

## SIXTY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, March 9, 1994

The Senate met at 11:45 a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Solon 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. George H. Gerberding.

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

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

The President declared a quorum present.

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

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2213.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 7, 1994

### FIRST READING OF HOUSE BILLS

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

H.F. No. 2213: A bill for an act relating to the city of St. Cloud; exempting a tax increment financing district from certain restrictions; providing expanded eminent domain authority.

Referred to the Committee on Taxes and Tax Laws.

### REPORTS OF COMMITTEES

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

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

S.F. No. 1750: A bill for an act relating to commerce; expanding the scope of department enforcement authority to include additional areas over which they have responsibility; eliminating provisions governing the access to and disclosure of certain data; amending Minnesota Statutes 1992, section 45.027, subdivision 7; and Minnesota Statutes 1993 Supplement, section 45.011, subdivisions 1 and 4.

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

Page 2, lines 14 to 36, reinstate the stricken language

Amend the title as follows:

Page 1, line 4, delete "they have" and insert "it has"

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

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

S.F. No. 1788: A bill for an act relating to waste management; applying government waste reduction requirements to compilations of game and fish laws; clarifying the state's waste management goals; adding heat pumps to the definition of major appliances; authorizing larger capital assistance grants to resource recovery projects under certain circumstances; establishing enforcement of the authority of certain counties to inspect records of certain facilities; clarifying management of waste motor oil filters; establishing a process for resolution of disputes related to toxics in packaging and requiring a report; requiring and authorizing training and certification of appliance recyclers and services respectively; removing the federal government from the definition of commercial transporter of medical waste; requiring medical waste management plans to contain information regarding mailing of sharps; banning sale of apparel containing mercury switches; expanding the restriction on disposal of unprocessed waste from the metropolitan area; requiring a report on management of waste electronic appliances; requiring a report on products that contain mercury; requiring a report on recycling facilities; amending Minnesota Statutes 1992, sections 97A.051, subdivision 1; 115A.02; 115A.03, subdivision 17a; 115A.554; 115A.557, subdivisions 3 and 4; 115A.87; 115A.882, by adding a subdivision; 115A.918, subdivision 1, and by adding a subdivision; 115A.95; 115A.9561, subdivision 2; 115A.965, subdivision 6,

and by adding a subdivision; 116.07, subdivision 4h; 116.76, subdivision 4; 116.92, subdivision 8; 473.843, subdivision 1; 473.844, subdivision 1a; 473.845, subdivision 3; and 473.848, subdivision 1; Minnesota Statutes 1993 Supplement, sections 115A.54, subdivision 2a; 115A.916; 115A.929; 115A.981, subdivision 3; 116.79, subdivision 1; 473.149, subdivision 6; and 473.846; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1993 Supplement, section 115A.542.

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

Page 7, line 20, delete everything after the period

Page 7, delete lines 21 to 23 and insert:

"Sec. 10. Minnesota Statutes 1992, section 115A.9157, subdivision 4, is amended to read:

Subd. 4. [PILOT PROJECTS.] By April 15, 1992, manufacturers whose rechargeable batteries or products powered by rechargeable batteries are sold in this state shall implement pilot projects for the collection and proper management of all rechargeable batteries and the participating manufacturers' products powered by nonremovable rechargeable batteries. Manufacturers may act as a group or through a representative organization. The pilot projects must run for a minimum of 18 months and be designed to collect sufficient statewide data for the design and implementation of permanent collection and management programs that may be reasonably expected to collect at least 90 percent of waste rechargeable batteries and the participating manufacturers' products powered by rechargeable batteries that are generated in the state.

By December 1, 1991, the manufacturers or their representative organization shall submit plans for the projects to the legislative commission. ~~At least every six months during the pilot projects the manufacturers shall submit progress reports to the commission. The commission shall review the plans and progress reports.~~

By November 1, 1993, the manufacturers or their representative organization shall report to the legislative commission the final results of the projects and plans for implementation of permanent programs. The commission shall review the final results and plans.

*By October 1, 1994, and by October 1, 1995, each manufacturer or a representative organization shall submit to the commission additional reports that detail progress made toward implementing permanent management programs. The October 1, 1995, report must include a description of the programs implemented under subdivision 5. The progress reports must include the estimated number of rechargeable batteries sold by each manufacturer and the number of batteries each manufacturer collected during the previous year. A representative organization may report numbers in aggregate for all the members of the organization.*

Sec. 11. Minnesota Statutes 1992, section 115A.9157, subdivision 5, is amended to read:

Subd. 5. [COLLECTION AND MANAGEMENT PROGRAMS.] By ~~April 15, 1994~~ *September 20, 1995*, the manufacturers or their representative organization shall implement permanent programs, based on the results of the pilot projects required in subdivision 4, that may be reasonably expected to

collect 90 percent of the waste rechargeable batteries and the participating manufacturers' products powered by rechargeable batteries that are generated in the state. The batteries and products collected must be recycled or otherwise managed or disposed of properly.

*In every odd-numbered year after 1995, each manufacturer or a representative organization shall provide information to the commission that specifies at least the estimated number of rechargeable batteries sold in the state by each manufacturer and the number of batteries each collected during the previous two years. A representative organization may report the numbers in aggregate for all the members of the organization.*

Page 7, line 31, after "facility" insert "other than a recycling facility or a household hazardous waste collection facility"

Page 8, lines 6 and 7, strike "July 1, 1995" and insert "December 31, 1996"

Page 9, line 30, delete "source separated" and insert "source-separated"

Page 9, line 31, after "for" insert "recycling or"

Page 10, line 11, delete "In"

Page 10, line 12, delete the new language

Page 10, after line 36, insert:

"Sec. 20. Minnesota Statutes 1993 Supplement, section 115A.9651, is amended to read:

115A.9651 [TOXICS IN PRODUCTS; ENFORCEMENT.]

*Subdivision 1. [PROHIBITION.] (a) After July 1, 1994, no person may deliberately introduce lead, cadmium, mercury, or hexavalent chromium into any ink, dye, pigment, paint, or fungicide that is intended for use or for sale in this state.*

*Until July 1, 1997, this section does not apply to electrodeposition primer coating or primer coating used on aircraft, porcelain enamel coatings, medical devices, hexavalent chromium in the form of chromine acid when processed at a temperature of at least 750 degrees Fahrenheit, or ink used for computer identification markings.*

*(b) For the purposes of this subdivision, "deliberately introduce" means to deliberately use a listed metal in the formulation of an ink, dye, pigment, paint, or fungicide, with a resulting total concentration greater than 100 parts per million.*

*Subd. 2. [TEMPORARY EXEMPTION.] (a) A product is exempt from this section until July 1, 1997, if the manufacturer of the product requests the exemption in writing by July 1, 1994, and the request includes:*

*(1) an explanation of why compliance is not technically possible;*

*(2) a description of the steps the manufacturer will take to ensure compliance by July 1, 1997; and*

*(3) the name, address, and telephone number of a person the commissioner can contact for further information.*

(b) By October 1, 1994, the commissioner shall report to the legislative commission on waste management with a list of companies that have requested an exemption under this subdivision and the products for which exemptions were sought. The report must include copies of the requests submitted to the commissioner.

(c) By July 1, 1996, the companies on the list shall submit to the commissioner a report describing the progress made towards compliance with subdivision 1 and the probability that compliance will be achieved by July 1, 1997. The commissioner shall submit to the legislative commission a report that summarizes the progress reports, indicating for each product whether compliance is likely to be achieved by July 1, 1997, and for products for which compliance is not likely to be achieved, reasons why this is the case. The report must also include any recommendations of the commissioner for legislative or other actions.

(d) This section does not apply to art supplies.

(e) This section may be enforced under sections 115.071 and 116.072. The attorney general or the commissioner of the agency shall coordinate enforcement of this section with the director of the office."

Page 14, line 2, delete "SERVICES" and insert "SERVICERS"

Page 14, delete lines 14 to 19

Page 17, after line 6, insert:

"Sec. 28. Minnesota Statutes 1992, section 473.803, subdivision 1, is amended to read:

Subdivision 1. [COUNTY MASTER PLANS; GENERAL REQUIREMENTS.] Each metropolitan county, following adoption or revision of the council's solid waste policy plan and in accordance with the dates specified therein, and after consultation with all affected local government units, shall prepare and submit to the council for its approval, a county solid waste master plan to implement the policy plan. The master plan shall be revised and resubmitted at such times as the council's policy plan may require. The master plan shall describe county solid waste activities, functions, and facilities; the existing system of solid waste generation, collection, and processing, and disposal within the county; proposed mechanisms for complying with the recycling requirements of section 115A.551, and the household hazardous waste management requirements of section 115A.96, subdivision 6; existing and proposed county and municipal ordinances and license and permit requirements relating to solid waste facilities and solid waste generation, collection, and processing, and disposal; existing or proposed municipal, county, or private solid waste facilities and collection services within the county together with schedules of existing rates and charges to users and statements as to the extent to which such facilities and services will or may be used to implement the policy plan; and any solid waste facility which the county owns or plans to acquire, construct, or improve together with statements as to the planned method, estimated cost and time of acquisition, proposed procedures for operation and maintenance of each facility; an estimate of the annual cost of operation and maintenance of each facility; an estimate of the annual gross revenues which will be received from the operation of each facility; and a proposal for the use of each facility after it is no longer needed or usable as a waste facility. The master plan shall, to the

extent practicable and consistent with the achievement of other public policies and purposes, encourage ownership and operation of solid waste facilities by private industry, *and may rely upon private ownership, operation, and financing of solid waste facilities to achieve the waste management objectives identified in the plan.* For solid waste facilities owned or operated by public agencies or supported primarily by public funds or obligations issued by a public agency, the master plan shall contain criteria and standards to protect comparable private and public facilities already existing in the area from displacement unless the displacement is required in order to achieve the waste management objectives identified in the plan.

Sec. 29. Minnesota Statutes 1992, section 473.803, subdivision 1c, is amended to read:

Subd. 1c. [COUNTY ABATEMENT PLAN.] Each county shall revise its master plan to include a land disposal abatement element to implement the council's land disposal abatement plan adopted under section 473.149, subdivision 2d, and shall submit the revised plan to the council for review under subdivision 2 within nine months after the adoption of the council's metropolitan abatement plan. The county plan must implement the local abatement objectives for the county and cities within the county as stated in the council's plan *and may rely upon private ownership, operation, and financing of solid waste facilities to achieve the objectives of the council's land disposal abatement plan.* The county abatement plan must include specific and quantifiable county objectives, based on the council's objectives, for abating to the greatest feasible and prudent extent the need for and practice of land disposal of mixed municipal solid waste and of specific components of the solid waste stream generated in the county, stated in annual increments through the date specified in section 473.848 and in two five-year increments thereafter. The plan must include measurable performance standards for local abatement of solid waste through resource recovery and waste reduction and separation programs and activities for the county as a whole and for statutory or home rule charter cities of the first, second, and third class, respectively, in the county, stated in annual increments through the date specified in section 473.848 and in two five-year increments thereafter. The performance standards must implement the metropolitan and county abatement objectives. The plan must include standards and procedures to be used by the county in determining annually under subdivision 3 whether a city within the county has implemented the plan and has satisfied the performance standards for local abatement. The master plan revision required by this subdivision must be prepared in consultation with the advisory committee established pursuant to subdivision 4.

Sec. 30. Minnesota Statutes 1992, section 473.811, subdivision 5, is amended to read:

Subd. 5. [ORDINANCES; SOLID WASTE COLLECTION AND TRANSPORTATION.] Each metropolitan county may adopt ordinances governing the collection of solid waste. A county may adopt, but may not be required to adopt, an ordinance that requires the separation from mixed municipal waste, by generators before collection, of materials that can readily be separated for use or reuse as substitutes for raw materials or for transformation into a usable soil amendment. Each local unit of government within the metropolitan area shall adopt an ordinance governing the collection of solid waste within its boundaries. If the county within which it is located has adopted a collection ordinance, the local unit shall adopt either the county ordinance by reference

or a more strict ordinance. If the county within which it is located has adopted a separation ordinance, the ordinance applies in all local units within the county that have failed to meet the local abatement performance standards, as stated in the most recent annual county report. Ordinances of counties and local government units may establish reasonable conditions respecting but shall not prevent the transportation of solid waste by a licensed collector through and between counties and local units, except as required for the enforcement of any designation of a facility by a county under chapter 115A, *or to enforce the prohibition against the disposal of unprocessed mixed municipal solid waste under sections 473.848 and 473.849.* A licensed collector or a metropolitan county or local government unit may request review by the council of an ordinance adopted under this subdivision. The council shall approve or disapprove the ordinance within 60 days of the submission of a request for review. The ordinance shall remain in effect unless it is disapproved. Ordinances of counties and local units of government shall provide for the enforcement of any designation of facilities by the counties under chapter 115A. *Ordinances of counties and local governments may require that haulers deliver unprocessed mixed municipal solid waste to processing facilities and may prohibit haulers from delivering unprocessed mixed municipal solid waste to land disposal facilities for final disposal.* Nothing in this subdivision shall be construed to limit the authority of the local government unit to regulate and license collectors of solid waste or to require review or approval by the council for ordinances regulating collection.

Sec. 31. Minnesota Statutes 1992, section 473.811, subdivision 5a, is amended to read:

Subd. 5a. [ORDINANCES; SOLID WASTE FACILITIES.] Each metropolitan county shall by ordinance establish and from time to time revise rules, regulations, and standards for solid waste facilities within the county, relating to location, sanitary operation, periodic inspection and monitoring, maintenance, termination and abandonment, and other pertinent matters. The county ordinance may require facilities accepting mixed municipal solid waste for disposal to install scales. *The county ordinance may prohibit land disposal facilities from accepting unprocessed mixed municipal solid waste for final disposal.* The county ordinance shall require permits or licenses for solid waste facilities and shall require that such facilities be registered with a county office.

Sec. 32. [473.812] [RECORDS; INSPECTION.]

*For the enforcement of section 473.811, a metropolitan county that does not have a designation ordinance in effect has the authority and responsibilities for records inspection provided in section 115A.882."*

Page 18, after line 17, insert:

"Sec. 35. [473.8445] [ADDITIONAL FEE AUTHORITY.]

*(a) In addition to the county fee authority in section 115A.919, a county in the metropolitan area may impose a fee, by cubic yard of waste or its equivalent, on operators of facilities for the:*

*(1) disposal of industrial waste;*

*(2) disposal of ash from combustion of solid waste, or solid waste mixed with other combustible material; and*

(3) transfer of solid waste to a disposal facility as defined in section 115A.03.

The fee may not exceed \$7.50 per cubic yard or \$25 per ton. The revenue from the fees shall be used only for those purposes allowed under section 115A.919.

(b) A county that imposes a fee on operators of facilities for the transfer of solid waste to a disposal facility may not impose a fee under section 115A.919 on the operator of a disposal facility for the disposal of the same waste."

Page 19, line 27, after "unless" insert "the waste disposal facility has liners and a leachate collection system that meet current federal and state minimum requirements for the design, construction, and operation of a new disposal facility for the type of solid waste being disposed and"

Page 20, after line 4, insert:

"Sec. 39. Minnesota Statutes 1993 Supplement, section 473.848, subdivision 2, is amended to read:

Subd. 2. [COUNTY CERTIFICATION; COUNCIL APPROVAL.] (a) By April 1 of each year, each county shall submit an annual certification report to the council detailing:

(1) the quantity of waste generated in the county that was not processed prior to transfer to a disposal facility during the year preceding the report;

(2) the reasons the waste was not processed;

(3) a strategy for development of techniques to ensure processing of waste including a specific timeline for implementation of those techniques; and

(4) any progress made by the county in reducing the amount of unprocessed waste.

The report shall be included in the county report required by section 473.803, subdivision 3.

(b) The council shall approve a county's certification report if it determines that the county is reducing and will continue to reduce the amount of unprocessed waste, based on the report and the county's progress in development and implementation of techniques to reduce the amount of unprocessed waste transferred to disposal facilities. *When reviewing a county's report, the council shall take into consideration the county's efforts to encourage the private ownership, operation, and financing of solid waste facilities.* If the council does not approve a county's report, it shall negotiate with the county to develop and implement specific techniques to reduce unprocessed waste. If the council does not approve two or more consecutive reports from any one county, the council shall develop specific reduction techniques that are designed for the particular needs of the county. The county shall implement those techniques by specific dates to be determined by the council.

Sec. 40. Minnesota Statutes 1992, section 473.848, subdivision 5, is amended to read:

Subd. 5. [DEFINITION.] For the purpose of this section, waste is "unprocessed" if it has not, after collection and before disposal, undergone at least one process, as defined in section 115A.03, subdivision 25, excluding



~~storage, exchange, and transfer of the waste separation of materials for recycling or resource recovery through composting or converting waste to energy or refuse-derived fuel so that the weight of the waste remaining that must be disposed of in a mixed municipal solid waste disposal facility is not more than 35 percent of the weight before processing, on an annual average.~~"

Page 21, after line 32, insert:

"Sec. 44. [ANTIFREEZE RECYCLING; REPORT.]

*By October 1, 1995, the director of the office of waste management, in consultation with the commissioner of the pollution control agency and other interested parties, shall submit to the legislative commission on waste management a report that:*

*(1) describes the current market for recycled antifreeze, how the market has developed, and emerging trends;*

*(2) identifies barriers to and opportunities for expanding the market for recycled antifreeze; and*

*(3) contains recommendations for legislative and other actions to improve the management of used antifreeze."*

Page 22, line 2, after "7" insert ", 20," and delete "23" and insert "26"

Page 22, line 4, delete "28" and insert "37"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after "waste" insert "antifreeze and"

Page 1, line 13, after the semicolon, insert "clarifying the prohibition on toxics in products and providing for exemptions;"

Page 1, line 15, delete "services" and insert "servicers"

Page 1, line 20, after the semicolon, insert "authorizing private ownership of solid waste facilities; permitting counties and local governments to impose certain conditions on disposal of unprocessed solid waste; authorizing counties to require record keeping; adding requirements for liners and leachate systems;"

Page 1, line 25, after the semicolon, insert "requiring a report on recycled antifreeze;"

Page 1, line 28, after the second semicolon, insert "115A.9157, subdivisions 4 and 5;"

Page 1, line 32, after the second semicolon, insert "473.803, subdivisions 1 and 1c; 473.811, subdivisions 5 and 5a;"

Page 1, line 34, delete "subdivision 1" and insert "subdivisions 1 and 5"

Page 1, line 36, after the third semicolon, insert "115A.9651;"

Page 1, line 38, delete "and" and after the second semicolon, insert "and 473.848, subdivision 2;"

Page 1, line 39, delete "chapter 116" and insert "chapters 116; and 473"

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

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

S.F. No. 1898: A bill for an act relating to insurance; health; requiring coverage for equipment and supplies for the management and treatment of diabetes; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 1, line 14, delete "and" and insert "or" and delete everything after "provisions"

Page 1, line 15, delete everything before "A" and insert "*applicable to the plan's hospital, medical expense, or prescription drug benefits.*"

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

Mr. Solon from the Committee on Commerce and Consumer Protection, to which was referred the following appointment as reported in the Journal for February 22, 1994:

#### DEPARTMENT OF COMMERCE COMMISSIONER

James E. Ulland

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

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

Mr. Mondale, for Mrs. Adkins, from the Committee on Metropolitan and Local Government, to which was referred the following appointment as reported in the Journal for May 12, 1993:

#### METROPOLITAN TRANSIT COMMISSION

Allyson Hartle

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

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

Mr. Mondale, for Mrs. Adkins, from the Committee on Metropolitan and

Local Government, to which were referred the following appointments as reported in the Journal for February 22, 1994:

METROPOLITAN COUNCIL

Roger Scherer  
 Bill Schreiber  
 Mary Smith  
 Julius Smith  
 Martha Head  
 Carol A. Kummer  
 David Hartley  
 Patrick Leung  
 Esther Newcome  
 E. Craig Morris  
 Diane "Dede" Wolfson  
 Stephen Wellington, Jr.  
 Kevin Howe  
 Terrence Flower

METROPOLITAN TRANSIT COMMISSION

Frank Snowden

REGIONAL TRANSIT BOARD

Sharon Feess  
 N. Harry Mares  
 Gary Humphrey  
 Michael Beard  
 Ruby Hunt  
 Morgan Grant

REGIONAL TRANSIT BOARD  
 CHAIR

Sally Evert

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. Mondale, for Mrs. Adkins, from the Committee on Metropolitan and Local Government, to which was referred the following appointment as reported in the Journal for March 2, 1994:

METROPOLITAN TRANSIT COMMISSION

Todd Paulson

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

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

Mr. Mondale, for Mrs. Adkins, from the Committee on Metropolitan and Local Government, to which was referred the following appointment as reported in the Journal for March 2, 1994:

### METROPOLITAN TRANSIT COMMISSION

Robert Mairs

Reports the same back with the recommendation that the appointment not be confirmed.

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

Mr. Marty from the Committee on Ethics and Campaign Reform, to which was referred

H.F. No. 1863: A bill for an act relating to ethics in government; providing for the house and senate ethics committees to perform specified duties in ethics leadership; changing various lobbyist and principal reporting requirements; prescribing penalties; amending Minnesota Statutes 1992, section 10A.04, subdivisions 4, 5, and 6; proposing coding for new law in Minnesota Statutes, chapters 3; and 10A.

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 10A.02, subdivision 12, is amended to read:

Subd. 12. [ADVISORY OPINIONS.] (a) The board may issue and publish advisory opinions on the requirements of this chapter based upon real or hypothetical situations. An application for an advisory opinion may be made only by an individual or association who wishes to use the opinion to guide the individual's or the association's own conduct. The board shall issue written opinions on all such questions submitted to it within 30 days after receipt of written application, unless a majority of the board agrees to extend the time limit. ~~Am~~

(b) ~~A written advisory opinion shall lapse the day the regular session of the legislature adjourns in the second year following the date of the opinion.~~ issued by the board is binding on the board in any subsequent board proceeding concerning the person making or covered by the request and is a defense in a judicial proceeding that involves the subject matter of the opinion and is brought against the person making or covered by the request unless:

(1) the board has amended or revoked the opinion before the initiation of the board or judicial proceeding, has notified the person making or covered by the request of its action, and has allowed at least 30 days for the person to do anything that might be necessary to comply with the amended or revoked opinion;

(2) *the request has omitted or misstated material facts; or*

(3) *the person making or covered by the request has not acted in good faith in reliance on the opinion.*

(c) *A request for an opinion and the opinion itself are nonpublic data. The board, however, may publish an opinion or a summary of an opinion, but may not include in the publication the name of the requester, the name of a person covered by a request from an agency or political subdivision, or any other information that might identify the requester unless the person consents to the inclusion.*

Sec. 2. Minnesota Statutes 1992, section 10A.04, subdivision 4, is amended to read:

Subd. 4. (a) The report shall include such information as the board may require from the registration form and the information required by this subdivision for the reporting period.

(b) Each lobbyist shall report the lobbyist's total disbursements on lobbying, separately listing lobbying to influence legislative action, lobbying to influence administrative action, and lobbying to influence the official actions of a metropolitan governmental unit, and a breakdown of disbursements for each of those kinds of lobbying into categories specified by the board, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses.

(c) Each lobbyist shall report the amount and nature of each honorarium, gift, loan, item or benefit, excluding contributions to a candidate, equal in value to \$50 \$5 or more, given or paid to any public or local official by the lobbyist or any employer or any employee of the lobbyist. The list shall include the name and address of each public or local official to whom the honorarium, gift, loan, item or benefit was given or paid and the date it was given or paid. *A lobbyist need report only the aggregate amount and nature of food or beverages given or made available to all members of the legislature or a house of the legislature or to all members of a local legislative body, along with the name of the legislative body and the date it was given or made available.*

(d) Each lobbyist shall report each original source of funds in excess of \$500 in any year used for the purpose of lobbying to influence legislative action, each such source of funds used to influence administrative action, and each such source of funds used to influence the official action of metropolitan governmental units. The list shall include the name, address and employer, or, if self-employed, the occupation and principal place of business, of each payer of funds in excess of \$500.

Sec. 3. [10A.071] [CERTAIN GIFTS BY LOBBYISTS AND PRINCIPALS PROHIBITED.]

*Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.*

(b) *"Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employ-*

ment, that is given and received without the giver receiving consideration of equal or greater value in return.

(c) "Official" means a public official, an employee of the legislature, or a local official of a metropolitan governmental unit.

Subd. 2. [PROHIBITION.] A lobbyist or principal may not give a gift or request another to give a gift to an official. An official may not accept a gift from a lobbyist or principal.

Subd. 3. [EXCEPTIONS.] (a) The prohibitions in this section do not apply if the gift is:

(1) a contribution as defined in section 10A.01, subdivision 7;

(2) services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;

(3) services of insignificant monetary value;

(4) a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

(5) a trinket or memento of insignificant value;

(6) informational material of unexceptional value; or

(7) food or a beverage given at a reception, meal, or meeting away from the recipient's place of work.

(b) The prohibitions in this section do not apply if the gift is given:

(1) because of the recipient's membership in a group, a majority of whose members are not officials, and an equivalent gift is given to the other members of the group; or

(2) by a lobbyist or principal who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family.

#### Sec. 4. [471.895] [CERTAIN GIFTS BY INTERESTED PERSONS PROHIBITED.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Gift" has the meaning given it in section 10A.071, subdivision 1.

(c) "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make.

(d) "Local official" means an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city.

Subd. 2. [PROHIBITION.] An interested person may not give a gift or request another to give a gift to a local official. A local official may not accept a gift from an interested person.

Subd. 3. [EXCEPTIONS.] (a) The prohibitions in this section do not apply if the gift is:

(1) a contribution as defined in section 211A.01, subdivision 5;

(2) services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;

(3) services of insignificant monetary value;

(4) a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

(5) a trinket or memento of insignificant value;

(6) informational material of unexceptional value; or

(7) food or a beverage given at a reception, meal, or meeting away from the recipient's place of work.

(b) The prohibitions in this section do not apply if the gift is given:

(1) because of the recipient's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given to the other members of the group; or

(2) by an interested person who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family."

Delete the title and insert:

"A bill for an act relating to ethics in government; requiring lobbyists to report gifts of \$5 or more; prohibiting gifts by lobbyists and interested persons to certain officials under certain conditions; revising procedure for advisory opinions; amending Minnesota Statutes 1992, sections 10A.02, subdivision 12; and 10A.04, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 10A; and 471."

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 1750, 1788 and 1898 were read the second time.

## SECOND READING OF HOUSE BILLS

H.F. No. 1863 was read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Benson, D.D. moved that the name of Ms. Runbeck be added as a co-author to S.F. No. 1720. The motion prevailed.

Mr. Solon moved that the name of Mr. Oliver be added as a co-author to S.F. No. 1847. The motion prevailed.

Mr. Sams moved that the name of Mr. Dille be added as a co-author to S.F. No. 1857. The motion prevailed.

Ms. Pappas moved that her name be stricken as chief author, shown as a

co-author, and the name of Ms. Kiscaden be shown as chief author to S.F. No. 1863. The motion prevailed.

Mr. Metzen moved that the name of Mr. Price be added as a co-author to S.F. No. 1866. The motion prevailed.

Mr. Beckman moved that the name of Mr. Hottinger be added as a co-author to S.F. No. 1954. The motion prevailed.

Mr. Terwilliger moved that the name of Ms. Runbeck be added as a co-author to S.F. No. 2127. The motion prevailed.

Mr. Stevens moved that the names of Mr. Mondale and Ms. Johnson, J.B. be added as co-authors to S.F. No. 2149. The motion prevailed.

Mr. Moe, R.D. moved that the name of Ms. Berglin be added as a co-author to S.F. No. 2171. The motion prevailed.

Mr. Bertram moved that the name of Mr. Stevens be added as a co-author to S.F. No. 2234. The motion prevailed.

Mr. Lessard moved that the names of Messrs. Finn and Samuelson be added as co-authors to S.F. No. 2235. The motion prevailed.

Mr. Johnson, D.E. moved that S.F. No. 1633 be withdrawn from the Committee on Jobs, Energy and Community Development and returned to its author. The motion prevailed.

Mr. Price moved that S.F. No. 1686 be withdrawn from the Committee on Transportation and Public Transit and returned to its author. The motion prevailed.

Mr. Chandler moved that S.F. No. 1882 be withdrawn from the Committee on Governmental Operations and Reform and returned to its author. The motion prevailed.

Mr. Knutson introduced—

Senate Resolution No. 62: A Senate resolution congratulating the Dakota United adapted soccer team on winning the first Minnesota State High School League sponsored state physical or health impaired soccer tournament.

Referred to the Committee on Rules and Administration.

Mr. Chandler introduced—

Senate Resolution No. 63: A Senate resolution congratulating Mindy Myhre, Mahtomedi High School, on winning her fourth consecutive Class A all-around championship.

Referred to the Committee on Rules and Administration.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

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

Mr. Kelly, Mses. Johnston and Ranum introduced—



S.F. No. 2238: A bill for an act relating to claims against the state; requiring verification of certain safety training and standards before payment by the state for injuries suffered by certain claimants supervised by local government agencies; amending Minnesota Statutes 1992, section 3.739, subdivision 2.

Referred to the Committee on Crime Prevention.

Messrs. Merriam, Morse, Ms. Hanson, Mr. Lessard and Mrs. Benson, J.E. introduced—

S.F. No. 2239: A bill for an act relating to the environment; establishing an alternative cleanup program for mixed municipal solid waste landfills; authorizing issuance of state bonds; providing penalties; appropriating money; amending Minnesota Statutes 1993 Supplement, sections 115B.42, subdivision 2; and 116.07, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Environment and Natural Resources.

Messrs. Pogemiller and Terwilliger introduced—

S.F. No. 2240: A bill for an act relating to retirement; providing for level benefits for the Minneapolis police relief association; changing the definition of surviving spouses eligible for benefits; amending Minnesota Statutes 1992, section 423B.09, subdivision 1; Minnesota Statutes 1993 Supplement, section 423B.10, subdivision 1.

Referred to the Committee on Governmental Operations and Reform.

Mr. Pogemiller and Ms. Flynn introduced—

S.F. No. 2241: A bill for an act relating to the city of Minneapolis; clarifying the procedures that may be used in assessing special assessments.

Referred to the Committee on Metropolitan and Local Government.

Ms. Ranum, Messrs. McGowan and Kelly introduced—

S.F. No. 2242: A bill for an act relating to crimes; defining escaping while held in lawful custody to include absconding from electronic monitoring devices; amending Minnesota Statutes 1992, section 609.485, subdivision 2.

Referred to the Committee on Crime Prevention.

Mr. Samuelson introduced—

S.F. No. 2243: A bill for an act relating to motor vehicles; requiring the registrar of motor vehicles to appoint a deputy registrar in the city of Crosby.

Referred to the Committee on Transportation and Public Transit.

Mr. Samuelson introduced—

S.F. No. 2244: A bill for an act relating to wetlands; providing an exemption to replacement plans for wetlands within certain cities; amending Minnesota Statutes 1993 Supplement, section 103G.2241.

Referred to the Committee on Environment and Natural Resources.

Messrs. Janezich; Johnson, D.J.; Solon and Samuelson introduced—

S.F. No. 2245: A bill for an act relating to capital improvements; appropriating money to the higher education board to plan for the colocation of the Range technical college and the Hibbing community college at the Hibbing community college site; authorizing the sale of state bonds.

Referred to the Committee on Education.

Messrs. Murphy and Morse introduced—

S.F. No. 2246: A bill for an act relating to natural resources; authorizing the exchange of certain state lands in Wabasha and Fillmore counties under certain conditions.

Referred to the Committee on Environment and Natural Resources.

Messrs. Sams; Bertram; Johnson, D.E.; Dille and Berg introduced—

S.F. No. 2247: A bill for an act relating to agriculture; changing the law on nuisance liability of agricultural operations; amending Minnesota Statutes 1992, section 561.19, subdivisions 1, 2, and by adding a subdivision.

Referred to the Committee on Agriculture and Rural Development.

Mr. Frederickson, Meses. Wiener; Johnson, J.B.; Lesewski and Mr. Johnson, D.E. introduced—

S.F. No. 2248: A bill for an act relating to employment; appropriating money for the displaced homemaker program.

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

Messrs. Benson, D.D.; Moe, R.D.; Ms. Kiscaden, Mrs. Benson, J.E. and Ms. Robertson introduced—

S.F. No. 2249: A bill for an act relating to human services; directing the commissioner to seek waivers of federal restrictions on lump sum payments for medical services.

Referred to the Committee on Health Care.

Mr. Metzen introduced—

S.F. No. 2250: A bill for an act relating to retirement; enabling certain retired members of the public employees retirement association to rescind a selection of a joint and survivor annuity and to receive a normal retirement annuity.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Solon; Johnson, D.J.; Ms. Pappas and Mr. Kroening introduced—

S.F. No. 2251: A bill for an act relating to retirement; first class city teachers; defining salary; authorizing purchase of service credit for parental or maternity leave; resumption of teaching by basic program retirees; amending Minnesota Statutes 1992, sections 354A.011, subdivision 24; 354A.095; and 354A.31, subdivision 3.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Samuelson; Kroening; Janezich; Johnson, D.E. and McGowan introduced—

S.F. No. 2252: A bill for an act relating to the lottery; authorizing and regulating the use of video lottery machines for the play of pull-tabs; regulating video lottery manufacturers, distributors, operators, and licensed establishments; abolishing the use of paper pull-tabs as of January 1, 1996; setting fees; authorizing rules, including exempt rules; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on Gaming Regulation.

Messrs. Finn, Riveness, Frederickson, Novak and Laidig introduced—

S.F. No. 2253: A bill for an act relating to natural resources; authorizing departmental sponsored competition in natural resources conservation related activities; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Messrs. Luther, Price, Laidig, Ms. Krentz and Mr. Chandler introduced—

S.F. No. 2254: A bill for an act relating to capital improvements; appropriating money for the state's commitment to scenic easement acquisition under the federal Lower St. Croix River Act of 1972; authorizing the issuance of state bonds.

Referred to the Committee on Environment and Natural Resources.

Messrs. Luther, Solon and Larson introduced—

S.F. No. 2255: A bill for an act relating to insurance; requiring the commissioner of commerce to conduct a study of pollution coverage in Minnesota farm liability policies and report to the legislature.

Referred to the Committee on Commerce and Consumer Protection.

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

S.F. No. 2256: A bill for an act relating to the metropolitan waste control commission; reducing the salary range of the chair; providing for a part-time chair; amending Minnesota Statutes 1992, sections 15A.081, subdivision 7; and 473.503.

Referred to the Committee on Metropolitan and Local Government.

Messrs. McGowan, Belanger, Mses. Kiscaden, Robertson and Runbeck introduced—

S.F. No. 2257: A bill for an act relating to human services; appropriating money for the child care fund.

Referred to the Committee on Family Services.

Messrs. Metzen; Luther; Moe, R.D.; Riveness and Stumpf introduced—

S.F. No. 2258: A bill for an act relating to state government; public employment; establishing a pilot project in certain agencies; permitting the waiver of rules governing the classified and unclassified service of the state by joint committees.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Metzen; Luther; Moe, R.D. and Riveness introduced—

S.F. No. 2259: A bill for an act relating to state government; establishing positions of secretaries to lead executive offices; assigning duties; requiring appointments; proposing coding for new law as Minnesota Statutes, chapter 4B.

Referred to the Committee on Governmental Operations and Reform.

Mses. Johnston, Lesewski, Mr. Dille, Ms. Olson and Mr. Vickerman introduced—

S.F. No. 2260: A bill for an act relating to public safety; making technical corrections; allowing special, coded license plates to be issued, following impoundment of former plates, to licensed driver identified by vehicle's registered owner; requiring department of public safety to keep records for five years of cancellations and disqualifications of drivers' licenses, unless rescinded; classifying offenses of following too closely and erratic lane change as serious traffic offenses for purposes of disqualifying driver from operating commercial motor vehicle; requiring same waiting period for Minnesota limited driver's license whether offense was committed in Minnesota or in another state; amending Minnesota Statutes 1992, sections 168.042, subdivision 12; 171.12, subdivisions 1, 3, and 3a; 171.165, subdivision 4; and 260.151, subdivision 1; Minnesota Statutes 1993 Supplement, sections 171.22, subdivision 1; 171.29, subdivision 2; and 171.30, subdivision 2a.

Referred to the Committee on Transportation and Public Transit.

Ms. Pappas and Mr. Pogemiller introduced—

S.F. No. 2261: A bill for an act relating to taxation; income; allowing a lead abatement credit; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Sams, Stevens, Day, Langseth and Samuelson introduced—

S.F. No. 2262: A bill for an act relating to local government; removing notice requirements for emergency on-site inspections by town boards; amending Minnesota Statutes 1992, section 366.01, subdivision 11.

Referred to the Committee on Metropolitan and Local Government.

Messrs. Sams, Samuelson and Pogemiller introduced—

S.F. No. 2263: A bill for an act relating to education; setting transportation aid for independent school district No. 793, Staples, for residents of independent school district No. 483, Motley.

Referred to the Committee on Education.

Ms. Runbeck, Mr. Laidig and Ms. Hanson introduced—

S.F. No. 2264: A bill for an act relating to education; increasing the general education formula allowance; repealing supplemental revenue; removing the expiration of referendum levies; modifying the class size reduction program; eliminating the referendum revenue reduction; amending Minnesota Statutes 1992, section 124A.22, subdivision 1; Minnesota Statutes 1993 Supplement, sections 124A.03, subdivision 1c; 124A.22, subdivision 2; 124A.225, subdivisions 1 and 4; repealing Minnesota Statutes 1992, section 124A.22, subdivisions 8, 8a, and 8b; Minnesota Statutes 1993 Supplement, sections 124A.03, subdivision 3b; and 124A.22, subdivision 9; Laws 1993, chapter 224, article 1, section 37.

Referred to the Committee on Education.

Ms. Runbeck introduced—

S.F. No. 2265: A bill for an act relating to alcoholic beverages; imposing restrictions on certain sales practices during certain hours; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Hottinger, Ms. Kiscaden, Messrs. Solon and Spear introduced—

S.F. No. 2266: A bill for an act relating to insurance; utilization review; making utilization review for workers' compensation health care subject to state regulation; amending Minnesota Statutes, sections 62M.01, subdivision 2; 62M.02, subdivisions 6, 12, and 21; and 62M.15.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Samuelson, Solon, Metzen and Day introduced—

S.F. No. 2267: A bill for an act relating to real estate; authorizing title insurance companies governed by chapter 68A, or their appointed agents to discharge, release, or satisfy mortgages; amending Minnesota Statutes 1992, section 507.40.

Referred to the Committee on Commerce and Consumer Protection.

Messrs. Bertram; Johnson, D.J.; Ms. Flynn, Messrs. Sams and Langseth introduced—

S.F. No. 2268: A bill for an act relating to tax increment financing; authorizing the establishment of manufacturing districts; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Solon, Larson, Price, Janezich and Luther introduced—

S.F. No. 2269: A bill for an act relating to occupations and professions; heating, ventilating, cooling, fuel burning, or refrigeration systems, incinerators or other heat producing piping or equipment, and air cooling or air filtering equipment; providing for the licensing and regulating of contractors and installers; creating a board and prescribing its powers and duties; providing appointments; providing rulemaking; prescribing penalties; appro-

priating money; proposing coding for new law as Minnesota Statutes, chapter 326A.

Referred to the Committee on Commerce and Consumer Protection.

Ms. Ranum, Mr. Laidig, Ms. Anderson, Messrs. Marty and Spear introduced—

S.F. No. 2270: A bill for an act relating to crime prevention; child abuse; providing a separate definition of "mentally incapacitated" for certain victims under 18; expanding first-degree criminal sexual conduct to cover sexual contact with a child under 13; increasing the penalty for fifth-degree assault and malicious punishment of a child under three; amending Minnesota Statutes 1992, sections 609.224, by adding a subdivision; 609.341, subdivisions 7, 11, and 12; 609.342, subdivision 1; and 609.377; Minnesota Statutes 1993 Supplement, section 609.345, subdivision 1.

Referred to the Committee on Crime Prevention.

Messrs. Stevens, Chandler, Knutson, Mses. Robertson and Piper introduced—

S.F. No. 2271: A bill for an act relating to family law; requiring publication of names of certain delinquent child support obligors; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Family Services.

Mr. Janezich introduced—

S.F. No. 2272: A bill for an act relating to horse racing; regulating licenses, purses, proceeds, and the breeders' fund; amending Minnesota Statutes 1992, sections 240.091, subdivision 1; 240.13, subdivision 5; 240.15, subdivision 6; and 240.18, subdivision 1.

Referred to the Committee on Gaming Regulation.

Ms. Krentz, Messrs. Dille, Sams; Mses. Wiener and Kiscaden introduced—

S.F. No. 2273: A bill for an act relating to health; developing a program for teens with a goal of reducing teen pregnancy; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health Care.

Ms. Piper and Mr. Beckman introduced—

S.F. No. 2274: A bill for an act relating to Freeborn county; permitting the appointment of the recorder and auditor/treasurer; authorizing the reorganization of county offices.

Referred to the Committee on Metropolitan and Local Government.

Mr. Solon, Ms. Piper, Messrs. Samuelson, Riveness and Benson, D.D. introduced—

S.F. No. 2275: A bill for an act relating to human services; adjusting

reimbursement rates for special transportation services; amending Minnesota Statutes 1993 Supplement, section 256B.0625, subdivision 17.

Referred to the Committee on Health Care.

Mr. Pogemiller and Ms. Olson introduced—

S.F. No. 2276: A bill for an act relating to retirement; adding Hennepin county paramedics and emergency medical technicians to membership in the public employees police and fire fund; amending Minnesota Statutes 1992, section 353.64, by adding a subdivision.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Merriam and Riveness introduced—

S.F. No. 2277: A bill for an act relating to metropolitan waste control commission; authorizing the commission to enter into agreements to implement total watershed management; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Environment and Natural Resources.

Messrs. Chmielewski, Murphy and Johnson, D.E. introduced—

S.F. No. 2278: A bill for an act relating to public safety; increasing fee for motor vehicle transfers and dedicating proceeds to pay for state patrol vehicles; establishing state patrol motor vehicle account and appropriating money in the account; amending Minnesota Statutes 1992, section 168A.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299D.

Referred to the Committee on Transportation and Public Transit.

Messrs. Samuelson and Sams introduced—

S.F. No. 2279: A bill for an act relating to human services; allowing regional treatment centers to provide services to outpatients and day care patients; amending Minnesota Statutes 1992, section 246.50, subdivision 5.

Referred to the Committee on Health Care.

Mr. Beckman introduced—

S.F. No. 2280: A bill for an act relating to human services; appropriating money for the child care fund.

Referred to the Committee on Family Services.

Mr. Finn introduced—

S.F. No. 2281: A bill for an act relating to education; authorizing school district No. 118, Remer-Longville, to transfer funds from bus purchase fund to capital expenditure fund.

Referred to the Committee on Education.

Mr. Finn introduced—

S.F. No. 2282: A bill for an act relating to taxation; allowing accelerated depreciation for certain property on Indian reservations; allowing a subtraction from federal taxable income for wages claimed under the Indian employment credit; amending Minnesota Statutes 1992, section 290.01, subdivisions 19b and 19d; Minnesota Statutes 1993 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes and Tax Laws.

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

S.F. No. 2283: A bill for an act relating to agriculture; expanding the restricted seed potato growing area; amending Minnesota Statutes 1992, section 21.1196, subdivision 1.

Referred to the Committee on Agriculture and Rural Development.

Messrs. Novak, Riveness, Mondale, Ms. Robertson and Mr. Price introduced—

S.F. No. 2284: A bill for an act relating to education; repealing the expiration of existing referendum authority; repealing Laws 1993, chapter 224, article 1, section 37.

Referred to the Committee on Education.

Ms. Krentz and Mr. Novak introduced—

S.F. No. 2285: A bill for an act relating to employment; making clear that employee includes "at will" and "at pleasure" employees under the whistleblower law; amending Minnesota Statutes 1992, section 181.931, subdivision 2.

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

Mr. Murphy introduced—

S.F. No. 2286: A bill for an act relating to health care; providing an additional payment to certain persons with mental retardation or related conditions; appropriating money; amending Minnesota Statutes 1992, section 256B.501, by adding a subdivision.

Referred to the Committee on Health Care.

Mr. Bertram introduced—

S.F. No. 2287: A bill for an act relating to civil proceedings; expanding parties eligible for fees and expenses in certain proceedings involving the state; amending Minnesota Statutes 1992, section 3.761, subdivision 6.

Referred to the Committee on Judiciary.

Mr. Stumpf introduced—

S.F. No. 2288: A bill for an act relating to retirement; making various administrative and minor substantive changes in the laws governing the Minnesota state retirement system, the public employees retirement association, and the teachers retirement association; amending Minnesota Statutes



1992, sections 176.021, subdivision 7; 352.01, subdivisions 11 and 13; 352.04, subdivisions 2 and 3; 352.119, by adding a subdivision; 352D.04, subdivision 2; 353.03, subdivisions 1 and 3a; 353.33, subdivisions 5 and 7; 353.656, subdivisions 2 and 4; 354.05, subdivisions 2, 21, 22, 35, and by adding subdivisions; 354.06, subdivisions 2a and 4; 354.071, subdivision 5; 354.091; 354.10, subdivisions 1 and 2; 354.42, subdivisions 3 and 5; 354.44, subdivisions 1a, 4, 5, and 5a; 354.47; 354.48, subdivision 2; 354.49, subdivision 1; 354.50, subdivision 1; 354.52, subdivisions 2, 2a, 4, and by adding subdivisions; 354.66, subdivisions 2, 3, and by adding a subdivision; and 356.30, subdivision 1; Minnesota Statutes 1993 Supplement, sections 3A.02, subdivision 5; 352.22, subdivision 2; 352.93, subdivision 2a; 352.96, subdivision 4; 352B.08, subdivision 2a; 352D.02, subdivision 1a; 353.01, subdivisions 10, 12a, 16, and 28; 353.017, by adding a subdivision; 353.27, subdivision 7; 353.33, subdivisions 11 and 12; 353.37, subdivisions 1, 2, and 4; 353.65, subdivision 3a; 353.656, subdivision 6a; 353A.08, subdivision 3; 354.05, subdivision 8; and 354.46, subdivisions 1 and 5; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 1992, sections 352.15, subdivision 2; 352D.09, subdivision 6; 354.05, subdivisions 15 and 29; 354.43, subdivision 3; 354.57; 354.65; and 356.18.

Referred to the Committee on Governmental Operations and Reform.

Mr. Merriam introduced—

S.F. No. 2289: A bill for an act relating to the environment; authorizing a person who wishes to construct or expand an air emission facility to reimburse certain costs of the pollution control agency; amending Minnesota Statutes 1992, section 116.07, subdivision 4d.

Referred to the Committee on Environment and Natural Resources.

Mr. Merriam introduced—

S.F. No. 2290: A bill for an act relating to finance; requiring executive budget officers to more closely monitor state agency receipts and expenditures and compliance with budget guidelines; making executive budget officers more independent from the agencies they oversee; amending Minnesota Statutes 1992, sections 16A.055, subdivision 4; and 16A.06, subdivision 6; Minnesota Statutes 1993 Supplement, section 16A.055, subdivision 1.

Referred to the Committee on Governmental Operations and Reform.

Mr. Merriam introduced—

S.F. No. 2291: A bill for an act relating to attorneys-at-law; prohibiting fees for public bond counsel from being based primarily on the amount of bonds sold; proposing coding for new law in Minnesota Statutes, chapter 481.

Referred to the Committee on Judiciary.

Mr. Merriam introduced—

S.F. No. 2292: A bill for an act relating to military affairs; expediting payment to forces ordered to active duty; amending Minnesota Statutes 1992, section 192.52.

Referred to the Committee on Veterans and General Legislation.

Mr. Kelly introduced—

S.F. No. 2293: A bill for an act relating to economic development; establishing a micro business loan pilot program; appropriating money.

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

Mr. Johnson, D.E. introduced—

S.F. No. 2294: A bill for an act relating to capital improvements; appropriating money for the Prairie Woods environmental learning center in Kandiyohi county; authorizing the sale of state bonds.

Referred to the Committee on Environment and Natural Resources.

Mrs. Pariseau, Messrs. Johnson, D.E. and Laidig introduced—

S.F. No. 2295: A bill for an act relating to the legislature; providing for its size in 2003 and thereafter; amending Minnesota Statutes 1992, sections 2.021; and 2.031, subdivision 1.

Referred to the Committee on Ethics and Campaign Reform.

Messrs. Bertram and Morse introduced—

S.F. No. 2296: A bill for an act relating to taxation; requiring casualty insurers to pay two percent of fire insurance premiums to the state for payments to firefighter relief associations; amending Minnesota Statutes 1992, section 60A.15, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection.

Mr. Pogemiller introduced—

S.F. No. 2297: A bill for an act relating to elections; eliminating combined precincts but authorizing a combined polling place under the same conditions; adding three years to the time precinct boundaries may be changed; requiring separate precincts for each congressional district; limiting precinct boundary changes close to an election; amending Minnesota Statutes 1992, sections 204B.14, subdivisions 2 and 3; 204B.22, subdivision 1; and 205A.11; Minnesota Statutes 1993 Supplement, section 204B.14, subdivisions 4 and 5; repealing Minnesota Statutes 1992, sections 204B.14, subdivision 8; and 204B.16, subdivision 2.

Referred to the Committee on Ethics and Campaign Reform.

Messrs. Pogemiller; Moe, R.D.; Stumpf; Benson, D.D. and Johnson, D.J. introduced—

S.F. No. 2298: A bill for an act relating to state government; establishing a technical advisory council for the pollution control agency; establishing a task force to recommend a governmental structure for environmental and natural resource functions and services; requiring establishment of an employee participation committee before agency restructuring; abolishing the department of natural resources, the board of water and soil resources, the office of waste management, the pollution control agency, the environmental quality board, the harmful substances compensation board, the petroleum tank release compensation board, and the agricultural chemical response board; providing

for appointments; amending Minnesota Statutes 1992, section 116.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1992, section 116.02, subdivisions 2, 3, and 4.

Referred to the Committee on Environment and Natural Resources.

Mr. Langseth introduced—

S.F. No. 2299: A bill for an act relating to taxation; allowing certain border cities to exempt certain agricultural processing property; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Taxes and Tax Laws.

Mr. Langseth introduced—

S.F. No. 2300: A bill for an act relating to retirement; the teachers retirement association; permitting a retired individual the benefits of previous early retirement legislation.

Referred to the Committee on Governmental Operations and Reform.

Mr. Johnson, D.E. introduced—

S.F. No. 2301: A bill for an act relating to traffic regulations; prohibiting evidence of use or nonuse of headgear by motorcyclist involved in accident resulting in death; amending Minnesota Statutes 1992, section 169.974, subdivision 6.

Referred to the Committee on Judiciary.

Messrs. Stevens, Sams, Murphy, Ms. Hanson and Mr. Chmielewski introduced—

S.F. No. 2302: A bill for an act relating to agriculture; changing the minimum percentage of milk solids-not-fat in milk prepared for market; amending Minnesota Statutes 1992, section 32.391, subdivisions 1a, 1b, and 1c.

Referred to the Committee on Agriculture and Rural Development.

Ms. Pappas introduced—

S.F. No. 2303: A bill for an act relating to highway safety; requiring persons age 55 or over to complete a refresher course in accident prevention in order to remain eligible for a reduction in private passenger vehicle insurance rates; amending Minnesota Statutes 1992, section 65B.28.

Referred to the Committee on Transportation and Public Transit.

Messrs. Merriam, Morse, Lessard and Frederickson introduced—

S.F. No. 2304: A bill for an act relating to the environment; establishing a cleanup program for closed landfills; establishing an advisory committee; authorizing rulemaking; providing penalties; authorizing the sale of bonds; appropriating money; amending Minnesota Statutes 1992, section 115B.05, by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 115B.42,

subdivision 2; and 116.07, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 115B.

Referred to the Committee on Environment and Natural Resources.

Messrs. Lessard and Chmielewski introduced—

S.F. No. 2305: A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited lands that border public water in Aitkin county.

Referred to the Committee on Environment and Natural Resources.

Messrs. Lessard and Chmielewski introduced—

S.F. No. 2306: A bill for an act relating to taxation; providing a reduced class rate for commercial-industrial property owned by certain nonprofit community development organizations; amending Minnesota Statutes 1993 Supplement, section 273.13, subdivision 24.

Referred to the Committee on Taxes and Tax Laws.

Ms. Runbeck, Messrs. Kelly and Chandler introduced—

S.F. No. 2307: A bill for an act relating to public administration; capital improvements; authorizing sale of state bonds and appropriating money to finance expansion of two juvenile detention facilities in Ramsey county.

Referred to the Committee on Crime Prevention.

Messrs. Riveness, Morse, Metzen and Merriam introduced—

S.F. No. 2308: A bill for an act relating to retirement; establishing minimum qualifications for audits of police and fire relief associations; changing employer contribution rates for police and fire relief associations; establishing reporting requirements for certain public pension funds; requiring notice of meetings of relief associations and requiring meetings to be open to the public; amending Minnesota Statutes 1992, sections 69.051, subdivision 1; 69.77, subdivision 2b; and 424A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on Governmental Operations and Reform.

Ms. Reichgott Junge introduced—

S.F. No. 2309: A bill for an act relating to civil actions; consolidating and recodifying statutes providing limitations on private personal injury liability; amending Minnesota Statutes 1992, section 144.761, subdivision 5; proposing coding for new law as Minnesota Statutes, chapter 604A; repealing Minnesota Statutes 1992, sections 31.50; 87.021; 87.0221; 87.023; 87.024; 87.025; 87.026; 87.03; 604.05; 604.08; 604.09; and 609.662, subdivision 5.

Referred to the Committee on Judiciary.

Mr. Kelly, Ms. Ranum, Mr. Metzen, Ms. Runbeck and Mr. Merriam introduced—

S.F. No. 2310: A bill for an act relating to appropriations; appropriating money and authorizing the sale of bonds for contamination cleanup grants.

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

Mr. Kelly introduced—

S.F. No. 2311: A bill for an act relating to commerce; regulating currency exchanges; expanding the definition of a currency exchange; providing for a national criminal history check on license applicants; requiring employees to register and undergo a background check; requiring a new owner to file an initial license application; increasing the required surety bond principal amount; prohibiting the issuance of money orders; prescribing penalties; amending Minnesota Statutes 1992, sections 53A.01, subdivision 1; 53A.05, subdivision 2; 53A.08; 53A.09; and 53A.10; Minnesota Statutes 1993 Supplement, section 53A.03; proposing coding for new law in Minnesota Statutes, chapter 53A.

Referred to the Committee on Commerce and Consumer Protection.

Mses. Berglin; Johnson, J.B. and Mr. Samuelson introduced—

S.F. No. 2312: A bill for an act relating to human services; increasing medical assistance payments to certain community health clinics; appropriating money.

Referred to the Committee on Health Care.

Mr. Mondale introduced—

S.F. No. 2313: A bill for an act relating to the environment; allowing use of passive bioremediation for certain voluntary response actions; expanding the authority of the commissioner of the pollution control agency to issue determinations regarding liability for releases of hazardous substances and petroleum; amending Minnesota Statutes 1992, section 115B.175, by adding a subdivision; Minnesota Statutes 1993 Supplement, section 115B.178, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 115C.

Referred to the Committee on Environment and Natural Resources.

Mr. Chandler introduced—

S.F. No. 2314: A bill for an act relating to probate; modifying provisions governing guardianships and conservatorships; amending Minnesota Statutes 1992, sections 525.539, subdivision 7; 525.55, subdivision 2; 525.551, subdivision 5; 525.56, subdivisions 3 and 4; 525.58, subdivision 1; and 525.64; Minnesota Statutes 1993 Supplement, section 525.703, subdivision 3.

Referred to the Committee on Judiciary.

Mr. Chandler introduced—

S.F. No. 2315: A bill for an act relating to capital improvements; appropriating money to the state board of technical colleges to construct the Northeast Metro technical college truck driving instructional support facility; authorizing the sale of state bonds.

Referred to the Committee on Education.

Messrs. Metzen, Morse, Riveness and Terwilliger introduced—

S.F. No. 2316: A bill for an act relating to the state board of investment; management of funds under the board's control; amending Minnesota Statutes 1992, sections 11A.17, subdivisions 1, 4, 9, 10a, and 14; 11A.18, subdivision 9; 11A.24, subdivisions 3, 5, and 6; 353D.05, subdivision 2; and 354B.07, subdivision 2; Minnesota Statutes 1993 Supplement, sections 11A.24, subdivisions 1 and 4; 352D.04, subdivision 1; and 354B.05, subdivision 3.

Referred to the Committee on Governmental Operations and Reform.

Messrs. Morse, Cohen and Benson, D.D. introduced—

S.F. No. 2317: A bill for an act relating to state and local government; authorizing governmental agencies and subdivisions to obtain copyright, trademark, trade secret, or patent protection for intellectual property; appropriating money; amending Minnesota Statutes 1992, section 13.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1992, section 16B.405.

Referred to the Committee on Governmental Operations and Reform.

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

### **MOTIONS AND RESOLUTIONS**

Ms. Berglin moved that S.F. No. 2107 be withdrawn from the Committee on Metropolitan and Local Government and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

### **MEMBERS EXCUSED**

Mrs. Adkins, Messrs. Pogemiller and Johnson, D.J. were excused from the Session of today.

### **ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 8:00 a.m., Thursday, March 10, 1994. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate