

**TWENTIETH DAY**

St. Paul, Minnesota, Monday, February 27, 1995

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Mr. Betzold 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. Patrick Handlson.

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:

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

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

February 21, 1995

The Honorable Irv Anderson  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1995 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	98	2	12:58 p.m. February 17	February 17

Sincerely,  
Joan Anderson Growe  
Secretary of State

February 22, 1995

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 44.

Warmest regards,  
Arne H. Carlson, Governor

February 23, 1995

The Honorable Irv Anderson  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1995 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1995	Date Filed 1995
	29	3	2:58 p.m. February 22	February 22
44		4	2:59 p.m. February 22	February 22

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 33.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 23, 1995

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS

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

**S.F. No. 141:** A bill for an act relating to elections; providing for review of certain school board plans by the secretary of state; changing allocation of certain election expenses; providing for retention of election materials; clarifying terms of office and election frequency in certain cities; providing for transition in certain offices; authorizing the use of more than one combined polling place in certain school board elections; providing for dissolution of certain election districts; amending Minnesota Statutes 1994, sections 122.23, by adding a subdivision; 122.242, subdivision 1; 204B.32, subdivision 2; 204B.40; 205.07, subdivision 1; 205.84, by adding a subdivision; 205A.11, subdivision 2; 205A.12, by adding a subdivision; and Laws 1994, chapter 646, section 26, subdivision 3.

Senate File No. 141 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 23, 1995

### CONCURRENCE AND REPASSAGE

Mr. Sams moved that the Senate concur in the amendments by the House to S.F. No. 141 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 141:** A bill for an act relating to elections; providing for review of certain school board plans by the secretary of state; changing allocation of certain election expenses; providing for retention of election materials; clarifying terms of office and election frequency in certain cities; providing for transition in certain offices; authorizing the use of more than one combined polling place in certain school board elections; providing for dissolution of certain election districts; amending Minnesota Statutes 1994, sections 122.23, by adding a subdivision; 122.242, subdivision 1; 204B.32, subdivision 2; 204B.40; 205.07, subdivision 1; 205.84, by adding a subdivision; 205A.11, subdivision 2, and by adding a subdivision; 205A.12, by adding a subdivision; and Laws 1994, chapter 646, section 26, subdivision 3.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

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

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 47:

**H.F. No. 47:** A bill for an act relating to solid waste; merging two conflicting amendments to the solid waste generator assessment statute that were enacted in 1994; correcting and clarifying terminology; amending Minnesota Statutes 1994, section 116.07, subdivision 10; repealing Laws 1994, chapter 510, article 6, section 1.

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

Wagenius, Rest and Ozment have been appointed as such committee on the part of the House.

House File No. 47 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 23, 1995

Mr. Morse moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 47, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 216, 331, 341, 387 and 464.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 23, 1995

### FIRST READING OF HOUSE BILLS

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

**H.F. No. 216:** A bill for an act relating to motor vehicles; changing definition of fleet for vehicle registration purposes; amending Minnesota Statutes 1994, section 168.011, subdivision 34.

Referred to the Committee on Transportation and Public Transit.

**H.F. No. 331:** A bill for an act relating to health; modifying provisions relating to access to patients and residents; amending Minnesota Statutes 1994, sections 144.651, subdivisions 21 and 26; and 253B.03, subdivisions 3 and 4.

Referred to the Committee on Health Care.

**H.F. No. 341:** A bill for an act relating to education; modifying compulsory education requirements for children under the age of seven; amending Minnesota Statutes 1994, section 120.101, subdivision 5.

Referred to the Committee on Education.

**H.F. No. 387:** A bill for an act relating to health; modifying provisions relating to emergency services workers; amending Minnesota Statutes 1994, section 144.804, subdivision 1.

Referred to the Committee on Health Care.

**H.F. No. 464:** A bill for an act relating to motor vehicles; limiting license plate impoundment provisions to self-propelled motor vehicles; amending Minnesota Statutes 1994, sections 168.041, subdivisions 1, 2, and 3; and 168.042, subdivisions 2, 3, 5, 13, and 14.

Referred to the Committee on Transportation and Public Transit.

## REPORTS OF COMMITTEES

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

**Mr. Vickerman from the Committee on Metropolitan and Local Government, to which was referred**

**S.F. No. 265:** A bill for an act relating to local government; clarifying provisions for financial audits in certain circumstances; amending Minnesota Statutes 1994, sections 367.36, subdivision 1; 412.02, subdivision 3; and 412.591, subdivision 2.

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

**Mr. Vickerman from the Committee on Metropolitan and Local Government, to which was referred**

**S.F. No. 281:** A bill for an act relating to metropolitan government; clarifying language and changing obsolete references; amending Minnesota Statutes 1994, sections 275.066; 473.121, subdivision 11; 473.13, subdivisions 1 and 2; 473.164, subdivision 3; 473.375, subdivisions 9 and 13; 473.385, subdivision 2; 473.386, subdivisions 1, 2, and 5; 473.388, subdivision 4; 473.39, subdivision 1b; 473.446, subdivision 8; 473.448; 473.505; 473.595, subdivision 3; and Laws 1994, chapter 628, article 2, section 5; repealing Minnesota Statutes 1994, section 473.394.

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

Page 2, line 12, strike "473.249" and insert "473.549"

Page 3, lines 6 and 7, reinstate the stricken language

Page 3, line 9, reinstate the stricken language and delete the new language

Page 12, after line 30, insert:

"Sec. 19. [INSTRUCTIONS TO REVISOR.]

The revisor of statutes shall change headnote references to "regional transit board," or "transit board" or "board" as they refer to the regional transit board; "metropolitan waste control commission," or "waste control commission" or "commission" as they refer to the metropolitan waste control commission; and "metropolitan transit commission," or "transit commission" or "commission" as they refer to the metropolitan transit commission; to "metropolitan council" or "council," where appropriate, in Minnesota Statutes 1996, and subsequent editions of the statutes."

Page 13, line 1, delete "and 20" and insert "20, and 21"

Renumber the sections in sequence

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

**Mr. Merriam from the Committee on Finance, to which was referred**

**S.F. No. 335:** A bill for an act relating to the organization and operation of state government; providing supplemental appropriations for certain purposes.

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

Page 1, line 16, delete "3,243,000" and insert "2,177,000"

Page 1, delete section 2

Pages 1 and 2, delete section 3

Page 2, delete sections 5, 8, and 9

Pages 2 and 3, delete section 10

Renumber the sections in sequence

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

**Ms. Flynn from the Committee on Judiciary, to which was referred**

**S.F. No. 230:** A bill for an act relating to claims against governmental units; increasing liability limits; providing for inflation adjustment; exempting medical expenses; amending Minnesota Statutes 1994, sections 3.736, subdivisions 4, 4a, and by adding subdivisions; and 466.04, subdivision 1.

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 1994, section 3.736, subdivision 4, is amended to read:

Subd. 4. [LIMITS.] The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

(a) ~~\$200,000~~ \$300,000 when the claim is one for death by wrongful act or omission and ~~\$200,000~~ \$300,000 to any claimant in any other case;

(b) ~~\$600,000~~ \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1996, and before January 1, 2000; or

(c) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on and after January 1, 2000.

If the amount awarded to or settled upon multiple claimants exceeds ~~\$600,000~~ the applicable limit under clause (b) or (c), any party may apply to the district court to apportion to each claimant a proper share of the ~~\$600,000~~ amount available under the applicable limit under clause (b) or (c). The share apportioned to each claimant shall be in the proportion that the ratio of the award or settlement bears to the aggregate awards and settlements for all claims arising out of the occurrence.

The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

Sec. 2. Minnesota Statutes 1994, section 466.04, subdivision 1, is amended to read:

Subdivision 1. [LIMITS; PUNITIVE DAMAGES.] (a) Liability of any municipality on any claim within the scope of sections 466.01 to 466.15 shall not exceed:

(1) ~~\$200,000~~ \$300,000 when the claim is one for death by wrongful act or omission and ~~\$200,000~~ \$300,000 to any claimant in any other case;

(2) ~~\$600,000~~ \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1996, and before January 1, 2000; or

(3) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000; or

(4) twice the limits provided in clauses (1) and (2) to (3) when the claim arises out of the release or threatened release of a hazardous substance, whether the claim is brought under sections 115B.01 to 115B.15 or under any other law.

(b) No award for damages on any such claim shall include punitive damages.

Sec. 3. Minnesota Statutes 1994, section 466.04, subdivision 3, is amended to read:

Subd. 3. [DISPOSITION OF MULTIPLE CLAIMS.] Where the amount awarded to or settled upon multiple claimants exceeds \$600,000 the applicable limit under subdivision 1, clauses (2) to (4), any party may apply to any district court to apportion to each claimant a proper share of the total amount limited by subdivision 1. The share apportioned each claimant shall be in the proportion that the ratio of the award or settlement made to each bears to the aggregate awards and settlements for all claims arising out of the occurrence.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective January 1, 1996, for claims arising from acts or omissions taking place on or after that date."

Delete the title and insert:

"A bill for an act relating to claims against governmental units; increasing tort liability limits; amending Minnesota Statutes 1994, sections 3.736, subdivision 4; and 466.04, subdivisions 1 and 3."

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

**Ms. Flynn from the Committee on Judiciary, to which was referred**

**S.F. No. 229:** A bill for an act relating to government data practices; medical examiner data; allowing sharing of such data with a state or federal agency charged with investigating a death; amending Minnesota Statutes 1994, section 13.83, subdivision 5.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1994, section 13.83, subdivision 4, is amended to read:

Subd. 4. [INVESTIGATIVE DATA.] Data created or collected by a county coroner or medical examiner which is part of an active investigation mandated by chapter 390, or any other general or local law relating to coroners or medical examiners is confidential data or protected nonpublic data, until the completion of the coroner's or medical examiner's final summary of findings at ~~which point~~ but may be disclosed to a state or federal agency charged by law with investigating the death of the deceased individual about whom the medical examiner or coroner has medical examiner data. Upon completion of the coroner's or medical examiner's final summary of findings, the data collected in the investigation and the final summary thereof shall become of it are private or nonpublic data, unless. However, if the final summary and the death certificate indicate the manner of death is homicide, undetermined, or pending investigation and there is an active law enforcement investigation, within the meaning of section 13.82, subdivision 5, relating to the death of the deceased individual. ~~If there is an active law enforcement investigation of a possible homicide,~~ the data remain confidential or protected nonpublic. However, Upon review by the county attorney of the jurisdiction in which the law enforcement investigation is active, the data may be released to persons described in subdivision 8 if the county attorney determines release would not impede the ongoing investigation. When the law enforcement investigation becomes inactive, the data shall become are private or nonpublic data. Nothing in this subdivision shall be construed to make not public the data elements identified in subdivision 2 at any point in the investigation or thereafter."

Page 1, line 8, delete "Section 1." and insert "Sec. 2."

Page 1, line 12, strike "pursuant to"

Page 1, line 13, after "(1)" insert "pursuant to"

Page 1, line 15, delete "any" and insert "to a" and delete "law that charges a state or" and insert "agency charged by law"

Page 1, line 16, delete "federal agency" and delete "a" and insert "the"

Page 1, line 19, after "(3)" insert "pursuant to"

Amend the title as follows:

Page 1, line 6, delete "subdivision" and insert "subdivisions 4 and"

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

**Ms. Berglin from the Committee on Health Care, to which was referred**

**S.F. No. 307:** A bill for an act relating to occupations and professions; establishing licensure for acupuncture practitioners by the board of medical practice; authorizing rulemaking; providing penalties; amending Minnesota Statutes 1994, sections 147.091; 147.111; 147.121; 147.131; 147.141, subdivision 2; and 147.151; proposing coding for new law in Minnesota Statutes, chapter 147.

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

Delete everything after the enacting clause and insert:

"Section 1. [147B.01] [PURPOSE.]

Acupuncture practice is recognized as a clearly defined system of health care with its own specialized body of knowledge. The knowledge and skills of the acupuncture practitioner directly affect the quality and safety of treatment received by the practitioner's client. It is therefore in the public interest to ensure that acupuncture practitioners meet the generally accepted standards of competence in the profession. The purpose of Minnesota Statutes, chapter 147B, is to limit the practice of acupuncture to persons who meet those standards of competence.

Sec. 2. [147B.02] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The definitions in this section apply to this chapter.

Subd. 2. [ACUPRESSURE.] "Acupressure" means the application of pressure to acupuncture points.

Subd. 3. [ACUPUNCTURE PRACTICE.] "Acupuncture practice" means a comprehensive system of health care using Oriental medical theory and its unique methods of diagnosis and treatment. Its treatment techniques include the insertion of acupuncture needles through the skin and the use of other biophysical methods of acupuncture point stimulation, including the use of heat, Oriental massage techniques, electrical stimulation, herbal supplemental therapies, dietary guidelines, breathing techniques, and exercise based on Oriental medical principles.

Subd. 4. [ACUPUNCTURE NEEDLE.] "Acupuncture needle" means a needle designed exclusively for acupuncture purposes. It has a solid core, with a tapered point, and is 0.12 mm to 0.45 mm in thickness. It is constructed of stainless steel, gold, silver, or other board-approved materials as long as the materials can be sterilized according to recommendations of the National Centers for Disease Control and Prevention.

Subd. 5. [ACUPUNCTURE POINTS.] "Acupuncture points" means specific anatomically described locations as defined by the recognized acupuncture reference texts. These texts are listed in the study guide to the examination for the NCCA certification exam.

Subd. 6. [ACUPUNCTURE PRACTITIONER.] "Acupuncture practitioner" means a person licensed to practice acupuncture under this chapter.

Subd. 7. [BOARD.] "Board" means the board of medical practice or its designee.

Subd. 8. [BLOOD BORNE DISEASE.] "Blood borne disease" means a disease that is spread through exposure to blood, inoculation or injection of blood, or exposure to blood-contaminated body fluids or tissues. Blood borne disease includes infection caused by such agents as human immunodeficiency virus (HIV) and hepatitis B virus (HBV).



Subd. 9. [BREATHING TECHNIQUES.] "Breathing techniques" means Oriental breathing exercises taught to a patient as part of a treatment plan.

Subd. 10. [CUPPING.] "Cupping" means a therapy in which a jar-shaped instrument is attached to the skin and negative pressure is created by using suction.

Subd. 11. [DERMAL FRICTION.] "Dermal friction" means rubbing on the surface of the skin, using topical ointments with a smooth-surfaced instrument without a cutting edge that can be sterilized or, if disposable, a one-time only use product.

Subd. 12. [DIPLOMATE IN ACUPUNCTURE.] "Diplomate in acupuncture" means a person who is certified by the NCCA as having met the standards of competence established by the NCCA, who subscribes to the NCCA code of ethics, and who has a current and active NCCA certificate. Current and active NCCA certification indicates successful completion of continued professional development and previous satisfaction of NCCA requirements.

Subd. 13. [ELECTRICAL STIMULATION.] "Electrical stimulation" means a method of stimulating acupuncture points by an electrical current of .001 to 100 milliamps, or other current as approved by the board. Electrical stimulation may be used by attachment of a device to an acupuncture needle or may be used transcutaneously without penetrating the skin.

Subd. 14. [HERBAL THERAPIES.] "Herbal therapies" are the use of herbs and patent herbal remedies as supplements as part of the treatment plan of the patient.

Subd. 15. [INFECTION CONTROL.] "Infection control" means programs, procedures, and methods to reduce the transmission of agents of infection for the purpose of preventing or decreasing the incidence of infectious diseases.

Subd. 16. [NCCA.] "NCCA" means the National Commission for Certification of Acupuncturists, a not-for-profit corporation organized under section 501(c)(4) of the Internal Revenue Code.

Subd. 17. [NEEDLE SICKNESS.] "Needle sickness" is a temporary state of nausea and dizziness that is a potential side effect to needle insertion and from which full recovery occurs when the needles are removed.

Subd. 18. [ORIENTAL MEDICINE.] "Oriental medicine" means a system of healing arts that perceives the circulation and balance of energy in the body as being fundamental to the well-being of the individual. It implements the theory through specialized methods of analyzing the energy status of the body and treating the body with acupuncture and other related modalities for the purpose of strengthening the body, improving energy balance, maintaining or restoring health, improving physiological function, and reducing pain.

### Sec. 3. [147B.03] [LICENSURE.]

Subdivision 1. [LICENSURE REQUIRED.] Except as provided under subdivision 4, it is unlawful for any person to engage in the practice of acupuncture without a valid license after September 1, 1995. Each licensed acupuncture practitioner shall conspicuously display the license in the place of practice.

Subd. 2. [DESIGNATION.] A person licensed under this chapter shall use the title of licensed acupuncturist or L.Ac. following the person's name in all forms of advertising, professional literature, and billings. A person may not, in the conduct of an occupation or profession pertaining to the practice of acupuncture or in connection with the person's name, use the words or letters licensed acupuncturist, Minnesota licensed acupuncturist, or any other words, letters, abbreviations, or insignia indicating or implying that a person is an acupuncturist without a license issued under this section. A student attending an acupuncture training program must be identified as a student acupuncturist.

Subd. 3. [PENALTY.] A person who violates this section is guilty of a misdemeanor and subject to discipline under section 147.091.

Subd. 4. [EXCEPTIONS.] The following persons may practice acupuncture within the scope of their practice without an acupuncture license:

- (1) a physician licensed under this chapter;
- (2) an osteopath licensed under this chapter;
- (3) a chiropractor licensed under chapter 148;
- (4) a person who is studying in a formal course of study or tutorial intern program approved by the acupuncture advisory council established in section 147B.06 so long as the person's acupuncture practice is supervised by a licensed acupuncturist;
- (5) a visiting acupuncturist practicing acupuncture within an instructional setting for the sole purpose of teaching at a school registered with the Minnesota higher education coordinating board, who may practice without a license for a period of one year, with two one-year extensions permitted; and
- (6) a visiting acupuncturist who is in the state for the sole purpose of providing a tutorial or workshop not to exceed 30 days in one calendar year.

Subd. 5. [LICENSURE BY EQUIVALENCY DURING TRANSITIONAL PERIOD.] (a) From July 1, 1995, to June 30, 1997, a person may qualify for licensure if the person has engaged in acupuncture practice for at least three years in the period from July 1, 1991, to June 30, 1995, with at least 500 patient visits in each of the three years with at least 100 different patients. Acupuncture practice must be the primary means of treatment, not an adjunctive therapy. The person must also provide documentation of successful completion of a clean needle technique course approved by the acupuncture advisory council and provide documentation of practice through at least four of the following methods:

- (1) original notarized letters from employers specifying the dates and hours worked, nature of the practice, and number of visits;
  - (2) notarized affidavits from a minimum of 20 patients with current phone numbers and addresses for each, specifying the time period of treatment and the nature of the treatment;
  - (3) notarized affidavits from at least two other health care professionals, state or local acupuncture or Oriental medicine associations, schools or colleges, with testimony based on personal knowledge regarding the dates, volume, scope, and type of practice;
  - (4) notarized affidavits from at least two other members within the community with testimony based on personal knowledge regarding the dates, volume, scope, and type of practice; and
  - (5) notarized copies of patient records. The person must also meet any other requirements established by the board.
- (b) All documentation submitted in a foreign language must be accompanied by an accurate translation in English. Each translated document must bear the affidavit of the translator certifying that the translator is competent in both the language of the document and in the English language and that the translation is true and a complete translation of the foreign language original and must be sworn before a notary public. Translation of any document relative to a person's application is at the expense of the applicant.

(c) Application for licensure under this subdivision must be submitted to the board from July 1, 1995, to June 30, 1997. All of the required patient visits must have been completed before application for licensure.

Subd. 6. [LICENSE BY RECIPROCITY.] The board shall issue an acupuncture license to a person who holds a current license or certificate as an acupuncturist from another jurisdiction if the board determines that the standards for certification or licensure in the other jurisdiction meet or exceed the requirements for licensure in Minnesota and a letter is received from that jurisdiction that the acupuncturist is in good standing in that jurisdiction.

Subd. 7. [LICENSURE REQUIREMENTS.] (a) An applicant for licensure must:

- (1) submit a completed application for licensure on forms provided by the board, which must include the applicant's name, address of record, which shall be public;

(2) unless licensed under subdivision 5 or 6, submit a notarized copy of a current NCCA certification;

(3) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(4) submit with the application all fees required; and

(5) sign a waiver authorizing the board to obtain access to the applicant's records in this state or any state in which the applicant has engaged in the practice of acupuncture.

(b) The board may ask the applicant to provide any additional information necessary to ensure that the applicant is able to practice with reasonable skill and safety to the public.

(c) The board may investigate information provided by an applicant as to whether the information is accurate and complete. The board shall notify an applicant of action taken on the application and the reasons for denying licensure if licensure is denied.

Subd. 8. [LICENSURE EXPIRATION.] Licenses issued under this section expire annually.

Subd. 9. [RENEWAL.] (a) To renew a license an applicant must:

(1) annually complete a renewal application on a form provided by the board;

(2) submit the renewal fee;

(3) provide evidence annually of one hour of continuing education in the subject of infection control, including blood borne pathogen diseases;

(4) provide documentation of current and active NCCA certification; and

(5) if licensed under subdivision 5 or 6, meet half of the NCCA professional development activity requirements.

(b) An applicant must submit any additional information requested by the board to clarify information presented in the renewal application. The information must be submitted within 30 days after the board's request, or the renewal request shall be nullified.

Subd. 10. [LICENSURE RENEWAL NOTICE.] At least 30 days before the license renewal date, the board shall send out a renewal notice to the last known address of the licensee. The notice must include a renewal application and a notice of fees required for renewal. If the licensee does not receive a renewal notice, the licensee must still meet the requirements for licensure renewal under this section.

Subd. 11. [RENEWAL DEADLINE.] The renewal application and fee must be postmarked on or before June 30 of the year of renewal or as determined by the board.

Subd. 12. [INACTIVE STATUS.] (a) A license may be placed in inactive status upon application to the board and upon payment of an inactive status fee. The board may not renew or restore a license that has lapsed and has not been renewed within two annual license renewal cycles.

(b) An inactive license may be reactivated by the license holder upon application to the board. A licensee whose license is canceled for nonrenewal must obtain a new license by applying for licensure and fulfilling all the requirements then in existence for the initial license to practice acupuncture in the state of Minnesota. The application must include:

(1) evidence of current and active NCCA certification;

(2) evidence of the certificate holder's payment of an inactive status fee;

(3) an annual fee; and

(4) all back fees since previous renewal.

(c) A person licensed under subdivision 5 or 6 who places the license in inactive status must become NCCA certified before the license is reactivated.

Subd. 13. [ACUPRESSURE.] Nothing in this section is intended to prohibit the practice of acupressure or any other therapy except acupuncture.

**Sec. 4. [147B.04] [NCCA PROFESSIONAL DEVELOPMENT ACTIVITY REQUIREMENTS.]**

Subdivision 1. [NCCA REQUIREMENTS.] Unless a person is licensed under section 147B.03, subdivision 5 or 6, each licensee is required to meet the NCCA professional development activity requirements to maintain NCCA certification. These requirements may be met through a board approved continuing education program.

Subd. 2. [BOARD APPROVAL.] The board shall approve a continuing education program if the program meets the following requirements:

- (1) it directly relates to the practice of acupuncture;
- (2) each member of the faculty shows expertise in the subject matter by holding a degree or certificate from an educational institution, has verifiable experience in traditional Oriental medicine, or has special training in the subject area;
- (3) the program lasts at least one contact hour;
- (4) there are specific written objectives describing the goals of the program for the participants;  
and
- (5) the program sponsor maintains attendance records for four years.

Subd. 3. [CONTINUING EDUCATION TOPICS.] (a) Continuing education program topics may include, but are not limited to, Oriental medical theory and techniques including Oriental massage; Oriental nutrition; Oriental herbology and diet therapy; Oriental exercise; western sciences such as anatomy, physiology, biochemistry, microbiology, psychology, nutrition, history of medicine; and medical terminology or coding.

(b) Practice management courses are excluded under this section.

Subd. 4. [VERIFICATION.] The board shall periodically select a random sample of acupuncturists and require the acupuncturist to show evidence of having completed the NCCA professional development activities requirements. Either the acupuncturist, the state, or the national organization that maintains continuing education records may provide the board documentation of the continuing education program.

**Sec. 5. [147B.05] [BOARD ACTION ON APPLICATIONS.]**

Subdivision 1. [VERIFICATION OF APPLICATION INFORMATION.] The board or acupuncture advisory council established under section 147B.06, with the approval of the board, may verify information provided by an application for licensure under section 147B.03 to determine if the information is accurate and complete.

Subd. 2. [NOTIFICATION OF BOARD ACTION.] Within 120 days of receipt of the application, the board shall notify each applicant in writing of the action taken on the application.

Subd. 3. [REQUEST FOR HEARING BY APPLICANT DENIED.] An applicant denied licensure must be notified of the determination, and the grounds for it, and may request a hearing on the determination by filing a written statement of issues with the board within 20 days after receipt of the notice from the board. After the hearing, the board shall notify the applicant in writing of its decision.

**Sec. 6. [147B.06] [ACUPUNCTURE ADVISORY COUNCIL.]**

Subdivision 1. [CREATION.] (a) The advisory council to the board of medical practice for acupuncture consists of seven members appointed by the board to three-year terms. Four members

must be licensed acupuncture practitioners, one member must be a licensed physician or osteopath who also practices acupuncture, one member must be a licensed chiropractor who is NCCA certified, and one member must be a member of the public who has received acupuncture treatment as a primary therapy from a NCCA certified acupuncturist.

(b) The members of the advisory council required to be acupuncture practitioners, who are appointed to the initial advisory committee, need not be licensed under section 147B.03, but must satisfy the qualifications for licensure provided in section 147B.03, subdivision 6, and must have been engaged in acupuncture practice a minimum of three years.

(c) One member of the initial advisory committee appointed must have an initial term of one year, two members an initial term of two years, and two members an initial term of three years.

Subd. 2. [ADMINISTRATION; COMPENSATION; REMOVAL; QUORUM.] The advisory council is governed by section 15.059, except that the council shall not expire.

Subd. 3. [DUTIES.] The advisory council shall:

(1) advise the board on issuance, denial, renewal, suspension, revocation, conditioning, or restricting of licenses to practice acupuncture;

(2) advise the board on issues related to receiving, investigating, conducting hearings, and imposing disciplinary action in relation to complaints against acupuncture practitioners;

(3) maintain a register of acupuncture practitioners licensed under section 147B.03;

(4) maintain a record of all advisory council actions;

(5) prescribe registration application forms, license forms, protocol forms, and other necessary forms;

(6) review the patient visit records submitted by applicants during the transition period;

(7) advise the board regarding standards for acupuncturists;

(8) distribute information regarding acupuncture practice standards;

(9) review complaints;

(10) advise the board regarding continuing education programs;

(11) review the investigation of reports of complaints and recommend to the board whether disciplinary action should be taken; and

(12) perform other duties authorized by advisory councils under chapter 214, as directed by the board.

Sec. 7. [147B.07] [PROFESSIONAL CONDUCT.]

Subdivision 1. [PRACTICE STANDARDS.] (a) Before treatment of a patient, an acupuncture practitioner shall ask whether the patient has been examined by a licensed physician or other professional, as defined by section 145.61, subdivision 2, with regard to the patient's illness or injury, and shall review the diagnosis as reported.

(b) The practitioner shall obtain informed consent from the patient, after advising the patient of the following information which must be supplied to the patient in writing before or at the time of the initial visit:

(1) the practitioner's qualifications including:

(i) education;

(ii) license information; and

(iii) outline of the scope of practice of acupuncturists in Minnesota; and

(2) side effects which may include the following:

(i) some pain in the treatment area;

(ii) minor bruising;

(iii) infection;

(iv) needle sickness; or

(v) broken needles.

(c) The practitioner shall obtain acknowledgment by the patient in writing that the patient has been advised to consult with the patient's primary care physician about the acupuncture treatment if the patient circumstances warrant or the patient chooses to do so and whether the patient has a pacemaker or bleeding disorder.

Subd. 2. [STERILIZED EQUIPMENT.] An acupuncture practitioner shall use sterilized equipment that has been sterilized under standards of the National Centers for Disease Control and Prevention.

Subd. 3. [STATE AND MUNICIPAL PUBLIC HEALTH REGULATIONS.] An acupuncture practitioner shall comply with all applicable state and municipal requirements regarding public health.

Subd. 4. [SCOPE OF PRACTICE.] The scope of practice of acupuncture includes, but is not limited to, the following:

(1) using Oriental medical theory to assess and diagnose a patient;

(2) using Oriental medical theory to develop a plan to treat a patient. The treatment techniques that may be chosen include:

(i) insertion of sterile acupuncture needles through the skin;

(ii) acupuncture stimulation including, but not limited to, electrical stimulation or the application of heat;

(iii) cupping;

(iv) dermal friction;

(v) acupressure;

(vi) herbal therapies;

(vii) dietary counseling based on traditional Chinese medical principles;

(viii) breathing techniques; or

(ix) exercise according to Oriental medical principles.

Subd. 5. [PATIENT RECORDS.] An acupuncturist shall maintain a patient record for each patient treated, including:

(1) a copy of the informed consent;

(2) evidence of a patient interview concerning the patient's medical history and current physical condition;

(3) evidence of a traditional acupuncture examination and diagnosis;

(4) record of the treatment including points treated; and

(5) evidence of evaluation and instructions given to the patient.

Subd. 6. [REFERRAL TO OTHER HEALTH CARE PRACTITIONERS.] Referral to other health care practitioners is required when an acupuncturist practitioner sees patients with potentially serious disorders including, but not limited to:

- (1) cardiac conditions including uncontrolled hypertension;
- (2) acute, severe abdominal pain;
- (3) acute, undiagnosed neurological changes;
- (4) unexplained weight loss or gain in excess of 15 percent of the body weight in less than a three-month period;
- (5) suspected fracture or dislocation;
- (6) suspected systemic infections;
- (7) any serious undiagnosed hemorrhagic disorder; and
- (8) acute respiratory distress without previous history.

The acupuncturist shall request a consultation or written diagnosis from a licensed physician for patients with potentially serious disorders.

Subd. 7. [DATA PRACTICES.] Data maintained on an acupuncture patient by an acupuncture practitioner is subject to section 144.336.

**Sec. 8. [147B.08] [DISCIPLINE; REPORTING.]**

For purposes of this chapter, acupuncturist licensees and applicants are subject to the provisions of sections 147.091 to 147.162.

**Sec. 9. [147B.09] [FEES.]**

Subdivision 1. [ANNUAL LICENSE FEE.] The board shall establish the fee of \$150 for initial licensure and \$150 annual licensure renewal. The board may prorate the initial licensure fee.

Subd. 2. [PENALTY FEE FOR LATE RENEWALS.] The penalty fee for late submission for renewal application is \$50.

**Sec. 10. [147B.10] [RULES.]**

The board may adopt rules under chapter 14 to establish additional criteria for licensure or discipline of acupuncturists consistent with the standards of the NCCA or other board approved relevant practice standards.

**Sec. 11. [EFFECTIVE DATE.]**

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to occupations and professions; establishing licensure for acupuncture practitioners by the board of medical practice; authorizing rulemaking; providing penalties; proposing coding for new law as Minnesota Statutes, chapter 147B."

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

**Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 323:** A bill for an act relating to housing; clarifying provisions relating to retaliatory conduct and manufactured home parks; amending Minnesota Statutes 1994, section 327C.12.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Mr. Novak from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 364:** A bill for an act relating to employment; establishing an obligation by certain employees to communicate certain threats; amending Minnesota Statutes 1994, section 268A.05, subdivision 1, and by adding a subdivision.

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

Page 2, line 11, delete "disclosing a confidence" and insert "communicating"

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

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 308:** A bill for an act relating to crime prevention; authorizing special registration plates for certain persons subject to an impoundment order; amending Minnesota Statutes 1994, section 168.042, subdivision 8.

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

Page 2, after line 25, insert:

"Sec. 2. Minnesota Statutes 1994, section 169.121, subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] (a) As used in this subdivision:

(1) "prior impaired driving conviction" means a prior conviction under this section; section 84.91, subdivision 1, paragraph (a); 86B.331, subdivision 1, paragraph (a); 169.129; 360.0752; 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); 609.21, subdivision 4, clauses (2) to (4); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them. A prior impaired driving conviction also includes a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult; and

(2) "prior license revocation" means a driver's license suspension, revocation, or cancellation under this section; section 169.123; 171.04; 171.14; 171.16; 171.17; or 171.18 because of an alcohol-related incident; 609.21, subdivision 1, clauses (2) to (4); 609.21, subdivision 2, clauses (2) to (4); 609.21, subdivision 2a, clauses (2) to (4); 609.21, subdivision 3, clauses (2) to (4); or 609.21, subdivision 4, clauses (2) to (4); or an ordinance from this state, or a statute or ordinance from another state in conformity with any of them.

(b) A person who violates subdivision 1 or 1a, or an ordinance in conformity with either of them, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor under any of the following circumstances:

(1) the person violates subdivision 1 within five years of a prior impaired driving conviction, or within ten years of the first of two or more prior impaired driving convictions;

(2) the person violates subdivision 1a within five years of a prior license revocation, or within ten years of the first of two or more prior license revocations;

(3) the person violates section 169.26 while in violation of subdivision 1; or

(4) the person violates subdivision 1 or 1a while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator.



(d) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor violations of this section.

(e) The court must impose consecutive sentences when it sentences a person for a violation of this section or section 169.29 arising out of separate behavioral incidents. The court also must impose a consecutive sentence when it sentences a person for a violation of this section or section 169.129 and the person, at the time of sentencing, is on probation for, or serving, an executed sentence for a violation of this section or section 169.29 and the prior sentence involved a separate behavioral incident. The court also may order that the sentence imposed for a violation of this section or section 169.29 shall run consecutively to a previously imposed misdemeanor, gross misdemeanor or felony sentence for a violation other than this section or section 169.129.

(f) When an attorney responsible for prosecuting gross misdemeanors under this section requests criminal history information relating to prior impaired driving convictions from a court, the court must furnish the information without charge.

(g) A violation of subdivision 1a may be prosecuted either in the jurisdiction where the arresting officer observed the defendant driving, operating, or in control of the motor vehicle or in the jurisdiction where the refusal occurred."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "expanding the definition of prior license revocation;"

Page 1, line 5, delete "section" and insert "sections" and before the period, insert "; and 169.121, subdivision 3"

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

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 292:** A bill for an act relating to public safety; changing name of McGruff program; amending Minnesota Statutes 1994, section 299A.28.

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

**Mr. Spear from the Committee on Crime Prevention, to which was referred**

**S.F. No. 39:** A bill for an act relating to crime; controlled substances; limiting the sentencing court's authority to stay adjudication of a controlled substance offender's guilt and to expunge the offender's record upon the successful completion of treatment and probation; providing that this procedure applies only to first-time offenders convicted of a fifth-degree or a nonfelony controlled substance offense; amending Minnesota Statutes 1994, section 152.18, subdivision 1.

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 1994, section 152.18, subdivision 1, is amended to read:

Subdivision 1. If any person who has not previously participated in or completed a diversion program authorized under section 401.065 or who has not previously been placed on probation without a judgment of guilty and thereafter been discharged from probation under this section is found guilty of a violation of section 152.024, subdivision 2, 152.025, subdivision 2, or 152.027, subdivision 2, 3, or 4, for possession of a controlled substance, after trial or upon a plea of guilty, and the court determines that the violation does not qualify as a subsequent controlled substance conviction under section 152.01, subdivision 16a, the court may, without entering a judgment of guilty and with the consent of the person, defer further proceedings and place the person on probation upon such reasonable conditions as it may require and for a period, not to exceed the maximum sentence provided for the violation. The court may give the person the opportunity to attend and participate in an appropriate program of education regarding the nature and effects of

alcohol and drug abuse as a stipulation of probation. Upon violation of a condition of the probation, the court may enter an adjudication of guilt and proceed as otherwise provided. The court may, in its discretion, dismiss the proceedings against the person and discharge the person from probation before the expiration of the maximum period prescribed for the person's probation. If during the period of probation the person does not violate any of the conditions of the probation, then upon expiration of the period the court shall discharge the person and dismiss the proceedings against that person. Discharge and dismissal under this subdivision shall be without court adjudication of guilt, but a not public record of it shall be retained by the department of public safety for the purpose of use by the courts in determining the merits of subsequent proceedings against the person. The not public record may also be opened only upon court order for purposes of a criminal investigation, prosecution, or sentencing. Upon request by law enforcement, prosecution, or corrections authorities, the department shall notify the requesting party of the existence of the not public record and the right to seek a court order to open it pursuant to this section. The court shall forward a record of any discharge and dismissal under this subdivision to the department of public safety who shall make and maintain the not public record of it as provided under this subdivision. The discharge or dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime or for any other purpose.

For purposes of this subdivision, "not public" has the meaning given in section 13.02, subdivision 8a.

## Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective August 1, 1995, and applies to crimes committed on or after that date."

Amend the title as follows:

Page 1, line 8, after the first "a" insert "fourth-degree," and after "fifth-degree" insert a comma

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

## **Mr. Vickerman from the Committee on Metropolitan and Local Government, to which was referred**

**S.F. No. 467:** A bill for an act relating to metropolitan government; providing for coordination and consolidation of public safety radio communications systems; providing governance and finance of the state and regional elements of a regionwide public safety radio communication system; extending the public safety channel moratorium; authorizing the use of 911 emergency telephone service fees for costs of the regionwide public safety radio communication system; authorizing the issuance of bonds by the metropolitan council; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Pages 2 and 3, delete section 2

Page 3, line 8, delete "13" and insert "16"

Page 3, line 9, delete "Eleven" and insert "Fourteen" and delete "elected"

Page 3, line 16, delete everything after "(3)" and insert "two elected officials from other metropolitan cities"

Page 3, line 19, delete "this appointment; and" and insert "these appointments;"

Page 3, lines 20 and 21, delete "an area in Minnesota outside of" and insert "a county or a city within a county in Minnesota that is contiguous to"

Page 3, line 23, before the period, insert ";

(5) a sheriff appointed by the governor, who shall consider recommendations made by the metropolitan sheriffs association when making this appointment; and

(6) a police chief appointed by the governor, who shall consider recommendations made by the Minnesota police chiefs association when making this appointment"

Page 3, line 24, delete "12th" and insert "15th"

Page 3, line 25, delete "13th" and insert "16th"

Page 22, line 14, delete "16" and insert "15"

Page 22, line 17, delete "17" and insert "16"

Renumber the sections in sequence

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

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

**H.F. No. 121** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

**GENERAL ORDERS**

**CONSENT CALENDAR**

**CALENDAR**

H.F. No.          S.F. No.  
121                  310

H.F. No.          S.F. No.

H.F. No.          S.F. No.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 121 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 121 and insert the language after the enacting clause of S.F. No. 310, the first engrossment; further, delete the title of H.F. No. 121 and insert the title of S.F. No. 310, the first engrossment.

And when so amended H.F. No. 121 will be identical to S.F. No. 310, and further recommends that H.F. No. 121 be given its second reading and substituted for S.F. No. 310, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 265, 281, 335, 230, 229, 323, 308, 292 and 39 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 121 was read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Marty moved that the name of Mr. Price be added as a co-author to S.F. No. 308. The motion prevailed.

Ms. Johnson, J.B. moved that the name of Mr. Oliver be added as a co-author to S.F. No. 568. The motion prevailed.

Mr. Langseth moved that the name of Ms. Hanson be added as a co-author to S.F. No. 569. The motion prevailed.

Ms. Reichgott Junge moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 604. The motion prevailed.

Mr. Berg moved that the name of Ms. Lesewski be added as a co-author to S.F. No. 633. The motion prevailed.

Mr. Metzen moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 664. The motion prevailed.

Mr. Marty moved that the name of Mr. Price be added as a co-author to S.F. No. 677. The motion prevailed.

Ms. Flynn moved that the names of Mses. Ranum, Johnston and Lesewski be added as co-authors to S.F. No. 691. The motion prevailed.

Mr. Morse moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 696. The motion prevailed.

Mr. Murphy moved that the name of Ms. Johnson, J.B. be added as a co-author to S.F. No. 700. The motion prevailed.

Ms. Johnston moved that S.F. No. 405 be withdrawn from the Committee on Governmental Operations and Veterans and re-referred to the Committee on Transportation and Public Transit. The motion prevailed.

Mr. Beckman moved that S.F. No. 549 be withdrawn from the Committee on Education and re-referred to the Committee on Crime Prevention. The motion prevailed.

Mr. Kelly moved that S.F. No. 230, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Mr. Laidig moved that S.F. No. 325 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Agriculture and Rural Development. The motion prevailed.

Mr. Novak moved that H.F. No. 14 be withdrawn from the Committee on Jobs, Energy and Community Development and re-referred to the Committee on Governmental Operations and Veterans. The motion prevailed.

**Mr. Betzold introduced--**

**Senate Resolution No. 28:** A Senate resolution commending Donald B. Busch for his many years of effective service for the city of Spring Lake Park.

Referred to the Committee on Rules and Administration.

**CALENDAR**

**H.F. No. 164:** A bill for an act relating to utilities; abolishing sunset provision related to area development rate plans; allowing electric public utilities to offer area development rates under certain conditions; amending Minnesota Statutes 1994, section 216B.161; and Laws 1990, chapter 370, section 7.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 51 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson  
Beckman  
Belanger

Berg  
Bertram  
Chandler

Chmielewski  
Day  
Dille

Finn  
Frederickson  
Hottinger

Janezich  
Johnson, D.E.  
Johnson, D.J.

Kelly	Langseth	Novak	Reichgott Junge	Stevens
Kiscaden	Larson	Oliver	Riveness	Stumpf
Kleis	Lesewski	Ourada	Robertson	Vickerman
Knutson	Limmer	Pappas	Runbeck	Wiener
Kramer	Metzen	Pariseau	Sams	
Krentz	Moe, R.D.	Piper	Samuelson	
Kroening	Murphy	Pogemiller	Scheevel	
Laidig	Neuville	Price	Solon	

Those who voted in the negative were:

Berglin	Hanson	Marty	Mondale	Ranum
Betzold	Johnson, J.B.	Merriam	Morse	Spear
Flynn	Johnston			

So the bill passed and its title was agreed to.

**S.F. No. 214:** A bill for an act relating to crime prevention; providing an exception to the prohibition on concealing identity; amending Minnesota Statutes 1994, section 609.735.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

## GENERAL ORDERS

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

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

S.F. No. 74, which the committee recommends to pass.

S.F. No. 57, which the committee reports progress, subject to the following motions:

Mr. Neuville moved to amend S.F. No. 57 as follows:

Pages 1 to 6, delete sections 1 and 2

Page 6, line 11, delete from the first "or" through page 6, line 12, to "complainant"

Page 6, delete section 4

Renumber the sections in sequence

Amend the title accordingly

Mr. Kelly requested division of the Neuville amendment as follows:

First portion:

Pages 5 and 6, delete section 2

Page 6, delete section 4

Renumber the sections in sequence

Amend the title accordingly

Second portion:

Pages 1 to 5, delete section 1

Page 6, line 11, delete from the first "or" through page 6, line 12, to "complainant"

Renumber the sections in sequence

Amend the title accordingly

The question was taken on the adoption of the first portion of the Neuville amendment.

The roll was called, and there were yeas 36 and nays 30, as follows:

Those who voted in the affirmative were:

Beckman	Hanson	Langseth	Ourada	Stevens
Belanger	Johnson, D.E.	Larson	Pariseau	Stumpf
Berg	Johnston	Lesewski	Robertson	Terwilliger
Bertram	Kelly	Lessard	Runbeck	Vickerman
Chmielewski	Kleis	Metzen	Sams	
Day	Knutson	Neuville	Samuelson	
Dille	Kramer	Oliver	Scheevel	
Frederickson	Kroening	Olson	Solon	

Those who voted in the negative were:

Anderson	Flynn	Krentz	Mondale	Price
Berglin	Hottinger	Laidig	Morse	Ranum
Betzold	Janezich	Limmer	Murphy	Reichgott Junge
Chandler	Johnson, D.J.	Marty	Pappas	Riveness
Cohen	Johnson, J.B.	Merriam	Piper	Spear
Finn	Kiscaden	Moe, R.D.	Pogemiller	Wiener

The motion prevailed. So the first portion of the Neuville amendment was adopted.

Mr. Hottinger requested further division of the second portion of the Neuville amendment as follows:

First portion:

Pages 1 to 5, delete section 1

Renumber the sections in sequence

Amend the title accordingly

Second portion:

Page 6, line 11, delete from the first "or" through page 6, line 12, to "complainant"

The question was taken on the adoption of the first portion of the second division of the Neuville amendment.

The roll was called, and there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

Beckman	Dille	Langseth	Oliver	Scheevel
Belanger	Frederickson	Larson	Olson	Solon
Berg	Johnson, D.E.	Lesewski	Pariseau	Stevens
Bertram	Johnston	Lessard	Runbeck	Vickerman
Chmielewski	Kramer	Limmer	Sams	
Day	Kroening	Neuville	Samuelson	

Those who voted in the negative were:

Anderson	Hottinger	Krentz	Murphy	Reichgott Junge
Berglin	Janezich	Laidig	Novak	Riveness
Betzold	Johnson, D.J.	Marty	Ourada	Robertson
Chandler	Johnson, J.B.	Merriam	Pappas	Spear
Cohen	Kelly	Metzen	Piper	Stumpf
Finn	Kiscaden	Moe, R.D.	Pogemiller	Wiener
Flynn	Kleis	Mondale	Price	
Hanson	Knutson	Morse	Ranum	

The motion did not prevail. So the first portion of the second division of the Neuville amendment was not adopted.

The question recurred on the second portion of the second division of the Neuville amendment. The motion prevailed. So the second portion of the second division of the Neuville amendment was adopted.

S.F. No. 57 was then progressed.

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

## INTRODUCTION AND FIRST READING OF SENATE BILLS

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

**Mses. Reichgott Junge, Anderson, Mr. Hottinger, Ms. Kiscaden and Mr. Solon introduced--**

**S.F. No. 703:** A bill for an act relating to commerce; authorizing local units of government to license the retail sale of tobacco; requiring a county to license the retail sale of tobacco under certain conditions; providing for regular compliance checks for all licensed vendors; providing for mandatory penalties against license holders for sales to minors; amending Minnesota Statutes 1994, sections 461.12; 461.13; and 461.15; proposing coding for new law in Minnesota Statutes, chapter 461.

Referred to the Committee on Commerce and Consumer Protection.

**Messrs. Belanger, Solon, Metzen, Ms. Flynn and Mr. Larson introduced--**

**S.F. No. 704:** A bill for an act relating to insurance; prohibiting zip code rating in homeowner's and automobile insurance; amending Minnesota Statutes 1994, section 72A.20, subdivisions 13 and 23.

Referred to the Committee on Commerce and Consumer Protection.

**Mr. Hottinger, Ms. Piper, Messrs. Beckman, Finn and Ms. Flynn introduced--**

**S.F. No. 705:** A bill for an act relating to economic development; requiring private businesses with state financial assistance to pay a livable wage and increase employment; proposing coding for new law in Minnesota Statutes, chapter 177.

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

**Ms. Pappas, Messrs. Stumpf, Pogemiller, Larson and Neuville introduced--**

**S.F. No. 706:** A bill for an act relating to education; requiring development of a model instruction program in translating and interpreting services; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 136E.

Referred to the Committee on Education.

**Messrs. Limmer, Cohen, Kelly, Ms. Reichgott Junge and Mr. Kramer introduced--**

**S.F. No. 707:** A bill for an act relating to education; safe schools; establishing a grant program to develop parenting and ethics curricula; precluding disruptive students from participating in the open enrollment program; providing a buffer zone around schools where possession of a dangerous weapon is a crime and including property of public and post-secondary institutions; removing the repeal of the lengthened school year; increasing the limit on parental liability for personal injury torts committed by a minor; requiring a referral to the justice system of certain possessors of firearms; appropriating money; amending Minnesota Statutes 1994, sections 120.062, subdivision 7; 120.101, subdivision 5; 127.03, subdivision 3; 127.281; 540.18, subdivision 1; 609.2231, subdivision 5; and 609.66, subdivision 1d; Laws 1993, chapter 224, article 12, section 32; proposing coding for new law in Minnesota Statutes, chapter 127.

Referred to the Committee on Education.

**Ms. Lesewski, Messrs. Bertram, Ourada, Stevens and Vickerman introduced--**

**S.F. No. 708:** A bill for an act relating to agriculture; exempting a program from recovery of statewide and agency indirect costs; amending Minnesota Statutes 1994, section 16A.127, subdivision 8.

Referred to the Committee on Agriculture and Rural Development.

**Ms. Lesewski, Messrs. Stumpf, Ourada and Dille introduced--**

**S.F. No. 709:** A bill for an act relating to education; providing for independent school district No. 583, Pipestone, to transfer funds from its debt redemption fund to its capital expenditure fund.

Referred to the Committee on Education.

**Messrs. Frederickson and Lessard introduced--**

**S.F. No. 710:** A bill for an act relating to natural resources; broadening the uses permitted for emergency materials and equipment; amending Minnesota Statutes 1994, section 88.065.

Referred to the Committee on Environment and Natural Resources.

**Ms. Anderson, Messrs. Spear, Marty, Kelly and Knutson introduced--**

**S.F. No. 711:** A bill for an act relating to evidentiary privilege; providing a privilege for public safety peer counseling debriefing that makes any information or opinion stated at the debriefing confidential; providing for recovery of damages in case of breach of the peer counseling privilege; providing municipal tort liability when municipal employees involved in public safety peer counseling debriefings breach the evidentiary privilege; amending Minnesota Statutes 1994, section 595.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 595.

Referred to the Committee on Judiciary.

**Mr. Knutson, Mses. Krentz, Robertson, Reichgott Junge and Mr. Terwilliger introduced--**

**S.F. No. 712:** A bill for an act relating to education; discontinuing the referendum allowance reduction; amending Minnesota Statutes 1994, sections 124.2725, subdivision 16; 124A.22, subdivision 8; and 298.28, subdivision 4; repealing Minnesota Statutes 1994, section 124A.03, subdivision 3b.



Referred to the Committee on Education.

**Mses. Kiscaden, Berglin, Piper and Mr. Scheevel introduced--**

**S.F. No. 713:** A bill for an act relating to Olmstead county; authorizing the county to create a nonprofit corporation to own and operate a hospital and medical center; providing the county board with related powers and duties.

Referred to the Committee on Metropolitan and Local Government.

**Ms. Lesewski, Messrs. Limmer, Berg, Chmielewski and Johnson, D.E. introduced--**

**S.F. No. 714:** A bill for an act relating to local government; authorizing examinations of the accounts and records of counties by certified public accountants; amending Minnesota Statutes 1994, section 6.48.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Vickerman, Lessard, Bertram, Beckman and Chmielewski introduced--**

**S.F. No. 715:** A bill for an act relating to towns; prohibiting the Minnesota pollution control agency from charging towns a fee for permits for certain town road, bridge, or culvert projects; amending Minnesota Statutes 1994, section 116.07, subdivision 4d.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Limmer, Bertram, Ms. Lesewski, Mr. Kleis and Ms. Johnston introduced--**

**S.F. No. 716:** A bill for an act relating to workers' compensation; modifying provisions relating to procedures and benefits; providing penalties; amending Minnesota Statutes 1994, sections 79.211, subdivision 1; 175.16; 176.011, subdivision 25; 176.021, subdivisions 3 and 3a; 176.061, subdivision 10; 176.101, subdivisions 1, 2, 4, 5, 6, 8, and by adding a subdivision; 176.105, subdivision 4; 176.111, subdivisions 6, 7, 8, 12, 14, 15, and 20; 176.178; 176.179; 176.221, subdivision 6a; 176.645, subdivision 1; 176.66, subdivision 11; 176.82; and 268.08, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 1994, sections 176.011, subdivision 26; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, and 3u; and 176.132.

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

**Ms. Runbeck, Messrs. Oliver, Larson, Dille and Ms. Lesewski introduced--**

**S.F. No. 717:** A bill for an act relating to workers' compensation; modifying provisions relating to procedures and benefits; providing penalties; amending Minnesota Statutes 1994, sections 79.211, subdivision 1; 175.16; 176.011, subdivision 25; 176.021, subdivisions 1, 3 and 3a; 176.061, subdivision 10; 176.081, subdivisions 1, 7a, and 9; 176.101, subdivisions 1, 2, 4, 5, 6, 8, and by adding subdivisions; 176.102, subdivision 11; 176.105, subdivision 4; 176.106; 176.111, subdivisions 6, 7, 8, 12, 14, 15, and 20; 176.135, subdivision 1; 176.178; 176.179; 176.191, subdivisions 5, 7, 8, and by adding a subdivision; 176.221, subdivision 6a; 176.238, subdivisions 3, 4, 5, and 6; 176.239, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, and 10; 176.291; 176.305, subdivisions 1, 1a, 2, and 4; 176.321, subdivisions 2 and 3; 176.322; 176.645, subdivision 1; 176.66, subdivision 11; 176.82; and 268.08, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 175; and 176; repealing Minnesota Statutes 1994, sections 175.007; 176.011, subdivision 26; 176.081, subdivisions 2, 5, 7, and 8; 176.101, subdivisions 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 3j, 3k, 3l, 3m, 3n, 3o, 3p, 3q, 3r, 3s, 3t, and 3u; 176.132; 176.133; and 176.191, subdivision 6.

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

**Messrs. Sams, Samuelson and Ms. Lesewski introduced--**

**S.F. No. 718:** A bill for an act relating to crimes; eliminating the law enforcement agency use exception to the destruction of forfeited weapons requirement of the forfeiture law; amending Minnesota Statutes 1994, section 609.5315, subdivisions 1 and 2.

Referred to the Committee on Crime Prevention.

**Messrs. Morse; Metzen; Merriam; Moe, R.D. and Johnson, D.E. introduced--**

**S.F. No. 719:** A bill for an act relating to higher education; changing the salary limit for certain higher education officers; amending Minnesota Statutes 1994, section 15A.081, subdivision 7b.

Referred to the Committee on Education.

**Mr. Laidig introduced--**

**S.F. No. 720:** A bill for an act relating to motor vehicles; modifying appearance of special license plates issued to amateur radio station licensees; amending Minnesota Statutes 1994, section 168.12, subdivision 2.

Referred to the Committee on Transportation and Public Transit.

**Messrs. Belanger, Vickerman, Langseth, Ourada and Mrs. Pariseau introduced--**

**S.F. No. 721:** A bill for an act relating to taxation; exempting cargo vans from the rental motor vehicle tax; amending Minnesota Statutes 1994, section 297A.135, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

**Messrs. Morse, Frederickson, Stevens, Ms. Johnson, J.B. and Mr. Merriam introduced--**

**S.F. No. 722:** A bill for an act relating to the environment; establishing an environmental legal assistance pilot project; appropriating money.

Referred to the Committee on Environment and Natural Resources.

**Ms. Robertson, Mr. Scheevel, Ms. Hanson, Messrs. Knutson and Janezich introduced--**

**S.F. No. 723:** A bill for an act relating to education; allowing the transfer of certain capital expenditure revenue between accounts in certain cases; amending Minnesota Statutes 1994, sections 124.243, subdivisions 1, 7, and 8; and 124.244, subdivision 4.

Referred to the Committee on Education.

**Ms. Robertson, Mr. Scheevel, Ms. Krentz, Messrs. Knutson and Janezich introduced--**

**S.F. No. 724:** A bill for an act relating to education; clarifying the required wording of the referendum levy notice; amending Minnesota Statutes 1994, section 124A.03, subdivision 2.

Referred to the Committee on Education.

**Mr. Kelly introduced--**

**S.F. No. 725:** A bill for an act relating to retirement; permitting the purchase of service credit for St. Paul bureau of health service.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Mondale, Ms. Flynn, Mr. Belanger and Ms. Robertson introduced--**

**S.F. No. 726:** A bill for an act relating to local government; authorizing Hennepin county to

lease hospital or nursing home facilities under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 383B.

Referred to the Committee on Metropolitan and Local Government.

**Mr. Price introduced--**

**S.F. No. 727:** A bill for an act relating to highways; requiring that a new St. Croix river bridge must be a toll bridge; authorizing issuance of trunk highway bonds.

Referred to the Committee on Transportation and Public Transit.

**Mses. Pappas, Anderson and Mr. Kelly introduced--**

**S.F. No. 728:** A bill for an act relating to crime victim rights; permitting certain neighborhood groups to request notification under the crime victim bill of rights regarding certain crimes committed in the neighborhood; proposing coding for new law in Minnesota Statutes, chapter 611A.

Referred to the Committee on Crime Prevention.

**Messrs. Vickerman, Belanger, Metzen, Cohen and Solon introduced--**

**S.F. No. 729:** A bill for an act relating to consumer protection; regulating the repair and restoration of airbag passive restraint systems; imposing penalties; amending Minnesota Statutes 1994, section 72A.201, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection.

**Messrs. Solon, Samuelson and Sams introduced--**

**S.F. No. 730:** A bill for an act relating to human services; providing medical assistance reimbursement for a comprehensive pharmaceutical care research project; appropriating money.

Referred to the Committee on Health Care.

**Messrs. Betzold and Knutson introduced--**

**S.F. No. 731:** A bill for an act relating to partnerships; enacting the Uniform Partnership Act of 1995 of the National Conference of Commissioners On Uniform State Laws; providing for limited liability partnerships; proposing coding for new law as Minnesota Statutes, chapter 323A; repealing Minnesota Statutes 1994, sections 323.01; 323.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8; 323.03; 323.04; 323.05; 323.06; 323.07; 323.08; 323.09; 323.10; 323.11; 323.12; 323.13; 323.14; 323.15; 323.16; 323.17; 323.18; 323.19; 323.20; 323.21; 323.22; 323.23; 323.24; 323.25; 323.26; 323.27; 323.28; 323.29; 323.30; 323.31; 323.32; 323.33; 323.34; 323.35; 323.36; 323.37; 323.38; 323.39; 323.40; 323.41; 323.42; and 323.43.

Referred to the Committee on Judiciary.

**Mr. Betzold, Ms. Reichgott Junge and Mr. Knutson introduced--**

**S.F. No. 732:** A bill for an act relating to commerce; enacting the revised article 8 of the uniform commercial code proposed by the national conference of commissioners on uniform state laws; regulating investment securities; amending Minnesota Statutes 1994, sections 336.1-105; 336.1-206; 336.4-104; 336.5-114; 336.9-103; 336.9-105; 336.9-106; 336.9-203; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-309; 336.9-312; and 336.10-104; proposing coding for new law in Minnesota Statutes, chapter 336; repealing Minnesota Statutes 1994, sections 336.8-101; 336.8-102; 336.8-103; 336.8-104; 336.8-105; 336.8-106; 336.8-107; 336.8-108; 336.8-201; 336.8-202; 336.8-203; 336.8-204; 336.8-205; 336.8-206; 336.8-207;

336.8-208; 336.8-301; 336.8-302; 336.8-303; 336.8-304; 336.8-305; 336.8-306; 336.8-307; 336.8-308; 336.8-309; 336.8-310; 336.8-311; 336.8-312; 336.8-313; 336.8-314; 336.8-315; 336.8-316; 336.8-317; 336.8-318; 336.8-319; 336.8-320; 336.8-321; 336.8-401; 336.8-402; 336.8-403; 336.8-404; 336.8-405; 336.8-406; 336.8-407; and 336.8-408.

Referred to the Committee on Judiciary.

**Ms. Kiscaden, Mr. Betzold, Ms. Robertson, Mr. Kelly and Ms. Krentz introduced--**

**S.F. No. 733:** A bill for an act relating to the family; creating a presumption of refusal or neglect of parental duties in certain termination of parental rights cases; amending Minnesota Statutes 1994, section 260.221, subdivision 1.

Referred to the Committee on Judiciary.

**Messrs. Chandler, Kelly and Metzen introduced--**

**S.F. No. 734:** A bill for an act relating to telecommunications; regulating the 911 system; imposing requirements on private switch telephone service; imposing a civil penalty; amending Minnesota Statutes 1994, sections 403.02, by adding subdivisions; 403.04; and 403.09.

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

**Mr. Solon introduced--**

**S.F. No. 735:** A bill for an act relating to contracts for deed; requiring a mortgagee to provide a vendee with a copy of the notice of default on contract for deed property subject to a mortgage; proposing coding for new law in Minnesota Statutes, chapter 559.

Referred to the Committee on Judiciary.

**Messrs. Chandler; Johnson, D.J.; Bertram; Ms. Johnson, J.B. and Mr. Solon introduced--**

**S.F. No. 736:** A bill for an act relating to health; giving the commissioner of administration authority to negotiate contract prices for all prescription drugs sold in Minnesota; allowing correction orders to be issued; establishing a statewide drug formulary; requiring a pharmacy to post a sign on generic substitution; amending Minnesota Statutes 1994, sections 151.21, subdivisions 2, 3, and by adding a subdivision; and 256B.0625, subdivision 13; proposing coding for new law in Minnesota Statutes, chapters 16B; and 256.

Referred to the Committee on Health Care.

**Messrs. Scheevel, Dille, Bertram, Vickerman and Ms. Lesewski introduced--**

**S.F. No. 737:** A bill for an act relating to agriculture; adding the commissioner of agriculture to the board of directors of the agricultural utilization research institute; amending Minnesota Statutes 1994, section 116O.09, subdivision 1a.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Scheevel, Dille, Vickerman, Ms. Lesewski and Mr. Stumpf introduced--**

**S.F. No. 738:** A bill for an act relating to agriculture; providing for uniformity with certain federal food standards; amending Minnesota Statutes 1994, section 31.101, subdivision 9, and by adding subdivisions.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Scheevel, Dille, Vickerman, Ms. Lesewski and Mr. Stumpf introduced--**

**S.F. No. 739:** A bill for an act relating to agriculture; changing certain procedures for compensating crop owners for damage by elk; amending Minnesota Statute 1994, section 3.7371, subdivision 3.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Scheevel; Johnson, D.E.; Mses. Robertson, Hanson and Mr. Knutson introduced--**

**S.F. No. 740:** A bill for an act relating to education; authorizing eligibility for debt service aid to independent school district No. 238, Mabel-Canton.

Referred to the Committee on Education.

**Mr. Bertram introduced--**

**S.F. No. 741:** A bill for an act relating to taxation; extending the sales tax exemption applicable to electricity used on farms; amending Minnesota Statutes 1994, section 297A.25, subdivision 9.

Referred to the Committee on Taxes and Tax Laws.

**Ms. Ranum introduced--**

**S.F. No. 742:** A bill for an act relating to courts; civil commitment; changing the required qualifications of examiners; amending Minnesota Statutes 1994, section 253B.02, subdivision 7.

Referred to the Committee on Judiciary.

**Mr. Metzen introduced--**

**S.F. No. 743:** A bill for an act relating to retirement; permitting employees of the teachers retirement association to terminate membership in the association; proposing coding for new law in Minnesota Statutes, chapter 354.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Beckman introduced--**

**S.F. No. 744:** A bill for an act relating to education; allowing independent school district No. 2536, Granada-Huntley-East Chain, to make a fund transfer.

Referred to the Committee on Education.

**Mr. Riveness, Ms. Piper, Mr. Betzold and Ms. Pappas introduced--**

**S.F. No. 745:** A bill for an act relating to human services; appropriating money for crisis nursery programs.

Referred to the Committee on Family Services.

**Messrs. Lessard, Finn, Sams, Vickerman and Samuelson introduced--**

**S.F. No. 746:** A bill for an act relating to health; modifying provisions relating to nursing home swing beds; amending Minnesota Statutes 1994, section 144.562, subdivisions 2 and 4.

Referred to the Committee on Health Care.

**Ms. Wiener, Mr. Riveness, Ms. Reichgott Junge, Mr. Murphy and Ms. Kiscaden introduced--**

**S.F. No. 747:** A bill for an act relating to education; establishing a commission on campus closure and reorganization; specifying membership and duties; appropriating money.

Referred to the Committee on Education.

**Messrs. Riveness, Cohen, Ms. Wiener, Messrs. Merriam and Terwilliger introduced--**

**S.F. No. 748:** A bill for an act relating to notaries; providing licensed peace officers with the powers of a notary public for administering oaths upon information submitted to establish probable cause; amending Minnesota Statutes 1994, section 358.15.

Referred to the Committee on Crime Prevention.

**Mr. Bertram introduced--**

**S.F. No. 749:** A bill for an act relating to liquor; authorizing brewers or malt liquor wholesalers to furnish without charge to retailers, reasonable quantities of malt liquor for sampling only; amending Minnesota Statutes 1994, section 340A.308.

Referred to the Committee on Commerce and Consumer Protection.

**Mr. Riveness introduced--**

**S.F. No. 750:** A bill for an act relating to human services; modifying certain asset and income requirements for medical assistance; modifying the eligibility requirements for Minnesota supplemental aid; amending Minnesota Statutes 1994, sections 256B.056, subdivision 3, and by adding subdivisions; and 256D.425, subdivision 2.

Referred to the Committee on Health Care.

**Messrs. Riveness, Metzen, Terwilliger and Morse introduced--**

**S.F. No. 751:** A bill for an act relating to retirement; supplemental employer sponsored tax-sheltered annuity programs; requiring compliance with the applicable federal tax law provisions as a condition for continued authority to operate the plan; amending Minnesota Statutes 1994, section 356.24, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Novak, Metzen, Ms. Runbeck, Messrs. Chandler and Johnson, D.J. introduced--**

**S.F. No. 752:** A bill for an act relating to telecommunications; allowing for alternative regulation of telephone companies for a limited period; authorizing rulemaking to promote fair and reasonable competition for local exchange service; making technical changes; amending Minnesota Statutes 1994, sections 237.01, subdivision 6; 237.09; and 237.16; proposing coding for new law in Minnesota Statutes, chapter 237.

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

**Messrs. Dille, Berg, Bertram, Ms. Lesewski and Mr. Murphy introduced--**

**S.F. No. 753:** A bill for an act relating to agriculture; repealing the interstate compact on agricultural grain marketing; repealing Minnesota Statutes 1994, sections 236A.01 and 236A.02.

Referred to the Committee on Agriculture and Rural Development.

**Messrs. Solon, Metzen, Riveness, Stumpf and Terwilliger introduced--**

**S.F. No. 754:** A bill for an act relating to taxation; changing the gross premiums tax rate imposed on certain insurance companies; amending Minnesota Statutes 1994, section 60A.15, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

**Messrs. Price and Laidig introduced--**

**S.F. No. 755:** A bill for an act relating to education; permitting developers of new housing to pay a school impact fee; amending Minnesota Statutes 1994, section 462.358, by adding a subdivision.

Referred to the Committee on Education.

**Mr. Kroening, Ms. Hanson, Messrs. Belanger and Chmielewski introduced--**

**S.F. No. 756:** A bill for an act relating to traffic regulations; motor vehicles; establishing system for the notification, recording, and collection of delinquent fines for parking violations; prohibiting registration of vehicle of owner who has not paid the fine for a parking violation; prohibiting issuance of warrants for parking violations; imposing a fee; amending Minnesota Statutes 1994, sections 169.91, subdivision 3; 169.95; and 169.99, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 168; and 169.

Referred to the Committee on Transportation and Public Transit.

**Messrs. Samuelson, Chmielewski and Stevens introduced--**

**S.F. No. 757:** A bill for an act relating to highways; designating the POW/MIA Memorial Highway; amending Minnesota Statutes 1994, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation and Public Transit.

**Mses. Ranum and Johnston introduced--**

**S.F. No. 758:** A bill for an act relating to public safety; authorizing bureau of criminal apprehension to charge and collect fee for background check conducted for purposes other than criminal justice and dedicating proceeds to operating expenses of criminal records system; allowing bureau to provide children's service provider with copy of criminal record of applicant for position of children's service worker; amending Minnesota Statutes 1994, sections 299C.10, by adding a subdivision; and 299C.62, subdivision 4.

Referred to the Committee on Crime Prevention.

**Messrs. Novak, Metzen and Ms. Runbeck introduced--**

**S.F. No. 759:** A bill for an act relating to economic development; changing certain departmental operating procedures; altering the corporate structure of Advantage Minnesota, Inc.; clarifying economic development authority powers; amending Minnesota Statutes 1994, sections 116J.58, subdivision 1; 116J.693, subdivisions 2, 3, 4, and 5; 116N.02, subdivision 1; 116N.06; 446A.03, subdivision 4; and 469.102, subdivision 2.

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

**Ms. Berglin introduced--**

**S.F. No. 760:** A bill for an act relating to human services; changing provisions for child support; amending Minnesota Statutes 1994, sections 518.171, subdivision 1; 518.54, subdivisions 2 and 6, and by adding a subdivision; 518.551, subdivisions 1, 5, 5a, 5b, and by adding a subdivision; 518.57, subdivision 2; and 518.64, subdivisions 2 and 4.

Referred to the Committee on Judiciary.

**Ms. Berglin introduced--**

**S.F. No. 761:** A bill for an act relating to food stamps; creating a food stamp outreach program; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Family Services.

**Mr. Finn, Ms. Reichgott Junge, Messrs. Cohen and Knutson introduced--**

**S.F. No. 762:** A bill for an act relating to statutes of limitations; enacting the uniform conflict of laws-limitations act; proposing coding for new law in Minnesota Statutes, chapter 541.

Referred to the Committee on Judiciary.

**Mr. Mondale, Mses. Krentz, Pappas, Messrs. Janezich and Beckman introduced--**

**S.F. No. 763:** A bill for an act relating to education; increasing the general education formula allowance; appropriating money; amending Minnesota Statutes 1994, section 124A.22, subdivision 2.

Referred to the Committee on Education.

**Mr. Kelly introduced--**

**S.F. No. 764:** A bill for an act relating to public administration; providing St. Paul with additional authority in regard to the teacher training institute; amending Laws 1994, chapter 643, section 72.

Referred to the Committee on Metropolitan and Local Government.

**Messrs. Morse, Metzen and Stumpf introduced--**

**S.F. No. 765:** A bill for an act relating to retirement; increasing employer and employee contributions and annuities payable by the Minnesota state retirement system and the public employees retirement association; amending Minnesota Statutes 1994, sections 352.04, subdivisions 2 and 3; 352.115, subdivision 3; 353.27, subdivision 2; 353.29, subdivision 3; and 356.30, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Metzen and Morse introduced--**

**S.F. No. 766:** A bill for an act relating to retirement; state employees; contribution rates and annuity formulas for correctional employees; amending Minnesota Statutes 1994, sections 352.92, subdivisions 1 and 2; 352.93, subdivision 2; 352.95, subdivision 1; and 356.30, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Stumpf introduced--**

**S.F. No. 767:** A bill for an act relating to retirement; administrative changes in the law governing the Minnesota state retirement system; amending Minnesota Statutes 1994, sections 352.01, subdivision 2b; 352.113, subdivision 1; 352.12, subdivisions 1, 2, 2a, and 6; 352B.105; 352D.02, subdivisions 1d and 3; and 490.124, subdivision 12; repealing Minnesota Statutes 1994, section 352.021, subdivision 5.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Novak, Ms. Johnson, J.B.; Mr. Chandler, Ms. Anderson and Mr. Kroening introduced--**

**S.F. No. 768:** A bill for an act relating to economic security; providing funding to the foodshelf program; appropriating money.



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

**Mr. Finn, Ms. Berglin, Mr. Vickerman and Ms. Piper introduced--**

**S.F. No. 769:** A bill for an act relating to the board on aging; creating a new position to develop a statewide service system for Indian elders, and also coordinate efforts with the National Indian Council on Aging; appropriating money; amending Minnesota Statutes 1994, section 256.976, by adding a subdivision.

Referred to the Committee on Family Services.

**Messrs. Finn; Moe, R.D.; Mses. Ranum and Berglin introduced--**

**S.F. No. 770:** A bill for an act relating to health; requiring preparation of a report on the adverse health and environmental effects of United States Army spraying of zinc cadmium sulfide and other chemicals in Minnesota; requiring certain findings by the attorney general.

Referred to the Committee on Health Care.

**Messrs. Price; Solon; Johnson, D.J. and Laidig introduced--**

**S.F. No. 771:** A bill for an act relating to taxation; sales and use; providing an exemption to cities or counties for certain adult and juvenile correctional facilities projects; appropriating money; amending Minnesota Statutes 1994, sections 297A.15, by adding a subdivision; and 297A.25, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

**Mr. Johnson, D.J. introduced--**

**S.F. No. 772:** A bill for an act relating to state government; reducing appropriations to the legislature for fiscal year 1995; directing the governor to reduce certain appropriations for executive branch agencies.

Referred to the Committee on Finance.

**Mr. Chmielewski introduced--**

**S.F. No. 773:** A bill for an act relating to education; authorizing funding for the second and third year of the time and technology enhanced curriculum school pilot project; appropriating money.

Referred to the Committee on Education.

**Mr. Novak, Ms. Runbeck, Mr. Sams, Mrs. Pariseau and Ms. Flynn introduced--**

**S.F. No. 774:** A bill for an act relating to taxation; property; changing the class rate applied to manufactured home parks; amending Minnesota Statutes 1994, section 273.13, subdivision 25.

Referred to the Committee on Taxes and Tax Laws.

**Mses. Berglin, Kiscaden, Messrs. Terwilliger and Samuelson introduced--**

**S.F. No. 775:** A bill for an act relating to health care; alternative care program and waived service programs; appropriating money; amending Minnesota Statutes 1994, sections 256B.0913, subdivisions 1, 2, 4, 5, 8, and 12; and 256B.0915, subdivisions 3, 5, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Health Care.

**Messrs. Kramer and Neuville introduced--**

**S.F. No. 776:** A bill for an act relating to corrections; authorizing room and board charges from inmate wages; eliminating mandatory savings; amending Minnesota Statutes 1994, section 243.23, subdivision 3.

Referred to the Committee on Crime Prevention.

**Messrs. Vickerman; Moe, R.D.; Johnson, D.E.; Dille and Stumpf introduced--**

**S.F. No. 777:** A resolution memorializing the President and Congress to abandon the proposed sale of the Western Area Power Administration.

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

**Messrs. Kelly, Limmer and Moe, R.D. introduced--**

**S.F. No. 778:** A bill for an act relating to crime prevention; changing reimbursement for soft body armor; providing for adjustment to the public safety officer's death benefit; amending Minnesota Statutes 1994, sections 299A.38, subdivision 2; and 299A.44.

Referred to the Committee on Governmental Operations and Veterans.

**Messrs. Betzold, Samuelson, Mses. Robertson and Berglin introduced--**

**S.F. No. 779:** A bill for an act relating to human services; providing medical assistance coverage for inpatient psychiatric services for children; amending Minnesota Statutes 1994, section 256B.0625, by adding a subdivision.

Referred to the Committee on Health Care.

**Messrs. Oliver, Terwilliger and Ms. Kiscaden introduced--**

**S.F. No. 780:** A bill for an act relating to taxation; property; changing the class rates applied to residential homesteads; amending Minnesota Statutes 1994, sections 273.13, subdivision 22; and 273.1398, subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

**Mr. Oliver introduced--**

**S.F. No. 781:** A bill for an act relating to investments; selection of qualified insurance companies for purchase of tax-sheltered annuities; amending Minnesota Statutes 1994, section 356.24, subdivision 1.

Referred to the Committee on Governmental Operations and Veterans.

**Mr. Larson, Ms. Johnston and Mrs. Pariseau introduced--**

**S.F. No. 782:** A bill for an act relating to local government; requiring an election on the annexation of unincorporated land in certain circumstances; amending Minnesota Statutes 1994, section 414.031, subdivision 6, and by adding a subdivision.

Referred to the Committee on Metropolitan and Local Government.

**Mr. Kramer, Mses. Berglin, Kiscaden, Messrs. Terwilliger and Samuelson introduced--**

**S.F. No. 783:** A bill for an act relating to human services; establishing pilot projects for mental health services; expanding the definition of "related condition"; establishing a consumer support

grant program; providing assessment and prior authorization for recipients of home care and waived services; allowing persons with mental retardation receiving home and community-based services to live in their own homes without licensure; amending Minnesota Statutes 1994, sections 252.27, subdivision 1a; 252.275, subdivisions 3, 4, and 8; 254B.02, subdivision 1; 254B.05, subdivision 1; 256B.0628, by adding a subdivision; and 256B.092, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 252; and 256; repealing Minnesota Statutes 1994, section 252.275, subdivisions 4a and 10.

Referred to the Committee on Health Care.

**Mr. Knutson and Ms. Robertson introduced--**

**S.F. No. 784:** A bill for an act relating to marriage dissolution; providing procedures and standards for allowing a custodial parent to move a child's residence to another state; amending Minnesota Statutes 1994, sections 518.175, subdivision 3; and 518.176, subdivision 1.

Referred to the Committee on Judiciary.

**Messrs. Pogemiller and Moe, R.D. introduced--**

**S.F. No. 785:** 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 environmental assistance, 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 1994, section 116.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1994, section 116.02, subdivisions 2, 3, and 4.

Referred to the Committee on Environment and Natural Resources.

**Mr. Scheevel, Mrs. Pariseau and Ms. Runbeck introduced--**

**S.F. No. 786:** A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited land that borders public water in the city of Preston.

Referred to the Committee on Environment and Natural Resources.

**Messrs. Chandler and Morse introduced--**

**S.F. No. 787:** A bill for an act relating to public employment; prohibiting the hiring of relatives of public officials in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Governmental Operations and Veterans.

**MEMBERS EXCUSED**

Mr. Cohen was excused from the Session of today from 11:00 to 11:45 a.m. Mr. Mondale was excused from the Session of today from 11:00 to 11:20 a.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, March 2, 1995. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

