less than 500 acres in surface area must be discouraged.

(e) The treatment and reuse of water for nonconsumptive uses shall be ~~discouraged~~ encouraged.

(f) Diversions of water from the state for use in other states or regions of the United States or Canada must be discouraged.

Sec. 3. Minnesota Statutes 1990, section 103G.271, is amended by adding a subdivision to read:

*Subd. 5a. [PROHIBITION OF USE OF GROUNDWATER FOR MAINTENANCE OF SURFACE WATER LEVELS.] The commissioner shall revoke all existing permits and shall issue no new permits for the appropriation or use of groundwater in excess of 5,000,000 gallons per year primarily to maintain or increase surface water levels in the metropolitan area and other areas of concern as determined by the commissioner.*

Sec. 4. Minnesota Statutes 1990, section 103G.271, is amended by adding a subdivision to read:

*Subd. 8. [PERMIT REVIEW.] The commissioner shall:*

*(1) adopt procedures for review, by January 1, 1998, of each metropolitan area municipal permit existing on August 1, 1992, after which the permit may be modified by the commissioner to conform with sections 103G.255 to 103G.297;*

*(2) establish a schedule that provides for review of all permits at least once every ten years, including review of contingency plans required under subdivision 9;*

*(3) adopt procedures for submission to and review by the metropolitan council of municipal public water supply permits and applications in the metropolitan area for conformance with local water supply plans adopted under section 473.859, subdivision 3, clause (4);*

*(4) develop and implement a plan for establishing water conservation measures applicable to all permits; and*

*(5) adopt procedures for review of proposed new or rehabilitated metropolitan area municipal wells before approval by the commissioner of health under section 144.383, paragraph (a).*

Sec. 5. Minnesota Statutes 1990, section 103G.271, is amended by adding a subdivision to read:

*Subd. 9. [CONTINGENCY PLANNING.] Applicants for permits and holders of existing permits must submit contingency plans that describe the alternatives the applicant or permittee will use if further appropriation is restricted due to the flow of the stream, the level of a waterbasin, source contamination, or fluctuation in groundwater levels. If the commissioner determines that implementation of the contingency plan is not feasible, a permit may not be issued or must be modified.*

Sec. 6. Minnesota Statutes 1990, section 103G.281, subdivision 3, is amended to read:



Subd. 3. [REPORT.] (a) Records of the amount of water appropriated or used must be kept for each installation. *For municipal permittees, the records must separately detail the domestic, industrial, commercial, irrigation, and institutional components of water appropriated or used.* The readings and ~~the total amount of water appropriated~~ records must be reported annually to the commissioner on or before February 15 of the following year on forms provided by the commissioner.

(b) The *readings and* records must be submitted with the annual water use permit processing fee in section 103G.271.

Sec. 7. Minnesota Statutes 1990, section 103G.281, is amended by adding a subdivision to read:

*Subd. 4. [FLOW METERS.] A municipal public water supply permittee in the metropolitan area must ensure that flow meters are installed by January 1, 1995, to measure the quantity of water used by each customer.*

Sec. 8. Minnesota Statutes 1990, section 115.03, subdivision 1, is amended to read:

Subdivision 1. The agency is hereby given and charged with the following powers and duties:

(a) To administer and enforce all laws relating to the pollution of any of the waters of the state;

(b) To investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

(c) To establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;

(d) To encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;

(e) To adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, rules, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities;

(1) Requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;

(2) Prohibiting or directing the abatement of any discharge of sewage, industrial waste, or other wastes, into any waters of the state or the deposit thereof or the discharge into any municipal disposal system where the same is likely to get into any waters of the state in violation of this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying the schedule of compliance within which such prohibition or abatement must be accomplished;

(3) Prohibiting the storage of any liquid or solid substance or other pollutant in a manner which does not reasonably assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state;

(4) Requiring the construction, installation, maintenance, and operation by any person of any disposal system or any part thereof, or other equipment and facilities, or the reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, or the adoption of other remedial measures to prevent, control or abate any discharge or deposit of sewage, industrial waste or other wastes by any person;

(5) Establishing, and from time to time revising, standards of performance for new sources taking into consideration, among other things, classes, types, sizes, and categories of sources, processes, pollution control technology, cost of achieving such effluent reduction, and any nonwater quality environmental impact and energy requirements. Said standards of performance for new sources shall encompass those standards for the control of the discharge of pollutants which reflect the greatest degree of effluent reduction which the agency determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants. New sources shall encompass buildings, structures, facilities, or installations from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication by the agency of proposed rules prescribing a standard of performance which will be applicable to such source. Notwithstanding any other provision of the law of this state, any point source the construction of which is commenced after May 20, 1973, and which is so constructed as to meet all applicable standards of performance for new sources shall, consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution Control Act, not be subject to any more stringent standard of performance for new sources during a ten-year period beginning on the date of completion of such construction or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first. Construction shall encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(6) Establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system;

(7) Requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency shall prescribe, and providing such other information as the agency may reasonably require;

(8) Notwithstanding any other provision of this chapter, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement

of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision 5, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency shall hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation shall not become effective and shall be adjusted as it applies to such person;

(9) Modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants; and

*(10) Requiring that applicants for water discharge permits evaluate in their applications the potential reuses of the discharged water, including reuse as potable water;*

(f) To require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;

(g) To prescribe and alter rules, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state;

(h) To conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable for the discharge of its duties under this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings;

(i) For the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste

treatment management plans, and to provide for the implementation of any such plans by means of, including, but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

(j) To train water pollution control personnel, and charge such fees therefor as are necessary to cover the agency's costs. All such fees received shall be paid into the state treasury and credited to the pollution control agency training account;

(k) To impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder;

(l) To set a period not to exceed five years for the duration of any National Pollutant Discharge Elimination System permit;

(m) To require a governmental subdivision that owns or operates a wastewater disposal system to have a plan to address its ability to pay the costs of making major repairs to the existing system and planning and constructing an adequate replacement system at the end of the existing system's expected useful life; and

(n) To train individual sewage treatment system personnel, including persons who design, construct, install, inspect, service, and operate individual sewage treatment systems, and charge fees as necessary to pay the agency's costs. All fees received must be paid into the state treasury and credited to the agency's training account. Money in the account is appropriated to the agency to pay expenses related to training.

Sec. 9. Minnesota Statutes 1991 Supplement, section 473.156, subdivision 1, is amended to read:

Subdivision 1. [PLAN COMPONENTS.] The metropolitan council shall develop a short-term and long-term plan for existing and expected water use and supply in the metropolitan area. The plan shall be submitted to and reviewed by the commissioner of natural resources for consistency with the statewide drought plan under section 103G.293. At a minimum, the plans must:

(1) *routinely* update the data and information on water supply and use within the metropolitan area *and develop a water use and availability database;*

(2) *develop regional groundwater and surface water models, and demand forecasts for resource evaluation;*

(3) *identify and evaluate* alternative courses of action, including *baseline* water conservation initiatives and economic alternatives, *and evaluate alternative water supplies inside and outside the metropolitan area, including the Mississippi headwaters,* in case of drought or contamination conditions; *and*

~~(3)~~ (4) *recommend long-term approaches to resolving* problems that may develop because of water use and supply with consideration given to problems that occur outside of the metropolitan area, but which have an effect

within the area; and

(4) ~~be consistent with the statewide drought plan under section 103G.293.~~

Sec. 10. Minnesota Statutes 1990, section 473.175, subdivision 1, is amended to read:

Subdivision 1. The council shall review the comprehensive plans of local governmental units and the capital improvement programs of school districts, prepared and submitted pursuant to Laws 1976, chapter 127, sections 1 to 23, to determine their compatibility with each other and conformity with metropolitan system plans. The council shall review and comment on the apparent consistency of the comprehensive plans and capital improvement programs with ~~other adopted chapters~~ *plans of the metropolitan development guide council*. The council may require a local governmental unit to modify any comprehensive plan or part thereof which may have a substantial impact on or contain a substantial departure from metropolitan system plans.

Sec. 11. Minnesota Statutes 1990, section 473.851, is amended to read:

473.851 [LEGISLATIVE FINDINGS AND PURPOSE.]

The legislature finds and declares that the local governmental units within the metropolitan area are interdependent, that the growth and patterns of urbanization within the area create the need for additional state, metropolitan and local public services and facilities and increase the danger of air and water pollution *and water shortages*, and that developments in one local governmental unit may affect the provision of regional capital improvements for sewers, transportation, airports, *water supply*, and regional recreation open space. Since problems of urbanization and development transcend local governmental boundaries, there is a need for the adoption of coordinated plans, programs and controls by all local governmental units and school districts in order to protect the health, safety and welfare of the residents of the metropolitan area and to ensure coordinated, orderly and economic development. Therefore, it is the purpose of sections 462.355, subdivision 4, 473.175, and 473.851 to 473.871 to (1) establish requirements and procedures to accomplish comprehensive local planning with land use controls consistent with planned, orderly and staged development and the metropolitan system plans, and (2) to provide assistance to local governmental units and school districts within the metropolitan area for the preparation of plans and official controls appropriate for their areas and consistent with metropolitan system plans.

Sec. 12. Minnesota Statutes 1990, section 473.858, is amended by adding a subdivision to read:

*Subd. 2a. [SUBMISSION TO COUNTY.] Before submission of proposed plans to the council, local governmental units that use groundwater for all or part of their water supply shall submit the plans to the counties in which they are located if the counties have adopted groundwater plans under section 103B.255. The counties must review the plans within three months of their submission to the counties.*

Sec. 13. Minnesota Statutes 1990, section 473.859, subdivision 3, is amended to read:

Subd. 3. [PUBLIC FACILITIES PLAN.] A public facilities plan shall describe the character, location, timing, sequence, function, use and capacity of existing and future public facilities of the local governmental unit.

A public facilities plan must be in at least such detail as may be necessary to establish existing or potential effects on or departures from metropolitan system plans and to protect metropolitan system plans. A public facilities plan shall contain at least the following parts:

(a) (1) a transportation plan describing, designating and scheduling the location, extent, function and capacity of existing and proposed local public and private transportation services and facilities;

(b) (2) a sewer policy plan describing, designating and scheduling the areas to be sewered by the public system, the existing and planned capacities of the public system, the standards and conditions under which the installation of private sewer systems will be permitted, and to the extent practicable, the areas not suitable for public or private systems because of public health, safety and welfare considerations;

(c) (3) a parks and open space plan describing, designating and scheduling the existing and proposed parks and recreation open spaces within the jurisdiction; and

(4) a water supply plan including:

(i) description of the existing water supply system, including the source of water, well, and treatment plant locations and major supply lines; an inventory of commercial and industrial users; an indication of the community's intent to make future changes or additions to the system, including projections for population and industrial and commercial use and the methods by which this growth will be served;

(ii) a statement of the community's objectives, policies, and standards for operating the water supply system;

(iii) a conservation program that contains the goals of the program, demand and supply conservation techniques to be used, a program for meter installation and reading if neither exists, an evaluation of pricing methods that could be used to reduce demand, the conditions under which conservation actions would occur, a process for reducing nonessential uses according to the priority system under section 103G.261, and the education program that will be used to inform the public of the need to conserve and the methods available to achieve conservation;

(iv) an emergency preparedness or contingency plan, as described in section 103G.271, subdivision 9;

(v) an indication of the possibility for joint efforts with neighboring communities or other public entities to share water sources and treatment, interconnection for routine or emergency supply, pursuit of alternative supplies, and water source protection;

(vi) a statement of the water supply problems that the community experiences or expects to experience, and any proposed solutions, especially those that would impact other communities or the region; and

(vii) for those communities served by groundwater, a wellhead protection plan prepared in accordance with rules adopted under section 103I.101.

Sec. 14. Minnesota Statutes 1990, section 473.859, subdivision 4, is amended to read:

Subd. 4. [IMPLEMENTATION PROGRAM.] An implementation program shall describe public programs, fiscal devices and other specific actions

to be undertaken in stated sequence to implement the comprehensive plan and ensure conformity with metropolitan system plans. An implementation program must be in at least such detail as may be necessary to establish existing or potential effects on or departures from metropolitan system plans and to protect metropolitan system plans. An implementation program shall contain at least the following parts:

(a) A description of official controls, addressing at least the matters of zoning, subdivision, *water supply*, and private sewer systems, and a schedule for the preparation, adoption, and administration of such controls.

(b) A capital improvement program for transportation, sewers, parks, *water supply*, and open space facilities.

(c) A housing implementation program, including official controls to implement the housing element of the land use plan, which will provide sufficient existing and new housing to meet the local unit's share of the metropolitan area need for low and moderate income housing.

Sec. 15. Minnesota Statutes 1990, section 473.859, is amended by adding a subdivision to read:

*Subd. 6. [PLAN REVIEW.] The council shall prepare guidelines for the preparation of the plans by January 1, 1993. The plans must be submitted to the council by January 1, 1995. The council shall review the plans under section 473.175, subdivision 1.*

Sec. 16. [REPORTS TO LEGISLATURE.]

*(a) The commissioner of the pollution control agency and the commissioner of natural resources shall jointly prepare an emergency and drought response program for the Mississippi river and shall report to the appropriate committees and commissions of the legislature by January 1, 1995. The program must address accidental spills, installation of a contaminant detection system, implementation of emergency response and cleanup measures, and cooperation of jurisdictions affecting and affected by the river.*

*(b) The metropolitan council and appropriate state agencies shall report to the appropriate committees and commissions of the legislature by March 1, 1995, on the effectiveness of sections 1 to 15 and shall propose methods of further financing and implementation.*

Sec. 17. [APPLICATION.]

*Sections 9 to 15 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.*

Sec. 18. [APPROPRIATION.]

*(a) \$ . . . . . is appropriated from the general fund to the commissioner of the pollution control agency and \$ . . . . . is appropriated to the commissioner of the department of natural resources for the purposes of sections 1 to 16 to be available for the biennium ending June 30, 1993. The complement of the pollution control agency is increased by . . . . . and the complement of the department of natural resources is increased by . . . . .*

*(b) \$1,000,000 is appropriated from the general fund to the metropolitan council for the purposes of sections 1 to 16."*

Delete the title and insert:

"A bill for an act relating to water; requiring criteria for water deficiency

declarations; prohibiting the use of groundwater for surface water level maintenance; requiring review of water appropriation permits; requiring contingency planning for water shortages; changing water appropriation permit requirements; requiring changes to the metropolitan area water supply plan; requiring reports to the legislature; appropriating money; amending Minnesota Statutes 1990, sections 103G.101, subdivision 1; 103G.261; 103G.271, by adding subdivisions; 103G.281, subdivision 3, and by adding a subdivision; 115.03, subdivision 1; 473.175, subdivision 1; 473.851; 473.858, by adding a subdivision; and 473.859, subdivisions 3 and 4, and by adding a subdivision; Minnesota Statutes 1991 Supplement, section 473.156, subdivision 1.”

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 1917, 1109 and 1803 were read the second time.

### MOTIONS AND RESOLUTIONS

Mr. Merriam moved that the name of Mr. Novak be added as a co-author to S.F. No. 738. The motion prevailed.

Mr. Johnson, D.J. moved that his name be stricken as a co-author to S.F. No. 1434. The motion prevailed.

Mr. Spear moved that the name of Mr. Pogemiller be added as a co-author to S.F. No. 1591. The motion prevailed.

Mr. Neville moved that his name be stricken as a co-author to S.F. No. 1745. The motion prevailed.

Mr. Vickerman moved that his name be stricken as a co-author to S.F. No. 1782. The motion prevailed.

Mr. Novak moved that the name of Mr. Laidig be added as a co-author to S.F. No. 1830. The motion prevailed.

Mr. Merriam moved that the name of Mr. Novak be added as a co-author to S.F. No. 2101. The motion prevailed.

Mr. Solon moved that the name of Mr. Chmielewski be added as a co-author to S.F. No. 2173. The motion prevailed.

Mr. Vickerman moved that the name of Mr. Larson be added as a co-author to S.F. No. 2277. The motion prevailed.

Mr. Hottinger moved that the name of Mr. Frank be added as a co-author to S.F. No. 2302. The motion prevailed.

Mr. Stumpf introduced—

Senate Resolution No. 118: A Senate resolution honoring Donald L. Olson on his induction into the Minnesota High School Hockey Coaches Hall of Fame.

Referred to the Committee on Rules and Administration.



**CALL OF THE SENATE**

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

**MOTIONS AND RESOLUTIONS - CONTINUED**

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

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Messrs. Vickerman; DeCramer; Langseth; Johnson, D.E. and Mehrkens introduced—

S.F. No. 2353: A bill for an act relating to towns; authorizing town boards to disclaim and extinguish a town interest in abandoned town roads; amending Minnesota Statutes 1990, section 164.06.

Referred to the Committee on Transportation.

Mr. Marty introduced—

S.F. No. 2354: A bill for an act relating to retirement; Falcon Heights volunteer firefighters relief associations; authorizing full vesting with five years of service.

Referred to the Committee on Governmental Operations.

Messrs. Solon; Johnson, D.J.; Gustafson; Lessard and Chmielewski introduced—

S.F. No. 2355: A bill for an act relating to taxation; providing a reduced class rate for recycling facilities; exempting the sales of construction materials used in recycling facilities; amending Minnesota Statutes 1990, sections 297A.15, subdivision 5; and 297A.25, by adding a subdivision; Minnesota Statutes 1991 Supplement, section 273.13, subdivision 23.

Referred to the Committee on Taxes and Tax Laws.

Ms. Flynn, Messrs. DeCramer, Belanger, Novak and Ms. Ranum introduced—

S.F. No. 2356: A bill for an act relating to transportation; amending the definition of highway; defining highway purposes; giving priority to certain highway projects in the metropolitan area; increasing the motor fuel tax; amending Minnesota Statutes 1990, sections 160.02, subdivision 7; 174.03, by adding a subdivision; and 296.02, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 161.

Referred to the Committee on Transportation.

Mr. Merriam introduced—

S.F. No. 2357: A bill for an act relating to juveniles; clarifying provisions relating to probation orders in delinquency cases; amending Minnesota Statutes 1990, section 260.185, subdivision 4.

Referred to the Committee on Judiciary.

Messrs. Merriam and Berg introduced—

S.F. No. 2358: A bill for an act relating to the state lottery; abolishing the authority of the state lottery board to authorize additional compensation for the director of the state lottery; repealing Minnesota Statutes 1990, section 349A.03, subdivision 3.

Referred to the Committee on Governmental Operations.

Mr. Johnson, D.E. introduced—

S.F. No. 2359: A bill for an act relating to capital improvements; authorizing bonds and appropriating money for a trail.

Referred to the Committee on Environment and Natural Resources.

Mr. Johnson, D.E. introduced—

S.F. No. 2360: A bill for an act relating to highways; directing the commissioner of transportation to construct a travel information center on marked trunk highway No. 71 near Willmar; requiring private and local funds to be contributed before construction; authorizing the sale of \$400,000 in trunk highway bonds; appropriating money.

Referred to the Committee on Transportation.

Mmes. Pariseau; Benson, J.E.; Messrs. Hottinger and Larson introduced—

S.F. No. 2361: A bill for an act relating to education; permitting a student to sign a waiver to attend a non-HECB registered school; amending Minnesota Statutes 1990, section 136A.63.

Referred to the Committee on Education.

Ms. Pappas introduced—

S.F. No. 2362: A bill for an act relating to taxation; providing a tax credit for loan of private industry employees to state departments and agencies and political subdivisions of the state; appropriating money; amending Minnesota Statutes 1990, section 15.59; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Governmental Operations.

Messrs. Hottinger, Solon, Stumpf and Johnson, D.J. introduced—

S.F. No. 2363: A bill for an act relating to education; increasing student membership on the higher education board; amending Minnesota Statutes 1991 Supplement, section 136E.01, subdivisions 1 and 2; and Laws 1991, chapter 356, article 9, section 8, subdivision 1.

Referred to the Committee on Education.

Messrs. Chmielewski and Laidig introduced—

S.F. No. 2364: A bill for an act relating to taxation; providing sales tax exemptions for certain sales of horses and charges for breeding horses; amending Minnesota Statutes 1990, section 297A.25, by adding a subdivision; and Minnesota Statutes 1991 Supplement, section 297A.01, subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Mr. Pogemiller, Mses. Ranum, Flynn, Mr. Kroening and Ms. Berglin introduced—

S.F. No. 2365: A bill for an act relating to education; modifying taxpayer notification meetings for certain bond sales; repealing Laws 1990, chapter 604, article 8, section 12.

Referred to the Committee on Education.

Ms. Ranum, Mr. Pogemiller, Ms. Pappas, Mrs. Brataas and Mr. Mondale introduced—

S.F. No. 2366: A bill for an act relating to education; modifying the funding formula for limited English proficiency programs; amending Minnesota Statutes 1990, section 124.273, by adding a subdivision; Minnesota Statutes 1991 Supplement, sections 124.273, subdivision 1b; 124.321, subdivisions 1 and 2.

Referred to the Committee on Education.

Messrs. Morse, Stumpf, Langseth, DeCramer and Mrs. Benson, J.E. introduced—

S.F. No. 2367: A bill for an act relating to retirement; individual retirement account plan; expanding plan coverage to include certain higher education employees; amending Minnesota Statutes 1990, sections 136.88, subdivision 1; 352D.02, subdivisions 1 and 1a; 352D.03; 354B.01, subdivision 2, and by adding subdivisions; 354B.015; 354B.02, subdivisions 1, 4, and by adding subdivisions; 354B.03, by adding a subdivision; 354B.04, subdivision 1; and 354B.05, subdivision 1; Minnesota Statutes 1991 Supplement, section 354B.04, subdivision 2; repealing Laws 1986, chapter 458, section 36.

Referred to the Committee on Governmental Operations.

Messrs. Finn, Cohen, Luther, Knaak and Ms. Reichgott introduced—

S.F. No. 2368: A bill for an act relating to probate; enacting the uniform transfer on death security registration act; providing for rights of creditors and revocation of beneficiary designation by will; proposing coding for new law in Minnesota Statutes, chapter 524.

Referred to the Committee on Judiciary.

Mr. Samuelson introduced—

S.F. No. 2369: A bill for an act relating to state lands; requiring a private conveyance of certain state land bordering public water.

Referred to the Committee on Environment and Natural Resources.

Messrs. Samuelson; Finn; Lessard; Johnson, D.J. and Gustafson introduced—

S.F. No. 2370: A bill for an act relating to taxation; property; providing for classification of resort property; amending Minnesota Statutes 1990, section 273.13, subdivision 24; Minnesota Statutes 1991 Supplement, section 273.13, subdivisions 22 and 25, as amended.

Referred to the Committee on Taxes and Tax Laws.

Mses. Johnson, J.B.; Pappas; Flynn; Piper and Ranum introduced—

S.F. No. 2371: A bill for an act relating to education; making home visits to prevent child abuse and neglect part of the early childhood family education program; authorizing grants for ECFE programs that serve at-risk families and communities of color; appropriating money; amending Minnesota Statutes 1990, section 121.882, by adding a subdivision; Minnesota Statutes 1991 Supplement, section 121.882, subdivision 2.

Referred to the Committee on Education.

Mses. Piper, Traub and Mr. Renneke introduced—

S.F. No. 2372: A bill for an act relating to mental health services; requiring the commissioner of human services to prepare a plan to establish service goals and set policy objectives for a statewide community mental health system.

Referred to the Committee on Health and Human Services.

Mr. Luther introduced—

S.F. No. 2373: A bill for an act relating to no-fault automobile insurance; prohibiting denial of coverage due to an applicant's prior no-fault claims history; amending Minnesota Statutes 1991 Supplement, section 72A.201, subdivision 6.

Referred to the Committee on Commerce.

Mr. Luther introduced—

S.F. No. 2374: A bill for an act relating to insurance; auto; requiring insurers to fully reimburse insureds for deductible amounts before retaining subrogation proceeds; specifying related rights of insureds; amending Minnesota Statutes 1991 Supplement, section 72A.201, subdivision 6.

Referred to the Committee on Commerce.

Mr. Johnson, D.J. introduced—

S.F. No. 2375: A bill for an act relating to the city of Ely; permitting a local sales tax.

Referred to the Committee on Local Government.

Mr. Berg introduced—

S.F. No. 2376: A bill for an act relating to game and fish; management of aquatic vegetation; rules for stamp design contests; use of live ammunition in dog training; red or blaze orange hunting clothing; nonresident rough fish taking; raccoon seasons; combining of licenses for private fish hatcheries and fish farms; salmon or trout possession; and muskie size limits; amending Minnesota Statutes 1990, sections 84.091, subdivision 1; 97A.045, subdivision 7; 97B.005, subdivisions 2 and 3; 97B.071; 97B.621, subdivision 1; 97C.211; 97C.305, subdivision 1; 97C.375; and 97C.405; Minnesota Statutes 1991 Supplement, section 84.091, subdivision 2; repealing Minnesota Statutes 1990, section 97C.209.

Referred to the Committee on Environment and Natural Resources.

Mr. Morse introduced—

S.F. No. 2377: A bill for an act relating to human services; increasing the limit on personal care services under the medical assistance program for recipients who need personal care services to communicate with others; amending Minnesota Statutes 1991 Supplement, section 256B.0627, subdivision 5.

Referred to the Committee on Health and Human Services.

Messrs. Gustafson and Samuelson introduced—

S.F. No. 2378: A bill for an act relating to public safety; establishing the automatic fire-safety sprinkler system loan program for existing multifamily residential properties; creating the automatic fire-safety sprinkler system fund; exempting newly installed automatic sprinklers from sales and property taxes; authorizing bonds to be issued to fund the program; appropriating money; amending Minnesota Statutes 1990, sections 273.11, by adding a subdivision; 297A.25, by adding a subdivision; Minnesota Statutes 1991 Supplement, section 272.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299F.

Referred to the Committee on Veterans and General Legislation.

Mr. Chmielewski introduced—

S.F. No. 2379: A bill for an act relating to health; requiring health plan companies to include certain licensed physicians as participating providers; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce.

Messrs. Neville; Moe, R.D.; Terwilliger; Beckman and Gustafson introduced—

S.F. No. 2380: A bill for an act relating to the legislature; requiring committees of the legislature to consider the effect of proposed legislation on the state's science and technology policy; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Ms. Ranum introduced—

S.F. No. 2381: A bill for an act relating to data; providing for disclosure of data between the commissioners of revenue and human services to determine telephone assistance plan eligibility; amending Minnesota Statutes 1990, section 270B.14, subdivision 1; Minnesota Statutes 1991 Supplement, section 13.46, subdivision 2.

Referred to the Committee on Judiciary.

Mr. Pogemiller, Ms. Flynn, Messrs. Morse and Renneke introduced—

S.F. No. 2382: A bill for an act relating to retirement; providing for surviving spouse benefits for the Minneapolis Police Relief Association and the Minneapolis Fire Department Relief Association; amending Laws 1949, chapter 406, section 6, subdivision 1, as amended; and Laws 1965, chapter 519, section 1, as amended.

Referred to the Committee on Governmental Operations.

Messrs. McGowan and Spear introduced—

S.F. No. 2383: A bill for an act relating to peace officers; affording qualified federal law enforcement officers the authority of peace officers when assigned to special state and federal task forces; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary.

Mr. Spear introduced—

S.F. No. 2384: A bill for an act relating to real estate foreclosures; establishing a voluntary foreclosure process with waiver of deficiency claims and equity; proposing coding for new law in Minnesota Statutes, chapter 582.

Referred to the Committee on Judiciary.

Mr. Spear, Meses. Ranum, Flynn, Messrs. Pogemiller and Kroening introduced—

S.F. No. 2385: A bill for an act relating to elections; special school district No. 1; allowing special school district No. 1 to change the years of its elections; amending Laws 1959, chapter 462, section 3, as amended.

Referred to the Committee on Elections and Ethics.

Mr. Berg introduced—

S.F. No. 2386: A bill for an act relating to lawful gambling; regulating licensed organizations, distributors, and manufacturers; making various technical changes; amending Minnesota Statutes 1990, sections 349.12, subdivisions 1, 11, 18, 21, 23, and 30; 349.152, subdivisions 2 and 3; 349.153; 349.16, subdivision 8; 349.161, subdivisions 1, 3, and 5; 349.162, subdivisions 1, 2, 4, and 5; 349.163, subdivisions 1, 1a, 3, 4, 5, and 6; 349.164, subdivisions 1, 3, and 6; 349.1641; 349.166; 349.168, subdivisions 3 and 6; 349.169, subdivision 2; 349.174; 349.18, subdivision 2; 349.19, subdivision 6; 349.191, subdivisions 1 and 4; 349.2124; 349.2125,

subdivisions 1 and 3; and 349.2127, subdivisions 2 and 4; Minnesota Statutes 1991 Supplement, sections 349.12, subdivision 25; 349.151, subdivision 4; 349.154, subdivision 2; 349.167, subdivision 4; 349.18, subdivisions 1 and 1a; and 349.213, subdivision 1.

Referred to the Committee on Gaming Regulation.

Mr. Pogemiller introduced—

S.F. No. 2387: A bill for an act relating to retirement; Minneapolis teachers retirement fund association; eliminating retroactive application of omitted salary deduction provision; eliminating reduction in benefit of annuitants returning to active service in certain circumstances; amending Laws 1991, chapter 317, sections 5 and 6.

Referred to the Committee on Governmental Operations.

Mr. Pogemiller and Ms. Flynn introduced—

S.F. No. 2388: A bill for an act relating to University of Minnesota; providing that fines collected for traffic and parking offenses on university property be paid into the treasury of the university; amending Minnesota Statutes 1990, section 169.965, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Merriam introduced—

S.F. No. 2389: A bill for an act relating to natural resources; allowing use of alternative rulemaking procedures for certain rules of the commissioner of natural resources; regulating activities relating to stromatolites; changing definitions; modifying provisions relating to game refuges, scientific and natural areas, experimental waters, and special management waters; expanding certain authorities relating to deer licenses; exempting certain rules of the commissioner from the administrative procedure act; allowing nonmetal tags for fish nets; authorizing rulemaking; amending Minnesota Statutes 1990, sections 86A.05, subdivision 5; 97A.015, subdivisions 15 and 40; 97A.085, subdivisions 2, 3, 4, 5, 8, and by adding a subdivision; 97A.411, subdivision 3; 97A.485, subdivision 9; 97C.001, subdivisions 1 and 3; 97C.005; 97C.351; and 103G.615, subdivision 3; Minnesota Statutes 1991 Supplement, sections 14.29, subdivision 4; and 97A.093; and Laws 1991, chapter 259, section 25, as amended; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Mr. Frederickson, D.R. introduced—

S.F. No. 2390: A bill for an act relating to agriculture; changing coverage of certain criminal and administrative penalties; amending Minnesota Statutes 1991 Supplement, sections 17.982, subdivision 1; 17.983, subdivision 1; and 17.984, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Beckman and Vickerman introduced—

S.F. No. 2391: A bill for an act relating to taxation; property; imposing a surcharge on penalties and interest on certain delinquent real estate taxes;

providing for funding for the housing trust fund; amending Minnesota Statutes 1990, sections 276.131; 279.01, by adding a subdivision; and 279.03, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Ms. Johnson, J.B.; Messrs. Morse and Johnson, D.J. introduced—

S.F. No. 2392: A bill for an act relating to state parks; authorizing additions to and deletions from certain state parks; authorizing an easement and regulating campground use at McCarthy Beach state park.

Referred to the Committee on Environment and Natural Resources.

Ms. Piper, Messrs. Chmielewski, Frank, Kroening and Mondale introduced—

S.F. No. 2393: A bill for an act relating to employment; leaves of absence; assigning duties to the division of labor standards; modifying provisions relating to school conference leave for employees with children; amending Minnesota Statutes 1990, sections 177.26, subdivision 2; and 181.9412; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Employment.

Messrs. Davis; Beckman; Johnson, D.J. and Morse introduced—

S.F. No. 2394: A bill for an act relating to education; creating the Waseca higher education center; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 135A.

Referred to the Committee on Education.

Messrs. Davis and Morse introduced—

S.F. No. 2395: A bill for an act relating to agriculture; changing requirements for the payment of certain pesticide registration and agricultural chemical response and reimbursement fees; amending Minnesota Statutes 1990, section 18B.26, subdivision 3; Minnesota Statutes 1991 Supplement, section 18E.03, subdivision 5.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Solon, Pogemiller, Kroening, Hughes and Waldorf introduced—

S.F. No. 2396: A bill for an act relating to retirement; St. Paul teachers; making various changes in administrative provisions of laws governing the St. Paul teachers retirement fund association; amending Minnesota Statutes 1990, sections 354A.011, subdivisions 4, 8, 11, 12, 13, 14, 15, 21, 24, and 27; 354A.021, subdivision 6; 354A.05; 354A.08; 354A.096; 354A.36, subdivision 3; 354A.38, subdivision 3; and 354A.39; Minnesota Statutes 1991 Supplement, section 354A.011, subdivision 26; repealing Minnesota Statutes 1990, sections 354A.011, subdivision 2; and 354A.40, subdivisions 2 and 3.

Referred to the Committee on Governmental Operations.



Messrs. Dahl, Mondale, Marty and Lessard introduced—

S.F. No. 2397: A bill for an act relating to natural resources; providing for the prevention and suppression of wildfires in forest areas; providing penalties; amending Minnesota Statutes 1990, sections 88.01, subdivisions 2, 6, 8, 15, and by adding subdivisions; 88.02; 88.03; 88.04; 88.041; 88.05; 88.06; 88.065; 88.067; 88.08; 88.09, subdivision 2; 88.10; 88.11, subdivision 2; 88.12; 88.14; 88.15; 88.16; 88.17, subdivision 1; 88.18; and 88.22; proposing coding for new law in Minnesota Statutes, chapter 88; repealing Minnesota Statutes 1990, sections 88.17, subdivision 2; and 88.19.

Referred to the Committee on Environment and Natural Resources.

Mr. Riveness introduced—

S.F. No. 2398: A bill for an act relating to education; postsecondary; regulating eligibility for state grants for higher education; repealing Minnesota Statutes 1991 Supplement, section 136A.101, subdivisions 7a and 7b.

Referred to the Committee on Education.

Messrs. Lessard and Moe, R.D. introduced—

S.F. No. 2399: A bill for an act relating to state lands; defining “substantially equal value” for purposes of state land exchanges; amending Minnesota Statutes 1990, section 94.344, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Mr. Mehrkens introduced—

S.F. No. 2400: A bill for an act relating to state lands; removing conservation easement restriction on the exchange of state-owned nonforested marginal land if the deed contains a certain restrictive covenant; amending Minnesota Statutes 1991 Supplement, section 103F.535, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Mr. Mehrkens introduced—

S.F. No. 2401: A bill for an act relating to the city of Red Wing; authorizing the expenditure of certain tax increment revenue.

Referred to the Committee on Economic Development and Housing.

Mr. Riveness introduced—

S.F. No. 2402: A bill for an act relating to state government; executive council; regulating depositories for state funds; amending Minnesota Statutes 1990, section 9.031, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 9; repealing Minnesota Statutes 1990, section 9.031, subdivisions 1, 2, 3, 4, 5, and 10.

Referred to the Committee on Governmental Operations.

Mr. Frank and Mrs. Adkins introduced—

S.F. No. 2403: A bill for an act relating to taxation; property; changing certain published notice and the hearing date requirements on proposed property taxes; amending Minnesota Statutes 1991 Supplement, section 275.065, subdivisions 5a and 6.

Referred to the Committee on Local Government.

Ms. Reichgott introduced—

S.F. No. 2404: A bill for an act relating to sexual abuse; clarifying application of amendments relating to extension of the statute of limitations; amending Laws 1991, chapter 232, section 5.

Referred to the Committee on Judiciary.

Ms. Flynn introduced—

S.F. No. 2405: A bill for an act relating to financial institutions; requiring state depositories to satisfy community reinvestment standards; amending Minnesota Statutes 1990, section 9.031, by adding a subdivision; and Minnesota Statutes 1991 Supplement, section 9.031, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Riveness; Johnson, D.J.; Pogemiller; Benson, D.D. and Ms. Olson introduced—

S.F. No. 2406: A bill for an act relating to taxation; extending homestead treatment to property occupied by a person who is related to the owner; amending Minnesota Statutes 1991 Supplement, section 273.124, subdivision 1; repealing Minnesota Statutes 1991 Supplement, section 273.124, subdivision 15.

Referred to the Committee on Taxes and Tax Laws.

Ms. Johnson, J.B.; Messrs. Marty, Mondale, Finn and Novak introduced—

S.F. No. 2407: A bill for an act relating to energy; establishing energy efficiency standards for room air conditioners; amending Minnesota Statutes 1990, section 216C.19, subdivision 13.

Referred to the Committee on Energy and Public Utilities.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

The Senate reconvened at the appropriate time.

### RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 6:30 p.m. The motion prevailed.

The hour of 6:30 p.m. having arrived, the President called the Senate to order.

**CALL OF THE SENATE**

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

**RECESS**

Mr. Moe, R.D. moved that the Senate recess until immediately after the conclusion of the Joint Convention. The motion prevailed.

The Senate reconvened at the appropriate time.

**ADJOURNMENT**

Mr. Dahl moved that the Senate do now adjourn until 2:00 p.m., Monday, March 9, 1992. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate