

FOURTEENTH DAY

St. Paul, Minnesota, Monday, February 15, 1993

The Senate met at 11:00 a.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. Joy Bussert.

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

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

Adkins	Day	Knutson	Moe, R.D.	Riveness
Anderson	Dille	Krentz	Morse	Runbeck
Beckman	Finn	Kroening	Murphy	Sams
Belanger	Flynn	Laidig	Neuville	Samuelson
Benson, D.D.	Frederickson	Langseth	Novak	Solon
Benson, J.E.	Hanson	Larson	Oliver	Spear
Berg	Hottinger	Lesewski	Olson	Stevens
Berglin	Janezich	Lessard	Pappas	Stumpf
Bertram	Johnson, D.E.	Luther	Pariseau	Terwilliger
Betzold	Johnson, D.J.	Marty	Piper	Vickerman
Chandler	Johnson, J.B.	McGowan	Price	Wiener
Chmielewski	Johnston	Merriam	Ranum	
Cohen	Kiscaden	Metzen	Reichgott	

The President declared a quorum present.

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

REPORTS OF COMMITTEES

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

Mr. Bertram from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 18: A resolution memorializing the United States Secretary of Agriculture to establish higher contract prices for grain commodities.

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

Amend the title as follows:

Page 1, line 3, delete "contract prices" and insert "price supports"

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

Mr. Bertram from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 115: A bill for an act relating to civil actions; limiting liability for certain injuries arising out of livestock activities; proposing coding for new law in Minnesota Statutes, chapter 604.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1992, section 297A.01, subdivision 3, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property other than manufactured homes used for residential purposes for a continuous period of 30 days or more, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing, or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing, or processing;

(c) The furnishing, preparing, or serving for a consideration of food, meals, or drinks. "Sale" does not include:

(1) meals or drinks served to patients, inmates, or persons residing at hospitals, sanitariums, nursing homes, senior citizens homes, and correctional, detention, and detoxification facilities;

(2) meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, agencies, or churches or pursuant to any program funded in whole or part through 42 USCA sections 3001 through 3045, wherever delivered, prepared or served; or

(3) meals and lunches served at public and private schools, universities, or colleges. Notwithstanding section 297A.25, subdivision 2, taxable food or meals include, but are not limited to, the following:

(i) heated food or drinks;

(ii) sandwiches prepared by the retailer;

(iii) single sales of prepackaged ice cream or ice milk novelties prepared by the retailer;

(iv) hand-prepared or dispensed ice cream or ice milk products including cones, sundaes, and snow cones;

(v) soft drinks and other beverages prepared or served by the retailer;

(vi) gum;

(vii) ice;

(viii) all food sold in vending machines;

(ix) party trays prepared by the retailers; and

(x) all meals and single servings of packaged snack food, single cans or bottles of pop, sold in restaurants and bars;

(d) The granting of the privilege of admission to places of amusement, recreational areas, or athletic events, except a world championship football game sponsored by the national football league, and the privilege of having access to and the use of amusement devices, tanning facilities, reducing salons, steam baths, turkish baths, health clubs, and spas or athletic facilities;

(e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;

(f) The furnishing for a consideration of electricity, gas, water, or steam for use or consumption within this state, or local exchange telephone service, intrastate toll service, and interstate toll service, if that service originates from and is charged to a telephone located in this state. Telephone service includes paging services and private communication service, as defined in United States Code, title 26, section 4252(d), except for private communication service purchased by an agent acting on behalf of the state lottery. The furnishing for a consideration of access to telephone services by a hotel to its guests is a sale under this clause. Sales by municipal corporations in a proprietary capacity are included in the provisions of this clause. The furnishing of water and sewer services for residential use shall not be considered a sale. The sale of natural gas to be used as a fuel in vehicles propelled by natural gas shall not be considered a sale for the purposes of this section;

(g) The furnishing for a consideration of cable television services, including charges for basic monthly service, charges for monthly premium service, and charges for any other similar television services;

(h) Notwithstanding subdivision 4, and section 297A.25, subdivision 9, the sales of horses including claiming sales and fees paid for breeding a stallion to a mare. This clause applies to sales and fees with respect to a horse to be used for racing whose birth has been recorded by the Jockey Club or the United States Trotting Association or the American Quarter Horse Association;

(i) The furnishing for a consideration of parking services, whether on a contractual, hourly, or other periodic basis, except for parking at a meter;

(j) (i) The furnishing for a consideration of services listed in this paragraph:

(i) laundry and dry cleaning services including cleaning, pressing, repairing, altering, and storing clothes, linen services and supply, cleaning and blocking hats, and carpet, drapery, upholstery, and industrial cleaning.

Laundry and dry cleaning services do not include services provided by coin operated facilities operated by the customer;

(ii) motor vehicle washing, waxing, and cleaning services, including services provided by coin-operated facilities operated by the customer, and rustproofing, undercoating, and towing of motor vehicles;

(iii) building and residential cleaning, maintenance, and disinfecting and exterminating services;

(iv) services provided by detective agencies, security services, burglar, fire alarm, and armored car services not including services performed within the jurisdiction they serve by off-duty licensed peace officers as defined in section 626.84, subdivision 1;

(v) pet grooming services;

(vi) lawn care, fertilizing, mowing, spraying and sprigging services; garden planting and maintenance; arborist services; tree, bush, and shrub pruning, bracing, spraying, and surgery; and tree trimming for public utility lines: Services performed under a construction contract for the installation of shrubbery, plants, sod, trees, bushes, and similar items are not taxable;

(vii) solid waste collection and disposal services as described in section 297A.45;

(viii) massages, except when provided by a licensed health care facility or professional or upon written referral from a licensed health care facility or professional for treatment of illness, injury, or disease; and

(ix) the furnishing for consideration of lodging, board and care services for animals in kennels and other similar arrangements, but excluding veterinary and horse boarding services.

The services listed in this paragraph are taxable under section 297A.02 if the service is performed wholly within Minnesota or if the service is performed partly within and partly without Minnesota and the greater proportion of the service is performed in Minnesota, based on the cost of performance. In applying the provisions of this chapter, the terms "tangible personal property" and "sales at retail" include taxable services and the provision of taxable services, unless specifically provided otherwise. Services performed by an employee for an employer are not taxable under this paragraph. Services performed by a partnership or association for another partnership or association are not taxable under this paragraph if one of the entities owns or controls more than 80 percent of the voting power of the equity interest in the other entity. Services performed between members of an affiliated group of corporations are not taxable. For purposes of this section, "affiliated group of corporations" includes those entities that would be classified as a member of an affiliated group under United States Code, title 26, section 1504, and who are eligible to file a consolidated tax return for federal income tax purposes;

(*) (j) A "sale" and a "purchase" includes the transfer of computer software, meaning information and directions that dictate the function performed by data processing equipment. A "sale" and a "purchase" does not include the design, development, writing, translation, fabrication, lease, or transfer for a consideration of title or possession of a custom computer program; and

(4) (k) The granting of membership in a club, association, or other organization if:

(1) the club, association, or other organization makes available for the use of its members sports and athletic facilities (without regard to whether a separate charge is assessed for use of the facilities); and

(2) use of the sports and athletic facilities is not made available to the general public on the same basis as it is made available to members.

Granting of membership includes both one-time initiation fees and periodic membership dues. Sports and athletic facilities include golf courses, tennis, racquetball, handball and squash courts, basketball and volleyball facilities, running tracks, exercise equipment, swimming pools, and other similar athletic or sports facilities. The provisions of this paragraph do not apply to camps or other recreation facilities owned and operated by an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1986, for educational and social activities for young people primarily age 18 and under.

Sec. 2. Minnesota Statutes 1992, section 297A.25, is amended by adding a subdivision to read:

Subd. 52. [HORSES.] The gross receipts from the sale of horses are exempt.

Sec. 3. Minnesota Statutes 1992, section 297A.44, subdivision 1, is amended to read:

Subdivision 1. (a) Except as provided in paragraphs (b), (c), and (d), and subdivision 4, all revenues, including interest and penalties, derived from the excise and use taxes imposed by sections 297A.01 to 297A.44 shall be deposited by the commissioner in the state treasury and credited to the general fund.

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

(c) All revenues, including interest and penalties, derived from the excise and use taxes imposed on sales and purchases included in section 297A.01, subdivision 3, paragraphs (d) and (4) (k), clauses (1) and (2), must be deposited by the commissioner in the state treasury, and credited as follows:

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

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

(d) The revenues, including interest and penalties, derived from the taxes imposed on solid waste collection services as described in section 297A.45, except for the tax imposed under section 297A.021, shall be deposited by the commissioner in the state treasury and credited to the general fund to be used for funding solid waste reduction and recycling programs."

Page 3, line 18, delete "*This act*" and insert "*Sections 1 to 3 are effective for sales after June 30, 1993. Section 4*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "civil actions" and insert "livestock; exempting sales of horses from the sales tax"

Page 1, line 3, after the semicolon, insert "amending Minnesota Statutes 1992, sections 297A.01, subdivision 3; 297A.25, by adding a subdivision; and 297A.44, subdivision 1;"

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

Ms. Piper from the Committee on Family Services, to which was referred

S.F. No. 122: A bill for an act relating to human services; requiring a minimum funding level for each grantee under the Head Start program which is no less than that of fiscal year 1993; appropriating money; amending Minnesota Statutes 1992, section 268.914, subdivision 1; repealing Minnesota Statutes 1992, section 268.914, subdivision 2.

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

Page 2, line 1, delete "*no less*" and insert "*at least the proportion of state*"

Page 2, line 2, delete "*than*" and insert "*that*"

Page 2, line 25, delete "\$....." and insert "\$25,000,000"

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

Mr. Johnson, D.J. from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 19: A bill for an act relating to taxation; providing for purchase of certain tax-forfeited lands; providing a refund; amending Minnesota Statutes 1992, sections 282.01, subdivision 7; and 282.241.

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 1992, section 282.01, subdivision 7, is amended to read:

Subd. 7. [COUNTY SALES; NOTICE, PURCHASE PRICE, DISPOSITION.] The sale herein provided for shall commence at such time as the county board of the county wherein such parcels lie, shall direct. The county auditor shall offer the parcels of land in order in which they appear in the notice of sale, and shall sell them to the highest bidder, but not for a less sum than the appraised value, until all of the parcels of land shall have been offered, and thereafter shall sell any remaining parcels to anyone offering to pay the appraised value thereof, except that if the person could have repurchased a parcel of property under section 282.012 or 282.241, that person shall not be allowed to purchase that same parcel of property at the sale under this subdivision ~~unless approved by the county board for a purchase price less than the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs that accrued or would have accrued if the parcel had not forfeited to the state.~~ Said sale shall continue until all such parcels are sold or until the county board shall order a reappraisal or shall withdraw any or all such parcels from sale. Such list of lands may be added to and the added lands may be sold at any time by publishing the descriptions and appraised values of such parcels of land as shall have become forfeited and classified as nonconservation since the commencement of any prior sale or such parcels as shall have been reappraised, or such parcels as shall have been reclassified as nonconservation or such other parcels as are subject to sale but were omitted from the existing list for any reason in the same manner as hereinafter provided for the publication of the original list, provided that any parcels added to such list shall first be offered for sale to the highest bidder before they are sold at appraised value. All parcels of land not offered for immediate sale, as well as parcels of such lands as are offered and not immediately sold shall continue to be held in trust by the state for the taxing districts interested in each of said parcels, under the supervision of the county board, and such parcels may be used for public purposes until sold, as the county board may direct.

Sec. 2. Minnesota Statutes 1992, section 282.241, is amended to read:

282.241 [REPURCHASE AFTER FORFEITURE.]

The owner at the time of forfeiture, or the owner's heirs, devisees, or representatives, or any person to whom the right to pay taxes was given by statute, mortgage, or other agreement, may repurchase any parcel of land claimed by the state to be forfeited to the state for taxes unless before the time repurchase is made the parcel is sold under installment payments, or otherwise, by the state as provided by law, or is under mineral prospecting permit or lease, or proceedings have been commenced by the state or any of its political subdivisions or by the United States to condemn such parcel of land. The parcel of land may be repurchased: ~~The repurchase price is the greater of (1) the appraised value of the parcel, or (2) for the sum of all delinquent taxes and assessments computed under section 282.251, together with penalties, interest, and costs, that accrued or would have accrued if the parcel of land had not forfeited to the state.~~ Except for property which was homesteaded on the date of forfeiture, such repurchase shall be permitted during one year only from the date of forfeiture, and in any case only after the adoption of a resolution by the board of county commissioners determining that thereby undue hardship or injustice resulting from the forfeiture will be corrected, or that permitting such repurchase will promote the use of such lands that will best serve the public interest. If the county board has good cause to believe that a repurchase installment payment plan for a particular

parcel is unnecessary and not in the public interest, the county board may require as a condition of repurchase that the entire repurchase price be paid at the time of repurchase. A repurchase shall be subject to any easement, lease, or other encumbrance granted by the state prior thereto, and if said land is located within a restricted area established by any county under Laws 1939, chapter 340, such repurchase shall not be permitted unless said resolution with respect thereto is adopted by the unanimous vote of the board of county commissioners.

Sec. 3. [EXTENSION OF TIME FOR REPURCHASE.]

Property eligible for repurchase on or after April 25, 1992, but before the date of final enactment of this act, may be repurchased as provided in section 2 for an additional period of one year, beginning on the date of final enactment of this act. Any right of repurchase under this section is subject to (1) sale or conveyance of the property; (2) commencement of condemnation proceedings by the state or any of its political subdivisions or by the United States; or (3) the issuance of a mineral prospecting permit or lease.

Sec. 4. [EFFECTIVE DATE; REFUND; REPURCHASE PRICE REDUCTION.]

(a) Sections 1 and 3 are effective the day following final enactment.

(b) Section 2 is effective retroactive to April 25, 1992. Upon application to the county auditor, a person who repurchased property under the provisions of Minnesota Statutes, section 282.241, as amended by Laws 1992, chapter 511, article 2, section 29, shall receive a refund, if the person paid the total repurchase price, or, if the person is paying the repurchase price in installments, shall receive a reduction in the repurchase price. The refund or reduction in repurchase price is equal to the amount of the property's appraised value at the time of the repurchase in excess of the sum of all delinquent taxes and assessments computed under Minnesota Statutes, section 282.251, together with penalties, interest, and costs that accrued or would have accrued if the parcel of land had not forfeited to the state. The refund shall be paid without interest.

(c) If the repurchase price is being paid in installments, the auditor and the repurchaser shall negotiate a new installment payment plan to reflect the repurchase price under section 2, or the repurchaser may pay any remaining balance in full; or, if the amount already paid exceeds the repurchase price under section 2, the repurchaser shall receive a refund, without interest, equal to the excess.

(d) The refund shall be paid by the county treasurer from the forfeited tax sale fund. Taxing districts that received distributions from the forfeited tax sale fund in regard to a parcel for which a person is receiving a refund under this section must reimburse the fund. The reimbursement shall be determined by the county auditor as part of the next settlement, except that if the forfeited tax sale fund does not contain the funds necessary to make the refund, the taxing districts shall each pay the reimbursement within five business days after notification by the county auditor. The amount of the reimbursement is equal to the ratio of the total distributions from the fund to the total deposits in the fund multiplied by the taxing district's statutory distribution percentage under Minnesota Statutes, section 282.08, multiplied by the total refund. In addition, the county must reimburse the fund in an amount equal to: (1) the percentage of the total deposits retained in the fund or set aside for (i) county

costs, (ii) timber development under Minnesota Statutes, section 282.08, clause (4), paragraph (a), and (iii) county parks or recreational areas under Minnesota Statutes, section 282.08, clause (4), paragraph (b); multiplied by (2) the total refund. The reimbursement shall be paid without interest."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 18 and 19 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Benson, D.D. moved that his name be stricken as a co-author to S.F. No. 114. The motion prevailed.

Mr. Stumpf moved that the names of Messrs. Morse and Sams be added as co-authors to S.F. No. 214. The motion prevailed.

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

Ms. Johnson, J.B. moved that the name of Mr. Morse be added as a co-author to S.F. No. 246. The motion prevailed.

Mr. Price moved that the name of Mr. Hottinger be added as a co-author to S.F. No. 254. The motion prevailed.

Ms. Anderson moved that the name of Ms. Berglin be added as a co-author to S.F. No. 264. The motion prevailed.

Mr. Cohen moved that the name of Ms. Berglin be added as a co-author to S.F. No. 269. The motion prevailed.

Mr. Merriam moved that the name of Ms. Runbeck be added as a co-author to S.F. No. 277. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

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

S.F. No. 283: A bill for an act relating to state lands; authorizing the private sale of state land in St. Louis county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Bertram, Beckman, Hottinger, Larson and Neuville introduced—

S.F. No. 284: A bill for an act relating to taxation; excluding certain classes of property from the general education tax; adjusting income tax brackets; amending Minnesota Statutes 1992, sections 124A.23, subdivision 1, and by adding a subdivision; 275.08, subdivisions 1b, 1c, and 1d; and 290.06, subdivisions 2c and 2d.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Chandler, Riveness, Morse and Finn introduced—

S.F. No. 285: A bill for an act relating to the environment; providing for citizen suits to enforce various environmental laws; amending Minnesota Statutes 1992, section 115.073; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Ms. Flynn, Messrs. Luther; Moe, R.D.; Laidig and Ms. Reichgott introduced—

S.F. No. 286: A bill for an act relating to elections; providing for a voter information program; appropriating money; amending Minnesota Statutes 1992, sections 204B.27, by adding subdivisions; and 211B.06, subdivision 2.

Referred to the Committee on Ethics and Campaign Reform.

Ms. Johnson, J.B.; Messrs. Betzold, Spear, Larson and Ms. Flynn introduced—

S.F. No. 287: A bill for an act relating to child care; extending the prohibition on smoking to family day care providers; updating the reference to the rule governing child care centers; amending Minnesota Statutes 1992, section 144.414, subdivision 2.

Referred to the Committee on Family Services.

Ms. Ranum, Messrs. Spear, Laidig, Beckman and Ms. Anderson introduced—

S.F. No. 288: A bill for an act relating to child abuse reporting; expanding the definition of "neglect" to include failure to provide a child with necessary education; amending Minnesota Statutes 1992, section 626.556, subdivision 2.

Referred to the Committee on Crime Prevention.

Messrs. Metzen, Solon, Kroening, Chandler and Belanger introduced—

S.F. No. 289: A bill for an act relating to commerce; motor vehicles; restricting sales of motor vehicles that have sustained damage of at least 70 percent of value; amending Minnesota Statutes 1992, sections 168.27, subdivisions 1, 2, 3, 3a, 3b, 3c, 4, 5a, 6, 7, and 8; 168A.01, subdivision 16; 168A.02, subdivision 2; 168A.05, subdivision 3; 168A.151, subdivisions 1 and 2; 168A.152, subdivision 1; 325F.6641, subdivision 1; and 325F.6642.

Referred to the Committee on Transportation and Public Transit.

Messrs. Finn, Price, Sams and Mrs. Benson, J.E. introduced—

S.F. No. 290: A bill for an act relating to education; modifying eligibility requirements for state post-secondary grant recipients; establishing reporting requirements for eligible institutions; amending Minnesota Statutes 1992, sections 136A.101, by adding a subdivision; 136A.121, subdivisions 2, 5, and by adding a subdivision.

Referred to the Committee on Education.

Ms. Piper, Messrs. Sams, Samuelson, Solon and Oliver introduced—

S.F. No. 291: A bill for an act relating to insurance; health; requiring coverage for elimination of port-wine stains; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Samuelson introduced—

S.F. No. 292: A bill for an act relating to Crow Wing county; authorizing the sale of a public landing on Crow Wing lake.

Referred to the Committee on Environment and Natural Resources.

Ms. Ranum, Messrs. Marty, Hottinger, Novak and Riveness introduced—

S.F. No. 293: A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Betzold introduced—

S.F. No. 294: A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1992, sections 3.9741; 10A.01, subdivision 18; 10A.49, subdivisions 2 and 3; 11A.23, subdivision 1; 13.32, subdivisions 3 and 5; 13.791; 13.99, subdivision 82; 16B.06, subdivision 2a; 18C.551, subdivision 3; 43A.317, subdivision 9; 60A.74, subdivision 6; 62A.44, subdivision 2; 62J.21; 65B.09, subdivision 1; 79.251, subdivision 6; 79A.01, subdivision 1; 80C.18, subdivision 1; 80E.09, subdivision 2; 86B.321, subdivision 1; 103G.293; 116R.01, subdivision 6; 120.064, subdivision 6; 123.39, subdivision 8d; 144.878, subdivision 2; 148B.06, subdivision 2; 148C.11, subdivision 4; 168.187, subdivision 26; 169.797, subdivision 1; 240.011; 245A.18; 256B.0644; 256B.19, subdivision 1a; 268.071, subdivision 3; 289A.20, subdivision 4; 290.9201, subdivision 7; 290A.03, subdivision 13; 325E.0681, subdivision 9; 326.43; 349.151, subdivision 2; 349.19, subdivision 6; 349.31, subdivision 1; 352.03, subdivision 16; 352C.021, subdivision 6; 357.11; 471.617, subdivision 1; 473.516, subdivision 1; 473.704, subdivision 17; 473.811, subdivisions 6, 7, 8, and 9; 475.66, subdivision 3; 477A.13; 480.15, subdivision 9; 480.059, subdivision 7; 525.9221; 551.04, subdivision 14; 600.02; 609.3471; 626.556, subdivision 10; and 626.861, subdivision 3; repealing Minnesota Statutes 1992, sections 61A.011, subdivision 8; 240.01, subdivision 14; 240.011, subdivision 1; 334.011, subdivision 4; and 480.0591, subdivision 3.

Referred to the Committee on Judiciary.

Messrs. Novak, Riveness, Price, Metzen and Pogemiller introduced—

S.F. No. 295: A bill for an act relating to taxation; reducing the class rate applicable to commercial-industrial property; increasing the corporate franchise tax rates; amending Minnesota Statutes 1992, sections 273.13, subdivisions 24 and 31; 290.06, subdivision 1; and 290.0921, subdivision 1; repealing Minnesota Statutes 1992, section 273.13, subdivision 32.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Knutson, Cohen, Ms. Robertson, Mrs. Benson, J.E. and Mr. Stevens introduced—

S.F. No. 296: A bill for an act relating to human services; requiring parent's social security numbers on birth certificates; modifying various child support provisions; amending Minnesota Statutes 1992, sections 144.215, by adding a subdivision; 518.551, subdivision 5; 518.611, subdivisions 1, 2, 6, and by adding a subdivision; and 518.613, subdivisions 2, 3, and 4.

Referred to the Committee on Family Services.

Messrs. Riveness, Price, Ms. Reichgott, Mr. Belanger and Ms. Flynn introduced—

S.F. No. 297: A bill for an act relating to education; authorizing a school district to levy for certain interest paid on abatement refunds; amending Minnesota Statutes 1992, section 275.48.

Referred to the Committee on Education.

Mses. Kiscaden, Reichgott and Mr. Kelly introduced—

S.F. No. 298: A bill for an act relating to crime; expanding the crime of trespass to include entry onto locked or posted construction sites without consent; amending Minnesota Statutes 1992, section 609.605, subdivision 1.

Referred to the Committee on Crime Prevention.

Messrs. Hottinger, Beckman, Frederickson and Neuville introduced—

S.F. No. 299: A bill for an act relating to appropriations; appropriating money to the commissioner of natural resources for betterment of the Sakatah Singing Hills state trail.

Referred to the Committee on Environment and Natural Resources.

Mr. Hottinger, Ms. Kiscaden, Messrs. Betzold, McGowan and Finn introduced—

S.F. No. 300: A bill for an act relating to local government; permitting sheriff civil service commissions to expand eligible lists in certain circumstances; amending Minnesota Statutes 1992, section 387.36.

Referred to the Committee on Metropolitan and Local Government.

Mses. Pappas, Anderson, Mr. Chandler and Ms. Johnston introduced—

S.F. No. 301: A bill for an act relating to insurance; mandating coverage for osteoporosis bone mass measurement testing; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Pogemiller, Spear and Ms. Flynn introduced—

S.F. No. 302: A bill for an act relating to the city of Minneapolis; regulating the establishment and functions of special service districts; amending Laws 1985, chapter 302, section 1, subdivision 3; section 2, subdivision 1; and section 4.

Referred to the Committee on Metropolitan and Local Government.

Ms. Olson, Messrs. Chmielewski and Larson introduced—

S.F. No. 303: A bill for an act relating to motor vehicles; allowing value of rebuilt passenger vehicles to be determined by purchase price for taxation purposes; amending Minnesota Statutes 1992, section 168.013, subdivision 1a.

Referred to the Committee on Transportation and Public Transit.

Ms. Olson, Messrs. Merriam, Lessard, Laidig and Mrs. Pariseau introduced—

S.F. No. 304: A bill for an act relating to agriculture; requiring aquatic pest control applicators to be licensed; proposing coding for new law in Minnesota Statutes, chapter 18B.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Merriam, Price, Ms. Ranum and Mr. McGowan introduced—

S.F. No. 305: A bill for an act relating to crime; authorizing school officials to use reasonable force to prevent the official, a student, or other school officials from suffering substantial or great bodily harm or death; providing criminal and civil immunity for the use of such reasonable force; providing felony penalties for unlawfully possessing a firearm or dangerous weapon on school property or in certain school buses; amending Minnesota Statutes 1992, sections 609.06; 609.066, subdivision 3; and 609.66, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Messrs. Metzen, Riveness and Novak introduced—

S.F. No. 306: A bill for an act relating to state government; appointments of department heads and members of administrative boards and agencies; clarifying procedures and requirements; amending Minnesota Statutes 1992, sections 15.0575, subdivision 4; 15.06, subdivision 5; and 15.066, subdivision 2.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Knutson, McGowan, Mses. Krentz, Kiscaden and Mr. Belanger introduced—

S.F. No. 307: A bill for an act relating to data practices; requiring a responsible authority on the request of an individual to remove the individual's name from a list of licensing data that is for sale; amending Minnesota Statutes 1992, section 13.04, by adding a subdivision.

Referred to the Committee on Judiciary.

Messrs. Knutson, Metzen, Mrs. Pariseau, Ms. Ranum and Mr. McGowan introduced—

S.F. No. 308: A bill for an act relating to probation; extending jurisdiction for probation violations occurring during a term of probation but not presented in court until after the probation term expires; amending Minnesota Statutes 1992, sections 609.135, subdivisions 1a and 2; and 609.14, subdivision 1.

Referred to the Committee on Crime Prevention.

Mr. Kelly, Ms. Runbeck, Mr. Betzold, Ms. Pappas and Mr. Cohen introduced—

S.F. No. 309: A bill for an act relating to St. Paul; authorizing the city to require employees to reside in the city.

Referred to the Committee on Metropolitan and Local Government.

Mr. Kelly, Ms. Pappas and Mr. Cohen introduced—

S.F. No. 310: A bill for an act relating to local government; requiring the city of St. Paul to merge its health department with the Ramsey county health department; proposing coding for new law in Minnesota Statutes, chapter 383A.

Referred to the Committee on Metropolitan and Local Government.

Mr. Lessard introduced—

S.F. No. 311: A bill for an act relating to appropriations; appropriating money for a cold weather resource center.

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

Mr. Bertram introduced—

S.F. No. 312: A bill for an act relating to public bodies; providing for the place of residence of members; amending Minnesota Statutes 1992, section 375.025, subdivision 4.

Referred to the Committee on Ethics and Campaign Reform.

Ms. Wiener, Mr. Metzen, Mrs. Pariseau, Messrs. Murphy and Knutson introduced—

S.F. No. 313: A bill for an act relating to Dakota county; providing for the composition and powers of the county housing and redevelopment authority and the county extension committee; amending Minnesota Statutes 1992,

section 383D.41, subdivisions 1, 3, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 383D.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Larson, McGowan, Oliver, Mses. Robertson and Olson introduced—

S.F. No. 314: A bill for an act relating to motor vehicles; requiring junking certificates of title; regulating title branding for damaged vehicles; amending Minnesota Statutes 1992, sections 168A.01, subdivisions 6a, 17a, 17b, and by adding a subdivision; 168A.04, subdivisions 1 and 4; 168A.05, subdivisions 3 and 5; 168A.15; 168A.151, subdivisions 1, 4, and by adding a subdivision; 325F.6641, subdivision 1; 325F.6642, subdivisions 2, 3, 5, and 6; and 325F.6644; repealing Minnesota Statutes 1992, section 168A.151, subdivisions 2, 3, and 5.

Referred to the Committee on Commerce and Consumer Protection.

Ms. Johnson, J.B.; Messrs. Johnson, D.J.; Moe, R.D. and Beckman introduced—

S.F. No. 315: A bill for an act relating to economic development; requiring the commissioner of trade and economic development to establish regional service offices; amending Minnesota Statutes 1992, section 116J.01; by adding a subdivision.

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

Mr. Sams, Ms. Berglin, Messrs. Vickerman; Benson, D.D. and Oliver introduced—

S.F. No. 316: A bill for an act relating to human services; providing for external accreditation of programs and services to persons with developmental disabilities; developing a competitive bidding system with performance outcomes; increasing consumer choice in the service delivery system; creating a state office to enforce the vulnerable adult act; amending Minnesota Statutes 1992, section 245A.09, subdivision 7, and by adding a subdivision.

Referred to the Committee on Health Care.

Ms. Johnson, J.B. introduced—

S.F. No. 317: A bill for an act relating to commerce; defining the responsibilities of ski area operators and skiers; defining the rights and liabilities between skiers and between a skier and a ski area operator; proposing coding for new law as Minnesota Statutes, chapter 86C.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Benson, D.D. introduced—

S.F. No. 318: A bill for an act relating to education; specifying an alternative method for two consolidating school districts to combine referendum authority.

Referred to the Committee on Education.

Messrs. Vickerman and Beckman introduced—

S.F. No. 319: A bill for an act relating to health; clarifying the meaning of comprehensive health maintenance services; amending Minnesota Statutes 1992, section 62D.02, subdivision 7.

Referred to the Committee on Health Care.

Ms. Ranum, Messrs. Spear, McGowan, Kelly and Neuville introduced—

S.F. No. 320: A bill for an act relating to corrections; authorizing arrest and detention of persons who are on pretrial release by peace and probation officers pursuant to written orders issued by the chief executive officer of a community corrections agency; amending Minnesota Statutes 1992, section 401.02, subdivision 4.

Referred to the Committee on Crime Prevention.

Ms. Ranum, Messrs. Spear, McGowan, Kelly and Neuville introduced—

S.F. No. 321: A bill for an act relating to crime victims; providing priority for payment of restitution obligations under the revenue recapture act; authorizing collection of restitution from inmate wages when the restitution is court ordered as a sanction for the conviction of an offense which is not the offense of commitment; authorizing the use of forfeited bail to pay delinquent restitution obligations; amending Minnesota Statutes 1992, sections 270A.10; 243.23, subdivision 3; 485.018, subdivision 5; and 611A.04, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Mr. Kelly, Meses. Runbeck and Pappas introduced—

S.F. No. 322: A bill for an act relating to prosecution of crime; consolidating the criminal divisions of the offices of municipal attorneys in Ramsey county with the criminal division of the office of Ramsey county attorney; authorizing the Ramsey county attorney to prosecute all criminal actions; proposing coding for new law in Minnesota Statutes, chapter 388.

Referred to the Committee on Crime Prevention.

Mr. Riveness, Ms. Wiener, Messrs. Day, Samuelson and Bertram introduced—

S.F. No. 323: A bill for an act relating to health occupations; requiring the board of chiropractic examiners to adopt rules governing the taking of X-rays by chiropractic assistants; amending Minnesota Statutes 1992, section 148.08, subdivision 3.

Referred to the Committee on Health Care.

Messrs. Metzen and Bertram introduced—

S.F. No. 324: A bill for an act relating to crimes; imposing a penalty of life imprisonment for kidnapping when the victim has not been found at the time of sentencing; amending Minnesota Statutes 1992, sections 244.05, subdivisions 4 and 5; and 609.25, subdivision 2.

Referred to the Committee on Crime Prevention.

Mr. Metzen introduced—

S.F. No. 325: A bill for an act relating to lawful gambling; modifying the definition of lawful purpose to include certain expenditures for persons over age 54; amending Minnesota Statutes 1992, section 349.12, subdivision 25.

Referred to the Committee on Gaming Regulation.

Messrs. Kelly and McGowan introduced—

S.F. No. 326: A bill for an act relating to crime; clarifying that persons convicted of certain crimes may also be punished for committing certain separate underlying crimes; amending Minnesota Statutes 1992, sections 609.035; 609.251; 609.585; and 609.856, subdivision 1.

Referred to the Committee on Crime Prevention.

Ms. Kiscaden, Mr. Samuelson, Ms. Piper and Mr. Knutson introduced—

S.F. No. 327: A bill for an act relating to human services; authorizing intensive family preservation services and child welfare targeted case management services; amending Minnesota Statutes 1992, sections 256B.0625, by adding a subdivision; 256F.06, subdivision 2; 257.3573, by adding a subdivision; and 626.559, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 256; 256B; and 256F.

Referred to the Committee on Family Services.

Messrs. Solon, Janezich, Metzen, Murphy and Ms. Olson introduced—

S.F. No. 328: A bill for an act relating to education; changing the structure of the higher education merger by removing the technical colleges from the merger; amending Minnesota Statutes 1992, sections 136E.03; 136E.04, subdivisions 1 and 4; and 179A.10, subdivision 2; Laws 1991, chapter 356, article 9, sections 8, subdivisions 1 and 4; 9; and 14; repealing Minnesota Statutes 1992, section 136E.04, subdivision 4; and Laws 1991, chapter 356, article 9, sections 8, subdivision 6; and 11.

Referred to the Committee on Education.

Messrs. Stevens; Moe, R.D.; Johnson, D.E. and Finn introduced—

S.F. No. 329: A bill for an act relating to human services; allocating money to the child care basic sliding fee program; amending Minnesota Statutes 1992, section 256H.03, subdivision 4.

Referred to the Committee on Family Services.

Messrs. Beckman and Novak introduced—

S.F. No. 330: A bill for an act relating to education; appropriating money to the department of trade and economic development for a youth entrepreneurship education program.

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

Ms. Lesewski, Mr. Larson, Ms. Johnston, Messrs. Bertram and Vickerman introduced—

S.F. No. 331: A bill for an act relating to the military; clarifying the use by the governor of the military forces; amending Minnesota Statutes 1992, section 190.02.

Referred to the Committee on Veterans and General Legislation.

Messrs. Neville, Knutson and Merriam introduced—

S.F. No. 332: A bill for an act relating to privacy of communications; pen registers, trap and trace devices, and mobile tracking devices; providing for the admissibility of evidence obtained through or resulting from installation or use of these devices in violation of law; amending Minnesota Statutes 1992, section 626A.35, by adding a subdivision.

Referred to the Committee on Crime Prevention.

Messrs. Vickerman, Murphy, Chmielewski and Bertram introduced—

S.F. No. 333: A bill for an act proposing an amendment to the Minnesota Constitution; article XI, section 5; providing for bonuses to veterans serving during the period of the Persian Gulf conflict.

Referred to the Committee on Veterans and General Legislation.

Messrs. Vickerman, Chmielewski, Mses. Hanson, Johnston and Mr. Murphy introduced—

S.F. No. 334: A bill for an act relating to traffic regulations; authorizing delayed arrest of driver and penalizing vehicle owner or lessee for failure to yield right-of-way to emergency vehicle; amending Minnesota Statutes 1992, section 169.20, by adding subdivisions.

Referred to the Committee on Transportation and Public Transit.

Mrs. Pariseau and Ms. Johnson, J.B. introduced—

S.F. No. 335: A bill for an act relating to human services; providing that child care centers may not prohibit the use of reusable diapers and must notify parents that they have a choice; amending Minnesota Statutes 1992, section 245A.14, by adding a subdivision.

Referred to the Committee on Family Services.

Messrs. Johnson, D.E.; Frederickson; McGowan and Ms. Olson introduced—

S.F. No. 336: A bill for an act relating to the legislature; redefining "legislative day" as any calendar day except a Saturday, Sunday, or holiday; amending Minnesota Statutes 1992, sections 3.011 and 3.012.

Referred to the Committee on Rules and Administration.

Mr. Novak, Ms. Anderson, Messrs. Kelly, Dille and Kroening introduced—

S.F. No. 337: A bill for an act relating to housing; establishing a family homeless prevention and assistance program; appropriating money; amending Minnesota Statutes 1992, section 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Ms. Johnson, J.B.; Messrs. Johnson, D.J.; Metzen; Frederickson and Novak introduced—

S.F. No. 338: A bill for an act relating to economic development; creating Minnesota Business Finance, Inc. to provide capital for commercial borrowers through the Small Business Administration; providing for powers and duties of a board of directors and employees; transferring funds from the certified development company established under the department of trade and economic development to the new corporation; proposing coding for new law as Minnesota Statutes, chapter 116S; repealing Minnesota Statutes 1992, sections 41A.065 and 116J.985.

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

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

MOTIONS AND RESOLUTIONS

Ms. Berglin moved that S.F. No. 241 be withdrawn from the Committee on Family Services and re-referred to the Committee on Health Care. The motion prevailed.

MEMBERS EXCUSED

Messrs. Kelly, Mondale, Pogemiller and Ms. Robertson were excused from the Session of today.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:30 a.m., Thursday, February 18, 1993. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate