

STATE OF MINNESOTA

Journal of the Senate

SEVENTY-NINTH LEGISLATURE

EIGHTY-FOURTH DAY

St. Paul, Minnesota, Friday, February 23, 1996

The Senate met at 8:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by Senator Pat Piper.

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

Anderson	Flynn	Kramer	Murphy	Robertson
Beckman	Frederickson	Laidig	Novak	Runbeck
Belanger	Hanson	Langseth	Oliver	Sams
Berglin	Hottinger	Larson	Pappas	Scheevel
Betzold	Johnson, D.E.	Lessard	Piper	Stumpf
Cohen	Johnson, J.B.	Limmer	Price	Vickerman
Day	Johnston	Marty	Ranum	Wiener
Finn	Kiscaden	Moe, R.D.	Reichgott Junge	
Fischbach	Kleis	Morse	Riveness	

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 communication was received.

February 21, 1996

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 1996 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 1996	Date Filed 1996
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	1926	273	10:16 a.m. February 21	February 21
	2634	274	10:17 a.m. February 21	February 21
	2114	275	10:19 a.m. February 21	February 21
	2652	276	10:20 a.m. February 21	February 21
1798		277	10:13 a.m. February 21	February 21
1815		278	10:14 a.m. February 21	February 21

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 Files, herewith returned: S.F. Nos. 2111 and 1936.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 22, 1996

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2282, 2478, 2672, 1998, 3070 and 2284.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 22, 1996

FIRST READING OF HOUSE BILLS

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

H.F. No. 2282: A bill for an act relating to water; modifying provisions of the reinvest in Minnesota resources program; amending Minnesota Statutes 1994, section 103F.515, subdivisions 2, 3, and 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2114, now on General Orders.

H.F. No. 2478: A bill for an act relating to consumer protection; restricting the provision of immigration services; regulating notaries public; providing penalties; proposing coding for new law in Minnesota Statutes, chapters 325E; and 359.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2372, now on General Orders.

H.F. No. 2672: A bill for an act relating to landlords and tenants; changing the interest rate on security deposits; providing for a legislative review; amending Minnesota Statutes 1994, section 504.20, subdivision 2; repealing Laws 1992, chapter 555, article 2, section 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2135, now on General Orders.

H.F. No. 1998: A bill for an act relating to trusts; regulating the investment and management of trust assets; providing standards; amending Minnesota Statutes 1994, sections 48.38, subdivision 6; 48.84; 317A.161, subdivision 24; 525.56, subdivision 4; and 529.06; proposing coding for new

law in Minnesota Statutes, chapter 501B; repealing Minnesota Statutes 1994, sections 501B.10; and 501B.11.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1735, now on General Orders.

H.F. No. 3070: A bill for an act relating to economic development; modifying the neighborhood revitalization program; amending Minnesota Statutes 1994, section 469.1831, subdivisions 3 and 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2793, now on General Orders.

H.F. No. 2284: A bill for an act relating to family law; regulating reductions in monthly payments for overpayment of support or maintenance; requiring the commissioner of human services to present to the legislature a proposal regarding child support payments; amending Minnesota Statutes 1995 Supplement, section 518.611, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1948, now on General Orders.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 1927 and the reports pertaining to appointments. The motion prevailed.

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

S.F. No. 1927: A bill for an act relating to health; modifying the provisions related to managed care organizations; modifying the provisions related to children's camps; modifying the licensing provisions for alcohol and drug counselors; modifying the regulatory provisions for food and beverage establishments, hotels, motels, lodging establishments, and resorts; removing certain reporting requirements for hospitals and surgical centers; eliminating the directory of the healing arts; amending Minnesota Statutes 1994, sections 62Q.075, subdivision 2; 144.71, subdivisions 1 and 2; 144.72, subdivisions 1 and 2; 144.73, subdivision 1; 144.74; 148C.09, by adding a subdivision; and 157.20, by adding a subdivision; Minnesota Statutes 1995 Supplement, sections 148C.01, subdivisions 12 and 13; 148C.02, subdivisions 1 and 2; 148C.03, subdivision 1; 148C.04, subdivisions 3, 4, and by adding a subdivision; 148C.05, subdivision 1; 148C.06; 148C.11, subdivisions 1 and 3; 157.011, subdivision 1; 157.15, subdivisions 4, 5, 6, 9, 12, 13, 14, and by adding subdivisions; 157.16; 157.17, subdivision 2; 157.20, subdivision 1; and 157.21; repealing Minnesota Statutes 1994, sections 144.691, subdivision 4; 146.14; and 146.20; Minnesota Statutes 1995 Supplement, sections 157.03; 157.15, subdivision 2; 157.18; and 157.19.

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

Page 1, after line 28, insert:

"Section 1. [62J.69] [MEDICAL EDUCATION AND RESEARCH TRUST FUND.]

Subdivision 1. [DEFINITIONS.] For purposes of this section, the following definitions apply:

(a) "Medical education" means the accredited clinical training of physicians (medical students and residents), dentists, advanced practice nurses (clinical nurse specialist, certified registered nurse anesthetists, nurse practitioners, and certified nurse midwives), and physician assistants.

(b) "Clinical training" means accredited training that occurs in both inpatient and ambulatory care settings.

(c) "Trainee" means students involved in an accredited clinical training program for medical education as defined in paragraph (a).

(d) "Health care research" means approved clinical, outcomes, and health services investigations that are funded by patient out-of-pocket expenses or a third-party payer.

(e) "Commissioner" means the commissioner of health.

(f) "Teaching institutions" means any hospital, medical center, clinic, or other organization that currently sponsors or conducts accredited medical education programs or clinical research in Minnesota.

Subd. 2. [ALLOCATION AND FUNDING FOR MEDICAL EDUCATION AND RESEARCH.] (a) The commissioner may establish a trust fund for the purposes of funding medical education and research activities in the state of Minnesota.

(b) By January 1, 1997, the commissioner may appoint a commission to provide advice and oversight on the distribution of funds from the medical education and research trust fund. If a commission is appointed the commissioner shall: (1) consider the interest of all stakeholders when selecting commission members; (2) select members that represent both urban and rural interest; and (3) select members that include ambulatory care as well as inpatient perspectives. The commissioner shall appoint to the commission representatives of the following groups: medical researchers, public and private academic medical centers, managed care organizations, Blue Cross and Blue Shield of Minnesota, commercial carriers, Minnesota Medical Association, nursing, employers, and other relevant stakeholders, including consumers. The commission is governed by section 15.059 for membership terms and removal of members and will sunset on June 30, 1999.

(c) Eligible applicants for funds are accredited medical education teaching institutions, consortia, and programs. Applications must be received by September 30 of each year for distribution by January 1 of the following year. An application for funds must include the following:

(1) the official name and address of the institution, facility, or program that is applying for funding;

(2) the name, title, and business address of those persons responsible for administering the funds;

(3) the total number, type, and specialty orientation of eligible trainees in each accredited medical education program applying for funds;

(4) audited clinical training costs per trainee for each medical education program;

(5) a description of current sources of funding for medical education costs including a description and dollar amount of all state and federal financial support;

(6) other revenue received for the purposes of clinical training;

(7) a statement identifying unfunded costs; and

(8) other supporting information the commissioner, with advice from the advisory commission, determines is necessary for the equitable distribution of funds.

(d) The commissioner shall distribute medical education funds to all qualifying applicants based on the following basic criteria: (1) total medical education funds available; (2) total trainees in each eligible education program; (3) the statewide average cost per trainee, by type of trainee, in each medical education program; and (4) a program incentive factor to be determined each year by the commissioner in consultation with the advisory commission. The program incentive factor should reflect the priorities and needs of the state in terms of health care workforce. The incentive factor may not be used if the commissioner finds (i) that workforce needs and priorities have not been adequately documented, or (ii) that market forces are adequately addressing workforce requirements. Funds distributed shall not be used to displace current funding appropriations from federal or state sources.

(e) Medical education programs receiving funds from the trust fund must submit annual cost and program reports based on criteria established by the commissioner. The reports must include:

- (1) the total number of eligible trainees in the program;
- (2) the type of programs and residencies funded;
- (3) the average cost per trainee and a detailed breakdown of the components of those costs;
- (4) other state or federal appropriations received for the purposes of clinical training;
- (5) other revenue received for the purposes of clinical training; and
- (6) other information the commissioner, with advice from the advisory commission, deems appropriate to evaluate the effectiveness of the use of funds for clinical training.

The commissioner, with advice from the advisory commission, will provide an annual summary report to the legislature on program implementation due February 15 of each year.

- (f) The commissioner is authorized to distribute funds made available through:
 - (1) voluntary contributions by employers or other entities;
 - (2) allocations for the department of human services to support medical education and research;and
 - (3) other sources as identified and deemed appropriate by the legislature for inclusion in the trust fund.
- (g) The commission shall continue to study and make recommendations on:
 - (1) the funding of medical research consistent with work currently mandated by the legislature and under way at the department of health;
 - (2) the costs and benefits associated with medical education and research; and
 - (3) workforce requirements and state priorities.

Sec. 2. Minnesota Statutes 1995 Supplement, section 62Q.03, subdivision 8, is amended to read:

Subd. 8. [GOVERNANCE.] ~~(a) The association shall be governed by an interim 19-member board as follows: one provider member appointed by the Minnesota Hospital Association; one provider member appointed by the Minnesota Medical Association; one provider member appointed by the governor; three members appointed by the Minnesota Council of HMOs to include an HMO with at least 50 percent of total membership enrolled through a public program; three members appointed by Blue Cross and Blue Shield of Minnesota, to include a member from a Blue Cross and Blue Shield of Minnesota affiliated health plan with fewer than 50,000 enrollees and located outside the Minneapolis-St. Paul metropolitan area; two members appointed by the Insurance Federation of Minnesota; one member appointed by the Minnesota Association of Counties; and three public members appointed by the governor, to include at least one representative of a public program. The commissioners of health, commerce, human services, and employee relations shall be nonvoting ex-officio members.~~

- ~~(b) The board may elect officers and establish committees as necessary.~~
- ~~(c) A majority of the members of the board constitutes a quorum for the transaction of business.~~
- ~~(d) Approval by a majority of the board members present is required for any action of the board.~~
- ~~(e) Interim board members shall be appointed by July 1, 1994, and shall serve until a new board is elected according to the plan of operation developed by the association.~~
- ~~(f) A member may designate a representative to act as a member of the interim board in the member's absence according to the plan of operation as established in subdivision 8a of this section."~~

Page 2, after line 10, insert:

"Sec. 4. Minnesota Statutes 1994, section 144.572, is amended to read:

144.572 [INSTITUTIONS EXCEPTED.]

No rule nor requirement shall be made, nor standard established under sections 144.50 to 144.56 for any sanitarium, conducted in accordance with the practice and principles of the body known as the Church of Christ, Scientist by and for the adherents of any recognized church or religious denomination for the purpose of providing care and treatment for those who select and depend upon spiritual means through prayer alone, in lieu of medical care, for healing, except as to the sanitary and safe condition of the premises, cleanliness of operation, and its physical equipment."

Page 4, after line 4, insert:

"Sec. 11. Minnesota Statutes 1994, section 144A.09, subdivision 1, is amended to read:

Subdivision 1. ~~[CHURCH OF CHRIST, SCIENTIST SPIRITUAL MEANS FOR HEALING.]~~
No rule established under sections 144A.01 to 144A.16 other than a rule relating to sanitation and safety of premises, to cleanliness of operation or to physical equipment, shall apply to a nursing home conducted in accordance with the teachings of the body known as the Church of Christ, Scientist by and for the adherents of any recognized church or religious denomination for the purpose of providing care and treatment for those who select and depend upon spiritual means through prayer alone, in lieu of medical care, for healing.

Sec. 12. Minnesota Statutes 1994, section 144A.20, subdivision 2, is amended to read:

Subd. 2. [EXCEPTION.] Notwithstanding any law to the contrary, no person desiring to be licensed to administer a nursing home operated exclusively in accordance with the teachings of the body known as the Church of Christ, Scientist by and for the adherents of any recognized church or religious denomination for the purpose of providing care and treatment for those who select and depend upon spiritual means through prayer alone, in lieu of medical care, for healing, shall be required to demonstrate proficiency in any medical technique or meet any medical educational qualification or medical standard which is not in accord with the type of remedial care and treatment provided in a nursing home operated exclusively in accordance with the teachings of that body."

Page 21, line 11, delete "1994" and insert "1995 Supplement"

Page 22, after line 13, insert:

"Sec. 41. Minnesota Statutes 1994, section 327.14, subdivision 8, is amended to read:

Subd. 8. [RECREATIONAL CAMPING AREA.] "Recreational camping area" means any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of five or more tents or recreational camping vehicles free of charge or for compensation. "Recreational camping area" excludes children's camps, industrial camps, migrant labor camps, as defined in Minnesota Statutes and state commissioner of health rules, United States forest service camps, state forest service camps, state wildlife management areas or state-owned public access areas which are restricted in use to picnicking and boat landing, and a temporary holding area for self-contained recreational camping vehicles created by and adjacent to a motor sports facility if the area is ordered by the chief law enforcement officer of the jurisdiction in the interest of public safety.

Sec. 42. [REPORT ON IMMUNIZATION LAW AND POLICY.]

By January 15, 1997, the commissioner of health shall report recommendations to the legislature and governor relating to Minnesota immunization law and policy regarding vaccine-preventable diseases for which immunization is not currently required by law, including, but not limited to, hepatitis A, hepatitis B, varicella, and other vaccine-preventable diseases identified by the commissioner."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, before "modifying" insert "permitting the establishment of a medical education and research trust fund;"

Page 1, line 11, after the semicolon, insert "clarifying the religious denomination exceptions; modifying the definition of recreational camping area; requiring a report on immunization law and policy; modifying the risk adjustment association;"

Page 1, line 12, after the first semicolon, insert "144.572;"

Page 1, line 14, after the first semicolon, insert "144A.09, subdivision 1; 144A.20, subdivision 2;" and delete "157.20,"

Page 1, line 15, delete "by adding a subdivision" and insert "327.14, subdivision 8"

Page 1, line 16 after "sections" insert "62Q.03, subdivision 8;"

Page 1, line 23, after "1" insert ", and by adding a subdivision" and before "repealing" insert "proposing coding for new law in Minnesota Statutes, chapter 62J;"

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

H.F. No. 2953 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.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2953	1871				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2953 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2953 and insert the language after the enacting clause of S.F. No. 1871, the first engrossment; further, delete the title of H.F. No. 2953 and insert the title of S.F. No. 1871, the first engrossment.

And when so amended H.F. No. 2953 will be identical to S.F. No. 1871, and further recommends that H.F. No. 2953 be given its second reading and substituted for S.F. No. 1871, 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.

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

H.F. No. 2245 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.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2245	1944				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2245 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2245 and insert the language after the enacting clause of S.F. No. 1944, the first engrossment; further, delete the title of H.F. No. 2245 and insert the title of S.F. No. 1944, the first engrossment.

And when so amended H.F. No. 2245 will be identical to S.F. No. 1944, and further recommends that H.F. No. 2245 be given its second reading and substituted for S.F. No. 1944, 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.

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

H.F. No. 2369 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.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2369	2037				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2369 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2369 and insert the language after the enacting clause of S.F. No. 2037, the first engrossment; further, delete the title of H.F. No. 2369 and insert the title of S.F. No. 2037, the first engrossment.

And when so amended H.F. No. 2369 will be identical to S.F. No. 2037, and further recommends that H.F. No. 2369 be given its second reading and substituted for S.F. No. 2037, 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.

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

H.F. No. 2365 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.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2365	2384				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2365 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2365 and insert the language after the enacting clause of S.F. No. 2384, the first engrossment; further, delete the title of H.F. No. 2365 and insert the title of S.F. No. 2384, the first engrossment.

And when so amended H.F. No. 2365 will be identical to S.F. No. 2384, and further recommends that H.F. No. 2365 be given its second reading and substituted for S.F. No. 2384, 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.

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

H.F. No. 2889 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS

H.F. No.	S.F. No.
2889	2581

CONSENT CALENDAR

H.F. No.	S.F. No.
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CALENDAR

H.F. No.	S.F. No.
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and that the above 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. Report adopted.

Mr. Berg from the Committee on Gaming Regulation, to which were referred the following appointments as reported in the Journal for January 22, 1996:

MINNESOTA RACING COMMISSION

Carol Connolly
Mark J. Custer
James H. Filkins

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

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

Mr. Berg from the Committee on Gaming Regulation, to which were referred the following appointments as reported in the Journal for January 16, 1996:

GAMBLING CONTROL BOARD

Dennis Flaherty
Howard Register

MINNESOTA RACING COMMISSION

Connie Churchill
John C. Farrell

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

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

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

S.F. No. 2849: A bill for an act relating to education; appropriating money for education and related purposes to the higher education services office, the board of trustees of the Minnesota state colleges and universities, and the board of regents of the University of Minnesota; amending Laws 1994, chapter 643, section 69, subdivision 1.

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

Page 1, line 24, delete "3,997,500" and insert "3,998,000" in both places

Page 1, line 26, delete "3,797,500" and insert "3,797,000" in both places

Page 3, line 22, delete "April 15" and insert "June 30"

Page 3, line 48, delete "3,497,500" and insert "3,498,000"

Page 3, line 59, delete "3,297,500" and insert "3,298,000"

Page 4, line 24, delete "3,297,500" and insert "3,297,000"

Page 4, delete lines 25 to 37 and insert:

"(a) Information Technology

-0- 2,750,000

This appropriation is for a data and video network and equipment to connect academic health center faculty and students on the St. Paul, Duluth, and Minneapolis campuses and at community-based sites.

(b) Rural Health Care

-0- 280,000

This appropriation is for training for primary care and public health specialists to serve rural communities.

(c) Reengineering Expenses

-0- 267,000

This appropriation is for the redesign of research support and technology transfer services for the academic health center."

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

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

S.F. No. 2167: A bill for an act relating to game and fish; allowing multiple applications for emergency deterrent materials assistance; amending Minnesota Statutes 1994, section 97A.028, subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. [ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.]

The sums in the columns headed "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified to be available for the fiscal years indicated for each purpose.

SUMMARY BY FUND

	1996	1997	TOTAL
General	\$,.,.,.,.,.	\$,.,.,.,.,.	\$,.,.,.,.,.
Solid Waste	.,.,.,.,.	.,.,.,.,.	.,.,.,.,.
Minnesota Future Resources	.,.,.,.,.	.,.,.,.,.	.,.,.,.,.
Environment and Natural Resources Trust	.,.,.,.,.	.,.,.,.,.	.,.,.,.,.

APPROPRIATIONS
Available for the Year
Ending June 30
1996 1997

Sec. 2. POLLUTION CONTROL
AGENCY

309,000

264,000

Summary by Fund

General 250,000

Solid Waste 59,000

264,000

\$200,000 is for a detailed assessment of the water quality point source activities as detailed in the 1995 blue ribbon task force report to the legislature. This appropriation is available until June 30, 1997.

\$50,000 is for legal defense of a lawsuit relating to the expansion of the Potlach facility in the city of Cook. This appropriation is available until June 30, 1997.

\$59,000 in fiscal year 1996 and \$264,000 in fiscal year 1997 are from the solid waste fund for insurance claims settlement and recovery associated with landfills in the landfill cleanup program under Minnesota Statutes, chapter 115B.

Sec. 3. NATURAL RESOURCES

540,000

730,000

Subdivision 1. Forest Management

540,000

20,000

\$20,000 in fiscal year 1997 is for posting of state forest land boundaries in the Richard J. Dorer Memorial Hardwood state forest. This appropriation is to supplement, and not supplant, existing posting activities.

\$300,000 in fiscal year 1996 is for grants to the counties of Aitkin, Becker, Clearwater, Hubbard, and St. Louis for reforestation, timber stand improvements, forest road reconstruction and maintenance, aerial photography, and new forest inventories in areas damaged by windstorms in July 1995. Of this amount, \$5,000 is for Aitkin county, \$136,000 is for Becker county, \$100,600 is for Clearwater county, \$8,400 is for Hubbard county, and \$50,000 is for St. Louis county.

\$240,000 in fiscal year 1996 is for unanticipated costs the agency incurred for the assessment of timber damage, cleanup, reconstruction, and replacement of damaged natural resources, facilities, and roads related to July 1995 storm damage.

Subd. 2. Mineral Resources
Management

Notwithstanding Laws 1995, chapter 220, section 5, subdivision 2, the appropriation of \$500,000 from the permanent university fund in fiscal year 1997, which was used to reduce the general fund appropriation in fiscal year 1997 by that amount, is intended to be included in the budget base for fiscal years 1998, 1999, 2000, and 2001 as \$250,000 each year from the permanent university fund and \$250,000 each year from the general fund.

Subd. 3. Parks and Recreation
Management

325,000

\$247,000 in fiscal year 1997 is for implementation of an electronic state park permit tracking system in accordance with the plan prepared under Laws 1995, chapter 220, section 5, subdivision 5. The legislature intends that the state park permit fee increases in section 18 and increased camping fees will raise \$325,000 by June 30, 1997.

Subd. 4. Trails and Waterways

150,000

\$150,000 in fiscal year 1997 is for maintenance of state trails.

\$1,350,000 is appropriated from the all-terrain vehicle account in the natural resources fund to plan, acquire, develop, and operate the Iron Range off-highway vehicle recreation area and to conduct the feasibility study, to be available until June 30, 1998. This appropriation is contingent on the city of Gilbert entering into an agreement to lease the city-owned land within the Iron Range off-highway vehicle recreation area to the state for \$1 per year. The lease term must be at least ten years, and notwithstanding Minnesota Statutes, section 16B.24, subdivision 6, paragraph (a), may be up to 20 years.

The commissioner of finance shall transfer \$675,000 from the off-road vehicle account in the natural resources fund to the all-terrain vehicle account in the natural resources fund, in one or more installments, before July 1, 1998.

The commissioner of finance shall transfer \$135,000 from the off-highway motorcycle account in the natural resources fund to the all-terrain vehicle account in the natural resources fund, in one or more installments, before July 1, 1998.

\$750,000 is from the taconite environmental protection fund to acquire and develop the Iron Range off-highway vehicle recreation area.

Subd. 5. Operations Support

235,000

\$35,000 in fiscal year 1997 is for pilot projects in Douglas, Houston, and Pipestone counties to make signs prohibiting trespassing available to property owners, occupants, and lessees at no charge. This appropriation is available to the extent matched by nonstate sources and may be used only for the purchase of signs to be provided under the pilot projects. The commissioner of natural resources shall work with representatives of conservation organizations, landowners, and tenants in developing a uniform sign format. Under the pilot projects, the signs must be available at the following locations, at a minimum: local department of natural resources offices, county courthouses, and agricultural service centers. The commissioner shall report on the pilot projects by February 15, 1997, to the legislative committees and divisions with jurisdiction over environmental and natural resource issues. The report must include information on the level of public interest in and support for the projects and any effects on relations between landowners and recreational users of land.

The legislature hereby approves the final plan for the integrated resource management pilot project required in Laws 1995, chapter 220, section 5, subdivision 10.

\$150,000 is added to the appropriation in Laws 1995, chapter 220, section 5, subdivision 9.

\$50,000 in fiscal year 1997 is for preparation of recommendations on the reorganization of state and local entities that protect and manage state water resources.

Sec. 4. AGRICULTURE

535,000

\$20,000 is for purposes of the Minnesota dairy producers board established in section 13. This appropriation is available until June 30, 1997.

\$50,000 is for the passing on the farm center under Minnesota Statutes, section 17.985, to be available until June 30, 1997. This appropriation is available only to the extent matched with nonstate money.

\$100,000 is for a grant to the central lakes agricultural center for continuation and expansion of a research project on potato blight. This appropriation is available to the extent matched by nonstate sources until June 30, 1997.

\$250,000 is for grants to establish a one-on-one educational delivery team system to provide new technologies to farmers to enhance the

productive potential and financial management of dairy farms in the state. The teams must consist of farm business management instructors, dairy extension specialists, and dairy industry partners to deliver the informational and technological services. This appropriation is available until June 30, 1997.

\$75,000 is for a grant to a joint powers board formed for the purpose of beaver damage control that includes at least ten of the following counties: Beltrami, Clay, Clearwater, Marshall, Pennington, Polk, Red Lake, Mahnomen, Norman, Becker, Hubbard, Itasca, Kittson, Koochiching, St. Louis, Roseau, and Lake of the Woods. The grant must be matched by at least \$75,000 from the joint powers board. The joint powers board may enter into an agreement with the Red Lake Band of Chippewa Indians for participation by the band in the joint powers board's beaver damage control program. This appropriation is available until June 30, 1997.

\$40,000 is for a contract with the Wabasha county extension service for a pilot project that will assist retiring farmers in transferring their farms to beginning farmers and provide educational and social support necessary for the transfer. The project must bring together retiring farmers and prospective farmers; help the parties negotiate agreements; monitor the progress of matches; coordinate mentors to provide beginning farmers with expertise; and develop and implement an educational farm management and peer support program for beginning farmers. The extension service shall coordinate with other local and statewide agricultural interest groups. This appropriation is available until June 30, 1997.

Sec. 5. OFFICE OF STRATEGIC
AND LONG-RANGE PLANNING

20,000

\$20,000, to be available until June 30, 1997, is for a study by the environmental quality board of the issue of environmental justice, as the term is defined by the United States Environmental Protection Agency and as described in Executive Order No. 12898, issued February 11, 1994. As part of the study, the board must consult with the Asian-Pacific Minnesotans council, the council on Black Minnesotans, the Indian affairs council, the Spanish-speaking affairs council, the attorney general, the departments of human rights, trade and economic development, health, natural resources, and agriculture, and the pollution control agency. By January 1, 1997, the board

must report on the study to the senate and house of representatives environment and natural resources committees. The report must address whether any environmental justice concerns exist in the state and what, if any, legislative actions should be taken to address any identified concerns.

Sec. 6. BOARD OF WATER AND
SOIL RESOURCES

170,000

\$20,000, to be available until June 30, 1997, is for a contract to assess the economic impact of wetland regulations on property values, in connection with a study by the wetland heritage advisory committee of the issue of compensation to landowners for costs, including reduced property values, resulting from regulation under state law of draining and filling of wetlands. The wetland heritage advisory committee shall conduct the study in consultation with the attorney general and representatives of property rights groups and taxpayers groups. The board of water and soil resources shall report on the study by November 1, 1996, to the chairs of the senate committees on agriculture and rural development and environment and natural resources, the finance division of the senate committee on environment and natural resources; and the house of representatives committees on environment and natural resources, agriculture, and environmental and natural resources finance. The report must include recommendations for legislation to address weaknesses identified.

The wetland heritage advisory committee shall study whether and to what extent wetland replacement credit should be available for wetland creation, restoration, and enhancement activities that do not qualify for credit under Minnesota Statutes, section 103G.2242, subdivision 12, because they were not specifically designated for replacement. The board of water and soil resources shall submit a report on the study, including any recommendations for legislation, by November 1, 1996, to the chairs of the senate committees on agriculture and rural development and environment and natural resources and the house of representatives committees on agriculture and environment and natural resources.

\$150,000 is for a grant to the Minnesota river basin joint powers board for projects in the Minnesota river basin, which may include development of a recreation plan. This appropriation is available until June 30, 1998,

and is contingent on the joint powers board providing a \$75,000 match.

Sec. 7. OFFICE OF ENVIRONMENTAL ASSISTANCE

100,000

\$100,000 is for transfer to the attorney general to assist local governments in dealing with legal issues that arise in the course of implementing state solid waste programs, and to assist local governments in the defense of selected lawsuits challenging local government implementation of state solid waste programs. The attorney general shall assign at least one full-time attorney to provide assistance under this program. This appropriation is available until June 30, 1997.

Sec. 8. MINNESOTA RESOURCES

Subdivision 1. Total

Appropriation

4,385,000

Summary by Fund

Minnesota Future Resources Fund

2,755,000

Environment and Natural Resources Trust Fund

1,630,000

Unless otherwise provided, the amounts in this section are available until December 31, 1997, when projects must be completed and final products delivered.

Subd. 2. Definitions

(a) "Future resource fund" means the Minnesota future resources fund in Minnesota Statutes, section 116P.13.

(b) "Trust fund" means the Minnesota environment and natural resources trust fund in Minnesota Statutes, section 116P.02, subdivision 6.

Subd. 3. Parks and Trails

(a) Metropolitan Regional Park System

1,000,000

This appropriation is from the future resources fund for payment by the commissioner of natural resources to the metropolitan council for subgrants to rehabilitate, develop, acquire, and retrofit the metropolitan regional park system consistent with the metropolitan council regional recreation open space capital improvement program.

This appropriation may be used for the purchase of homes only if the purchases are expressly included in the work program approved by the legislative commission on Minnesota resources.

(b) State Park and Recreation
Area Acquisition

1,000,000

This appropriation is from the trust fund to the commissioner of natural resources for acquisition of land within the statutory boundaries of state parks and recreation areas.

(c) Local Grants

895,000

This appropriation is from the future resources fund to the commissioner of natural resources to provide matching grants to local units of government for local park and recreation areas; trail linkages between communities, trails, and parks; and at least \$100,000 for the conservation partners program as provided in Laws 1995, chapter 220, section 19, subdivision 4, paragraph (e). In addition to the required work program, grants may not be approved until grant proposals to be funded have been submitted to the legislative commission on Minnesota resources, and the commission has either made a recommendation or allowed 60 days to pass without making a recommendation. The above appropriations are available half for the seven-county metropolitan area and half for outside of the metropolitan area. For the purposes of this paragraph, match includes nonstate contributions in either cash or in-kind.

Subd. 4. Management Approaches

Upper Mississippi River
Assessment Project

57,000

This appropriation is from the future resources fund to the commissioner of natural resources to assist the evaluation of the economic and environmental sustainability of the upper Mississippi river.

Subd. 5. Natural Resource Data

Public Internet Access
to Data and Information

360,000

This appropriation is from the future resources fund to the commissioner of natural resources for a joint project with the pollution control agency to provide public access via the internet to natural resource, environmental and ecosystem data and information.

Subd. 6. Wildlife

(a) RIM - Accelerate Critical
Habitat Match Program

750,000

\$630,000 of this appropriation is from the environment and natural resources trust fund and

\$120,000 is from the future resources fund to the commissioner of natural resources for activities authorized by Minnesota Statutes, section 84.943. Projects must occur in both urban and rural areas.

(b) Investigation of Deformed
Frogs in Minnesota

123,000

This appropriation is from the future resources fund to the commissioner of the pollution control agency to investigate the health of frog populations and evaluate the causes of frog deformities.

(c) Niemackl Watershed Improvement

200,000

This appropriation is from the future resources fund to the commissioner of natural resources to continue the restoration of the Niemackl watershed by improvement of water quality, flood reduction, fish and wildlife habitat, and recreation through citizen participation with federal, state and local governments, and nongovernment agencies.

Subd. 7. Project Requirements

It is a condition of acceptance of the appropriations in this section that any agency or entity receiving the appropriation must comply with Minnesota Statutes, chapter 116P, and Laws of Minnesota 1995, chapter 220, section 19, subdivisions 17, 18, and 20.

Subd. 8. Carryforward

The availability of the appropriations for the following projects is extended to December 31, 1997 when projects must be completed and final products delivered:

(a) Laws of Minnesota 1995, chapter 220, section 19 subdivision 5, paragraph (g), Mercury Deposition and Lake Quality Trends; (b) Laws of Minnesota 1994, chapter 632, article 2, section 6, Silver Bay Harbor; and (c) Laws of Minnesota 1993, chapter 172, section 14, subdivision 10, paragraph (o), Lake Superior Safe Harbors-Continuation.

Sec. 9. UNIVERSITY OF
MINNESOTA

280,000

\$80,000 is for funding of continued research and development on improved turf grasses to be produced in Minnesota. The agronomy department shall continue its collaboration with turf seed-producing and seed-marketing companies in the state. This appropriation is available until June 30, 1997.

\$200,000 is for the Minnesota institute for sustainable agriculture for the purposes of section 11, including the establishment of a pilot regional agricultural sustainable development center. This appropriation is available until June 30, 1997. By February 15, 1997, the institute must report to the senate committee on agriculture and rural development and the finance division of environment and natural resources committee, and the house of representatives committees on agriculture and environment and natural resources finance on the development of the pilot center. The report must include an analysis of nonstate financing sources that may be available to match state appropriations for the program in future years.

Sec. 10. ATTORNEY GENERAL

91,000

365,000

This appropriation is from the solid waste fund for insurance claims settlement and recovery associated with landfills in the landfill cleanup program under Minnesota Statutes, chapter 115B.

Sec. 11. [17.1161] [SUSTAINABLE DEVELOPMENT OF MINNESOTA AGRICULTURE PROGRAM.]

Subdivision 1. [ESTABLISHMENT; FRAMEWORK.] The Minnesota institute for sustainable agriculture shall establish a framework for participatory problem-solving in local communities throughout rural Minnesota that will strengthen the connection between local communities, regions, and the land-grant university; invest research, education, and outreach dollars to meet agreed-upon local and regional needs; and foster the development of integrated agricultural systems that are profitable, enhance environmental quality, and support rural communities. The framework must include regional, community-controlled agricultural sustainable development centers located at University of Minnesota regional experiment stations. At each center, the Minnesota institute for sustainable agriculture shall facilitate the development of a leadership team comprised of farmers, researchers, public agencies, and other local community representatives to identify problems, chart trends in problems over time, and develop an understanding of the agricultural system as a whole, common goals for development of the system, and five-year action plans to address those goals. The Minnesota institute for sustainable agriculture shall appoint a statewide oversight group of persons with a thorough knowledge of agriculture-related issues, including farmers' organizations, commodity groups, rural economic development groups, the department of agriculture and other public agencies, academic personnel, the agricultural utilization research institute, the Minnesota extension service, and representatives from each regional leadership team. The oversight group shall review and comment on the regional centers' action plans and integrate them into a comprehensive agenda for long-term basic and applied research, education, and outreach activities. The oversight group shall use this agenda to make recommendations on the allocation of funds for regional or statewide use. The Minnesota institute for sustainable agriculture board of directors shall review and give final approval of the allocation of funds after consultation with the dean of the college of agricultural, food, and environmental sciences at the University of Minnesota.

Subd. 2. [PROGRAM AREAS.] Long-term research and education activities must be focused in four program areas:

- (1) sustainable cropping systems;
- (2) development of markets and agriculture-related businesses;

(3) sustainable livestock systems; and

(4) intergenerational transfer in agriculture.

Sec. 12. Minnesota Statutes 1994, section 17.117, subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS.] Up to ~~\$20,000,000~~ \$40,000,000 of the balance in the water pollution control revolving fund in section 446A.07, as determined by the public facilities authority, is appropriated to the commissioner for the establishment of this program.

Sec. 13. [17.76] [MINNESOTA DAIRY PRODUCERS BOARD.]

Subdivision 1. [ESTABLISHMENT; COMPOSITION; OFFICERS.] (a) The Minnesota dairy producers board consists of 17 members. Thirteen of the members must be eligible family dairy producers, one representing each congressional district plus one each from the five Minnesota counties representing the greatest milk production in the preceding year, and four of the members must represent food consumer groups. For purposes of this section, "eligible family dairy producer" means a natural person who daily manages and operates a dairy farm owned by the person. "Eligible family dairy producer" does not include a person who is currently an employee of or a member of the board of directors of an organization involved in milk processing or dairy marketing.

(b) The board shall elect from among its members a chair and other appropriate officers.

Subd. 2. [APPOINTMENT; TERMS; COMPENSATION.] (a) The commissioner of agriculture shall appoint members to the board from statewide organizations representing dairy producers. To the extent practicable, the members must be selected to represent the broad diversity of Minnesota's dairy producers.

(b) The terms and compensation of members and reimbursement for their expenses is governed by section 15.059.

Subd. 3. [DUTIES.] (a) The board shall monitor economic aspects of the dairy production, processing, and marketing process including:

(1) the movement of milk by processors;

(2) price setting at the Green Bay, Wisconsin, cheese exchange;

(3) processor pricing schemes;

(4) producer checkoffs and the use of checkoff funds;

(5) federal and state pricing policy; and

(6) other activities that affect the farm gate price of raw milk.

(b) The board shall regularly educate producers, processors, consumers, and policymakers about the reasons for inadequate raw milk prices.

(c) The board shall conduct quarterly surveys of dairy producers to identify problems created by milk prices that do not provide a fair return on the investment of producers. The board must compile the information from these surveys and recommend solutions to producers.

(d) The board shall determine dairy production costs in each county through periodic surveys and from local organizations of producers.

(e) The board shall serve as an advocate for dairy producers in assuring that members of cooperatives are awarded protections similar to the rights of members of cooperative electric associations under section 216B.027.

Sec. 14. Minnesota Statutes 1994, section 17B.15, subdivision 1, is amended to read:

Subdivision 1. [ADMINISTRATION; APPROPRIATION.] The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. The commissioner shall set fees for all inspection and weighing in an amount adequate to pay the expenses of carrying out and enforcing the purposes of sections 17B.01 to 17B.23, including the portion of general support costs and statewide indirect costs of the agency attributable to that function, with a reserve sufficient for up to six months. The commissioner shall review the fee schedule twice each year. Fee adjustments are not subject to chapter 14. Payment shall be required for services rendered. If the grain is in transit, the fees shall be paid by the carrier and treated as advance charges, and, if received for storage, the fees shall be paid by the warehouse operator, and added to the storage charges.

All fees collected and all fines and penalties for violation of any provision of this chapter shall be deposited in the grain inspection and weighing account, which is created in the state treasury for carrying out the purpose of sections 17B.01 to 17B.23. The money in the account, including interest earned on the account, is annually appropriated to the commissioner of agriculture to administer the provisions of sections 17B.01 to 17B.23. No money from any other account may be used to administer sections 17B.01 to 17B.23.

Sec. 15. [OFF-HIGHWAY VEHICLE RECREATION AREA.]

Subdivision 1. [DEFINITION.] For purposes of this act, "off-highway vehicle" means an all-terrain vehicle, an off-highway motorcycle, or an off-road vehicle as those terms are defined in Minnesota Statutes, chapter 84.

Subd. 2. [85.013] [Subd. 12a.] [IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA.] The Iron Range off-highway vehicle recreation area is established in St. Louis county.

Subd. 3. [ACQUISITION AND MANAGEMENT.] The commissioner of natural resources is authorized to acquire by gift or purchase the lands for the Iron Range off-highway vehicle recreation area. The commissioner shall manage the unit as a state recreation area as provided by Minnesota Statutes, section 86A.05, subdivision 3. The commissioner or the commissioner's designee in the trails and waterways division of the department of natural resources shall develop and manage the area for off-highway vehicle recreational use.

Subd. 4. [ADVISORY COMMITTEE.] (a) A local area advisory committee is established to provide direction on the establishment, planning, development, and operation of the Iron Range off-highway vehicle recreation area. Except as provided in paragraph (b), the commissioner of natural resources shall appoint the members of the advisory committee.

(b) Membership on the advisory committee shall include:

- (1) a representative of the all-terrain vehicle association of Minnesota;
- (2) a representative of the amateur riders of motorcycles association;
- (3) a representative of the Minnesota four-wheel drive association;
- (4) a representative of the St. Louis county board;
- (5) a state representative appointed by the speaker of the house of representatives;
- (6) a state senator appointed by the senate committee on committees;
- (7) a designee of the local environmental community selected by the area environmental organizations;
- (8) a designee of the local tourism community selected by the iron trail convention and visitors bureau;
- (9) a representative of the Tower regional office of the department of natural resources; and
- (10) a representative of the United States Forest Service.

(c) The advisory committee shall elect its own chair and meetings shall be at the call of the chair.

(d) The advisory committee members shall serve as volunteers and accept no per diem.

Subd. 5. [MANAGEMENT PLAN.] The commissioner and the local area advisory committee shall cooperatively develop a comprehensive management plan that provides for:

(1) multiple use recreation for off-highway vehicles;

(2) protection of natural resources;

(3) limited timber management;

(4) land acquisition needs; and

(5) road and facility development.

The completed management plan shall serve as the master plan for purposes of Minnesota Statutes, section 86A.09.

Subd. 6. [BOUNDARIES.] The following described lands are located within the boundaries of the Iron Range off-highway vehicle recreation area:

That part of St. Louis county, Minnesota, lying within:

Section 25, Township 58 North, Range 17 West.

EXCEPT the North Half of the Northeast Quarter.

EXCEPT the Northwest Quarter.

EXCEPT the Northwest Quarter of the Southwest Quarter.

EXCEPT the Southwest Quarter of the Southwest Quarter lying north of the Duluth Missabe and Iron Range Railroad.

Section 26, Township 58 North, Range 17 West.

EXCEPT the Northeast Quarter.

EXCEPT the Northwest Quarter.

EXCEPT the Southwest Quarter.

EXCEPT the Southeast Quarter, 100 feet along the east side of the quarter.

Section 35, Township 58 North, Range 17 West.

EXCEPT the Northwest Quarter.

EXCEPT the Southwest Quarter.

EXCEPT the Southeast Quarter.

EXCEPT the West 970 feet of the Northeast Quarter of the Northeast Quarter.

EXCEPT the Northwest Quarter of the Northeast Quarter.

Section 36, Township 58 North, Range 17 West.

EXCEPT the Southeast Quarter of the Southwest Quarter.

Subd. 7. [ADOPT-A-RECREATION AREA.] The commissioner shall utilize Minnesota Statutes, section 85.045, as much as possible in developing and operating the Iron Range off-highway vehicle recreation area.

Subd. 8. [FEASIBILITY STUDY.] The trails and waterways division of the department of natural resources in consultation with the local area advisory committee shall conduct a study to identify additional sites to expand the Iron Range off-highway vehicle recreation area and to determine the feasibility of acquiring, developing, and connecting the sites.

Subd. 9. [VEHICLES MUST BE REGISTERED.] An off-highway vehicle being operated in the Iron Range off-highway vehicle recreation area must be properly registered under Minnesota Statutes, chapter 84.

Sec. 16. Minnesota Statutes 1994, section 85.052, subdivision 3, is amended to read:

Subd. 3. [FEE FOR CERTAIN PARKING AND CAMPSITE USE.] (a) An individual using spaces in state parks under subdivision 1, clause (2), shall be charged daily rates determined and set by the commissioner in a manner and amount consistent with the type of facility provided for the accommodation of guests in a particular park and with similar facilities offered for tourist camping and similar use in the area.

(b) The fee for special parking spurs, campgrounds for automobiles, sites for tent camping, and special auto trailer coach parking spaces is one-half of the fee set in paragraph (a) on Sunday through Thursday of each week for:

~~(1) an individual age 65 or over who is a resident of the state and who furnishes satisfactory proof of age and residence;~~

~~(2) a physically handicapped person with a motor vehicle that has special plates issued under section 168.021, subdivision 1; or~~

~~(3) (2) a physically handicapped person who possesses a certificate issued under section 169.345, subdivision 3.~~

Sec. 17. Minnesota Statutes 1994, section 85.054, is amended by adding a subdivision to read:

Subd. 6. [IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA.] A state park permit is not required and a fee may not be charged for motor vehicle entry or parking at the Iron Range off-highway vehicle recreation area, except that the commissioner may establish special event fees.

Sec. 18. Minnesota Statutes 1994, section 85.055, subdivision 1, is amended to read:

Subdivision 1. [FEES.] The fee for state park permits for:

(1) an annual use of state parks is ~~\$18~~ \$20;

(2) a second vehicle state park permit is ~~\$12~~ \$15;

(3) a special state park permit valid up to two days is \$4;

(4) a special daily vehicle state park permit for groups is \$2;

(5) an employee's state park permit is without charge; and

~~(6) a special state park permit for handicapped persons and persons over age 65 under section 85.053, subdivision 7, clauses (1), and (2), and (3), is \$12~~ \$15.

The fees specified in this subdivision include any sales tax required by state law.

Sec. 19. Minnesota Statutes 1994, section 94.16, subdivision 3, is amended to read:

Subd. 3. [PROCEEDS FROM NATURAL RESOURCES LAND.] The remainder of the proceeds from the sale of lands that were under the control and supervision of the commissioner of natural resources shall be credited to the land acquisition account in the natural resources fund.

Sec. 20. Minnesota Statutes 1994, section 97A.028, subdivision 3, is amended to read:

Subd. 3. [EMERGENCY DETERRENT MATERIALS ASSISTANCE.] (a) For the purposes of this subdivision, "cooperative damage management agreement" means an agreement between a ~~landowner~~ person and the commissioner that establishes a program for addressing the problem of destruction of the person's specialty crops by wild animals ~~on the landowner's property~~.

(b) A person may apply to the commissioner for emergency deterrent materials assistance in controlling destruction of specialty crops by wild animals. Subject to the availability of money appropriated for this purpose, the commissioner shall provide suitable deterrent materials, ~~up to \$3,000 in value per individual or corporation~~, when the commissioner determines that:

- (1) immediate action is necessary to prevent significant damage from continuing; and
- (2) a cooperative damage management agreement cannot be implemented immediately.

(c) A person may receive emergency deterrent materials assistance under this subdivision more than once, but the cumulative total value of deterrent materials provided to a person may not exceed \$3,000.

(d) As a condition of receiving emergency deterrent materials assistance under this subdivision, a ~~landowner~~ person shall enter into a cooperative damage management agreement with the commissioner. Deterrent materials provided by the commissioner may include repellents, fencing materials, or other materials recommended in the agreement to alleviate the damage problem. If requested by a ~~landowner~~ person, any fencing materials provided must be capable of providing long-term protection of specialty crops. ~~A landowner may not receive emergency deterrent materials assistance under this subdivision more than once. A landowner person who receives emergency deterrent materials assistance under this subdivision shall comply with the terms of the cooperative damage management agreement.~~

Sec. 21. Minnesota Statutes 1995 Supplement, section 103F.725, subdivision 1a, is amended to read:

Subd. 1a. [FINANCIAL ASSISTANCE; LOANS.] (a) Up to ~~\$12,000,000~~ \$24,000,000 of the balance in the water pollution control revolving fund in section 446A.07, as determined by the public facilities authority shall be appropriated to the commissioner for the establishment of a clean water partnership loan program.

(b) The agency may award loans for up to 100 percent of the costs associated with activities identified by the agency as best management practices pursuant to section 319 and section 320 of the federal Water Quality Act of 1987, as amended, including associated administrative costs.

(c) Loans may be used to finance clean water partnership grant project eligible costs not funded by grant assistance.

(d) The interest rate, at or below market rate, and the term, not to exceed 20 years, shall be determined by the agency in consultation with the public facilities authority.

(e) The repayment must be deposited in the water pollution control revolving fund under section 446A.07.

(f) The local unit of government receiving the loan is responsible for repayment of the loan.

(g) For the purpose of obtaining a loan from the agency, a local government unit may provide to the agency its general obligation note. All obligations incurred by a local government unit in obtaining a loan from the agency must be in accordance with chapter 475, except that so long as the obligations are issued to evidence a loan from the agency to the local government unit, an election is not required to authorize the obligations issued, and the amount of the obligations shall not be included in determining the net indebtedness of the local government unit under the provisions of any law or chapter limiting the indebtedness.

Sec. 22. Minnesota Statutes 1995 Supplement, section 446A.07, subdivision 8, is amended to read:

Subd. 8. [OTHER USES OF REVOLVING FUND.] The water pollution control revolving fund may be used as provided in title VI of the Federal Water Pollution Control Act, including the following uses:

(1) to buy or refinance the debt obligation of governmental units for treatment works where debt was incurred and construction begun after March 7, 1985, at or below market rates;

(2) to guarantee or purchase insurance for local obligations to improve credit market access or reduce interest rates;

(3) to provide a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the authority if the bond proceeds are deposited in the fund;

(4) to provide loan guarantees, loans, or set-aside for similar revolving funds established by a governmental unit other than state agencies, or state agencies under sections 17.117, 103F.725, subdivision 1a, 116J.403, and 116J.617; provided that no more than \$2,000,000 \$4,000,000 of the balance in the fund may be used for the small cities block grant program under section 116J.403 and the tourism loan program under section 116J.617, taken together;

(5) to earn interest on fund accounts; and

(6) to pay the reasonable costs incurred by the authority and the agency of administering the fund and conducting activities required under the federal Water Pollution Control Act, including water quality management planning under section 205(j) of the act and water quality standards continuing planning under section 303(e) of the act.

Amounts spent under clause (6) may not exceed the amount allowed under the Federal Water Pollution Control Act.

Sec. 23. Laws 1995, chapter 207, article 1, section 2, subdivision 7, is amended to read:

Subd. 7. Community Mental Health
and State-Operated Services

General

254,604,000	260,379,000
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The amounts that may be spent from this appropriation for each purpose are as follows:

(a) Mental Health Grants - Children

7,097,000	12,536,000
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[MENTAL HEALTH COLLABORATIVE.]
Mental health grants available for children formerly served under the TEFRA program shall be distributed and administered by a children's mental health collaborative where a collaborative exists.

(b) Mental Health Grants - Adults

38,222,000	40,918,000
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(c) Residential Treatment
Center Facilities

194,921,000	192,265,000
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(d) Developmental Disability
and Mentally Ill (DD and MI)
State-Operated Community Services (SOCS)

13,001,000

13,297,000

(e) Administration and Other Grants

1,363,000

1,363,000

[MENTAL HEALTH GRANTS.] (a) Mental health grants appropriated for the biennium as part of the TEFRA and PCA restructuring proposal shall be distributed to children's mental health collaboratives, or where there is no collaborative, to counties. Grants shall be prorated by county based on the estimated dollar value of services for children and adults with a mental health diagnosis that will be lost due to the changes in Minnesota Statutes, sections 256B.055, subdivision 12, and 256B.0627.

(b) The commissioner shall form a work group to recommend a process for awarding grants that will maximize services purchased and minimize administrative overhead. The task force shall include representatives of the state advisory council on mental health and the children's subcommittee, parents, consumers, advocacy groups, providers, and local social service and public health staff. The work group shall consider whether the process for awarding consumer support grants under Minnesota Statutes, section 256.476, can be utilized for awarding these mental health grants. In addition, the work group shall recommend ways to minimize harm to children and families and to reduce barriers to accessing alternative services.

(c) For the first year of the biennium, funds must be distributed by January 1, 1996, and for the second year, by July 1, 1996. None of this appropriation shall be used for county administration, but must be used to fund direct services to persons found ineligible for TEFRA or PCA services.

[MENTAL HEALTH CASE MANAGEMENT.] Notwithstanding section 12 of this article, this paragraph does not expire. The reimbursement rate for mental health case management services provided by counties under Minnesota Statutes, sections 245.4881 and 256B.0625, for children with severe emotional disturbance is \$45.

[CALCULATION OF FTE's.] When calculating regional treatment center full-time equivalent employees, the commissioner of finance shall make a separate calculation for physicians and their salaries.

[RELOCATIONS FROM FARIBAULT.] Of this appropriation, \$162,000 in fiscal year 1996

and \$37,000 in fiscal year 1997 are for grants to counties for discharge planning related to persons with mental retardation or related conditions being relocated from the Faribault regional center to community services.

[TRANSFERS TO MOOSE LAKE.] Notwithstanding Minnesota Statutes, sections 253B.18, subdivisions 4 and 6, and 253B.185, subdivision 2, with the establishment of the Minnesota sexual psychopathic personality treatment center, the commissioner is authorized to transfer any person committed as a psychopathic personality, sexual psychopathic personality, or sexually dangerous person, between the Minnesota security hospital and the facility at Moose Lake.

[RTC CHEMICAL DEPENDENCY PROGRAMS.] When the operations of the regional treatment center chemical dependency fund created in Minnesota Statutes, section 246.18, subdivision 2, are impeded by projected cash deficiencies resulting from delays in the receipt of grants, dedicated income, or other similar receivables, and when the deficiencies would be corrected within the budget period involved, the commissioner of finance may transfer general fund cash reserves into this account as necessary to meet cash demands. The cash flow transfers must be returned to the general fund in the fiscal year that the transfer was made. Any interest earned on general fund cash flow transfers accrues to the general fund and not the regional treatment center chemical dependency fund.

[RTC RESTRUCTURING.] For purposes of restructuring the regional treatment centers and state nursing homes, any regional treatment center or state nursing home employee whose position is to be eliminated shall be afforded the options provided in applicable collective bargaining agreements. All salary and mitigation allocations from fiscal year 1996 shall be carried forward into fiscal year 1997. Provided there is no conflict with any collective bargaining agreement, any regional treatment center or state nursing home position reduction must only be accomplished through mitigation, attrition, transfer, and other measures as provided in state or applicable collective bargaining agreements and in Minnesota Statutes, section 252.50, subdivision 11, and not through layoff.

[RTC POPULATION.] If the resident population at the regional treatment centers is projected to

be higher than the estimates upon which the medical assistance forecast and budget recommendations for the 1996-97 biennium were based, the amount of the medical assistance appropriation that is attributable to the cost of services that would have been provided as an alternative to regional treatment center services, including resources for community placements and waived services for persons with mental retardation and related conditions, is transferred to the residential facilities appropriation.

~~[INFRASTRUCTURE — REINVESTMENT.] \$750,000 is available from the public facilities authority under Minnesota Statutes 446A.071 for grant funds to a local unit of government for the development of infrastructure and planning for redevelopment in response to the memorandum of understanding for the regional treatment centers. Eligible costs include sewer, water, and easements and engineering costs associated with the project proposal.~~

[CAMP.] Of this appropriation, \$30,000 is from the mental health special projects account for adults and children with mental illness from across the state, for a camping program which utilizes the Boundary Waters Canoe Area and is cooperatively sponsored by client advocacy, mental health treatment, and outdoor recreation agencies.

[IMD DOWNSIZING FLEXIBILITY.] If a county presents a budget-neutral plan for a net reduction in the number of institution for mental disease (IMD) beds funded under group residential housing, the commissioner may transfer the net savings from group residential housing and general assistance medical care to medical assistance and mental health grants to provide appropriate services in non-IMD settings.

[REPAIRS AND BETTERMENTS.] The commissioner may transfer unencumbered appropriation balances between fiscal years for the state residential facilities repairs and betterments account and special equipment.

[PROJECT LABOR.] Wages for project labor may be paid by the commissioner of human services out of repairs and betterments money if the individual is to be engaged in a construction project or a repair project of short term and nonrecurring nature. Compensation for project labor shall be based on the prevailing wage rates, as defined in Minnesota Statutes, section 177.42,

subdivision 6. Project laborers are excluded from the provisions of Minnesota Statutes, sections 43A.22 to 43A.30, and shall not be eligible for state-paid insurance and benefits.

[PLAN FOR ADOLESCENT TREATMENT EXPANSION.] The commissioner shall report to the legislature by January 15, 1996, with a cost-neutral plan to add up to 20 beds to each of the two existing adolescent treatment facilities at the regional treatment centers in order to reduce or eliminate out-of-state placement of adolescents who have serious emotional disturbance and exhibit violent behavior, if they cannot be treated in their own communities. Cost neutrality shall be determined by comparing the costs of program expansion with the projected costs of out-of-state placements.

Sec. 24. Laws 1995, chapter 220, section 19, subdivision 4, is amended to read:
Subd. 4. Parks and Trails

(a) METROPOLITAN REGIONAL
PARK SYSTEM

3,950,000

This appropriation is from the trust fund for payment by the commissioner of natural resources to the metropolitan council for subgrants to rehabilitate, develop, acquire, and retrofit the metropolitan regional park system consistent with the metropolitan council regional recreation open space capital improvement program and subgrants for regional trails, consistent with an updated regional trail plan. \$1,666,000 of this appropriation is from the trust fund acceleration.

This appropriation may be used for the purchase of homes only if the purchases are expressly included in the work program approved by the legislative commission on Minnesota resources.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(b) STATE PARK AND RECREATION AREA
ACQUISITION, DEVELOPMENT, BETTERMENT,
AND REHABILITATION

3,150,000

This appropriation is from the trust fund to the commissioner of natural resources as follows: (1) for state park and recreation area acquisition \$1,070,000, of which up to \$670,000 may be used for state trail acquisition of a critical nature; (2) for state park and recreation area development \$680,000; and (3) for betterment and rehabilitation of state parks and recreation areas \$1,400,000. The use of the Minnesota

conservation corps is encouraged in the rehabilitation and development.

\$1,384,000 of this appropriation is from the trust fund acceleration. The commissioner must submit grant requests for supplemental funding for federal ISTEAs in eligible categories and report the results to the legislative commission on Minnesota resources.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(c) STATE TRAIL REHABILITATION
AND ACQUISITION

250,000

This appropriation is from the trust fund to the commissioner of natural resources for state trail plan priorities. \$94,000 of this appropriation is from the trust fund acceleration. The commissioner must submit grant requests for supplemental funding for federal ISTEAs and report the results to the legislative commission on Minnesota resources.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(d) WATER ACCESS

600,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate public water access acquisition and development statewide. Access includes boating access, fishing piers, and shoreline access. Up to \$100,000 of this appropriation may be used for a cooperative project to acquire and develop land, local park facilities, an access trail, and a boat access at the LaRue pit otherwise consistent with the water access program.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(e) LOCAL GRANTS

1,800,000

This appropriation is from the future resources fund to the commissioner of natural resources to provide matching grants, as follows: (1) \$500,000 to local units of government for local park and recreation areas; (2) \$500,000 to local units of government for natural and scenic areas pursuant to Minnesota Statutes, section 85.019; (3) \$400,000 to local units of government for trail linkages between communities, trails, and parks; and (4) \$400,000 for a conservation partners program, a statewide pilot to encourage

private organizations and local governments to cost share enhancement of fish, wildlife, and native plant habitats; and research and surveys of fish and wildlife, and related education activities. Conservation partners grants may be up to \$10,000 each and must be equally matched. In addition to the required work program, grants may not be approved until grant proposals to be funded have been submitted to the legislative commission on Minnesota resources and the commission has either made a recommendation or allowed 60 days to pass without making a recommendation. The above appropriations are available half for the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, and half for outside of the metropolitan area. For the purpose of this paragraph, match includes nonstate contributions either cash or in-kind.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(f) MINNEAPOLIS PARK AND
TRAIL CONNECTIONS

141,000

This appropriation is from the future resources fund to the commissioner of transportation for half of the nonfederal match of ISTEA projects for the Minneapolis park and recreation board to develop park and trail connections including: Minnehaha park to Mendota bridge, Stone Arch bridge to bridge number 9 on West River Parkway, Boom island to St. Anthony Parkway, and West River Parkway to Shingle Creek Parkway. The Minneapolis park and recreation board must apply for and receive approval of the federal money in order to receive this appropriation.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(g) LOCAL SHARE FOR ISTEA
FEDERAL PROJECTS

300,000

This appropriation is from oil overcharge money to the commissioner of administration for half of the nonfederal match of ISTEA projects for: (1) Chisago county, \$150,000 for a trail between North Branch and Forest Lake township; and (2) the St. Louis and Lake counties regional rail authority, \$150,000 for the development of approximately 40 miles of a multipurpose recreational trail system. Chisago county and the St. Louis and Lake counties regional rail

authority must apply for and receive approval of the federal money in order to receive these appropriations.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(h) PINE POINT PARK REST STATION 100,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with Washington county to construct a rest station on the Gateway segment of the Willard Munger state trail in compliance with the Americans with Disabilities Act. This appropriation must be matched by at least \$30,000 of nonstate money.

(i) INTERACTIVE MULTIMEDIA COMPUTER INFORMATION SYSTEM 45,000

This appropriation is from the future resources fund to the commissioner of trade and economic development, office of tourism, for an agreement with Explore Lake County, Inc. to develop a pilot multimedia interactive computer information system at the R. J. Houle visitor information center.

(j) UPPER SIOUX AGENCY STATE PARK 200,000

This appropriation to the commissioner of natural resources is from the future resources fund for bathroom and shower facilities at Upper Sioux Agency State Park.

(k) GRAIN BELT MISSISSIPPI RIVERFRONT DEVELOPMENT 500,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with the metropolitan council for a subgrant to the Minneapolis park and recreation board, which shall cooperate with the Minneapolis community development agency to create riverfront recreational park and marina facilities through acquisition and development of Mississippi riverfront property. This appropriation is contingent on this facility being designated part of the metropolitan regional park and open space system. ~~This appropriation is also contingent on the Guthrie theater's occupancy of the Grain Belt Brewery.~~

(l) WILDCAT REGIONAL PARK 40,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with Houston county to construct an off-channel boat ramp on the Mississippi

River, and wingwalls to protect the ramp and existing swimming beach.

Sec. 25. Laws 1995, chapter 220, section 19, subdivision 6, is amended to read:

Subd. 6. Environmental Education

(a) LEOPOLD EDUCATION PROJECT CURRICULUM

100,000

This appropriation is from the trust fund to the office of environmental assistance for an agreement with Pheasants Forever, Inc. to provide teacher training in the use of the Leopold education project conservation ethics curriculum. This appropriation must be matched by at least \$50,000 of nonstate money.

(b) ENVIRONMENTAL EDUCATION TEACHER TRAINING

500,000

This appropriation is from the trust fund to the office of environmental assistance in cooperation with the environmental education advisory board to develop and deliver statewide environmental education training for preservice and in-service teachers.

(c) SHARING ENVIRONMENTAL EDUCATION KNOWLEDGE

200,000

This appropriation is from the trust fund to the office of environmental assistance in cooperation with the environmental education advisory board to plan and develop an information data exchange and service center that coordinates the collection, evaluation, dissemination, and promotion of environmental education resources and programs.

(d) ENVIRONMENTAL VIDEO RESOURCE LIBRARY AND PUBLIC TELEVISION SERIES

250,000

This appropriation is from the future resources fund to the office of environmental assistance in cooperation with the environmental education advisory board for an agreement with Twin Cities Public Television to create a resource information center for environmental video and to produce and broadcast an environmental television series about Minnesota environmental achievements.

(e) DEVELOPMENT, ASSIMILATION, AND DISTRIBUTION OF WOLF EDUCATIONAL MATERIALS

100,000

This appropriation is from the future resources fund to the office of environmental assistance for an agreement with the International Wolf Center to collect and develop written, electronic, and

photographic audio-visual material about wolf ecology, recovery, and management for electronic distribution. This appropriation must be matched by at least \$30,000 of nonstate money.

(f) ENVIRONMENTAL ACTION GRANTS
FOR MINNESOTA SCHOOLS

200,000

This appropriation is from the trust fund to the department of natural resources for an agreement with St. Olaf college for the school nature area project matching grants to schools for school area nature sites. This appropriation must be matched by at least \$50,000 of nonstate money.

(g) ELECTRONIC ENVIRONMENTAL
EDUCATION NETWORK

250,000

This appropriation is from the future resources fund to the office of environmental assistance for an agreement with the University of Minnesota raptor center to develop a program for student participation in satellite-tracking research, data collection and dissemination using INTERNET, workshops, material development, and off-site classroom experience. This appropriation must be matched by at least \$38,000 of nonstate money.

(h) THREE RIVERS INITIATIVE

750,000

This appropriation is from the future resources fund to the Science Museum of Minnesota to develop exhibits and programs focusing on the Mississippi, Minnesota, and St. Croix rivers.

(i) INTERACTIVE COMPUTER EXHIBIT ON
MINNESOTA RENEWABLE ENERGY SOURCES

150,000

This appropriation is from oil overcharge money to the commissioner of administration for an agreement with the Izaak Walton League of America, midwest office in cooperation with the Science Museum of Minnesota to develop and disseminate an interactive multimedia computer exhibit on renewable energy resources.

(j) TREES FOR TEENS: TRAINING,
RESOURCES, EDUCATION, EMPLOYMENT,
SERVICE

75,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with Twin Cities Tree Trust to develop a pilot program and curriculum materials for educating high school students about urban forestry and assisting them in carrying out peer education and community service projects. This project must be done in cooperation with the Minnesota releaf program.

(k) REDWOOD FALLS SCHOOL DISTRICT
NO. 637 ENVIRONMENTAL EDUCATION PROJECT 250,000

This appropriation is from the future resources fund to the office of environmental assistance for an agreement with the Redwood Falls school district to accelerate development of an outdoor environmental learning center and to integrate environmental education into the K-12 curriculum. Project development will include prairie access improvements including a trail system, establishment of a wetland, and an arboretum.

(l) TOGETHER OUTDOORS MINNESOTA 575,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with Wilderness Inquiry for diversity specialist training, training of outdoor service professionals to provide inclusive programming, and diversity networking, including the development of a directory of recreation facility accessibility. This appropriation must be matched by at least \$80,000 of nonstate money.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(m) ENHANCED NATURAL RESOURCE
OPPORTUNITIES FOR ASIAN-PACIFIC
MINNESOTANS 150,000

This appropriation is from the future resources fund to the commissioner of natural resources for the second biennium of funding for community outreach, cultural collaboration, training, and education to increase Asians' participation and understanding of natural resources management. Supplemental funding must be requested and the results reported to the legislative commission on Minnesota resources.

(n) DELIVER ECOLOGICAL INFORMATION
AND TECHNICAL ASSISTANCE TO
LOCAL GOVERNMENTS 100,000

This appropriation is from the future resources fund to the commissioner of natural resources to provide interpretation of ecological data collected by the county biological survey.

(o) NONPOINT SOURCE POLLUTION
PUBLIC EDUCATION DEMONSTRATION PROJECT 100,000

This appropriation is from the future resources fund to the commissioner of the pollution control agency for an agreement with the city of St. Paul

for a joint project with the city of Minneapolis to conduct surveys and develop and implement nonpoint source pollution public education. This appropriation must be matched by at least \$12,000 of nonstate money.

(p) WHITETAIL DEER RESOURCE CENTER 50,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with the Minnesota Deer Hunters Association to develop a facility and operations plan. This appropriation must be matched by \$50,000 of nonstate money.

(q) GORDON GULLION CHAIR IN FOREST WILDLIFE RESEARCH AND EDUCATION 350,000

This appropriation is from the future resources fund to the University of Minnesota to establish an endowed chair in forest wildlife research and education to develop forest and wildlife sustainable management practices. This appropriation must be matched by at least \$350,000 of nonstate money. This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(r) NEY ENVIRONMENTAL CENTER 100,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with Le Sueur county to develop an environmental learning center in the Minnesota River Valley near Henderson. The appropriation shall be used to ~~convert existing buildings to classrooms~~, add classroom and restroom facilities and, improve access, and remove unneeded structures.

(s) LAWNDAL E ENVIRONMENTAL CENTER 400,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with Lawndale Environmental Foundation to develop an environmental learning center near Herman with emphasis on prairie, wetlands, and agricultural themes. This appropriation must be matched by at least \$100,000 of nonstate money.

Sec. 26. Laws 1995, chapter 220, section 19, subdivision 10, is amended to read:

(a) RIM - ACCELERATE WILDLIFE LAND ACQUISITION 650,000

\$510,000 of this appropriation is from the trust fund and \$140,000 is from the future resources fund to the commissioner of natural resources to accelerate acquisition activities in the reinvest in

Minnesota program by acquiring land identified in North American waterfowl management plan project areas. This appropriation must first be used for projects qualifying for a match, which may include costs for acquisition, enhancements, and wetland restoration.

(b) RIM - ACCELERATE CRITICAL
HABITAT MATCH PROGRAM

250,000

This appropriation is from the trust fund to the commissioner of natural resources to accelerate the reinvest in Minnesota program to acquire and improve critical habitat for game and nongame fish, wildlife, and native plants for activities authorized under Minnesota Statutes, section 84.943. Projects must occur in both urban and rural areas.

(c) RIM - ACCELERATE WILDLIFE
HABITAT STEWARDSHIP

450,000

This appropriation is from the future resources fund to the commissioner of natural resources for improvement of wildlife habitat and natural plant communities statewide, both urban and rural public lands, to protect and enhance wildlife, native plant species, and ecological diversity.

(d) BIOMASS PRODUCTION, MANAGEMENT AND
RESTORATION OF BRUSHLAND HABITATS

200,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with the University of Minnesota-Duluth in cooperation with the natural resources research institute and the Minnesota Sharptailed Grouse Society to assess brushland harvesting, brushland as wildlife habitat, and habitat management strategies.

This project must be completed and final products delivered by December 31, 1997, and the appropriation is available until that date.

(e) TURN IN POACHERS YOUTH ACTIVITY BOOK 50,000

This appropriation is from the future resources fund to the commissioner of natural resources for an agreement with TIP, Inc. to print and disseminate an activity book to inform and educate children about poaching and its impact on natural resources, and to promote ethical hunting and fishing. This appropriation must be matched by at least \$12,500 of nonstate money.

Sec. 27. Laws 1995, chapter 220, section 19, subdivision 19, is amended to read:

Subd. 19. Carryforward

(a) Except as provided in paragraph (b), the

availability of the appropriations for the following projects is extended to December 31, 1995; ~~on that date the appropriations cancel and no further payment is authorized, when projects must be completed and final products delivered:~~ Laws 1993, chapter 172, section 14, subdivisions 3, paragraphs (a), (f), and (i); 6, paragraph (b); 9; 10, paragraphs (a), (c), (g), (p), (q), and (r); and 12, paragraphs (a), (b), (c), (h), (j), and (l).

(b) The availability of the appropriations for the following projects is extended to December 31, 1996; ~~on that date the appropriations cancel and no further payment is authorized, when projects must be completed and final products delivered:~~

(1) Laws 1993, chapter 172, section 14, subdivisions 3, paragraph (c); 4, paragraph (e); 10, paragraphs (d), (f), and (o); 12, paragraphs (f) and (g); in subdivision 10, paragraph (b), the Bloomington East and West Bush Lake picnic areas; and, in subdivision 10, paragraph (c), Cedar Lake trail development and the Dakota North regional trail in South St. Paul; and (2) Laws 1994, chapter 632, article 2, section 6, local recreation grants and Silver Bay harbor.

Sec. 28. Laws 1995, chapter 254, article 1, section 93, is amended to read:

Sec. 93. [SPENDING LIMITATION ON CONTRACTS.]

(a) During the biennium ending June 30, 1997, the aggregate amount spent by all departments or agencies defined in Minnesota Statutes, section 15.91, subdivision 1, on professional or technical service contracts may not exceed 95 percent of the aggregate amount these departments or agencies spent on these contracts during the biennium from July 1, 1993, to June 30, 1995. For purposes of this section, professional or technical service contracts are as defined in Minnesota Statutes, section 16B.17, but do not include contracts for highway construction or maintenance, contracts between state agencies, contracts paid for from insurance trust funds, gift and deposit funds, capital projects funds, or federal funds, contracts with private collection agencies, contracts that are entered into in connection with the agency's distribution of grant funds, or contracts entered into under Minnesota Statutes, section 16B.35 or 115B.42, subdivision 2. The governor or a designated official must limit or disapprove proposed contracts as necessary to comply with this section.

(b) During the biennium ending June 30, 1997, the amount spent by (1) the house of representatives; (2) the senate; and (3) the legislative coordinating commission and all groups under its jurisdiction, from direct-appropriated funds on professional or technical service contracts may not exceed 95 percent of the amount spent on these contracts from direct-appropriated funds during the biennium from July 1, 1993, to June 30, 1995. Each entity listed in clauses (1), (2), and (3) of this paragraph must be treated separately for purposes of determining compliance with this paragraph, except that the legislative coordinating commission and all groups under its jurisdiction must be treated as one unit. For purposes of this paragraph, "professional or technical service contract" has the meaning defined in section 16B.17, but does not include contracts for actuarial services entered into by the legislative commission on pensions and retirement, or contracts with other legislative or state executive agencies. The house of representatives committee on rules and legislative administration, the senate committee on rules and administration, and the legislative coordinating commission must each determine the amount of the reduction to be made under this paragraph.

Sec. 29. [BRANDING ANIMALS; REPORT.]

By January 15, 1997, the board of animal health shall report to the senate agriculture and rural development committee and the house of representatives agriculture committee with recommendations for changes in Minnesota Statutes, sections 35.821 to 35.831, relating to the branding of live animals. The report must include specific recommendations on brand inspection requirements and whether the state should allow registration of brands that use technologies other than hot irons. In developing the recommendations, the board shall gather public input from buyers and sellers of live animals.

Sec. 30. [REPEALER.]

Laws 1995, chapter 224, section 18, subdivision 4, is repealed.

Sec. 31. [EFFECTIVE DATE.]

This act is effective the day following final enactment, except that sections 12, 14, 21, and 22 are effective July 1, 1996, and section 18 is effective for 1997 state park permits."

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; appropriating money and modifying provisions relating to the environment, natural resources, and agriculture; supplementing, reducing, and modifying earlier appropriations; establishing a board; establishing an off-highway vehicle recreation area; providing for reports and fees; amending Minnesota Statutes 1994, sections 17.117, subdivision 3; 17B.15, subdivision 1; 85.052, subdivision 3; 85.054, by adding a subdivision; 85.055, subdivision 1; 94.16, subdivision 3; and 97A.028, subdivision 3; Minnesota Statutes 1995 Supplement, sections 103F.725, subdivision 1a; and 446A.07, subdivision 8; Laws 1995, chapters 207, article 1, section 2, subdivision 7; 220, section 19, subdivisions 4, 6, 10, and 19; and 254, article 1, section 93; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Laws 1995, chapter 224, section 18, subdivision 4."

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

SECOND READING OF SENATE BILLS

S.F. No. 2849 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2953, 2245, 2369, 2365 and 2889 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Pogemiller moved that the names of Ms. Hanson and Mr. Janezich be added as co-authors to S.F. No. 1884. The motion prevailed.

Mr. Laidig moved that the name of Mr. Price be added as a co-author to S.F. No. 2030. The motion prevailed.

Ms. Hanson moved that the name of Ms. Krentz be added as a co-author to S.F. No. 2173. The motion prevailed.

Mr. Marty moved that the name of Mr. Cohen be added as a co-author to S.F. No. 2339. The motion prevailed.

Mr. Johnson, D.E. moved that his name be stricken as a co-author to S.F. No. 2609. The motion prevailed.

Mr. Sams moved that S.F. No. 2276 be withdrawn from the Committee on Taxes and Tax Laws and returned to its author. The motion prevailed.

Mr. Sams moved that S.F. No. 2675, No. 104 on General Orders, be stricken and returned to its author. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Laidig introduced--

S.F. No. 2853: A bill for an act relating to taxation; reducing the MinnesotaCare tax rate imposed on persons furnishing dental services; amending Minnesota Statutes 1994, section 295.52, subdivision 2, and by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Johnson, D.J. and Solon introduced--

S.F. No. 2854: A bill for an act relating to taxation; appropriating a portion of the proceeds of the occupation tax to the natural resources research institute at the University of Minnesota; proposing coding for new law in Minnesota Statutes, chapter 298.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Morse and Price introduced--

S.F. No. 2855: A bill for an act relating to natural resources; requiring certain vessels transporting oil or hazardous materials on the Mississippi river to be double hulled or accompanied by a tugboat; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 103F.

Referred to the Committee on Environment and Natural Resources.

Mr. Beckman introduced--

S.F. No. 2856: A bill for an act relating to criminal justice; appropriating money for the judicial branch, public safety, corrections, criminal justice, crime prevention programs, and other related purposes; providing for community notification of the release of certain sex offenders, expanding the sex offender registration act; reconciling various provisions on criminal history background checks; implementing, clarifying, and modifying certain criminal and juvenile provisions; implementing, clarifying, and modifying certain penalty provisions; establishing and expanding pilot programs, grant programs, task forces, committees, and studies; providing for the retention of consultants; amending Minnesota Statutes 1994, sections 8.01; 15.86, by adding a subdivision; 84.91, by adding a subdivision; 86B.331, by adding a subdivision; 144A.46, subdivision 5; 168.041, subdivision 6; 168.042, subdivisions 8, 12, and by adding a subdivision; 169.121, subdivisions 2, 3, and 4; 169.123, subdivision 4; 171.17, subdivision 1; 171.29, subdivision 1; 171.30, subdivisions 1 and 2a; 181.9412; 244.17, subdivision 2, and by adding a subdivision; 244.172, subdivision 2; 268.30, subdivision 2; 299A.35, as amended; 609.115, by adding a subdivision; 609.52, subdivision 2; 611.271; 611A.25, subdivision 3; and 611A.361, subdivision 3; Minnesota Statutes 1995 Supplement, sections 16B.181; 144.057, subdivisions 1, 3, and 4; 171.29, subdivision 2; 243.166, subdivisions 1 and 7; 245A.04, subdivision 3; 299A.326, subdivision 1; 299C.67, subdivision 5; 299C.68, subdivisions 2, 5, and 6; and 609.2325, subdivision 3; Laws 1995, chapter 229, article 3, section 17; proposing coding for new law in Minnesota Statutes, chapters 168; 168A; 244; 299A; and 609.

Referred to the Committee on Finance.

Mr. Merriam, for the Committee on Finance, introduced--

S.F. No. 2857: A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government; amending Minnesota Statutes 1994, sections 8.15, by adding a subdivision; 16D.02, subdivision 2; 16D.03, subdivisions 2 and 3; 16D.04, subdivision 2; 16D.09; 69.021, subdivision 4, and by adding subdivisions; 69.031, subdivisions 1 and 5; 144C.03, subdivision 2; 363.071, subdivision 7; and 423A.02, by adding a subdivision; Minnesota Statutes 1995 Supplement, sections 16D.02, subdivision 8; 16D.04, subdivision 1; 16D.06, subdivision 2; 16D.08, subdivision 2; 16D.11, subdivisions 1 and 7; and 16D.12; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 1995 Supplement, section 353.65, subdivision 7.

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 2857 and that the rules of the Senate be so far suspended as to give S.F. No. 2857 its second reading and place it on the General Orders Calendar. The motion prevailed.

S.F. No. 2857 was read the second time.

MEMBERS EXCUSED

Messrs. Chandler, Chmielewski, Janezich, Metzen, Mondale, Spear and Stevens were excused from the Session of today.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:00 noon, Monday, February 26, 1996. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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			2889	6509	6539
			2953	6507	6539

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